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# HOUSE FILE NO. 1993

## *FIRST COMMITTEE ENGROSSMENT*

March 23, 2009

Authored by Clark

The bill was read for the first time and referred to the Energy Finance and Policy Division

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

April 7, 2010

*Returned to the Committee on Finance as Amended.*

1.1 A bill for an act  
1.2 relating to state government; regulating certain public health fees, certain special  
1.3 revenue funds, and food support for children with severe allergies; providing  
1.4 adjustments to various health and human services appropriations; appropriating  
1.5 money; amending Minnesota Statutes 2008, sections 214.06, by adding a  
1.6 subdivision; 214.40, subdivision 7; Minnesota Statutes 2009 Supplement,  
1.7 sections 157.16, subdivision 3; 327.15, subdivision 3; Laws 2009, chapter 79,  
1.8 article 13, sections 3, subdivision 4, as amended; 5, subdivision 8, as amended.

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

1.10 **ARTICLE 1**

1.11 **PUBLIC HEALTH**

1.12 Section 1. Minnesota Statutes 2009 Supplement, section 157.16, subdivision 3, is  
1.13 amended to read:

1.14 Subd. 3. **Establishment fees; definitions.** (a) The following fees are required  
1.15 for food and beverage service establishments, youth camps, hotels, motels, lodging  
1.16 establishments, public pools, and resorts licensed under this chapter. Food and beverage  
1.17 service establishments must pay the highest applicable fee under paragraph (d), clause  
1.18 (1), (2), (3), or (4), and establishments serving alcohol must pay the highest applicable  
1.19 fee under paragraph (d), clause (6) or (7). The license fee for new operators previously  
1.20 licensed under this chapter for the same calendar year is one-half of the appropriate annual  
1.21 license fee, plus any penalty that may be required. The license fee for operators opening  
1.22 on or after October 1 is one-half of the appropriate annual license fee, plus any penalty  
1.23 that may be required.

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

2.4 (c) A special event food stand shall pay a flat fee of \$50 annually. "Special event  
2.5 food stand" means a fee category where food is prepared or served in conjunction with  
2.6 celebrations, county fairs, or special events from a special event food stand as defined  
2.7 in section 157.15.

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

2.13 (1) Limited food menu selection, \$60. "Limited food menu selection" means a fee  
2.14 category that provides one or more of the following:

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

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

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

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

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

2.21 (2) Small establishment, including boarding establishments, \$120. "Small  
2.22 establishment" means a fee category that has no salad bar and meets one or more of  
2.23 the following:

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

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

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

2.28 (iv) is a boarding establishment; or

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

2.31 (3) Medium establishment, \$310. "Medium establishment" means a fee category  
2.32 that meets one or more of the following:

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

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

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

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

3.5 (4) Large establishment, \$540. "Large establishment" means either:

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

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

3.11 (5) Other food and beverage service, including food carts, mobile food units,  
3.12 seasonal temporary food stands, and seasonal permanent food stands, \$60.

3.13 (6) Beer or wine table service, \$60. "Beer or wine table service" means a fee  
3.14 category where the only alcoholic beverage service is beer or wine, served to customers  
3.15 seated at tables.

3.16 (7) Alcoholic beverage service, other than beer or wine table service, \$165.

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

3.20 (8) Lodging per sleeping accommodation unit, \$10, including hotels, motels,  
3.21 lodging establishments, and resorts, up to a maximum of \$1,000. "Lodging per sleeping  
3.22 accommodation unit" means a fee category including the number of guest rooms, cottages,  
3.23 or other rental units of a hotel, motel, lodging establishment, or resort; or the number of  
3.24 beds in a dormitory.

3.25 (9) First public pool, \$325; each additional public pool, \$175. "Public pool" means a  
3.26 fee category that has the meaning given in section 144.1222, subdivision 4.

3.27 (10) First spa, \$175; each additional spa, \$100. "Spa pool" means a fee category that  
3.28 has the meaning given in Minnesota Rules, part 4717.0250, subpart 9.

3.29 (11) Private sewer or water, \$60. "Individual private water" means a fee category  
3.30 with a water supply other than a community public water supply as defined in Minnesota  
3.31 Rules, chapter 4720. "Individual private sewer" means a fee category with an individual  
3.32 sewage treatment system which uses subsurface treatment and disposal.

3.33 (12) Additional food service, \$150. "Additional food service" means a location at  
3.34 a food service establishment, other than the primary food preparation and service area,  
3.35 used to prepare or serve food to the public.

4.1 (13) Additional inspection fee, \$360. "Additional inspection fee" means a fee to  
 4.2 conduct the second inspection each year for elementary and secondary education facility  
 4.3 school lunch programs when required by the Richard B. Russell National School Lunch  
 4.4 Act.

4.5 (e) A fee for review of construction plans must accompany the initial license  
 4.6 application for restaurants, hotels, motels, lodging establishments, resorts, seasonal food  
 4.7 stands, and mobile food units. The fee for this construction plan review is as follows:

4.8	<b>Service Area</b>	<b>Type</b>	<b>Fee</b>
4.9	Food	limited food menu	\$275
4.10		small establishment	\$400
4.11		medium establishment	\$450
4.12		large food establishment	\$500
4.13		additional food service	\$150
4.14	Transient food service	food cart	\$250
4.15		seasonal permanent food stand	\$250
4.16		seasonal temporary food stand	\$250
4.17		mobile food unit	\$350
4.18	Alcohol	beer or wine table service	\$150
4.19		alcohol service from bar	\$250
4.20	Lodging	less than 25 rooms	\$375
4.21		25 to less than 100 rooms	\$400
4.22		100 rooms or more	\$500
4.23		less than five cabins	\$350
4.24		five to less than ten cabins	\$400
4.25		ten cabins or more	\$450

4.26 (f) When existing food and beverage service establishments, hotels, motels, lodging  
 4.27 establishments, resorts, seasonal food stands, and mobile food units are extensively  
 4.28 remodeled, a fee must be submitted with the remodeling plans. The fee for this  
 4.29 construction plan review is as follows:

4.30	<b>Service Area</b>	<b>Type</b>	<b>Fee</b>
4.31	Food	limited food menu	\$250
4.32		small establishment	\$300
4.33		medium establishment	\$350
4.34		large food establishment	\$400
4.35		additional food service	\$150
4.36	Transient food service	food cart	\$250
4.37		seasonal permanent food stand	\$250
4.38		seasonal temporary food stand	\$250
4.39		mobile food unit	\$250
4.40	Alcohol	beer or wine table service	\$150
4.41		alcohol service from bar	\$250

5.1	Lodging	less than 25 rooms	\$250
5.2		25 to less than 100 rooms	\$300
5.3		100 rooms or more	\$450
5.4		less than five cabins	\$250
5.5		five to less than ten cabins	\$350
5.6		ten cabins or more	\$400

5.7 (g) Special event food stands are not required to submit construction or remodeling  
5.8 plans for review.

5.9 (h) Youth camps shall pay an annual single fee for food and lodging as follows:

5.10 (1) camps with up to 99 campers, \$325;

5.11 (2) camps with 100 to 199 campers, \$550; and

5.12 (3) camps with 200 or more campers, \$750.

5.13 (i) A youth camp which pays fees under paragraph (d) is not required to pay fees  
5.14 under paragraph (h).

5.15 Sec. 2. Minnesota Statutes 2008, section 214.06, is amended by adding a subdivision  
5.16 to read:

5.17 Subd. 4. **Fee revenues.** (a) All revenue collected by each health-related licensing  
5.18 board is deposited into a health-related licensing boards dedicated account in the state  
5.19 government special revenue fund. All money in the health-related licensing boards account  
5.20 is annually appropriated to the health-related licensing boards. The current accumulated  
5.21 fund balance in the state government special revenue fund health-related licensing boards  
5.22 account will be transferred to the health-related licensing boards dedicated account.

5.23 (b) The health-related licensing boards must report to the legislature detailed  
5.24 spending and revenue reports by September 1 of each year for the previous fiscal year, and  
5.25 make the reports available to the public on the boards' Web sites.

5.26 **EFFECTIVE DATE.** This section is effective July 1, 2011.

5.27 Sec. 3. Minnesota Statutes 2009 Supplement, section 327.15, subdivision 3, is  
5.28 amended to read:

5.29 Subd. 3. **Fees, manufactured home parks and recreational camping areas.** (a)

5.30 The following fees are required for manufactured home parks and recreational camping

5.31 areas licensed under this chapter. Recreational camping areas and manufactured home

5.32 parks shall pay the highest applicable base fee under paragraph ~~(c)~~ (b). The license fee

5.33 for new operators of a manufactured home park or recreational camping area previously

5.34 licensed under this chapter for the same calendar year is one-half of the appropriate annual

6.1 license fee, plus any penalty that may be required. The license fee for operators opening  
6.2 on or after October 1 is one-half of the appropriate annual license fee, plus any penalty  
6.3 that may be required.

6.4 (b) All manufactured home parks and recreational camping areas shall pay the  
6.5 following annual base fee:

6.6 (1) a manufactured home park, \$150; and

6.7 (2) a recreational camping area with:

6.8 (i) 24 or less sites, \$50;

6.9 (ii) 25 to 99 sites, \$212; and

6.10 (iii) 100 or more sites, \$300.

6.11 In addition to the base fee, manufactured home parks and recreational camping areas shall  
6.12 pay \$4 for each licensed site. This paragraph does not apply to special event recreational  
6.13 camping areas ~~or to~~. Operators of a manufactured home park or a recreational camping  
6.14 area also licensed under section 157.16 for the same location shall pay only one base fee,  
6.15 whichever is the highest of the base fees found in this section or section 157.16.

6.16 (c) In addition to the fee in paragraph (b), each manufactured home park or  
6.17 recreational camping area shall pay an additional annual fee for each fee category  
6.18 specified in this paragraph:

6.19 (1) Manufactured home parks and recreational camping areas with public swimming  
6.20 pools and spas shall pay the appropriate fees specified in section 157.16.

6.21 (2) Individual private sewer or water, \$60. "Individual private water" means a fee  
6.22 category with a water supply other than a community public water supply as defined in  
6.23 Minnesota Rules, chapter 4720. "Individual private sewer" means a fee category with a  
6.24 subsurface sewage treatment system which uses subsurface treatment and disposal.

6.25 (d) The following fees must accompany a plan review application for initial  
6.26 construction of a manufactured home park or recreational camping area:

6.27 (1) for initial construction of less than 25 sites, \$375;

6.28 (2) for initial construction of 25 to 99 sites, \$400; and

6.29 (3) for initial construction of 100 or more sites, \$500.

6.30 (e) The following fees must accompany a plan review application when an existing  
6.31 manufactured home park or recreational camping area is expanded:

6.32 (1) for expansion of less than 25 sites, \$250;

6.33 (2) for expansion of 25 to 99 sites, \$300; and

6.34 (3) for expansion of 100 or more sites, \$450.

6.35 **Sec. 4. FOOD SUPPORT FOR CHILDREN WITH SEVERE ALLERGIES.**

7.1 The commissioner of human services must seek a federal waiver from the federal  
 7.2 Department of Agriculture, Food and Nutrition Service, for the supplemental nutrition  
 7.3 assistance program, to increase the income eligibility requirements to 375 percent of the  
 7.4 federal poverty guidelines, in order to cover nutritional food products required to treat  
 7.5 or manage severe food allergies, including allergies to wheat and gluten, for infants and  
 7.6 children who have been diagnosed with life-threatening severe food allergies.

