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HOUSE FILE No. 3381

FIRST COMMITTEE ENGROSSMENT

February 25, 2008

Authored by Clark, Brynaert, McNamara, Benson, Huntley and others
The bill was read for the first time and referred to the Committee on Finance

Referred by Chair to Housing Policy and Finance and Public Health Finance Division.

March 25, 2008

Returned to the Committee on Finance as Amended.

A bill for an act

1.1 relating to state government finance; increasing the debt ceiling for new bonds or
1.2 notes for Housing Finance Agency; changing provisions for public swimming
1.3 pools; banning bisphenol-A and phthalates in children's products; limiting
1.4 replacement chemicals; requiring the Department of Health to abolish certain
1.5 positions; requiring consolidation of positive abortion alternatives program
1.6 and woman's right to know program; changing adoption records provisions;
1.7 appropriating money for foodshelf programs and homeless supportive services;
1.8 making reductions in certain areas; amending Minnesota Statutes 2006, sections
1.9 13.465, subdivision 8; 144.1222, subdivision 1a, by adding subdivisions;
1.10 144.218, subdivision 1; 144.225, subdivision 2; 144.2252; 144.226, subdivision
1.11 1; 157.16, as amended; 259.89, subdivision 1; 260C.317, subdivision 4; 462A.22,
1.12 subdivision 1; Laws 2007, chapter 147, article 19, section 3, subdivision 4;
1.13 proposing coding for new law in Minnesota Statutes, chapters 144; 325F;
1.14 repealing Minnesota Statutes 2006, sections 259.83, subdivision 3; 259.89,
1.15 subdivisions 2, 3, 4, 5.
1.16

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

ARTICLE 1

HOUSING

1.20 Section 1. Minnesota Statutes 2006, section 462A.22, subdivision 1, is amended to
1.21 read:

1.22 Subdivision 1. **Debt ceiling.** The aggregate principal amount of bonds and notes
1.23 which are outstanding at any time, excluding the principal amount of any bonds and
1.24 notes refunded by the issuance of new bonds or notes, shall not exceed the sum of
1.25 ~~\$3,000,000,000~~ \$5,000,000,000.

3.1 under Minnesota Statutes, section 145.4235,
 3.2 is reduced by \$1,900,000 in the second
 3.3 year. Base level funding for this program
 3.4 is reduced by \$1,900,000 each year of the
 3.5 biennium beginning July 1, 2009.

3.6 **Subd. 3. Health Protection** 633,000

3.7 **Base Adjustment.** The state government
 3.8 special revenue fund base is increased
 3.9 \$633,000 in fiscal year 2009 and \$722,000 in
 3.10 fiscal years 2010 and 2011.

3.11 **Subd. 4. Administrative Support Services** (1,650,000)

3.12 **Base Adjustment.** The general fund base is
 3.13 reduced \$1,650,000 in fiscal year 2009 and
 3.14 \$1,581,000 in fiscal years 2010 and 2011.

3.15 **Operating Budget.** The Department of
 3.16 Health must implement this reduction in
 3.17 a manner that does not result in the loss
 3.18 of federal funds. All budget reductions
 3.19 must be made with an emphasis on cutting
 3.20 administrative and overhead expenses,
 3.21 including, but not limited to, outstate travel,
 3.22 instate travel, compensation, and supplies
 3.23 with as little impact as possible on programs
 3.24 and services.

3.25 **Sec. 4. HEALTH-RELATED BOARDS.**

3.26 **Subdivision 1. Total Appropriation**

3.27 <u>State Government Special</u>			
3.28 <u>Revenue</u>	<u>\$</u>	<u>114,000</u>	<u>\$ 200,000</u>

3.29 **Subd. 2. Board of Nursing Home**
 3.30 **Administrators**

3.31 <u>State Government Special Revenue</u>		<u>100,000</u>	<u>200,000</u>
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3.32 **Administrative Services Unit.** The amounts
 3.33 appropriated are for the administrative
 3.34 services unit to pay for costs of contested

4.1 case hearings and other unanticipated costs
 4.2 of legal proceedings involving health-related
 4.3 boards funded under Laws 2007, chapter
 4.4 147, article 19, section 6. Upon certification
 4.5 of a health-related board to the administrative
 4.6 services unit that such costs will be
 4.7 incurred and that there are insufficient
 4.8 funds available to pay for such costs out of
 4.9 funds currently available to that board, the
 4.10 administrative services unit is authorized
 4.11 to transfer funds from this appropriation
 4.12 to the board for payment of those costs
 4.13 with the approval of the commissioner of
 4.14 finance. This appropriation shall not cancel.
 4.15 Any unencumbered and unspent balances
 4.16 remain available for these expenditures in
 4.17 subsequent fiscal years.

4.18 **Subd. 3. Board of Marriage and Family**
 4.19 **Therapy**

4.20 State Government Special Revenue 14,000

4.21 Sec. 5. Minnesota Statutes 2006, section 144.1222, subdivision 1a, is amended to read:

4.22 Subd. 1a. **Fees.** All plans and specifications for public swimming pool and spa
 4.23 construction, installation, or alteration or requests for a variance that are submitted to the
 4.24 commissioner according to Minnesota Rules, part 4717.3975, shall be accompanied by the
 4.25 appropriate fees. All public pool construction plans submitted for review after January 1,
 4.26 2009, must be certified by a professional engineer registered in the state of Minnesota.
 4.27 If the commissioner determines, upon review of the plans, that inadequate fees were
 4.28 paid, the necessary additional fees shall be paid before plan approval. For purposes of
 4.29 determining fees, a project is defined as a proposal to construct or install a public pool,
 4.30 spa, special purpose pool, or wading pool and all associated water treatment equipment
 4.31 and drains, gutters, decks, water recreation features, spray pads, and those design and
 4.32 safety features that are within five feet of any pool or spa. The commissioner shall charge
 4.33 the following fees for plan review and inspection of public pools and spas and for requests
 4.34 for variance from the public pool and spa rules:

4.35 (1) each ~~spa~~ pool, ~~\$500~~ \$800;

5.1 (2) ~~projects valued at \$250,000 or less, a minimum of \$800 per pool plus: each~~
5.2 ~~spa pool, \$500;~~

5.3 ~~(i) (3) for each slide, an additional \$400; and~~

5.4 ~~(ii) for each spa pool, an additional \$500;~~

5.5 ~~(3) (4) projects valued at \$250,000 or more, the greater of the sum of the fees in~~
5.6 ~~clauses (1), (2), and (3) or 0.5 percent of the documented estimated project cost to a~~
5.7 ~~maximum fee of \$10,000;~~

5.8 ~~(4) (5) alterations to an existing pool without changing the size or configuration~~
5.9 ~~of the pool, \$400;~~

5.10 ~~(5) (6) removal or replacement of pool disinfection equipment only, \$75; and~~

5.11 ~~(6) (7) request for variance from the public pool and spa rules, \$500.~~

5.12 Sec. 6. Minnesota Statutes 2006, section 144.1222, is amended by adding a subdivision
5.13 to read:

5.14 Subd. 1b. **Public pool construction.** For all public pools constructed after January
5.15 1, 2009, without a gravity outlet or drain, each pump must be connected to at least two
5.16 suction outlets, connected in parallel with suction outlet covers that meet ASME/ANSI
5.17 standards.

