

ance described herein for said purposes.

Sec. 21. If additional funds become available to the state board for community colleges, state college board or the board of regents for the purpose of adjusting faculty salaries to implement cost of living provisions of any professional staff agreement for the 1975-77 bien-nium, an amount equal to the additional funds shall be cancelled to the general revenue fund.

Sec. 22. The speaker of the house shall name five members of the house and the senate committee on committees shall name five mem-bers of the senate to review tuition policy at postsecondary vocational schools. The joint committee shall report to the 1976 legislature its findings and recommendations.

Approved June 5, 1975.

**CHAPTER 434—H.F.No.1743**

[Coded in Part]

*An act relating to the organization and operation of the state government; ap-propriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, correc-tions, health, corrections ombudsman, various health related boards, public assis-tance programs, aid to dependent children, Minnesota supplemental assistance, and public relief; amending Minnesota Statutes 1974, Chapter 8 by adding a section, Sections 241.01, Subdivision 7; and 260.151, Subdivision 1.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MIN-  
NESOTA:**

**Section 1. STATE GOVERNMENT; DEPARTMENTS OF PUBLIC WELFARE, CORRECTIONS, HEALTH, CORRECTIONS OMBUDS-MAN, AND VARIOUS HEALTH RELATED BOARDS; APPROPRIA-TIONS.** The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from the general fund in the state treasury not otherwise appropriated, or any other fund herein desig-nated, to be expended for the purposes specified in the following sec-tions of this act, to be available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

	APPROPRIATIONS	
	Available for the Year	
	Ending June 30.	
	1976	1977
\$	\$	

Sec. 2. TO THE COMMISSIONER  
OF PUBLIC WELFARE

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

Subdivision 1. Program and Administrative Support	6,568,000	6,821,000
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**Approved Complement - 306.3**

Estimated federal funds to be deposited in the general fund which are earned by the various accounts of the department of public welfare are detailed on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration and the commissioner of finance. If federal funds anticipated are less than those shown on the official worksheets, the commissioners of administration and finance shall reduce the amount available from the specific appropriation by a like amount. Such reductions shall be noted in the budget document submitted to the 70th legislature in addition to an estimate of similar federal funds anticipated for the 1977-1979 biennium.

Notwithstanding any other law to the contrary, not more than \$5,000 annually is appropriated from salary savings to be used for the payment of necessary travel expenses to and from interviews arranged by the department of public welfare, incurred by job applicants for professional, administrative, or highly technical positions recruited by the department of public welfare.

Notwithstanding any state law to the contrary, the commissioner of public welfare shall not adjust the budget standards for any categorical aid program in excess of the amount authorized by the legislature, unless federal law or regulation require such action.

In determining the amount of the public assistance grant, except for general assistance, the commissioner shall effect a 4 percent increase on or after July 1, 1975.

Subd. 2. Centralized Disbursement	5,625,000	5,660,000
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The commissioner of public welfare shall submit a report to the 1977 legislature regarding the effectiveness of the twelve positions granted by the 1975 legislature for increasing support payments.

Provided that the appropriations made in this subdivision shall be immediately available upon final passage of this act to compensate for the delay in receipt of federal earnings.

Subd. 3. Community Based Residential Services - Mentally Retarded	788,000	788,000
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Provided that \$450,000 of the amount appropriated in this subdivision shall be expended in accordance with the provisions of Minnesota Statutes 1974, Section 252.30.

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

Subd. 4. Community Based Residential Services - Chemically Dependent	3,531,200	3,881,000
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#### 1975 - \$600,000 Deficiency Appropriation

Provided that \$525,000 of the appropriations for 1976 and 1977 shall be immediately available upon final passage of this act, for the purpose of providing funds for an anticipated deficiency in fiscal year 1975 and for funding of this activity for the 1975-1977 biennium.

Provided that reimbursement from state funds for detoxification centers shall be prorated if the appropriation made in this subdivision is insufficient to pay the cost as provided by Minnesota Statutes 1974, Section 254A.08, Subdivision 3.

Subd. 5. Community Based Residential Services - Mentally Ill	186,700	513,100
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Provided that each appropriation provided by Subdivisions 3, 4, and 5 shall primarily apply to one state hospital receiving district.

The commissioner of public welfare shall submit a report on the expenditure of the appropriations in Subdivisions 3, 4, and 5 to the 1977 legislature.

Subd. 6. Community Mental Health Centers	6,687,600	7,346,900
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#### 1975 - \$123,125 deficiency appropriation

Notwithstanding any law to the contrary, no funds provided in this subdivision shall be used for matching that part of salaries paid above the class of persons in comparable positions in the state civil service nor shall any funds provided in this subdivision be used for matching that part of fringe benefits which exceed the fringe benefits provided to employees in the state civil service.

The above funds provide for a 50 percent matching, except for counties affected by equalization aid, of local community mental health centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

The community mental health centers may accept cases from juvenile courts for diagnostic evaluation.

