

33.091; 33.111; 35.04; 35.14; 35.84; 86.71; 86.72; 88.641, subdivisions 4 and 5; 88.644; 115.55, subdivision 8; 115A.906; 115A.912, subdivisions 2 and 3; 115C.02, subdivisions 11a and 12a; 115C.082; 115C.09, subdivision 3g; 115C.091; 115C.092; 116.67; 116.70, subdivisions 2, 3a, and 4; 116.71; 116.72; 116.73; and 116.74, are repealed.

(b) Minnesota Rules, parts 1560.9000, subpart 2; 7023.9000; 7023.9005; 7023.9010; 7023.9015; 7023.9020; 7023.9025; 7023.9030; 7023.9035; 7023.9040; 7023.9045; 7023.9050; 7080.0020, subparts 24c and 51a; 7080.0400; and 7080.0450, are repealed.

Sec. 163. EFFECTIVE DATE.

Laws 2000, chapter 492, article 1, section 60, applies to applications made after July 1, 2000, for funding under Minnesota Statutes, section 446A.072.

Presented to the governor June 27, 2001

Signed by the governor June 29, 2001, 3:30 p.m.

CHAPTER 3—H.F.No. 4

An act relating to family and early childhood education; providing for children and family support programs, prevention and intervention, self-sufficiency and lifelong learning, and libraries; appropriating money; amending Minnesota Statutes 2000, sections 119A.12, by adding subdivisions; 119A.13, subdivision 4; 119A.21; 119A.22; 119B.011, subdivision 19, by adding a subdivision; 119B.06, by adding a subdivision; 119B.061, subdivision 4; 119B.11, subdivision 1; 119B.13, subdivision 6; 119B.24; 124D.135, by adding subdivisions; 124D.16, subdivision 2, by adding subdivisions; 124D.19, by adding subdivisions; 124D.20, subdivisions 1, 5, by adding a subdivision; 124D.518, subdivision 5; 124D.52, subdivision 2; 124D.522; 124D.531, subdivisions 1, 3, 7; 125A.28; 125B.20, subdivision 1; 134.31, subdivision 5; Laws 2000, chapter 489, article 5, section 23; proposing coding for new law in Minnesota Statutes, chapters 119A; 134; repealing Minnesota Statutes 2000, sections 119A.13, subdivisions 1, 2, 3; 119A.14, subdivision 2; 119A.23; 124D.33; 124D.331; 125B.20, subdivision 3; Minnesota Rules, parts 3530.2610; 3530.2612; 3530.2614; 3530.2616; 3530.2618; 3530.2620; 3530.2622; 3530.2624; 3530.2626; 3530.2628; 3530.2630; 3530.2632; 3530.2634; 3530.2636; 3530.2638; 3530.2640; 3530.2642; 3530.2644.

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

ARTICLE 1

CHILDREN AND FAMILY SUPPORT PROGRAMS

Section 1. Minnesota Statutes 2000, section 119B.011, subdivision 19, is amended to read:

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

Subd. 19. **PROVIDER.** "Provider" means a child care license holder who operates a family child care home, a group family child care home, a child care center, a nursery school, a day nursery, a school age care program; a license exempt school age care program operating under the auspices of a local school board or a park or recreation board of a city of the first class that has adopted school age care guidelines which meet or exceed guidelines recommended by the department, or a nonlicensed individual or child care center or facility, either licensed or unlicensed, providing legal child care services as defined under section 245A.03. A legally unlicensed registered family child care provider who is must be at least 18 years of age, and who is not a member of the MFIP assistance unit or a member of the family receiving child care assistance under this chapter.

Sec. 2. Minnesota Statutes 2000, section 119B.011, is amended by adding a subdivision to read:

Subd. 21. **RECOUPMENT OF OVERPAYMENTS.** "Recoupment of overpayments" means the reduction of child care assistance payments to an eligible family in order to correct an overpayment to the family even when the overpayment is due to agency error or other circumstances outside the responsibility or control of the family.

Sec. 3. Minnesota Statutes 2000, section 119B.06, is amended by adding a subdivision to read:

Subd. 3. **CHILD CARE DEVELOPMENT FUND PLAN DEVELOPMENT; REVIEW.** In an effort to improve state legislative involvement in the development of the Minnesota child care and development fund plan, the commissioner must present a draft copy of the plan to the legislative finance committees that oversee child care assistance funding no less than 30 days prior to the required deadline for submission of the plan to the federal government. The legislature must submit any adjustments to the plan to the commissioner for consideration within ten business days of receiving the draft plan. The commissioner must present a copy of the final plan to the chairs of the legislative finance committees that oversee child care assistance funding no less than four days prior to the deadline for submission of the plan to the federal government.

Sec. 4. Minnesota Statutes 2000, section 119B.061, subdivision 4, is amended to read:

Subd. 4. **ASSISTANCE.** (a) A family is limited to a lifetime total of 12 months of assistance under ~~this section~~ subdivision 2. The maximum rate of assistance is equal to 75 90 percent of the rate established under section 119B.13 for care of infants in licensed family child care in the applicant's county of residence. Assistance must be calculated to reflect the parent fee requirement under section 119B.12 for the family's actual income level and family size while the family is participating in the at-home infant child care program under this section.

(b) A participating family must report income and other family changes as specified in the county's plan under section 119B.08, subdivision 3. The family must

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

treat any assistance received under this section as unearned income.

(c) Persons who are admitted to the at-home infant care program retain their position in any basic sliding fee program or on any waiting list attained at the time of admittance. If they are on the waiting list, they must advance as if they had not been admitted to the program. Persons leaving the at-home infant care program re-enter the basic sliding fee program at the position they would have occupied or the waiting list at the position to which they would have advanced. Persons who would have attained eligibility for the basic sliding fee program must be given assistance or advance to the top of the waiting list when they leave the at-home infant care program. Persons admitted to the at-home infant care program who are not on a basic sliding fee waiting list may apply to the basic sliding fee program, and if eligible, be placed on the waiting list.

(d) The time that a family receives assistance under this section must be deducted from the one-year exemption from work requirements under the MFIP program.

(e) Assistance under this section does not establish an employer-employee relationship between any member of the assisted family and the county or state.

Sec. 5. Minnesota Statutes 2000, section 119B.11, subdivision 1, is amended to read:

Subdivision 1. **COUNTY CONTRIBUTIONS REQUIRED.** Beginning July 1, 1997, (a) In addition to payments from basic sliding fee child care program participants, each county shall contribute from county tax or other sources a fixed local match equal to its calendar year 1996 required county contribution reduced by the administrative funding loss that would have occurred in state fiscal year 1996 under section 119B.15. The commissioner shall recover funds from the county as necessary to bring county expenditures into compliance with this subdivision. The commissioner may accept county contributions, including contributions above the fixed local match, in order to make state payments.

