

Money received by the office in the form of gifts, grants, reimbursements, or appropriations from any source shall be credited to the pipeline safety account.

Sec. 40. TRAINING FOR PIPELINE INSPECTORS.

Persons holding positions as inspectors with the state fire marshal on January 1, 1987, may be transferred or appointed to positions as inspectors with the office of pipeline safety without complying with the training requirements of section 24, subdivision 2, paragraph (b).

Sec. 41. APPROPRIATION.

\$418,300 is appropriated from the general fund to the agencies indicated in this section for the purposes of this act, to be available for the fiscal year ending June 30 in the years indicated.

	1988	1989
(a) <u>State planning director</u>	\$ 73,000	-0-
<u>Any unencumbered balance remaining in the first year does not cancel and is available for the second year.</u>		
(b) <u>Commissioner of public safety</u>	\$184,400	\$160,900
<u>The approved complement of the department of public safety is increased by three positions.</u>		

Sec. 42. EFFECTIVE DATE.

Sections 1, subdivisions 1 and 3; 4; 7; 9, subdivision 2; and 27 are effective the day following final enactment. Sections 1, subdivisions 2 and 4; 2; and 3 are effective July 1, 1988. Sections 8; 9, subdivisions 1 and 3; 10; 11; 12; and 13 are effective October 1, 1988, and section 12, subdivision 1, paragraph (c) applies to crimes committed on or after that date. Sections 28, 35, and 36 are effective August 1, 1987, and apply to crimes committed on or after that date.

Approved June 2, 1987

CHAPTER 354—S.F.No. 377

An act relating to state government; regulating the state council for the handicapped; extending the time for appeals by the council from state building code decisions affecting the interests of handicapped persons; changing the name of the council; amending the duties and responsibilities of the council; authorizing the council to initiate or intervene in proceedings affecting handicapped persons; providing reimbursement for certain child care expenses incurred in connection with service on state boards, councils, committees, and task forces; appropriating money; amending Minnesota Statutes 1986, sections 15.0575, subdivision 3; 15.059, subdivisions 3 and 6; 16B.67; 214.09, subdivision 3; and 256.482.

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 1986, section 15.0575, subdivision 3, is amended to read:

Subd. 3. **COMPENSATION.** Members of the boards shall be compensated at the rate of \$35 per day spent on board activities, when authorized by the board, plus expenses in the same manner and amount as authorized by the commissioner's plan adopted pursuant to section 43A.18, subdivision 2. Members who, as a result of time spent attending board meetings, incur child care expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon board authorization. Members who are full-time state employees or full-time employees of the political subdivisions of the state shall not receive the \$35 per day, but they shall suffer no loss in compensation or benefits from the state or a political subdivision as a result of their service on the board. Members who are full-time state employees or full-time employees of the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours.

Sec. 2. Minnesota Statutes 1986, section 15.059, subdivision 3, is amended to read:

Subd. 3. **COMPENSATION.** Members of the advisory councils and committees shall be compensated at the rate of \$35 per day spent on council or committee activities, when authorized by the council or committee, plus expenses in the same manner and amount as authorized by the commissioner's plan adopted pursuant to section 43A.18, subdivision 2. Members who, as a result of time spent attending council or committee meetings, incur child care expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon council or committee authorization. If members who are state employees or employees of political subdivisions receive the \$35 per day, and if the major part of their activities occur during normal working hours for which they are also compensated by the state or political subdivision, the employer shall deduct the \$35 from the employee's compensation for the day. In no other case shall a member who is an employee of the state or a political subdivision suffer a loss in compensation or benefits from the state or political subdivision as a result of service on the council or committee. Members who are full-time state employees or full-time employees of the political subdivisions of the state may receive the expenses provided for in this section unless the expenses are reimbursed by another source. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours.

Sec. 3. Minnesota Statutes 1986, section 15.059, subdivision 6, is amended to read:

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Subd. 6. **ADVISORY TASK FORCES.** If the existence of an advisory task force is mandated by statute, the task force shall expire on the date specified in the enabling legislation. If no expiration date is specified, the task force shall expire two years after the effective date of the act creating the advisory task force. If the existence of a task force is authorized but not mandated by statute, the task force shall expire at the pleasure of the person or group which creates the task force, or two years after the first members of the task force are appointed, whichever is sooner. A person or group with discretionary authority to create a task force may create another task force to continue the work of a task force which expires, unless prohibited by other law.

Members of advisory task forces shall not receive the \$35 per diem specified in this section but shall receive expenses in the same manner and amount as provided in the commissioner's plan under section 43A.18, subdivision 2. Members who, as a result of time spent attending task force meetings, incur child care expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon task force authorization. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours. Members appointed to these advisory task forces shall serve until the expiration date of the advisory task force and may be removed pursuant to subdivision 4.

Sec. 4. Minnesota Statutes 1986, section 16B.67, is amended to read:

16B.67 APPEALS.