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

**Approved Complement - 4.4**

Subd. 7. Aid to Families with Dependent Children, Minnesota Supplemental Assistance, and Medical Assistance	109,400,000	119,900,000
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**Approved Complement - 11.3**

Notwithstanding the provisions of any other law, the commissioner of public welfare may utilize the funds, pursuant to the approval of the governor, provided in the above subdivision to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal funds shall be paid equally from state and local funds. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost than if they remained in this program. The commissioner shall develop such criteria, selection principles, and other rules so as to carry out the intent of this provision.

The commissioner of public welfare shall provide supplementary grants for aid to families with dependent children and shall include the following costs in determining the amount of the supplementary grants: major home repairs, repair of major home appliances, utility recaps, supplementary dietary needs not covered by medical assistance, and replacement of essential household furnishings and essential major appliances.

Notwithstanding the provisions of any other law to the contrary, the commissioner of public welfare may transfer funds provided in the above subdivision to the department of health for the non-federal share of periodic medical review, including fiscal year 1975.

Provided that the amount appropriated for implementation of Minnesota Statutes, Section 245.0313 shall be available only if matched by federal funds. Provided that if the cost of care in state institutions falls below the projections used for implementation of Minnesota Statutes, Section 245.0313, any excess appropriation shall revert to the general fund.

For purposes of administering the medical assistance budget during the biennium, the department of public welfare shall not freeze rates nor withhold increases for budgetary reasons solely for rates paid to skilled and intermediate care licensed nursing home facilities certified under Title XIX of the Social Security Act, but, rather if the medical assistance budget appears to need adjustment during the biennium because of insufficient appropriations, such adjustments shall be made on a non-discriminatory basis for all categories of assistance in the medical assistance program.

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

Subd. 8. General Assistance	6,300,000	6,300,000
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**Approved Complement - .8**

Subd. 9. County Administrative Cost Reimbursement	10,000,000	11,000,000
Subd. 10. Programs for the Aging	135,000	135,000

Provided that the funds appropriated by this subdivision may not be expended unless matched by federal funds.

The use of the funds appropriated herein may include the appropriate matching of federal funds provided to programs for the aging for the payment to members of advisory committees required in these programs by federal law, for their actual expenses incurred in performance of their duties.

Subd. 11. Vocational Rehabilitation of the Blind	1,083,600	1,125,900
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**Approved Complement - 42**

The sum of \$2,500 each year out of the amount above appropriated shall be paid into the revolving fund established by Laws 1947, Chapter 535, for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into said fund, and all equipment, supplies and expenses for the setting up of such stands to be so operated, shall be paid from said fund.

Subd. 12. Special Financial Aids to Counties	2,761,700	2,876,800
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All payments from funds appropriated for equalization aid shall be based upon a formula which includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare as indicated in the worksheets of the conference committee which also specify the number of counties that may receive this aid.

Salary expenditures for computation of equalization aid shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

Notwithstanding any law to the contrary, initial payments for equalization aid to counties shall be made on or before October 1, 1975, for fiscal year 1976 and on or before October 1, 1976, for fiscal year 1977. Final payments shall be made before October 1 of the fol-

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

lowing fiscal year.

For the purposes of equalization aid, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: medical assistance, aid to dependent children, Minnesota supplemental assistance, payments to the commissioner of public welfare for care and treatment of patients in state institutions, medical relief, hospital charges, maintenance of children not under state guardianship, general assistance, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any moneys available for welfare purposes to any other county funds, except that where funds are otherwise unavailable, a transfer may be made to the general revenue fund of said county for payment of rent of office space for the county welfare board. Such transfer shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Provided further that such transfer of funds for payment of rent shall not be considered an expenditure for equalization aid reimbursement. Any federal funds received in lieu of taxes because of federal grants shall be available for welfare purposes.

Provided that no county shall receive from the equalization aid payment an amount in excess of 75 percent of its cost of welfare as defined in this subdivision from state funds.

Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers.

Provided that any funds appropriated by this subdivision for the Red Lake Band of Chippewa Indians in excess of the county costs for this purpose shall cancel to the general fund.

Provided that reimbursements for general relief - Indians and the Red Lake Band of Chippewa Indians shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.

Subd. 13. Daytime  
Activity Centers for  
the Mentally Retarded

a. Grant in aid funding	4,514,600	4,923,300
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Approved Complement - 2

The above funds provided for a 60 percent matching, except for Changes or additions indicated by underline deletions by ~~strikeout~~

counties affected by equalization aid payments, of local daytime activity centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

b. Transportation aids	2,100,000	2,100,000
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Subd. 14. Cost of Care Grants - Mentally Retarded	2,998,700	3,268,600
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Notwithstanding any law to the contrary, this appropriation provides for not more than 70 percent of the cost of care.

Provided that this appropriation shall be reduced by \$150,000 each year if separate legislation for a parent subsidy program is not enacted.