7.7 **ARTICLE 2**

7.8 **HEALTH AND HUMAN SERVICES APPROPRIATIONS**

7.9 Section 1. **SUMMARY OF APPROPRIATIONS.**

7.10 The amounts shown in this section summarize direct appropriations, by fund, made  
 7.11 in this article.

	<u>2010</u>	<u>2011</u>	<u>Total</u>
7.12 <u>General</u>	\$ (269,000)	\$ (554,000)	\$ (823,000)
7.13 <u>State Government Special</u>			
7.14 <u>Revenue</u>	(301,000)	(442,000)	(743,000)
7.15 <b><u>Total</u></b>	<b><u>\$ (570,000)</u></b>	<b><u>\$ (996,000)</u></b>	<b><u>(1,566,000)</u></b>

7.16

7.17 Sec. 2. **HEALTH AND HUMAN SERVICES APPROPRIATIONS.**

7.18 The sums shown in the columns marked "Appropriations" are added to or, if shown  
 7.19 in parentheses, subtracted from the appropriations in Laws 2009, chapter 79, article 13,  
 7.20 as amended by Laws 2009, chapter 173, article 2, to the agencies and for the purposes  
 7.21 specified in this article. The appropriations are from the general fund and are available  
 7.22 for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in  
 7.23 this article mean that the addition to or subtraction from the appropriation listed under  
 7.24 them is available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively.  
 7.25 Supplemental appropriations and reductions to appropriations for the fiscal year ending  
 7.26 June 30, 2010, are effective the day following final enactment unless a different effective  
 7.27 date is explicit.

7.28 **APPROPRIATIONS**  
 7.29 **Available for the Year**  
 7.30 **Ending June 30**  
 7.31 **2010**                      **2011**

7.32 Sec. 3. **COMMISSIONER OF HUMAN**  
 7.33 **SERVICES**

7.34 <b><u>Other Children and Economic Assistance</u></b>		
7.35 <b><u>Grants</u></b>	-0-	63,000

8.1 This appropriation is for food shelf programs  
 8.2 under Minnesota Statutes, section 256E.34.

8.3 **Sec. 4. COMMISSIONER OF HEALTH**

8.4			<b><u>APPROPRIATIONS</u></b>
8.5			<b><u>Available for the Year</u></b>
8.6			<b><u>Ending June 30</u></b>
8.7			<b><u>2010</u>                      <u>2011</u></b>

8.8	<b><u>Subdivision 1. Total Appropriation</u></b>	<b>\$</b>	<b><u>(595,000)</u></b>	<b>\$</b>	<b><u>(426,000)</u></b>
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8.9	<u>Appropriations by Fund</u>				
8.10		<u>2010</u>		<u>2011</u>	
8.11	<u>General</u>	<u>(595,000)</u>		<u>(426,000)</u>	

8.12 **Subd. 2. Community and Family Health**

8.13	<u>Appropriations by Fund</u>				
8.14		<u>2010</u>		<u>2011</u>	
8.15	<u>General</u>	<u>(221,000)</u>		<u>(121,000)</u>	

8.16 **Base Level Adjustment.** The general fund  
 8.17 base is reduced by \$31,000 in fiscal year  
 8.18 2012 and by \$31,000 in fiscal year 2013.

8.19 **Subd. 3. Health Protection**

8.20	<u>Appropriations by Fund</u>				
8.21		<u>2010</u>		<u>2011</u>	
8.22	<u>General</u>	<u>(374,000)</u>		<u>(205,000)</u>	

8.23 **Lead Base Grant Program.** Of the general  
 8.24 fund reduction, \$25,000 in fiscal year 2010  
 8.25 and fiscal year 2011 is for the elimination  
 8.26 of state funding for the temporary lead-safe  
 8.27 housing base grant program.

8.28 **Base Adjustment.** The general fund base is  
 8.29 decreased by \$100,000 in fiscal year 2012  
 8.30 and \$100,000 in fiscal year 2013.

8.31	<b><u>Subd. 4. Administrative Support Services</u></b>		<b><u>-0-</u></b>		<b><u>(100,000)</u></b>
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8.32 **Sec. 5. HEALTH-RELATED BOARDS**

8.33	<b><u>Subdivision 1. Total Appropriation</u></b>	<b>\$</b>	<b><u>(288,000)</u></b>	<b>\$</b>	<b><u>(421,000)</u></b>
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9.1 The appropriations and reductions in this  
 9.2 section are from the state government special  
 9.3 revenue fund.

9.4 In fiscal year 2010, \$301,000 shall be  
 9.5 transferred from the state government special  
 9.6 revenue fund to the general fund. In fiscal  
 9.7 year 2011, \$442,000 shall be transferred from  
 9.8 the state government special revenue fund  
 9.9 to the general fund. These transfers are in  
 9.10 addition to those made in Laws 2009, chapter  
 9.11 79, article 13, section 5, as amended by Laws  
 9.12 2009, chapter 173, article 2, section 3.

9.13 The reductions and transfers in this section  
 9.14 are onetime in the fiscal year 2010-2011  
 9.15 biennium.

9.16 The appropriations and reductions for  
 9.17 each purpose are shown in the following  
 9.18 subdivisions.

9.19	<u>Subd. 2. <b>Board of Chiropractic Examiners</b></u>	<u>(9,000)</u>	<u>(14,000)</u>
9.20	<u>Subd. 3. <b>Board of Dentistry</b></u>	<u>(21,000)</u>	<u>(31,000)</u>
9.21	<u>Subd. 4. <b>Board of Dietetic and Nutrition</b></u>		
9.22	<u><b>Practice</b></u>	<u>(2,000)</u>	<u>(3,000)</u>
9.23	<u>Subd. 5. <b>Board of Marriage and Family</b></u>		
9.24	<u><b>Therapy</b></u>	<u>(2,000)</u>	<u>(4,000)</u>
9.25	<u>Subd. 6. <b>Board of Medical Practice</b></u>	<u>(73,000)</u>	<u>(112,000)</u>
9.26	<u>Subd. 7. <b>Board of Nursing</b></u>	<u>(62,000)</u>	<u>(100,000)</u>
9.27	<u>Subd. 8. <b>Board of Nursing Home</b></u>		
9.28	<u><b>Administrators</b></u>	<u>(36,000)</u>	<u>(31,000)</u>
9.29	<u>(a) <b>Administrative Services</b></u>		
9.30	<u><b>Unit-Operating Costs</b></u>	<u>(11,000)</u>	<u>(16,000)</u>
9.31	<u>(b) <b>Administrative Services</b></u>		
9.32	<u><b>Unit-Retirement Costs</b></u>	<u>(5,000)</u>	<u>-0-</u>

