

## CHAPTER 94—S.F.No. 36

*An act relating to hospital districts, authorizing hospital districts to provide support services to certain persons not in need of nursing home care; authorizing a study of assisted living financing; amending Minnesota Statutes 1996, sections 447.33; 447.34, subdivision 1; and 447.45, subdivision 2.*

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

Section 1. Minnesota Statutes 1996, section 447.33, is amended to read:

**447.33 POWERS.**

Subdivision 1. **BROAD POWERS OF DISTRICT.** Each hospital district created or reorganized under sections 447.31 to 447.37 has the powers necessary and convenient to acquire, improve, and run the hospital and, nursing home facilities, and facilities described in section 447.45, subdivision 2, paragraph (b), as the hospital board finds expedient. The list of powers in this section does not restrict the power of the board. It may take any action reasonably necessary or convenient to further the purpose for which the district exists which is not otherwise prohibited by law.

Subd. 2. **SPECIFIC POWERS.** Specifically, every district, acting through its hospital board, may:

- (1) employ nursing, administrative, and other personnel, legal counsel, engineers, architects, accountants, and other qualified persons, who may be paid for their services by monthly salaries, hourly wages, and pension benefits, or by any fees agreed on;
- (2) have reports, plans, studies, and recommendations prepared;
- (3) lease, purchase, and contract for the purchase of real and personal property by option, contract for deed, conditional sales contract, or otherwise, and acquire real or personal property by gift;
- (4) lease or construct, equip, furnish, and maintain necessary buildings and grounds;
- (5) adopt, by resolution, rules for the operation and administration of the hospital and nursing home facilities under its control, and for the admission of patients;
- (6) impose by resolution, and collect, charges for services and facilities provided and made available by it;
- (7) levy taxes as prescribed in section 447.34;
- (8) borrow money and issue bonds as prescribed in sections 447.345 and 447.35;
- (9) buy liability insurance for the district or its officers and employees or both, for torts committed within the scope of their official duties, whether governmental or proprietary, and against damage to or destruction of any of its facilities, equipment, or other property;
- (10) sell or lease its facilities or equipment as it finds expedient; and
- (11) have its accounts, books, vouchers, and funds audited by competent public accountants; and

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(12) enter into agreements with a city or county with respect to the facilities described in section 447.45, subdivision 2, that are attached or related to a nursing home, are providing supportive services to elderly persons who are not yet in need of nursing home care, including congregate housing, adult day care, and respite care services, and are owned or operated by the city or county.

Sec. 2. Minnesota Statutes 1996, section 447.34, subdivision 1, is amended to read:

Subdivision 1. **EXPENSES PAID FROM REVENUE, TAXES, AND APPROPRIATIONS; TAX LIMITS.** Expenses of acquiring, improving, and running the hospital and, nursing home facilities, and facilities described in section 447.45, subdivision 2, paragraph (b), operated by a hospital district, amounts payable with respect to facilities of the type described in section 447.45, subdivision 2, that are attached or related to a nursing home and are providing supportive services to elderly persons who are not yet in need of nursing home care, including congregate housing, adult day care, and respite care services, under an agreement between the hospital district and a city or county, expenses incurred under section 447.331, subdivision 1, and expenses of organization and administration of the district and of planning and financing the facilities, must be paid from the revenues derived from them, and to the extent necessary, from ad valorem taxes levied by the hospital board on all taxable property within the district, and, to the extent determined from time to time by the board of county commissioners of any county containing territory of the district, from appropriations made by the county board in accordance with section 376.08. Money appropriated by the board of county commissioners to acquire or improve facilities of the hospital district may be transferred in the discretion of the hospital board to a sinking fund for bonds issued for that purpose. The hospital board may agree to repay to the county any sums appropriated by the board of county commissioners for this purpose, out of the net revenues to be derived from operation of its facilities, and subject to the terms agreed on.

Sec. 3. Minnesota Statutes 1996, section 447.45, subdivision 2, is amended to read:

Subd. 2. **POWERS OVER SPECIAL FACILITIES.** (a) With respect to facilities for the care, treatment, and training of persons with mental retardation or related conditions, and facilities attached or related to a nursing home providing supportive services to elderly persons who are not yet in need of nursing home care, including congregate housing, adult day care and respite care services, a county or city may exercise the powers in sections 447.45 to 447.50 as if these facilities were hospital or nursing home facilities within the meaning of sections 447.45 to 447.50. "County or city" includes cities of the first class and counties containing them. "Related conditions" is defined in section 252.27, subdivision 1a.

(b) With respect to facilities attached or related to a nursing home providing supportive services to elderly persons who are not yet in need of nursing home care, including congregate housing, adult day care, and respite care services, a hospital district may exercise the powers in sections 447.45 to 447.50 as if these facilities were hospital or nursing home facilities within the meaning of sections 447.45 to 447.50.

Sec. 4. **STUDY OF ASSISTED LIVING FINANCING.**

The commissioners of health and human services, in cooperation with the commissioner of the housing finance agency, shall study and report to the legislature by January

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15, 1998, on options for public and private financing of the construction of low- and moderate-income assisted living housing for senior citizens throughout the state.

Presented to the governor May 2, 1997

Signed by the governor May 6, 1997, 11:25 a.m.

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#### CHAPTER 95—S.F.No. 574

*An act relating to game and fish; permitting certain angling assistance without a license; amending Minnesota Statutes 1996, section 97A.441, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1996, section 97A.441, is amended by adding a subdivision to read:

Subd. 9. ANGLING ASSISTANCE TO DISABLED RESIDENTS. An individual who is providing angling assistance to a disabled resident licensed under subdivision 1, 4, or 5, is not required to possess a license to take fish by angling provided that no lines in addition to those permitted for an individual under section 97C.315 are in the water.

Presented to the governor May 2, 1997

Signed by the governor May 6, 1997, 11:32 a.m.

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#### CHAPTER 96—H.F.No. 5

*An act relating to crime; clarifying the elements of the harassment and stalking crime; increasing the penalties for a violation of a domestic abuse order for protection and a harassment restraining order; adding certain violations of the harassment and stalking law to the list of crimes for which mandatory minimum prison sentences must be imposed; expanding the definition of "pattern of harassing conduct"; clarifying that the application of the sentencing guidelines system is not a right that a defendant may waive; limiting a defendant's right to take an appeal regarding a sentence; requiring a study on the sentencing guidelines; amending Minnesota Statutes 1996, sections 244.09, subdivision 5; 244.11; 518B.01, subdivision 14; 609.11, subdivision 9; 609.748, subdivision 6; and 609.749, subdivisions 1, 2, 5, and by adding a subdivision.*

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

Section 1. Minnesota Statutes 1996, section 244.09, subdivision 5, is amended to read:

Subd. 5. The commission shall, ~~on or before January 1, 1980,~~ promulgate sentencing guidelines for the district court. The guidelines shall be based on reasonable offense

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