5.18 Sec. 7. Minnesota Statutes 2006, section 144.1222, is amended by adding a subdivision
5.19 to read:

5.20 Subd. 1c. **Public pools; required equipment.** (a) Beginning January 1, 2010, all
5.21 public pools with the deepest water being less than four feet deep must have either:

5.22 (1) an unblockable suction outlet or drain;

5.23 (2) at least two suction outlets, connected in parallel with suction outlet covers that
5.24 meet ASME/ANSI standards; or

5.25 (3) a gravity outlet or drain.

5.26 (b) Beginning January 1, 2011, all other existing public pools must have either:

5.27 (1) an unblockable suction outlet or drain;

5.28 (2) at least two suction outlets, connected in parallel with suction outlet covers that
5.29 meet ASME/ANSI standards; or

5.30 (3) a gravity outlet or drain.

5.31 (c) By June 1, 2008, all drain covers and grates must be installed with screws that
5.32 meet the manufacturer's specifications.

5.33 (d) By July 1, 2008, and annually thereafter, all public pool owners must certify to
5.34 the commissioner on a form prescribed by the commissioner that:

6.1 (1) all outlets except for unblockable drains and gravity drains are equipped with
6.2 covers that have been stamped by the manufacturer that they are in compliance with
6.3 ASME/ANSI standards; and

6.4 (2) all covers and grates, including mounting rings, have been inspected to ensure
6.5 that they have been properly installed and are not broken or loose.

6.6 Sec. 8. Minnesota Statutes 2006, section 144.1222, is amended by adding a subdivision
6.7 to read:

6.8 Subd. 1d. **Safety inspections.** (a) The pool operator is required to conduct a
6.9 physical inspection of the drain covers and grates on a daily basis. The record required
6.10 under Minnesota Rules, part 4717.0750, must indicate that this inspection was completed
6.11 every day the pool is open for use.

6.12 (b) If at any time an outlet cover or grate is missing, broken, or loose, the pool must
6.13 be closed immediately. The pool may not open until the missing or broken cover or grate
6.14 has been replaced according to the manufacturer's specifications, or the loose cover or
6.15 grate has been reattached according to the manufacturer's specifications.

6.16 Sec. 9. Minnesota Statutes 2006, section 144.1222, is amended by adding a subdivision
6.17 to read:

6.18 Subd. 4. **Definitions.** (a) For purposes of this section, the following terms have
6.19 the meanings given them.

6.20 (b) "ASME/ANSI standard" means a safety standard accredited by the American
6.21 National Standards Institute and published by the American Society of Mechanical
6.22 Engineers.

6.23 (c) "ASTM standard" means a safety standard issued by ASTM International,
6.24 formerly known as the American Society for Testing and Materials.

6.25 (d) "Public pool" means any pool other than a private residential pool, that is open to
6.26 the public generally, whether for a fee or free of charge; open exclusively to members of
6.27 an organization and their guests; residents of a multiunit apartment building, apartment
6.28 complex, residential real estate development, or other multifamily residential area; or
6.29 patrons of a hotel or lodging or other public accommodation facility; or operated by
6.30 a person in a park, school, licensed child care facility, group home, motel, camp, resort,
6.31 club, condominium, manufactured home park, or political subdivision with the exception
6.32 of swimming pools at family day care homes licensed under section 245A.14, subdivision
6.33 11, paragraph (a).

7.1 (e) "Unblockable suction outlet or drain" means a drain of any size and shape that a
7.2 human body cannot sufficiently block to create a suction entrapment hazard and meets
7.3 ASME/ANSI standards.

7.4 Sec. 10. Minnesota Statutes 2006, section 157.16, as amended by Laws 2007, chapter
7.5 147, article 9, section 34, is amended to read:

7.6 **157.16 LICENSES REQUIRED; FEES.**

7.7 Subdivision 1. **License required annually.** A license is required annually for
7.8 every person, firm, or corporation engaged in the business of conducting a food and
7.9 beverage service establishment, hotel, motel, lodging establishment, public pool, or
7.10 resort. Any person wishing to operate a place of business licensed in this section shall
7.11 first make application, pay the required fee specified in this section, and receive approval
7.12 for operation, including plan review approval. Seasonal and temporary food stands and
7.13 special event food stands are not required to submit plans. Nonprofit organizations
7.14 operating a special event food stand with multiple locations at an annual one-day event
7.15 shall be issued only one license. Application shall be made on forms provided by the
7.16 commissioner and shall require the applicant to state the full name and address of the
7.17 owner of the building, structure, or enclosure, the lessee and manager of the food and
7.18 beverage service establishment, hotel, motel, lodging establishment, public pool, or resort;
7.19 the name under which the business is to be conducted; and any other information as may
7.20 be required by the commissioner to complete the application for license.

7.21 Subd. 2. **License renewal.** Initial and renewal licenses for all food and beverage
7.22 service establishments, hotels, motels, lodging establishments, public pools, and resorts
7.23 shall be issued for the calendar year for which application is made and shall expire
7.24 on December 31 of such year. Any person who operates a place of business after the
7.25 expiration date of a license or without having submitted an application and paid the fee
7.26 shall be deemed to have violated the provisions of this chapter and shall be subject to
7.27 enforcement action, as provided in the Health Enforcement Consolidation Act, sections
7.28 144.989 to 144.993. In addition, a penalty of \$50 shall be added to the total of the license
7.29 fee for any food and beverage service establishment operating without a license as a
7.30 mobile food unit, a seasonal temporary or seasonal permanent food stand, or a special
7.31 event food stand, and a penalty of \$100 shall be added to the total of the license fee for all
7.32 restaurants, food carts, hotels, motels, lodging establishments, public pools, and resorts
7.33 operating without a license for a period of up to 30 days. A late fee of \$300 shall be added
7.34 to the license fee for establishments operating more than 30 days without a license.

8.1 Subd. 2a. **Food manager certification.** An applicant for certification or certification
8.2 renewal as a food manager must submit to the commissioner a \$28 nonrefundable
8.3 certification fee payable to the Department of Health.

8.4 Subd. 3. **Establishment fees; definitions.** (a) The following fees are required for
8.5 food and beverage service establishments, hotels, motels, lodging establishments, public
8.6 pools, and resorts licensed under this chapter. Food and beverage service establishments
8.7 must pay the highest applicable fee under paragraph (d), clause (1), (2), (3), or (4), and
8.8 establishments serving alcohol must pay the highest applicable fee under paragraph (d),
8.9 clause (6) or (7). The license fee for new operators previously licensed under this chapter
8.10 for the same calendar year is one-half of the appropriate annual license fee, plus any
8.11 penalty that may be required. The license fee for operators opening on or after October 1
8.12 is one-half of the appropriate annual license fee, plus any penalty that may be required.

8.13 (b) All food and beverage service establishments, except special event food stands,
8.14 and all hotels, motels, lodging establishments, public pools, and resorts shall pay an
8.15 annual base fee of \$150.

8.16 (c) A special event food stand shall pay a flat fee of \$40 annually. "Special event
8.17 food stand" means a fee category where food is prepared or served in conjunction with
8.18 celebrations, county fairs, or special events from a special event food stand as defined
8.19 in section 157.15.

