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# HOUSE FILE NO. 1065

## *FIRST COMMITTEE ENGROSSMENT*

February 19, 2007

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The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

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*Referred by Chair to Veterans Affairs Division.*

March 9, 2007

*Returned to the Committee on Agriculture, Rural Economies and Veterans Affairs as Amended.*

1.1 A bill for an act  
1.2 relating to veterans affairs; providing a health screening benefit for eligible  
1.3 members of the armed forces; requiring notification; appropriating money;  
1.4 proposing coding for new law in Minnesota Statutes, chapter 197.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[197.08] HEALTH SCREENING TEST FOR EXPOSURE TO**  
1.7 **DEPLETED URANIUM.**

1.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the following definitions  
1.9 apply.

1.10 (b) "Commissioner" means the commissioner of veterans affairs.

1.11 (c) "Depleted uranium" means uranium containing less Uranium 235 than the  
1.12 naturally occurring distribution of uranium isotopes.

1.13 (d) "Eligible person" means a veteran or current member of the United States armed  
1.14 forces, including the Minnesota National Guard and other reserves, who has served  
1.15 in active military service as defined in section 190.05, subdivision 5, at any time since  
1.16 August 2, 1990, and who is a Minnesota resident.

1.17 (e) "Veteran" has the meaning assigned in section 197.447.

1.18 Subd. 2. **Health screening test.** (a) The following eligible persons have a right to a  
1.19 best practice health screening test for exposure to depleted uranium:

1.20 (1) those who have been assigned a risk level I or II for depleted uranium exposure  
1.21 by the person's branch of service;

1.22 (2) those who can provide to the satisfaction of the commissioner evidence of  
1.23 exposure equivalent to an assigned risk of level I or II; and

2.1 (3) those who provide evidence to the satisfaction of the commissioner of a medical  
2.2 diagnosis of serious debilitating symptoms of nonspecific origin following service in an  
2.3 area where depleted uranium ammunition was expended.

2.4 (b) The commissioner, in consultation with the commissioner of health, must  
2.5 select a test that utilizes a bioassay procedure involving sensitive methods capable of  
2.6 detecting depleted uranium at low levels and the use of equipment with the capacity to  
2.7 discriminate between different radioisotopes in naturally occurring levels of uranium and  
2.8 the characteristic ratio and marker for depleted uranium.

2.9 Subd. 3. **Commissioner to provide for test.** The commissioner shall establish a  
2.10 method for administering the health screening test described in subdivision 2.

2.11 Subd. 4. **Notification of availability to those eligible.** The commissioner must  
2.12 make reasonable efforts to inform all eligible persons of their potential right to the health  
2.13 screening test described in subdivision 2.

2.14 Subd. 5. **Random sample study.** (a) In addition to the testing required under  
2.15 subdivision 2, the commissioner shall select a random sample containing ten percent of  
2.16 the eligible members who as Minnesota residents have served for a period of 30 days  
2.17 or more within Iraq or Afghanistan in support of contingency operations for Operation  
2.18 Iraqi Freedom or Operation Enduring Freedom. Each eligible member who is selected  
2.19 into the sample by the commissioner has the right to the same health screening test  
2.20 as provided under subdivision 2. The commissioner must make a reasonable effort to  
2.21 inform each selected person of that right, and must provide the person with a reasonable  
2.22 opportunity to take the health screening test. The commissioner, acting in accordance with  
2.23 the requirements of chapter 13, the Government Data Practices Act, must statistically  
2.24 tabulate the results of the screening tests for the selected sample and upon request must  
2.25 report those results to the chairs and ranking minority members of the senate and house of  
2.26 representatives committees responsible for military and veterans affairs.

2.27 (b) The adjutant general of the Minnesota National Guard, and the senior officer of  
2.28 each military reserve organization located within Minnesota shall assist the commissioner  
2.29 with the sampling task by providing to the commissioner in a timely manner a complete  
2.30 listing of the names, unit designations, and most recent mailing addresses of their current  
2.31 and previous members who as Minnesota residents have served for a period of 30 days  
2.32 or more in active military service within Iraq or Afghanistan in support of contingency  
2.33 operations for Operation Iraqi Freedom or Operation Enduring Freedom.

2.34 **EFFECTIVE DATE.** This section is effective July 1, 2007.

2.35 Sec. 2. **APPROPRIATION.**

- 3.1 \$3,000,000 is appropriated from the general fund to the commissioner of veterans  
3.2 affairs in fiscal year 2007 to implement section 1. Any balance remaining does not expire  
3.3 and is available for this same purpose in fiscal year 2008.