

proof that he is the holder thereof, constitutes authority for the seizure and forfeiture of the plants.

Sec. 20. [152.20] PENALTIES UNDER OTHER LAWS. Any penalty imposed for violation of this act is in addition to, and not in lieu of, any civil or administrative penalty or sanction otherwise authorized by law.

Sec. 21. Minnesota Statutes 1969, Section 609.13, is amended to read:

**609.13 CONVICTIONS OF FELONY OR GROSS MISDEMEANOR; WHEN DEEMED MISDEMEANOR OR GROSS MISDEMEANOR. Subdivision 1.** Notwithstanding a conviction is for a felony:

(1) The conviction is deemed to be for a misdemeanor or a gross misdemeanor if the sentence imposed is within the limits provided by law for a misdemeanor or gross misdemeanor as defined in section 609.02; or

(2) The conviction is deemed to be for a misdemeanor if the imposition of the sentence is stayed, the defendant is placed on probation, and he is thereafter discharged without sentence.

Subd. 2. Notwithstanding that a conviction is for a gross misdemeanor, the conviction is deemed to be for a misdemeanor if:

(1) The sentence imposed is within the limits provided by law for a misdemeanor as defined in Minnesota Statutes, Section 609.02; or

(2) If the imposition of the sentence is stayed, the defendant is placed on probation, and he is thereafter discharged without sentence.

Sec. 22. Minnesota Statutes 1969, Sections 152.01, Subdivision 5; 152.041, 152.17, 618.01, 618.02, 618.03, 618.04, 618.05, 618.06, 618.07, 618.08, 618.081, 618.09, 618.10, 618.11, 618.12, 618.13, 618.14, 618.15, 618.16, 618.17, 618.18, 618.19, 618.20, 618.21, 618.22, 618.23, 618.24, and 618.25, are repealed.

Approved June 7, 1971.

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CHAPTER 938—S.F.No.979

[Coded]

*An act to establish a pilot foster grandparents program; appropriating funds therefor.*

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. [256.976] PUBLIC WELFARE; FOSTER GRAND-PARENTS; PILOT PROGRAM.** Subdivision 1. There is established a pilot foster grandparents program which will engage the services of low income persons aged 60 or over to provide supportive person to person assistance in health, education, welfare, and related fields to young people receiving care in resident group homes for dependent and neglected persons, preschool day care centers or other public or private nonprofit institutions or agencies providing care for neglected and disadvantaged children who lack close personal relationships.

Subd. 2. Persons employed as foster grandparents shall be compensated for no more than 20 hours per week and at an hourly rate not to exceed the federal minimum wage by more than 20 percent. In addition to such compensation foster grandparents shall be eligible for protective clothing, including replacement of glasses; transportation assistance, not to exceed mileage payments for 20 miles per day or chartered transportation service, for travel between residence and place of employment; workmen's compensation; annual physical examinations; food services during employment, generally provided by the employing agency or institution; and such other assistance as the governor's citizen council on aging may prescribe. No person employed as a foster grandparent shall be terminated because of redefinition of income standards, or a change of income, marital status, or number of dependents.

Subd. 3. The governor's citizen council on aging, hereinafter called the council, may make grants-in-aid for the employment of foster grandparents to qualified resident group homes for dependent and neglected persons, preschool day care centers and other public or nonprofit private institutions and agencies providing care for neglected and disadvantaged young persons who lack close personal relationships. Agencies and institutions seeking aid shall apply on a form prescribed by the council. Priority shall be given to agencies and institutions providing care for retarded children. Grants shall not be made to local public or nonprofit agencies until 40 percent of the recognized need for foster grandparents within state institutions has been met. Grants shall be for a period of 12 months or less, and grants to local public and nonprofit agencies or institutions shall be based on 90 percent state, and 10 percent local sharing of program expenditures authorized by the council. Grants shall not be used to match other state or federal funds nor shall any person paid from grant funds be used to replace any staff member of the grantee. Each grantee shall file a semiannual report with the council at the time and containing such information as the council shall prescribe.

Subd. 4. The council is authorized, subject to the provisions of Minnesota Statutes 1969, Chapter 15, to make rules and regulations necessary to the operation of the foster grandparent program and to

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employ assistance in performing its administrative duties. In adopting rules and regulations the council shall give consideration to applicable federal guidelines.

Sec. 2. There is appropriated to the governor's council on aging from the general fund the sum of \$50,000 for the purposes of this act.

Approved June 7, 1971.

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### CHAPTER 939—S.F.No.994

[Not Coded]

*An act authorizing the commissioner of natural resources to cooperate in the construction and modification of certain water control structures located in Kanabec county; appropriating money therefor.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **KNIFE RIVER DAM; WATER CONTROL; APPROPRIATION.** In order to maintain a more desirable range of water levels on Knife Lake, Kanabec county, the commissioner of natural resources is authorized to enter into a cooperative agreement with Kanabec county, the Kanabec soil and water conservation district, and with other state, federal and local agencies for the construction of a dam across Knife river downstream from the outlet of Knife Lake, and for the modification or removal of the existing state-owned dam at the outlet of Knife Lake.

Sec. 2. Before the construction authorized in section 1 is started, the sponsoring agency shall apply to the commissioner of natural resources for a permit as required by Minnesota Statutes, Chapter 105. In issuing such permit, the commissioner shall require that the said agency acquire by gift, purchase or condemnation all necessary lands and rights or easements in lands which will be affected by such construction; and may attach such conditions as to design, construction, maintenance and operation of the structures as he may find advisable and necessary in the public interest.

Sec. 3. There is hereby appropriated to the commissioner of natural resources \$50,000 for the purposes of this act. The commissioner is hereby authorized to transfer to the sponsoring agency such part of these funds as required under the terms of the agreement authorized in section 1, provided that such agreement shall contain:

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**