8.20 (d) In addition to the base fee in paragraph (b), each food and beverage service
8.21 establishment, other than a special event food stand, and each hotel, motel, lodging
8.22 establishment, public pool, and resort shall pay an additional annual fee for each fee
8.23 category, additional food service, or required additional inspection specified in this
8.24 paragraph:

8.25 (1) Limited food menu selection, \$50. "Limited food menu selection" means a fee
8.26 category that provides one or more of the following:

8.27 (i) prepackaged food that receives heat treatment and is served in the package;

8.28 (ii) frozen pizza that is heated and served;

8.29 (iii) a continental breakfast such as rolls, coffee, juice, milk, and cold cereal;

8.30 (iv) soft drinks, coffee, or nonalcoholic beverages; or

8.31 (v) cleaning for eating, drinking, or cooking utensils, when the only food served
8.32 is prepared off site.

8.33 (2) Small establishment, including boarding establishments, \$100. "Small
8.34 establishment" means a fee category that has no salad bar and meets one or more of
8.35 the following:

9.1 (i) possesses food service equipment that consists of no more than a deep fat fryer, a
9.2 grill, two hot holding containers, and one or more microwave ovens;

9.3 (ii) serves dipped ice cream or soft serve frozen desserts;

9.4 (iii) serves breakfast in an owner-occupied bed and breakfast establishment;

9.5 (iv) is a boarding establishment; or

9.6 (v) meets the equipment criteria in clause (3), item (i) or (ii), and has a maximum
9.7 patron seating capacity of not more than 50.

9.8 (3) Medium establishment, \$260. "Medium establishment" means a fee category
9.9 that meets one or more of the following:

9.10 (i) possesses food service equipment that includes a range, oven, steam table, salad
9.11 bar, or salad preparation area;

9.12 (ii) possesses food service equipment that includes more than one deep fat fryer,
9.13 one grill, or two hot holding containers; or

9.14 (iii) is an establishment where food is prepared at one location and served at one or
9.15 more separate locations.

9.16 Establishments meeting criteria in clause (2), item (v), are not included in this fee
9.17 category.

9.18 (4) Large establishment, \$460. "Large establishment" means either:

9.19 (i) a fee category that (A) meets the criteria in clause (3), items (i) or (ii), for a
9.20 medium establishment, (B) seats more than 175 people, and (C) offers the full menu
9.21 selection an average of five or more days a week during the weeks of operation; or

9.22 (ii) a fee category that (A) meets the criteria in clause (3), item (iii), for a medium
9.23 establishment, and (B) prepares and serves 500 or more meals per day.

9.24 (5) Other food and beverage service, including food carts, mobile food units,
9.25 seasonal temporary food stands, and seasonal permanent food stands, \$50.

9.26 (6) Beer or wine table service, \$50. "Beer or wine table service" means a fee
9.27 category where the only alcoholic beverage service is beer or wine, served to customers
9.28 seated at tables.

9.29 (7) Alcoholic beverage service, other than beer or wine table service, \$135.

9.30 "Alcohol beverage service, other than beer or wine table service" means a fee
9.31 category where alcoholic mixed drinks are served or where beer or wine are served from
9.32 a bar.

9.33 (8) Lodging per sleeping accommodation unit, \$8, including hotels, motels,
9.34 lodging establishments, and resorts, up to a maximum of \$800. "Lodging per sleeping
9.35 accommodation unit" means a fee category including the number of guest rooms, cottages,

10.1 or other rental units of a hotel, motel, lodging establishment, or resort; or the number of
10.2 beds in a dormitory.

10.3 (9) First public swimming pool, \$180; each additional public swimming pool, \$100.
10.4 "Public swimming pool" means a fee category that has the meaning given in Minnesota
10.5 Rules, ~~part 4717.0250, subpart 8~~ section 144.1222, subdivision 4.

10.6 (10) First spa, \$110; each additional spa, \$50. "Spa pool" means a fee category that
10.7 has the meaning given in Minnesota Rules, part 4717.0250, subpart 9.

10.8 (11) Private sewer or water, \$50. "Individual private water" means a fee category
10.9 with a water supply other than a community public water supply as defined in Minnesota
10.10 Rules, chapter 4720. "Individual private sewer" means a fee category with an individual
10.11 sewage treatment system which uses subsurface treatment and disposal.

10.12 (12) Additional food service, \$130. "Additional food service" means a location at
10.13 a food service establishment, other than the primary food preparation and service area,
10.14 used to prepare or serve food to the public.

10.15 (13) Additional inspection fee, \$300. "Additional inspection fee" means a fee to
10.16 conduct the second inspection each year for elementary and secondary education facility
10.17 school lunch programs when required by the Richard B. Russell National School Lunch
10.18 Act.

10.19 (e) A fee of \$350 for review of the construction plans must accompany the initial
10.20 license application for restaurants, hotels, motels, lodging establishments, or resorts with
10.21 five or more sleeping units.

10.22 (f) When existing food and beverage service establishments, hotels, motels, lodging
10.23 establishments, or resorts are extensively remodeled, a fee of \$250 must be submitted
10.24 with the remodeling plans. A fee of \$250 must be submitted for new construction or
10.25 remodeling for a restaurant with a limited food menu selection, a seasonal permanent
10.26 food stand, a mobile food unit, or a food cart, or for a hotel, motel, resort, or lodging
10.27 establishment addition of less than five sleeping units.

10.28 (g) Seasonal temporary food stands and special event food stands are not required to
10.29 submit construction or remodeling plans for review.

10.30 Subd. 3a. **Statewide hospitality fee.** Every person, firm, or corporation that
10.31 operates a licensed boarding establishment, food and beverage service establishment,
10.32 seasonal temporary or permanent food stand, special event food stand, mobile food unit,
10.33 food cart, resort, hotel, motel, or lodging establishment in Minnesota must submit to the
10.34 commissioner a \$35 annual statewide hospitality fee for each licensed activity. The fee
10.35 for establishments licensed by the Department of Health is required at the same time the

11.1 licensure fee is due. For establishments licensed by local governments, the fee is due by
11.2 July 1 of each year.

11.3 Subd. 4. **Posting requirements.** Every food and beverage service establishment,
11.4 hotel, motel, lodging establishment, public pool, or resort must have the license posted in
11.5 a conspicuous place at the establishment.

11.6 Sec. 11. **[325F.172] DEFINITIONS.**

11.7 For the purposes of sections 325F.172 to 325F.175, the following terms have the
11.8 meanings given them.

11.9 (a) "BBP" means benzyl butyl phthalate, CAS # 85-68-7.

11.10 (b) "Child" means a person under three years of age.

11.11 (c) "Children's product" means a product, other than a food or beverage product
11.12 contained in a can, except in those used for infant formulas, designed or intended by a
11.13 manufacturer to be used by a child:

11.14 (1) as a toy or an article of clothing;

11.15 (2) to facilitate sleep, relaxation, or feeding; or

11.16 (3) to be rubbed, poured, sprinkled, sprayed on, introduced into, or otherwise
11.17 applied to the human body or any part thereof, including any article used as a component
11.18 of such a product.

11.19 (d) "DBP" means di-n-butyl phthalate, CAS # 84-74-2.

11.20 (e) "DEHP" means di (2-ethylhexyl) phthalate, CAS # 117-81-7.

11.21 (f) "DIDP" means di-isodecyl phthalate, CAS # 26761-40-0.

11.22 (g) "DINP" means di-iso-nonyl phthalate, CAS # 71549-78-5.

11.23 (h) "DNOP" means di-n-octyl phthalate, CAS # 117-84-6.

