

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 3381

**DATE:** March 27, 2008

**Version:** First committee engrossment

**Authors:** Clark and others

**Subject:** State Government Finance

**Analyst:** Emily Cleveland, 651.296.5808; Jeanne LeFevre, 651.296.5043

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

### Section

#### **Article 1: Housing**

- 1**      **Debt ceiling.** Amends § 462A.22, subd. 1. Increases the total outstanding debt limit for the Housing Finance Agency from \$3 billion to \$5 billion.

#### **Article 2: Public Health**

This article adjusts state budget items related to the Department of Health. It requires certain safety requirements for public pools and requires that drains and covers in public pools are inspected daily. Also, this article prohibits the sale of children's products containing certain chemicals.

- 1 to 4**      Refer to the spreadsheet.
- 5**      **Fees.** Amends § 144.1222, subd. 1a. Requires that all public pool construction plans submitted after January 1, 2009, must be certified by a professional engineer registered in the state. Modifies the fees for plan review and inspection of public pools and spas.
- 6**      **Public pool construction.** Amends § 144.1222 by adding subd. 1c. Requires that all pools constructed after January 1, 2009, without a gravity outlet or drain, must have each pump connected to at least two suction outlets, connected in parallel with suction outlet covers.
- 7**      **Public pools; required equipment.** Amends § 144.1222 by adding subd. 1c. (a) Requires that public pools that are less than four feet deep must meet certain safety requirements by January 1, 2010.

**Section**

(b) Requires all other existing pools to meet certain safety standards by January 1, 2011 .

(c) Requires all drain covers and grates be installed with screws meeting manufacturer's specifications, by June 1, 2008 .

(d) Requires that by July 1, 2008 , and each year after that, all public pool owners certify as to the required safety features to the commissioner.

**8** **Safety inspections.** Amends § 144.1222 by adding subd. 1d. (a) Requires that pool operators physically inspect drain covers and grates daily, and keep a record of these daily inspections.

(b) States that anytime an outlet cover or grate is missing, broken, or loose the pool must be closed and may not reopen until it is replaced or installed according to the manufacturer's specifications.

**9** **Definitions.** Amends § 144.1222 by adding subd. 4. Provides definitions of the following terms: "ASME/ANSI standard," "ASTM standard," "public pool," and "unblockable suction outlet or drain."

**10** **Licenses required; fees.** Amends § 157.16. Modifies licensure and fee provisions related to food, beverage, and lodging establishments by explicitly including public pools. Requires licensure, license renewal, and fees for businesses operating public pools and requires that the license is posted at the establishment.

**11** **Definitions.** Adds § 325F.172. "Children's product" means a product designed for or intended for use by a person under three years of age, including a toy; clothing; a product to facilitate sleep or feeding; and products to be applied to the skin of or taken internally by a child.

Provides an immediate effective date for this section.

**12** **Bisphenol -A in children's products; ban.** Adds § 325F.173. Bars, beginning January 1, 2009 , a person from selling or offering for initial sale at retail in this state, a children's product containing bisphenol-A.

Provides an immediate effective date for this section.

**13** **Phthalates in children's products; ban.** Adds § 325F.174. Bars, beginning January 1, 2009 , a person from selling or offering for initial sale at retail in this state:

- a children's product containing the chemicals DEHP, DBP or BBP in concentrations exceeding 0.1 percent, including plastic tubing or a container used to administer a solution to a child; or
- a children's product that can be placed in a child's mouth that contains DINP, DIDP or DNOP in concentrations exceeding 0.1 percent.

Provides an immediate effective date for this section.

**14** **Replacement chemicals.** Adds § 325F.175. Prohibits a manufacturer from replacing bisphenol-A or phthalates as a result of the prohibitions above with a chemical classified as known or reasonably anticipated to be a human carcinogen according to the National Toxicology Program's Report on Carcinogens, or is identified by the Environmental

## Section

Protection Agency as causing birth defects or reproductive or environmental harm.

Provides an immediate effective date for this section.

- 15 Participation in interstate clearinghouse.** Adds § 325F.176. Permits the state Pollution Control Agency to participate in the establishment of a multi-state clearinghouse to identify children's products containing bisphenol-A and phthalates and to evaluate safer alternatives.

