

Presented to the governor May 2, 1994

Signed by the governor May 4, 1994, 3:15 p.m.

## CHAPTER 552—S.F.No. 2104

*An act relating to children; establishing an abused child program under the commissioner of corrections; creating an advisory committee; specifying powers and duties of the commissioner and the advisory committee; proposing coding for new law in Minnesota Statutes, chapter 611A.*

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

### Section 1. [611A.362] ABUSED CHILD PROGRAM.

Subdivision 1. DEFINITIONS. For the purposes of sections 1 to 4, the following terms have the meanings given.

Subd. 2. ABUSED CHILD. "Abused child" means a child, under the age of 18 years, who has suffered physical, emotional, or mental injury, harmful neglect, sexual abuse or exploitation, or negligent treatment.

Subd. 3. ABUSED CHILDREN SERVICES. "Abused children services" means any service or program designed to provide advocacy, education, prevention, or direct service to or on behalf of abused children, children at risk, and their families.

Subd. 4. COMMISSIONER. "Commissioner" means the commissioner of the department of corrections or a designee.

### Sec. 2. [611A.363] GRANTS TO SERVICE PROVIDER PROGRAMS.

Subdivision 1. GRANTS AWARDED. The commissioner shall award grants to programs which provide abused children services. Grants shall be awarded in a manner that ensures that they are equitably distributed to programs serving metropolitan and nonmetropolitan populations.

Subd. 2. APPLICATIONS. Any public or private nonprofit agency may apply to the commissioner for a grant to provide abused children services. The application shall be submitted in a form approved by the commissioner after consultation with the abused children advisory council and shall include:

(1) a proposal for the provision of abused children services to, or on behalf of, abused children, children at risk, and their families;

(2) a proposed budget;

(3) evidence of ability to represent the interests of abused children and their

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families to local law enforcement agencies and courts, social services, and health agencies;

(4) evidence of ability to do outreach to unserved and underserved populations and to provide culturally and linguistically appropriate services; and

(5) any other information the commissioner may require by policy or by rule adopted under chapter 14, after considering the recommendations of the abused children advisory council.

Programs which have been approved for grants in prior years may submit materials which indicate changes in items listed in clauses (1) to (5), in order to qualify for renewal funding. Nothing in this subdivision may be construed to require programs to submit complete applications for each year of funding.

Subd. 3. DUTIES. Every public or private nonprofit agency which receives a grant under this section to provide abused children services shall comply with all requirements of the commissioner related to the administration of the grants.

Subd. 4. CLASSIFICATION OF DATA COLLECTED BY GRANTEES. Personal history information and other information collected, used, or maintained by a grantee from which the identity of any abused child or family members may be determined is private data on individuals as defined in section 13.02, subdivision 12, and the grantee shall maintain the data in accordance with provisions of chapter 13.

### Sec. 3. [611A.364] DUTIES OF THE COMMISSIONER.

The commissioner shall:

(1) review applications and award grants to programs pursuant to section 2 after considering the recommendation of the abused children advisory council;

(2) appoint members of the abused children advisory council created under section 4 and provide consultative staff and other administrative services to the council;

(3) after considering the recommendation of the abused children advisory council, appoint a program director to perform the duties set forth in this clause. In appointing the program director the commissioner shall give due consideration to the list of applicants submitted to the commissioner pursuant to section 3. The program director shall administer the funds appropriated for sections 1 to 4, consult with and provide staff to the advisory council and perform other duties related to abused children's programs as the commissioner may assign;

(4) design a uniform method of collecting data on abused children's programs to be used to monitor and assure compliance of the programs funded under section 2;

(5) provide technical aid to applicants in the development of grant requests

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and to programs in meeting the data collection requirements established by the commissioner; and

(6) adopt, under chapter 14, all rules necessary to implement the provisions of sections 1 to 4.

Sec. 4. [611A.365] **ADVISORY COUNCIL.**

Subdivision 1. GENERALLY. The commissioner shall appoint a 12-member advisory council to advise the commissioner on the implementation and continued operation of sections 1 to 4. The abused children advisory council shall also serve as a liaison between the commissioner and organizations that provide abused children services. The terms of members of the advisory council shall be two years. No member may serve on the advisory council for more than two consecutive terms. Council members shall not receive per diem, but shall receive expense reimbursements as specified in section 15.059. In other matters section 15.059 shall govern the operation of the advisory council.

Subd. 2. MEMBERSHIP. Persons appointed shall be knowledgeable about or have interests in issues concerning abused children and the programs that serve them, including the need for effective advocacy services. The membership of the council shall broadly represent the interests of abused children throughout Minnesota, including representation of people of color and other individuals from traditionally underserved population, and must include one member from the department of human services child protection unit. No more than six members of the council may be representatives of community or governmental organizations that provide abused children services. One-half of the council's members shall reside in the metropolitan area consisting of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington, and one-half of the members shall reside in the nonmetropolitan area. To the extent possible, nonmetropolitan members must be representative of all nonmetropolitan regions of the state.

Subd. 3. DUTIES. The advisory council shall:

(1) advise the commissioner on all planning, development, data collection, rulemaking, funding, and evaluation of abused children programs under section 3;

(2) advise the commissioner on the adoption of rules under chapter 14 governing the award of grants to ensure that funded programs are consistent with section 2;

(3) recommend to the commissioner the names of five applicants for the position of abused children program director;

(4) advise the commissioner on the rules adopted under chapter 14;

(5) review applications received by the commissioner for grants under section 2 and make recommendations on the awarding of grants; and

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(6) advise the program director in the performance of duties in the administration and coordination of the programs funded under section 2.

Subd. 4. CONFLICT OF INTEREST. A member of the advisory council shall be excluded from participating in review and recommendation concerning a grant allocation if the member:

(1) serves or has served any time during the last three years as an employee, consultant, volunteer, or governing board member of an organization whose application is being reviewed; or

(2) has a financial interest in the funding of the applicant organization.

Subd. 5. ADVISORY COUNCIL RECOMMENDATIONS. The commissioner shall consider the advisory council's recommendations before awarding grants or adopting policies regarding the planning, development, data collection, rulemaking, funding, and abused children services for programs funded under section 2. Before taking action on matters related to programs and abused children services, except day-to-day administrative operations, the commissioner shall notify the advisory council of the intended action. Notification of grant award decisions shall be given to the advisory council in time to allow the council to request reconsideration.

Presented to the governor May 2, 1994

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#### CHAPTER 553—H.F.No. 2034

*An act relating to transportation; changing eligibility requirements for distribution of funds from the town road account; amending Minnesota Statutes 1993 Supplement, sections 161.082, subdivision 2a; and 162.081, subdivision 4.*

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

Section 1. Minnesota Statutes 1993 Supplement, section 162.081, subdivision 4, is amended to read:

**Subd. 4. FORMULA FOR DISTRIBUTION TO TOWNS; PURPOSES.** Money apportioned to a county from the town road account must be distributed to the treasurer of each town within the county, according to a distribution formula adopted by the county board. The formula must take into account each town's levy for road and bridge purposes, its population and town road mileage, and other factors the county board deems advisable in the interests of achieving equity among the towns. Distribution of town road funds to each town treasurer must be made by March 1, annually, or within 30 days after receipt of payment from the commissioner. Distribution of funds to town treasurers in a county

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