

**Section 1. REPEALER.**

The amendments to Minnesota Statutes 2002, section 200.02, subdivisions 7 and 23, made by Laws 2003, First Special Session chapter 9, article 2, sections 41 and 42, if enacted, are repealed and of no effect.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Presented to the governor May 30, 2003

Signed by the governor June 12, 2003, 8:30 a.m.

**CHAPTER 18—H.F.No. 3**

*An act relating to appropriations; appropriating money, authorizing bonding, and transferring or canceling appropriations made for fiscal year 2003; making conforming changes; amending Minnesota Statutes 2002, sections 16B.27, subdivision 3; 127A.45, subdivision 7a; Laws 2001, First Special Session chapter 9, article 17, section 10, subdivision 1.*

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

**ARTICLE 1****TRANSPORTATION****Section 1. TRANSPORTATION APPROPRIATIONS AND TRANSFERS.**

The dollar amounts in the columns under "APPROPRIATION CHANGE" are added to or, if shown in parentheses, are subtracted from the appropriations in Laws 2001, First Special Session chapter 8, as amended, or other law to the specified agencies. The appropriations are from the general fund or other named fund and are available for the fiscal years indicated for each purpose. The figure "2003" means that the addition to or subtraction from the appropriations listed under the figure is for the fiscal year ending June 30, 2003.

	2003
TRANSFERS FROM OTHER FUNDS	\$ 15,000,000
CANCELLATIONS - GENERAL FUND	(110,000,000)
TRUNK HIGHWAY BOND PROCEEDS ACCOUNT - TRUNK HIGHWAY FUND	110,110,000

New language is indicated by underline, deletions by ~~strikeout~~.

## APPROPRIATION CHANGE

## Sec. 2. TRANSPORTATION

110,000,000

This appropriation is from the trunk highway bond proceeds account in the trunk highway fund and is available for expenditure beginning the day following final enactment. It is for the same purposes as specified in Laws 2000, chapter 479, article 1, section 2, subdivision 3.

Of the general fund appropriation in Laws 2000, chapter 479, article 1, section 2, subdivision 3, \$110,000,000 cancels to the general fund. This cancellation is effective the day following final enactment.

By June 30, 2003, the commissioner of finance shall transfer \$15,000,000 of the cash balance in the state airports fund established in Minnesota Statutes, section 360.017, to the general fund.

On July 1, 2007, the commissioner must transfer \$15,000,000 from the general fund to the state airports fund.

## Sec. 3. BOND SALE EXPENSES

110,000

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8. This appropriation is from the trunk highway bond proceeds account in the trunk highway fund.

## Sec. 4. BOND SALE AUTHORIZATION

To provide the money appropriated in this act from the trunk highway bond proceeds account in the trunk highway fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$110,110,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to

167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amount requested by the commissioner of transportation. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to the trunk highway bond proceeds account in the trunk highway fund.

**Sec. 5. EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment.

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**ARTICLE 2**

**TRANSFERS**

**Section 1. SELF LOAN RESERVE FUND TRANSFER.**

Subdivision 1. HESO TRANSFER. Notwithstanding any law to the contrary, by June 30, 2003, the higher education services office shall transfer \$30,000,000 of uncommitted balances in the SELF loan reserve fund to the general fund. This is a onetime transfer.

Subd. 2. VOID PROVISION. 2003 regular session S.F. No. 675, article 1, section 6, if enacted, has no effect.

**Sec. 2. STATE-OPERATED SERVICES TRANSFER.**

The commissioner of human services shall transfer \$3,200,000 from the TBI enterprise, \$1,000,000 from lease income, and \$500,000 from the ICF/MR depreciation accounts to the general fund, effective the day following final enactment.

