

(6) advise the program director in the performance of duties in the administration and coordination of the programs funded under section 2.

Subd. 4. CONFLICT OF INTEREST. A member of the advisory council shall be excluded from participating in review and recommendation concerning a grant allocation if the member:

(1) serves or has served any time during the last three years as an employee, consultant, volunteer, or governing board member of an organization whose application is being reviewed; or

(2) has a financial interest in the funding of the applicant organization.

Subd. 5. ADVISORY COUNCIL RECOMMENDATIONS. The commissioner shall consider the advisory council's recommendations before awarding grants or adopting policies regarding the planning, development, data collection, rulemaking, funding, and abused children services for programs funded under section 2. Before taking action on matters related to programs and abused children services, except day-to-day administrative operations, the commissioner shall notify the advisory council of the intended action. Notification of grant award decisions shall be given to the advisory council in time to allow the council to request reconsideration.

Presented to the governor May 2, 1994

Signed by the governor May 4, 1994, 3:11 p.m.

CHAPTER 553—H.F.No. 2034

An act relating to transportation; changing eligibility requirements for distribution of funds from the town road account; amending Minnesota Statutes 1993 Supplement, sections 161.082, subdivision 2a; and 162.081, subdivision 4.

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

Section 1. Minnesota Statutes 1993 Supplement, section 162.081, subdivision 4, is amended to read:

Subd. 4. FORMULA FOR DISTRIBUTION TO TOWNS; PURPOSES. Money apportioned to a county from the town road account must be distributed to the treasurer of each town within the county, according to a distribution formula adopted by the county board. The formula must take into account each town's levy for road and bridge purposes, its population and town road mileage, and other factors the county board deems advisable in the interests of achieving equity among the towns. Distribution of town road funds to each town treasurer must be made by March 1, annually, or within 30 days after receipt of payment from the commissioner. Distribution of funds to town treasurers in a county

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which has not adopted a distribution formula under this subdivision must be made according to a formula prescribed by the commissioner by rule. A formula adopted by a county board or by the commissioner must provide that a town, in order to be eligible for distribution of funds from the town road account in a calendar year, must have levied before the deduction of homestead and agricultural credit aid certified under section 273.1398, subdivision 2, for taxes payable in the previous year for road and bridge purposes at least 0.04835 percent of taxable market value. For purposes of this eligibility requirement, taxable market value means taxable market value for taxes payable two years prior to the aid distribution year.

Money distributed to a town under this subdivision may be expended by the town only for the construction, reconstruction, and gravel maintenance of town roads within the town.

Sec. 2. Minnesota Statutes 1993 Supplement, section 161.082, subdivision 2a, is amended to read:

Subd. 2a. **TOWN BRIDGES AND CULVERTS; TOWN ROAD ACCOUNT.** An amount equal to 25 percent of the county turnback account must be expended; ~~within counties having two or more towns;~~ on town road bridge structures that are ten feet or more in length and on town road culverts that replace existing town road bridges. In addition, if the present bridge structure is less than ten feet in length but a hydrological survey indicates that the replacement bridge structure or culvert must be ten feet or more in length, then the bridge or culvert is eligible for replacement funds. In addition, if a culvert that replaces a deficient bridge is in a county comprehensive water plan approved by the board of water and soil resources and the department of natural resources, the costs of the culvert and roadway grading other than surfacing are eligible for replacement funds up to the cost of constructing a replacement bridge. The expenditures on bridge structures and culverts may be on a matching basis, and if on a matching basis, not more than 90 percent of the cost of a bridge structure or culvert may be paid from the county turnback account. When bridge approach construction work exceeds \$10,000 in costs, or when the county engineer determines that the cost of the replacement culverts alone will not exceed \$20,000, the town shall be eligible for financial assistance from the town bridge account. Financial assistance shall be requested by resolution of the county board and shall be limited to:

(1) 100 percent of the cost of the bridge approach work that is in excess of \$10,000; or

(2) 100 percent of the cost of the replacement culverts when the cost does not exceed \$20,000 and the town board agrees to be responsible for all the other costs, which may include costs for structural removal, installation, and permitting. The replacement structure design and costs shall be approved and certified by the county engineer, but need not be subsequently approved by the department of transportation.

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An amount equal to 47.5 percent of the county turnback account must be set aside as a town road account and distributed as provided in section 162.081.

Sec. 3. **EFFECTIVE DATE; APPLICATION.**

Section 1 is effective for aid distribution year 1995 and thereafter. However, for aid year 1995, a town may elect to qualify for an aid distribution under either section 1 or Minnesota Statutes 1993 Supplement, section 162.081, subdivision 4, section 1 to the contrary notwithstanding.

Presented to the governor May 2, 1994

Signed by the governor May 4, 1994, 3:16 p.m.

CHAPTER 554—H.F.No. 2226

An act relating to state government; permitting employees of Minnesota Project Innovation, Inc. to participate in certain state employee benefit programs; amending Minnesota Statutes 1992, section 116O.04, subdivision 2.

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

Section 1. Minnesota Statutes 1992, section 116O.04, subdivision 2, is amended to read:

Subd. 2. **STATUS OF EMPLOYEES.** (a) Employees, officers, and directors of the corporation and programs governed by this chapter are not state employees, but are covered by section 3.736 and, at the option of the board, may participate in the state retirement plan and the state deferred compensation plan for employees in the unclassified service and an insurance plan administered by the commissioner of employee relations.

(b) The board of Minnesota Project Innovation, Inc., may extend the health care insurance benefits and coverage referenced in paragraph (a) to all of its employees.

Presented to the governor May 2, 1994

Signed by the governor May 4, 1994, 3:17 p.m.

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