(b) The commissioner may accept payments from counties to:

(1) fulfill the county contribution as required under subdivision 1;

(2) pay for services authorized under this chapter beyond those paid for with federal or state funds or with the required county contributions; or

(3) pay for child care services in addition to those authorized under this chapter, as authorized under other federal, state, or local statutes or regulations.

(c) The county payments must be deposited in an account in the special revenue fund. Money in this account is appropriated to the commissioner for child care assistance under this chapter and other applicable statutes and regulations and is in addition to other state and federal appropriations.

Sec. 6. Minnesota Statutes 2000, section 119B.13, subdivision 6, is amended to read:

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

Subd. 6. **PROVIDER PAYMENTS.** Counties or the state shall make vendor payments to the child care provider or pay the parent directly for eligible child care expenses. If payments for child care assistance are made to providers, the provider shall bill the county for services provided within ten days of the end of the month of service. If bills are submitted in accordance with the provisions of this subdivision, a county or the state shall issue payment to the provider of child care under the child care fund within 30 days of receiving an invoice from the provider. Counties or the state may establish policies that make payments on a more frequent basis. A county's payment policies must be included in the county's child care plan under section 119B.08, subdivision 3. If payments are made by the state, in addition to being in compliance with this subdivision, the payments must be made in compliance with section 16A.124.

Sec. 7. Minnesota Statutes 2000, section 119B.24, is amended to read:

119B.24 DUTIES OF COMMISSIONER.

In addition to the powers and duties already conferred by law, the commissioner of children, families, and learning shall:

(1) administer the child care fund, including the basic sliding fee program authorized under sections 119B.011 to 119B.16;

(2) monitor the child care resource and referral programs established under section 119B.19; and

(3) encourage child care providers to participate in a nationally recognized accreditation system for early childhood and school-age care programs. ~~The commissioner shall reimburse licensed~~ Subject to approval by the commissioner, family child care providers and early childhood and school-age care programs shall be reimbursed for one-half of the direct cost of accreditation fees, upon successful completion of accreditation.

Sec. 8. Minnesota Statutes 2000, section 124D.135, is amended by adding a subdivision to read:

Subd. 8. **RESERVE ACCOUNT LIMIT.** (a) Under this section, the average balance, during the most recent three-year period in a district's early childhood family education reserve account on June 30 of each year, adjusted for any prior reductions under this subdivision, must not be greater than 25 percent of the district's early childhood family education annual revenue for the prior year. If a district's adjusted average early childhood family education reserve over the three-year period is in excess of 25 percent of the prior year annual revenue, the district's early childhood family education state aid and levy authority for the current school year must be reduced by the excess reserve amount. The aid reduction equals the product of the excess reserve amount times the ratio of the district's aid for the prior year under subdivision 4 to the district's revenue for the prior year under subdivision 1. The levy reduction equals the excess reserve amount minus the aid reduction. The commissioner must reallocate aid and levy reduced under this subdivision to other eligible early

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childhood family education programs in proportion to each district's revenue for the prior year under subdivision 1.

(b) Notwithstanding paragraph (a), for fiscal year 2003, the excess reserve amount shall be computed using the balance in a district's early childhood family education reserve account on June 30, 2002. For fiscal year 2004, the excess reserve amount shall be computed using the adjusted average balance in a district's early childhood family education reserve account on June 30, 2002, and June 30, 2003.

Sec. 9. Minnesota Statutes 2000, section 124D.135, is amended by adding a subdivision to read:

Subd. 9. WAIVER. If a district anticipates that the reserve account may exceed the 25 percent limit established under subdivision 8 because of extenuating circumstances, prior approval to exceed the limit must be obtained in writing from the commissioner.

Sec. 10. Minnesota Statutes 2000, section 124D.16, subdivision 2, is amended to read:

Subd. 2. AMOUNT OF AID. (a) A district is eligible to receive school readiness aid if the program plan as required by subdivision 1 has been approved by the commissioner.

(b) For fiscal year ~~1998~~ 2002 and thereafter, a district must receive school readiness aid equal to:

(1) the number of eligible four-year old children in the district on October 1 for the previous school year times the ratio of 50 percent of the total school readiness aid for that year to the total number of eligible four-year old children reported to the commissioner for that the previous school year; plus

(2) the number of pupils enrolled in the school district from families eligible for the free or reduced school lunch program for the second previous school year times the ratio of 50 percent of the total school readiness aid for that year to the total number of pupils in the state from families eligible for the free or reduced school lunch program for the second previous school year.

Sec. 11. Minnesota Statutes 2000, section 124D.16, is amended by adding a subdivision to read:

Subd. 5. RESERVE ACCOUNT. School readiness revenue, which includes aids, fees, grants, and all other revenues received by the district school readiness programs, must be maintained in a reserve account within the community service fund.

Sec. 12. Minnesota Statutes 2000, section 124D.16, is amended by adding a subdivision to read:

Subd. 6. RESERVE ACCOUNT LIMIT. (a) Under this section, the average balance, during the most recent three-year period, in a district's school readiness reserve account on June 30 of each year, adjusted for any prior reductions under this

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subdivision, must not be greater than 25 percent of the district's school readiness annual revenue for the prior year. If a district's adjusted average school readiness reserve over the three-year period is in excess of 25 percent of the prior year annual revenue, the district's current year school readiness state aid must be reduced by the excess reserve amount. The commissioner must reallocate aid reduced under this subdivision to other eligible school readiness programs in proportion to each district's aid for the prior year under subdivision 2.

(b) Notwithstanding paragraph (a), for fiscal year 2003, the excess reserve amount shall be computed using the balance in a district's school readiness reserve account on June 30, 2002. For fiscal year 2004, the excess reserve amount shall be computed using the adjusted average balance in a district's school readiness reserve account on June 30, 2002, and June 30, 2003.

Sec. 13. Minnesota Statutes 2000, section 124D.16, is amended by adding a subdivision to read:

Subd. 7. WAIVER. If a district anticipates that the reserve account may exceed the 25 percent limit established under subdivision 6 because of extenuating circumstances, prior approval to exceed the limit must be obtained in writing from the commissioner.

Sec. 14. Minnesota Statutes 2000, section 125A.28, is amended to read:

125A.28 STATE INTERAGENCY COORDINATING COUNCIL.