Subd. 15. Cost of Care Grants - Emotionally Disturbed	1,106,000	1,106,000
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Notwithstanding any other law to the contrary, this appropriation provides for not more than 70 percent of the cost of care.

Subd. 16. Foster Grandparents Program	220,000	242,000
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Five percent of this appropriation may be retained by the governor's council on aging as a fee for administrative services and expenses, pursuant to Minnesota Statutes 1974, Section 256.976.

Subd. 17. Day Care Services Development and Funding	821,300	978,200
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Of the \$352,000 provided in this subdivision for migrant labor day care services, \$100,000 shall be immediately available.

Subd. 17. State Hospitals	67,508,800	67,801,000
Approved Complement -		
July 1, 1975 - 5,317		
July 1, 1976 - 5,367		

The amounts that may be expended for each category from these appropriations are as follows:

- (a) Current Expense
  - \$ 9,784,000 for fiscal year 1976
  - \$10,537,000 for fiscal year 1977
- (b) Salaries
  - \$56,439,000 for fiscal year 1976

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\$57,264,000 for fiscal year 1977  
(c) Repairs and Replacements-\$1,285,800

Not more than 25 percent of the salary savings occurring as a result of efficiencies in operations may be used for supplies and expense expenditures upon the advance approval of the commissioner of administration.

Provided that laundry service shall be furnished without charge to the Willow River Camp.

Provided that when equipment expenditures are necessary at the prison laundry, laundry service may be provided for the prison after the transfer of four positions from the department of corrections to the department of welfare has been accomplished.

Notwithstanding any law to the contrary, the commissioner of public welfare may authorize any state hospital to enter into agreement with other governmental and non-profit health service organizations for participation in "shared service" agreements which would be of mutual benefit to the state, the health service organizations involved and the public. The charges for such services shall be on an actual cost basis and the receipts shall be deposited in the general fund.

So much of the above funds as necessary may be established in a special account in the department of public welfare to pay for special costs relating to the mental health commitment act and review boards for veterans hospitals.

Provided that all new positions granted in these appropriations shall be direct patient care positions.

Provided that as the population decreases, the supportive staff complement shall be reduced in direct proportion.

The budgets for the schools, nursing homes, and hospitals shall be submitted to the 1977 legislature on an individual hospital basis together with a summary budget in the same format as the legislature appropriated funds.

Notwithstanding any law to the contrary, the commissioner of public welfare may request of the commissioner of administration the use of available funds previously appropriated remaining in any department of public welfare building accounts to be used for remodeling for Life Safety Code and licensure requirements necessary to obtain Title XVIII and XIX federal government funds. \$100,000 of this amount may be used for remodeling Lake Owasso children's home. Such funds shall not be expended until the commissioner of welfare has submitted a written plan to the house appropriations and senate finance committees.

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Funds from this subdivision shall be used for payment for the Lake Owasso Children's Home according to the contract specifications. In addition, the complement shall be reduced by the number of positions at Lake Owasso upon entering into such contractual agreement. The funds appropriated for Lake Owasso are the maximum amount which may be expended and any unnecessary funds occurring as a result of contract specifications shall cancel to the general fund.

The commissioner of public welfare shall present a comprehensive report to the legislature by January 5, 1976, setting forth in detail a plan to phase down or cease operations at one or more state hospitals. The plan shall be submitted to and acted upon by the 1976 legislature.

The commissioner of public welfare may enter into negotiations with other units of government or private agencies or organizations to explore transfer of control of any building, facility, or institution under the jurisdiction of the commissioner. The commissioner of public welfare shall submit a progress report of any negotiations undertaken pursuant to this provision in his January 5, 1976, report to the legislature.

Any unexpended balance remaining in the first year for repairs and replacements shall not cancel but shall be available for the second year of the biennium.

The department of public welfare shall consolidate the laundries of the state hospitals as follows: Rochester to Faribault, Fergus Falls to Brainerd, Glen Lake to St. Peter, and Hastings to Faribault.

Subd. 19. Special Schools	
2,836,900	2,839,700

Approved Complement - 223.5

The amounts that may be expended for each category from these appropriations are as follows:

- (a) Current Expense
  - \$314,400 for fiscal year 1976
  - \$333,400 for fiscal year 1977
- (b) Salaries
  - \$2,363,600 for fiscal year 1976
  - \$2,363,600 for fiscal year 1977
- (c) Repairs and Replacements
  - \$49,700 for fiscal year 1976
  - \$35,200 for fiscal year 1977
- (d) Regional Library for the Blind
  - \$109,200 for fiscal year 1976
  - \$107,500 for fiscal year 1977

Approved Complement - 10.5

Provided that state funding for two positions currently funded by

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federal moneys shall only become available if federal funds are withdrawn.

The commissioner of public welfare shall begin consolidation of support services for the Faribault state hospital, school for the deaf, and the braille and sight saving school, as soon as feasible. Such consolidation shall include, but not be limited to: laundry service, food service, maintenance and business office functions.

