A bill for an act

relating to crime prevention; providing for an aggressive initiative against chemical dependency; increasing the tax on alcoholic beverages to fund this initiative; eliminating obsolete language and making technical corrections; appropriating money; amending Minnesota Statutes 2008, sections 169A.275, subdivision 5; 169A.284, subdivision 1; 169A.54, subdivision 11; 169A.70, subdivisions 2, 3, 7, by adding subdivisions; 254B.01, subdivision 2; 254B.02, subdivision 1; 254B.04, subdivisions 1, 3; 254B.06, subdivision 1; 297G.03, subdivisions 1, 2; 297G.04, subdivisions 1, 2; 609.115, subdivision 8; 609.135, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 254A; 373; 609; repealing Minnesota Statutes 2008, sections 254B.02, subdivisions 2, 3, 4; 254B.03, subdivision 4; 254B.09, subdivisions 4, 5, 7.

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

Section 1. **LEGISLATIVE FINDINGS AND INTENT.**

The legislature finds that:

(1) impaired driving offenses kill and injure more Minnesotans than any other crime; and

(2) alcohol and drug abuse contribute to domestic violence and destroy families.

The legislature considers the need to address the problem of alcohol abuse to be a high priority. Furthermore, the legislature determines that the costs of fighting alcohol abuse should be funded by those who abuse alcohol. Consequently, the legislature is increasing the tax on the sale of alcohol to fund aggressive efforts to reduce impaired driving offenses and generally prevent crime, injury, and loss of life through chemical dependency prevention, screening, and treatment.

Sec. 2. Minnesota Statutes 2008, section 169A.275, subdivision 5, is amended to read:

Subd. 5. **Level of care recommended in chemical use assessment.** Unless the court commits the person to the custody of the commissioner of corrections as provided in section 169A.276 (mandatory penalties; felony violations), in addition to other penalties required under this section, if the person has not already done so, the court shall order a person to submit to the ~~level of care recommended in the chemical use assessment~~ treatment services clinically justified by a rule 25 (Minnesota Rules, parts 9530.6600 through 9530.6655) conducted under section 169A.70 (alcohol safety program; chemical use assessments) if the person: (1) is convicted of violating section 169A.20 (driving while impaired) ~~while having an alcohol concentration of 0.20 or more as measured at the time, or within two hours of the time, of the offense or if the violation occurs within ten years of one or more qualified prior impaired driving incidents~~; or (2) is arrested for violating section 169A.20, but is convicted of another offense arising out of the circumstances surrounding the arrest.

Sec. 3. Minnesota Statutes 2008, section 169A.284, subdivision 1, is amended to read:

Subdivision 1. **When required.** (a) When a court sentences a person convicted of an offense enumerated in section 169A.70, subdivision 2, paragraph (b), clause (1) or (2), (chemical use assessment; requirement; form), it shall impose a chemical dependency assessment charge of $125. A person shall pay an additional surcharge of $5 if the person is convicted of a violation of section 169A.20 (driving while impaired) within five years of a prior impaired driving conviction or a prior conviction for an offense arising out of an arrest for a violation of section 169A.20 or Minnesota Statutes 1998, section 169.121 (driver under influence of alcohol or controlled substance) or 169.129 (aggravated DWI-related violations; penalty). This section applies when the sentence is executed, stayed, or suspended. The court may not waive payment or authorize payment of the assessment charge and surcharge in installments unless it makes written findings on the record that the convicted person is indigent or that the assessment charge and surcharge would create undue hardship for the convicted person or that person's immediate family.

(b) The chemical dependency assessment charge and surcharge required under this section are in addition to the surcharge required by section 357.021, subdivision 6 (surcharges on criminal and traffic offenders).

Sec. 4. Minnesota Statutes 2008, section 169A.54, subdivision 11, is amended to read:

Subd. 11. **Chemical use assessment.** When the evidentiary test shows an alcohol concentration of 0.07 or more, that result must be reported to the commissioner. The commissioner shall record that fact on the driver's record. When the driver's record shows a second or subsequent report of an alcohol concentration of 0.07 or more within two years of a recorded report, the commissioner may require that the driver have a chemical use assessment meeting the commissioner's requirements and those of section 169A.70. The assessment must be at the driver's expense. In no event shall the commissioner deny the license of a person who refuses to take the assessment or to undertake treatment, if treatment is indicated by the assessment, for longer than 90 days. If an assessment is made pursuant to this section, the commissioner may waive the assessment required by section 169A.70.