An interagency coordinating council of at least 17, but not more than 25 members is established, in compliance with Public Law Number 102-119, section 682. The members must be appointed by the governor. Council members must elect the council chair. The representative of the commissioner may not serve as the chair. The council must be composed of at least five parents, including persons of color, of children with disabilities under age 12, including at least three parents of a child with a disability under age seven, five representatives of public or private providers of services for children with disabilities under age five, including a special education director, county social service director, local Head Start director, and a community health services or public health nursing administrator, one member of the senate, one member of the house of representatives, one representative of teacher preparation programs in early childhood-special education or other preparation programs in early childhood intervention, at least one representative of advocacy organizations for children with disabilities under age five, one physician who cares for young children with special health care needs, one representative each from the commissioners of commerce, children, families, and learning, health, human services, a representative from the state agency responsible for child care, and a representative from Indian health services or a tribal council. Section 15.059, subdivisions 2 to 5, apply to the council. The council must meet at least quarterly.

The council must address methods of implementing the state policy of developing and implementing comprehensive, coordinated, multidisciplinary interagency pro-

New language is indicated by underline, deletions by strikeout.

grams of early intervention services for children with disabilities and their families.

The duties of the council include recommending policies to ensure a comprehensive and coordinated system of all state and local agency services for children under age five with disabilities and their families. The policies must address how to incorporate each agency's services into a unified state and local system of multidisciplinary assessment practices, individual intervention plans, comprehensive systems to find children in need of services, methods to improve public awareness, and assistance in determining the role of interagency early intervention committees.

By ~~June~~ September 1, the council must recommend to the governor and the commissioners of children, families, and learning, health, human services, commerce, and economic security policies for a comprehensive and coordinated system.

Notwithstanding any other law to the contrary, the state interagency coordinating council expires on June 30, ~~2004~~ 2003.

Sec. 15. INTERAGENCY AUTISM COORDINATING COMMITTEE.

(a) The commissioner of children, families, and learning shall establish an interagency committee to coordinate state efforts related to serving children with autism. The committee shall include representatives of the departments of children, families, and learning and human services; parents or guardians of children with autism; pediatricians; local public health officials; and representatives of private or nonprofit organizations that advocate on behalf of children with autism.

(b) The interagency autism coordinating committee shall study and recommend by December 1, 2001, to the committees in the legislature charged with early childhood through grade 12 education policy and finance matters a plan for improving efforts at early assessment and identification of autism in young children. The plan must consider:

- (1) all existing assessment program options;
- (2) public and private funding sources including programmatic funding for early and periodic screening, diagnosis, and treatment; and
- (3) current, research-based best practice models.

The plan must be designed to make optimal use of existing public resources.

(c) The committee expires June 30, 2003.

Sec. 16. CHILD CARE REPORT.

The commissioner of children, families, and learning must report to house and senate committees with jurisdiction over child care by November and February of each year with information on the number of families served and the cost of direct services per family for each child care assistance program administered by the commissioner. The report must include the number of families being served and the number that would be served if entry income eligibility was set at 120 percent of the federal poverty

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guidelines and 30 percent of the state median income and continuing at reasonable increments, with an exit level of both 250 percent and 300 percent of the federal poverty guidelines and 63 percent and 75 percent of the state median income.

The information must be provided for the same time periods for which the department of finance prepares the budget forecast.

Sec. 17. APPROPRIATIONS.

Subdivision 1. DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING. The sums indicated in this section are appropriated from the general fund to the department of children, families, and learning for the fiscal years designated, unless otherwise indicated.

Subd. 2. SCHOOL READINESS PROGRAM REVENUE. For revenue for school readiness programs according to Minnesota Statutes, sections 124D.15 and 124D.16:

\$10,395,000	.....	2002
\$10,395,000	.....	2003

The 2002 appropriation includes \$1,039,000 for 2001 and \$9,356,000 for 2002.

The 2003 appropriation includes \$1,039,000 for 2002 and \$9,356,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

Subd. 3. EARLY CHILDHOOD FAMILY EDUCATION AID. For early childhood family education aid according to Minnesota Statutes, section 124D.135:

\$20,758,000	.....	2002
\$20,663,000	.....	2003

The 2002 appropriation includes \$2,036,000 for 2001 and \$18,722,000 for 2002.

The 2003 appropriation includes \$2,081,000 for 2002 and \$18,582,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

Subd. 4. HEALTH AND DEVELOPMENTAL SCREENING AID. For health and developmental screening aid according to Minnesota Statutes, sections 121A.17 and 121A.19:

\$2,661,000	.....	2002
\$2,661,000	.....	2003

The 2002 appropriation includes \$266,000 for 2001 and \$2,395,000 for 2002.

The 2003 appropriation includes \$266,000 for 2002 and \$2,395,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

New language is indicated by underline, deletions by strikeout.

Subd. 5. WAY TO GROW. For grants for existing way to grow programs according to Minnesota Statutes, section 124D.17:

<u>\$475,000</u>	<u>.....</u>	<u>2002</u>
<u>\$475,000</u>	<u>.....</u>	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 6. HEAD START PROGRAM. For Head Start programs according to Minnesota Statutes, section 119A.52:

<u>\$18,375,000</u>	<u>.....</u>	<u>2002</u>
<u>\$18,375,000</u>	<u>.....</u>	<u>2003</u>

\$1,000,000 each year must be used for grants to local Head Start agencies for full-year programming for children ages 0 to 3.

Any balance in the first year does not cancel but is available in the second year.

Subd. 7. SCHOOL AGE CARE AID. For school age care aid according to Minnesota Statutes, section 124D.22:

<u>\$221,000</u>	<u>.....</u>	<u>2002</u>
<u>\$133,000</u>	<u>.....</u>	<u>2003</u>

The 2002 appropriation includes \$30,000 for 2001 and \$191,000 for 2002.

The 2003 appropriation includes \$21,000 for 2002 and \$112,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

Subd. 8. BASIC SLIDING FEE. For child care assistance according to Minnesota Statutes, section 119B.03:

<u>\$51,999,000</u>	<u>.....</u>	<u>2002</u>
<u>\$51,999,000</u>	<u>.....</u>	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 9. MFIP CHILD CARE. For child care assistance according to Minnesota Statutes, section 119B.05:

<u>\$82,253,000</u>	<u>.....</u>	<u>2002</u>
<u>\$78,606,000</u>	<u>.....</u>	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 10. CHILD CARE INTEGRITY. For the administrative costs of program integrity and fraud prevention for child care assistance under chapter 119B:

<u>\$175,000</u>	<u>.....</u>	<u>2002</u>
<u>\$175,000</u>	<u>.....</u>	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

New language is indicated by underline, deletions by strikeout.

Subd. 11. CHILD CARE SERVICE GRANTS. For child care development activities under child care service grants according to Minnesota Statutes, section 119B.21:

<u>\$1,865,000</u>	.....	<u>2002</u>
<u>\$1,865,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Sec. 18. SPECIAL REVENUE; CHILD SUPPORT COLLECTIONS.

Subdivision 1. DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING. Appropriations in this section are from child support collection payments in the special revenue fund pursuant to Minnesota Statutes, section 119B.074. The sums indicated are appropriated to the department of children, families, and learning for the fiscal years designated.

