

1.1 A bill for an act

1.2 relating to state government; regulating certain public health fees, certain special
1.3 revenue funds, and food support for children with severe allergies; providing
1.4 adjustments to various health and human services appropriations; appropriating
1.5 money; amending Minnesota Statutes 2008, sections 214.06, by adding a
1.6 subdivision; 214.40, subdivision 7; Minnesota Statutes 2009 Supplement,
1.7 sections 157.16, subdivision 3; 327.15, subdivision 3; Laws 2009, chapter 79,
1.8 article 13, sections 3, subdivision 4, as amended; 5, subdivision 8, as amended.

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

1.10 **ARTICLE 1**

1.11 **PUBLIC HEALTH**

1.12 Section 1. Minnesota Statutes 2009 Supplement, section 157.16, subdivision 3, is
1.13 amended to read:

1.14 Subd. 3. **Establishment fees; definitions.** (a) The following fees are required
1.15 for food and beverage service establishments, youth camps, hotels, motels, lodging
1.16 establishments, public pools, and resorts licensed under this chapter. Food and beverage
1.17 service establishments must pay the highest applicable fee under paragraph (d), clause
1.18 (1), (2), (3), or (4), and establishments serving alcohol must pay the highest applicable
1.19 fee under paragraph (d), clause (6) or (7). The license fee for new operators previously
1.20 licensed under this chapter for the same calendar year is one-half of the appropriate annual
1.21 license fee, plus any penalty that may be required. The license fee for operators opening
1.22 on or after October 1 is one-half of the appropriate annual license fee, plus any penalty
1.23 that may be required.

2.1 (b) All food and beverage service establishments, except special event food stands,
2.2 and all hotels, motels, lodging establishments, public pools, and resorts shall pay an
2.3 annual base fee of \$150.

2.4 (c) A special event food stand shall pay a flat fee of \$50 annually. "Special event
2.5 food stand" means a fee category where food is prepared or served in conjunction with
2.6 celebrations, county fairs, or special events from a special event food stand as defined
2.7 in section 157.15.

2.8 (d) In addition to the base fee in paragraph (b), each food and beverage service
2.9 establishment, other than a special event food stand, and each hotel, motel, lodging
2.10 establishment, public pool, and resort shall pay an additional annual fee for each fee
2.11 category, additional food service, or required additional inspection specified in this
2.12 paragraph:

2.13 (1) Limited food menu selection, \$60. "Limited food menu selection" means a fee
2.14 category that provides one or more of the following:

2.15 (i) prepackaged food that receives heat treatment and is served in the package;

2.16 (ii) frozen pizza that is heated and served;

2.17 (iii) a continental breakfast such as rolls, coffee, juice, milk, and cold cereal;

2.18 (iv) soft drinks, coffee, or nonalcoholic beverages; or

2.19 (v) cleaning for eating, drinking, or cooking utensils, when the only food served
2.20 is prepared off site.

2.21 (2) Small establishment, including boarding establishments, \$120. "Small
2.22 establishment" means a fee category that has no salad bar and meets one or more of
2.23 the following:

2.24 (i) possesses food service equipment that consists of no more than a deep fat fryer, a
2.25 grill, two hot holding containers, and one or more microwave ovens;

2.26 (ii) serves dipped ice cream or soft serve frozen desserts;

2.27 (iii) serves breakfast in an owner-occupied bed and breakfast establishment;

2.28 (iv) is a boarding establishment; or

2.29 (v) meets the equipment criteria in clause (3), item (i) or (ii), and has a maximum
2.30 patron seating capacity of not more than 50.

2.31 (3) Medium establishment, \$310. "Medium establishment" means a fee category
2.32 that meets one or more of the following:

2.33 (i) possesses food service equipment that includes a range, oven, steam table, salad
2.34 bar, or salad preparation area;

2.35 (ii) possesses food service equipment that includes more than one deep fat fryer,
2.36 one grill, or two hot holding containers; or

3.1 (iii) is an establishment where food is prepared at one location and served at one or
3.2 more separate locations.

3.3 Establishments meeting criteria in clause (2), item (v), are not included in this fee
3.4 category.

3.5 (4) Large establishment, \$540. "Large establishment" means either:

3.6 (i) a fee category that (A) meets the criteria in clause (3), items (i) or (ii), for a
3.7 medium establishment, (B) seats more than 175 people, and (C) offers the full menu
3.8 selection an average of five or more days a week during the weeks of operation; or

3.9 (ii) a fee category that (A) meets the criteria in clause (3), item (iii), for a medium
3.10 establishment, and (B) prepares and serves 500 or more meals per day.

3.11 (5) Other food and beverage service, including food carts, mobile food units,
3.12 seasonal temporary food stands, and seasonal permanent food stands, \$60.

3.13 (6) Beer or wine table service, \$60. "Beer or wine table service" means a fee
3.14 category where the only alcoholic beverage service is beer or wine, served to customers
3.15 seated at tables.

3.16 (7) Alcoholic beverage service, other than beer or wine table service, \$165.

3.17 "Alcohol beverage service, other than beer or wine table service" means a fee
3.18 category where alcoholic mixed drinks are served or where beer or wine are served from
3.19 a bar.

3.20 (8) Lodging per sleeping accommodation unit, \$10, including hotels, motels,
3.21 lodging establishments, and resorts, up to a maximum of \$1,000. "Lodging per sleeping
3.22 accommodation unit" means a fee category including the number of guest rooms, cottages,
3.23 or other rental units of a hotel, motel, lodging establishment, or resort; or the number of
3.24 beds in a dormitory.

3.25 (9) First public pool, \$325; each additional public pool, \$175. "Public pool" means a
3.26 fee category that has the meaning given in section 144.1222, subdivision 4.

3.27 (10) First spa, \$175; each additional spa, \$100. "Spa pool" means a fee category that
3.28 has the meaning given in Minnesota Rules, part 4717.0250, subpart 9.

