

## CHAPTER 514—S.F.No. 2699

*An act relating to state government; department of administration; modifying the encumbrance process for agency construction projects; modifying authority for building maintenance and leasing; changing requirements for certain agency purchases; amending administration of STARS; changing the date for the department of administration to report recycling goals; providing that the department may retain money from successful litigation; amending auditing requirements for noncommercial radio stations; extending the date for relocating the state printing operation; requiring certain studies; making various technical changes; amending Minnesota Statutes 1990, sections 16A.15, subdivision 3; 16B.09, by adding a subdivision; 16B.121; 16B.24, subdivisions 1 and 5; 16B.31, by adding a subdivision; 16B.33, subdivision 3; 16B.40, subdivision 8; 16B.465, subdivisions 2, 3, and 6; 16B.58, subdivision 5; 129D.14, subdivisions 3, 4, and 6; Minnesota Statutes 1991 Supplement, sections 16B.19, subdivision 2b; 103B.311, subdivision 7; 115A.15, subdivision 9; and 138.94, subdivision 1; and Laws 1991, chapters 183, section 1; and 345, article 1, section 17, subdivision 4.*

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

Section 1. Minnesota Statutes 1990, section 16A.15, subdivision 3, is amended to read:

Subd. 3. **ALLOTMENT AND ENCUMBRANCE.** (a) A payment may not be made without prior obligation. An obligation may not be incurred against any fund, allotment, or appropriation unless the commissioner has certified a sufficient unencumbered balance in the fund, allotment, or appropriation to meet it. An expenditure or obligation authorized or incurred in violation of this chapter is invalid and ineligible for payment until made valid. A payment made in violation of this chapter is illegal. An employee authorizing or making the payment, or taking part in it, and a person receiving any part of the payment, are jointly and severally liable to the state for the amount paid or received. If an employee knowingly incurs an obligation or authorizes or makes an expenditure in violation of this chapter or takes part in the violation, the violation is just cause for the employee's removal by the appointing authority or by the governor if an appointing authority other than the governor fails to do so. In the latter case, the governor shall give notice of the violation and an opportunity to be heard on it to the employee and to the appointing authority. A claim presented against an appropriation without prior allotment or encumbrance may be made valid on investigation, review, and approval by the commissioner, if the services, materials, or supplies to be paid for were actually furnished in good faith without collusion and without intent to defraud. The commissioner may then draw a warrant to pay the claim just as properly allotted and encumbered claims are paid.

(b) The commissioner may approve payment for materials and supplies in excess of the obligation amount when increases are authorized by section 16B.07, subdivision 2.

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(c) To minimize potential construction delay claims, an agency with a project funded by a building appropriation may allow a contractor to proceed with supplemental work within the limits of the appropriation before money is encumbered. Under this circumstance, the agency may requisition funds and allow contractors to expeditiously proceed with a construction sequence. While the contractor is proceeding, the agency shall immediately act to encumber the required funds.

Sec. 2. Minnesota Statutes 1990, section 16B.09, is amended by adding a subdivision to read:

Subd. 6. PREFERENCES NOT CUMULATIVE. The preferences provided for under sections 16B.101, 16B.102, 16B.121, 16B.18, and 16B.19 are not cumulative. The total percentage of preference granted on a contract may not exceed the highest percentage of preference allowed for that contract under any one of these statutory sections.

Sec. 3. Minnesota Statutes 1990, section 16B.121, is amended to read:

**16B.121 PURCHASE OF RECYCLED, REPAIRABLE, AND DURABLE MATERIALS.**

The commissioner shall take the recycled content and recyclability of commodities to be purchased into consideration in bid specifications. The commissioner shall apply weighting factors to the recycled content and recyclability criteria in order to give a preferential treatment to those criteria. State agencies shall purchase recycled materials when specifications allow the practical use of the recycled materials and the price does not exceed the price of nonrecycled materials by more than ten percent. If possible, state agencies should purchase materials recycled from waste generated in this state. When feasible and when the price of recycled materials does not exceed the price of nonrecycled materials by more than ten percent, the commissioner, and state agencies when purchasing under delegated authority, shall purchase recycled materials. In order to maximize the quantity and quality of recycled materials purchased, the commissioner, and state agencies when purchasing under delegated authority, may also use other appropriate procedures to acquire recycled materials at the most economical cost to the state.

