

establishment located within the town, with the approval of the commissioner of public safety. The license shall not be issued to a premises located within three miles of a municipality operating a municipal liquor store. The fee for the license shall be fixed by the town board in an amount not to exceed \$500 per year. A license issued pursuant to this section shall otherwise be governed by Minnesota Statutes, chapter 340.

**Sec. 13. ST. PAUL, CITY OF; MINNESOTA MUSEUM OF ART.**

In addition to the licenses now authorized by law, and notwithstanding any law or ordinance to the contrary, the city of St. Paul may issue an on-sale liquor license to the governing body of the Minnesota Museum of Art for the premises known as the Jemne Building. The license may, with the prior approval of the governing body of the Minnesota Museum of Art, be used any place on the premises of the Jemne Building by a person, firm, or corporation that has contracted for the use of the premises for an event or by a caterer of the person, firm, or corporation approved by the governing body of the Minnesota Museum of Art. The license may be used by the person, firm, corporation, or caterer notwithstanding that the person, firm, corporation, or caterer may hold on-sale licenses in their own right.

**Sec. 14. REPEALER.**

Minnesota Statutes 1982, sections 340.73, subdivision 2; 340.78; and 340.81, are repealed. Minnesota Statutes 1982, sections 340.57; 340.58; and 340.59, and Special Laws 1885, chapter 281, section 6, are repealed effective August 1, 1984, contingent upon the approval of section 10 by the St. Paul city council.

**Sec. 15. EFFECTIVE DATE.**

Section 2 is effective the day following final enactment. Sections 7, 8, 9, 11, and 13 are effective on approval by the appropriate governing body and compliance with Minnesota Statutes, section 645.021, subdivision 3. Section 10 is effective August 1, 1984, following approval by the St. Paul city council and compliance with Minnesota Statutes, section 645.021, subdivision 3. Section 12 is effective on approval by the Greenwood town board and compliance with Minnesota Statutes, section 645.021, subdivision 3.

Approved May 2, 1984

**CHAPTER 627 — S.F.No. 1441**

*An act relating to the operation of the department of economic security; funding sheltered workshop and work activity programs based on evaluated effectiveness; defining sheltered employee; requiring rulemaking and a report to the legislature; appropriating money; amending Minnesota Statutes 1982, sections 129A.01 and 129A.08.*

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

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

Section 1. Minnesota Statutes 1982, section 129A.01, is amended to read:

**129A.01 DEFINITIONS.**

For the purposes of this chapter, the following terms shall have the meanings given them:

(a) "Department" means the department of economic security;

(b) "Commissioner" means the commissioner of economic security;

(c) "Vocational rehabilitation services" means those services and goods so defined in the federal Rehabilitation Act of 1973 and section 3, clause (b);

(d) "Handicapped person" means a person who because of a substantial physical, mental or emotional disability or dysfunction requires special services in order to enjoy the benefits of society;

(e) "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 those handicapped persons 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 as employment opportunities for them in the competitive labor market do not exist;

(f) "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 handicapped;

(g) "Sheltered employee" means a handicapped person working for pay while participating in a long-term sheltered workshop program.

Sec. 2. Minnesota Statutes 1982, section 129A.08, is amended to read:

**129A.08 COMMISSIONER'S DUTIES; LONG-TERM SHELTERED EVALUATION AND FUNDING OF WORKSHOPS AND WORK ACTIVITY PROGRAMS.**

Subdivision 1. **GRANTS.** The commissioner may make grants to assist cities, towns, counties, nonprofit corporations, or any combination thereof in the establishment, operation and expansion of long-term sheltered workshops 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 federal grants or aids for long-term sheltered workshops or work activity programs.

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

Subd. 2. **EVALUATION; STATE FUNDING.** At the beginning of each fiscal year, the commissioner shall allocate available funds to long-term sheltered workshops and work activity programs for disbursement during the fiscal year in accordance with approved plans or budgets. The commissioner shall study and recommend to the legislature by March 1, 1985, new allocation formulas which take into consideration effectiveness of the workshop. In its recommendation the commissioner shall calculate the fiscal impact of the various formulas on each workshop and the extent to which a workshop can utilize new allocation formulas. The commissioner shall develop forms to assist the workshops in collecting data necessary to complete the evaluation. Information needed to conduct the evaluations must be submitted by the workshops along with the annual requests for funding. Failure to submit documentation requested by the commissioner shall result in the withdrawal of all state funding for the workshop.