Sec. 5. Minnesota Statutes 2008, section 169A.70, subdivision 2, is amended to read:

Subd. 2. **Chemical use assessment requirement.** (a) As used in this subdivision, "violent crime" has the meaning given in section 609.133, subdivision 1.

(b) A chemical use assessment must be conducted and an assessment report submitted to the court and to the Department of Public Safety by the county agency administering the alcohol safety program when:

(1) the defendant is convicted of an offense described in section 169A.20 (driving while impaired), 169A.31 (alcohol-related school bus and Head Start bus driving), or 360.0752 (impaired aircraft operation); ~~or~~

(2) the defendant is arrested for committing an offense described in clause (1) but is convicted of another offense arising out of the circumstances surrounding the arrest; or

(3) the defendant is convicted of a violent crime.

Sec. 6. Minnesota Statutes 2008, section 169A.70, subdivision 3, is amended to read:

Subd. 3. **Assessment report.** ~~(a)~~ The assessment and assessment report for this section must ~~be on a form prescribed by the commissioner and shall contain an evaluation of the convicted defendant concerning the defendant's prior traffic and criminal record, characteristics and history of alcohol and chemical use problems, and amenability to rehabilitation through the alcohol safety program. The report is classified as private data on individuals as defined in section 13.02, subdivision 12.~~

~~(b) The assessment report must include:~~

~~(1) a diagnosis of the nature of the offender's chemical and alcohol involvement;~~

~~(2) an assessment of the severity level of the involvement;~~

~~(3) a recommended level of care for the offender in accordance with the criteria contained in rules adopted by the commissioner of human services under section 254A.03, subdivision 3 (chemical dependency treatment rules);~~

~~(4) an assessment of the offender's placement needs;~~

~~(5) recommendations for other appropriate remedial action or care, including aftercare services in section 254B.01, subdivision 3, that may consist of educational programs, one-on-one counseling, a program or type of treatment that addresses mental health concerns, or a combination of them; and~~

~~(6) a specific explanation why no level of care or action was recommended, if applicable~~ meet the requirements of section 254A.03 and rules adopted under the authority granted in section 254A.10. Additionally, the assessment must include access to and review of criminal records and most recent arrest reports.

Sec. 7. Minnesota Statutes 2008, section 169A.70, subdivision 7, is amended to read:

Subd. 7. **Preconviction assessment.** (a) The court may not accept a chemical use assessment conducted before conviction as a substitute for the assessment required by this section unless the court ensures that the preconviction assessment meets the standards ~~described in this section~~ required under sections 254A.03 and 254A.10.

(b) If the commissioner of public safety is making a decision regarding reinstating a person's driver's license based on a chemical use assessment, the commissioner shall ensure that the assessment meets the standards described in this section.

Sec. 8. Minnesota Statutes 2008, section 169A.70, is amended by adding a subdivision to read:

Subd. 8. **Timing of assessment interview.** It is a strong preference that the chemical use assessment interview with the offender be conducted while the offender is being initially held in custody after arrest.

Sec. 9. Minnesota Statutes 2008, section 169A.70, is amended by adding a subdivision to read:

Subd. 9. **Court's authority to require assessments in other instances.** A court having jurisdiction over a person in a juvenile, criminal, or civil proceeding may order that the person submit to a chemical use assessment under this section if the court has reason to believe that the person may have a chemical dependency problem.

Sec. 10. **[254A.25] CARE COORDINATION RELATED TO CHEMICAL USE ASSESSMENTS.**

The commissioner shall establish a process to distribute grant funds to counties that provide care coordination to individuals who receive chemical use assessments. For counties receiving grants, the care coordination must be provided to individuals eligible for a chemical use assessment under Minnesota Rules, parts 9530.6600 to 9530.6655, if the chemical use assessment establishes the need for treatment, and a plan of care is developed. The care coordinator must meet the requirements of Minnesota Rules, part 9530.6615, subpart 2. The care coordination may include, but is not limited to, discharge planning from treatment and routine follow-up with the client, access to community resources that address the needs identified in the chemical use assessment, monitoring services and the functioning of the client, and monitoring the client's chemical use and modifying the plan as necessary.