11.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.25 Sec. 12. **[325F.173] BISPHENOL-A IN CHILDREN'S PRODUCTS; BAN.**

11.26 Beginning January 1, 2009, no manufacturer may sell or offer for initial sale at retail
11.27 in this state a children's product that contains bisphenol-A. For purposes of this section,
11.28 "bisphenol-A" means an estrogen-mimicking endocrine disrupting chemical used in the
11.29 production of epoxy resins and polycarbonate plastics.

11.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.31 Sec. 13. **[325F.174] PHTHALATES IN CHILDREN'S PRODUCTS; BAN.**

12.1 (a) Beginning January 1, 2009, no manufacturer may sell or offer for initial sale at
12.2 retail in this state a children's product that contains one of the following phthalates: DEHP,
12.3 DBP, or BBP, in concentrations exceeding 0.1 percent, including plastic tubing used to
12.4 deliver a solution intravenously to a child under three years of age.

12.5 (b) Beginning January 1, 2009, no manufacturer or entity may sell or offer for initial
12.6 sale at retail in this state any children's product that can be placed in a child's mouth
12.7 and contains one of the following phthalates: DINP, DIDP, or DNOP, in concentrations
12.8 exceeding 0.1 percent.

12.9 (c) For purposes of this section, "phthalates" means a class of chemicals used to
12.10 provide flexibility to polyvinyl chloride (PVC) plastic.

12.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.12 **Sec. 14. [325F.175] REPLACEMENT CHEMICALS.**

12.13 A manufacturer shall not replace bisphenol-A or phthalates as a result of the
12.14 prohibitions in section 325F.173 or 325F.174 with a chemical that is:

12.15 (1) classified as "known to be a human carcinogen" or "reasonably anticipated to be
12.16 a human carcinogen" in the most recent Report on Carcinogens published by the National
12.17 Toxicology Program in the United States Department of Health and Human Services; or

12.18 (2) identified by the federal Environmental Protection Agency as causing birth
12.19 defects or reproductive or environmental harm.

12.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.21 **Sec. 15. [325F.176] PARTICIPATION IN INTERSTATE CLEARINGHOUSE.**

12.22 The Pollution Control Agency may participate in the establishment and
12.23 implementation of a multistate clearinghouse to identify children's products containing
12.24 bisphenol-A and phthalates and to evaluate safer alternatives that may be substituted
12.25 for those chemicals.

12.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.27 **Sec. 16. DEPARTMENT OF HEALTH.**

12.28 The positions held by the most recently hired deputy commissioner of health and the
12.29 most recently hired assistant commissioner of health are abolished.

12.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

13.1 Sec. 17. **PROGRAMS CONSOLIDATED.**

13.2 The commissioner of health shall consolidate the positive abortion alternatives
13.3 program, under Minnesota Statutes, section 145.4235, and woman's right to know
13.4 program, under Minnesota Statutes, sections 145.4241 to 145.4249. In addition to
13.5 consolidation of operations for these two programs, the Web sites for these programs
13.6 shall be consolidated into one Web site.

13.7 Sec. 18. **RULEMAKING.**

13.8 The Department of Health shall adopt rules to change the definition of public pool
13.9 in Minnesota Rules, part 4717.0250, subpart 8, to reflect the definition of public pool in
13.10 section 9.

13.11 **ARTICLE 3**13.12 **ADOPTION**

13.13 Section 1. Minnesota Statutes 2006, section 13.465, subdivision 8, is amended to read:

13.14 Subd. 8. **Adoption records.** Various adoption records are classified under section
13.15 259.53, subdivision 1. Access to the original birth record of a person who has been
13.16 adopted is governed by section ~~259.89~~ 144.2253.

13.17 Sec. 2. Minnesota Statutes 2006, section 144.218, subdivision 1, is amended to read:

13.18 Subdivision 1. **Adoption.** (a) Upon receipt of a certified copy of an order, decree,
13.19 or certificate of adoption, the state registrar shall register a replacement vital record in
13.20 the new name of the adopted person. Except as provided in paragraph (b), the original
13.21 record of birth is confidential pursuant to private data on individuals as defined in section
13.22 13.02, subdivision 3 12, and shall not be disclosed except pursuant to court order or
13.23 section 144.2252 or 144.2253.

13.24 (b) The information contained on the original birth record, except for the registration
13.25 number, shall be provided on request to: (1) a parent who is named on the original birth
13.26 record; or (2) the adopted person who is subject of the record if the person is at least 19
13.27 years of age, unless there is an affidavit of nondisclosure on file with the state registrar.
13.28 Upon the receipt of a certified copy of a court order of annulment of adoption the state
13.29 registrar shall restore the original vital record to its original place in the file.

13.30 Sec. 3. Minnesota Statutes 2006, section 144.225, subdivision 2, is amended to read:

13.31 Subd. 2. **Data about births.** (a) Except as otherwise provided in this subdivision,
13.32 data pertaining to the birth of a child to a woman who was not married to the child's father

14.1 when the child was conceived nor when the child was born, including the original record
14.2 of birth and the certified vital record, are confidential data. At the time of the birth of a
14.3 child to a woman who was not married to the child's father when the child was conceived
14.4 nor when the child was born, the mother may designate demographic data pertaining to
14.5 the birth as public. Notwithstanding the designation of the data as confidential, it may
14.6 be disclosed:

14.7 (1) to a parent or guardian of the child;

14.8 (2) to the child when the child is 16 years of age or older;

14.9 (3) under paragraph (b) or (e); or

14.10 (4) pursuant to a court order. For purposes of this section, a subpoena does not
14.11 constitute a court order.

14.12 (b) Unless the child is adopted, data pertaining to the birth of a child that are not
14.13 accessible to the public become public data if 100 years have elapsed since the birth of
14.14 the child who is the subject of the data, or as provided under section 13.10, whichever
14.15 occurs first.

14.16 (c) If a child is adopted, data pertaining to the child's birth are governed by the
14.17 provisions relating to adoption records, including sections 13.10, subdivision 5; 144.218,
14.18 subdivision 1; 144.2252; 144.2253; and 259.89.

14.19 (d) The name and address of a mother under paragraph (a) and the child's date of
14.20 birth may be disclosed to the county social services or public health member of a family
14.21 services collaborative for purposes of providing services under section 124D.23.

14.22 (e) The commissioner of human services shall have access to birth records for:

14.23 (1) the purposes of administering medical assistance, general assistance medical
14.24 care, and the MinnesotaCare program;

14.25 (2) child support enforcement purposes; and

14.26 (3) other public health purposes as determined by the commissioner of health.

14.27 Sec. 4. Minnesota Statutes 2006, section 144.2252, is amended to read:

14.28 **144.2252 ACCESS TO ORIGINAL BIRTH RECORD AFTER ADOPTION.**

14.29 (a) Whenever an adopted person requests the state registrar to disclose the
14.30 information on the adopted person's original birth record, the state registrar shall act
14.31 according to section ~~259.89~~ 144.2253.

14.32 (b) The state registrar shall provide a transcript of an adopted person's original birth
14.33 record to an authorized representative of a federally recognized American Indian tribe
14.34 for the sole purpose of determining the adopted person's eligibility for enrollment or
14.35 membership. Information contained in the birth record may not be used to provide the

15.1 adopted person information about the person's birth parents, except as provided in this
15.2 section or section ~~259.83~~ 144.2253.

