

CHAPTER 555—S.F.No. 1726

An act relating to children; providing for review of foster care of certain developmentally disabled children; permitting Ramsey and Hennepin County juvenile court referees to hear contested cases with parties' consent; amending Minnesota Statutes 1978, Section 257.071, Subdivision 3, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1978, Section 257.071, Subdivision 3, is amended to read:

Subd. 3. **REVIEW OF VOLUNTARY PLACEMENTS.** Subject to the provisions of subdivision 4, if the child has been placed in a foster home pursuant to a voluntary release by his parent or parents, and is not returned to his home within 18 months after his initial placement in the foster home, the social service agency responsible for the placement shall:

- (a) Return the child to the home of his parent or parents; or
- (b) File an appropriate petition pursuant to section 260.131 or 260.231.

Sec. 2. Minnesota Statutes 1978, Section 257.071, is amended by adding a subdivision to read:

Subd. 4. REVIEW OF DEVELOPMENTALLY DISABLED CHILD PLACEMENTS. If a developmentally disabled child, as that term is defined in Title 42, United States Code, Section 6001 (7), as amended through December 31, 1979, has been placed in a foster home pursuant to a voluntary release by the child's parent or parents because of handicapping conditions, the social service agency responsible for the placement shall bring a petition for review of the foster care, rather than a petition as required by subdivision 3, clause (b), after the child has been in foster care for 18 months. Whenever a petition for review is brought pursuant to this subdivision, a guardian ad litem shall be appointed for the child.

Upon a petition for review of foster care, the court may:

(a) Find that the child's needs are being met and that the child is in foster care because of the handicapping condition, in which case the court shall order the case to be reviewed again in two years;

(b) Find that the child's needs are not being met, in which case the court shall order the social service agency or the parents to take whatever action is necessary and feasible to meet the child's needs, including, when appropriate, the provision by the social service agency of support to the parents which would enable the child to live at home; or

(c) Find that the child, although handicapped, has been abandoned by his parents financially or emotionally, or that the child is not handicapped so as to require out of home care, in which case the court shall order the social service agency to file an appropriate petition pursuant to section 260.131 or 260.231.

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

Sec. 3. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved April 11, 1980

CHAPTER 556—S.F.No. 1775

An act relating to workers' compensation; creating a fund to meet the expenses of certain intervenors in workers' compensation rate hearings; revising the procedure for division of payroll; defining family farm; permitting the workers' compensation reinsurance association to incorporate; exempting the reinsurance association from taxation; providing for amendment to the reinsurance association plan of operation; making changes in rules, requirements and procedures affecting members of the reinsurance association; amending Minnesota Statutes 1978, Section 176.011, Subdivision 11a; and Minnesota Statutes, 1979 Supplement, Sections 79.071, by adding subdivisions; 79.211, Subdivision 2; 79.34; 79.35; 79.36; 79.37; and 79.38; repealing Minnesota Statutes, 1979 Supplement, Sections 79.41 and 79.42.

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

Section 1. Minnesota Statutes, 1979 Supplement, Section 79.071, is amended by adding a subdivision to read:

Subd. 6a. At the time of filing a petition for a change in the schedule of rates, the association shall estimate the total increase in manual premiums which would be collected as a result of the proposed change on all new and renewal policies with an effective date of 12 months or less following the date at which the association is requesting its petition to be implemented.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 79.071, is amended by adding a subdivision to read:

Subd. 6b. The association shall deposit into a special account in the office of the commissioner of insurance a sum of not less than one percent of the amount calculated pursuant to subdivision 6a. The money in the account shall be allocated as follows:

(a) 50 percent shall be for the use of the commissioner of insurance for payments authorized in subdivision 6.

(b) 25 percent shall be for the use of a representative of business selected pursuant to subdivision 6c.

(c) 25 percent shall be for use of a representative of labor selected pursuant to subdivision 6c.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 79.071, is amended by adding a subdivision to read:

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