Subd. 2. CHILD CARE ASSISTANCE. For child care assistance according to Minnesota Statutes, section 119B.03:

<u>\$2,441,439</u>	.....	<u>2002</u>
<u>\$2,340,251</u>	.....	<u>2003</u>

Sec. 19. FEDERAL TANF TRANSFERS.

Subdivision 1. DEPARTMENT OF CHILDREN, FAMILIES, and LEARNING. The sums indicated in this section are transferred from the federal TANF fund to the child care and development fund and appropriated to the department of children, families, and learning for the fiscal years designated.

The commissioner shall ensure that all transferred funds are expended in accordance with the child care and development fund regulations and that the maximum allowable transferred funds are used for the program in this section.

Subd. 2. BASIC SLIDING FEE. For child care assistance according to Minnesota Statutes, section 119B.03:

<u>\$16,838,000</u>	.....	<u>2002</u>
<u>\$16,339,000</u>	.....	<u>2003</u>

Any balance the first year does not cancel but is available in the second year.

Subd. 3. TRANSITION YEAR FAMILIES. To provide uninterrupted assistance under Minnesota Statutes, section 119B.03, for families completing transition year child care assistance:

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

\$3,620,000	.....	2002
<u>\$4,040,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 4. MFIP CHILD CARE. For child care assistance according to Minnesota Statutes, section 119B.05:

\$1,718,000	.....	2002
<u>\$1,794,000</u>	.....	<u>2003</u>

Any balance the first year does not cancel but is available in the second year.

Subd. 5. MFIP SOCIAL SERVICES CHILD CARE. For social services child care costs of eligible MFIP participants under Minnesota Statutes, section 119B.05, subdivision 1, clause (5):

\$3,297,000	.....	2002
<u>\$2,865,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Sec. 20. EFFECTIVE DATE.

Sections 8 and 12 are effective for revenue for fiscal year 2003.

ARTICLE 2

PREVENTION

Section 1. Minnesota Statutes 2000, section 119A.12, is amended by adding a subdivision to read:

Subd. 4. AUTHORITY TO DISBURSE FUNDS. The commissioner may disburse trust fund money to any public or private nonprofit agency to fund a child abuse prevention program. State funds appropriated for child maltreatment prevention grants may be transferred to the children's trust fund special revenue account and are available to carry out this section.

Sec. 2. Minnesota Statutes 2000, section 119A.12, is amended by adding a subdivision to read:

Subd. 5. PLAN FOR DISBURSEMENT OF FUNDS. The commissioner shall develop a plan to disburse money from the trust fund. The plan must ensure that all geographic areas of the state have an equal opportunity to establish prevention programs and receive trust fund money.

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

Sec. 3. Minnesota Statutes 2000, section 119A.12, is amended by adding a subdivision to read:

Subd. 6. **OPERATIONAL COSTS.** \$120,000 each year is appropriated from the children's trust fund to the special revenue fund for administration and indirect costs of the children's trust fund program.

Sec. 4. Minnesota Statutes 2000, section 119A.13, subdivision 4, is amended to read:

Subd. 4. **RESPONSIBILITIES OF COMMISSIONER.** (a) The commissioner shall:

(1) provide for the coordination and exchange of information on the establishment and maintenance of prevention programs;

(2) develop and publish criteria for receiving trust fund money by prevention programs;

(3) review, approve, and monitor the spending of trust fund money by prevention programs;

(4) provide statewide educational and public informational seminars to develop public awareness on preventing child abuse; to encourage professional persons and groups to recognize instances of child abuse and work to prevent them; to make information on child abuse prevention available to the public and to organizations and agencies; and to encourage the development of prevention programs, including programs that provide support for adolescent parents, fathering education programs, and other prevention activities designed to prevent teen pregnancy;

(5) establish a procedure for an annual, internal evaluation of the functions, responsibilities, and performance of the commissioner in carrying out Laws 1986, chapter 423;

(6) provide technical assistance to local councils and agencies working in the area of child abuse prevention; and

(7) accept and review grant applications beginning June 1, 1987.

(b) The commissioner shall recommend to the governor changes in state programs, statutes, policies, budgets, and standards that will reduce the problems of child abuse, improve coordination among state agencies that provide prevention services, and improve the condition of children, parents, or guardians in need of prevention program services.

Sec. 5. Minnesota Statutes 2000, section 119A.21, is amended to read:

119A.21 GRANTS TO SERVICE PROVIDER PROGRAMS.

Subdivision 1. **GRANTS AWARDED.** The commissioner shall award grants to programs ~~which that~~ provide abused children services to abused or neglected children. Grants shall be awarded in a manner that ensures that they are equitably distributed to

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

programs serving metropolitan and nonmetropolitan populations.

Subd. 2. **APPLICATIONS.** Any public or private nonprofit agency may apply to the commissioner for a grant to provide abused children services. The application shall be submitted in on a form approved prescribed by the commissioner after consultation with the abused children advisory council and shall include:

(1) a proposal for the provision of abused children services to, or on behalf of, abused children, children at risk, and their families;

(2) a proposed budget;

(3) evidence of ability to represent the interests of abused children and their families to local law enforcement agencies and courts, social services, and health agencies;

(4) evidence of ability to do outreach to unserved and underserved populations and to provide culturally and linguistically appropriate services; and

(5) any other information the commissioner may require by policy or by rule adopted under chapter 14, after considering the recommendations of the abused children advisory council.

Programs which have been approved for grants in prior years may submit materials which indicate changes in items listed in clauses (1) to (5), in order to qualify for renewal funding. Nothing in this subdivision may be construed to require programs to submit complete applications for each year of funding.

Subd. 3. **DUTIES.** Every public or private nonprofit agency which receives a grant under this section to provide abused children services shall comply with all requirements of the commissioner related to the administration of the grants.

Subd. 4. **CLASSIFICATION OF DATA COLLECTED BY GRANTEES.** Personal history information and other information collected, used, or maintained by a grantee from which the identity of any abused child or family members may be determined is private data on individuals as defined in section 13.02, subdivision 12, and the grantee shall maintain the data in accordance with provisions of chapter 13.

Sec. 6. Minnesota Statutes 2000, section 119A.22, is amended to read:

119A.22 DUTIES OF THE COMMISSIONER.