Subd. 20. Rehabilitate	
Dow Hall	137,000

Provided that these funds shall not be expended until a plan has been reviewed by the senate and house appropriation committees.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 21. State Operated		
Nursing Homes	7,296,500	7,333,300

Approved Complement - 610

The amounts that may be expended for each category from these appropriations are as follows:

- (a) Current Expense
  - \$1,171,000 for fiscal year 1976
  - \$1,224,600 for fiscal year 1977
- (b) Salaries
  - \$6,052,000 for fiscal year 1976
  - \$6,052,000 for fiscal year 1977
- (c) Repairs and Replacements
  - \$73,500 for fiscal year 1976
  - \$56,700 for fiscal year 1977

Subd. 22. Special	
Equipment for the	
State Hospitals,	
Special Schools and	
State Operated	
Nursing Homes	730,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 23. Commissioner of	
Public Welfare	100,000

The commissioner of public welfare shall pay \$25.00 per diem plus travel expenses in the same manner and amount as state employees to the members of the Northwest Citizens Advisory Task Force on the use of Fergus Falls state hospital and the West Central Citizens Advisory Task Force on the use of Fergus Falls state hospital. Public employees shall not receive any per diem payments. Staffing and expenses may be provided as necessary from this appropriation. Each

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task force shall be comprised of county commissioners, licensed professionals, welfare directors, public members, and a non-voting member appointed by the commissioner of public welfare. The efforts of the two task forces shall be coordinated by a joint coordinating committee.

A preliminary report shall be submitted to the legislature on or before February 1, 1976, and a final report on or before January 2, 1977.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 24. Support of Human Services Boards	450,000	450,000
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The amount available in this subdivision for the state planning agency shall be used for the financial assistance, providing primary support for operating human services boards, and implementing a program for standardization of personnel policies, evaluation and fiscal practices, forms and procedures among the departments of public welfare, health, corrections, employment services and the division of vocational rehabilitation in the department of education and the federal categorical program activities in their relationship to human services boards. The state planning agency may direct any of the agencies to furnish them with personnel and services necessary to discharge duties and prescribe the terms of assistance, and shall present an interim report to the 1976 legislature and a final report to the 1977 legislature for the reorganization of the delivery of state and local human services. Notwithstanding Minnesota Statutes, Section 402.02, Subdivision 1, human services boards are not required to have citizen members. Not later than 365 days after establishment of an operating human services board, present local operating boards shall cease operation.

Sec. 3. TO THE COMMISSIONER OF CORRECTIONS

Subdivision 1. Administration

(a) Salaries, supplies and expense	4,503,000	5,173,000
Approved Complement - 1976 -	238.75	
	1977 - 244.75	

No new program may be implemented unless a statistical evaluation of its objectives and accomplishments accompanies the development of such program.

Provided that the parole agents shall reside in the various districts of the state in which they are employed during the period for which this appropriation is effective.

Provided that regional supervisors paid from this account may also supervise state parole agents as directed by the commissioner of corrections. Such duties shall not interfere with the supervisor's responsibility under the County Probation Act, Laws 1959, Chapter 698.

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

(b) County		
Reimbursement	770,000	770,000

Provided further that reimbursement to counties as provided by Minnesota Statutes, Section 260.311, Subdivision 5, shall be computed on the basis of 50 percent of the probation officers salary costs only, including fringe benefits, however that part of fringe benefits in excess of those provided for state civil service employees shall not be reimbursable.

Notwithstanding any law to the contrary, no county shall be eligible for the reimbursement aforementioned unless its county probation officers are paid a salary commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which the county probation officers shall be assigned shall be determined by the judge(s) of the juvenile court(s) who shall base the decision on length and performance of service of said officer(s). The judges of the juvenile courts shall annually assign their county probation officer(s) to a position on the aforementioned salary scale commensurate with the officer's experience, tenure, and responsibilities and said judges shall file with the county auditor an order setting said county probation officer's salary.

Provided further that reimbursement to counties shall be prorated if the appropriation made in this item is insufficient to pay the cost as provided by Minnesota Statutes, Section 260.311, Subdivision 5.

Provided that time spent by the county probation officer as a court referee shall not qualify for reimbursement from this appropriation.

(c) Sheriffs Expense		
Conveying Prisoners	30,000	30,000
(d) Planning and Implementing Institutional Population Changes	335,000	

A committee of ten and necessary staff shall be appointed by the commissioner of corrections to recommend to the 1976 legislature the following:

- a. The placement of inmates in the Minnesota Security hospital who are under the exclusive control of the commissioner of corrections.
- b. An action plan to assure reducing the prison population to a maximum of 350 and where the excess population will be located.
- c. The necessary construction and demolition to accomplish a maximum population of 350 in the state prison.
- d. The future of the industry programs.

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The commissioner of corrections is authorized to pay members of the committee \$25.00 per diem plus travel expenses pursuant to rules and regulations promulgated by the commissioner of personnel, however, no public employee may receive a per diem payment. \$35,000 is available from this appropriation to finance the committee and its staff to submit its report to the 1976 legislature.