15.3 Sec. 5. **[144.2253] ACCESS TO ORIGINAL BIRTH RECORDS BY ADOPTED**
15.4 **PERSON; DEPARTMENT DUTIES.**

15.5 Subdivision 1. **Affidavits.** The department shall prepare affidavit of disclosure and
15.6 nondisclosure forms under which a birth parent may agree to or object to the release of the
15.7 original birth record to the adopted person. The department shall make the forms readily
15.8 accessible to birth parents on the department's Web site.

15.9 Subd. 2. **Disclosure.** Upon request, the state registrar shall provide a noncertified
15.10 copy of the original birth record to an adopted person age 19 or older unless there is an
15.11 affidavit of nondisclosure on file. The state registrar must comply with the terms of the
15.12 affidavits of disclosure or affidavits of nondisclosure.

15.13 Subd. 3. **Rescission of affidavit.** A birth parent may rescind an affidavit of disclosure
15.14 or an affidavit of nondisclosure at any time.

15.15 Subd. 4. **Affidavit of nondisclosure; access to birth record.** (a) If an affidavit
15.16 of nondisclosure is on file with the state registrar, an adopted person age 19 or older
15.17 may petition the appropriate court for disclosure of the original birth record according to
15.18 section 259.61. The court shall grant the petition, if, after consideration of the interests
15.19 of all known persons affected by the petition, the court determines that the benefits of
15.20 disclosure of the information are greater than the benefits of nondisclosure.

15.21 (b) An adopted person age 19 or older may request the state registrar to search the
15.22 state death records to determine if the birth parent is deceased. The state registrar may
15.23 impose a fee for the record search. If the birth parent is deceased, a noncertified copy of
15.24 the original birth record must be released only to the adopted person making the request.

15.25 Subd. 5. **Information provided.** (a) The department shall, in consultation with
15.26 adoption agencies and adoption advocates, provide information and educational materials
15.27 to adopted persons and birth parents about the changes in the law affecting accessibility
15.28 to birth records. For purposes of this subdivision, an adoption advocate is a nonprofit
15.29 organization that works with adoption issues in Minnesota.

15.30 (b) The department shall provide notice on the department Web site about the
15.31 change in the law under this article, and will direct individuals to private agencies and
15.32 advocates for postadoption resources.

15.33 Sec. 6. Minnesota Statutes 2006, section 144.226, subdivision 1, is amended to read:

16.1 Subdivision 1. **Which services are for fee.** The fees for the following services shall
16.2 be the following or an amount prescribed by rule of the commissioner:

16.3 (a) The fee for the issuance of a certified vital record or a certification that the vital
16.4 record cannot be found is \$9. No fee shall be charged for a certified birth, stillbirth, or
16.5 death record that is reissued within one year of the original issue, if an amendment is
16.6 made to the vital record and if the previously issued vital record is surrendered. The
16.7 fee is nonrefundable.

16.8 (b) The fee for processing a request for the replacement of a birth record for
16.9 all events, except when filing a recognition of parentage pursuant to section 257.73,
16.10 subdivision 1, is \$40. The fee is payable at the time of application and is nonrefundable.

16.11 (c) The fee for processing a request for the filing of a delayed registration of
16.12 birth, stillbirth, or death is \$40. The fee is payable at the time of application and is
16.13 nonrefundable. This fee includes one subsequent review of the request if the request
16.14 is not acceptable upon the initial receipt.

16.15 (d) The fee for processing a request for the amendment of any vital record when
16.16 requested more than 45 days after the filing of the vital record is \$40. No fee shall be
16.17 charged for an amendment requested within 45 days after the filing of the vital record.
16.18 The fee is payable at the time of application and is nonrefundable. This fee includes one
16.19 subsequent review of the request if the request is not acceptable upon the initial receipt.

16.20 (e) The fee for processing a request for the verification of information from vital
16.21 records is \$9 when the applicant furnishes the specific information to locate the vital
16.22 record. When the applicant does not furnish specific information, the fee is \$20 per hour
16.23 for staff time expended. Specific information includes the correct date of the event and
16.24 the correct name of the registrant. Fees charged shall approximate the costs incurred in
16.25 searching and copying the vital records. The fee is payable at the time of application
16.26 and is nonrefundable.

16.27 (f) The fee for processing a request for the issuance of a copy of any document on
16.28 file pertaining to a vital record or statement that a related document cannot be found is \$9.
16.29 The fee is payable at the time of application and is nonrefundable.

16.30 (g) The department shall charge a fee of \$18 for noncertified copies of birth records
16.31 provided to adopted persons age 19 or older. The fee shall cover the costs of providing
16.32 the birth record and any costs associated with the distribution of information to adopted
16.33 persons and birth parents in subdivision 5.

16.34 Sec. 7. Minnesota Statutes 2006, section 259.89, subdivision 1, is amended to read:

17.1 Subdivision 1. **Request.** An adopted person who is 19 years of age or over may
17.2 request the commissioner of health to disclose the information on the adopted person's
17.3 original birth record. ~~The commissioner of health shall, within five days of receipt of~~
17.4 ~~the request, notify the commissioner of human services in writing of the request by the~~
17.5 ~~adopted person.~~

17.6 Sec. 8. Minnesota Statutes 2006, section 260C.317, subdivision 4, is amended to read:

17.7 Subd. 4. **Rights of terminated parent.** Upon entry of an order terminating the
17.8 parental rights of any person who is identified as a parent on the original birth record of
17.9 the child as to whom the parental rights are terminated, the court shall cause written
17.10 notice to be made to that person setting forth:

17.11 (1) the right of the person to file at any time with the state registrar of vital statistics
17.12 a consent to disclosure, as defined in section 144.212, subdivision 11;

17.13 (2) the right of the person to file at any time with the state registrar of vital statistics
17.14 an affidavit stating that the information on the original birth record shall not be disclosed
17.15 as provided in section ~~144.2252~~ 144.2253; and

17.16 (3) the effect of a failure to file either a consent to disclosure, as defined in section
17.17 144.212, subdivision 11, or an affidavit stating that the information on the original birth
17.18 record shall not be disclosed.

17.19 Sec. 9. **ADOPTION AGENCIES; FEE.**

17.20 Adoption agencies may charge a fee for counseling and support services provided to
17.21 adopted persons and birth parents.

17.22 Sec. 10. **REPEALER.**

17.23 Minnesota Statutes 2006, sections 259.83, subdivision 3; and 259.89, subdivisions 2,
17.24 3, 4, and 5, are repealed.

17.25 Sec. 11. **EFFECTIVE DATE.**

17.26 This article is effective July 1, 2009.

17.27 ARTICLE 4

17.28 DEPARTMENT OF HUMAN SERVICES

17.29 Section 1. **SUMMARY OF APPROPRIATIONS.**

17.30 The amounts shown in this section summarize direct appropriations by fund made
17.31 in this article.

18.1		<u>2008</u>		<u>2009</u>	<u>Total</u>
18.2	<u>General</u>	\$		1,237,000	\$ 1,237,000
18.3	<u>Total</u>	<u>\$</u>		<u>1,237,000</u>	<u>\$ 1,237,000</u>

18.4 **Sec. 2. HEALTH AND HUMAN SERVICES APPROPRIATION.**

18.5 The sums shown in the columns marked "Appropriations" are added to or, if shown
 18.6 in parentheses, subtracted from the appropriations in Laws 2007, chapter 147, or other
 18.7 law to the agencies and for the purposes specified in this article. The appropriations
 18.8 are from the general fund, or another named fund, and are available for the fiscal years
 18.9 indicated for each purpose. The figures "2008" and "2009" used in this article mean
 18.10 that the addition or subtraction from appropriations listed under them are available for
 18.11 the fiscal year ending June 30, 2008, or June 30, 2009, respectively. "The first year" is
 18.12 fiscal year 2008. "The second year" is fiscal year 2009. "The biennium" is fiscal years
 18.13 2008 and 2009. Supplemental appropriations and reductions for the fiscal year ending
 18.14 June 30, 2008, are effective the day following final enactment.