3.29 (11) Private sewer or water, \$60. "Individual private water" means a fee category
3.30 with a water supply other than a community public water supply as defined in Minnesota
3.31 Rules, chapter 4720. "Individual private sewer" means a fee category with an individual
3.32 sewage treatment system which uses subsurface treatment and disposal.

3.33 (12) Additional food service, \$150. "Additional food service" means a location at
3.34 a food service establishment, other than the primary food preparation and service area,
3.35 used to prepare or serve food to the public.

4.1 (13) Additional inspection fee, \$360. "Additional inspection fee" means a fee to
 4.2 conduct the second inspection each year for elementary and secondary education facility
 4.3 school lunch programs when required by the Richard B. Russell National School Lunch
 4.4 Act.

4.5 (e) A fee for review of construction plans must accompany the initial license
 4.6 application for restaurants, hotels, motels, lodging establishments, resorts, seasonal food
 4.7 stands, and mobile food units. The fee for this construction plan review is as follows:

4.8	Service Area	Type	Fee
4.9	Food	limited food menu	\$275
4.10		small establishment	\$400
4.11		medium establishment	\$450
4.12		large food establishment	\$500
4.13		additional food service	\$150
4.14	Transient food service	food cart	\$250
4.15		seasonal permanent food stand	\$250
4.16		seasonal temporary food stand	\$250
4.17		mobile food unit	\$350
4.18	Alcohol	beer or wine table service	\$150
4.19		alcohol service from bar	\$250
4.20	Lodging	less than 25 rooms	\$375
4.21		25 to less than 100 rooms	\$400
4.22		100 rooms or more	\$500
4.23		less than five cabins	\$350
4.24		five to less than ten cabins	\$400
4.25		ten cabins or more	\$450

4.26 (f) When existing food and beverage service establishments, hotels, motels, lodging
 4.27 establishments, resorts, seasonal food stands, and mobile food units are extensively
 4.28 remodeled, a fee must be submitted with the remodeling plans. The fee for this
 4.29 construction plan review is as follows:

4.30	Service Area	Type	Fee
4.31	Food	limited food menu	\$250
4.32		small establishment	\$300
4.33		medium establishment	\$350
4.34		large food establishment	\$400
4.35		additional food service	\$150
4.36	Transient food service	food cart	\$250
4.37		seasonal permanent food stand	\$250
4.38		seasonal temporary food stand	\$250
4.39		mobile food unit	\$250
4.40	Alcohol	beer or wine table service	\$150
4.41		alcohol service from bar	\$250

5.1	Lodging	less than 25 rooms	\$250
5.2		25 to less than 100 rooms	\$300
5.3		100 rooms or more	\$450
5.4		less than five cabins	\$250
5.5		five to less than ten cabins	\$350
5.6		ten cabins or more	\$400

5.7 (g) Special event food stands are not required to submit construction or remodeling
5.8 plans for review.

5.9 (h) Youth camps shall pay an annual single fee for food and lodging as follows:

5.10 (1) camps with up to 99 campers, \$325;

5.11 (2) camps with 100 to 199 campers, \$550; and

5.12 (3) camps with 200 or more campers, \$750.

5.13 (i) A youth camp which pays fees under paragraph (d) is not required to pay fees
5.14 under paragraph (h).

5.15 Sec. 2. Minnesota Statutes 2008, section 214.06, is amended by adding a subdivision
5.16 to read:

5.17 Subd. 4. **Fee revenues.** (a) All revenue collected by each health-related licensing
5.18 board is deposited into a health-related licensing boards dedicated account in the state
5.19 government special revenue fund. All money in the health-related licensing boards account
5.20 is annually appropriated to the health-related licensing boards. The current accumulated
5.21 fund balance in the state government special revenue fund health-related licensing boards
5.22 account will be transferred to the health-related licensing boards dedicated account.

5.23 (b) The health-related licensing boards must report to the legislature detailed
5.24 spending and revenue reports by September 1 of each year for the previous fiscal year, and
5.25 make the reports available to the public on the boards' Web sites.

5.26 **EFFECTIVE DATE.** This section is effective July 1, 2011.

5.27 Sec. 3. Minnesota Statutes 2009 Supplement, section 327.15, subdivision 3, is
5.28 amended to read:

5.29 Subd. 3. **Fees, manufactured home parks and recreational camping areas.** (a)

5.30 The following fees are required for manufactured home parks and recreational camping
5.31 areas licensed under this chapter. Recreational camping areas and manufactured home
5.32 parks shall pay the highest applicable base fee under paragraph ~~(c)~~ (b). The license fee

5.33 for new operators of a manufactured home park or recreational camping area previously
5.34 licensed under this chapter for the same calendar year is one-half of the appropriate annual

6.1 license fee, plus any penalty that may be required. The license fee for operators opening
6.2 on or after October 1 is one-half of the appropriate annual license fee, plus any penalty
6.3 that may be required.

6.4 (b) All manufactured home parks and recreational camping areas shall pay the
6.5 following annual base fee:

6.6 (1) a manufactured home park, \$150; and

6.7 (2) a recreational camping area with:

6.8 (i) 24 or less sites, \$50;

6.9 (ii) 25 to 99 sites, \$212; and

6.10 (iii) 100 or more sites, \$300.

6.11 In addition to the base fee, manufactured home parks and recreational camping areas shall
6.12 pay \$4 for each licensed site. This paragraph does not apply to special event recreational
6.13 camping areas ~~or to~~. Operators of a manufactured home park or a recreational camping
6.14 area also licensed under section 157.16 for the same location shall pay only one base fee,
6.15 whichever is the highest of the base fees found in this section or section 157.16.

6.16 (c) In addition to the fee in paragraph (b), each manufactured home park or
6.17 recreational camping area shall pay an additional annual fee for each fee category
6.18 specified in this paragraph:

6.19 (1) Manufactured home parks and recreational camping areas with public swimming
6.20 pools and spas shall pay the appropriate fees specified in section 157.16.

