

MINNESOTA STATUTES 1979 SUPPLEMENT

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CHAPTER 3. LEGISLATURE

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3.21 Notice.

At least four months preceding the election, the attorney general shall furnish to the secretary of state a statement of the purpose and effect of all amendments proposed showing clearly the form of the existing sections, and of the same as they will read if amended, except that when any section to which an amendment is proposed exceeds 150 words in length, the statement shall show that part of the section in which a change is proposed, both in its existing form and as it will read when amended, together with portions of the context as the attorney general deems necessary to an understanding of the proposed amendment. In the month of October prior to the election, the secretary of state shall give two weeks published notice of the statement in all legal newspapers of the state. The secretary of state shall furnish the statement to the newspapers in reproducible form approved by the secretary of state, set in 7-1/2 point type on an eight point body. The maximum rate for publication shall be 17 cents per standard line in 1979 and 18 cents per standard line thereafter for the two publications. If any newspaper shall refuse the publication of the amendments, this refusal and failure of the publication shall have no effect on the validity of the amendments. The secretary of state shall also forward to each county auditor copies of the statement, in poster form, in quantities sufficient to supply each election district of his county with two copies thereof. The auditor shall cause two copies to be conspicuously posted at or near each polling place on election day. Wilful or negligent failure by any official named to perform any duty imposed upon him by this section shall be deemed a misdemeanor.

[1979 c 252 s 2]

3.3005 Federal money; expenditure review.

Subdivision 1. As used in this section, the term "state agency" means all agencies in the executive branch of state government, but does not include the Minnesota historical society, the University of Minnesota, state universities, or community colleges.

Subd. 2. Except as provided in subdivision 4, a state agency shall not expend money received by it under any federal law for any purpose unless a request to spend federal money from that source for that purpose in that fiscal year has been submitted by the governor to the legislature as a part of his biennial budget request or as part of a supplementary or deficiency budget request, or unless specifically authorized by law.

Subd. 3. When a request to spend federal money has been included in the governor's budget or authorized by law as described in subdivision 2, but the state agency proposes to use the federal money to hire state employees in addition to the number included in the governor's budget request or authorized by law, or the amount of federal money received will require a state match greater than that included in the governor's budget request or authorized by law, the additional personnel shall not be hired and the federal money that will require an additional state match shall not be allotted for expenditure until the state agency has first presented to the legislative advisory commission a request in the manner of a budget request and has received the recommendation of the commission on it. Failure or refusal of the commission to make a recommendation promptly is deemed a negative recommendation.

Subd. 4. If federal money becomes available to the state for expenditure while the legislature is not in session, and the availability of money from that source or for that purpose or in that fiscal year could not reasonably have been anticipated and included in the governor's budget request, and an urgency requires that all or a portion of the money be allotted before the legislature reconvenes, the amount of money subject to the

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urgency may be allotted to a state agency after it has submitted to the legislative advisory commission a request in the manner of a budget request and has received the commission's recommendation on it. Failure or refusal of the commission to make a recommendation within 30 days is deemed a negative recommendation.

[*Ex1979 c 1 s 14*]

3.738 Injury or death of patient or inmate.

Subdivision 1. **Legislative authority.** Claims and demands arising out of injury to or death of a patient of a state institution under the control of the commissioner of public welfare or an inmate of a state correctional facility while performing assigned duties shall be presented to, heard and determined by the legislature.

[*For text of subs 2 and 3, see M.S.1978*]

[*1979 c 260 s 1*]

3.739 Injury or death of conditionally released inmate.

Subdivision 1. **Legislative authority.** Claims and demands arising out of the circumstances described in this subdivision shall be presented to, heard, and determined by the legislature:

(1) An injury to or death of an inmate who has been conditionally released from a state correctional facility and ordered to perform uncompensated work for a state agency, a political subdivision or public corporation of this state, or a nonprofit educational, medical, or social service agency, as a condition of his release, while performing the work;

(2) An injury to or death of a person who has been placed on probation by a court and who is performing work in restitution pursuant to court order; or

(3) An injury to or death of a person, including a juvenile who has been diverted from the court system and who is performing work in restitution pursuant to a written agreement signed by himself, and if a juvenile, by his parent or guardian.

Subd. 2. **Evaluation of claims.** Claims arising out of this section shall be paid pursuant to legislative appropriation following evaluation of each claim by the appropriate committees of the senate and house of representatives. Compensation will not be paid for pain and suffering.

Subd. 3. **Exclusive remedy.** The procedure established by this section is exclusive of all other legal, equitable and statutory remedies against the state, its political subdivisions, or any employees thereof.

