

## CHAPTER 765—H.F.No.2275

[Coded in Part]

*An act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, alcohol and drug problems, ombudsman, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. APPROPRIATIONS; STATE GOVERNMENT; DEPARTMENTS OF PUBLIC WELFARE, CORRECTIONS, HEALTH, ALCOHOL AND DRUG PROBLEMS, OMBUDSMAN, AND BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO EXPEND MONEYS.** The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from the general fund in the state treasury not otherwise appropriated, or any other fund herein designated, to be expended for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

**Sec. 2. TO THE COMMISSIONER OF PUBLIC WELFARE.**  
Subdivision 1. Administration of the Department of Public Welfare - salaries

1974 . . . \$2,200,000. 1975 . . . \$2,200,000

Unless approved by the governor, after consulting the legislative advisory committee, any federal funds received in excess of \$1,915,000 in fiscal year 1974 and \$1,930,000 in fiscal year 1975 shall reduce the state appropriation by a like amount.

Approved Complement - 327

Subd. 2. Supplies and Expense.

1974 . . . \$1,552,800. 1975 . . . \$1,397,600

Notwithstanding any other law to the contrary, not more than \$5,000 annually is appropriated from salary savings to be used for the payment of necessary travel expenses to and from interviews arranged by the department of public welfare, incurred by job applicants for professional, administrative, or highly technical positions recruited by the department of public welfare.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Notwithstanding any state law to the contrary, the commissioner of public welfare shall not adjust the budget standards for any categorical aid program in excess of the amount authorized by the legislature, unless federal law or regulation require such action.

The commissioner of public welfare may adopt a bloc grant system for the categorically aided recipients on or after October 1, 1973. In determining the amount of the public assistance grant, the commissioner shall effect a 12 percent increase over the historical average grant.

The commissioner of public welfare shall submit a specific comprehensive plan to the senate finance committee and the house appropriations committee by November 15, 1974, regarding state hospitals, local facilities, and development plans for regions. Such report shall be preceded by a systematic plan for closing and demolishing old or obsolete buildings in the state hospital system, however the preliminary report may be implemented prior to submission, but specific items which are objected to in writing shall not be commenced.

If the total caseload, as estimated, does not materialize in all of the categorical aid programs for which funds are appropriated, the surplus funds shall revert to the general fund.

Funds are provided in the above appropriation for expenses incurred in distributing surplus commodities furnished by the federal government to the counties.

Subd. 3. Mechanized Payment System for the Categorical Aids. 1974... \$1,000,000

Provided that these funds shall be available only if separate legislation passes the 1973 legislature which authorizes the department of public welfare to develop and implement such system.

Subd. 4. Mental Health Research. 1974... \$200,000

Approved Complement - 2

Subd. 5. Mental Health Training Program.

1974... \$93,000

Funds provided by this subdivision may be used for a psychiatric residency training program.

Of the amount appropriated by this subdivision, \$30,000 each year may be used for the employment of additional psychiatrists at state institutions and only such funds as are necessary shall be transferred to those institutions where the psychiatrists are employed.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Approved Complement - 0

Subd. 6. Community Mental Health Centers.

1974 . . . \$5,200,000. 1975 . . . \$5,500,000

Notwithstanding any law to the contrary, no funds provided in this subdivision shall be used for matching that part of salaries paid above the class of persons in comparable positions in the state civil service nor shall any funds provided in this subdivision be used for matching that part of fringe benefits which exceed the fringe benefits provided to employees in the state civil service.

The above funds provide for a 50 percent matching, except for counties affected by subdivision 11, of local community mental health centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

The community mental health centers may accept cases from juvenile courts for diagnostic evaluation.

Approved Complement - 4

Subd. 7. Care and Support of Children Under Guardianship of the Commissioner of Public Welfare

1974 . . . \$716,000. 1975 . . . \$790,000.

Subd. 8. Care, Relief, and Support of Dependent Children, Aged, Blind, Disabled and the Medical Assistance to the Needy Program

1974 . . . \$86,400,000. 1975 . . . \$97,700,000

Provided that \$3,000,000 of the funds appropriated by this subdivision shall be available only if separate legislation is passed by the legislature to provide supplemental payments in the adult categories.