Sec. 11. Minnesota Statutes 2008, section 254B.01, subdivision 2, is amended to read:

Subd. 2. **American Indian.** For purposes of services provided under ~~section 254B.09, subdivision 7~~ this chapter, "American Indian" means (1) a person who is a member of an Indian tribe, and the commissioner shall use the definitions of "Indian" and "Indian tribe" and "Indian organization" provided in Public Law 93-638~~. For purposes of services provided under section 254B.09, subdivision 4, "American Indian" means~~, or (2) a resident of federally recognized tribal lands who is recognized as an Indian person by the federally recognized tribal governing body.

Sec. 12. Minnesota Statutes 2008, section 254B.02, subdivision 1, is amended to read:

Subdivision 1. **Chemical dependency treatment allocation.** The chemical dependency funds appropriated for allocation shall be placed in a special revenue account. The commissioner shall annually transfer funds from the chemical dependency fund to pay for operation of the drug and alcohol abuse normative evaluation system and to pay for all costs incurred by adding ~~two~~ three positions for licensing of chemical dependency treatment and rehabilitation programs ~~located in hospitals for which funds are not otherwise appropriated. Six percent of the remaining money must be reserved for tribal allocation under section 254B.09, subdivisions 4 and 5. The commissioner shall annually divide the money available in the chemical dependency fund that is not held in reserve by counties from a previous allocation, or allocated to the American Indian chemical dependency tribal account. Six percent of the remaining money must be reserved for the nonreservation American Indian chemical dependency allocation for treatment of American Indians by eligible vendors under section 254B.05, subdivision 1. The remainder of the money must be allocated among the counties according to the following formula, using state demographer data and other data sources determined by the commissioner:~~.

~~(a) For purposes of this formula, American Indians and children under age 14 are subtracted from the population of each county to determine the restricted population.~~

~~(b) The amount of chemical dependency fund expenditures for entitled persons for services not covered by prepaid plans governed by section 256B.69 in the previous year is divided by the amount of chemical dependency fund expenditures for entitled persons for all services to determine the proportion of exempt service expenditures for each county.~~

~~(c) The prepaid plan months of eligibility is multiplied by the proportion of exempt service expenditures to determine the adjusted prepaid plan months of eligibility for each county.~~

~~(d) The adjusted prepaid plan months of eligibility is added to the number of restricted population fee for service months of eligibility for the Minnesota family investment program, general assistance, and medical assistance and divided by the county restricted population to determine county per capita months of covered service eligibility.~~

~~(e) The number of adjusted prepaid plan months of eligibility for the state is added to the number of fee for service months of eligibility for the Minnesota family investment program, general assistance, and medical assistance for the state restricted population and divided by the state restricted population to determine state per capita months of covered service eligibility.~~

~~(f) The county per capita months of covered service eligibility is divided by the state per capita months of covered service eligibility to determine the county welfare caseload factor.~~

~~(g) The median married couple income for the most recent three-year period available for the state is divided by the median married couple income for the same period for each county to determine the income factor for each county.~~

~~(h) The county restricted population is multiplied by the sum of the county welfare caseload factor and the county income factor to determine the adjusted population.~~

~~(i) $15,000 shall be allocated to each county.~~

~~(j) The remaining funds shall be allocated proportional to the county adjusted population.~~

Sec. 13. Minnesota Statutes 2008, section 254B.04, subdivision 1, is amended to read:

Subdivision 1. **Eligibility.** (a) Persons eligible for benefits under Code of Federal Regulations, title 25, part 20, persons ~~eligible for medical assistance benefits under sections 256B.055, 256B.056, and 256B.057, subdivisions 1, 2, 5, and 6, or who meet the income standards of section 256B.056, subdivision 4, and persons eligible for general assistance medical care under section 256D.03, subdivision 3,~~ <u>whose income is at or</u>

<u>below 400 percent of the federal poverty guidelines who do not have insurance coverage</u> are entitled to chemical dependency fund services. ~~State money appropriated for this paragraph must be placed in a separate account established for this purpose.~~

Persons with dependent children who are determined to be in need of chemical dependency treatment pursuant to an assessment under section 626.556, subdivision 10, or a case plan under section 260C.201, subdivision 6, or 260C.212, shall be assisted by the local agency to access needed treatment services. Treatment services must be appropriate for the individual or family, which may include long-term care treatment or treatment in a facility that allows the dependent children to stay in the treatment facility. The county shall pay for out-of-home placement costs, if applicable.