When purchasing commodities and services, the commissioner, and state agencies when purchasing under delegated authority, shall apply and promote the preferred waste management practices listed in section 115A.02, with special emphasis on reduction of the quantity and toxicity of materials in waste. The commissioner, and state agencies when purchasing under delegated authority, in developing bid specifications, shall consider the extent to which a commodity or product is durable, reusable, or recyclable and marketable through the state resource recovery program.

Sec. 4. Minnesota Statutes 1991 Supplement, section 16B.19, subdivision 2b, is amended to read:

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Subd. 2b. **DESIGNATION OF TARGETED GROUPS.** (a) The commissioner of administration shall periodically designate businesses that are majority owned and operated by women, persons with a substantial physical disability, or specific minorities as targeted group businesses within purchasing categories the commissioner determines. A group must be targeted within a purchasing category if the commissioner determines there is a statistical disparity between the percentage of purchasing from businesses owned by group members and the representation of businesses owned by group members among all businesses in the state in the purchasing category. The commissioner must review public agencies' purchasing from businesses owned by women, persons with a substantial physical disability, and minorities at least once every two years. The commissioner must review the representation of businesses owned by these groups among all businesses in the state at least once every five years.

(b) In addition to designations under paragraph (a), an individual business may be included as a targeted group business if the commissioner determines that inclusion is necessary to remedy discrimination against the owner based on race, gender, or disability in attempting to operate a business that would provide goods or service to public agencies.

(c) The designations of purchasing categories and businesses under paragraphs (a) and (b) are not rules for purposes of chapter 14, and are not subject to rulemaking procedures of that chapter.

Sec. 5. Minnesota Statutes 1990, section 16B.24, subdivision 1, is amended to read:

Subdivision 1. **OPERATION AND MAINTENANCE OF BUILDINGS.** The commissioner is authorized to maintain and operate the state capitol building and grounds, subject to whatever standards and policies are set for its appearance and cleanliness by the capitol area architectural and planning board and the commissioner under section 15.50, subdivision 2, clause (h), and the state office building, the judicial center, ~~the historical society building~~, the ~~economic security jobs and training~~ buildings in Minneapolis and St. Paul, the state department of health building, and the surplus property building, and their grounds, and, when the commissioner considers it advisable and practicable, any other building or premises owned or rented by the state for the use of a state agency. The commissioner shall assign and reassign office space in the capitol and state buildings to make an equitable division of available space among agencies. The power granted in this subdivision does not apply to state hospitals or to educational, penal, correctional, or other institutions not enumerated in this subdivision the control of which is vested by law in some other agency.

Sec. 6. Minnesota Statutes 1990, section 16B.24, subdivision 5, is amended to read:

Subd. 5. **RENTING OUT STATE PROPERTY.** (a) **AUTHORITY.** The commissioner may rent out state property, real or personal, that is not needed for public use, if the rental is not otherwise provided for or prohibited by law.

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The property may not be rented out for more than five years at a time without the approval of the state executive council and may never be rented out for more than 25 years. A rental agreement may provide that the state will reimburse a tenant for a portion of capital improvements that the tenant makes to state real property if the state does not permit the tenant to renew the lease at the end of the rental agreement.

(b) **RESTRICTIONS.** Paragraph (a) does not apply to state trust fund lands, other state lands under the jurisdiction of the department of natural resources, lands forfeited for delinquent taxes, lands acquired under section 298.22, or lands acquired under section 41.56 which are under the jurisdiction of the department of agriculture.

(c) **FORT SNELLING CHAPEL; RENTAL.** The Fort Snelling Chapel, located within the boundaries of Fort Snelling State Park, is available for use only on payment of a rental fee. The commissioner shall establish rental fees for both public and private use. The rental fee for private use by an organization or individual must reflect the reasonable value of equivalent rental space. Rental fees collected under this section must be deposited in the general fund.

(d) **RENTAL OF LIVING ACCOMMODATIONS.** The commissioner shall establish rental rates for all living accommodations provided by the state for its employees. Money collected as rent by state agencies pursuant to this paragraph must be deposited in the state treasury and credited to the general fund.

(e) **LEASE OF SPACE IN CERTAIN STATE BUILDINGS TO STATE AGENCIES.** The commissioner may lease portions of the state owned buildings in the capitol complex, the capitol square building, the health building, and the building at 1246 University Avenue, St. Paul, Minnesota, to state agencies and the court administrator on behalf of the judicial branch of state government and charge rent on the basis of space occupied. Notwithstanding any law to the contrary, all money collected as rent pursuant to the terms of this section shall be deposited in the state treasury. Money collected as rent to recover the depreciation cost of a building built with state dedicated funds shall be credited to the dedicated fund which funded the original acquisition or construction. All other money received shall be credited to the general services revolving fund.