Notwithstanding the provision of any other law, the commissioner of public welfare may utilize the funds, pursuant to the approval of the governor, provided in the above subdivision to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal funds shall be paid equally from state and local funds. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost than if they remained in this program. The

Changes or additions indicated by underline, deletions by ~~strikeout~~.

commissioner shall develop such criteria, selection principles, and other rules so as to carry out the intent of this provision.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to families with dependent children program to meet special needs, as defined by the commissioner of public welfare, exceeds 3.1 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to the blind program to meet special needs, as defined by the commissioner of public welfare, exceeds 3.2 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the old age assistance program to meet special needs, as defined by the commissioner of public welfare, exceeds 2.1 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to the disabled program to meet special needs, as defined by the commissioner of public welfare, exceeds 1.8 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Provided that the amount appropriated for implementation of Minnesota Statutes, Section 245.0313 shall be available only if matched by federal funds. Provided that if the cost of care in state institutions falls below the projections used for implementation of Minnesota Statutes, Section 245.0313, any excess appropriation shall revert to the general fund.

The department of public welfare may promulgate rules and regulations, not inconsistent with federal law or regulation, allowing recipients of medical services to be charged a specified minimum amount toward cost of medical services provided. An amount sufficient to meet anticipated needs for this purpose shall be included as part of the recipient's public assistance grant.

Notwithstanding any law to the contrary, if, due to any court ruling or federal law or regulation, federal financial participation in the aid to families with dependent children program for children

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**

over the age of 18 is conditioned upon the provision of aid to all children otherwise eligible between the ages of 18 and 21, eligibility for children under the aid to families with dependent children program shall cease at the age of 18; provided, however, that if such federal funds become unavailable, aid to families with dependent children shall be provided for children over 18 and under the age of 19 attending high school on a full-time basis, to be paid from state and county funds.

Subd. 9. Administrative Expense on Aging.

1974... \$125,000. 1975... \$125,000.

Provided that the funds appropriated by this subdivision may not be expended unless matched by federal funds.

The use of the funds appropriated herein may include the appropriate matching of federal funds provided programs for the aging for the payment to members of advisory committees required in these programs by federal law, for their actual expenses incurred in performance of their duties.

Subd. 10. Vocational Rehabilitation of the Blind.

1974... \$210,000. 1975... \$210,000.

The sum of \$2,500 each year out of the amount above appropriated shall be paid into the revolving fund established by Laws 1947, Chapter 535, for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into said fund, and all equipment, supplies and expenses for the setting up of such stands to be so operated, shall be paid from said fund.

Subd. 11. Equalize the Cost of Welfare.

1974... \$1,075,000. 1975... \$1,075,000.

All payments from funds appropriated by this subdivision shall be based upon a formula which includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare as indicated in the work sheets of the conference committee which also specify the number of counties that may receive this aid.

Salary expenditures shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Notwithstanding any law to the contrary, initial payments to counties shall be made on or before October 1, 1973, for fiscal year 1974 and on or before October 1, 1974, for fiscal year 1975. Final payments shall be made before October 1 of the following fiscal year.

For the purposes of this act, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: old age assistance, medical assistance to the needy, aid to dependent children, aid to the permanently and totally disabled, aid to the blind, payments to the commissioner of public welfare for care and treatment of patients in state institutions, maintenance relief, medical relief, tuberculosis sanatoria care, hospital charges, maintenance of children not under state guardianship, cost of sundry poor, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any moneys available for welfare purposes to any other county funds, except that a transfer of a surplus in the welfare fund may be made to the road and bridge fund of said county, and except that where funds are otherwise unavailable, a transfer may also be made to the general revenue fund of said county for payment of rent of office space for the county welfare board. Such transfers shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Provided further that such transfer of funds for payment for rent shall not be considered an expenditure for equalization aid reimbursement. Any federal funds received in lieu of taxes because of federal grants shall be available for welfare purposes.

Provided that no county shall receive in excess of 75 percent of its cost of welfare as defined in this subdivision from state funds.

Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers.

Subd. 12. Daytime Activity Centers for the Mentally Retarded. 1974 . . . \$3,650,000

Approved Complement - 1

The above funds provide for a 60 percent matching, except for counties affected by subdivision 11, of local daytime activity centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public

Changes or additions indicated by underline, deletions by ~~strikeout~~.

welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

Subd. 13. Crippled Children Services.