(b) A person not entitled to services under paragraph (a)~~, but with family income that is less than 215 percent of the federal poverty guidelines for the applicable family size, shall be eligible to receive chemical dependency fund services within the limit of funds appropriated for this group for the fiscal year. If notified by the state agency of limited funds, a county must give preferential treatment to persons with dependent children who are in need of chemical dependency treatment pursuant to an assessment under section 626.556, subdivision 10, or a case plan under section 260C.201, subdivision 6, or 260C.212. A county may spend money from its own sources to serve persons under this paragraph. State money appropriated for this paragraph must be placed in a separate account established for this purpose.~~

~~(c) Persons whose income is between 215 percent and 412 percent of the federal poverty guidelines for the applicable family size~~ shall be eligible for chemical dependency services on a sliding fee basis~~, within the limit of funds appropriated for this group for the fiscal year~~. Persons eligible under this paragraph must contribute to the cost of services according to the sliding fee scale established under subdivision 3. ~~A county may spend money from its own sources to provide services to persons under this paragraph. State money appropriated for this paragraph must be placed in a separate account established for this purpose.~~

Sec. 14. Minnesota Statutes 2008, section 254B.04, subdivision 3, is amended to read:

Subd. 3. **Amount of contribution.** The commissioner shall adopt a sliding fee scale to determine the amount of contribution to be required from persons under this section. The commissioner may adopt rules to amend existing fee scales. The commissioner may establish a separate fee scale for recipients of chemical dependency transitional and extended care rehabilitation services that provides for the collection of fees for board and lodging expenses. The fee schedule shall ensure that employed persons are allowed the income disregards and savings accounts that are allowed residents of community mental illness facilities under section 256D.06, subdivisions 1 and 1b. ~~The fee scale must not provide assistance to persons whose income is more than 115 percent of the state median income.~~ Payments of liabilities under this section are medical expenses for purposes of determining spenddown under sections 256B.055, 256B.056, 256B.06, and 256D.01 to 256D.21. The required amount of contribution established by the fee scale in this subdivision is also the cost of care responsibility subject to collection under section 254B.06, subdivision 1.

Sec. 15. Minnesota Statutes 2008, section 254B.06, subdivision 1, is amended to read:

Subdivision 1. **State collections.** The commissioner is responsible for all collections from persons determined to be partially responsible for the cost of care of an eligible person receiving services under ~~Laws 1986, chapter 394, sections 8 to 20~~ this chapter. The commissioner may initiate, or request the attorney general to initiate, necessary civil action to recover the unpaid cost of care. The commissioner may collect all third-party payments for chemical dependency services provided under ~~Laws 1986, chapter 394, sections 8 to 20~~ this chapter, including private insurance and federal Medicaid and Medicare financial participation. The commissioner shall deposit in a dedicated account a percentage of collections to pay for the cost of operating the chemical dependency consolidated treatment fund invoice processing and vendor payment system, billing, and collections. The remaining receipts must be deposited in the chemical dependency fund.

Sec. 16. Minnesota Statutes 2008, section 297G.03, subdivision 1, is amended to read:

Subdivision 1. **General rate; distilled spirits and wine.** The following excise tax is imposed on all distilled spirits and wine manufactured, imported, sold, or possessed in this state:

	Standard	Metric
(a) Distilled spirits, liqueurs, cordials, and specialties regardless of alcohol content (excluding ethyl alcohol)	$ ~~5.03~~ 17.69 per gallon	$ ~~1.33~~ 4.73 per liter
(b) Wine containing 14 percent or less alcohol by volume (except cider as defined in section 297G.01, subdivision 3a)	$ ~~.30~~ 2.40 per gallon	$ ~~.08~~ 0.64 per liter
(c) Wine containing more than 14 percent but not more than 21 percent alcohol by volume	$ ~~.95~~ 3.01 per gallon	$ ~~.25~~ 0.81 per liter

(d) Wine containing more than 21 percent but not more than 24 percent alcohol by volume	$ ~~1.82~~ 3.88 per gallon	$ ~~.48~~ 1.04 per liter
(e) Wine containing more than 24 percent alcohol by volume	$ ~~3.52~~ 5.56 per gallon	$ ~~.93~~ 1.49 per liter
(f) Natural and artificial sparkling wines containing alcohol	$ ~~1.82~~ 3.88 per gallon	$ ~~.48~~ 1.04 per liter
(g) Cider as defined in section 297G.01, subdivision 3a	$ ~~.15~~ 2.25 per gallon	$ ~~.04~~ 0.60 per liter
(h) Low alcohol dairy cocktails	$ .08 per gallon	$ .02 per liter

In computing the tax on a package of distilled spirits or wine, a proportional tax at a like rate on all fractional parts of a gallon or liter must be paid, except that the tax on a fractional part of a gallon less than 1/16 of a gallon is the same as for 1/16 of a gallon.