[*1979 c 260 s 2*]

3.855 Legislative commission on employee relations.

Subdivision 1. **Establishment.** There is created the legislative commission on employee relations. The commission shall consist of six members of the senate and six members of the house of representatives. The senate members shall include the majority leader, the minority leader, the chairman of the governmental operations committee, the chairman of the finance committee, the chairman of the tax committee, and an additional member designated by the minority leader, or their designees. The house members shall include the speaker, the minority leader, the chairman of the governmental operations committee, the chairman of the appropriations committee, the chairman of the tax committee, and an additional member designated by the minority leader, or their designees. In the event that the membership of the house is evenly divided, the house members shall be selected pursuant to the rules of the house. The commission shall elect its own officers who shall serve for terms of two years. The chairmanship of the commission shall alternate between a member of the senate and a member of the house.

Subd. 2. **State employee negotiations.** Prior to the commencement of collective bargaining activities with state employees, the commission shall conduct hearings at which public employees, representatives of public employees and the commissioner of personnel shall be allowed to testify as to their beginning negotiating positions. The com-

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missioner of personnel shall regularly advise the commission on the progress of collective bargaining activities with state employees pursuant to the state public employment labor relations act. The commission may make recommendations to the commissioner as it deems appropriate. The commissioner shall submit to the chairman of the commission any negotiated agreements or arbitration awards which the commissioner has approved within five days of the making thereof. If the commission disapproves of any agreement or award, the commission shall specify in writing to the parties those portions with which it disagrees and the reasons therefor. Upon receipt of the notice of disapproval from the commission, the commissioner of personnel will reopen the negotiations. If the commission approves of an agreement or award, it shall cause the matter to be submitted to the legislature to be accepted or rejected pursuant to section 179.74. Failure of the commission to disapprove of affected portions of an agreement or award within 30 days of its receipt shall be deemed approval. Approval or disapproval by the commission shall not be binding on the entire legislature.

Subd. 3. **Other duties.** In addition to the duties specified in subdivision 2, the commission shall perform the following:

(a) Continually monitor the state's civil service system, chapter 43, and collective bargaining process, sections 179.61 to 179.76, as applied to state employees;

(b) Research and analyze the need for improvements in those statutory sections;
and

(c) Perform such other related functions as are delegated to it by the legislature.

[1979 c 332 art 1 s 2]

3.86 Tax study commission.

[For text of subs 1 to 4, see M.S.1978]

Subd. 4a. **Chairman and subcommittees.** During the period while the chairman of the House tax committee is chairman of the tax study commission, the chairman of the Senate committee on taxes and tax laws shall be the chairman of the subcommittee on personnel of the tax study commission.

[For text of subs 5 to 9, see M.S.1978]

[1979 c 303 art 10 s 18]

3.924 Establishment.

Subdivision 1. **Membership, terms.** There is hereby created a council on quality education consisting of 19 persons. The members of such council shall be appointed as follows:

- (1) One member shall be appointed by the Minnesota education association;
- (2) One member shall be appointed by the Minnesota federation of teachers;
- (3) One member shall be appointed by the Minnesota school board association;
- (4) One member shall be appointed by the Minnesota state advisory council for vocational education;
- (5) One member shall be appointed by the Minnesota state advisory council for special education;
- (6) One member shall be appointed by the state university board;
- (7) One member shall be appointed by the state board for community colleges;
- (8) One member shall be appointed by the regents of the University of Minnesota;
- (9) One member shall be appointed by the private college council;
- (10) One member from each congressional district and two members at large, shall be appointed by the governor with the advice and consent of the senate, none of whom shall be officers, employees or board members of state educational institutions, departments, agencies or boards.

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[For text of subd 2, see M.S.1978]

[1979 c 334 art 7 s 1]

3.925 Purpose.

The legislature of the state of Minnesota expresses concern over the future of elementary and secondary education in this state, its ability to meet the educational needs of the public school students, the professional growth and satisfaction of school staffs, the effectiveness and efficiency of present schools and their learning processes, continuing pupil unit cost escalation and the resulting financial crisis which this brings about. New approaches to the learning process, better utilization of professional staff and community resources, different requirements as to course offerings, course content, grading, graduation and school attendance must be researched and developed. It is believed that revised programs, innovations, new attitudes about learning and the public schools' responsibilities can be effectively achieved if such research and development are performed by the council on quality education and at the local school level by the school's staff and with involvement by the students and their community. Although funds spent now for such purposes can produce substantial educational and cost benefits in the future, such capital type funds are seldom available within any single school district's budget.

The purpose of the council on quality education is, therefore, to encourage, promote, aid, and perform research and development for quality education in Minnesota elementary and secondary schools, to evaluate the results of significant innovative programs and to disseminate information about these programs throughout the state.