6.21 (2) Individual private sewer or water, \$60. "Individual private water" means a fee
6.22 category with a water supply other than a community public water supply as defined in
6.23 Minnesota Rules, chapter 4720. "Individual private sewer" means a fee category with a
6.24 subsurface sewage treatment system which uses subsurface treatment and disposal.

6.25 (d) The following fees must accompany a plan review application for initial
6.26 construction of a manufactured home park or recreational camping area:

6.27 (1) for initial construction of less than 25 sites, \$375;

6.28 (2) for initial construction of 25 to 99 sites, \$400; and

6.29 (3) for initial construction of 100 or more sites, \$500.

6.30 (e) The following fees must accompany a plan review application when an existing
6.31 manufactured home park or recreational camping area is expanded:

6.32 (1) for expansion of less than 25 sites, \$250;

6.33 (2) for expansion of 25 to 99 sites, \$300; and

6.34 (3) for expansion of 100 or more sites, \$450.

6.35 **Sec. 4. FOOD SUPPORT FOR CHILDREN WITH SEVERE ALLERGIES.**

7.1 The commissioner of human services must seek a federal waiver from the federal
 7.2 Department of Agriculture, Food and Nutrition Service, for the supplemental nutrition
 7.3 assistance program, to increase the income eligibility requirements to 375 percent of the
 7.4 federal poverty guidelines, in order to cover nutritional food products required to treat
 7.5 or manage severe food allergies, including allergies to wheat and gluten, for infants and
 7.6 children who have been diagnosed with life-threatening severe food allergies.

7.7 **ARTICLE 2**

7.8 **HEALTH AND HUMAN SERVICES APPROPRIATIONS**

7.9 Section 1. **SUMMARY OF APPROPRIATIONS.**

7.10 The amounts shown in this section summarize direct appropriations, by fund, made
 7.11 in this article.

	<u>2010</u>	<u>2011</u>	<u>Total</u>
7.12			
7.13 <u>General</u>	\$ <u>(269,000)</u>	\$ <u>(554,000)</u>	\$ <u>(823,000)</u>
7.14 <u>State Government Special</u>			
7.15 <u>Revenue</u>	<u>(301,000)</u>	<u>(442,000)</u>	<u>(743,000)</u>
7.16 <u>Total</u>	<u>\$ (570,000)</u>	<u>\$ (996,000)</u>	<u>(1,566,000)</u>

7.17 Sec. 2. **HEALTH AND HUMAN SERVICES APPROPRIATIONS.**

7.18 The sums shown in the columns marked "Appropriations" are added to or, if shown
 7.19 in parentheses, subtracted from the appropriations in Laws 2009, chapter 79, article 13,
 7.20 as amended by Laws 2009, chapter 173, article 2, to the agencies and for the purposes
 7.21 specified in this article. The appropriations are from the general fund and are available
 7.22 for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in
 7.23 this article mean that the addition to or subtraction from the appropriation listed under
 7.24 them is available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively.
 7.25 Supplemental appropriations and reductions to appropriations for the fiscal year ending
 7.26 June 30, 2010, are effective the day following final enactment unless a different effective
 7.27 date is explicit.

7.28 **APPROPRIATIONS**
 7.29 **Available for the Year**
 7.30 **Ending June 30**
 7.31 **2010** **2011**

7.32 Sec. 3. **COMMISSIONER OF HUMAN**
 7.33 **SERVICES**

7.34 <u>Other Children and Economic Assistance</u>		
7.35 <u>Grants</u>	<u>-0-</u>	<u>63,000</u>

8.1 This appropriation is for food shelf programs
 8.2 under Minnesota Statutes, section 256E.34.

8.3 **Sec. 4. COMMISSIONER OF HEALTH**

		<u>APPROPRIATIONS</u>	
		<u>Available for the Year</u>	
		<u>Ending June 30</u>	
		<u>2010</u>	<u>2011</u>
8.8	<u>Subdivision 1. Total Appropriation</u>	\$ (595,000)	\$ (426,000)

	<u>Appropriations by Fund</u>		
	<u>2010</u>	<u>2011</u>	
8.11	<u>General</u>	(595,000)	(426,000)

8.12 **Subd. 2. Community and Family Health**

	<u>Appropriations by Fund</u>		
	<u>2010</u>	<u>2011</u>	
8.15	<u>General</u>	(221,000)	(121,000)

8.16 **Base Level Adjustment.** The general fund
 8.17 base is reduced by \$31,000 in fiscal year
 8.18 2012 and by \$31,000 in fiscal year 2013.

8.19 **Subd. 3. Health Protection**

	<u>Appropriations by Fund</u>		
	<u>2010</u>	<u>2011</u>	
8.22	<u>General</u>	(374,000)	(205,000)

8.23 **Lead Base Grant Program.** Of the general
 8.24 fund reduction, \$25,000 in fiscal year 2010
 8.25 and fiscal year 2011 is for the elimination
 8.26 of state funding for the temporary lead-safe
 8.27 housing base grant program.

8.28 **Base Adjustment.** The general fund base is
 8.29 decreased by \$100,000 in fiscal year 2012
 8.30 and \$100,000 in fiscal year 2013.

8.31	<u>Subd. 4. Administrative Support Services</u>	-0-	(100,000)
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8.32 **Sec. 5. HEALTH-RELATED BOARDS**

8.33	<u>Subdivision 1. Total Appropriation</u>	\$ (288,000)	\$ (421,000)
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9.1 The appropriations and reductions in this
 9.2 section are from the state government special
 9.3 revenue fund.

9.4 In fiscal year 2010, \$301,000 shall be
 9.5 transferred from the state government special
 9.6 revenue fund to the general fund. In fiscal
 9.7 year 2011, \$442,000 shall be transferred from
 9.8 the state government special revenue fund
 9.9 to the general fund. These transfers are in
 9.10 addition to those made in Laws 2009, chapter
 9.11 79, article 13, section 5, as amended by Laws
 9.12 2009, chapter 173, article 2, section 3.