10.1	<u>(c) Administrative Services</u>		
10.2	<u>Unit-Volunteer Health Care</u>		
10.3	<u>Provider Program</u>	(1,000)	(3,000)
10.4	<u>(d) Administrative Services</u>		
10.5	<u>Unit-Contested Cases and</u>		
10.6	<u>Other Legal Proceedings</u>	(15,000)	(6,000)
10.7	<u>Subd. 9. Board of Optometry</u>	(2,000)	(3,000)
10.8	<u>Subd. 10. Board of Pharmacy</u>	(28,000)	(42,000)
10.9	<u>Subd. 11. Board of Physical Therapy</u>	(6,000)	(9,000)
10.10	<u>Subd. 12. Board of Podiatry</u>	(1,000)	(2,000)
10.11	<u>Subd. 13. Board of Psychology</u>	(16,000)	(24,000)
10.12	<u>Subd. 14. Board of Social Work</u>	(18,000)	(28,000)
10.13	<u>Subd. 15. Board of Veterinary Medicine</u>	(4,000)	(6,000)
10.14	<u>Subd. 16. Board of Behavioral Health and</u>		
10.15	<u>Therapy</u>	(8,000)	(12,000)
10.16	<b>Sec. 6. <u>EMERGENCY MEDICAL SERVICES</u></b>		
10.17	<b><u>BOARD</u></b>	348,000	(154,000)
10.18	<u>Appropriations by Fund</u>		
10.19		<u>2010</u>	<u>2011</u>
10.20	<u>General</u>	361,000	(133,000)
10.21	<u>State Government</u>		
10.22	<u>Special Revenue</u>	(13,000)	(21,000)
10.23	<u>(a) Longevity Award and Incentive Program</u>	(19,000)	(19,000)
10.24	<u>(b) Health Professional Services Program</u>	(13,000)	(21,000)
10.25	<u>This reduction is from the state government</u>		
10.26	<u>special revenue fund and is onetime in the</u>		
10.27	<u>2010-2011 biennium.</u>		
10.28	<b><u>Emergency Medical Services Relief</u></b>		
10.29	<b><u>Transfer. \$10,000 in fiscal year 2010</u></b>		
10.30	<b><u>and \$24,000 in fiscal year 2011 shall be</u></b>		
10.31	<b><u>transferred to the general fund from the</u></b>		
10.32	<b><u>portion of the emergency medical services</u></b>		
10.33	<b><u>relief account in the special revenue fund</u></b>		
10.34	<b><u>otherwise designated for distribution by</u></b>		
10.35	<b><u>the Emergency Medical Services Board</u></b>		

11.1 under Minnesota Statutes, section 169.686,  
 11.2 subdivision 3. These transfers are onetime in  
 11.3 the 2010-2011 biennium.

11.4 Sec. 7. **COUNCIL ON DISABILITY**                   \$                   (-0-) \$                   (-0-)

11.5 Sec. 8. **OMBUDSMAN FOR MENTAL**  
 11.6 **HEALTH AND DEVELOPMENTAL**  
 11.7 **DISABILITIES**   \$                   (31,000) \$                   (50,000)

11.8 Sec. 9. **OMBUDSPERSON FOR FAMILIES**   \$                   (4,000) \$                   (8,000)

11.9        Sec. 10. Minnesota Statutes 2008, section 214.40, subdivision 7, is amended to read:

11.10        Subd. 7. **Medical professional liability insurance.** (a) Within the limit of funds  
 11.11 appropriated for this program, the administrative services unit must purchase medical  
 11.12 professional liability insurance, if available, for a health care provider who is registered in  
 11.13 accordance with subdivision 4 and who is not otherwise covered by a medical professional  
 11.14 liability insurance policy or self-insured plan either personally or through another facility  
 11.15 or employer. The administrative services unit is authorized to prorate payments or  
 11.16 otherwise limit the number of participants in the program if the costs of the insurance for  
 11.17 eligible providers exceed the funds appropriated for the program.

11.18        (b) Coverage purchased under this subdivision must be limited to the provision of  
 11.19 health care services performed by the provider for which the provider does not receive  
 11.20 direct monetary compensation.

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

11.22        Sec. 11. Laws 2009, chapter 79, article 13, section 3, subdivision 4, as amended by  
 11.23 Laws 2009, chapter 173, article 2, section 1, subdivision 4, is amended to read:

11.24        Subd. 4. **Children and Economic Assistance**  
 11.25 **Grants**

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

11.28        **(a) MFIP/DWP Grants**

11.29	Appropriations by Fund		
11.30	General	63,205,000	89,033,000
11.31	Federal TANF	100,818,000	84,538,000

12.1 **(b) Support Services Grants**

## 12.2 Appropriations by Fund

12.3	General	8,715,000	12,498,000
12.4	Federal TANF	116,557,000	107,457,000

12.5 **MFIP Consolidated Fund.** The MFIP

12.6 consolidated fund TANF appropriation is

12.7 reduced by \$1,854,000 in fiscal year 2010

12.8 and fiscal year 2011.

12.9 Notwithstanding Minnesota Statutes, section

12.10 256J.626, subdivision 8, paragraph (b), the

12.11 commissioner shall reduce proportionately

12.12 the reimbursement to counties for

12.13 administrative expenses.