To these ends, the council through the state board of education shall establish a venture fund from which grants or loans may be made in support of research and development programs relating to the problems and objectives heretofore described which shall include but not be limited to:

- (1) Effective utilization of community personnel and resources.
- (2) Developing model personnel policies and procedures, and new staffing concepts such as differentiated staffing.
- (3) Assessment and evaluation of education programs.
- (4) Developing a management and unit of instructional objectives design which will provide accountability by relating time and dollars to the amount of learning produced.
- (5) Determining responsibilities to be assumed by the schools exclusively or concurrently with other agencies or individuals.
- (6) Effective dissemination of educational information.
- (7) Developing new knowledge about learning and teaching.
- (8) Developing model educational programs as alternatives to existing educational practices and curricula.
- (9) Model programs and innovations to increase equality of educational opportunities.
- (10) Research and testing of new concepts of educational efficiency, effectiveness and cost benefits.
- (11) Comprehensive interdisciplinary programs in health education and comprehensive programs designed to coordinate and integrate the delivery of pupil support services.

The council shall not be limited to supporting innovations, programs or procedures supplementary to existing school structures and programs but may assist or research entirely new concepts such as open schools, informal schools and the like. It is the legislature's intent that any supported program shall hold promise of both educational and cost benefits and that the costs and improvements in learning effectiveness introduced thereby shall be measured and related.

The council may also review literature and other information about innovative programs in Minnesota and other states and disseminate the results of this research

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throughout the state. The council may identify ideas for innovative programs in the course of this research and solicit proposals from school boards for grants for such programs; provided not to exceed ten percent of the funds appropriated to the venture fund in any year may be expended to fund such research and programs.

The council shall make a report by November 15 of each even numbered year to the legislature concerning all research and all proposals received and the dispositions made thereof by the council and the state board of education.

[1979 c 334 art 7 s 2]

3.9271 [Repealed, 1979 c 334 art 7 s 7]

3.9272 [Repealed, 1979 c 334 art 7 s 7]

3.9273 [Repealed, 1979 c 334 art 7 s 7]

3.9274 [Repealed, 1979 c 334 art 7 s 7]

3.9275 [Repealed, 1979 c 334 art 7 s 7]

3.9276 **Citation.**

Sections 3.9276 to 3.9279 may be cited as "The Early Childhood and Family Education Act".

[1979 c 334 art 7 s 3]

3.9277 Purpose.

The purposes of sections 3.9276 to 3.9279 are: (a) to strengthen families, (b) to help parents to provide for their children's learning and development, and (c) to help young children to develop their physical, mental and social potentials.

[1979 c 334 art 7 s 4]

3.9278 Definitions.

Subdivision 1. As used in Laws 1979, Chapter 334, Article 7, the terms defined in this section have the meanings given them.

Subd. 2. "Early childhood" means the period of life before kindergarten and before age six.

Subd. 3. "Early childhood and family education programs" may include, but are not limited to, the following:

(a) Educational programs for parents on the physical, mental and emotional development of children and on the development of parenthood skills;

(b) Programs for the parents or guardians of children which are designed to strengthen the family unit and to assist the parents or guardians in providing sound early childhood learning and development;

(c) Libraries of books, toys and other educational materials which may be borrowed for home use;

(d) Activities designed to detect children's physical, mental, emotional or behavioral problems that are causing or might cause learning problems. Should the need for special help be found, the family shall be referred to an appropriate person or agency, but this program shall not pay treatment costs;

(e) Education for parenthood programs in secondary schools to increase the adolescent's awareness of the social, educational and health needs of children and of the role of parents in fostering a child's development;

(f) In-center activities;

(g) Home activity kits; and

(h) Community and resource information and referrals.

[1979 c 334 art 7 s 5]

3.9279 Early childhood and family education programs.

Subdivision 1. **Authorization.** The school board of any district, however organized, which receives early childhood and family education moneys from the council on

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quality education shall provide those services in one elementary school attendance area, or an area within the district, if the council deems the area to be appropriate. The council on quality education shall prescribe the form and manner of application for the programs and shall select the grant recipients. These programs shall be as equally distributed as possible among districts in cities of the first class, in suburbs, and outside the seven county metropolitan area.

Subd. 2. **Program accounts.** A district providing early childhood and family education programs shall establish and maintain a separate account for the receipt and disbursement of all funds related to the programs.

Subd. 3. **Participants' fees.** A district may charge reasonable fees for early childhood and family education services; however a district shall waive the charge or fee if any participant is unable to pay it.