**Sec. 3. EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

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**ARTICLE 3**

**E-12 EDUCATION FORECAST ADJUSTMENTS**

**Section 1. DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.**

**New language is indicated by underline, deletions by ~~strikeout~~.**

The dollar amounts shown are added to or, if shown in parentheses, are subtracted from the appropriations in Laws 2001, First Special Session chapter 6, as amended by Laws 2002, chapter 220, and Laws 2002, chapter 374, or other law, and are appropriated from the general fund to the department of children, families, and learning for the purposes specified in this article, to be available for the fiscal year indicated for each purpose. The figure "2003" used in this article means that the appropriation or appropriations listed are available for the fiscal year ending June 30, 2003.

	2003
APPROPRIATION ADJUSTMENTS	\$ 8,742,000
	APPROPRIATION CHANGE
Sec. 2. APPROPRIATIONS; EARLY CHILDHOOD AND FAMILY EDUCATION	
Subdivision 1. Early Childhood Family Education Aid	(520,000)
Subd. 2. MFIP Child Care	6,817,000
Subd. 3. Community Education Aid	219,000
Subd. 4. Adult Graduation Aid	(149,000)
Sec. 3. K-12 EDUCATION APPROPRIATION ADJUSTMENTS	
Subdivision 1. Referendum Tax Base Replacement Aid	(98,000)
Subd. 2. General and Supplemental Education Aid	8,791,000
This change includes (\$7,420,000) for 2002 and \$16,211,000 for 2003.	
Subd. 3. Transportation Aid for Enrollment Options	(35,000)
Subd. 4. Nonpublic Pupil Aid	437,000
Subd. 5. Nonpublic Pupil Transportation	(679,000)
Subd. 6. Consolidation Transition Aid	5,000
Subd. 7. Charter School Building Lease Aid	(544,000)

Subd. 8. Charter School Startup Grants	(181,000)
Subd. 9. Charter School Integration Aid	(5,000)
This reduction is for 2002.	
Subd. 10. Integration Aid	(2,866,000)
Subd. 11. Magnet School Startup Aid	(96,000)
Subd. 12. Interdistrict Desegregation or Integration Transportation Grants	169,000
Subd. 13. Tribal Contract Schools	(612,000)
Subd. 14. Special Education Aid	(1,630,000)
Subd. 15. Aid for Children with a Disability	(289,000)
Subd. 16. Travel for Home-Based Services	48,000
Subd. 17. Special Education Excess Cost Aid	(491,000)
Subd. 18. Litigation Costs for Special Education	(40,000)
Subd. 19. Court-Placed Special Education Revenue	(203,000)
Subd. 20. Transition Programs; Students With Disabilities	(26,000)
Subd. 21. Health and Safety Aid	(480,000)
Subd. 22. Debt Service Aid	19,000
Subd. 23. School Breakfast	100,000
Subd. 24. Fast Break to Learning	1,081,000

**Sec. 4. EFFECTIVE DATE.**

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

New language is indicated by underline, deletions by ~~strikeout~~.

**ARTICLE 4****HEALTH AND HUMAN SERVICES FORECAST ADJUSTMENTS****Section 1. HEALTH AND HUMAN SERVICES APPROPRIATIONS.**

The dollar amounts shown in the columns marked "APPROPRIATIONS" are added to or, if shown in parentheses, are subtracted from the appropriations in Laws 2001, First Special Session chapter 9, as amended by Laws 2002, chapter 220, and Laws 2002, chapter 374, and are appropriated from the general fund, or any other fund named, to the agencies and for the purposes specified in this article, to be available for the fiscal year indicated for each purpose. The figure "2003" used in this article means that the appropriation or appropriations listed under them are available for the fiscal year ending June 30, 2003.