The commissioner shall:

(1) review applications and award grants to programs pursuant to section 119A.21 after considering the recommendation of the abused children advisory council;

(2) appoint members of the abused children advisory council created under section 119A.23 and provide consultative staff and other administrative services to the council;

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

(3) after considering the recommendation of the abused children advisory council, appoint a program director to perform the duties set forth in this clause. In appointing the program director the commissioner shall give due consideration to the list of applicants submitted to the commissioner pursuant to this section. The program director shall administer the funds appropriated for sections 119A.20 to 119A.23, consult with and provide staff to the advisory council and perform other duties related to abused children's programs as the commissioner may assign;

(4) design a uniform method of collecting data on abused children's programs to be used to monitor and assure compliance of the programs funded under section 119A.21;

(5) (3) provide technical aid assistance to applicants in the development of grant requests and to programs grantees in meeting the data collection requirements established by the commissioner; and

(6) (4) adopt, under chapter 14, all rules necessary to implement the provisions of sections 119A.20 to 119A.23.

Sec. 7. [119A.35] ADVISORY COUNCIL.

Subdivision 1. GENERALLY. The advisory council is established under section 15.059 to advise the commissioner on the implementation and continued operations of sections 119A.10 to 119A.16 and 119A.20 to 119A.22. The council shall expire June 30, 2005.

Subd. 2. COUNCIL MEMBERSHIP. The council shall consist of a total of 22 members. The governor shall appoint 18 of these members. The commissioners of human services and health shall each appoint one member. The senate shall appoint one member from the senate committee with jurisdiction over family and early childhood education and the house of representatives shall appoint one member from the house committee with jurisdiction over family and early childhood education.

Council members shall have knowledge in the areas of child abuse and neglect prevention and intervention and knowledge of the risk factors that can lead to child abuse and neglect. Council members shall be representative of: local government, criminal justice, parents, consumers of services, health and human services professionals, faith community, professional and volunteer providers of child abuse and neglect prevention and intervention services, racial and ethnic minority communities, and the demographic and geographic composition of the state. Ten council members shall reside in the seven-county metropolitan area and eight shall reside in nonmetropolitan areas.

Subd. 3. RESPONSIBILITIES. The council shall:

(1) advise the commissioner on planning, policy development, data collection, rulemaking, funding, and evaluation of the programs under the sections listed in subdivision 1;

New language is indicated by underline, deletions by strikeout.

(2) coordinate and exchange information on the establishment and ongoing operation of the programs listed in subdivision 1;

(3) develop and publish criteria and guidelines for receiving grants relating to child abuse and neglect prevention and safety and support of child victims, including, but not limited to, funds dedicated to the children's trust fund and abused children program;

(4) provide guidance in the development of statewide education and public information activities that increase public awareness in the prevention and intervention of child abuse and neglect and encourage the development of prevention and intervention programs, which includes the safety of child victims;

(5) guide, analyze, and disseminate results in the development of appropriate evaluation procedures for all programs receiving funds under subdivision 1; and

(6) assist the commissioner in identifying service gaps or duplication in services including geographic dispersion of resources, programs reflecting the cycle of child abuse, and the availability of culturally appropriate intervention and prevention services.

Sec. 8. Minnesota Statutes 2000, section 124D.19, is amended by adding a subdivision to read:

Subd. 12. YOUTH AFTER-SCHOOL ENRICHMENT PROGRAMS. Each district operating a community education program under this section may establish a youth after-school enrichment program to maintain and expand participation by school-age youth in supervised activities during nonschool hours. The youth after-school enrichment programs must include activities that support development of social, mental, physical, and creative abilities of school-age youth; provide structured youth programs during high-risk times; and design programming to promote youth leadership development and improved academic performance.

Sec. 9. Minnesota Statutes 2000, section 124D.19, is amended by adding a subdivision to read:

Subd. 13. YOUTH AFTER-SCHOOL ENRICHMENT PROGRAM GOALS. The goals of youth after-school enrichment programs are to:

(1) collaborate with and leverage existing community resources that have demonstrated effectiveness;

(2) reach out to children and youth, including at-risk youth, in the community;

(3) increase the number of children participating in adult-supervised programs during nonschool hours;

(4) support academic achievement; and

(5) increase skills in technology, the arts, sports, and other activities.

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

Sec. 10. Minnesota Statutes 2000, section 124D.19, is amended by adding a subdivision to read:

Subd. 14. COMMUNITY EDUCATION; ANNUAL REPORT. Each district offering a community education program under this section must annually report to the department information regarding the cost per participant and cost per contact hour for each community education program, including youth after-school enrichment programs, that receives aid or levy. The department must include cost per participant and cost per contact hour information by program in the community education annual report.

Sec. 11. Minnesota Statutes 2000, section 124D.20, subdivision 1, is amended to read:

Subdivision 1. TOTAL COMMUNITY EDUCATION REVENUE. Total community education revenue equals the sum of a district's general community education revenue and, youth service program revenue, and youth after-school enrichment revenue.

Sec. 12. Minnesota Statutes 2000, section 124D.20, is amended by adding a subdivision to read:

Subd. 4a. YOUTH AFTER-SCHOOL ENRICHMENT REVENUE. In fiscal year 2003 and thereafter, youth after-school enrichment revenue for a district operating a youth after-school enrichment program under section 124D.19, subdivision 12, equals:

(1) \$1.85 times the greater of 1,335 or the population of the district, as defined in section 275.14, not to exceed 10,000; and

(2) \$0.43 times the population of the district, as defined in section 275.14, in excess of 10,000. Youth after-school enrichment revenue must be reserved for youth after-school enrichment programs.

Sec. 13. Minnesota Statutes 2000, section 124D.20, subdivision 5, is amended to read:

Subd. 5. TOTAL COMMUNITY EDUCATION LEVY. To obtain total community education revenue, a district operating a youth after-school enrichment program under section 124D.19, subdivision 12, may levy the amount raised by a maximum tax rate of .4795 .7431 percent times the adjusted net tax capacity of the district. To obtain total community education revenue, a district not operating a youth after-school enrichment program may levy the amount raised by a maximum tax rate of .4795 percent times the adjusted net tax capacity of the district. If the amount of the total community education levy would exceed the total community education revenue, the total community education levy shall be determined according to subdivision 6.

Sec. 14. **RETROACTIVITY.**

A contract encumbered or a grant awarded by a state agency before September 1, 2001, may be made retroactive to July 1, 2001.

New language is indicated by underline, deletions by strikeout.

Sec. 15. APPROPRIATIONS.

Subdivision 1. DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING. The sums indicated in this section are appropriated from the general fund to the department of children, families, and learning for the fiscal years designated.

Subd. 2. FAMILY SERVICES COLLABORATIVES. For family services collaboratives according to Minnesota Statutes, section 124D.23:

<u>\$1,477,000</u>	.....	<u>2002</u>
<u>\$ 863,000</u>	.....	<u>2003</u>

No new family services collaboratives shall be funded with this appropriation.

Any balance in the first year does not cancel but is available in the second year.

Subd. 3. COMMUNITY EDUCATION AID. For community education aid according to Minnesota Statutes, section 124D.20:

<u>\$14,209,000</u>	.....	<u>2002</u>
<u>\$13,111,000</u>	.....	<u>2003</u>

The 2002 appropriation includes \$1,528,000 for 2001 and \$12,681,000 for 2002.

