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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 1582

March 1, 2007

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to health; making technical changes; eliminating radioactive material
1.3 license renewal fee; establishing fees for ionizing radiation-producing equipment;
1.4 modifying requirements for operating x-ray equipment; changing provisions
1.5 in the lead abatement program; amending Minnesota Statutes 2006, sections
1.6 144.1205, subdivision 1; 144.121, subdivisions 1a, 5; 144.9512, subdivisions 1,
1.7 2, 3, 10; repealing Minnesota Statutes 2006, sections 144.121, subdivisions 1c,
1.8 4; 144.146, subdivision 1; 144.9512, subdivisions 4, 6, 7, 8.

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

1.10 Section 1. Minnesota Statutes 2006, section 144.1205, subdivision 1, is amended to
1.11 read:

1.12 Subdivision 1. **Application and license renewal fee.** When a license is required for
1.13 radioactive material or source or special nuclear material by a rule adopted under section
1.14 144.1202, subdivision 2, an application fee according to subdivision 4 must be paid upon
1.15 initial application for a license. The licensee must renew the license 60 days before the
1.16 expiration date of the license ~~by paying a license renewal fee equal to the application fee~~
1.17 ~~under subdivision 4.~~ The expiration date of a license is the date ~~set by the United States~~
1.18 ~~Nuclear Regulatory Commission before transfer of the licensing program under section~~
1.19 ~~144.1202 and thereafter~~ as specified by rule of the commissioner of health.

1.20 Sec. 2. Minnesota Statutes 2006, section 144.121, subdivision 1a, is amended to read:

1.21 Subd. 1a. **Fees for ~~x-ray machines and other sources of ionizing~~**
1.22 **radiation-producing equipment.** A facility with ~~x-ray machines or other sources of~~
1.23 ~~ionizing radiation-producing equipment~~ must ~~biennially~~ pay an annual initial or ~~biennial~~
1.24 annual renewal registration fee consisting of a base facility fee of ~~\$132~~ \$66 and an

2.1 additional fee for each ~~x-ray machine or other source of ionizing~~ radiation source, as
2.2 follows:

2.3	(1) medical or veterinary equipment	\$	106 <u>53</u>
2.4	(2) dental x-ray equipment	\$	66 <u>33</u>
2.5	(3) accelerator	\$	132 <u>66</u>
2.6	(4) radiation therapy equipment	\$	132 <u>66</u>
2.7	x-ray equipment not used on humans or		
2.8	(5) animals	\$	106 <u>53</u>
2.9	(6) devices with sources of ionizing radiation not		
2.10	used on humans or animals	\$	106 <u>53</u>
2.11	(7) sources of radium	\$	198

2.12 Sec. 3. Minnesota Statutes 2006, section 144.121, subdivision 5, is amended to read:

2.13 Subd. 5. **Examination for individual operating x-ray equipment.** After January
2.14 1, 1997, an individual in a facility with x-ray equipment for use on humans that is
2.15 registered under subdivision 1 may not operate, nor may the facility allow the individual
2.16 to operate, x-ray equipment unless the individual has passed an examination approved
2.17 by the commissioner of health, or an examination determined to the satisfaction of the
2.18 commissioner of health to be an equivalent national, state, or regional examination,
2.19 that demonstrates the individual's knowledge of basic radiation safety, proper use of
2.20 ~~x-ray ionizing radiation-producing equipment, darkroom and film processing,~~ and quality
2.21 assurance procedures. The commissioner shall establish by rule criteria for the approval of
2.22 examinations required for an individual operating an x-ray machine in Minnesota.

2.23 Sec. 4. Minnesota Statutes 2006, section 144.9512, subdivision 1, is amended to read:

2.24 Subdivision 1. **Definitions.** (a) The definitions in section 144.9501 and in this
2.25 subdivision apply to this section.

2.26 (b) "Eligible organization" means a ~~lead contractor,~~ city, board of health, community
2.27 health department, community action agency as defined in section 256E.30, ~~or~~ community
2.28 development corporation, or nonprofit organization.

