

**CHAPTER 9—S.F.No. 464**

*An act relating to controlled substances; delaying the effective date for classifying Carisoprodol as a schedule IV controlled substance; amending Laws 1997, chapter 239, article 4, section 15, as amended.*

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

Section 1. Laws 1997, chapter 239, article 4, section 15, as amended by Laws 1998, chapter 367, article 4, section 7, is amended to read:

**Sec. 15. EFFECTIVE DATE.**

The provision of section 4 relating to the listing of Butorphanol in schedule IV is effective August 1, 1998, and applies to acts committed on or after that date. The provision of section 4 relating to the listing of Carisoprodol in schedule IV is effective August 1, ~~1999~~ 2000, and applies to acts committed on or after that date. Sections 1 to 3 and 5 to 13 are effective August 1, 1997, and apply to acts committed on or after that date. Section 14 is effective the day following final enactment.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective August 1, 1999.

Presented to the governor March 11, 1999

Signed by the governor March 15, 1999, 2:33 p.m.

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**CHAPTER 10—S.F.No. 73**

*An act relating to human services; modifying financial eligibility criteria for the consumer support program; requiring maximum use of federal funds for the program; amending Minnesota Statutes 1998, section 256.476, subdivisions 3, 7, and 8.*

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

Section 1. Minnesota Statutes 1998, section 256.476, subdivision 3, is amended to read:

Subd. 3. **ELIGIBILITY TO APPLY FOR GRANTS.** (a) A person is eligible to apply for a consumer support grant if the person meets all of the following criteria:

(1) the person is eligible for and has been approved to receive services under medical assistance as determined under sections 256B.055 and 256B.056 or the person is eligible for and has been approved to receive services under alternative care services as determined under section 256B.0913 or the person has been approved to receive a grant under the developmental disability family support program under section 252.32;

(2) the person is able to direct and purchase the person's own care and supports, or the person has a family member, legal representative, or other authorized representative who can purchase and arrange supports on the person's behalf;

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(3) the person has functional limitations, requires ongoing supports to live in the community, and is at risk of or would continue institutionalization without such supports; and

(4) the person will live in a home. For the purpose of this section, "home" means the person's own home or home of a person's family member. These homes are natural home settings and are not licensed by the department of health or human services.

(b) Persons may not concurrently receive a consumer support grant if they are:

(1) receiving home and community-based services under United States Code, title 42, section 1396h(c); personal care attendant and home health aide services under section 256B.0625; a developmental disability family support grant; or alternative care services under section 256B.0913; or

(2) residing in an institutional or congregate care setting.

(c) A person or person's family receiving a consumer support grant shall not be charged a fee or premium by a local agency for participating in the program. ~~A person or person's family is not eligible for a consumer support grant if their income is at a level where they are required to pay a parental fee under sections 252.27, 256B.055, subdivision 12, and 256B.14 and rules adopted under those sections for medical assistance services to a disabled child living with at least one parent.~~

(d) The commissioner may limit the participation of nursing facility residents, residents of intermediate care facilities for persons with mental retardation, and the recipients of services from federal waiver programs in the consumer support grant program if the participation of these individuals will result in an increase in the cost to the state.

(e) The commissioner shall establish a budgeted appropriation each fiscal year for the consumer support grant program. The number of individuals participating in the program will be adjusted so the total amount allocated to counties does not exceed the amount of the budgeted appropriation. The budgeted appropriation will be adjusted annually to accommodate changes in demand for the consumer support grants.

Sec. 2. Minnesota Statutes 1998, section 256.476, subdivision 7, is amended to read:

Subd. 7. **FEDERAL FUNDS.** The commissioner and the counties shall ~~make reasonable efforts to maximize the use of federal funds including funds available through grants and federal waivers.~~ If federal funds are made available to the consumer support grant program, the money shall be allocated to the responsible county agency's consumer support grant fund.