Sec. 7. Minnesota Statutes 1990, section 16B.31, is amended by adding a subdivision to read:

Subd. 7. DEPARTMENT MAY KEEP LITIGATION MONEY. Notwithstanding any law to the contrary, the department of administration may keep money received from successful litigations by or against the department involving capital improvements to state buildings. Awards made to the state or the department resulting from litigation against or by the department must be kept by the department to the credit of the account or accounts from which the litigation and capital improvement project were originally funded. Awards may be used to pay for litigation costs and the cost to correct the deficiencies which were the subject of the litigation. The department shall report on any awards it receives as part of its biennial budget request.

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Sec. 8. Minnesota Statutes 1990, section 16B.33, subdivision 3, is amended to read:

Subd. 3. **AGENCIES MUST REQUEST DESIGNER.** (a) **APPLICATION.** Upon undertaking a project with an estimated cost greater than ~~\$400,000~~ \$750,000 or a planning project with estimated fees greater than ~~\$35,000~~ \$60,000, every user agency, except the capitol area architectural and planning board, shall submit a written request for a primary designer for its project to the commissioner, who shall forward the request to the board. The written request must include a description of the project, the estimated cost of completing the project, a description of any special requirements or unique features of the proposed project, and other information which will assist the board in carrying out its duties and responsibilities set forth in this section.

(b) **REACTIVATED PROJECT.** If a project for which a designer has been selected by the board becomes inactive, lapses, or changes as a result of project phasing, insufficient appropriations, or other reasons, the commissioner or the University of Minnesota may, if the project is reactivated, retain the same designer to complete the project.

(c) **FEE LIMIT REACHED AFTER DESIGNER SELECTED.** If a project initially estimated to be below the cost and planning fee limits of this subdivision has its cost or planning fees revised so that the limits are exceeded, the project must be referred to the board for designer selection even if a primary designer has already been selected. In this event, the board may, without conducting interviews, elect to retain the previously selected designer if it determines that the interests of the state are best served by that decision and shall notify the commissioner of its determination.

Sec. 9. Minnesota Statutes 1990, section 16B.40, subdivision 8, is amended to read:

Subd. 8. **DATA SECURITY SYSTEMS.** In consultation with the attorney general and appropriate agency heads, the commissioner shall develop data security policies, guidelines, and standards, and shall install, and administer state data security systems on the state's centralized computer facility consistent with state law to assure the integrity of computer based and all other data and to assure confidentiality of the data, consistent with the public's right to know. Each department or agency head is responsible for the security of the department's or agency's data.

Sec. 10. Minnesota Statutes 1990, section 16B.465, subdivision 2, is amended to read:

Subd. 2. **ADVISORY COUNCIL.** The statewide telecommunications access and routing system is managed by the commissioner. Subject to section 15.059, subdivisions 1 to 4, the commissioner shall appoint an advisory council to provide ~~assistance~~ advice in implementing and operating a statewide telecommunications access and routing system. The council ~~consists of:~~

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(1) ~~one member appointed by the higher education advisory council established by section 136A.02, subdivision 6;~~

(2) ~~the system heads, or their designees, of the University of Minnesota, the state university system, the community colleges system, and the board of vocational technical education; and~~

(3) ~~five members appointed by the governor or the governor's designee or designees, four of whom must be agency heads or their designees or representatives of political subdivisions.~~

No member of the advisory council may be a vendor of telecommunications equipment or services or an employee or representative of a vendor shall represent the users of STARS services and shall include representatives of higher education, state agencies, and political subdivisions.

Sec. 11. Minnesota Statutes 1990, section 16B.465, subdivision 3, is amended to read:

Subd. 3. **DUTIES.** The commissioner, after consultation with the council, shall:

(1) provide voice, data, video, and other telecommunications transmission services to the state and to political subdivisions through the statewide telecommunications access routing system revolving fund;

(2) ~~appoint a chief executive officer of the system to serve in the unclassified service;~~

(3) ~~manage vendor relationships, network function, and capacity planning in order to be responsive to the needs of the system users;~~

(4) ~~(3)~~ set rates and fees for services;

(5) ~~(4)~~ approve contracts relating to the system;

(6) ~~(5)~~ develop the system plan, including plans for the phasing of its implementation and maintenance of the initial system, and the annual program and fiscal plans for the system; and

(7) ~~(6)~~ develop a plan for interconnection of the network with private colleges in the state.