12.14 **Subsidized Employment Funding Through**12.15 **ARRA.** The commissioner is authorized to

12.16 apply for TANF emergency fund grants for

12.17 subsidized employment activities. Growth

12.18 in expenditures for subsidized employment

12.19 within the supported work program and the

12.20 MFIP consolidated fund over the amount

12.21 expended in the calendar quarters in the

12.22 TANF emergency fund base year shall be

12.23 used to leverage the TANF emergency fund

12.24 grants for subsidized employment and to

12.25 fund supported work. The commissioner

12.26 shall develop procedures to maximize

12.27 reimbursement of these expenditures over the

12.28 TANF emergency fund base year quarters,

12.29 and may contract directly with employers

12.30 and providers to maximize these TANF

12.31 emergency fund grants.

12.32 **Supported Work.** Of the TANF

12.33 appropriation, \$4,700,000 in fiscal year 2010

12.34 and \$4,700,000 in fiscal year 2011 are to the

12.35 commissioner for supported work for MFIP

13.1 recipients and is available until expended.

13.2 Supported work includes paid transitional

13.3 work experience and a continuum of

13.4 employment assistance, including outreach

13.5 and recruitment, program orientation

13.6 and intake, testing and assessment, job

13.7 development and marketing, preworksite

13.8 training, supported worksite experience,

13.9 job coaching, and postplacement follow-up,

13.10 in addition to extensive case management

13.11 and referral services. This is a onetime

13.12 appropriation.

13.13 **Base Adjustment.** The general fund base

13.14 is reduced by \$3,783,000 in each of fiscal

13.15 years 2012 and 2013. The TANF fund base

13.16 is increased by \$5,004,000 in each of fiscal

13.17 years 2012 and 2013.

13.18 **Integrated Services Program Funding.**

13.19 The TANF appropriation for integrated

13.20 services program funding is \$1,250,000 in

13.21 fiscal year 2010 and \$0 in fiscal year 2011

13.22 and the base for fiscal years 2012 and 2013

13.23 is \$0.

13.24 **TANF Emergency Fund; Nonrecurrent**

13.25 **Short-Term Benefits.** TANF emergency

13.26 contingency fund grants received due to

13.27 increases in expenditures for nonrecurrent

13.28 short-term benefits must be used to offset the

13.29 increase in these expenditures for counties

13.30 under the MFIP consolidated fund, under

13.31 Minnesota Statutes, section 256J.626,

13.32 and the diversionary work program. The

13.33 commissioner shall develop procedures

13.34 to maximize reimbursement of these

13.35 expenditures over the TANF emergency fund

14.1 base year quarters. Growth in expenditures  
 14.2 for the diversionary work program over the  
 14.3 amount expended in the calendar quarters in  
 14.4 the TANF emergency fund base year shall be  
 14.5 used to leverage these funds.

14.6 <b>(c) MFIP Child Care Assistance Grants</b>	61,171,000	65,214,000
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14.7 **Acceleration of ARRA Child Care and**  
 14.8 **Development Fund Expenditure.** The  
 14.9 commissioner must liquidate all child care  
 14.10 and development money available under  
 14.11 the American Recovery and Reinvestment  
 14.12 Act (ARRA) of 2009, Public Law 111-5,  
 14.13 by September 30, 2010. In order to expend  
 14.14 those funds by September 30, 2010, the  
 14.15 commissioner may redesignate and expend  
 14.16 the ARRA child care and development funds  
 14.17 appropriated in fiscal year 2011 for purposes  
 14.18 under this section for related purposes that  
 14.19 will allow liquidation by September 30,  
 14.20 2010. Child care and development funds  
 14.21 otherwise available to the commissioner  
 14.22 for those related purposes shall be used to  
 14.23 fund the purposes from which the ARRA  
 14.24 child care and development funds had been  
 14.25 redesignated.

14.26 **School Readiness Service Agreements.**  
 14.27 \$400,000 in fiscal year 2010 and \$400,000  
 14.28 in fiscal year 2011 are from the federal  
 14.29 TANF fund to the commissioner of human  
 14.30 services consistent with federal regulations  
 14.31 for the purpose of school readiness service  
 14.32 agreements under Minnesota Statutes,  
 14.33 section 119B.231. This is a onetime  
 14.34 appropriation. Any unexpended balance the  
 14.35 first year is available in the second year.

15.1	<b>(d) Basic Sliding Fee Child Care Assistance</b>		
15.2	<b>Grants</b>	40,100,000	45,092,000

15.3 **School Readiness Service Agreements.**  
 15.4 \$257,000 in fiscal year 2010 and \$257,000  
 15.5 in fiscal year 2011 are from the general  
 15.6 fund for the purpose of school readiness  
 15.7 service agreements under Minnesota  
 15.8 Statutes, section 119B.231. This is a onetime  
 15.9 appropriation. Any unexpended balance the  
 15.10 first year is available in the second year.

15.11 **Child Care Development Fund**

15.12 **Unexpended Balance.** In addition to  
 15.13 the amount provided in this section, the  
 15.14 commissioner shall expend \$5,244,000 in  
 15.15 fiscal year 2010 from the federal child care  
 15.16 development fund unexpended balance  
 15.17 for basic sliding fee child care under  
 15.18 Minnesota Statutes, section 119B.03. The  
 15.19 commissioner shall ensure that all child  
 15.20 care and development funds are expended  
 15.21 according to the federal child care and  
 15.22 development fund regulations.

15.23 **Basic Sliding Fee.** \$4,000,000 in fiscal year  
 15.24 2010 and \$4,000,000 in fiscal year 2011 are  
 15.25 from the federal child care development  
 15.26 funds received from the American Recovery  
 15.27 and Reinvestment Act of 2009, Public  
 15.28 Law 111-5, to the commissioner of human  
 15.29 services consistent with federal regulations  
 15.30 for the purpose of basic sliding fee child care  
 15.31 assistance under Minnesota Statutes, section  
 15.32 119B.03. This is a onetime appropriation.  
 15.33 Any unexpended balance the first year is  
 15.34 available in the second year.