18.15		<u>APPROPRIATIONS</u>	
18.16		<u>Available for the Year</u>	
18.17		<u>Ending June 30</u>	
18.18		<u>2008</u>	<u>2009</u>

18.19 **Sec. 3. APPROPRIATION FOR**
 18.20 **FOODSHELF PROGRAMS.**

	\$	\$	<u>619,000</u>
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18.21 \$619,000 is appropriated in fiscal year 2009
 18.22 from the general fund to the commissioner of
 18.23 human services for foodshelf programs under
 18.24 Minnesota Statutes, section 256E.34. This
 18.25 is a onetime appropriation and is available
 18.26 until expended.

18.27 **Sec. 4. APPROPRIATION FOR**
 18.28 **LONG-TERM HOMELESS SUPPORTIVE**
 18.29 **SERVICES.**

	\$	\$	<u>618,000</u>
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18.30 \$618,000 is appropriated from the general
 18.31 fund to the commissioner of human services
 18.32 in fiscal year 2009 for the long-term homeless
 18.33 supportive services fund under Minnesota
 18.34 Statutes, section 256K.26. This is a onetime
 18.35 appropriation and is available until expended.

19.1 Sec. 5. Laws 2007, chapter 147, article 19, section 3, subdivision 4, is amended to read:

19.2 Subd. 4. **Children and Economic Assistance**
 19.3 **Grants**

19.4 The amounts that may be spent from this
 19.5 appropriation for each purpose are as follows:

19.6 (a) **MFIP/DWP Grants**

19.7	Appropriations by Fund		
19.8	General	62,069,000	62,405,000
19.9	Federal TANF	75,904,000	80,841,000

19.10 (b) **Support Services Grants**

19.11	Appropriations by Fund		
19.12	General	8,715,000	8,715,000
19.13	Federal TANF	113,429,000	115,902,000

19.14 **TANF Prior Appropriation Cancellation.**

19.15 Notwithstanding Laws 2001, First Special
 19.16 Session chapter 9, article 17, section
 19.17 2, subdivision 11, paragraph (b), any
 19.18 unexpended TANF funds appropriated to the
 19.19 commissioner to contract with the Board of
 19.20 Trustees of Minnesota State Colleges and
 19.21 Universities, to provide tuition waivers to
 19.22 employees of health care and human service
 19.23 providers that are members of qualifying
 19.24 consortia operating under Minnesota
 19.25 Statutes, sections 116L.10 to 116L.15, must
 19.26 cancel at the end of fiscal year 2007.

19.27 **MFIP Pilot Program.** Of the TANF
 19.28 appropriation, \$100,000 in fiscal year 2008
 19.29 and \$750,000 in fiscal year 2009 are for a
 19.30 grant to the Stearns-Benton Employment and
 19.31 Training Council for the Workforce U pilot
 19.32 program. Base level funding for this program
 19.33 shall be \$750,000 in 2010 and \$0 in 2011.

19.34 **Supported Work.** (1) Of the TANF
 19.35 appropriation, \$5,468,000 in fiscal year

20.1 2008 and \$7,291,000 in fiscal year
20.2 2009 are for supported work for MFIP
20.3 participants, to be allocated to counties
20.4 and tribes based on the criteria under
20.5 clauses (2) and (3). Paid transitional work
20.6 experience and other supported employment
20.7 under this rider provides a continuum of
20.8 employment assistance, including outreach
20.9 and recruitment, program orientation
20.10 and intake, testing and assessment, job
20.11 development and marketing, preworksite
20.12 training, supported worksite experience, job
20.13 coaching, and postplacement follow-up, in
20.14 addition to extensive case management and
20.15 referral services. * (The preceding text "and
20.16 \$7,291,000 in fiscal year 2009" was indicated
20.17 as vetoed by the governor.)

20.18 (2) A county or tribe is eligible to receive an
20.19 allocation under this rider if:

20.20 (i) the county or tribe is not meeting the
20.21 federal work participation rate;

20.22 (ii) the county or tribe has participants who
20.23 are required to perform work activities under
20.24 Minnesota Statutes, chapter 256J, but are not
20.25 meeting hourly work requirements; and

20.26 (iii) the county or tribe has assessed
20.27 participants who have completed six weeks
20.28 of job search or are required to perform
20.29 work activities and are not meeting the
20.30 hourly requirements, and the county or tribe
20.31 has determined that the participant would
20.32 benefit from working in a supported work
20.33 environment.

20.34 (3) A county or tribe may also be eligible for
20.35 funds in order to contract for supplemental

21.1 hours of paid work at the participant's child's
 21.2 place of education, child care location, or the
 21.3 child's physical or mental health treatment
 21.4 facility or office. This grant to counties and
 21.5 tribes is specifically for MFIP participants
 21.6 who need to work up to five hours more
 21.7 per week in order to meet the hourly work
 21.8 requirement, and the participant's employer
 21.9 cannot or will not offer more hours to the
 21.10 participant.

21.11 **Work Study.** Of the TANF appropriation,
 21.12 \$750,000 each year are to the commissioner
 21.13 to contract with the Minnesota Office of
 21.14 Higher Education for the biennium beginning
 21.15 July 1, 2007, for work study grants under
 21.16 Minnesota Statutes, section 136A.233,
 21.17 specifically for low-income individuals who
 21.18 receive assistance under Minnesota Statutes,
 21.19 chapter 256J, and for grants to opportunities
 21.20 industrialization centers. * (The preceding
 21.21 text beginning "Work Study. Of the TANF
 21.22 appropriation," was indicated as vetoed by
 21.23 the governor.)

21.24 **Integrated Service Projects.** \$2,500,000
 21.25 in fiscal year 2008 and \$2,500,000 in fiscal
 21.26 year 2009 are appropriated from the TANF
 21.27 fund to the commissioner to continue to
 21.28 fund the existing integrated services projects
 21.29 for MFIP families, and if funding allows,
 21.30 additional similar projects.

21.31 **Base Adjustment.** The TANF base for fiscal
 21.32 year 2010 is \$115,902,000 and for fiscal year
 21.33 2011 is \$115,152,000.

21.34 **(c) MFIP Child Care Assistance Grants**

21.35 General 74,654,000 71,951,000

22.1 (d) **Basic Sliding Fee Child Care Assistance**
 22.2 **Grants**

22.3 General 42,995,000 45,008,000

22.4 **Base Adjustment.** The general fund base
 22.5 is \$44,881,000 for fiscal year 2010 and
 22.6 \$44,852,000 for fiscal year 2011.

22.7 **At-Home Infant Care Program.** No
 22.8 funding shall be allocated to or spent on
 22.9 the at-home infant care program under
 22.10 Minnesota Statutes, section 119B.035.