A person aggrieved by the final decision of any municipality as to the application of the code, including any rules adopted under sections 471.465 to 471.469, may, within ~~30~~ 180 days of the decision, appeal to the commissioner. Appellant shall submit a fee of \$20, payable to the commissioner, with the request for appeal. The final decision of the involved municipality is subject to review de novo by the commissioner or a designee. The commissioner shall submit written findings to the parties. Any person aggrieved by a ruling of the commissioner may appeal in accordance with chapter 14. For the purpose of this section "any person aggrieved" includes the state council ~~for the handicapped on disability.~~ No fee shall be required when the council ~~for the handicapped on disability~~ is the appellant.

Sec. 5. Minnesota Statutes 1986, section 214.09, subdivision 3, is amended to read:

Subd. 3. **COMPENSATION.** Members of the boards shall be compensated at the rate of \$35 per day spent on board activities, when authorized by the board, plus expenses in the same manner and amount as authorized by the commissioner's plan adopted according to section 43A.18, subdivision 2. Members who, as a result of time spent attending board meetings, incur child care expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon board authorization. If members who are full-time state

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employees or employees of the political subdivisions of the state receive the \$35 per day, and if the major part of their activities occur during normal working hours for which they are also compensated by the state or political subdivision, the employer shall deduct the \$35 from the employee's compensation for that day. In no other case shall a board member who is an employee of the state or political subdivision suffer a loss in compensation or benefits as a result of service on the board. Members who are state employees or employees of the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours.

Sec. 6. Minnesota Statutes 1986, section 256.482, is amended to read:

256.482 COUNCIL FOR THE HANDICAPPED ON DISABILITY.

Subdivision 1. **ESTABLISHMENT; MEMBERS.** There is hereby established the council ~~for the handicapped on disability~~ which shall consist of 21 members appointed by the governor. Members shall be appointed from the general public and from organizations which provide services for ~~handicapped persons who have a disability~~. A majority of council members shall be ~~handicapped persons with a disability~~ or parents or guardians of ~~handicapped persons with a disability~~. There shall be at least one member of the council appointed from each of the state development regions. The commissioners of the departments of education, human services, health, jobs and training, and human rights and the directors of the division of ~~vocational rehabilitation services~~ and state services for the blind or their designees shall serve as ex officio members of the council without vote. In addition, ~~there~~ the council may be appoint ex officio members from other bureaus, divisions, or sections of state departments which are directly concerned with the provision of services to ~~handicapped persons with a disability~~.

~~The terms of members serving as of December 31, 1983, shall expire on that date. Thereafter, Notwithstanding the provisions of section 15.059, each member of the council appointed by the governor shall serve a three-year term and until a successor is appointed and qualified; provided that of the members initially appointed to serve starting in 1984, one-third shall be appointed for one year, one-third for two years, and one-third for three years as designated by the governor. The compensation and removal of all members and expiration of the council shall be as provided in section 15.059. The governor shall appoint a chair of the council from among the members appointed from the general public or handicapped who are persons with a disability or their parents or guardians. Vacancies shall be filled by the appointing authority for the remainder of the unexpired term. The council shall not expire as provided in section 15.059.~~

Subd. 2. **EXECUTIVE DIRECTOR; STAFF.** The council may select an executive director of the council by a vote of a majority of all council members.

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The executive director shall be in the unclassified service of the state and shall provide administrative support for the council and provide administrative leadership to implement council mandates, policies, and objectives. The executive director shall employ and direct staff authorized according to state law and necessary to carry out council mandates, policies, activities, and objectives. The salary of the executive director and staff shall be established pursuant to chapter 43A. The executive director and staff shall be reimbursed for the actual and necessary expenses incurred as a result of their council responsibilities.

Subd. 3. **RECEIPT OF FUNDS.** Whenever any person, firm or corporation offers to the council funds by the way of gift, grant or loan, for purposes of assisting the council to carry out its powers and duties, the council may accept ~~such~~ the offer by majority vote and upon ~~such~~ acceptance the chair shall receive ~~such~~ the funds subject to the terms of the offer; ~~but,~~ However, no money shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Subd. 4. **ORGANIZATION; COMMITTEES.** The council shall organize itself in conformity with its responsibilities under sections 256.481 to 256.482 and shall establish committees which shall give detailed attention to the special needs of each category of ~~handicapped~~ persons who have a disability. The members of ~~such~~ the committees shall be designated by the chair with the approval of a majority of the council. ~~Committees established shall include a committee on children which shall study the special needs of handicapped children and a committee on employment which shall study the special employment needs of handicapped persons.~~ The council shall serve as liaison in Minnesota for the president's committee on employment of the handicapped and for any other organization for which it is so designated by the governor or state legislature.