16.1 **Basic Sliding Fee Allocation for Calendar**  
16.2 **Year 2010.** Notwithstanding Minnesota  
16.3 Statutes, section 119B.03, subdivision 6,  
16.4 in calendar year 2010, basic sliding fee  
16.5 funds shall be distributed according to  
16.6 this provision. Funds shall be allocated  
16.7 first in amounts equal to each county's  
16.8 guaranteed floor, according to Minnesota  
16.9 Statutes, section 119B.03, subdivision 8,  
16.10 with any remaining available funds allocated  
16.11 according to the following formula:

16.12 (a) Up to one-fourth of the funds shall be  
16.13 allocated in proportion to the number of  
16.14 families participating in the transition year  
16.15 child care program as reported during and  
16.16 averaged over the most recent six months  
16.17 completed at the time of the notice of  
16.18 allocation. Funds in excess of the amount  
16.19 necessary to serve all families in this category  
16.20 shall be allocated according to paragraph (d).

16.21 (b) Up to three-fourths of the funds shall  
16.22 be allocated in proportion to the average  
16.23 of each county's most recent six months of  
16.24 reported waiting list as defined in Minnesota  
16.25 Statutes, section 119B.03, subdivision 2, and  
16.26 the reinstatement list of those families whose  
16.27 assistance was terminated with the approval  
16.28 of the commissioner under Minnesota Rules,  
16.29 part 3400.0183, subpart 1. Funds in excess  
16.30 of the amount necessary to serve all families  
16.31 in this category shall be allocated according  
16.32 to paragraph (d).

16.33 (c) The amount necessary to serve all families  
16.34 in paragraphs (a) and (b) shall be calculated  
16.35 based on the basic sliding fee average cost of



17.1 care per family in the county with the highest  
 17.2 cost in the most recently completed calendar  
 17.3 year.

17.4 (d) Funds in excess of the amount necessary  
 17.5 to serve all families in paragraphs (a) and  
 17.6 (b) shall be allocated in proportion to each  
 17.7 county's total expenditures for the basic  
 17.8 sliding fee child care program reported  
 17.9 during the most recent fiscal year completed  
 17.10 at the time of the notice of allocation. To  
 17.11 the extent that funds are available, and  
 17.12 notwithstanding Minnesota Statutes, section  
 17.13 119B.03, subdivision 8, for the period  
 17.14 January 1, 2011, to December 31, 2011, each  
 17.15 county's guaranteed floor must be equal to its  
 17.16 original calendar year 2010 allocation.

17.17 **Base Adjustment.** The general fund base is  
 17.18 decreased by \$257,000 in each of fiscal years  
 17.19 2012 and 2013.

17.20 <b>(e) Child Care Development Grants</b>	1,487,000	1,487,000
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17.21 **Family, friends, and neighbor grants.**  
 17.22 \$375,000 in fiscal year 2010 and \$375,000  
 17.23 in fiscal year 2011 are from the child  
 17.24 care development fund required targeted  
 17.25 quality funds for quality expansion and  
 17.26 infant/toddler from the American Recovery  
 17.27 and Reinvestment Act of 2009, Public  
 17.28 Law 111-5, to the commissioner of human  
 17.29 services for family, friends, and neighbor  
 17.30 grants under Minnesota Statutes, section  
 17.31 119B.232. This appropriation may be used  
 17.32 on programs receiving family, friends, and  
 17.33 neighbor grant funds as of June 30, 2009,  
 17.34 or on new programs or projects. This is a  
 17.35 onetime appropriation. Any unexpended

18.1 balance the first year is available in the  
18.2 second year.

18.3 **Voluntary quality rating system training,**  
18.4 **coaching, consultation, and supports.**

18.5 \$633,000 in fiscal year 2010 and \$633,000  
18.6 in fiscal year 2011 are from the federal child  
18.7 care development fund required targeted  
18.8 quality funds for quality expansion and  
18.9 infant/toddler from the American Recovery  
18.10 and Reinvestment Act of 2009, Public  
18.11 Law 111-5, to the commissioner of human  
18.12 services consistent with federal regulations  
18.13 for the purpose of providing grants to provide  
18.14 statewide child-care provider training,  
18.15 coaching, consultation, and supports to  
18.16 prepare for the voluntary Minnesota quality  
18.17 rating system rating tool. This is a onetime  
18.18 appropriation. Any unexpended balance the  
18.19 first year is available in the second year.

18.20 **Voluntary quality rating system.** \$184,000  
18.21 in fiscal year 2010 and \$1,200,000 in fiscal  
18.22 year 2011 are from the federal child care  
18.23 development fund required targeted funds for  
18.24 quality expansion and infant/toddler from the  
18.25 American Recovery and Reinvestment Act of  
18.26 2009, Public Law 111-5, to the commissioner  
18.27 of human services consistent with federal  
18.28 regulations for the purpose of implementing  
18.29 the voluntary Parent Aware quality star  
18.30 rating system pilot in coordination with the  
18.31 Minnesota Early Learning Foundation. The  
18.32 appropriation for the first year is to complete  
18.33 and promote the voluntary Parent Aware  
18.34 quality rating system pilot program through  
18.35 June 30, 2010, and the appropriation for  
18.36 the second year is to continue the voluntary

19.1 Minnesota quality rating system pilot  
 19.2 through June 30, 2011. This is a onetime  
 19.3 appropriation. Any unexpended balance the  
 19.4 first year is available in the second year.

19.5 **(f) Child Support Enforcement Grants** 3,705,000 3,705,000

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

19.7	Appropriations by Fund		
19.8	General	48,333,000	50,498,000
19.9	Federal TANF	340,000	240,000

19.10 **Base Adjustment.** The general fund base is  
 19.11 decreased by \$5,371,000 in fiscal year 2012  
 19.12 and decreased \$5,371,000 in fiscal year 2013.

19.13 **Privatized Adoption Grants.** Federal  
 19.14 reimbursement for privatized adoption grant  
 19.15 and foster care recruitment grant expenditures  
 19.16 is appropriated to the commissioner for  
 19.17 adoption grants and foster care and adoption  
 19.18 administrative purposes.