1974... \$600,000. 1975... \$700,000.

Subd. 14. Aid to Counties - Mentally Retarded

1974... \$3,196,900.

Notwithstanding any law to the contrary, this appropriation provides for not more than 70 percent of the cost of care.

Subd. 15. Red Lake Band of Chippewa Indians.

1974... \$130,000. 1975... \$130,000.

Provided that any funds appropriated by this subdivision in excess of the county costs for this purpose shall cancel to the general fund.

Subd. 16. General Relief - Indians

1974... \$363,000. 1975... \$254,000.

Provided further that reimbursements shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.

Subd. 17. Foster Grandparents Program.

1974... \$200,000. 1975... \$200,000.

Five percent of this appropriation may be retained by the *governor's council on aging as a fee for administrative services and expenses, pursuant to Minnesota Statutes 1971, Section 256.976.*

Subd. 18. Aid to Counties - Emotionally Disturbed

1974... \$622,800. 1975... \$678,200.

Subd. 19. Child Care Service Grants.

1974... \$800,000.

Subd. 20. State Hospitals

(a) Current Expense.

1974... \$7,038,800. 1975... \$7,104,900.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

The above appropriation includes funds to provide temporary laundry service for Rice memorial hospital at a charge to be determined by the commissioner of public welfare.

Provided that laundry service shall be furnished without charge to the Willow River camp.

Provided that when equipment expenditures are necessary at the prison laundry, laundry service shall be provided without charge for the prison after the transfer of four positions from the department of corrections to the department of welfare has been accomplished.

Notwithstanding any law to the contrary, the commissioner of public welfare may authorize any state hospital to enter into agreement with other governmental and non-profit health service organizations for participation in "shared service" agreements which would be of mutual benefit to the state, the health service organizations involved and the public. The charges for such services shall be on an actual cost basis and the receipts shall be deposited in the general fund.

So much of the above funds as necessary may be established in a special account in the department of public welfare to pay for special costs relating to the mental health commitment act.

(b) Salaries.

1974... \$46,958,600. 1975... \$46,315,900.

Approved Complement -

July 1, 1973 - 5,410.

January 1, 1975 - 5,250.

June 30, 1975 - 5,167.

Provided that as the population decreases, the supportive staff complement shall be reduced in direct proportion.

Not more than 25 percent of the salary savings occurring as a result of efficiencies in operations may be used for supplies and expense expenditures upon the advance approval of the commissioner of administration.

(c) Special Equipment. 1974... \$451,400.

The commissioner of public welfare shall submit the budgets for the hospitals to the 1975 legislature on an individual hospital basis together with a summary budget.

Changes or additions indicated by underline, deletions by ~~strikeout~~.



Funds are provided in this appropriation for developing a self-injurious behavior program at the Faribault state hospital. Information obtained from other states shall be used in developing this program.

The hospitals enumerated by this subdivision are hereby granted authority to negotiate with sheltered workshops to provide services to the hospitals, provided salary savings are used to pay these costs.

(d) Hospital Care. 1974... \$50,000.

The amount appropriated by this item shall be used to cover the expense of hospital care for patients and inmates furnished in hospitals not under supervision of the commissioner of public welfare. All reimbursements received for such medical services shall be credited to this account and become a part thereof.

Subd. 21. Braille and Sight Saving School.

(a) Current Expense.

1974... \$52,100. 1975... \$53,100.

(b) Salaries. 1974... \$632,000. 1975... \$622,000.

Approved Complement - 73

(c) Regional Library for the Blind.

1974... \$66,400. 1975... \$65,800.

Approved Complement - 6.5

Subd. 22. School for the Deaf

(a) Current Expense.

1974... \$164,200. 1975... \$167,700.

(b) Salaries. 1974... \$1,364,300. 1975... \$1,364,300.

Approved Complement - 150.5

As soon as feasible, the business office of the braille and sight saving school shall be combined with that of the school for the deaf and the complement reduced accordingly.

(c) Gallaudet Students. 1974... \$800. 1975... \$800.