Sec. 17. Minnesota Statutes 2008, section 297G.03, subdivision 2, is amended to read:

Subd. 2. **Tax on miniatures; distilled spirits.** The tax on miniatures is ~~14~~ 24 cents per bottle.

Sec. 18. Minnesota Statutes 2008, section 297G.04, subdivision 1, is amended to read:

Subdivision 1. **Tax imposed.** The following excise tax is imposed on all fermented malt beverages that are imported, directly or indirectly sold, or possessed in this state:

(1) on fermented malt beverages containing not more than 3.2 percent alcohol by weight, ~~$2.40~~ $35.32 per 31-gallon barrel; and

(2) on fermented malt beverages containing more than 3.2 percent alcohol by weight, ~~$4.60~~ $37.52 per 31-gallon barrel.

For fractions of a 31-gallon barrel, the tax rate is calculated proportionally.

Sec. 19. Minnesota Statutes 2008, section 297G.04, subdivision 2, is amended to read:

Subd. 2. **Tax credit.** A qualified brewer producing fermented malt beverages is entitled to a tax credit of ~~$4.60~~ $37.52 per barrel on 25,000 barrels sold in any fiscal year beginning July 1, regardless of the alcohol content of the product. Qualified brewers may take the credit on the 18th day of each month, but the total credit allowed may not exceed in any fiscal year the lesser of:

(1) the liability for tax; or

(2) $115,000.

For purposes of this subdivision, a "qualified brewer" means a brewer, whether or not located in this state, manufacturing less than 100,000 barrels of fermented malt beverages in the calendar year immediately preceding the calendar year for which the credit under this subdivision is claimed. In determining the number of barrels, all brands or labels of a brewer must be combined. All facilities for the manufacture of fermented malt beverages owned or controlled by the same person, corporation, or other entity must be treated as a single brewer.

Sec. 20. **[373.50] REQUIREMENT TO PROVIDE CHEMICAL DEPENDENCY TREATMENT.**

The state shall provide adequate funding for counties to provide comprehensive, needs-specific chemical dependency treatment programs and services to individuals within the county. The programs and services must be provided based on rule 25 (Minnesota Rules, parts 9530.6600 through 9530.6655) placement criteria.

Sec. 21. Minnesota Statutes 2008, section 609.115, subdivision 8, is amended to read:

Subd. 8. **Chemical use assessment required.** (a) If a person is convicted of a felony, the probation officer shall determine in the report prepared under subdivision 1 whether or not alcohol or drug use was a contributing factor to the commission of the offense. If so, the report shall contain the results of a chemical use assessment conducted in accordance with this subdivision. The probation officer shall make an appointment for the defendant to undergo the chemical use assessment if so indicated. If the person is convicted of a violent crime as defined in section 609.133, subdivision 1, the provisions of that section apply.

(b) The chemical use assessment report must include a recommended level of care for the defendant in accordance with the criteria contained in rules adopted by the commissioner of human services under section 254A.03, subdivision 3. The assessment must be conducted by an assessor qualified under rules adopted by the commissioner of human services under section 254A.03, subdivision 3. An assessor providing a chemical use assessment may not have any direct or shared financial interest or referral relationship resulting in shared financial gain with a treatment provider, except as authorized under section 254A.19, subdivision 3. If an independent assessor is not available, the probation officer may use the services of an assessor authorized to perform assessments for the county social services agency under a variance granted under rules adopted by the commissioner of human services under section 254A.03, subdivision 3.

(c) A chemical use assessment and report conducted under this subdivision must meet the standards described in section 169A.70.

Sec. 22. **[609.133] CHEMICAL DEPENDENCY TREATMENT; ASSESSMENT CHARGE.**

Subdivision 1. **Definition.** As used in this section, "violent crime" has the meaning given in section 609.1095, subdivision 1. The term also includes violations of sections 609.2231, 609.224, and 609.2242.

Subd. 2. **Assessment conducted.** The court shall ensure that a chemical use assessment is conducted on a person convicted of a violent crime as required in section 169A.70, subdivision 2.