\$300,000 of this appropriation is available after submission of the above plan to the senate finance and house appropriations committees, to develop for the 1977 legislature the following:

- a. Preliminary architectural plans.
- b. A progress report on the population changes.
- c. A master plan for the 1977 to 1979 biennium.

Subd. 2. Corrections	
Subsidy Act	7,369,900

As counties begin participating in the corrections subsidy act, the complement of the central office shall be reduced by the number of positions transferred to the counties entering the act.

The commissioner of corrections shall select the counties which may participate under the Corrections Subsidy Act after consulting with the appropriate finance committees of the legislature.

Subd. 3. Health Care		
Services	1,137,000	1,175,000

#### Approved Complement - 13

The amount appropriated by this subdivision shall be used to provide professional health care to persons confined in institutions under the control of the commissioner of corrections, and to cover costs of their care in hospitals and other medical facilities not under the control of the commissioner of corrections, including the secure treatment unit operated by the St. Paul - Ramsey Hospital. All reimbursements for such health care services shall be credited to this account and become a part thereof.

Subd. 4. Personnel	
Training	616,700

This appropriation includes funds for training of group home parents in county homes.

Subd. 5. Vocational	
Training	140,000

The amount appropriated by this item shall be used for the purpose of providing vocational training of the inmates of institutions under the control of the commissioner of corrections. The commissioner

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

of corrections is hereby authorized and empowered to employ skilled craftsmen to conduct a vocational training program and to instruct such inmates.

Subd. 6. Foster Group Care	400,000	400,000
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The amount appropriated by this item shall be used for foster group care facilities under the commissioner of corrections and to reimburse counties pursuant to Minnesota Statutes 1974, Section 260.251, Subdivision 1a, provided, however, that such reimbursement to counties shall be prorated if the appropriation is insufficient.

The amounts reimbursed to the counties shall be based upon 50 percent of cost to the counties after federal and state aids, grants or relief programs have been deducted from the costs of said group home operations.

Subd. 7. Work Release and Newgate Programs	457,000	
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This appropriation includes \$217,000 for the Newgate program.

Subd. 8. Community Corrections Centers	212,500	212,500
Subd. 9. Regional Jails, Area Lock-ups, and Detention Centers	281,300	281,300
Subd. 10. Special Projects	298,200	66,200

This appropriation is intended as the state match for applications for federal grants.

The commissioner of finance is hereby directed to establish whatever accounts the department of corrections deems necessary to expend the funds provided by this subdivision.

#### Subd. 11. Correctional Institutions

This appropriation is for the Minnesota state prison, state reformatory for men, Minnesota correctional institution for women, state training school, Willow River camp, Minnesota home school, and the metropolitan training center.

(a) Current Expense	3,317,200	3,478,100
(b) Salaries	15,349,000	15,378,000
Approved Complement -	1086.75	
(c) Special Equipment	320,000	
(d) Repairs and Replacements	730,000	

Vocational rehabilitation funds received by the department of corrections for the Willow River camp shall cancel to the general fund.

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

The commissioner of corrections may utilize the institutions under his control in the manner he determines to be most efficient and designate the programs to be conducted therein.

The academic school program at the state training school and the Minnesota home school shall be conducted on a 12 month basis.

Provided that the appropriate committees on finance of the legislature shall receive a written report of the anticipated expenditures from the prison revolving fund for recreational or vocational equipment not less than 30 days prior to expenditure.

Provided the youthful offender reception center shall be at the reformatory for men until June 30, 1977.

(e) License Plate	
Plant	272,000

The amount provided by clause (e) is appropriated from the highway user tax distribution fund, and shall be available for immediate encumbrance.

Any unexpended balances in subdivisions 1(d), 2, 4, 5, 7, 11(c), 11(d), and 11(e) remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 4. HEALTH RELATED BOARDS		
Subdivision 1. Board		
of Examiners for		
Nursing Home		
Administrators	62,200	63,000
Subd. 2. Board		
of Examiners for		
Psychologists		
	20,700	22,500
Subd. 3. Board of		
Medical Examiners		
		251,800
Subd. 4. Board of		
Nursing		
		363,200
Subd. 5. Board of		
Pharmacy		
		150,400
Subd. 6. Board of		
Veterinary Examiners		
		21,400
Subd. 7. Board of		
Podiatry		
		5,300
Subd. 8. Board of		
Dentistry		
		117,300

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

Subd. 9. Board of Chiropractic Examiners		28,300
Subd. 10. Board of Optometry		24,700

Provided that the commissioners of administration and finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this section in excess of the anticipated biennial revenues.

Sec. 5. BOARD OF HEALTH		
Subdivision 1.		
Preventive and Personal Health Services	5,613,700	6,092,700

Approved Complement - 181

Provided that the commissioners of administration and finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this subdivision for hotel, resort and restaurant licensing in excess of anticipated revenues.