19.19 **Adoption Assistance Incentive Grants.**  
 19.20 Federal funds available during fiscal year  
 19.21 2010 and fiscal year 2011 for the adoption  
 19.22 incentive grants are appropriated to the  
 19.23 commissioner for postadoption services  
 19.24 including parent support groups.

19.25 **Adoption Assistance and Relative Custody**  
 19.26 **Assistance.** The commissioner may transfer  
 19.27 unencumbered appropriation balances for  
 19.28 adoption assistance and relative custody  
 19.29 assistance between fiscal years and between  
 19.30 programs.

19.31 **(h) Children and Community Services Grants** 67,663,000 67,542,000

19.32 **Targeted Case Management Temporary**  
 19.33 **Funding Adjustment.** The commissioner  
 19.34 shall recover from each county and tribe

20.1 receiving a targeted case management  
 20.2 temporary funding payment in fiscal year  
 20.3 2008 an amount equal to that payment. The  
 20.4 commissioner shall recover one-half of the  
 20.5 funds by February 1, 2010, and the remainder  
 20.6 by February 1, 2011. At the commissioner's  
 20.7 discretion and at the request of a county  
 20.8 or tribe, the commissioner may revise  
 20.9 the payment schedule, but full payment  
 20.10 must not be delayed beyond May 1, 2011.  
 20.11 The commissioner may use the recovery  
 20.12 procedure under Minnesota Statutes, section  
 20.13 256.017, to recover the funds. Recovered  
 20.14 funds must be deposited into the general  
 20.15 fund.

20.16	<b>(i) General Assistance Grants</b>	48,215,000	48,608,000
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20.17 **General Assistance Standard.** The  
 20.18 commissioner shall set the monthly standard  
 20.19 of assistance for general assistance units  
 20.20 consisting of an adult recipient who is  
 20.21 childless and unmarried or living apart  
 20.22 from parents or a legal guardian at \$203.  
 20.23 The commissioner may reduce this amount  
 20.24 according to Laws 1997, chapter 85, article  
 20.25 3, section 54.

20.26 **Emergency General Assistance.** The  
 20.27 amount appropriated for emergency general  
 20.28 assistance funds is limited to no more  
 20.29 than \$7,889,812 in fiscal year 2010 and  
 20.30 \$7,889,812 in fiscal year 2011. Funds  
 20.31 to counties must be allocated by the  
 20.32 commissioner using the allocation method  
 20.33 specified in Minnesota Statutes, section  
 20.34 256D.06.

20.35	<b>(j) Minnesota Supplemental Aid Grants</b>	33,930,000	35,191,000
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21.1 **Emergency Minnesota Supplemental**  
 21.2 **Aid Funds.** The amount appropriated for  
 21.3 emergency Minnesota supplemental aid  
 21.4 funds is limited to no more than \$1,100,000  
 21.5 in fiscal year 2010 and \$1,100,000 in fiscal  
 21.6 year 2011. Funds to counties must be  
 21.7 allocated by the commissioner using the  
 21.8 allocation method specified in Minnesota  
 21.9 Statutes, section 256D.46.

21.10	<b>(k) Group Residential Housing Grants</b>	111,778,000	114,034,000
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21.11 **Group Residential Housing Costs**  
 21.12 **Refinanced.** (a) Effective July 1, 2011, the  
 21.13 commissioner shall increase the home and  
 21.14 community-based service rates and county  
 21.15 allocations provided to programs for persons  
 21.16 with disabilities established under section  
 21.17 1915(c) of the Social Security Act to the  
 21.18 extent that these programs will be paying  
 21.19 for the costs above the rate established  
 21.20 in Minnesota Statutes, section 256I.05,  
 21.21 subdivision 1.

21.22 (b) For persons receiving services under  
 21.23 Minnesota Statutes, section 245A.02, who  
 21.24 reside in licensed adult foster care beds  
 21.25 for which a difficulty of care payment  
 21.26 was being made under Minnesota Statutes,  
 21.27 section 256I.05, subdivision 1c, paragraph  
 21.28 (b), counties may request an exception to  
 21.29 the individual's service authorization not to  
 21.30 exceed the difference between the client's  
 21.31 monthly service expenditures plus the  
 21.32 amount of the difficulty of care payment.

21.33	<b>(l) Children's Mental Health Grants</b>	16,885,000	16,882,000
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21.34 **Funding Usage.** Up to 75 percent of a fiscal  
 21.35 year's appropriation for children's mental

22.1 health grants may be used to fund allocations  
 22.2 in that portion of the fiscal year ending  
 22.3 December 31.

22.4	<b>(m) Other Children and Economic Assistance</b>		
22.5	<b>Grants</b>	16,047,000	15,339,000

22.6 **Fraud Prevention Grants.** Of this  
 22.7 appropriation, \$228,000 in fiscal year 2010  
 22.8 and \$228,000 in fiscal year 2011 is to the  
 22.9 commissioner for fraud prevention grants to  
 22.10 counties.

22.11 **Food Shelf Programs.** Of this appropriation,  
 22.12 \$151,000 in fiscal year 2011 is for food shelf  
 22.13 programs under Minnesota Statutes, section  
 22.14 256E.34. This funding is onetime.

22.15 **Homeless and Runaway Youth.** \$218,000  
 22.16 in fiscal year 2010 is for the Runaway  
 22.17 and Homeless Youth Act under Minnesota  
 22.18 Statutes, section 256K.45. Funds shall be  
 22.19 spent in each area of the continuum of care  
 22.20 to ensure that programs are meeting the  
 22.21 greatest need. Any unexpended balance in  
 22.22 the first year is available in the second year.  
 22.23 Beginning July 1, 2011, the base is increased  
 22.24 by \$119,000 each year.

22.25 **ARRA Homeless Youth Funds.** To the  
 22.26 extent permitted under federal law, the  
 22.27 commissioner shall designate \$2,500,000  
 22.28 of the Homeless Prevention and Rapid  
 22.29 Re-Housing Program funds provided under  
 22.30 the American Recovery and Reinvestment  
 22.31 Act of 2009, Public Law 111-5, for agencies  
 22.32 providing homelessness prevention and rapid  
 22.33 rehousing services to youth.