Subd. 3. **Charge.** (a) When a court sentences a person convicted of a violent crime, it shall impose a chemical dependency assessment charge of $125. The court may not waive payment or authorize payment of the assessment charge in installments unless it makes written findings on the record that the convicted person is indigent or that the assessment charge would create undue hardship for the convicted person or that person's immediate family.

(b) The county shall collect and forward to the commissioner of finance $25 of the chemical dependency assessment charge on a quarterly basis. The commissioner shall credit the money to the general fund. The county shall collect and keep $100 of the chemical dependency assessment charge.

(c) The chemical dependency assessment charge required under this section is in addition to the surcharge required by section 357.021, subdivision 6.

Sec. 23. Minnesota Statutes 2008, section 609.135, is amended by adding a subdivision to read:

Subd. 9. **Certain persons to receive mandatory chemical dependency treatment.** If a court stays the imposition or execution of sentence for a person convicted of a violent crime as defined in section 609.133, subdivision 1, as a condition of probation and in addition to any other conditions imposed, the court shall order the person to submit to the level of care recommended in the chemical use assessment described in section 169A.70, unless there are compelling reasons to do otherwise.

Sec. 24. **JUDICIAL TRAINING.**

The Supreme Court shall include in its judicial education program training relating to a judge's powers and duties regarding chemical use assessments.

Sec. 25. **REPEAT DUI OFFENDER PILOT PROGRAM.**

The commissioner of public safety shall establish a pilot program in up to three counties for repeat driving while impaired offenders. The pilot program is an alternative to incarceration or traditional chemical treatment, and must provide a highly structured treatment program with 12 months of supervision following treatment. The probation officer, treatment provider, chemical use assessor, and possibly police officers, must work as partners in the recovery of the client. The pilot program must explore and use different monitoring devices to monitor the client's chemical use.

Sec. 26. **APPROPRIATIONS.**

(a) $....... for the fiscal year ending June 30, 2010, and $....... for the fiscal year ending June 30, 2011, are appropriated from the general fund to the commissioner of public safety. Of these amounts:

(1) $....... the first year and $....... the second year are for grants to local units of government to conduct compliance checks for on-sale and off-sale intoxicating liquor license holders to determine whether the license holder is complying with Minnesota Statutes, section 340A.503;

(2) $....... the first year and $....... the second year are for grants to prevent domestic violence and to provide services to victims of domestic violence; and

(3) $....... for the biennium for the repeat DUI offender pilot program.

(b) $....... for the fiscal year ending June 30, 2010, and $....... for the fiscal year ending June 30, 2011, are appropriated from the general fund to the commissioner of human services. Of these amounts:

(1) $....... the first year and $....... the second year are for the purpose of fully funding Minnesota Statutes, section 254B.04, subdivision 1. This appropriation must become part of the base appropriation for this program;

(2) $....... the first year and $....... the second year to fund the chemical dependency treatment requirements under Minnesota Statutes, section 373.50;

(3) $....... for the biennium for care coordination related to chemical use assessments under Minnesota Statutes, section 254A.25; and

(4) $....... for the biennium to be transferred to the Board of Behavioral Health and Therapy under Minnesota Statutes, chapter 148C, to hire staff to conduct timely licensing of counselors.

(c) $....... for the fiscal year ending June 30, 2010, and $....... for the fiscal year ending June 30, 2011, are appropriated from the general fund to the Chief Justice of the Supreme Court. Of these amounts:

(1) $....... the first year and $....... the second year are for the increased judicial training described in section 24;

(2) $....... the first year and $....... the second year to counties for drug courts; and

(3) $....... the first year and $....... the second year are for grants to counties for court services and correctional costs related to conducting chemical use assessments.

(d) $....... for the fiscal year ending June 30, 2010, and $....... for the fiscal year ending June 30, 2011, are appropriated from the general fund to the commissioner of health. Of these amounts, $....... the first year and $....... the second year are for grants to public health for education and prevention initiatives designed to eliminate underage drinking.

Sec. 27. **REPEALER.**

Minnesota Statutes 2008, sections 254B.02, subdivisions 2, 3, and 4; 254B.03, subdivision 4; and 254B.09, subdivisions 4, 5, and 7, are repealed.

Sec. 28. **EFFECTIVE DATE.**

Sections 2 to 9 and 21 to 23 are effective August 1, 2009, and apply to crimes committed on or after that date. Sections 16 to 19 are effective for taxes imposed after June 30, 2009.