9.13 The reductions and transfers in this section
 9.14 are onetime in the fiscal year 2010-2011
 9.15 biennium.

9.16 The appropriations and reductions for
 9.17 each purpose are shown in the following
 9.18 subdivisions.

9.19	<u>Subd. 2. Board of Chiropractic Examiners</u>	<u>(9,000)</u>	<u>(14,000)</u>
9.20	<u>Subd. 3. Board of Dentistry</u>	<u>(21,000)</u>	<u>(31,000)</u>
9.21	<u>Subd. 4. Board of Dietetic and Nutrition</u>		
9.22	<u>Practice</u>	<u>(2,000)</u>	<u>(3,000)</u>
9.23	<u>Subd. 5. Board of Marriage and Family</u>		
9.24	<u>Therapy</u>	<u>(2,000)</u>	<u>(4,000)</u>
9.25	<u>Subd. 6. Board of Medical Practice</u>	<u>(73,000)</u>	<u>(112,000)</u>
9.26	<u>Subd. 7. Board of Nursing</u>	<u>(62,000)</u>	<u>(100,000)</u>
9.27	<u>Subd. 8. Board of Nursing Home</u>		
9.28	<u>Administrators</u>	<u>(36,000)</u>	<u>(31,000)</u>
9.29	<u>(a) Administrative Services</u>		
9.30	<u>Unit-Operating Costs</u>	<u>(11,000)</u>	<u>(16,000)</u>
9.31	<u>(b) Administrative Services</u>		
9.32	<u>Unit-Retirement Costs</u>	<u>(5,000)</u>	<u>-0-</u>

10.1	<u>(c) Administrative Services</u>			
10.2	<u>Unit-Volunteer Health Care</u>			
10.3	<u>Provider Program</u>		<u>(1,000)</u>	<u>(3,000)</u>
10.4	<u>(d) Administrative Services</u>			
10.5	<u>Unit-Contested Cases and</u>			
10.6	<u>Other Legal Proceedings</u>		<u>(15,000)</u>	<u>(6,000)</u>
10.7	<u>Subd. 9. Board of Optometry</u>		<u>(2,000)</u>	<u>(3,000)</u>
10.8	<u>Subd. 10. Board of Pharmacy</u>		<u>(28,000)</u>	<u>(42,000)</u>
10.9	<u>Subd. 11. Board of Physical Therapy</u>		<u>(6,000)</u>	<u>(9,000)</u>
10.10	<u>Subd. 12. Board of Podiatry</u>		<u>(1,000)</u>	<u>(2,000)</u>
10.11	<u>Subd. 13. Board of Psychology</u>		<u>(16,000)</u>	<u>(24,000)</u>
10.12	<u>Subd. 14. Board of Social Work</u>		<u>(18,000)</u>	<u>(28,000)</u>
10.13	<u>Subd. 15. Board of Veterinary Medicine</u>		<u>(4,000)</u>	<u>(6,000)</u>
10.14	<u>Subd. 16. Board of Behavioral Health and</u>			
10.15	<u>Therapy</u>		<u>(8,000)</u>	<u>(12,000)</u>
10.16	<u>Sec. 6. EMERGENCY MEDICAL SERVICES</u>			
10.17	<u>BOARD</u>		<u>348,000</u>	<u>(154,000)</u>
10.18	<u>Appropriations by Fund</u>			
10.19		<u>2010</u>	<u>2011</u>	
10.20	<u>General</u>	<u>361,000</u>	<u>(133,000)</u>	
10.21	<u>State Government</u>			
10.22	<u>Special Revenue</u>	<u>(13,000)</u>	<u>(21,000)</u>	
10.23	<u>(a) Longevity Award and Incentive Program</u>		<u>(19,000)</u>	<u>(19,000)</u>
10.24	<u>(b) Health Professional Services Program</u>		<u>(13,000)</u>	<u>(21,000)</u>
10.25	<u>This reduction is from the state government</u>			
10.26	<u>special revenue fund and is onetime in the</u>			
10.27	<u>2010-2011 biennium.</u>			
10.28	<u>Emergency Medical Services Relief</u>			
10.29	<u>Transfer.</u> \$10,000 in fiscal year 2010			
10.30	<u>and \$24,000 in fiscal year 2011 shall be</u>			
10.31	<u>transferred to the general fund from the</u>			
10.32	<u>portion of the emergency medical services</u>			
10.33	<u>relief account in the special revenue fund</u>			
10.34	<u>otherwise designated for distribution by</u>			
10.35	<u>the Emergency Medical Services Board</u>			

11.1 under Minnesota Statutes, section 169.686,
 11.2 subdivision 3. These transfers are onetime in
 11.3 the 2010-2011 biennium.

11.4 Sec. 7. COUNCIL ON DISABILITY \$ (-0-) \$ (-0-)

11.5 Sec. 8. OMBUDSMAN FOR MENTAL
 11.6 HEALTH AND DEVELOPMENTAL
 11.7 DISABILITIES \$ (31,000) \$ (50,000)

11.8 Sec. 9. OMBUDSPERSON FOR FAMILIES \$ (4,000) \$ (8,000)

11.9 Sec. 10. Minnesota Statutes 2008, section 214.40, subdivision 7, is amended to read:

11.10 Subd. 7. **Medical professional liability insurance.** (a) Within the limit of funds
 11.11 appropriated for this program, the administrative services unit must purchase medical
 11.12 professional liability insurance, if available, for a health care provider who is registered in
 11.13 accordance with subdivision 4 and who is not otherwise covered by a medical professional
 11.14 liability insurance policy or self-insured plan either personally or through another facility
 11.15 or employer. The administrative services unit is authorized to prorate payments or
 11.16 otherwise limit the number of participants in the program if the costs of the insurance for
 11.17 eligible providers exceed the funds appropriated for the program.

11.18 (b) Coverage purchased under this subdivision must be limited to the provision of
 11.19 health care services performed by the provider for which the provider does not receive
 11.20 direct monetary compensation.