22.34 **Supportive Housing Services.** \$1,500,000  
 22.35 each year is for supportive services under

23.1 Minnesota Statutes, section 256K.26. This is  
23.2 a onetime appropriation.

23.3 **Community Action Grants.** Community  
23.4 action grants are reduced one time by  
23.5 \$1,794,000 each year. This reduction is due  
23.6 to the availability of federal funds under the  
23.7 American Recovery and Reinvestment Act.

23.8 **Base Adjustment.** The general fund base  
23.9 is increased by ~~\$773,000~~ \$903,000 in fiscal  
23.10 year 2012 and ~~\$773,000~~ \$413,000 in fiscal  
23.11 year 2013.

23.12 **Federal ARRA Funds for Existing**  
23.13 **Programs.** ~~(a)~~ (1) Federal funds received by  
23.14 the commissioner for the emergency food  
23.15 and shelter program from the American  
23.16 Recovery and Reinvestment Act of 2009,  
23.17 Public Law 111-5, but not previously  
23.18 approved by the legislature are appropriated  
23.19 to the commissioner for the purposes of the  
23.20 grant program.

23.21 ~~(b)~~ (2) Federal funds received by the  
23.22 commissioner for the emergency shelter  
23.23 grant program including the Homelessness  
23.24 Prevention and Rapid Re-Housing  
23.25 Program from the American Recovery and  
23.26 Reinvestment Act of 2009, Public Law  
23.27 111-5, are appropriated to the commissioner  
23.28 for the purposes of the grant programs.

23.29 ~~(c)~~ (3) Federal funds received by the  
23.30 commissioner for the emergency food  
23.31 assistance program from the American  
23.32 Recovery and Reinvestment Act of 2009,  
23.33 Public Law 111-5, are appropriated to the  
23.34 commissioner for the purposes of the grant  
23.35 program.

24.1 ~~(d)~~ (4) Federal funds received by the  
 24.2 commissioner for senior congregate meals  
 24.3 and senior home-delivered meals from the  
 24.4 American Recovery and Reinvestment Act  
 24.5 of 2009, Public Law 111-5, are appropriated  
 24.6 to the commissioner for the Minnesota Board  
 24.7 on Aging, for purposes of the grant programs.

24.8 ~~(e)~~ (5) Federal funds received by the  
 24.9 commissioner for the community services  
 24.10 block grant program from the American  
 24.11 Recovery and Reinvestment Act of 2009,  
 24.12 Public Law 111-5, are appropriated to the  
 24.13 commissioner for the purposes of the grant  
 24.14 program.

24.15 **Long-Term Homeless Supportive**

24.16 **Service Fund Appropriation.** To the  
 24.17 extent permitted under federal law, the  
 24.18 commissioner shall designate \$3,000,000  
 24.19 of the Homelessness Prevention and Rapid  
 24.20 Re-Housing Program funds provided under  
 24.21 the American Recovery and Reinvestment  
 24.22 Act of 2009, Public Law, 111-5, to the  
 24.23 long-term homeless service fund under  
 24.24 Minnesota Statutes, section 256K.26. This  
 24.25 appropriation shall become available by July  
 24.26 1, 2009. This paragraph is effective the day  
 24.27 following final enactment.

24.28 Sec. 12. Laws 2009, chapter 79, article 13, section 5, subdivision 8, as amended by  
 24.29 Laws 2009, chapter 173, article 2, section 3, subdivision 8, is amended to read:

24.30	<b>Subd. 8. Board of Nursing Home</b>		
24.31	<b>Administrators</b>	1,211,000	1,023,000

24.32 **Administrative Services Unit - Operating**

24.33 **Costs.** Of this appropriation, \$524,000  
 24.34 in fiscal year 2010 and \$526,000 in  
 24.35 fiscal year 2011 are for operating costs



25.1 of the administrative services unit. The  
25.2 administrative services unit may receive  
25.3 and expend reimbursements for services  
25.4 performed by other agencies.

25.5 **Administrative Services Unit - Retirement**

25.6 **Costs.** Of this appropriation in fiscal year  
25.7 2010, \$201,000 is for onetime retirement  
25.8 costs in the health-related boards. This  
25.9 funding may be transferred to the health  
25.10 boards incurring those costs for their  
25.11 payment. These funds are available either  
25.12 year of the biennium.

25.13 **Administrative Services Unit - Volunteer**

25.14 **Health Care Provider Program.** Of this  
25.15 appropriation, \$79,000 in fiscal year 2010  
25.16 and \$89,000 in fiscal year 2011 are to pay  
25.17 for medical professional liability coverage  
25.18 required under Minnesota Statutes, section  
25.19 214.40.

25.20 **Administrative Services Unit - Contested**

25.21 **Cases and Other Legal Proceedings.** Of  
25.22 this appropriation, \$200,000 in fiscal year  
25.23 2010 and \$200,000 in fiscal year 2011 are  
25.24 for costs of contested case hearings and other  
25.25 unanticipated costs of legal proceedings  
25.26 involving health-related boards funded  
25.27 under this section and for unforeseen  
25.28 expenditures of an urgent nature. Upon  
25.29 certification of a health-related board to the  
25.30 administrative services unit that the costs  
25.31 will be incurred and that there is insufficient  
25.32 money available to pay for the costs out of  
25.33 money currently available to that board, the  
25.34 administrative services unit is authorized  
25.35 to transfer money from this appropriation

26.1 to the board for payment of those costs  
26.2 with the approval of the commissioner of  
26.3 finance. This appropriation does not cancel.  
26.4 Any unencumbered and unspent balances  
26.5 remain available for these expenditures in  
26.6 subsequent fiscal years. The boards receiving  
26.7 funds under this section shall include these  
26.8 amounts when setting fees to cover their  
26.9 costs.

26.10 Sec. 13. **EFFECTIVE DATE.**

26.11 The provisions in this article are effective July 1, 2010, unless a different effective  
26.12 date is explicit.