**SUMMARY BY FUND**

	2003
General	\$103,756,000
Health Care Access	(1,492,000)
Federal TANF	20,419,000
	<b>APPROPRIATIONS</b>
	Available for the Year
	Ending June 30, 2003

**Sec. 2. COMMISSIONER OF  
HUMAN SERVICES**

Subdivision 1. Total Appropriation	\$128,203,000
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**Summary by Fund**

General	109,276,000
Health Care Access	(1,492,000)
Federal TANF	20,419,000
Subd. 2. Administrative Reimbursement/Pass-through	1,180,000
Subd. 3. Basic Health Care Grants	

General	59,364,000
Health Care Access	(1,492,000)

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) MinnesotaCare Grants

Health Care Access	(1,492,000)
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(b) MA Basic Health Care Grants - Families and Children

General	14,708,000
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(c) MA Basic Health Care Grants - Elderly and Disabled

General	15,137,000
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(d) General Assistance Medical Care Grants

General	29,519,000
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Subd. 4. Continuing Care Grants

General	56,615,000
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The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Medical Assistance Long-Term Care Waivers and Home Care Grants

General	57,388,000
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(b) Medical Assistance Long-Term Care Facilities Grants

General	678,000
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(c) Group Residential Housing Grants

General	(1,451,000)
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## Subd. 5. Economic Support Grants

General	(6,703,000)
Federal TANF	19,239,000

The amounts that may be spent from the appropriation for each purpose are as follows:

## (a) Assistance to Families Grants

General	(9,306,000)
Federal TANF	19,239,000

## (b) General Assistance Grants

General	3,491,000
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## (c) Minnesota Supplemental Aid Grants

General	(888,000)
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## Sec. 3. COMMISSIONER OF HEALTH

Subdivision 1. Total Appropriation	(5,520,000)
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## Summary by Fund

General	(5,520,000)
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Subd. 2. Access and Quality Improvement	(5,520,000)
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Sec. 4. **EFFECTIVE DATE.**

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

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**ARTICLE 5**
**MISCELLANEOUS**

Section 1. Minnesota Statutes 2002, section 16B.27, subdivision 3, is amended to read:

Subd. 3. **COUNCIL.** The governor's residence council consists of the following 19 members: the commissioner; the spouse or a designee of the governor; the executive director of the Minnesota state arts board; the director of the Minnesota historical society; a member of the senate appointed pursuant to the rules of the senate; a member of the house of representatives appointed pursuant to the rules of the house of

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representatives; 13 persons appointed by the governor including one in the field of higher education, one member of the American Society of Interior Designers, Minnesota Chapter, one member of the American Institute of Architects, Minnesota chapter, one member of the American Society of Landscape Architects, Minnesota Chapter, one member of the family that donated the governor's residence to the state, if available, and eight public members with four public members' terms being coterminous with the governor who appoints them. Members of the council serve without compensation. Membership terms, removal, and filling of vacancies for members appointed by the governor are governed by section 15.0575. The council shall elect a chair and a secretary from among its members. ~~The council expires on June 30, 2003.~~

Sec. 2. Minnesota Statutes 2002, section 127A.45, subdivision 7a, is amended to read:

Subd. 7a. **ADVANCE FINAL PAYMENT.** (a) Notwithstanding subdivisions 3 and 7, a school district or a charter school exceeding its expenditure limitations under section 123B.83 as of June 30 of the prior fiscal year may receive a portion of its final payment for the current fiscal year on June 20, if requested by the district. The amount paid under this subdivision must not exceed the lesser of:

(1) seven percent of the district or charter school's general education aid for the current fiscal year; or

(2) the amount by which the district or charter school's net negative unreserved general fund balance as of June 30 of the prior fiscal year exceeds 2.5 percent of the district or charter school's expenditures for that fiscal year.

(b) The state total advance final payment under this subdivision for any year must not exceed ~~\$17,500,000~~ \$12,000,000. If the amount requested exceeds ~~\$17,500,000~~ \$12,000,000, the advance final payment for each eligible district must be reduced proportionately.