22.11 (e) **Child Care Development Grants**

22.12 General 4,390,000 6,390,000

22.13 **Prekindergarten Exploratory Projects.** Of
 22.14 the general fund appropriation, \$2,000,000
 22.15 the first year and \$4,000,000 the second
 22.16 year are for grants to the city of St. Paul,
 22.17 Hennepin County, and Blue Earth County to
 22.18 establish scholarship demonstration projects
 22.19 to be conducted in partnership with the
 22.20 Minnesota Early Learning Foundation to
 22.21 promote children's school readiness. This
 22.22 appropriation is available until June 30, 2009.

22.23 **Child Care Services Grants.** Of this
 22.24 appropriation, \$500,000 each year are for
 22.25 the purpose of providing child care services
 22.26 grants under Minnesota Statutes, section
 22.27 119B.21, subdivision 5. This appropriation
 22.28 is for the 2008-2009 biennium only, and does
 22.29 not increase the base funding.

22.30 **Early Childhood Professional**
 22.31 **Development System.** Of this appropriation,
 22.32 \$500,000 each year are for purposes of the
 22.33 early childhood professional development
 22.34 system, which increases the quality and

23.1 continuum of professional development
 23.2 opportunities for child care practitioners.
 23.3 This appropriation is for the 2008-2009
 23.4 biennium only, and does not increase the
 23.5 base funding.

23.6 **Base Adjustment.** The general fund base
 23.7 is \$1,515,000 for each of fiscal years 2010
 23.8 and 2011.

23.9 **(f) Child Support Enforcement Grants**

23.10	General	11,038,000	3,705,000
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23.11 **Child Support Enforcement.** \$7,333,000
 23.12 for fiscal year 2008 is to make grants to
 23.13 counties for child support enforcement
 23.14 programs to make up for the loss under the
 23.15 2005 federal Deficit Reduction Act of federal
 23.16 matching funds for federal incentive funds
 23.17 passed on to the counties by the state.

23.18 This appropriation is available until June 30,
 23.19 2009.

23.20 **(g) Children's Services Grants**

	Appropriations by Fund		
23.21			
23.22	General	63,647,000	71,147,000
23.23	Health Care Access	250,000	-0-
23.24	TANF	240,000	340,000

23.25 **Grants for Programs Serving Young**

23.26 **Parents.** Of the TANF fund appropriation,
 23.27 \$140,000 each year is for a grant to a program
 23.28 or programs that provide comprehensive
 23.29 services through a private, nonprofit agency
 23.30 to young parents in Hennepin County who
 23.31 have dropped out of school and are receiving
 23.32 public assistance. The program administrator
 23.33 shall report annually to the commissioner on
 23.34 skills development, education, job training,

24.1 and job placement outcomes for program
24.2 participants.

24.3 **County Allocations for Rate Increases.**

24.4 County Children and Community Services
24.5 Act allocations shall be increased by
24.6 \$197,000 effective October 1, 2007, and
24.7 \$696,000 effective October 1, 2008, to help
24.8 counties pay for the rate adjustments to
24.9 day training and habilitation providers for
24.10 participants paid by county social service
24.11 funds. Notwithstanding the provisions of
24.12 Minnesota Statutes, section 256M.40, the
24.13 allocation to a county shall be based on
24.14 the county's proportion of social services
24.15 spending for day training and habilitation
24.16 services as determined in the most recent
24.17 social services expenditure and grant
24.18 reconciliation report.

24.19 **Privatized Adoption Grants.** Federal
24.20 reimbursement for privatized adoption grant
24.21 and foster care recruitment grant expenditures
24.22 is appropriated to the commissioner for
24.23 adoption grants and foster care and adoption
24.24 administrative purposes.

24.25 **Adoption Assistance Incentive Grants.**

24.26 Federal funds available during fiscal year
24.27 2008 and fiscal year 2009 for the adoption
24.28 incentive grants are appropriated to the
24.29 commissioner for these purposes.

24.30 **Adoption Assistance and Relative Custody**

24.31 **Assistance.** The commissioner may transfer
24.32 unencumbered appropriation balances for
24.33 adoption assistance and relative custody
24.34 assistance between fiscal years and between
24.35 programs.

25.1 **Children's Mental Health Grants.** Of the
25.2 general fund appropriation, \$5,913,000 in
25.3 fiscal year 2008 and \$6,825,000 in fiscal year
25.4 2009 are for children's mental health grants.
25.5 The purpose of these grants is to increase and
25.6 maintain the state's children's mental health
25.7 service capacity, especially for school-based
25.8 mental health services. The commissioner
25.9 shall require grantees to utilize all available
25.10 third party reimbursement sources as a
25.11 condition of using state grant funds. At
25.12 least 15 percent of these funds shall be
25.13 used to encourage efficiencies through early
25.14 intervention services. At least another 15
25.15 percent shall be used to provide respite care
25.16 services for children with severe emotional
25.17 disturbance at risk of out-of-home placement.

25.18 **Mental Health Crisis Services.** Of the
25.19 general fund appropriation, \$2,528,000 in
25.20 fiscal year 2008 and \$2,850,000 in fiscal year
25.21 2009 are for statewide funding of children's
25.22 mental health crisis services. Providers must
25.23 utilize all available funding streams.

25.24 **Children's Mental Health Evidence-Based
25.25 and Best Practices.** Of the general fund
25.26 appropriation, \$375,000 in fiscal year 2008
25.27 and \$750,000 in fiscal year 2009 are for
25.28 children's mental health evidence-based and
25.29 best practices including, but not limited
25.30 to: Adolescent Integrated Dual Diagnosis
25.31 Treatment services; school-based mental
25.32 health services; co-location of mental
25.33 health and physical health care, and; the
25.34 use of technological resources to better
25.35 inform diagnosis and development of
25.36 treatment plan development by mental

26.1 health professionals. The commissioner
26.2 shall require grantees to utilize all available
26.3 third-party reimbursement sources as a
26.4 condition of using state grant funds.

26.5 **Culturally Specific Mental Health**

26.6 **Treatment Grants.** Of the general fund
26.7 appropriation, \$75,000 in fiscal year 2008
26.8 and \$300,000 in fiscal year 2009 are for
26.9 children's mental health grants to support
26.10 increased availability of mental health
26.11 services for persons from cultural and
26.12 ethnic minorities within the state. The
26.13 commissioner shall use at least 20 percent
26.14 of these funds to help members of cultural
26.15 and ethnic minority communities to become
26.16 qualified mental health professionals and
26.17 practitioners. The commissioner shall assist
26.18 grantees to meet third-party credentialing
26.19 requirements and require them to utilize all
26.20 available third-party reimbursement sources
26.21 as a condition of using state grant funds.

26.22 **Mental Health Services for Children with**
26.23 **Special Treatment Needs.** Of the general
26.24 fund appropriation, \$50,000 in fiscal year
26.25 2008 and \$200,000 in fiscal year 2009 are
26.26 for children's mental health grants to support
26.27 increased availability of mental health
26.28 services for children with special treatment
26.29 needs. These shall include, but not be limited
26.30 to: victims of trauma, including children
26.31 subjected to abuse or neglect, veterans and
26.32 their families, and refugee populations;
26.33 persons with complex treatment needs, such
26.34 as eating disorders; and those with low
26.35 incidence disorders.

27.1 **MFIP and Children's Mental Health**

27.2 **Pilot Project.** Of the TANF appropriation,
 27.3 \$100,000 in fiscal year 2008 and \$200,000
 27.4 in fiscal year 2009 are to fund the MFIP
 27.5 and children's mental health pilot project.
 27.6 Of these amounts, up to \$100,000 may be
 27.7 expended on evaluation of this pilot.

