

Section 1. **THIEF RIVER FALLS, CITY OF; FIREMEN'S SERVICE PENSIONS.** Notwithstanding the provisions of Minnesota Statutes 1971, Section 69.06 or any other law to the contrary, the Thief River Falls Firemen's Relief Association may pay a lump sum service pension in an amount not exceeding \$300 per year of service to any member retiring after completion of 20 years of active service.

Sec. 2. This act is effective upon approval by the governing body of the city of Thief River Falls and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 18, 1973.

CHAPTER 312—H.F.No.1031

An act relating to education; vocational rehabilitation work activity centers; amending Minnesota Statutes 1971, Sections 121.71; 121.711; 121.712; 121.713; and 121.714.

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

Section 1. Minnesota Statutes 1971, Section 121.71, is amended to read:

121.71 EDUCATION; REHABILITATION WORK ACTIVITY CENTERS; PROGRAMS; PURPOSE. The purpose of sections 121.71 to 121.715 is to improve rehabilitation services for the severely disabled in Minnesota by providing for the development and continuation of long term sheltered workshops and work activity programs.

Sec. 2. Minnesota Statutes 1971, Section 121.711, is amended to read:

121.711 DEFINITIONS. For the purposes of sections 121.71 to 121.715, a long term sheltered workshop means a facility where any manufacture or handiwork is carried on, and which is operated for the primary purpose of providing remunerative employment to severely disabled individuals who, as a result of physical or mental disability, are unable to participate in competitive employment. A long term sheltered workshop shall supply such employment (1) as a step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market, or (2) during such time

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as employment opportunities for them in the competitive labor market do not exist. A work activity program means a program which utilizes manufacturing activities and other production work for the primary purpose of providing basic vocational skills development for the severely handicapped.

Sec. 3. Minnesota Statutes 1971, Section 121.712, is amended to read:

121.712 APPLICANTS FOR ASSISTANCE. Subdivision 1. Any city, village, borough, town, county, nonprofit corporation, or any combination thereof, may apply to the commissioner of education for assistance in establishing or operating, or both establishing and operating, a community long term sheltered workshop or work activity program. Application for such assistance shall be on forms supplied by the commissioner. Each applicant shall annually submit to the commissioner its plan and budget for the next fiscal year. No applicant shall be eligible for a grant hereunder unless its plan and budget have been approved by the commissioner.

Subd. 2. In order to provide the necessary funds for a long term sheltered workshop or work activity program, the governing body of any city, village, borough, town, or county may expend money which may be available for such purposes in the general fund, and may levy a tax of not to exceed in any one year the following amounts per capita of the population, based upon the last federal census: Cities of the first class, not to exceed ten cents per capita; cities of other than the first class, villages, boroughs, towns, and counties, not to exceed 30 cents per capita. The levy of such taxes shall not cause the amount of other taxes levied or to be levied by the governmental unit, which are subject to any such limitation, to be reduced in any amount whatsoever. Any city, village, borough, town, county, or nonprofit corporation may accept gifts or grants from any source for the long term sheltered workshop or work activity program. Any money appropriated, taxed, or received as a gift or grant may be used to match funds available on a matching basis.

Sec. 4. Minnesota Statutes 1971, Section 121.713, is amended to read:

121.713 COMMUNITY LONG TERM SHELTERED WORKSHOP BOARDS. Subdivision 1. Every city, village, borough, town, county, nonprofit corporation, or combination thereof establishing a community long term sheltered workshop or work activity program shall appoint a long term sheltered workshop board of not less than nine members before becoming eligible for the assistance provided by sections 121.71 to 121.715. When any city, village, borough, town, or county singly establishes such a workshop or work activity program, such board shall be appointed by the chief executive

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officer of the city, village, or borough, or the chairman of the governing board of the county or town. When any combination of cities, villages, boroughs, towns, counties, or nonprofit corporations establishes such a workshop or work activity program the chief executive officers of the cities, villages, boroughs, nonprofit corporations and the chairmen of the governing bodies of the counties or towns shall appoint the board. If a nonprofit corporation singly establishes such a workshop or work activity program the corporation shall appoint the board of directors. Membership on a board shall be representative of the community served and shall include a disabled person. One-third to one-half of the board shall be representative of industry or business. The remaining members should be representative of lay associations for the handicapped; labor, the general public, and education, welfare, medical, and health professions. Nothing in sections 121.71 to 121.715 shall be construed to preclude the appointment of elected or appointed public officials or members of the board of directors of the sponsoring nonprofit corporation to such board, so long as representation described above is preserved.