Sec. 12. Minnesota Statutes 1990, section 16B.465, subdivision 6, is amended to read:

Subd. 6. **REVOLVING ACCOUNT FUND.** The statewide telecommunications access and routing system shall operate as part of the intertechnologies revolving account is a separate account for the department of administration in the state treasury for the receipt of and payment of funds for the statewide telecommunications access routing system established in subdivision 4 fund. Money

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appropriated to the account and fees for communications services provided by the statewide telecommunications access and routing system must be deposited in the account. Money in the account is appropriated annually to the commissioner to operate the statewide telecommunications access and routing system.

Sec. 13. Minnesota Statutes 1990, section 16B.58, subdivision 5, is amended to read:

Subd. 5. **MONEY COLLECTED.** Money collected by the commissioner as rents, charges, or fees in connection with and for the use of a parking lot or facility is appropriated to the commissioner for the purpose of operating, maintaining, and improving, and replacing parking lots or facilities owned or operated by the state, including providing necessary and suitable uniforms for employees, and to carry out the purposes of this section, except as provided in subdivision 7.

Sec. 14. Minnesota Statutes 1991 Supplement, section 103B.311, subdivision 7, is amended to read:

Subd. 7. **DATA ACQUISITION.** The data collected under this section that has common value as determined by the ~~director of the office of strategic and long-range planning~~ commissioner of administration for natural resources planning must be provided and integrated into the Minnesota land management information systems geographic and summary data bases according to published data compatibility guidelines.

Sec. 15. Minnesota Statutes 1991 Supplement, section 115A.15, subdivision 9, is amended to read:

Subd. 9. **RECYCLING GOAL.** By December 31, 1993, the commissioner shall recycle at least 40 percent by weight of the solid waste generated by state offices and other state operations located in the metropolitan area. By ~~August~~ March 1 of each year the commissioner shall report to the office and the metropolitan council the estimated recycling rates by county for state offices and other state operations in the metropolitan area for the previous ~~fiscal~~ calendar year. The office shall incorporate these figures into the reports submitted by the counties under section 115A.557, subdivision 3, to determine each county's progress toward the goal in section 115A.551, subdivision 2.

Each state agency in the metropolitan area shall work to meet the recycling goal individually. If the goal is not met by an agency, the commissioner shall notify that agency that the goal has not been met and the reasons the goal has not been met and shall provide information to the employees in the agency regarding recycling opportunities and expectations.

Sec. 16. Minnesota Statutes 1990, section 129D.14, subdivision 3, is amended to read:

Subd. 3. **ELIGIBILITY.** To qualify for a grant under this section, the licensee shall:

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(a) Hold a valid noncommercial educational radio station license or program test authority from the Federal Communications Commission;

(b) Have facilities adequate to provide local program production and origination;

(c) Employ a minimum of two full-time professional radio staff persons or the equivalent in part-time staff and agree to employ a minimum of two full-time professional radio staff persons or the equivalent in part-time staff throughout the fiscal year of the grant;

(d) Maintain a minimum daily broadcasting schedule of (1) the maximum allowed by its Federal Communications Commission license or (2) 12 hours a day during the first year of eligibility for state assistance, 15 hours a day during the second year of eligibility and 18 hours a day during the third and following years of eligibility;

(e) Broadcast 365 days a year or the maximum number of days allowed by its Federal Communications Commission license;

(f) Have a daily broadcast schedule devoted primarily to programming that serves ascertained community needs of an educational, informational or cultural nature within its primary signal area; however, a program schedule of a main channel carrier designed to further the principles of one or more particular religious philosophies or including 25 percent or more religious programming on a broadcast day does not meet this criterion, nor does a program schedule of a main channel carrier designed primarily for in-school or professional in-service audiences;

(g) Originate significant, locally produced programming designed to serve its community of license;

(h) Have a total annual operating income and budget of at least \$50,000;

(i) Have either a board of directors representing the community or a community advisory board that conducts advisory board meetings that are open to the public;

(j) Have a board of directors that: (1) holds the portion of any meeting relating to the management or operation of the radio station open to the public and (2) permits any person to attend any meeting of the board without requiring a person, as a condition to attendance at the meeting, to register the person's name or to provide any other information; and

(k) Have met the criteria in clauses (a) to (j) for six months before it is eligible for state assistance under this section.