Sec. 3. Laws 2001, First Special Session chapter 9, article 17, section 10, subdivision 1, is amended to read:

#### Subdivision 1. Grants

The commissioner of human services, with the approval of the commissioner of finance, and after notification of the chair of the senate health, human services and corrections budget division and the chair of the house health and human services finance committee, may transfer unencumbered appropriation balances for the biennium ending June 30, 2003, within fiscal years among the MFIP, MFIP child care

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assistance under Minnesota Statutes, section 119B.05, general assistance, general assistance medical care, medical assistance, Minnesota supplemental aid, and group residential housing programs, and the entitlement portion of the chemical dependency consolidated treatment fund, and between fiscal years of the biennium.

#### Sec. 4. BOARD OF CHIROPRACTIC EXAMINERS DEFICIENCY.

\$70,000 is transferred from the state government special revenue fund under Laws 2001, First Special Session chapter 10, article 1, section 33, in fiscal year 2003 to the board of chiropractic examiners to pay for contested case activity. This appropriation is available until September 30, 2003.

#### Sec. 5. BOARD ON JUDICIAL STANDARDS.

\$35,000 is appropriated from the general fund in fiscal year 2003 to the board on judicial standards to fund costs of a public hearing for a judge. This appropriation is available until expended.

#### Sec. 6. EFFECTIVE DATE OF MINNESOTA STATUTES, SECTION 144.395.

Notwithstanding the effective date in Laws 2002, chapters 220, article 14, section 12, and 374, article 8, section 8, the amendments to Minnesota Statutes, section 144.395, subdivision 1, in Laws 2002, chapters 220, article 14, section 6, and 374, article 8, section 3, are effective the day following final enactment of this section.

#### Sec. 7. CARRYFORWARD.

Notwithstanding Minnesota Statutes, section 16A.28, or other law to the contrary, funds encumbered by the judicial or executive branch for severance costs, unemployment compensation costs, and health, dental, and life insurance continuation costs resulting from state employee layoffs during the fiscal year ending June 30, 2003, may be carried forward and may be spent until January 1, 2004.

#### Sec. 8. FY 2003 APPROPRIATIONS CARRYFORWARD.

Notwithstanding Minnesota Statutes, section 16A.28, or any other law to the contrary, state agencies and constitutional offices may carry forward unexpended and unencumbered nongrant operating balances from fiscal year 2003 general fund appropriations into fiscal year 2004 to offset general budget reductions.

#### Sec. 9. EFFECTIVE DATE.

This article is effective the day following final enactment.

New language is indicated by underline, deletions by strikeout.

## ARTICLE 6

## DUPLICATE APPROPRIATIONS AND TRANSFERS

Section 1. **APPROPRIATE OR TRANSFER ONLY ONCE, IF DUPLICATED.**

(a) Unless another act explicitly provides otherwise, the appropriations and transfers in this act that are enumerated in this paragraph must be implemented only once and not twice or more often even if the provision or a similar provision with the same fiscal effect in the same fiscal year is included in another act:

(1) the appropriation of \$110,000,000 from the trunk highway bond proceeds account in article 1, section 2;

(2) the transfer of \$15,000,000 from the state airports fund in article 1, section 2;

(3) the transfer of \$30,000,000 for the SELF loan reserve in article 2, section 1;

(4) the transfer of \$3,200,000 for the TBI enterprise account in article 2, section 2;

(5) the transfer of \$1,000,000 from the lease income account in article 2, section 2;

(6) the transfer of \$500,000 from the ICF/MR depreciation account in article 2, section 2;

(7) the transfer of \$70,000 from the state government special revenue fund in article 5, section 3; and

(8) the appropriation of \$35,000 from the general fund in article 5, section 5.

(b) This section applies to laws enacted in the 2003 regular session or in a special session held before the 2004 regular session.

Sec. 2. **EFFECTIVE DATE.**

This article is effective the day following final enactment.

Presented to the governor May 30, 2003

Signed by the governor June 12, 2003, 8:36 a.m.

## CHAPTER 19—H.F.No. 5

*An act relating to appropriations; appropriating money for transportation, public safety, and other purposes; authorizing issuance of state bonds; modifying provisions relating to*

New language is indicated by underline, deletions by ~~strikeout~~.