Subd. 23. Gillette State Hospital

(a) Current Expense. 1974... \$339,200. 1975... \$340,700.

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**

(b) Salaries. 1974... \$2,149,000. 1975... \$2,149,000.

Approved Complement - 245.16

(c) Honorarium for Visiting Staff.

1974... \$78,300. 1975... \$78,300.

Subd. 24. Ah-Gwah-Ching Nursing Home

(a) Current Expense.

1974... \$382,900. 1975... \$392,800.

(b) Salaries. 1974... \$2,087,700. 1975... \$2,087,700.

Approved Complement - 271

Subd. 25. Glen Lake State Sanatorium and Oak Terrace Nursing Home.

(a) Current Expense

1974... \$433,600. 1975... \$443,900.

(b) Salaries. 1974... \$2,506,400. 1975... \$2,506,400.

Approved Complement - 297

(c) Central Library Service.

1974... \$12,000. 1975... \$12,000.

Subd. 26. Special Equipment for the Braille and Sight Saving School, School for the Deaf, Gillette State Hospital, Ah-Gwah-Ching Nursing Home, and Glen Lake State Sanatorium and Oak Terrace Nursing Home. 1974... \$122,300.

Any unexpended balances in subdivisions 3, 4, 5, 6, 12, 13, 14, 18, 19, 20(c), 20(d) and 26 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

### Sec. 3. TO THE COMMISSIONER OF CORRECTIONS.

Subdivision 1. Administration

(a) Salaries, supplies and expense.

1974... \$3,385,000. 1975... \$3,374,000.

Approved Complement - 245

The commissioner of corrections is authorized to establish a select committee of 15 to 20 members whose purpose will be to

Changes or additions indicated by underline, deletions by ~~strikeout~~.

review the roles of all Minnesota correctional institutions and to determine which of these institutions should be retained.

The commissioner of corrections is authorized to appoint to this select committee members of the legislature, law enforcement and private citizens or citizen's groups.

The commissioner of corrections is hereby authorized to pay members of the select committee \$25 per diem plus travel expenses pursuant to rules and regulations promulgated by the commissioner of administration and to pay publication expenses for the committee's report. Said report will be submitted to the 1974 legislature by January 2, 1974.

This appropriation includes funds for the operation of the transportation unit.

No new program may be implemented unless a statistical evaluation of its objectives and accomplishments accompanies the development of such program.

Provided that the parole agents shall reside in the various districts of the state in which they are employed during the period for which this appropriation is effective.

This appropriation includes personnel and funds for the expenses of providing supervision for county homes.

Provided that regional supervisors paid from this account may also supervise state parole agents as directed by the commissioner of corrections. Such duties shall not interfere with the supervisor's responsibility under the County Probation Act, Laws 1959, Chapter 698.

(b) County Reimbursement.

1974... \$700,000. 1975... \$700,000.

Provided further that reimbursement to counties as provided by Minnesota Statutes 260.311, Subdivision 5, shall be computed on the basis of 50 percent of the probation officers salary costs only, including fringe benefits, however that part of fringe benefits in excess of those provided for state civil service employees shall not be reimbursable.

Notwithstanding any law to the contrary, no county shall be eligible for the reimbursement aforementioned unless its county probation officers are paid a salary commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which the county probation officers shall be assigned shall be determined by the judge(s) of the

Changes or additions indicated by underline, deletions by ~~strikeout~~.

juvenile court(s) who shall base the decision on length and performance of service of said officer(s). The judges of the juvenile courts shall annually assign their county probation officer(s) to a position on the aforementioned salary scale commensurate with the officer's experience, tenure, and responsibilities and said judges shall file with the county auditor an order setting said county probation officer's salary.

Provided further that reimbursement to counties shall be prorated if the appropriation made in this item is insufficient to pay the cost as provided by Minnesota Statutes, Section 260.311, Subdivision 5.

Provided that time spent by the county probation officer as a court referee shall not qualify for reimbursement from this appropriation.

Subd. 2. Corrections Subsidy Act. 1974... \$1,500,000.

The commissioner of corrections shall select the counties which may participate under the Corrections Subsidy Act after consulting with the appropriate finance committees of the legislature. These funds shall not be expended unless separate legislation is passed by the 1973 legislature authorizing such expenditure.