Subd. 4. **Additional funding.** A school district providing early childhood and family education programs may receive funds for the programs from other governmental agencies and from private sources, including any state or federal funds available for community education or parent education.

Subd. 5. **Federal grants.** Any district which has submitted a proposal to the council on quality education for an early childhood and family education program and has been denied funding for the program is encouraged to apply to the department of education for a grant for the program pursuant to the Elementary and Secondary Education Act of 1965, Title 4C, as amended.

Subd. 6. **Program coordination.** A district providing early childhood and family education services is strongly encouraged to coordinate this programming with related services provided in the district by other governmental agencies and may develop cooperative programs with nonprofit agencies. State government agencies shall cooperate with a school district in these coordination efforts. A district which provides early childhood and family education programs but does not coordinate its efforts with those of other governmental agencies shall submit an explanatory report to the commissioner of education within one year after the implementation of its programs and each year thereafter in which such coordination is not established.

Subd. 7. **Advisory councils.** The school board of a district providing early childhood and family education programs shall appoint an advisory council. Council members shall be selected from the school attendance area in which the programs are provided. A majority of the members shall be parents participating in the local program. The local advisory council shall assist the school board in the development, coordination, supervision and review of early childhood and family education services in the area and shall suggest priorities for child learning and development services in the community. The council shall report to the school board and the district community school advisory council, if that council has been established in the district.

Subd. 8. **Advisory task force on early childhood and family education.** The council on quality education shall appoint an advisory task force on early childhood and family education programs. The advisory task force shall be composed of parents of young children and persons knowledgeable in the fields of health, education and welfare. A majority of the task force shall be parents of young children. The advisory task force shall advise the council in the administration of the early childhood and family education programs. The terms, compensation and removal of members shall be governed by the provisions of section 15.059, subdivision 6. The task force shall expire June 30, 1981.

Subd. 9. **Personnel.** A school board may employ and discharge personnel necessary for its early childhood and family education programs. All professional early childhood and family education personnel shall have the qualifications required by the council on quality education and the employing school district.

Subd. 10. **Voluntary participation.** Participation by parents and children in early childhood and family education programs shall be voluntary and shall not preclude participation in other state or local programs. No school district shall discriminate in providing early childhood and family education programs on the basis of race, religion, sex or ethnic background, and no programs shall be used in whole or in part for religious worship or instruction.

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Subd. 11. **State board of education.** The state board of education shall:

- (a) Annually review district early childhood and family education programs;
- (b) Apply for funds which are, or may become, available under federal programs pertaining to early childhood and family education, including funds for administration, demonstration projects, training, technical assistance, planning, and evaluation;
- (c) Encourage cooperation in the delivery of services by districts operating early childhood and family education programs;
- (d) Inform the public about early childhood development services;
- (e) Provide professional and technical assistance to school districts providing early childhood and family education programs.

Subd. 12. **Negotiated grants.** For the 1979-1980 and 1980-1981 school years the council on quality education may fund up to 36 early childhood and family education programs according to the negotiated grants procedure in sections 3.924 to 3.927.

Subd. 13. **Special categorical program grant.** For the programs funded pursuant to subdivision 12, there is hereby created a special categorical program grant for those programs serving economically disadvantaged persons. The council on quality education shall apportion the grant money among the eligible programs in proportion to the number of participants in each program from families which receive aid to families with dependent children compared to the number of participants in all the eligible programs from families which receive aid to families with dependent children.

[1979 c 334 art 7 s 6]

CHAPTER 3A. LEGISLATOR'S RETIREMENT

Sec.
3A.08 Repealed.

3A.08 [Repealed, 1979 c 303 art 3 s 41]

CHAPTER 4. GOVERNOR

Sec. 4.12	State planning agency, powers and duties.	Sec. 4.26	Local land use planning; grants.
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4.12 State planning agency, powers and duties.

[For text of subs 1 to 7, see M.S.1978]

Subd. 8. The state planning officer may charge a fee to each user of the Minnesota land management information system.

[1979 c 333 s 57]

4.26 Local land use planning; grants.

Subdivision 1. In order to improve the land use decision-making capability of local government, the state planning agency shall make grants to the metropolitan council pursuant to section 4.30, and to towns, counties, municipalities, and Indian reservations. The state planning agency shall give priority when granting funds to those areas that show a special need according to the provisions of clauses (a) and (b). The grants may be used to employ staff or contract with other units of government or qualified consultants for the following purposes:

(a) To prepare and implement plans which are required for certain areas by law or by designation as a critical area under chapter 116G.

(b) To prepare and implement plans which the unit of government is authorized by law to undertake for the management of problems resulting from (1) rapid population or economic growth or decline; (2) potential development in environmentally sensitive