The 2003 appropriation includes \$1,409,000 for 2002 and \$11,702,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

Subd. 4. ADULTS WITH DISABILITIES PROGRAM AID. For adults with disabilities programs according to Minnesota Statutes, section 124D.56:

<u>\$639,000</u>	.....	<u>2002</u>
<u>\$710,000</u>	.....	<u>2003</u>

The 2002 appropriation includes \$0 for 2001 and \$639,000 for 2002.

The 2003 appropriation includes \$71,000 for 2002 and \$639,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

Subd. 5. HEARING-IMPAIRED ADULTS. For programs for hearing-impaired adults according to Minnesota Statutes, section 124D.57:

<u>\$70,000</u>	.....	<u>2002</u>
<u>\$70,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 6. VIOLENCE PREVENTION EDUCATION GRANTS. For violence prevention education grants according to Minnesota Statutes, section 120B.23:

<u>\$1,305,000</u>	.....	<u>2002</u>
<u>\$1,450,000</u>	.....	<u>2003</u>

New language is indicated by underline, deletions by strikeout.

The 2002 appropriation includes \$0 for 2001 and \$1,305,000 for 2002.

The 2003 appropriation includes \$145,000 for 2002 and \$1,305,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

Subd. 7. ABUSED CHILDREN. For abused children programs according to Minnesota Statutes, section 119A.21:

<u>\$945,000</u>	.....	<u>2002</u>
<u>\$945,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 8. CHILDREN'S TRUST FUND. For children's trust fund according to Minnesota Statutes, sections 119A.12 and 119A.13:

<u>\$875,000</u>	.....	<u>2002</u>
<u>\$875,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 9. FAMILY VISITATION CENTERS. (a) For family visitation centers according to Minnesota Statutes, section 119A.37:

<u>\$200,000</u>	.....	<u>2002</u>
<u>\$200,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

(b) An additional \$96,000 in fiscal year 2002 and \$96,000 in fiscal year 2003 are appropriated from the special revenue fund under Minnesota Statutes, section 517.08, subdivision 1c, for family visitation centers. Any balance in the first year does not cancel but is available for the second year.

Subd. 10. AFTER-SCHOOL ENRICHMENT GRANTS. For after-school enrichment grants according to Minnesota Statutes, section 124D.221:

<u>\$5,510,000</u>	.....	<u>2002</u>
<u>\$5,510,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 11. CHEMICAL ABUSE PREVENTION GRANTS. (a) For grants with funds received under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), clause (4):

<u>\$200,000</u>	.....	<u>2002</u>
<u>\$200,000</u>	.....	<u>2003</u>

New language is indicated by underline, deletions by strikeout.

(b) These appropriations are from the alcohol-impaired driver account of the special revenue fund for chemical abuse prevention grants.

(c) \$25,000 in each year is for a grant to the city of St. Louis Park for the Meadowbrook Collaborative Housing Project to continue cooperative activities that support at-risk children and youth programming and to provide advice to the after-school substance abuse prevention program and other grantees that seek to replicate the Meadowbrook Collaborative Housing Project program model.

(d) \$175,000 in each year is to establish an after-school substance abuse prevention grant program to provide eligible community and nonprofit organizations with grants of up to \$20,000 per year for after-school substance abuse prevention programs.

Sec. 16. APPROPRIATIONS.

Subdivision 1. DEPARTMENT OF MILITARY AFFAIRS. The sums indicated in this section are appropriated from the general fund to the department of military affairs for the fiscal years designated.

Subd. 2. GUARD OUR YOUTH. For the guard our youth program sponsored by the department of military affairs to serve at-risk and underserved youth ages nine to 16 years:

<u>\$191,000</u>	<u>.....</u>	<u>2002</u>
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This is a one-time appropriation.

Any balance in the first year does not cancel but is available in the second year.

Sec. 17. REVISOR INSTRUCTION.

In the next and subsequent editions of Minnesota Statutes and Minnesota Rules, the revisor shall renumber Minnesota Statutes, section 119A.13, subdivision 4, as Minnesota Statutes, section 119A.12, subdivision 4, and make necessary cross-reference changes consistent with the renumbering.

Sec. 18. REPEALER.

Minnesota Statutes 2000, sections 119A.13, subdivisions 1, 2, and 3; 119A.14, subdivision 2; 119A.23; 124D.33; and 124D.331, are repealed.

Sec. 19. EFFECTIVE DATE.

Sections 12 and 13 are effective for revenue for fiscal year 2003.

New language is indicated by underline, deletions by strikeout.

ARTICLE 3

SELF-SUFFICIENCY AND LIFELONG LEARNING

Section 1. Minnesota Statutes 2000, section 124D.518, subdivision 5, is amended to read:

Subd. 5. **UNREIMBURSED EXPENSES.** "Unreimbursed expenses" means allowable adult basic education expenses of a program, in the current program year, that are not covered by payments from federal or private for-profit sources.

Sec. 2. Minnesota Statutes 2000, section 124D.52, subdivision 2, is amended to read:

Subd. 2. **PROGRAM APPROVAL.** (a) To receive aid under this section, a district, a consortium of districts, ~~the department of corrections~~, or a private nonprofit organization must submit an application by June 1 describing the program, on a form provided by the department. The program must be approved by the commissioner according to the following criteria:

- (1) how the needs of different levels of learning will be met;
- (2) for continuing programs, an evaluation of results;
- (3) anticipated number and education level of participants;
- (4) coordination with other resources and services;
- (5) participation in a consortium, if any, and money available from other participants;
- (6) management and program design;
- (7) volunteer training and use of volunteers;
- (8) staff development services;
- (9) program sites and schedules;
- (10) program expenditures that qualify for aid;
- (11) program ability to provide data related to learner outcomes as required by law; and
- (12) a copy of the memorandum of understanding described in subdivision 1 submitted to the commissioner.