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

11.22 Sec. 11. Laws 2009, chapter 79, article 13, section 3, subdivision 4, as amended by
 11.23 Laws 2009, chapter 173, article 2, section 1, subdivision 4, is amended to read:

11.24 Subd. 4. **Children and Economic Assistance**
 11.25 **Grants**

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

11.28 **(a) MFIP/DWP Grants**

Appropriations by Fund			
11.29			
11.30	General	63,205,000	89,033,000
11.31	Federal TANF	100,818,000	84,538,000

12.1 **(b) Support Services Grants**

12.2	Appropriations by Fund	
12.3	General	8,715,000 12,498,000
12.4	Federal TANF	116,557,000 107,457,000

12.5 **MFIP Consolidated Fund.** The MFIP
12.6 consolidated fund TANF appropriation is
12.7 reduced by \$1,854,000 in fiscal year 2010
12.8 and fiscal year 2011.

12.9 Notwithstanding Minnesota Statutes, section
12.10 256J.626, subdivision 8, paragraph (b), the
12.11 commissioner shall reduce proportionately
12.12 the reimbursement to counties for
12.13 administrative expenses.

12.14 **Subsidized Employment Funding Through**
12.15 **ARRA.** The commissioner is authorized to
12.16 apply for TANF emergency fund grants for
12.17 subsidized employment activities. Growth
12.18 in expenditures for subsidized employment
12.19 within the supported work program and the
12.20 MFIP consolidated fund over the amount
12.21 expended in the calendar quarters in the
12.22 TANF emergency fund base year shall be
12.23 used to leverage the TANF emergency fund
12.24 grants for subsidized employment and to
12.25 fund supported work. The commissioner
12.26 shall develop procedures to maximize
12.27 reimbursement of these expenditures over the
12.28 TANF emergency fund base year quarters,
12.29 and may contract directly with employers
12.30 and providers to maximize these TANF
12.31 emergency fund grants.

12.32 **Supported Work.** Of the TANF
12.33 appropriation, \$4,700,000 in fiscal year 2010
12.34 and \$4,700,000 in fiscal year 2011 are to the
12.35 commissioner for supported work for MFIP

13.1 recipients and is available until expended.
13.2 Supported work includes paid transitional
13.3 work experience and a continuum of
13.4 employment assistance, including outreach
13.5 and recruitment, program orientation
13.6 and intake, testing and assessment, job
13.7 development and marketing, preworksite
13.8 training, supported worksite experience,
13.9 job coaching, and postplacement follow-up,
13.10 in addition to extensive case management
13.11 and referral services. This is a onetime
13.12 appropriation.

13.13 **Base Adjustment.** The general fund base
13.14 is reduced by \$3,783,000 in each of fiscal
13.15 years 2012 and 2013. The TANF fund base
13.16 is increased by \$5,004,000 in each of fiscal
13.17 years 2012 and 2013.

13.18 **Integrated Services Program Funding.**
13.19 The TANF appropriation for integrated
13.20 services program funding is \$1,250,000 in
13.21 fiscal year 2010 and \$0 in fiscal year 2011
13.22 and the base for fiscal years 2012 and 2013
13.23 is \$0.

13.24 **TANF Emergency Fund; Nonrecurrent**
13.25 **Short-Term Benefits.** TANF emergency
13.26 contingency fund grants received due to
13.27 increases in expenditures for nonrecurrent
13.28 short-term benefits must be used to offset the
13.29 increase in these expenditures for counties
13.30 under the MFIP consolidated fund, under
13.31 Minnesota Statutes, section 256J.626,
13.32 and the diversionary work program. The
13.33 commissioner shall develop procedures
13.34 to maximize reimbursement of these
13.35 expenditures over the TANF emergency fund

14.1 base year quarters. Growth in expenditures
14.2 for the diversionary work program over the
14.3 amount expended in the calendar quarters in
14.4 the TANF emergency fund base year shall be
14.5 used to leverage these funds.

14.6 **(c) MFIP Child Care Assistance Grants** 61,171,000 65,214,000

14.7 **Acceleration of ARRA Child Care and**
14.8 **Development Fund Expenditure.** The
14.9 commissioner must liquidate all child care
14.10 and development money available under
14.11 the American Recovery and Reinvestment
14.12 Act (ARRA) of 2009, Public Law 111-5,
14.13 by September 30, 2010. In order to expend
14.14 those funds by September 30, 2010, the
14.15 commissioner may redesignate and expend
14.16 the ARRA child care and development funds
14.17 appropriated in fiscal year 2011 for purposes
14.18 under this section for related purposes that
14.19 will allow liquidation by September 30,
14.20 2010. Child care and development funds
14.21 otherwise available to the commissioner
14.22 for those related purposes shall be used to
14.23 fund the purposes from which the ARRA
14.24 child care and development funds had been
14.25 redesignated.

14.26 **School Readiness Service Agreements.**
14.27 \$400,000 in fiscal year 2010 and \$400,000
14.28 in fiscal year 2011 are from the federal
14.29 TANF fund to the commissioner of human
14.30 services consistent with federal regulations
14.31 for the purpose of school readiness service
14.32 agreements under Minnesota Statutes,
14.33 section 119B.231. This is a onetime
14.34 appropriation. Any unexpended balance the
14.35 first year is available in the second year.

15.1	(d) Basic Sliding Fee Child Care Assistance		
15.2	Grants	40,100,000	45,092,000

15.3 **School Readiness Service Agreements.**

15.4 \$257,000 in fiscal year 2010 and \$257,000
15.5 in fiscal year 2011 are from the general
15.6 fund for the purpose of school readiness
15.7 service agreements under Minnesota
15.8 Statutes, section 119B.231. This is a onetime
15.9 appropriation. Any unexpended balance the
15.10 first year is available in the second year.

