

two deputy commissioners who shall serve in the unclassified service. The commissioner shall also appoint other employees as may be necessary for the organization of the department. ~~He~~ The commissioner shall perform such duties as the law and the rules of the state board may provide and be held responsible for the efficient administration and discipline of the department. ~~He~~ The commissioner shall make recommendations to the board, and ~~he shall~~ be charged with the execution of powers and duties which the state board may prescribe, from time to time, to promote public education in the state, to safeguard the finances pertaining thereto, and to enable the state board to carry out its duties.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Approved May 17, 1983

**CHAPTER 151 — H.F.No. 490**

*An act relating to public welfare; setting standards for determining the county of financial responsibility for purposes of medical assistance, community social services, and supplemental aid; amending Minnesota Statutes 1982, sections 256B.02, subdivisions 2 and 3; 256D.37, by adding a subdivision; and 256E.08, subdivision 7.*

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

Section 1. Minnesota Statutes 1982, section 256B.02, subdivision 2, is amended to read:

Subd. 2. "Excluded time" means any period of time an applicant spends in a hospital, sanatorium, nursing home, boarding home, shelter, halfway house, foster home, semi-independent living domicile, residential facility offering care, board and lodging facility offering 24-hour care or supervision of mentally ill, mentally retarded, or physically disabled persons, or other institution for the hospitalization or care of human beings, as defined in sections 144.50 ~~or~~, 144A.01, or 245.782, subdivision 6.

Sec. 2. Minnesota Statutes 1982, section 256B.02, subdivision 3, is amended to read:

Subd. 3. "County of financial responsibility" means:

(a) for an applicant who resides in the state and is not in a facility described in subdivision 2, the county in which he or she resides at the time of application;

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

(b) for an applicant who resides in a facility described in subdivision 2, the county in which he or she resided immediately before entering the facility; and

(c) for an applicant who has not resided in this state for any time other than the excluded time, the county in which the applicant resides at the time of making application.

Notwithstanding clauses (a) to (c), the county of financial responsibility for medical assistance recipients is the same county as that from which a recipient is receiving a maintenance grant or money payment under the program of aid to families with dependent children. There can be a redetermination of the county of financial responsibility for former recipients of the medical assistance program who have been ineligible for at least one month, so long as that redetermination is in accord with the provisions of this subdivision.

Sec. 3. Minnesota Statutes 1982, section 256D.37, is amended by adding a subdivision to read:

Subd. 3. In determining the county of financial responsibility for supplemental aid under this section, the county of financial responsibility shall be the same as prescribed in Minnesota Statutes, section 256B.02, subdivision 3.

Sec. 4. Minnesota Statutes 1982, section 256E.08, subdivision 7, is amended to read:

**Subd. 7. COUNTY OF FINANCIAL RESPONSIBILITY.** (a) Except for detoxification services as described in paragraphs (b) and (c), the county responsible for payment for community social services is the county in which the recipient of services resides at the time of application if the applicant is not in a facility described in section 256B.02, subdivision 2, or has never resided in this state other than in such a facility. If the applicant is in a facility described in section 256B.02 and has previously resided in this state without being in such a facility, then the county of financial responsibility is the county in which he or she resided immediately before entering the facility. The county of financial responsibility does not change as a result of referral or approval of referral for services to another county by the county of financial responsibility. Minors are considered as residing in the county in which their parents or guardians reside. When a minor reaches the age of 18, the county of financial responsibility is the county in which the minor resides. If a person continues in residential care or treatment after reaching the age of 18, the county which initiated the treatment is the county of financial responsibility. When there is a dispute as to the county of financial responsibility, the county providing or arranging for services shall pay for them pending final determination of the county of residence. Disputes concerning the county of financial responsibility shall be settled in the manner prescribed in section 256D.18, subdivision 4. When the county board providing the care or service is not the county of the minor's legal residence, it has a claim for recovery of costs upon the county where the minor has residence.

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

(b) The county of financial responsibility for detoxification services is the county where the client is when the need for services is identified.

(c) The county of financial responsibility for social services for a person receiving aid to families with dependent children, general assistance, or medical assistance is the county from which that person is receiving the aid or assistance.

Approved May 17, 1983

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**CHAPTER 152 — H.F.No. 530**

*An act relating to crimes; providing that prosecution or acquittal of a crime in another jurisdiction is not a bar to prosecution in this state when the act or omission constitutes a crime in the other jurisdiction and this state; amending Minnesota Statutes 1982, section 609.045.*

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

Section 1. Minnesota Statutes 1982, section 609.045, is amended to read:

**609.045 FOREIGN CONVICTION OR ACQUITTAL.**

If an act or omission in this state constitutes a crime under both the laws of this state and the laws of another jurisdiction, a conviction or acquittal of ~~such~~ the crime in the other jurisdiction ~~bars~~ shall not bar prosecution for the crime in this state unless the elements of both law and fact are identical.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective August 1, 1983, and applies to all crimes committed on or after that date.

Approved May 17, 1983

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**CHAPTER 153 — H.F.No. 588**

*An act relating to the North Suburban Hospital District; providing for adjustment of terms of office; changing filing dates for candidates for the hospital board.*

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

Section 1. **HOSPITAL BOARD; TERMS OF OFFICE.**

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