The commissioner shall accept the judgment of Corporation for Public Broadcasting accepted audit when it is available on a station's eligibility for assistance under the criteria of this subdivision. If the station is not qualified for

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assistance from the Corporation for Public Broadcasting, an independent audit is required. If neither is available, the commissioner may accept a written declaration of eligibility signed by an independent auditor, a certified public accountant, or the chief executive officer of the station's parent organization if it is an institution of education.

Sec. 17. Minnesota Statutes 1990, section 129D.14, subdivision 4, is amended to read:

Subd. 4. **APPLICATION.** To be eligible for a grant under this section, a licensee shall submit an application to the commissioner within the deadline prescribed by the commissioner. ~~It shall also submit, within the deadline prescribed by the commissioner, its audited financial records for the fiscal year preceding the year for which the grant will be made.~~ Each noncommercial radio station receiving a grant shall report annually within the deadline prescribed by the commissioner the purposes for which the money was used in the past fiscal year and the anticipated use of the money for the next fiscal year. If the application and report are not submitted within the deadline prescribed by the commissioner, the grant may be redistributed to the other noncommercial radio stations eligible for a grant under this section.

Sec. 18. Minnesota Statutes 1990, section 129D.14, subdivision 6, is amended to read:

Subd. 6. **AUDIT.** A station that receives a grant under this section shall have an audit of its financial records made by an independent auditor or Corporation for Public Broadcasting accepted audit at the end of the fiscal year for which it received the grant. The audit shall include a review of station promotion, operation, and management and an analysis of the station's use of the grant money. A copy of the audit shall be filed with the commissioner. If neither is available, the commissioner may accept a letter of negative assurance from an independent auditor or a certified public accountant.

Sec. 19. Minnesota Statutes 1991 Supplement, section 138.94, subdivision 1, is amended to read:

Subdivision 1. **DESIGNATION.** The building at 160 John Ireland Boulevard and the land housing the building, parking lot, and any other related facilities is hereby designated as the state history center, and is to be used for such purposes notwithstanding any other law to the contrary. Authority for administration and control of the state history center is conferred on the Minnesota historical society. The society is not exempt from rental or lease costs by the state. The state department of administration will maintain and provide custodial, security, and climate control services for the history center in accordance with standards established by the society.

Sec. 20. Laws 1991, chapter 345, article 1, section 17, subdivision 4, is amended to read:

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## Subd. 4. Property Management

23,387,000	8,349,000
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\$175,000 the first year and \$175,000 the second year from the program's total appropriation are for capitol area repairs and replacements. Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

\$3,825,000 the first year and \$3,884,000 the second year are for office space costs of the legislature and veterans organizations, for ceremonial space, and for statutorily free space.

The department of administration shall discontinue food service management in the state office building for the biennium ending June 30, 1993. Food service shall be managed by the house rules committee as a pilot project for the biennium.

\$50,000 the first year is for the commissioner of administration to study the potential uses for the Waseca campus. The commissioner shall appoint an advisory committee to assist with the study. The commissioner shall report the findings and recommendations from the study to the board of regents, and the education, appropriations, and finance committees of the legislature by January 15, 1992. The appropriation is available if matched by \$1 of nonstate money for each \$10 of this appropriation. In addition, the board of regents of the University of Minnesota is requested to provide additional funding up to \$50,000 to assist in the cost of the study.

The department of administration in consultation with the capitol area architectural and planning board shall study the historic renovation and potential

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reuse of the Dahl house and report to the senate finance and house appropriations committees by February 1, 1992.

By ~~June 30, 1992~~ January 31, 1993, the department of administration shall relocate the state printing operation from the Ford building to a more suitable location, preferably outside the capitol complex and shall relocate and consolidate offices of the attorney general in the Ford building. The Ford building shall be remodeled as office space.

By December 31, 1992, the department of administration shall relocate the office of the state auditor to a location within the capitol complex.

\$350,000 the first year is for developing a framework for an integrated infrastructure management system including the establishment of a database of building classification standards. The commissioner of administration shall report by January 1, 1992, on the time and cost of continuing the program for fiscal year 1993.

\$961,000 the first year is to improve security at state parking ramps and lots, to be available upon final enactment.

\$13,781,000 is for the costs relating to agency relocation, consolidation, and collocation, to be available upon final enactment.

#### Sec. 21. TRANSFER.

The responsibilities of the director of the office of strategic and long-range planning for the office of dispute resolution and groundwater information clearinghouse are transferred under Minnesota Statutes, section 15.039, to the commissioner of administration.