Provides an immediate effective date for this section.

- 16 Department of Health.** Abolishes two positions within the Department of Health: the most recently hired deputy commissioner and the most recently hired assistant commissioner.

Provides an immediate effective date for this section.

- 17 Programs consolidated.** Requires the commissioner of health to consolidate the positive abortion alternatives program and the woman's right to know program. States that the websites for these programs must also be consolidated.

- 18 Rulemaking.** Requires the Department of Health to adopt rules to change the definition of "public pools" to conform to the definition provided in § 144.1222, subd. 4.

## **Article 3: Adoption**

This article permits adopted persons age 19 and older to have access to a noncertified copy of their original birth record if there is no affidavit of nondisclosure on file.

- 2 Adoption records.** Amends § 13.465, subdivision 8. Updates a cross-reference to a section of law proposed in this bill.
- 3 Adoption.** Amends § 144.218, subdivision 1. Provides that an original birth record is private data on individuals; current law classifies this as confidential. Adds that an adopted person who is at least 19 years of age shall be able to access the information contained on the original birth record. Adds a cross-reference to proposed coding in this bill.
- 4 Data about births.** Amends § 144.225, subdivision 2. Adds a cross-reference to proposed coding in this bill.
- 5 Access to original birth record after adoption.** Amends § 144.2252. Changes a cross-reference to proposed coding in this bill.
- 6 Access to original birth record by adopted person; department duties.** Proposes coding for § 144.2253.

**Subd. 1. Affidavits.** Requires the department to prepare forms under which birth parents may agree or object to the release of the birth record, and requires the department to make the forms available on the department's website.

**Subd. 2. Disclosure.** Provides that the state registrar shall provide a noncertified copy of the original birth certificate upon request to an adopted person age 19 or older if there is no affidavit of nondisclosure on file. Instructs the state registrar to honor both affidavits of disclosure and nondisclosure.

**Subd. 3. Rescission of affidavit.** Allows a birth parent to rescind an affidavit of

**Section**

disclosure or an affidavit of nondisclosure at any time.

**Subd. 4. Affidavit of nondisclosure; access to birth record.** Paragraph (a) permits an adopted person age 19 or older to petition the court for access to the birth record. After consideration of all interests if the court determines disclosure of the information would be of greater benefit than nondisclosure, then the court shall grant the petition.

Paragraph (b) permits an adopted person age 19 or older to request that the state registrar search state death records to determine if the birth parent is deceased. Permits imposition of a fee for the search. If the birth parent is deceased, the registrar is to release the birth record only to the adopted person making the request.

**Subd. 5. Information provided.** Paragraph (a) instructs the department, in consultation with adoption agencies and adoption advocates, to provide information to adopted persons and birth parents about changes in the law affecting birth records.

Paragraph (b) provides that the department is to provide a notice on its website about the changes in the law and direct people to agencies and advocates for post-adoption resources.

- 7 **Which services are for fee.** Amends § 144.226, subd. 1. Requires the department to charge a fee for noncertified copies of birth records. States the purpose of the fee.
- 8 **Request.** Amends § 259.89, subdivision 1. Strikes language that requires the commissioner of health to notify the commissioner of human services when an adopted person requests disclosure of information on the birth record.
- 9 **Rights of terminated parent.** Amends § 260C.317, subdivision 4. Changes a cross-reference to proposed coding in this bill.
- 10 **Adoption agencies fee.** Permits adoption agencies to charge a fee for counseling and support services provided to adopted persons and birth parents.
- 11 **Repealer .** Repeals section 259.83, subdivision 3 (related to access of information on the original birth records); section 259.89, subdivision 2 (search by the commissioner of human services for the birth parents); subdivision 3 (related to access of birth record if the commissioner cannot locate the birth parents); subdivision 4 (release of birth record information after notice to the birth parents); and subdivision 5 (release of birth record information if the birth parents is deceased).
- 12 **Effective date.** Provides an effective date of July 1, 2009 .

**Article 4: Department of Human Services**

The article provides appropriations to the commissioner to human services for foodshelf programs and for long-term homeless supportive services. It also provides a correction to Laws 2007, chapter 147.

**1 to 5** Refer to the spreadsheet.