27.8 **Prenatal Alcohol or Drug Use.** Of the
 27.9 general fund appropriation, \$75,000 each
 27.10 year is to award grants beginning July 1,
 27.11 2007, to programs that provide services
 27.12 under Minnesota Statutes, section 254A.171,
 27.13 in Pine, Kanabec, and Carlton Counties. This
 27.14 appropriation shall become part of the base
 27.15 appropriation.

27.16 **Base Adjustment.** The general fund base
 27.17 is \$62,572,000 in fiscal year 2010 and
 27.18 \$62,575,000 in fiscal year 2011.

27.19 **(h) Children and Community Services Grants**

27.20	General	101,369,000	69,208,000
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27.21 **Base Adjustment.** The general fund base
 27.22 is \$69,274,000 in each of fiscal years 2010
 27.23 and 2011.

27.24 **Targeted Case Management Temporary**

27.25 **Funding.** (a) Of the general fund
 27.26 appropriation, \$32,667,000 in fiscal year
 27.27 2008 is transferred to the targeted case
 27.28 management contingency reserve account in
 27.29 the general fund to be allocated to counties
 27.30 and tribes affected by reductions in targeted
 27.31 case management federal Medicaid revenue
 27.32 as a result of the provisions in the federal
 27.33 Deficit Reduction Act of 2005, Public Law
 27.34 109-171.

28.1 (b) Contingent upon (1) publication by the
28.2 federal Centers for Medicare and Medicaid
28.3 Services of final regulations implementing
28.4 the targeted case management provisions
28.5 of the federal Deficit Reduction Act of
28.6 2005, Public Law 109-171, or (2) the
28.7 issuance of a finding by the Centers for
28.8 Medicare and Medicaid Services of federal
28.9 Medicaid overpayments for targeted case
28.10 management expenditures, up to \$32,667,000
28.11 is appropriated to the commissioner of human
28.12 services. Prior to distribution of funds, the
28.13 commissioner shall estimate and certify the
28.14 amount by which the federal regulations or
28.15 federal disallowance will reduce targeted
28.16 case management Medicaid revenue over the
28.17 2008-2009 biennium.

28.18 (c) Within 60 days of a contingency described
28.19 in paragraph (b), the commissioner shall
28.20 distribute the grants proportionate to each
28.21 affected county or tribe's targeted case
28.22 management federal earnings for calendar
28.23 year 2005, not to exceed the lower of (1) the
28.24 amount of the estimated reduction in federal
28.25 revenue or (2) \$32,667,000.

28.26 (d) These funds are available in either year of
28.27 the biennium. Counties and tribes shall use
28.28 these funds to pay for social service-related
28.29 costs, but the funds are not subject to
28.30 provisions of the Children and Community
28.31 Services Act grant under Minnesota Statutes,
28.32 chapter 256M.

28.33 (e) This appropriation shall be available to
28.34 pay counties and tribes for expenses incurred

29.1 on or after July 1, 2007. The appropriation
 29.2 shall be available until expended.

29.3 **(i) General Assistance Grants**

29.4	General	37,876,000	38,253,000
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29.5 **General Assistance Standard.** The
 29.6 commissioner shall set the monthly standard
 29.7 of assistance for general assistance units
 29.8 consisting of an adult recipient who is
 29.9 childless and unmarried or living apart
 29.10 from parents or a legal guardian at \$203.
 29.11 The commissioner may reduce this amount
 29.12 according to Laws 1997, chapter 85, article
 29.13 3, section 54.

29.14 **Emergency General Assistance.** The
 29.15 amount appropriated for emergency general
 29.16 assistance funds is limited to no more
 29.17 than \$7,889,812 in fiscal year 2008 and
 29.18 \$7,889,812 in fiscal year 2009. Funds
 29.19 to counties must be allocated by the
 29.20 commissioner using the allocation method
 29.21 specified in Minnesota Statutes, section
 29.22 256D.06.

29.23 **(j) Minnesota Supplemental Aid Grants**

29.24	General	30,505,000	30,812,000
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29.25 **Emergency Minnesota Supplemental**
 29.26 **Aid Funds.** The amount appropriated for
 29.27 emergency Minnesota supplemental aid
 29.28 funds is limited to no more than \$1,100,000
 29.29 in fiscal year 2008 and \$1,100,000 in fiscal
 29.30 year 2009. Funds to counties must be
 29.31 allocated by the commissioner using the
 29.32 allocation method specified in Minnesota
 29.33 Statutes, section 256D.46.

29.34 **(k) Group Residential Housing Grants**

30.1 General 91,069,000 98,671,000

30.2 **People Incorporated.** Of the general fund
 30.3 appropriation, \$460,000 each year is to
 30.4 augment community support and mental
 30.5 health services provided to individuals
 30.6 residing in facilities under Minnesota
 30.7 Statutes, section 256I.05, subdivision 1m.

30.8 **(1) Other Children and Economic Assistance**
 30.9 **Grants**

30.10 General 20,183,000 16,333,000

30.11 Federal TANF 1,500,000 1,500,000

30.12 **Base Adjustment.** The general fund base
 30.13 shall be \$16,033,000 in fiscal year 2010 and
 30.14 \$15,533,000 in fiscal year 2011. The TANF
 30.15 base shall be \$1,500,000 in fiscal year 2010
 30.16 and \$1,181,000 in fiscal year 2011.

30.17 **Homeless and Runaway Youth.** Of the
 30.18 general fund appropriation, \$500,000 each
 30.19 year are for the Runaway and Homeless
 30.20 Youth Act under Minnesota Statutes, section
 30.21 256K.45. Funds shall be spent in each area
 30.22 of the continuum of care to ensure that
 30.23 programs are meeting the greatest need. This
 30.24 is a onetime appropriation.

30.25 **Long-Term Homelessness.** Of the general
 30.26 fund appropriation, ~~\$1,500,000 each year~~
 30.27 are \$2,000,000 in fiscal year 2008 is for
 30.28 implementation of programs to address
 30.29 long-term homelessness and is available in
 30.30 either year of the biennium. This is a onetime
 30.31 appropriation.

30.32 **Minnesota Community Action Grants.** (a)
 30.33 Of the general fund appropriation, \$250,000
 30.34 each year is for the purposes of Minnesota

31.1 community action grants under Minnesota
31.2 Statutes, sections 256E.30 to 256E.32. This
31.3 is a onetime appropriation.

31.4 (b) Of the TANF appropriation, \$1,500,000
31.5 each year is for community action agencies
31.6 for auto repairs, auto loans, and auto purchase
31.7 grants to individuals who are eligible to
31.8 receive benefits under Minnesota Statutes,
31.9 chapter 256J, or who have lost eligibility
31.10 for benefits under Minnesota Statutes,
31.11 chapter 256J, due to earnings in the prior 12
31.12 months. Base level funding for this activity
31.13 shall be \$1,500,000 in fiscal year 2010
31.14 and \$1,181,000 in fiscal year 2011. * (The
31.15 preceding text beginning "(b) Of the TANF
31.16 appropriation," was indicated as vetoed by
31.17 the governor.)

31.18 (c) Money appropriated under paragraphs (a)
31.19 and (b) that is not spent in the first year does
31.20 not cancel but is available for the second
31.21 year.