Subd. 2. Health Systems		
Quality Assurance	1,002,100	1,014,500

Approved Complement - 54.25

Of the amounts provided in this item, \$198,600 for fiscal year 1976 and \$211,100 for fiscal year 1977 are appropriated from the trunk highway fund for emergency medical services activities.

Subd. 3. Management, Planning, and Information Services	1,160,400	1,213,600
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Approved Complement - 49.25

All receipts received from the national office of vital statistics for microfilmed transcripts of vital statistics records shall be deposited in and for the benefit of the general fund.

Provided that administrative support for health related boards shall be provided by the health department. The health department shall be reimbursed for the cost of providing this service.

Subd. 4. Dental Health Education Program	142,500	
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Sec. 6. CORRECTIONS OMBUDSMAN

Subdivision 1. Salaries, Supplies and Expense	139,300	139,300
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Changes or additions indicated by underline deletions by ~~strikeout~~



## Sec. 7. COMMISSIONER OF PUBLIC WELFARE

## Subdivision 1.

## Community Action

## Programs

1,200,000

This appropriation shall be used to make grants for local match increases to fund costs for on-going programs for Minnesota community action agencies, and to fund match moneys for emergency and community partnership programs. A report shall be submitted to the 1976 and 1977 legislature regarding the expenditure of this appropriation.

## Sec. 8. CONTINGENT FOR STATE INSTITUTIONS.....1,225,000

The amount appropriated by this item or so much thereof as may be necessary, is to be used for emergency purposes, and for the purchase of food, clothing, drugs, and fuel for any of the institutions or work camps for which an appropriation is herein made. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after consultation with the legislative advisory committee.

Any unexpended balance in section 5, subdivision 4, section 7, and section 8 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Provided that the allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Such adjustments shall be based on the June, 1975, wholesale food price index, but such adjustment shall be prorated if the wholesale food price index adjustment would require funds in excess of this appropriation.

**Sec. 9. EMPLOYEES COMPENSATION** To be transferred by the commissioner of finance to the department of labor and industry, compensation revolving fund, for fiscal year 1975, in payment of obligations incurred by the following state agencies in the amount as indicated:

Public Welfare	\$653,622.74
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Corrections	\$113,607.11
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## Sec. 10. UNEMPLOYMENT COMPENSATION

To unemployment compensation fund for fiscal year 1975, in reimbursement of unemployment compensation benefits paid for for-

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mer employees of the following:

Department of Corrections	\$118,671.69
Department of Public Welfare	\$490,442.88

**Sec. 11. CERTAIN FUNDS USED FOR CERTAIN PURPOSES.** Upon the approval of the commissioner of public welfare or the commissioner of corrections as to the institutions under their respective control, the superintendent of any such institution for which an appropriation is made herein may pay out of the current expense appropriation of said institution to any employee thereof, the amount of any property damage sustained by such employee, not in excess of \$250 by reason, or as a result of action of any patient or inmate of such institution.

Except at the state prison and state reformatory, profits accrued by reason of operation of diversified labor accounts may be used at the direction of the superintendent of the institution for the purchase of occupational therapy equipment.

**Sec. 12. APPROVED COMPLEMENT.** Except as otherwise provided herein, whenever an appropriation to any institution or agency discloses an approved complement, the institution or agency is limited in the employment of the number of full-time equivalent persons indicated by such approved complement. Part-time and summer student help may be employed with the advance approval of the commissioner of administration, and shall not be included in the approved complement. Such approved complement, however, does not include employees engaged in repair or construction projects who may be employed *only with the advance approval of the commissioner of administration.*

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory committee meeting. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred.

**Sec. 13. CERTAIN EMPLOYEES.** Provided that none of the moneys appropriated by this act or any other law shall be used to employ maids or personnel with similar domestic duties to work in residences of any officer or employee of any institution, department, or agency of the state. This provision shall not apply to such persons who pay a fixed monthly fee for board and room and laundry and who obtain their meals from state operated dining rooms.

**Sec. 14. RECEIPTS.** All funds, sums of moneys, or other re-  
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sources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 1, 7, 10, 11, and 12.

All receipts of said institutions and activities carried on under the direction of said commissioners of public welfare and corrections shall be deposited in and for the benefit of the general fund, provided, however, that this shall not apply to revolving funds now established in institutions under the control of said commissioner; and provided further that this shall not apply to receipts from the operation of patients' and inmates' stores and vending machines, which shall be deposited in the social welfare fund in each institution for the benefit of the patients and inmates; and provided further that this shall not apply to money received in payment for services of inmate labor employed in the industries carried on in the state reformatory for men, state reformatory for women, and state prison, which receipts shall be credited to the current expense fund of said institutions.

**Sec. 15. COMMISSARY AND QUARTER ALLOWANCE.** No commissary privileges including food, laundry service, and household supplies, shall be furnished to any person in staff residences or apartments from appropriations made by this act.