15.11 **Child Care Development Fund**

15.12 **Unexpended Balance.** In addition to
15.13 the amount provided in this section, the
15.14 commissioner shall expend \$5,244,000 in
15.15 fiscal year 2010 from the federal child care
15.16 development fund unexpended balance
15.17 for basic sliding fee child care under
15.18 Minnesota Statutes, section 119B.03. The
15.19 commissioner shall ensure that all child
15.20 care and development funds are expended
15.21 according to the federal child care and
15.22 development fund regulations.

15.23 **Basic Sliding Fee.** \$4,000,000 in fiscal year
15.24 2010 and \$4,000,000 in fiscal year 2011 are
15.25 from the federal child care development
15.26 funds received from the American Recovery
15.27 and Reinvestment Act of 2009, Public
15.28 Law 111-5, to the commissioner of human
15.29 services consistent with federal regulations
15.30 for the purpose of basic sliding fee child care
15.31 assistance under Minnesota Statutes, section
15.32 119B.03. This is a onetime appropriation.
15.33 Any unexpended balance the first year is
15.34 available in the second year.

16.1 **Basic Sliding Fee Allocation for Calendar**
16.2 **Year 2010.** Notwithstanding Minnesota
16.3 Statutes, section 119B.03, subdivision 6,
16.4 in calendar year 2010, basic sliding fee
16.5 funds shall be distributed according to
16.6 this provision. Funds shall be allocated
16.7 first in amounts equal to each county's
16.8 guaranteed floor, according to Minnesota
16.9 Statutes, section 119B.03, subdivision 8,
16.10 with any remaining available funds allocated
16.11 according to the following formula:

16.12 (a) Up to one-fourth of the funds shall be
16.13 allocated in proportion to the number of
16.14 families participating in the transition year
16.15 child care program as reported during and
16.16 averaged over the most recent six months
16.17 completed at the time of the notice of
16.18 allocation. Funds in excess of the amount
16.19 necessary to serve all families in this category
16.20 shall be allocated according to paragraph (d).

16.21 (b) Up to three-fourths of the funds shall
16.22 be allocated in proportion to the average
16.23 of each county's most recent six months of
16.24 reported waiting list as defined in Minnesota
16.25 Statutes, section 119B.03, subdivision 2, and
16.26 the reinstatement list of those families whose
16.27 assistance was terminated with the approval
16.28 of the commissioner under Minnesota Rules,
16.29 part 3400.0183, subpart 1. Funds in excess
16.30 of the amount necessary to serve all families
16.31 in this category shall be allocated according
16.32 to paragraph (d).

16.33 (c) The amount necessary to serve all families
16.34 in paragraphs (a) and (b) shall be calculated
16.35 based on the basic sliding fee average cost of

17.1 care per family in the county with the highest
17.2 cost in the most recently completed calendar
17.3 year.

17.4 (d) Funds in excess of the amount necessary
17.5 to serve all families in paragraphs (a) and
17.6 (b) shall be allocated in proportion to each
17.7 county's total expenditures for the basic
17.8 sliding fee child care program reported
17.9 during the most recent fiscal year completed
17.10 at the time of the notice of allocation. To
17.11 the extent that funds are available, and
17.12 notwithstanding Minnesota Statutes, section
17.13 119B.03, subdivision 8, for the period
17.14 January 1, 2011, to December 31, 2011, each
17.15 county's guaranteed floor must be equal to its
17.16 original calendar year 2010 allocation.

17.17 **Base Adjustment.** The general fund base is
17.18 decreased by \$257,000 in each of fiscal years
17.19 2012 and 2013.

17.20 **(e) Child Care Development Grants** 1,487,000 1,487,000

17.21 **Family, friends, and neighbor grants.**
17.22 \$375,000 in fiscal year 2010 and \$375,000
17.23 in fiscal year 2011 are from the child
17.24 care development fund required targeted
17.25 quality funds for quality expansion and
17.26 infant/toddler from the American Recovery
17.27 and Reinvestment Act of 2009, Public
17.28 Law 111-5, to the commissioner of human
17.29 services for family, friends, and neighbor
17.30 grants under Minnesota Statutes, section
17.31 119B.232. This appropriation may be used
17.32 on programs receiving family, friends, and
17.33 neighbor grant funds as of June 30, 2009,
17.34 or on new programs or projects. This is a
17.35 onetime appropriation. Any unexpended

18.1 balance the first year is available in the
18.2 second year.

18.3 **Voluntary quality rating system training,**
18.4 **coaching, consultation, and supports.**

18.5 \$633,000 in fiscal year 2010 and \$633,000
18.6 in fiscal year 2011 are from the federal child
18.7 care development fund required targeted
18.8 quality funds for quality expansion and
18.9 infant/toddler from the American Recovery
18.10 and Reinvestment Act of 2009, Public
18.11 Law 111-5, to the commissioner of human
18.12 services consistent with federal regulations
18.13 for the purpose of providing grants to provide
18.14 statewide child-care provider training,
18.15 coaching, consultation, and supports to
18.16 prepare for the voluntary Minnesota quality
18.17 rating system rating tool. This is a onetime
18.18 appropriation. Any unexpended balance the
18.19 first year is available in the second year.

18.20 **Voluntary quality rating system.** \$184,000
18.21 in fiscal year 2010 and \$1,200,000 in fiscal
18.22 year 2011 are from the federal child care
18.23 development fund required targeted funds for
18.24 quality expansion and infant/toddler from the
18.25 American Recovery and Reinvestment Act of
18.26 2009, Public Law 111-5, to the commissioner
18.27 of human services consistent with federal
18.28 regulations for the purpose of implementing
18.29 the voluntary Parent Aware quality star
18.30 rating system pilot in coordination with the
18.31 Minnesota Early Learning Foundation. The
18.32 appropriation for the first year is to complete
18.33 and promote the voluntary Parent Aware
18.34 quality rating system pilot program through
18.35 June 30, 2010, and the appropriation for
18.36 the second year is to continue the voluntary

19.1 Minnesota quality rating system pilot
19.2 through June 30, 2011. This is a onetime
19.3 appropriation. Any unexpended balance the
19.4 first year is available in the second year.

