

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

Section 1. Minnesota Statutes 1990, section 16B.101, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** As used in this section, the following terms have the meanings given them: in this subdivision.

(a) "Public agency" includes all state agencies, the University of Minnesota, the state university board, and the state board for community colleges, and any contractor acting ~~pursuant to~~ under a contract with a public agency;

(b) "Materials" means ~~any~~ goods, supplies, equipment, ~~or any~~ other tangible products or materials, including foods;

(c) "Manufactured" means mined, grown, produced, manufactured, fabricated, or assembled;

(d) "Manufactured in the United States" means materials manufactured in whole or in substantial part within the United States or ~~that the a~~ a majority of the whose component parts ~~thereof~~ were manufactured in whole or in substantial part in the United States; Salt mined in Canada is considered to have been manufactured in the United States for purposes of this section.

(e) "Purchase" means acquire by purchase or lease.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor April 9, 1991

Signed by the governor April 11, 1991, 4:30 p.m.

CHAPTER 24—S.F.No. 611

An act relating to veterans; clarifying rulemaking authority of the veterans homes board; changing language concerning payment of arrearages by veterans home residents; correcting certain references; amending Minnesota Statutes 1990, sections 198.003; 198.005; 198.03, subdivision 3; and 198.35.

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

Section 1. Minnesota Statutes 1990, section 198.003, is amended to read:

198.003 POWERS AND DUTIES.

(a) It is the duty of the board and the board has the power to:

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

(1) determine policy and, subject to chapter 14, adopt, amend, and repeal rules for the governance of the homes, and to adopt emergency rules necessary to implement this chapter. With respect to residents' administrative appeal time periods that are not established by statute, the board may create by rule reasonable time periods within which a resident must appeal an administrative determination to the next administrative level. If the determination is not appealed within the time set by rule, the determination becomes final;

(2) report quarterly to the governor on the management, operations, and quality of care provided at the homes; and

(3) take other action as provided by law.

Emergency rules adopted under this section are not effective after December 31, 1989.

(b) The board ~~may shall~~ appoint a ~~deputy commissioner an executive director~~ who shall serve as secretary of the board.

Sec. 2. Minnesota Statutes 1990, section 198.005, is amended to read:

198.005 ADMINISTRATORS.

~~If a deputy commissioner of veteran health care is appointed by the board, The deputy commissioner board shall, with the approval of the board, appoint an administrator for each of the veterans homes. The administrators act as the administrative head for their respective veterans homes. The administrators shall have a current Minnesota nursing home administrator's license and shall serve in the unclassified service. The salaries of the administrators are not subject to section 43A.17, subdivision 1. The deputy commissioner may remove an administrator with the approval administrators serve at the pleasure of the board. If a deputy commissioner is not appointed by the board, the board shall appoint the administrators.~~

Sec. 3. Minnesota Statutes 1990, section 198.03, subdivision 3, is amended to read:

Subd. 3. **ARREARAGES.** Nothing in this section forgives a resident from Residents are liable for paying all of their overdue maintenance charges; with Overdue maintenance charges incurred after May 1, 1990, may be charged interest as provided in according to section 334.01; that accrued prior to May 10, 1989, and residents are liable for these arrearages. A resident owing overdue maintenance to the state of Minnesota for charges incurred prior to May 1, 1990, may continue to stay in the home if the resident pays a reasonable monthly amount on the arrearages, as determined by enters into an agreement, including a payment schedule, with the home administrator; the resident must not for the payment of the arrearage and abides by the agreement. Residents who do not promptly pay maintenance or who do not abide by their agreements to pay overdue maintenance to the state of Minnesota may be discharged from

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the home because of arrearages that accrued prior to May 10, 1989. The payment schedule agreed to between the administrator and the resident must provide for the prompt payment of the overdue maintenance owed by the resident, but it must not reduce the resident's personal needs allowance below that which is provided for in the administrative rules of the facility.

Sec. 4. Minnesota Statutes 1990, section 198.35, is amended to read:

198.35 VETERANS HOME; SILVER BAY.

Subdivision 1. **ESTABLISHMENT.** The ~~commissioner~~ board may establish a veterans home in Silver Bay by renovating an existing facility owned by the city of Silver Bay if the city donates the building to the ~~commissioner~~ board at no cost. Contracts made by the ~~commissioner~~ board for the purposes of this subdivision are subject to chapter 16B. Buildings used for the veterans home must comply with requirements established by federal agencies as conditions for the receipt of federal funds for the nursing and boarding care of veterans. The city of Silver Bay shall secure the state match requirement from sources other than the state general fund. Money from other sources must equal at least 35 percent of the total cost of the renovation with the remainder of the funds to be provided by the United States Veterans Administration.

Subd. 2. **OPERATION.** The home must provide beds for nursing or boarding and nursing care in conformance with licensing rules of the department of health. The home must be under the management of an administrator appointed by the ~~commissioner~~ board in the unclassified service.

Presented to the governor April 15, 1991

Signed by the governor April 17, 1991, 3:00 p.m.

CHAPTER 25—S.F.No. 148

An act relating to human services; case management of persons with mental retardation or related conditions; authorizing alternative methods for delivery of services; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Section 1. [256B.0925] **ALTERNATIVE DELIVERY OF CASE MANAGEMENT FOR PERSONS WITH MENTAL RETARDATION OR RELATED CONDITIONS.**

Subdivision 1. COMMISSIONER APPROVAL. The commissioner of human services may approve proposals from up to ten county agencies to provide case management to persons with mental retardation or related conditions using alternative methods. The proposals must meet criteria established by the commissioner and, to the extent possible, must represent a balance

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