The commissioner of administration is hereby directed to charge a fair rental rate including utility costs to any persons who reside on state institution grounds. The legislature directs the department of corrections to reduce staff housing as soon as possible.

Quarters and a stipend allowance of not to exceed \$150 per month may be authorized by the commissioner of welfare for medical students and physician fellows.

Notwithstanding any provision in Minnesota Statutes, Section 246.02, to the contrary, maintenance including food, laundry service, and household supplies shall not be furnished to any officer including, but not limited to, the chief executive officers of the state prison and reformatories.

**Sec. 16. PROVISIONS.** Moneys appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which ap-

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propriated, except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory committee, whose opinion shall be advisory only.

**Sec. 17. FEDERAL GRANTS.** Grants in aid now or hereafter received from the federal government for any welfare, assistance or relief program or for administration under the jurisdiction of the department of public welfare shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of public welfare in the appropriate account upon certification of the commissioner of public welfare that the amounts so requested to be transferred have been earned or are required for the purposes and programs intended. Moneys received by such federal grant fund need not be budgeted as such, provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriations.

The department of public welfare is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants or aids. Any grants or aids thus secured or received are hereby appropriated to said department of public welfare and made available for the uses and purposes for which it was received but shall be used to reduce the appropriations herein before provided unless federal law prohibits such action or unless the commissioner of public welfare obtains approval of the governor who shall seek the advice of the legislative advisory committee.

Grants now or hereafter received from the federal government for any vocational training program or for administration under the jurisdiction of the department of corrections shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of corrections in the appropriate account upon certification of the commissioner of corrections that the amounts so requested to be transferred have been earned or are required for the purposes and program intended. Moneys received by such federal grant fund need not be budgeted as such provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriation.

**Sec. 18.** Provided that the commissioner of public welfare and the commissioner of health shall not transfer any funds to or from personnel services, or claims, grants and shared-revenues, as shown on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration except for those transfers which have the written approval of the governor, who shall consult with the legislative advisory committee for its recommendations, which shall be advisory only.

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**Sec. 19. UNOBLIGATED BALANCES.** The unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, in the several appropriations and accounts for which an appropriation is herein made out of the general fund, or has heretofore been made, are hereby cancelled into the general fund as of June 30, 1975, June 30, 1976, and June 30, 1977, and the unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1975, June 30, 1976, and June 30, 1977.

The provisions of this section shall not apply to aid, contributions, or reimbursements received from the federal government by the state and all federal aid and contributions or reimbursements are hereby re-appropriated for the purpose of supplementing the appropriation herein provided and shall be added to the maximums of the several accounts herein designated.

**Sec. 20. TRANSFER OF FUNDS.** (a) The commissioner of public welfare by direction of the governor after consulting with the legislative advisory committee may transfer unobligated appropriation balances between the various accounts appropriated under section 2, subdivisions 3, 4, 5, 6, 7, 13, 14 and 15. Provided further that if the appropriation under section 2, subdivision 7 should be insufficient for either year, then the appropriation for the other year shall be available therefor by direction of the governor after consulting with the legislative advisory committee.

(b) Authority is hereby granted to the commissioner of corrections to transfer appropriations between all subdivisions of section 3 except for subdivision 1a in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Of the appropriation provided by section 3, subdivision 1a funds may be transferred from this appropriation to other appropriations in section 3 but in no case may transfers from the other appropriations in section 3 be made to section 3, subdivision 1a. Such transfers shall be made with the written approval of the governor after consulting with the legislative advisory committee.

**Sec. 21. TRANSFER OF PERSONNEL.** (a) Notwithstanding any other law to the contrary, the commissioner of public welfare shall transfer authorized positions between the institutions under his control in order to properly staff the institutions, taking into account the differences between programs in each institution.

(b) Notwithstanding any other law to the contrary, the commissioner of corrections may transfer authorized positions between programs subject to the restrictions imposed by section 20 (b).

**Sec. 22.** Notwithstanding any other law to the contrary, the departments of health, public welfare, and corrections shall not put into effect any rule, regulation, or standard, which has a fiscal impact

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in excess of \$100,000 annually without first providing the house appropriations and the senate finance committees with a fiscal note.

Sec. 23. Notwithstanding any law to the contrary, when institutions of the department of public welfare or the department of corrections are consolidated, the commissioner of personnel and the commissioner of administration shall direct the department incorporating the consolidation and all other departments of the state of Minnesota to employ the affected employees at no loss in salary.

The commissioner of personnel is hereby directed to temporarily suspend any rules, regulations, or laws to accommodate these provisions. Any department which employs any of the affected employees is authorized to temporarily exceed its approved complement. The commissioner of administration shall develop procedures to insure that the moving expenses are reimbursed for those employees who relocate pursuant to the consolidation.

Sec. 24. [245.90] **COURT AWARDED FUNDS, DISPOSITION.** The commissioner of public welfare shall notify the house appropriations and senate finance committees of the terms of any contractual arrangement entered into by the commissioner and the attorney general, pursuant to an order of any court of law, which provides for the receipt of funds by the commissioner.