Subd. 5. **DUTIES AND POWERS.** The council shall have the following duties and powers:

(1) to advise and otherwise aid the governor; appropriate state agencies, including but not limited to the departments of education, human services, jobs and training, and human rights; and the divisions of ~~vocational~~ rehabilitation services and services for the blind; the state legislature; and the public on matters pertaining to public policy and the administration of programs, services and facilities for ~~handicapped~~ persons who have a disability in Minnesota;

(2) to encourage and assist in the development of coordinated, interdepartmental goals and objectives and the coordination of programs, services and facilities among all state departments and private providers of service as they relate to ~~handicapped~~ persons with a disability;

(3) to serve as a source of information to the public regarding all services, programs and legislation pertaining to ~~handicapped~~ persons with a disability;

(4) to review and make comment to the governor, state agencies, the legisla-

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ture, and the public concerning adequacy of state programs, plans and budgets for services to ~~handicapped~~ persons with a disability and for funding under the various federal grant programs;

(5) to research, formulate and advocate plans, programs and policies which will serve the needs of ~~handicapped~~ persons who are disabled;

(6) to advise the departments of labor and industry and jobs and training on the administration and improvement of the workers' compensation law as ~~the law~~ it relates to programs, facilities and personnel providing assistance to workers who are injured and ~~handicapped~~ workers disabled;

(7) to advise the workers' compensation division of the department of labor and industry and the workers' compensation court of appeals as to the necessity and extent of any alteration or remodeling of an existing residence or the building or purchase of a new or different residence which is proposed by a licensed architect under section 176.137;

(8) to initiate or seek to intervene as a party in any administrative proceeding and judicial review thereof to protect and advance the right of all persons who are disabled to an accessible physical environment as provided in section 16B.67; and

(9) to initiate or seek to intervene as a party in any administrative or judicial proceeding which concerns programs or services provided by public or private agencies or organizations and which directly affects the legal rights of persons with a disability.

Subd. 7. COLLECTION OF FEES. The council is empowered to establish and collect fees for documents or technical services provided to the public. The fees shall be set at a level to reimburse the council for the actual cost incurred in providing the document or service. Notwithstanding the provisions of section 16A.72, all fees collected shall be deposited into the state treasury and credited to a separate dedicated account for council services. All money in this dedicated account is appropriated by law to the council to provide documents and technical services to the public.

Sec. 7. APPROPRIATION.

\$10,000 for the biennium is appropriated from the account of the council on disability for the purpose of this act.

Sec. 8. INSTRUCTION TO REVISOR.

The revisor of statutes is directed to change the words "council for the handicapped" or "state council for the handicapped" wherever they appear in Minnesota Statutes to "council on disability" in the next edition of Minnesota Statutes.

Sec. 9. EFFECTIVE DATE.

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

Section 6 is effective the day following final enactment.

Approved June 2, 1987

CHAPTER 355—S.F.No. 451

An act relating to public safety; parking for handicapped persons; imposing a fine for violations of handicapped parking provisions; providing penalties; amending Minnesota Statutes 1986, sections 168.021, subdivisions 1, 1a, 2, 3, 5, and 6; 169.345; and 169.346; repealing Minnesota Statutes 1986, section 168.021, subdivision 7.

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

Section 1. Minnesota Statutes 1986, section 168.021, subdivision 1, is amended to read:

Subdivision 1. **SPECIAL PLATES; APPLICATION FOR ISSUANCE.** When a motor vehicle registered under section 168.017, or a self-propelled recreational vehicle, is owned or primarily operated by a permanently physically handicapped person, the owner may apply for and secure from the registrar of motor vehicles two license ~~number~~ plates with attached emblems, one plate to be attached to the front, and one to the rear of the vehicle. Application for ~~issuance~~ of these the plates must be made at the time of renewal or first application for registration. When the owner first applies for the plates, the owner must submit a physician's statement on a form developed by the commissioner under section 169.345.

Sec. 2. Minnesota Statutes 1986, section 168.021, subdivision 1a, is amended to read:

Subd. 1a. **SCOPE OF PRIVILEGE.** If ~~any~~ a physically handicapped person parks a vehicle displaying license plates described in this section or any person parks ~~such a the~~ vehicle ~~while transporting for~~ a physically handicapped person, that person shall be entitled to ~~courtesy in the parking of~~ park the vehicle and be relieved of any liability with respect to parking ~~except as provided in sections 169.32 and 169.34; provided that any municipal governing body may, by ordinance, prohibit parking on any street or highway for the purpose of creating a fire lane, or to provide for the accommodation of heavy traffic during morning and afternoon rush hours and the privileges extended to handicapped persons shall not apply on streets or highways where and at the time parking is prohibited.~~ The license plates specified in this section shall also serve to identify vehicles properly parked in designated handicapped parking spaces, as provided in section 169.346 as provided in section 169.345.

Sec. 3. Minnesota Statutes 1986, section 168.021, subdivision 2, is amended to read:

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