

(3) to license and certify a new 60-bed facility in Austin, provided that: (i) 45 of the new beds are transferred from a 45-bed facility in Austin under common ownership that is closed and 15 of the new beds are transferred from a 182-bed facility in Albert Lea under common ownership; (ii) the commissioner of human services is authorized by the 2004 legislature to negotiate budget-neutral planned nursing facility closures; and (iii) money is available from planned closures of facilities under common ownership to make implementation of this clause budget-neutral to the state. The bed capacity of the Albert Lea facility shall be reduced to 167 beds following the transfer. Of the 60 beds at the new facility, 20 beds shall be used for a special care unit for persons with Alzheimer's disease or related dementias.

(b) Projects approved under this subdivision shall be treated in a manner equivalent to projects approved under subdivision 4a.

Presented to the governor May 15, 2004

Signed by the governor May 19, 2004, 10:15 a.m.

CHAPTER 219—S.F.No. 1080

An act relating to veterans; amending tuition and textbook reimbursement grant program; updating and correcting certain language relating to veterans homes; amending Minnesota Statutes 2002, sections 198.001, by adding a subdivision; 198.004, subdivision 1; 198.005; 198.007; 198.261; Minnesota Statutes 2003 Supplement, section 192.501, subdivision 2; repealing Minnesota Statutes 2002, sections 198.001, subdivision 7; 198.002, subdivision 5; 198.003, subdivision 2.

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

Section 1. Minnesota Statutes 2003 Supplement, section 192.501, subdivision 2, is amended to read:

Subd. 2. **TUITION AND TEXTBOOK REIMBURSEMENT GRANT PROGRAM.** (a) The adjutant general shall establish a program to provide tuition and textbook reimbursement grants to eligible members of the Minnesota National Guard within the limitations of this subdivision.

(b) Eligibility is limited to a member of the National Guard who:

(1) is serving satisfactorily as defined by the adjutant general;

(2) is attending a postsecondary educational institution, as defined by section 136A.15, subdivision 6, including a vocational or technical school operated or regulated by this state or another state or province; and

(3) provides proof of satisfactory completion of coursework, as defined by the adjutant general.

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In addition, if a member of the Minnesota National Guard is killed in the line of state active service or federally funded state active service, as defined in section 190.05, subdivisions 5a and 5b, the member's surviving spouse, and any surviving dependent who has not yet reached 24 years of age, is eligible for a tuition and textbook reimbursement grant.

The adjutant general may, within the limitations of this paragraph and other applicable laws, determine additional eligibility criteria for the grant, and must specify the criteria in department regulations and publish changes as necessary.

(c) The amount of a tuition and textbook reimbursement grant must be specified on a schedule as determined and published in department regulations by the adjutant general, but is limited to a maximum of an amount equal to the greater of:

(1) 75 percent of the cost of tuition for lower division programs in the College of Liberal Arts at the Twin Cities campus of the University of Minnesota in the most recent academic year; or

(2) 50 percent of the cost of tuition for the program in which the person is enrolled at that Minnesota public institution, or if that public institution is outside the state of Minnesota, for the cost of a comparable program at the University of Minnesota, except that in the case of a survivor as defined in paragraph (b), the amount of the tuition and textbook reimbursement grant for coursework satisfactorily completed by the person is limited to 100 percent of the cost of tuition for postsecondary courses at a Minnesota public educational institution.

Paragraph (b) notwithstanding, a person is no longer eligible for a grant under this subdivision once the person has received grants under this subdivision for the equivalent of 208 quarter credits or 144 semester credits of coursework.

(d) Tuition and textbook reimbursement grants received under this subdivision may not be considered by the Minnesota Higher Education Services Office or by any other state board, commission, or entity in determining a person's eligibility for a scholarship or grant-in-aid under sections 136A.095 to 136A.1311.

(e) If a member fails to complete a term of enlistment during which a tuition and textbook reimbursement grant was paid, the adjutant general may seek to recoup a prorated amount as determined by the adjutant general.

EFFECTIVE DATE. This section is effective July 1, 2004.

Sec. 2. Minnesota Statutes 2002, section 198.001, is amended by adding a subdivision to read:

Subd. 9. EXECUTIVE DIRECTOR. "Executive director" means the executive director for the board of directors of the Minnesota veterans homes.

Sec. 3. Minnesota Statutes 2002, section 198.004, subdivision 1, is amended to read:

Subdivision 1. **APPOINTMENT.** The board shall appoint an executive director. The executive director shall serve in the unclassified service at the pleasure of the

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board. The executive director must be a resident of the state of Minnesota, a citizen of the United States, and a veteran as that term is defined in section 197.447. The executive director shall serve as secretary of the board.

Sec. 4. Minnesota Statutes 2002, section 198.005, is amended to read:

198.005 ADMINISTRATORS.

The board shall appoint an administrator for each of the veterans homes. The administrators act as the administrative head for their respective veterans homes. The administrators shall have a current Minnesota nursing home administrator's license and shall serve in the unclassified service. The salaries of the administrators are not subject to section 43A.17, subdivision 1. The administrators serve at the pleasure of the board and report directly to the executive director.

Sec. 5. Minnesota Statutes 2002, section 198.007, is amended to read:

198.007 QUALITY ASSURANCE.

The board Each home shall create have a utilization review committee ~~for each home~~ comprised of the appropriate professionals employed by or under contract to the home. The committee shall use ~~the ease-mix~~ a patient classification system established under section 144.072 approved by the board to assess the appropriateness and quality of care and services provided residents of the homes.

The board Each home shall create have an admissions committee ~~for each home~~ comprised of the appropriate professionals employed by or under contract to each home and adopt a preadmission screening program for all applicants for admission to the homes who may require nursing or boarding care, taking into account the eligibility requirements in section 198.022, the admissions criteria established by board rules, and the availability of space in the homes.

Sec. 6. Minnesota Statutes 2002, section 198.261, is amended to read:

198.261 CANTEEN AND, COFFEE SHOP, AND WOOD SHOP.

Any profits derived from the operation of canteens and, coffee shops, and wood shops at the Minnesota veterans homes shall be used by the board only for the direct benefit of the residents of the homes.

Sec. 7. **REPEALER.**

Minnesota Statutes 2002, sections 198.001, subdivision 7; 198.002, subdivision 5; and 198.003, subdivision 2, are repealed.

Presented to the governor May 15, 2004

Signed by the governor May 19, 2004, 10:20 a.m.

CHAPTER 220—H.F.No. 2986

An act relating to natural resources; granting certain temporary exemptions for an iron nugget production scale demonstration facility.

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