Subd. 3. Medical and Psychiatric Services.

1974... \$1,500,000.

The amount appropriated by this item shall be used for psychiatric services and to cover the expense of providing secure hospital care for inmates and persons furnished in hospitals not under supervision of the commissioner of corrections. All reimbursements received for such medical services shall be credited to this account and become a part thereof.

The commissioner of corrections may contract with any other state department or agency to obtain psychiatric services for the department of corrections. This appropriation is in addition to funds for psychiatric services provided in the appropriations for the individual institutions.

Approved Complement - 13

Subd. 4. Personnel Training. 1974... \$497,000.

This appropriation includes funds for training of group home parents in county homes.

Subd. 5. Vocational Training. 1974... \$140,000.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

The amount appropriated by this item shall be used for the purpose of providing vocational training of the inmates of institutions under the control of the commissioner of corrections. The commissioner of corrections is hereby authorized and empowered to employ skilled craftsmen to conduct a vocational training program and to instruct such inmates.

Subd. 6. Foster Group Care. 1974... \$1,000,000.

The amount appropriated by this item shall be used for foster group care facilities under the commissioner of corrections and to reimburse counties pursuant to Minnesota Statutes 1971, Section 260.251, Subdivision 1a, provided, however, that such reimbursement to counties shall be prorated if the appropriation is insufficient.

The amounts reimbursed to the counties shall be based upon 50 percent of cost to the counties after federal and state aids, grants or relief programs have been deducted from the costs of said group home operations.

Subd. 7. Work Release and Newgate Programs.

1974... \$360,000.

This appropriation includes \$110,000 for the Newgate program.

Subd. 8. Community Corrections Centers.

1974... \$425,000.

This appropriation includes \$50,000 for community corrections centers on Indian reservations. Rules and regulations shall be developed by the commissioner of corrections for operation of such programs.

Subd. 9. Correctional Institutions.

This appropriation is for the Minnesota state prison, reformatory for men, Minnesota correctional institution for women, state training school for boys, the Willow River camp, Minnesota home school, the Minnesota reception and diagnostic center and Thistle-dew camp.

(a) Current Expense.

1974... \$2,541,900. 1975... \$2,547,800.

(b) Salaries. 1974... \$12,731,000. 1975... \$12,712,500.

Approved Complement - 1,138.75

Changes or additions indicated by underline, deletions by ~~strikeout~~.

(c) Special Equipment. 1974... \$175,000

The academic school program at the state training school for boys and the Minnesota home school shall be conducted on a 12 month basis.

Provided that the appropriate committees on finance of the legislature shall receive a written report of the anticipated expenditures from the prison revolving fund for recreational or vocational equipment not less than 30 days prior to expenditure.

The reception and diagnostic center may be used for training and treatment of persons adjudicated delinquent and committed to the youth conservation commission. The commissioner may also set aside suitable space at other institutions under his control for the study, examination and diagnosis of persons committed to the youth conservation commission, and for temporary detention under the provisions of Minnesota Statutes, Section 260.175.

Provided the youthful offender reception center shall be at the reformatory for men until June 30, 1975.

Subd. 10. Regional Jails, Area Lock-ups, and Detention Centers. 1974... \$550,000.

It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Of the sum of \$800,000 appropriated from the general fund by Laws 1971, Chapter 961, Section 3, Subdivision 12, for regional jails, area lock-ups, and detention centers, the sum of \$381,206 is hereby reappropriated to the commissioner of corrections for the purposes of Laws 1971, Chapter 961, Section 3, Subdivision 12.

Subd. 11. Special Projects. 1974... \$50,000.

This appropriation is intended as the state match for applications for federal grants.

The state auditor is hereby directed to establish whatever accounts the department of corrections deems necessary to expend the funds provided by this subdivision.

Any unexpended balances in subdivisions 1(b), 2, 3, 4, 5, 6, 7, 8, 9(c), 10 and 11 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

**Sec. 4. BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS.**

Subdivision 1. Salaries, supplies and expense.

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**

1974... \$54,600. 1975... \$54,900.

Provided that after July 1, 1974, the commissioner of administration shall not permit the allotment and encumbrance of any funds in excess of the anticipated revenues.