Subd. 2. The term of office of each member of the community long term sheltered workshop or work activity board shall be for four years, measured from the first day of the year of appointment, except as follows: Of the members first appointed, at least three shall be appointed for a term of two years, at least three for a term of three years, and at least three for a term of four years. Vacancies shall be filled for the unexpired term in the same manner as original appointments. Any member of a board may be removed by the appointing authority for neglect of duty, misconduct, or malfeasance in office, after being given a written statement of charges and an opportunity to be heard thereon.

Subd. 3. Subject to the provisions of sections 121.71 to 121.715 and the rules and regulations of the state board of education, each community long term sheltered workshop or work activity program board shall:

(a) Review and evaluate the need for a long term sheltered workshop services or work activity program provided pursuant to sections 121.71 to 121.715 and report thereon to the commissioner of education, the administrator of the program, and, when indicated, the public, together with recommendations for additional services and facilities;

(b) Recruit and promote local financial support for the program from private sources such as community chests, business, industrial and private foundations, voluntary agencies, and other lawful sources and promote public support for municipal and county appropriations;

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(c) Promote, arrange, and implement working agreements with other educational and social service agencies both public and private and any other allied agencies;

(d) Advise the administrator of the long term sheltered workshop program on the adoption and implementation of policies to stimulate effective community relations;

(e) Review the annual plan and budget and make recommendations thereon;

(f) When so determined by the authority establishing the program, act as the administrator of the program.

Sec. 5. Minnesota Statutes 1971, Section 121.714, is amended to read:

121.714 DUTIES OF THE COMMISSIONER OF EDUCATION. Subdivision 1. The commissioner of education may make grants to assist cities, villages, boroughs, towns, counties, nonprofit corporations, or any combination thereof in the establishment, operation, and expansion of long term sheltered workshop or work activity programs. The commissioner may accept federal grants or aids and shall cooperate with federal agencies in any reasonable manner necessary to qualify for such federal grants or aids for long term sheltered workshops or work activity programs.

Subd. 2. At the beginning of each fiscal year, the commissioner of education shall allocate available funds to long term sheltered workshop and work activity programs for disbursement during the fiscal year in accordance with such approved plans or budgets. The commissioner shall from time to time during the fiscal year review the budgets and expenditures of the various programs and if funds are not needed for the program to which they were allocated, he may, after reasonable notice and opportunity for hearing, withdraw such funds as are unencumbered and reallocate them to other programs. He may withdraw funds from any program which is not being administered in accordance with its approved plan and budget.

Subd. 3. The grant may not exceed an amount equal to ~~50~~ 75 percent of the following approved anticipated expenditures for workshop costs:

~~(a) Salaries;~~

~~(b) Contract facilities and services;~~

~~(c) Operation, maintenance, and service costs;~~

~~(d) Vehicles for the primary use of transporting the disabled to and from long term sheltered workshops; and~~

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~~(e) Other expenditures specifically approved and authorized by the commissioner of education, of the normal operating expenses of the long term workshop or work activity program. Wages paid clients or long term workers are to be excluded in determining operating cost.~~

In the event that there are inadequate funds appropriated to meet the foregoing provisions in full, they shall be prorated proportionately.

Subd. 4. In addition to the powers already conferred on him by law, the commissioner of education shall, through the authority delegated to the state board of education, promulgate rules and regulations in regard to the following matters:

(a) State certification of all long term sheltered workshops and work activity programs;

(b) Eligibility of community long term sheltered workshop and work activity programs to receive state grants;

~~(b)~~ (c) Standards for qualification of personnel and quality of professional service and for in-service training and education leave programs for personnel;

~~(e)~~ (d) Eligibility for service so that no person will be denied service on the basis of race, creed, or color;

~~(d)~~ (e) Regulatory fees for consultation services;

~~(e)~~ (f) Standards as to types and kinds of severely disabled persons eligible for such services; and

~~(f)~~ (g) Such other rules and regulations as he deems necessary to carry out the purposes of sections 121.71 to 121.715.

Subd. 5. The commissioner of education shall appoint a director of community long term sheltered workshop programs to assist him in carrying out the purposes of sections 121.71 to 121.715. The director so appointed shall serve within the division of vocational rehabilitation ~~and special services~~ of the department of education and shall be classified not lower than a division head and shall receive the pay of a division head. Qualifications for the director shall include, but not be limited to, advance training in economics and experience in the field of economics. The commissioner may employ such other qualified personnel as are necessary to carry out the provisions of sections 121.71 to 121.715.

Approved May 18, 1973.

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