Sec. 3. Minnesota Statutes 1998, section 256.476, subdivision 8, is amended to read:

Subd. 8. **COMMISSIONER RESPONSIBILITIES.** The commissioner shall:

- (1) transfer and allocate funds pursuant to this section;
- (2) determine allocations based on projected and actual local agency use;
- (3) monitor and oversee overall program spending;
- (4) evaluate the effectiveness of the program;
- (5) provide training and technical assistance for local agencies and consumers to help identify potential applicants to the program; and

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(6) develop guidelines for local agency program administration and consumer information; and

(7) apply for a federal waiver or take any other action necessary to maximize federal funding for the program by June 1, 1999.

**Sec. 4. EFFECTIVE DATE.**

Sections 1 to 3 are effective the day following final enactment.

Presented to the governor March 11, 1999

Signed by the governor March 15, 1999, 2:34 p.m.

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**CHAPTER 11—S.F.No. 343**

*An act relating to real property; making changes in provisions about certificates of title and the Common Interest Ownership Act; making miscellaneous changes to alter real property provisions; amending Minnesota Statutes 1998, sections 40A.10, subdivisions 1 and 3; 40A.11, subdivision 4; 47.20, subdivision 2; 51A.02, subdivision 29; 60C.09, subdivision 1; 83.20, subdivisions 11 and 14; 103F.612, subdivisions 2 and 4; 103F.613, subdivision 3; 103I.235, subdivision 1; 238.22, subdivision 3; 273.124, subdivision 2; 297H.01, subdivision 8; 327C.095, subdivision 5; 357.18, subdivision 1; 359.02; 386.31; 389.09; 428A.11, subdivisions 4 and 6; 462C.02, subdivisions 4 and 5; 462C.05, subdivision 1; 473H.02, subdivision 6; 473H.05, subdivision 1; 473H.06, subdivisions 1 and 2; 473H.08, subdivision 4; 500.20, subdivision 2a; 505.08, subdivision 3; 507.421; 508.14; 508.24, subdivision 2; 508.25; 508.35; 508.36; 508.38; 508.40; 508.421, subdivision 2; 508.47, subdivision 4; 508.49; 508.51, subdivision 1; 508.52; 508.55; 508.56; 508.57; 508.58; 508.59; 508.61, subdivisions 2 and 3; 508.67; 508.68; 508.71, subdivisions 2, 4, 5, 6, and by adding a subdivision; 508.76; 508.82, subdivision 1; 508A.10; 508A.11, subdivision 3; 508A.22, subdivisions 2 and 3; 508A.25; 508A.35; 508A.38; 508A.40; 508A.421, subdivision 2; 508A.47, subdivision 4; 508A.49; 508A.51, subdivision 1; 508A.52; 508A.55; 508A.56; 508A.57; 508A.58; 508A.59; 508A.61, subdivisions 2 and 3; 508A.71, subdivisions 2, 3, 5, 6, and by adding a subdivision; 508A.72; 508A.76; 508A.82, subdivision 1; 508A.85, subdivisions 3 and 4; 515B.1–102; 515B.1–103; 515B.1–116; 515B.2–101; 515B.2–104; 515B.2–105; 515B.2–108; 515B.2–109; 515B.2–110; 515B.2–113; 515B.2–118; 515B.2–119; 515B.2–121; 515B.2–122; 515B.3–103; 515B.3–105; 515B.3–106; 515B.3–110; 515B.3–113; 515B.3–115; 515B.3–116; 515B.3–121; 515B.4–101; 515B.4–102; 515B.4–106; 515B.4–107; 515B.4–108; 515B.4–111; 515B.4–115; 524.2–201; 559.21, subdivision 2a; and 582.32, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 386; and 515B; repealing Minnesota Statutes 1998, sections 473H.02, subdivision 11; 473H.05, subdivision 3; 508.405; 508.421, subdivision 1; 508.44; 508.45; 508.51, subdivision 2; 508.835; 508A.421, subdivision 1; 508A.44; 508A.45; 508A.51, subdivision 2; and 508A.835.*

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