**Sec. 5. ALCOHOL AND DRUG ABUSE.**

Subdivision 1. Administration. 1974... \$330,200.

Subd. 2. Community Grant Programs. 1974... \$2,925,000.

Any unexpended balances in subdivisions 1 and 2 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

**Sec. 6. BOARD OF HEALTH.**

Subdivision 1. Administration.

(a) Salaries. 1974... \$2,592,200. 1975... \$2,607,000.

Approved Complement - 255

Of the amounts provided by this item, \$61,500 for the first year and \$61,500 for the second year are appropriated from the trunk highway fund for highway safety activities and preventive health services for state employees.

(b) Supplies and Expense.

1974... \$627,000. 1975... \$627,000.

Of the amounts provided by this item, \$27,000 for the first year and \$23,400 for the second year are appropriated from the trunk highway fund for highway safety activities and preventive health services for state employees.

Funds are provided in the above appropriation for expenses of the sanitarian advisory council and for the registration and inspection of x-ray and radium sources of ionizing radiations if separate legislation passes during the 1973 session which authorizes such.

All receipts received from the national office of vital statistics for microfilmed transcripts of vital statistics records shall be deposited in and for the benefit of the general fund.

Subd. 2. Mobile Health Clinic.

(a) Salaries, supplies and expense.

1974... \$38,900. 1975... \$39,500.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Approved Complement - 3

**Sec. 7. CORRECTIONS OMBUDSMAN.**

Subdivision 1. Salaries, Supplies and Expense.

1974 . . . \$15,600. 1975 . . . \$93,400.

**Sec. 8. COMMISSIONER OF PUBLIC WELFARE.**

Subdivision 1. Economic opportunity program

1974 . . . \$300,000.

This appropriation shall be available to allocate and to finance operations formerly funded in whole or in part under the Economic Opportunity Act of 1964, Public Law 88-452, as amended; provided that the recipient municipality or other public body shall have expended all funds received under Title II, Section 221 of the Economic Opportunity Act of 1964, as amended, that no agency or program receiving funds hereunder shall receive more than 20 percent annually of the amount of money received under the last year of funding under the Economic Opportunity Act, and provided further that the recipient agency or program certifies that it has appropriated a sum of no less than 50 percent of the amount to be disbursed to the agency or program by the state. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

**Sec. 9. CONTINGENT FOR STATE INSTITUTIONS.**

1974 . . . \$500,000.

The amount appropriated by this item or so much thereof as may be necessary, is to be used for emergency purposes, and for the purchase of food, clothing, drugs, and fuel for any of the institutions or work camps for which an appropriation is herein made. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after consultation with the legislative advisory committee.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Provided that the allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Such adjustments shall be based on the July, 1973, wholesale food price index, but such adjustment shall be prorated if the wholesale food price index adjustment would require funds in excess of this appropriation.

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**



**Sec. 10. EMPLOYEES COMPENSATION.**

1973 . . . \$738,068.78

To be transferred by the state auditor to the department of labor and industry, compensation revolving fund, in payment of obligations incurred by the following state agencies in the amount as indicated:

Public Welfare. \$621,554.03.

Corrections. \$116,514.65.

**Sec. 11. UNEMPLOYMENT COMPENSATION.**

1973 . . . \$39,548.67.

To unemployment compensation fund in reimbursement of unemployment compensation benefits paid for former employees of the following:

Department of Corrections. \$39,548.67

**Sec. 12. CERTAIN FUNDS USED FOR CERTAIN PURPOSES.** Upon the approval of the commissioner of public welfare or the commissioner of corrections as to the institutions under their respective control, the superintendent of any such institution for which an appropriation is made herein may pay out of the current expense appropriation of said institution to any employee thereof, the amount of any property damage sustained by such employee, not in excess of \$250 by reason, or as a result of action of any patient or inmate of such institution.

Except at the state prison and state reformatory, profits accrued by reason of operation of diversified labor accounts may be used at the direction of the superintendent of the institution for the purchase of occupational therapy equipment.