Any funds recovered or received by the commissioner pursuant to an order of any court of law shall be placed in the general fund.

Sec. 25. [145.46] **DENTAL HEALTH EDUCATION PROGRAM.** Subdivision 1. **DEVELOPMENT OF PROGRAM.** The board of health shall assist school and community personnel, including dental professionals, to develop a comprehensive preventive oral health program in the elementary school community.

Subd. 2. **OBJECTIVES.** The program shall be operated so as to achieve the following:

(a) Decreasing oral disease through an instruction program or oral health education for teachers;

(b) Improving oral health knowledge, attitudes, and behavior of both the student and the wider school community, including educators, administrators, and parents; and

(c) Planning a sequential oral health education curriculum emphasizing behavior modification for the total health education program of a school system.

Subd. 3. **DUTIES OF BOARD OF HEALTH.** (a) Technical assistance teams; inservice training of educators. The board of health shall establish technical assistance teams of dental hygienists, consulting

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dentists, and consulting health educators. The initial program will place one team in four state health regions and reflecting rural, suburban, and urban communities. The teams shall provide inservice education to teachers in the district on methods and techniques of dental behavior change.

(b) Guidelines for implementation in schools. The board of health shall provide guidelines to selected schools for the implementation of their programs to train classroom teacher to be dental health educators. The teachers shall participate in oral health education, analysis, and recording of data.

(c) Standards; evaluation. The board of health shall establish standards for program performance. These standards, together with accepted dental indices, shall be used by the technical assistance teams to evaluate school programs of oral health knowledge and behavior modification on test and control groups.

(d) Consultation to dental personnel. The board of health shall provide information and assistance to dental personnel on methods and techniques of oral health behavior improvement.

Sec. 26. Minnesota Statutes 1974, Section 241.01, Subdivision 7, is amended to read:

**Subd. 7. USE OF FACILITIES OF INSTITUTION BY OUTSIDE AGENCIES.** The commissioner of corrections may authorize and permit public or private social service, educational or rehabilitation agencies or organizations and their clients to ~~enter upon and utilize~~ use the facilities, staff and other resources of institutions under his control and may require the participating agencies or organizations to pay all or part of the costs thereof. All sums of money received pursuant to the agreements herein authorized shall not cancel until the end of the fiscal year immediately following the fiscal year in which the funds were received. The funds are available for use by the commissioner during that period, and are hereby appropriated annually to the commissioner of corrections for the purposes of this subdivision.

Sec. 27. Minnesota Statutes 1974, Section 260.151, Subdivision 1, is amended to read:

**260.151 INVESTIGATION; PHYSICAL AND MENTAL EXAMINATION.** Subdivision 1. Upon request of the court the county welfare board or probation officer shall investigate the personal and family history and environment of any minor coming within the jurisdiction of the court under section 260.111 and shall report its findings to the court. The court may order any minor coming within its jurisdiction to be examined by a duly qualified physician, psychiatrist, or psychologist appointed by the court ; ~~or,~~ With the consent of the commissioner of corrections and agreement of the county to pay the costs thereof, the court may, by order, place ~~such a~~ minor coming within its jurisdiction

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in an institution maintained by the commissioner for the detention, diagnosis, custody and treatment of persons adjudicated to be delinquent, in order that the condition of the minor be given due consideration in the disposition of the case. Adoption investigations shall be conducted in accordance with the laws relating to adoptions. Any funds received under the provisions of this subdivision or under the provisions of section 260.175, clause (d) shall not cancel until the end of the fiscal year immediately following the fiscal year in which the funds were received. The funds are available for use by the commissioner of corrections during that period, and are hereby appropriated annually to the commissioner of corrections to furnish diagnostic services for wards of the Minnesota corrections authority as reimbursement of the costs of providing these services to the juvenile courts.

Sec. 28. Minnesota Statutes 1974, Chapter 8, is amended by adding a section to read:

**[8.14] ACTIONS CHALLENGING STATE EXPENDITURES; INTERVENTION.** In any action in which the state of Minnesota or any of its officers is a party and the amount of state expenditures for a particular purpose is challenged on the ground that the expenditure is insufficient to enable the state or any of its agencies to comply with the alleged requirements of the constitution of the United States or of federal law, the attorney general shall petition on behalf of and provide representation for (1) an individual taxpayer, who as an authorized representative of a particular class of recipients or beneficiaries of significant state appropriations, has requested the representation or (2) any other state agency that wishes to intervene in the action. The attorney general shall oppose any attempt to require the state to expend money for any purpose in excess of the amounts appropriated for that purpose by law.

Sec. 29. Sections 26 and 27 of this act are effective the day following its final enactment.

Approved June 4, 1975.

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#### CHAPTER 435—H.F.No.1798

*An act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.*

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

**Section 1. STATE GOVERNMENT; HIGHWAYS; APPROPRIATIONS.** The sums hereinafter set forth and designated

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