(b) Adult basic education programs may be approved under this subdivision for up to five years. Five-year program approval must be granted to an applicant who has demonstrated the capacity to:

- (1) offer comprehensive learning opportunities and support service choices appropriate for and accessible to adults at all basic skill need levels;

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

(2) provide a participatory and experiential learning approach based on the strengths, interests, and needs of each adult, that enables adults with basic skill needs to:

(i) identify, plan for, and evaluate their own progress toward achieving their defined educational and occupational goals;

(ii) master the basic academic reading, writing, and computational skills, as well as the problem-solving, decision making, interpersonal effectiveness, and other life and learning skills they need to function effectively in a changing society;

(iii) locate and be able to use the health, governmental, and social services and resources they need to improve their own and their families' lives; and

(iv) continue their education, if they desire, to at least the level of secondary school completion, with the ability to secure and benefit from continuing education that will enable them to become more employable, productive, and responsible citizens;

(3) plan, coordinate, and develop cooperative agreements with community resources to address the needs that the adults have for support services, such as transportation, flexible course scheduling, convenient class locations, and child care;

(4) collaborate with business, industry, labor unions, and employment-training agencies, as well as with family and occupational education providers, to arrange for resources and services through which adults can attain economic self-sufficiency;

(5) provide sensitive and well trained adult education personnel who participate in local, regional, and statewide adult basic education staff development events to master effective adult learning and teaching techniques;

(6) participate in regional adult basic education peer program reviews and evaluations;

(7) submit accurate and timely performance and fiscal reports;

(8) submit accurate and timely reports related to program outcomes and learner follow-up information; and

(9) spend adult basic education aid on adult basic education purposes only, which are specified in sections 124D.518 to 124D.531.

(c) The commissioner shall require each district to provide notification by February 1, 2001, of its intent to apply for funds under this section as a single district or as part of an identified consortium of districts. A district receiving funds under this section must notify the commissioner by February 1 of its intent to change its application status for applications due the following June 1.

Sec. 3. Minnesota Statutes 2000, section 124D.522, is amended to read:

124D.522 ADULT BASIC EDUCATION SUPPLEMENTAL SERVICE GRANTS.

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

(a) The commissioner, in consultation with the policy review task force under section 124D.521, may make grants to nonprofit organizations to provide services that are not offered by a district adult basic education program or that are supplemental to either the statewide adult basic education program, or a district's adult basic education program. The commissioner may make grants for: staff development for adult basic education teachers and administrators; training for volunteer tutors; training, services, and materials for serving disabled students through adult basic education programs; statewide promotion of adult basic education services and programs; development and dissemination of instructional and administrative technology for adult basic education programs; programs which primarily serve communities of color; adult basic education distance learning projects, including television instruction programs; and other supplemental services to support the mission of adult basic education and innovative delivery of adult basic education services.

(b) The commissioner must establish eligibility criteria and grant application procedures. Grants under this section must support services throughout the state, focus on educational results for adult learners, and promote outcome-based achievement through adult basic education programs. Beginning in fiscal year 2002, the commissioner may make grants under this section from funds specifically appropriated the state total adult basic education aid set aside for supplemental service grants under section 124D.531. Up to one-third one-fourth of the appropriation for supplemental service grants must be used for grants for adult basic education programs to encourage and support innovations in adult basic education instruction and service delivery. A grant to a single organization cannot exceed \$100,000. Nothing in this section prevents an approved adult basic education program from using state or federal aid to purchase supplemental services.

Sec. 4. Minnesota Statutes 2000, section 124D.531, subdivision 1, is amended to read:

Subdivision 1. **STATE TOTAL ADULT BASIC EDUCATION AID.** (a) The state total adult basic education aid for fiscal year 2001 equals \$30,157,000. The state total adult basic education aid for later years equals:

- (1) the state total adult basic education aid for the preceding fiscal year; times
- (2) the lesser of:
 - (i) 1.08, or

(ii) the greater of 1.00 or the ratio of the state total contact hours in the first prior program year to the state total contact hours in the second prior program year. Beginning in fiscal year 2002, two percent of the state total adult basic education aid must be set aside for adult basic education supplemental service grants under section 124D.522.

(b) The state total adult basic education aid, excluding basic population aid, equals the difference between the amount computed in paragraph (a), and the state total basic population aid under subdivision 2.

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

Sec. 5. Minnesota Statutes 2000, section 124D.531, subdivision 3, is amended to read:

Subd. 3. **PROGRAM REVENUE.** Adult basic education programs established under section 124D.52 and approved by the commissioner are eligible for revenue under this subdivision. For fiscal year 2001 and later, adult basic education revenue for each approved program equals the sum of:

(1) the basic population aid under subdivision 2 for districts participating in the program during the current program year; plus

(2) 84 percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the contact hours for students participating in the program during the first prior program year to the state total contact hours during the first prior program year; plus

(3) eight percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the enrollment of students with limited English proficiency during the second prior school year in districts participating in the program during the current program year to the state total enrollment of students with limited English proficiency during the second prior school year in districts participating in adult basic education programs during the current program year; plus

(4) eight percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the latest federal census count of the number of adults aged 20 or older with no diploma residing in the districts participating in the program during the current program year to the latest federal census count of the state total number of adults aged 20 or older with no diploma residing in the districts participating in adult basic education programs during the current program year.

Sec. 6. Minnesota Statutes 2000, section 124D.531, subdivision 7, is amended to read:

Subd. 7. **PROGRAM AUDITS.** Programs that receive aid under this section must maintain records that support the aid payments. The commissioner may audit these records upon request. The commissioner must establish procedures for conducting fiscal audits of adult basic education programs according to the schedule in this subdivision. In calendar year ~~2002~~ 2003, the commissioner must audit one-half of approved adult basic education programs that received aid for fiscal year ~~2001~~ 2002, and in calendar year ~~2003~~ 2004, the commissioner must audit the remaining unaudited programs for aid received in fiscal year ~~2002~~ 2003. Beginning with fiscal year ~~2004~~ 2005, the commissioner must, at a minimum, audit each adult basic education program once every five years. The commissioner must establish procedures to reconcile any discrepancies between aid payments based on information reported to the commissioner and aid estimates based on a program audit.

Sec. 7. ADULT BASIC EDUCATION POLICY TASK FORCE.

The adult basic education policy task force, under Laws 2000, chapter 489, article 1, section 42, must recommend to the legislative finance committees with responsi-

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

bility for adult basic education an equitable funding formula for nondistrict programs based on an evaluation of costs and revenues. The task force must report to the legislature by February 1, 2002.

Sec. 8. DIRECTION TO COMMISSIONER.

The commissioner of children, families, and learning must hire a state adult basic education director who is a different employee than the federal adult basic education director to oversee the state adult basic education program. The duties of the state adult basic education director include, but are not limited to:

- (1) oversight of the supplemental service grants;
- (2) coordination of the adult basic education policy task force;
- (3) working with adult basic education directors around the state; and
- (4) providing information to the legislative finance committees that oversee the adult basic education program.

Sec. 9. APPROPRIATIONS.

Subdivision 1. DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING. The sums indicated in this section are appropriated from the general fund to the department of children, families, and learning for the fiscal years designated.

Subd. 2. MINNESOTA ECONOMIC OPPORTUNITY GRANTS. For Minnesota economic opportunity grants, Minnesota Statutes, sections 119A.374 to 119A.376:

\$8,514,000	.....	2002
\$8,514,000	.....	2003

Any balance in the first year does not cancel but is available in the second year.