**Sec. 13. APPROVED COMPLEMENT.** Except as otherwise provided herein, whenever an appropriation to any institution or agency for salaries discloses an approved complement, the institution or agency is limited in the employment of the number of full-time equivalent persons indicated by such approved complement. *Part-time and summer student help may be employed with the advance approval of the commissioner of administration, and shall not be included in the approved complement.* Such approved complement, however, does not include employees engaged in repair or construction projects who may be employed only with the advance approval of the commissioner of administration.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory committee meeting. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred.

**Sec. 14. CERTAIN EMPLOYEES.** Provided that none of the moneys appropriated by this act or any other law shall be used to employ maids or personnel with similar domestic duties to work in the residences of any officer or employee of any institution, department, or agency of the state. This provision shall not apply to such persons who pay a fixed monthly fee for board and room and laundry and who obtain their meals from state operated dining rooms.

**Sec. 15. RECEIPTS.** All funds, sums of moneys, or other resources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 1, 2, 7, 8, 9, 10 and 11.

All receipts of said institutions and activities carried on under the direction of said commissioners of public welfare and corrections shall be deposited in and for the benefit of the general fund, provided, however, that this shall not apply to revolving funds now established in institutions under the control of said commissioner; and provided further that this shall not apply to receipts from the operation of patients' and inmates' stores and vending machines, which shall be deposited in the social welfare fund in each institution for the benefit of the patients and inmates; and provided further that this shall not apply to money received in payment for services of inmate labor employed in the industries carried on in the state reformatory for men, state reformatory for women, and state prison, which receipts shall be credited to the current expense fund of said institutions.

**Sec. 16. COMMISSARY AND QUARTER ALLOWANCE.** No commissary privileges, including food, laundry service, and household supplies, shall be furnished to any person in staff residences or apartments from appropriations made by this act.

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**

The director of civil service is hereby directed to increase the salaries of the adult correctional institutions heads \$150 per month, \$75 per month for correctional camps heads, and \$150 per month for physicians employed in institutions, above the normal adjustment to be made in salaries on or after July 1, 1973. The commissioner of administration is hereby directed to charge a fair rental rate which includes utility costs to any of the above persons who reside on the grounds.

Quarters and a stipend allowance of not to exceed \$150 per month may be authorized by the commissioner of welfare for medical students and physicians fellows.

Notwithstanding any provision in Minnesota Statutes, Section 246.02, to the contrary, maintenance including food, laundry service, and household supplies shall not be furnished to any officer including, but not limited to, the chief executive officers of the state prison and reformatories.

Sec. 17. **PROVISIONS.** Moneys appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferences of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which appropriated. Except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory committee, whose opinion shall be advisory only.

Sec. 18. **FEDERAL GRANTS.** Grants in aid now or hereafter received from the federal government for any welfare, assistance or relief program or for administration under the jurisdiction of the department of public welfare shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of public welfare in the appropriate account upon certification of the commissioner of public welfare that the amounts so requested to be transferred have been earned or are required for the purposes and programs intended. Moneys received by such federal grant fund need not be budgeted as such, provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriations.

The department of public welfare is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants or aids. Any grants or aids thus secured or received are

Changes or additions indicated by underline, deletions by ~~strikeout~~.

hereby appropriated to said department of public welfare and made available for the uses and purposes for which it was received but shall be used to reduce the appropriations herein before provided unless federal law prohibits such action or unless the commissioner of public welfare obtains approval of the governor who shall seek the advice of the legislative advisory committee.

Grants now or hereafter received from the federal government for any vocational training program or for administration under the jurisdiction of the department of corrections shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of corrections in the appropriate account upon certification of the commissioner of corrections that the amounts so requested to be transferred have been earned or are required for the purposes and program intended. Moneys received by such federal grant fund need not be budgeted as such provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriation.

**Sec. 19. BUDGETARY CONTROL.** The budgetary control as provided in Minnesota Statutes, Chapter 16, shall extend to and apply to all appropriations herein made available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

All state departments, bureaus, agencies or divisions, operating under Minnesota Statutes, Chapter 16, financed by funds appropriated or receipts or fees of any nature whatsoever, when making requests or preparing budgets to be submitted to the federal government in support of or in request of funds, equipment, materials, or services, from the federal government shall, upon completion of such request or budget, first submit it to the commissioner of administration. The commissioner of administration shall have authority to approve, disapprove, modify, or amend any such request or budget before submitting it to the proper federal authority. When such federal authority has approved such request or budget, the state agency shall resubmit it to the commissioner of administration for recording before any allotment or encumbrance of the federal funds can be made.

