

participating county as provided herein, may exercise their rights under layoff procedures established by law or union agreement whichever is applicable.

State or local officers and employees displaced by a county's participation in the community corrections act and hired by the participating county shall retain all fringe benefits and recall from layoff benefits accrued by seniority and enjoyed by them while in the service of the state.

Sec. 7. EFFECTIVE DATE.

Section 1, paragraph (a), clause (4), is effective retroactive to January 1, 1987.

Approved April 13, 1988

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CHAPTER 506—H.F.No. 2132

*An act relating to human services; authorizing a representative payee for general assistance to drug dependent persons; amending Minnesota Statutes 1986, section 256D.09, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1986, section 256D.09, is amended by adding a subdivision to read:

Subd. 2a. REPRESENTATIVE PAYEE. Notwithstanding subdivision 1, the commissioner shall adopt rules, and may adopt emergency rules, governing the assignment of a representative payee and management of the general assistance grant of a drug dependent person as defined in section 254A.02, subdivision 5. The representative payee is responsible for deciding how the drug dependent person's benefits can best be used to meet that person's needs. The determination of drug dependency must be made by an assessor qualified under Minnesota Rules, part 9530.6615, subpart 2, to perform an assessment of chemical use. Upon receipt of the assessor's determination of drug dependency, the county shall determine whether a representative payee will be assigned to manage the person's benefits. The chemical use assessment and the county determination are subject to the administrative and judicial review provisions of section 256.045. If, at the time of application or at any other time, there is a reasonable basis for questioning whether a person can responsibly manage that person's money due to possible drug dependency, the person may be referred for a chemical health assessment, and only emergency assistance payments or general assistance vendor payments may be provided until the assessment is complete. The assignment to representative payee status must be reviewed at least every 12 months. The county shall designate the representative payee after consultation with the recipient. The designation of representative payee is subject to the administrative and judicial review provisions of section 256.045.

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