2.29 (c) "Commissioner" means the commissioner of health, ~~or the commissioner of the~~
2.30 ~~Minnesota Housing Finance Agency as authorized by section 462A.05, subdivision 15c.~~

2.31 Sec. 5. Minnesota Statutes 2006, section 144.9512, subdivision 2, is amended to read:

2.32 Subd. 2. **Grants; administration.** Within the limits of the available appropriation,
2.33 the commissioner ~~must develop a swab team services program which may make~~
2.34 ~~demonstration and training~~ grants to eligible organizations to train workers to provide
2.35 swab team services ~~and swab team services~~ for residential property. Grants may be

3.1 awarded to nonprofit organizations to provide technical assistance and training to ensure
3.2 quality and consistency within the statewide program. ~~Grants must be awarded to help~~
3.3 ~~ensure full-time employment to workers providing swab team services and must be~~
3.4 ~~awarded for a two-year period.~~

3.5 ~~Grants awarded under this section must be made in consultation with the~~
3.6 ~~commissioner of the Housing Finance Agency and representatives of neighborhood~~
3.7 ~~groups from areas at high risk for toxic lead exposure, a labor organization, the lead~~
3.8 ~~coalition, community action agencies, and the legal aid society. The consulting team must~~
3.9 ~~review grant applications and recommend awards to eligible organizations that meet~~
3.10 ~~requirements for receiving a grant under this section.~~

3.11 Sec. 6. Minnesota Statutes 2006, section 144.9512, subdivision 3, is amended to read:

3.12 Subd. 3. **Applicants.** (a) Interested eligible organizations may apply to the
3.13 commissioner for grants under this section. Two or more eligible organizations may
3.14 jointly apply for a grant. Priority shall be given to community action agencies in greater
3.15 Minnesota and to either community action agencies or neighborhood based nonprofit
3.16 organizations in cities of the first class. Of the total annual appropriation, 12.5 percent may
3.17 be used for administrative purposes. The commissioner may deviate from this percentage
3.18 if a grantee can justify the need for a larger administrative allowance. Of this amount,
3.19 up to five percent may be used by the commissioner for state administrative purposes.
3.20 Applications must provide information requested by the commissioner, including at least
3.21 the information required to assess the factors listed in paragraph (d).

3.22 (b) The commissioner must consult with boards of health to provide swab team
3.23 services for purposes of secondary prevention. The priority for swab teams created
3.24 by grants to eligible organizations under this section must be work assigned by the
3.25 commissioner of health, or by a board of health if so designated by the commissioner of
3.26 health, to provide secondary prevention swab team services to fulfill the requirements
3.27 of section 144.9504, subdivision 6, in response to a lead order. Swab teams assigned
3.28 work under this section by the commissioner, that are not engaged daily in fulfilling the
3.29 requirements of section 144.9504, subdivision 6, must deliver swab team services in
3.30 response to elevated blood lead levels as defined in section 144.9501, subdivision 9,
3.31 where lead orders were not issued, and for purposes of primary prevention in census
3.32 tracts known to be in areas at high risk for toxic lead exposure as described in section
3.33 144.9503, subdivision 2.

4.1 (c) Any additional money must be used for grants to establish swab teams for
 4.2 primary prevention under section 144.9503, in census tracts in areas at high risk for toxic
 4.3 lead exposure as determined under section 144.9503, subdivision 2.

4.4 (d) In evaluating grant applications, the commissioner must consider the following
 4.5 criteria:

4.6 (1) the use of lead contractors and lead workers for residential swab team services;

4.7 (2) the participation of neighborhood groups and individuals, as swab team workers,
 4.8 in areas at high risk for toxic lead exposure;

4.9 (3) plans for the provision of swab team services for primary and secondary
 4.10 prevention as required under subdivision 4;

4.11 (4) plans for supervision, training, career development, and postprogram placement
 4.12 of swab team members; and

4.13 ~~(5) plans for resident and property owner education on lead safety;~~

4.14 ~~(6) plans for distributing cleaning supplies to area residents and educating residents
 4.15 and property owners on cleaning techniques;~~

4.16 ~~(7) sources of other funding and cost estimates for training, lead inspections, swab
 4.17 team services, equipment, monitoring, testing, and administration;~~

4.18 ~~(8) measures of program effectiveness;~~

4.19 ~~(9) coordination of program activities with other federal, state, and local public
 4.20 health, job training, apprenticeship, and housing renovation programs including programs
 4.21 under sections 116L.86 to 116L.881; and~~

4.22 ~~(10)~~ (5) prior experience in providing swab team services.

4.23 Sec. 7. Minnesota Statutes 2006, section 144.9512, subdivision 10, is amended to read:

4.24 Subd. 10. **Requirements of organizations receiving grants.** An eligible
 4.25 organization that is awarded a ~~training and demonstration~~ grant under this section must
 4.26 prepare and submit a quarterly progress report to the commissioner beginning three
 4.27 months after receipt of the grant.

4.28 Sec. 8. **REPEALER.**

4.29 Minnesota Statutes 2006, sections 144.121, subdivisions 1c and 4; 144.146,
 4.30 subdivision 1; and 144.9512, subdivisions 4, 6, 7, and 8, are repealed.