**Sec. 20. UNOBLIGATED BALANCES.** The unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts for which an appropriation is herein made out of the general fund, or has heretofore been made, are hereby cancelled into the general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

The provisions of this section shall not apply to aid, contributions, or reimbursements received from the federal government by the state or boxing tax receipts transferred to the department of public welfare by the authority of Laws 1945, Chapter 245, and all such federal aid, contributions or reimbursements, and boxing tax receipts are hereby reappropriated for the purpose of supplementing the appropriation herein provided and shall be added to the maximums of the several accounts herein designated.

**Sec. 21. TRANSFER OF FUNDS.** (a) The commissioner of public welfare by direction of the governor after consulting with the legislative advisory committee may transfer unobligated appropriation balances between the various accounts appropriated under section 2, subdivisions 7, 8 and 10, and also between the various accounts appropriated under section 2, subdivisions 6, 12, 14, 18, 20a and 20b. Provided further that if the appropriation under section 2, subdivision 8 should be insufficient for either year, then the appropriation for the other year shall be available therefor by direction of the governor after consulting with the legislative advisory committee.

(b) Unless the 1973 legislature enacts legislation to the contrary, authority is hereby granted to the commissioner of corrections to transfer appropriations between all subdivisions of section 3, except for subdivision 1a. in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Of the appropriation provided by section 3, subdivision 1a, funds may be transferred from this appropriation to other appropriations in section 3, but in no case may transfers from the other appropriations in section 3 be made to section 3, subdivision 1a. Such transfers shall be made with the written approval of the governor after consulting with the legislative advisory committee.

**Sec. 22. TRANSFER OF PERSONNEL.** (a) Notwithstanding any other law to the contrary, the commissioner of public welfare shall transfer authorized positions between institutions under his control in order to properly staff the institutions, taking into account the differences between programs in each institution.

(b) Notwithstanding any other law to the contrary, the commissioner of corrections may transfer authorized positions between programs subject to the restrictions imposed by section 20b.

**Sec. 23. [43.051] Subd. 2a. COMPULSORY RETIREMENT EXCLUSION.** Notwithstanding any provision of laws to the contrary, a physician in the classified or unclassified state service may, upon reaching the age of 70 years continue to be employed in the department of health, subject to annual certification by the state board of health.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Sec. 24. [62A.081] **PAYMENTS TO FACILITIES OPERATED BY STATE OR LOCAL GOVERNMENT.** Every group or individual policy of accident and sickness insurance issued or renewed after the effective date of this section regulated by Minnesota Statutes, Chapter 62A, and every group or individual service plan or subscriber contract issued or renewed after the effective date of this section regulated by Minnesota Statutes, Chapter 62C, providing care or payment for care in this state, shall provide payments for services rendered by a hospital or medical facility owned or operated by, or on behalf of, the state or any unit of local government, or practitioners therein, on the same basis as are made for like care in other facilities. The unit of government concerned may maintain an action for recovery of such payments.

Sec. 25. **CONSOLIDATION OF WELFARE AND CORRECTIONS INSTITUTIONS, PERSONNEL.** Notwithstanding any law to the contrary, when institutions of the department of public welfare or the department of corrections are consolidated, the director of civil service and the commissioner of administration shall direct the department incorporating the consolidation and all other departments of the state of Minnesota to employ the affected employees at no loss in salary.

The director of civil service is hereby directed to temporarily suspend any rules, regulations, or laws to accommodate these provisions. Any department which employs any of the affected employees is authorized to temporarily exceed its approved complement. The commissioner of administration shall develop procedures to insure that the moving expenses are reimbursed for those employees who relocate pursuant to the consolidation.

Approved May 24, 1973.

---

#### CHAPTER 766—H.F.No.2303

*An act relating to certain industries regulated by the department of public service; fees for certain motor carriers and livestock buyers and agents; amending Minnesota Statutes 1971, Sections 221.131; 221.296, Subdivision 5; 221.64; and 239.18, Subdivision 3.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1971, Section 221.131, is amended to read:

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**