19.5 **(f) Child Support Enforcement Grants** 3,705,000 3,705,000

19.6 **(g) Children's Services Grants**

19.7 Appropriations by Fund
19.8 General 48,333,000 50,498,000
19.9 Federal TANF 340,000 240,000

19.10 **Base Adjustment.** The general fund base is
19.11 decreased by \$5,371,000 in fiscal year 2012
19.12 and decreased \$5,371,000 in fiscal year 2013.

19.13 **Privatized Adoption Grants.** Federal
19.14 reimbursement for privatized adoption grant
19.15 and foster care recruitment grant expenditures
19.16 is appropriated to the commissioner for
19.17 adoption grants and foster care and adoption
19.18 administrative purposes.

19.19 **Adoption Assistance Incentive Grants.**
19.20 Federal funds available during fiscal year
19.21 2010 and fiscal year 2011 for the adoption
19.22 incentive grants are appropriated to the
19.23 commissioner for postadoption services
19.24 including parent support groups.

19.25 **Adoption Assistance and Relative Custody**
19.26 **Assistance.** The commissioner may transfer
19.27 unencumbered appropriation balances for
19.28 adoption assistance and relative custody
19.29 assistance between fiscal years and between
19.30 programs.

19.31 **(h) Children and Community Services Grants** 67,663,000 67,542,000

19.32 **Targeted Case Management Temporary**
19.33 **Funding Adjustment.** The commissioner
19.34 shall recover from each county and tribe

20.1 receiving a targeted case management
20.2 temporary funding payment in fiscal year
20.3 2008 an amount equal to that payment. The
20.4 commissioner shall recover one-half of the
20.5 funds by February 1, 2010, and the remainder
20.6 by February 1, 2011. At the commissioner's
20.7 discretion and at the request of a county
20.8 or tribe, the commissioner may revise
20.9 the payment schedule, but full payment
20.10 must not be delayed beyond May 1, 2011.
20.11 The commissioner may use the recovery
20.12 procedure under Minnesota Statutes, section
20.13 256.017, to recover the funds. Recovered
20.14 funds must be deposited into the general
20.15 fund.

20.16 **(i) General Assistance Grants** 48,215,000 48,608,000

20.17 **General Assistance Standard.** The
20.18 commissioner shall set the monthly standard
20.19 of assistance for general assistance units
20.20 consisting of an adult recipient who is
20.21 childless and unmarried or living apart
20.22 from parents or a legal guardian at \$203.
20.23 The commissioner may reduce this amount
20.24 according to Laws 1997, chapter 85, article
20.25 3, section 54.

20.26 **Emergency General Assistance.** The
20.27 amount appropriated for emergency general
20.28 assistance funds is limited to no more
20.29 than \$7,889,812 in fiscal year 2010 and
20.30 \$7,889,812 in fiscal year 2011. Funds
20.31 to counties must be allocated by the
20.32 commissioner using the allocation method
20.33 specified in Minnesota Statutes, section
20.34 256D.06.

20.35 **(j) Minnesota Supplemental Aid Grants** 33,930,000 35,191,000

21.1 **Emergency Minnesota Supplemental**

21.2 **Aid Funds.** The amount appropriated for
21.3 emergency Minnesota supplemental aid
21.4 funds is limited to no more than \$1,100,000
21.5 in fiscal year 2010 and \$1,100,000 in fiscal
21.6 year 2011. Funds to counties must be
21.7 allocated by the commissioner using the
21.8 allocation method specified in Minnesota
21.9 Statutes, section 256D.46.

21.10 **(k) Group Residential Housing Grants** 111,778,000 114,034,000

21.11 **Group Residential Housing Costs**

21.12 **Refinanced.** (a) Effective July 1, 2011, the
21.13 commissioner shall increase the home and
21.14 community-based service rates and county
21.15 allocations provided to programs for persons
21.16 with disabilities established under section
21.17 1915(c) of the Social Security Act to the
21.18 extent that these programs will be paying
21.19 for the costs above the rate established
21.20 in Minnesota Statutes, section 256I.05,
21.21 subdivision 1.

21.22 (b) For persons receiving services under
21.23 Minnesota Statutes, section 245A.02, who
21.24 reside in licensed adult foster care beds
21.25 for which a difficulty of care payment
21.26 was being made under Minnesota Statutes,
21.27 section 256I.05, subdivision 1c, paragraph
21.28 (b), counties may request an exception to
21.29 the individual's service authorization not to
21.30 exceed the difference between the client's
21.31 monthly service expenditures plus the
21.32 amount of the difficulty of care payment.

21.33 **(l) Children's Mental Health Grants** 16,885,000 16,882,000

21.34 **Funding Usage.** Up to 75 percent of a fiscal
21.35 year's appropriation for children's mental

22.1 health grants may be used to fund allocations
22.2 in that portion of the fiscal year ending
22.3 December 31.

22.4 **(m) Other Children and Economic Assistance**
22.5 **Grants**

16,047,000 15,339,000

22.6 **Fraud Prevention Grants.** Of this
22.7 appropriation, \$228,000 in fiscal year 2010
22.8 and \$228,000 in fiscal year 2011 is to the
22.9 commissioner for fraud prevention grants to
22.10 counties.

22.11 **Food Shelf Programs.** Of this appropriation,
22.12 \$151,000 in fiscal year 2011 is for food shelf
22.13 programs under Minnesota Statutes, section
22.14 256E.34. This funding is onetime.

22.15 **Homeless and Runaway Youth.** \$218,000
22.16 in fiscal year 2010 is for the Runaway
22.17 and Homeless Youth Act under Minnesota
22.18 Statutes, section 256K.45. Funds shall be
22.19 spent in each area of the continuum of care
22.20 to ensure that programs are meeting the
22.21 greatest need. Any unexpended balance in
22.22 the first year is available in the second year.
22.23 Beginning July 1, 2011, the base is increased
22.24 by \$119,000 each year.