The commissioner shall from time to time during the fiscal year review the budgets and expenditures of the various workshops and programs and. If funds are not needed for the workshop or program to which they were allocated, ~~he~~ the commissioner may, after reasonable notice and opportunity for hearing, withdraw such funds as are unencumbered and reallocate them to other workshops or programs. ~~He~~ The commissioner may withdraw funds from any workshop or program which is not being administered in accordance with its approved plan and budget and with relevant department rules unless a modified plan and budget is submitted to and approved by the commissioner, and implemented within a reasonable time.

The commissioner shall also withdraw funds from a workshop or program not being administered according to department rules, or not meeting mandatory standards for certification, unless a plan bringing the workshop or program into compliance with the rules and standards is submitted to and approved by the commissioner and implemented within a reasonable time.

Subd. 3. **OPERATING COSTS FUNDED.** The grant may not exceed an amount equal to 75 percent of the normal operating expenses of the long-term sheltered workshop or work activity program. Wages paid ~~clients~~ sheltered employees or long-term workers work activity program participants 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. **EVALUATION OF WORKSHOPS.** The workshop evaluation must include, but not be limited to, the following considerations:

(a) Wages and benefits paid to sheltered employees and number of hours worked;

(b) Rate of placement in competitive employment;

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

(c) Opportunities for sheltered employees to participate in decisions affecting their employment;

(d) Workshop responsiveness to sheltered employees grievances;

(e) Increases in individual sheltered employee productivity;

(f) Implementing innovative ways to increase placement and retention of sheltered employees in competitive employment, or in sheltered positions with competitive employers, or innovative ways that increase sheltered employee wages;

(g) Efficiency of the workshops; and

(h) Types and levels of disability of the sheltered employees and willingness of the workshop to accept and assist persons with serious behavioral, mental, sensory or physical disabilities.

The evaluation must take into account the disability levels of the sheltered employees, the geographic location and size of the workshop and the economic conditions of the surrounding community.

Subd. 4 5. **RULE AUTHORITY.** In addition to the powers already conferred on him by law, the commissioner shall promulgate rules in regard to the following matters on:

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

(b) eligibility of community long-term sheltered workshops and work activity programs to receive state grants;

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

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

(e) regulatory fees for consultation services; ~~and~~

(f) standards and criteria by which handicapped persons are to be judged eligible for the services;

(g) evaluation criteria for long-term sheltered workshops; and

(h) program evaluation criteria for work activity programs in order to determine the extent to which these programs meet the goals and objectives established in state and federal law relating to work activity programs.

The rules on evaluation criteria for long-term sheltered workshops must be in effect by July 1, 1985. The rules must be used in making allocations for fiscal years beginning after June 30, 1986.

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

Subd. 6. TECHNICAL ASSISTANCE. The commissioner shall provide technical assistance within available resources to workshops and programs based on the need reflected in an evaluation.

**Sec. 3. REPORT TO LEGISLATURE.**

The commissioner shall report to the legislature by March 1, 1985, on the progress in implementing section 2, subdivision 5. The report shall include a draft of the proposed rule and current information on the status of rule development.

**Sec. 4. APPROPRIATION.**

The sum of \$51,000 is appropriated from the general fund to the commissioner of economic security for purposes of this act.

Approved May 2, 1984

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**CHAPTER 628 — S.F.No. 2046**

*An act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws affected; requiring the revisor of statutes to editorially change criminal fines in a manner consistent with 1983 regular session changes made in maximum authorized fines; amending Minnesota Statutes 1982, chapters 1, as amended; 16A, as amended; 177, as amended; and 300, as amended; and Minnesota Statutes 1982, sections 10.39; 15.375; 80A.22, subdivision 1; 152.15, subdivision 1; 609.20; Minnesota Statutes 1983 Supplement, sections 609.21; 609.52, subdivision 3; 609.582; 617.246, subdivisions 2, 3, and 4; repealing Minnesota Statutes 1982, sections 10.02; 10.03; 16A.02; 16A.04, subdivisions 2 and 3; 16A.07; 16A.08; 16A.125, subdivision 6; 16A.132; 16A.52; 16A.55; 16A.65, subdivision 3; and Minnesota Statutes 1983 Supplement, section 609.0341, subdivision 3.*

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

**REVISOR'S BILL**

**ARTICLE 1**

Section 1. Minnesota Statutes 1982, chapter 1, as amended by Laws 1983, chapter 119, sections 1, 2, and 4, and chapter 305, section 1, is amended to read:

**1.01 EXTENT.**

The sovereignty and jurisdiction of this state shall extend to all places within the its boundaries thereof as defined in the constitution and, concurrently, to the waters forming a common boundary between this and adjoining states,

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