#### Sec. 22. METROPOLITAN DISPOSAL SYSTEM RATE STRUCTURE STUDY.

Subdivision 1. COUNCIL CONTRACT WITH THE UNIVERSITY. The metropolitan council shall contract with the board of regents of the University of Minnesota to conduct the study described in this section. The contract

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amount may not exceed \$100,000. The council and the metropolitan waste control commission shall cooperate with and as requested by the university as it conducts the study. Council costs, including the contract costs incurred by the council, shall be paid for by the metropolitan waste control commission under Minnesota Statutes, section 473.164.

Subd. 2. STUDY. The university shall study the allocation of current costs, as defined in Minnesota Statutes, section 473.517, subdivision 1, among local government units in the metropolitan area in order to examine the social, economic, and environmental effects resulting from (1) the allocation of current costs to communities within service areas for which the costs are attributable versus, and (2) the allocation of current costs to communities uniformly throughout the metropolitan area. The study may consider various configurations of service areas, and must consider service areas reasonably consistent with the council's geographic policy areas, as defined in the council's development and investment framework. The study must specifically address the effects of alternative cost allocation methods on the council-defined fully developed area. The study may consider effects arising from the location and placement of other infrastructure elements on the fully developed and developing areas.

Subd. 3. REPORTS TO THE LEGISLATURE. The council shall submit the university's study report to the legislature along with the council's and the commission's comments on the study report by January 4, 1993.

Sec. 23. Laws 1991, chapter 183, section 1, is amended to read:

**Section 1. FULLY DEVELOPED AREA; STUDY.**

The metropolitan council must conduct a study of the development patterns and needs in the council-defined fully developed area. The council must direct its staff to:

(1) examine both the development patterns and the migration patterns in the fully developed area that have occurred in the last 20 years with special attention to household composition;

(2) compare the relative public costs of redevelopment in the fully developed area with the costs of development within the council-defined developing area. This work should include, but is not limited to, transportation and transit, wastewater treatment, public safety services, housing, and education;

(3) examine the changing demographics of the fully developed area and other areas within the metropolitan region, and make projections regarding the economic and social condition of the fully developed area;

(4) examine the anticipated effects of a light rail transit system on the economic and social condition of the fully developed area; and

(5) recommend changes that would encourage the economic and social strengthening of the fully developed area.

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In conducting its study, the council must use, along with other information, any available data from the 1990 census. The council must present ~~its~~ the analysis, findings, and preliminary policy options and recommendations identified by council staff to the legislature by February 15, 1994. The council must also present interim briefings to the legislature on work in progress at least annually between the effective date of this act and the completion of the study.

Sec. 24. **EFFECTIVE DATE; APPLICATION.**

Section 11 is effective July 1, 1992. Sections 1 to 10, 12 to 20, 22, and 23 are effective the day following final enactment. Sections 22 and 23 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Presented to the governor April 17, 1992

Signed by the governor April 29, 1992, 7:51 a.m.

**CHAPTER 515—S.F.No. 2186**

*An act relating to human services; providing for appointment of a member to the child abuse prevention advisory council by the commissioner of human services; providing for an American Indian child welfare advisory council; amending Minnesota Statutes 1990, section 257.3579; Minnesota Statutes 1991 Supplement, section 299A.23, subdivision 2.*

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

Section 1. Minnesota Statutes 1990, section 257.3579, is amended to read:

**257.3579 AMERICAN INDIAN CHILD WELFARE ADVISORY ~~TASK FORCE~~ COUNCIL.**

The commissioner shall appoint an American Indian advisory ~~task force~~ council to help formulate policies and procedures relating to Indian child welfare services and to make recommendations regarding approval of grants provided under section 257.3571, subdivisions 1 and 2. ~~The task force council~~ shall consist of 17 members appointed by the commissioner and must include representatives of each of the 11 Minnesota reservations who are authorized by tribal resolution, one representative from the Duluth Urban Indian Community, three representatives from the Minneapolis Urban Indian Community, and two representatives from the St. Paul Urban Indian Community. Representatives from the urban Indian communities must be selected through an open appointments process under section 15.0597. ~~The task force shall expire on June 30, 1991.~~ The terms, compensation, and removal of American Indian child welfare advisory ~~task force~~ council members shall be as provided in section 15.059.

Sec. 2. Minnesota Statutes 1991 Supplement, section 299A.23, subdivision 2, is amended to read:

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