22.25 **ARRA Homeless Youth Funds.** To the
22.26 extent permitted under federal law, the
22.27 commissioner shall designate \$2,500,000
22.28 of the Homeless Prevention and Rapid
22.29 Re-Housing Program funds provided under
22.30 the American Recovery and Reinvestment
22.31 Act of 2009, Public Law 111-5, for agencies
22.32 providing homelessness prevention and rapid
22.33 rehousing services to youth.

22.34 **Supportive Housing Services.** \$1,500,000
22.35 each year is for supportive services under

23.1 Minnesota Statutes, section 256K.26. This is
23.2 a onetime appropriation.

23.3 **Community Action Grants.** Community
23.4 action grants are reduced one time by
23.5 \$1,794,000 each year. This reduction is due
23.6 to the availability of federal funds under the
23.7 American Recovery and Reinvestment Act.

23.8 **Base Adjustment.** The general fund base
23.9 is increased by ~~\$773,000~~ \$903,000 in fiscal
23.10 year 2012 and ~~\$773,000~~ \$413,000 in fiscal
23.11 year 2013.

23.12 **Federal ARRA Funds for Existing**
23.13 **Programs.** ~~(a)~~ (1) Federal funds received by
23.14 the commissioner for the emergency food
23.15 and shelter program from the American
23.16 Recovery and Reinvestment Act of 2009,
23.17 Public Law 111-5, but not previously
23.18 approved by the legislature are appropriated
23.19 to the commissioner for the purposes of the
23.20 grant program.

23.21 ~~(b)~~ (2) Federal funds received by the
23.22 commissioner for the emergency shelter
23.23 grant program including the Homelessness
23.24 Prevention and Rapid Re-Housing
23.25 Program from the American Recovery and
23.26 Reinvestment Act of 2009, Public Law
23.27 111-5, are appropriated to the commissioner
23.28 for the purposes of the grant programs.

23.29 ~~(c)~~ (3) Federal funds received by the
23.30 commissioner for the emergency food
23.31 assistance program from the American
23.32 Recovery and Reinvestment Act of 2009,
23.33 Public Law 111-5, are appropriated to the
23.34 commissioner for the purposes of the grant
23.35 program.

24.1 ~~(d)~~ (4) Federal funds received by the
24.2 commissioner for senior congregate meals
24.3 and senior home-delivered meals from the
24.4 American Recovery and Reinvestment Act
24.5 of 2009, Public Law 111-5, are appropriated
24.6 to the commissioner for the Minnesota Board
24.7 on Aging, for purposes of the grant programs.

24.8 ~~(e)~~ (5) Federal funds received by the
24.9 commissioner for the community services
24.10 block grant program from the American
24.11 Recovery and Reinvestment Act of 2009,
24.12 Public Law 111-5, are appropriated to the
24.13 commissioner for the purposes of the grant
24.14 program.

24.15 **Long-Term Homeless Supportive**

24.16 **Service Fund Appropriation.** To the
24.17 extent permitted under federal law, the
24.18 commissioner shall designate \$3,000,000
24.19 of the Homelessness Prevention and Rapid
24.20 Re-Housing Program funds provided under
24.21 the American Recovery and Reinvestment
24.22 Act of 2009, Public Law, 111-5, to the
24.23 long-term homeless service fund under
24.24 Minnesota Statutes, section 256K.26. This
24.25 appropriation shall become available by July
24.26 1, 2009. This paragraph is effective the day
24.27 following final enactment.

24.28 Sec. 12. Laws 2009, chapter 79, article 13, section 5, subdivision 8, as amended by
24.29 Laws 2009, chapter 173, article 2, section 3, subdivision 8, is amended to read:

24.30 Subd. 8. **Board of Nursing Home**
24.31 **Administrators**

1,211,000

1,023,000

24.32 **Administrative Services Unit - Operating**

24.33 **Costs.** Of this appropriation, \$524,000
24.34 in fiscal year 2010 and \$526,000 in
24.35 fiscal year 2011 are for operating costs

25.1 of the administrative services unit. The
25.2 administrative services unit may receive
25.3 and expend reimbursements for services
25.4 performed by other agencies.

25.5 **Administrative Services Unit - Retirement**

25.6 **Costs.** Of this appropriation in fiscal year
25.7 2010, \$201,000 is for onetime retirement
25.8 costs in the health-related boards. This
25.9 funding may be transferred to the health
25.10 boards incurring those costs for their
25.11 payment. These funds are available either
25.12 year of the biennium.

25.13 **Administrative Services Unit - Volunteer**

25.14 **Health Care Provider Program.** Of this
25.15 appropriation, \$79,000 in fiscal year 2010
25.16 and \$89,000 in fiscal year 2011 are to pay
25.17 for medical professional liability coverage
25.18 required under Minnesota Statutes, section
25.19 214.40.

25.20 **Administrative Services Unit - Contested**

25.21 **Cases and Other Legal Proceedings.** Of
25.22 this appropriation, \$200,000 in fiscal year
25.23 2010 and \$200,000 in fiscal year 2011 are
25.24 for costs of contested case hearings and other
25.25 unanticipated costs of legal proceedings
25.26 involving health-related boards funded
25.27 under this section and for unforeseen
25.28 expenditures of an urgent nature. Upon
25.29 certification of a health-related board to the
25.30 administrative services unit that the costs
25.31 will be incurred and that there is insufficient
25.32 money available to pay for the costs out of
25.33 money currently available to that board, the
25.34 administrative services unit is authorized
25.35 to transfer money from this appropriation

26.1 to the board for payment of those costs
26.2 with the approval of the commissioner of
26.3 finance. This appropriation does not cancel.
26.4 Any unencumbered and unspent balances
26.5 remain available for these expenditures in
26.6 subsequent fiscal years. The boards receiving
26.7 funds under this section shall include these
26.8 amounts when setting fees to cover their
26.9 costs.

26.10 Sec. 13. **EFFECTIVE DATE.**

26.11 The provisions in this article are effective July 1, 2010, unless a different effective
26.12 date is explicit.