Subd. 3. TRANSITIONAL HOUSING PROGRAMS. For transitional housing programs according to Minnesota Statutes, section 119A.43:

\$1,988,000	.....	2002
\$1,988,000	.....	2003

Any balance in the first year does not cancel but is available in the second year.

Subd. 4. EMERGENCY SERVICES. For emergency services according to Minnesota Statutes, section 119A.43:

\$350,000	.....	2002
\$350,000	.....	2003

Any balance in the first year does not cancel but is available in the second year.

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

Subd. 5. ADULT BASIC EDUCATION AID. For adult basic education aid according to Minnesota Statutes, section 124D.531:

<u>\$32,150,000</u>	.....	<u>2002</u>
<u>\$34,731,000</u>	.....	<u>2003</u>

The 2002 appropriation includes \$3,019,000 for 2001 and \$29,131,000 for 2002.

The 2003 appropriation includes \$3,237,000 for 2002 and \$31,494,000 for 2003.

Subd. 6. ADULT BASIC EDUCATION AUDITS; STATE DIRECTOR.

For adult basic education audits under Minnesota Statutes, section 124D.531, and for a state adult basic education director:

<u>\$100,000</u>	.....	<u>2002</u>
<u>\$275,000</u>	.....	<u>2003</u>

The fiscal year 2004 appropriation is \$275,000. In fiscal year 2005 and thereafter, the base is \$170,000 from the general fund each year.

Any balance in the first year does not cancel but is available in the second year.

Subd. 7. ADULT GRADUATION AID. For adult graduation aid according to Minnesota Statutes, section 124D.54:

<u>\$3,195,000</u>	.....	<u>2002</u>
<u>\$3,356,000</u>	.....	<u>2003</u>

The 2002 appropriation includes \$305,000 for 2001 and \$2,890,000 for 2002.

The 2003 appropriation includes \$321,000 for 2002 and \$3,035,000 for 2003.

Subd. 8. GED TESTS. For GED tests according to Minnesota Statutes, section 124D.55:

<u>\$125,000</u>	.....	<u>2002</u>
<u>\$125,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

Subd. 9. FOODSHELF PROGRAM. For foodshelf programs according to Minnesota Statutes, section 119A.44:

<u>\$1,278,000</u>	.....	<u>2002</u>
<u>\$1,278,000</u>	.....	<u>2003</u>

Any balance in the first year does not cancel but is available in the second year.

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

Subd. 10. FAMILY ASSETS FOR INDEPENDENCE.

\$500,000	2002
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Any balance in the first year does not cancel but is available in the second year.

Subd. 11. LEAD ABATEMENT. For lead abatement according to Minnesota Statutes, section 119A.46:

\$100,000	.....	2002
\$100,000	.....	2003

Any balance in the first year does not cancel but is available in the second year.

Sec. 10. TANF APPROPRIATIONS.

Subdivision 1. DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING. The sums indicated in this section are appropriated to the commissioner of children, families, and learning from the federal Temporary Assistance for Needy Families block grant for the fiscal years designated. These amounts are available for expenditure until June 30, 2003. Appropriations under this section are one-time appropriations and are not added to the base for fiscal years 2004 and 2005.

Subd. 2. INTENSIVE ENGLISH AS A SECOND LANGUAGE. For intensive English as a second language for eligible MFIP participants under Laws 2000, chapter 489, article 1, section 39:

\$1,100,000	.....	2002
\$1,100,000	.....	2003

Any balance in the first year does not cancel but is available in the second year.

Subd. 3. TRANSITIONAL HOUSING. For reimbursement grants to transitional housing programs under Minnesota Statutes, section 119A.43:

\$1,900,000	.....	2002
\$1,950,000	.....	2003

Any balance in the first year does not cancel but is available in the second year.

These appropriations must be used for up to four months of transitional housing for families with incomes below 200 percent of the federal poverty guidelines. Payment must be made to programs on a reimbursement basis.

Sec. 11. REVISOR INSTRUCTION.

In the next and subsequent editions of Minnesota Statutes and Minnesota Rules, the revisor must replace all references to the "Minnesota Foodshelf Association" with "Hunger Solutions."

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

ARTICLE 4

LIBRARIES

Section 1. Minnesota Statutes 2000, section 125B.20, subdivision 1, is amended to read:

Subdivision 1. **ESTABLISHMENT; PURPOSE.** The purpose of developing a statewide school district telecommunications network is to expand the availability of a broad range of courses and degrees to students throughout the state, to share information resources to improve access, quality, and efficiency, to improve learning, and distance cooperative learning opportunities, and to promote the exchange of ideas among students, parents, teachers, media generalists, librarians, and the public. In addition, through the development of this statewide telecommunications network emphasizing cost-effective, competitive connections, all Minnesotans will benefit by enhancing access to telecommunications technology throughout the state. Network connections for school districts and public libraries are coordinated and fully integrated into the existing state telecommunications and interactive television networks to achieve comprehensive and efficient interconnectivity of school districts and libraries to higher education institutions, state agencies, other governmental units, agencies, and institutions throughout Minnesota. A school district may apply to the commissioner for a grant under subdivision 2, and a regional public library may apply under subdivision 3. The Minnesota education telecommunications council established in Laws 1995, First Special Session chapter 3, article 12, section 7, shall establish priorities for awarding grants, making grant awards, and being responsible for the coordination of networks.

Sec. 2. Minnesota Statutes 2000, section 134.31, subdivision 5, is amended to read:

Subd. 5. **ADVISORY COMMITTEE.** The commissioner shall appoint an advisory committee of five members to advise the staff of the Minnesota library for the blind and physically handicapped on long-range plans and library services. Members shall be people who use the library. Section 15.059 governs this committee except that the committee shall expire on June 30, 2001 2003.

Sec. 3. [134.47] **REGIONAL LIBRARY TELECOMMUNICATIONS AID.**

Subdivision 1. **ELIGIBILITY.** (a) A regional public library system may apply for regional library telecommunications aid. The aid must be used for data and video access costs and other related costs to improve or maintain electronic access and connect the library system with the state information infrastructure administered by the department of administration under section 16B.465. Priority shall be given to public libraries that have not received access. To be eligible, a regional public library system must be officially designated by the commissioner of children, families, and learning as a regional public library system as defined in section 134.34, subdivision 3, and each of its participating cities and counties must meet local support levels defined in section

New language is indicated by underline, deletions by strikeout.

134.34, subdivision 1. A public library building that receives aid under this section must be open a minimum of 20 hours per week.

(b) Aid received under this section may not be used to substitute for any existing local funds allocated to provide electronic access, equipment for library staff or the public, or local funds dedicated to other library operations.

(c) An application for regional library telecommunications aid must, at a minimum, contain information to document the following:

(1) the connections are adequate and employ an open network architecture that will ensure interconnectivity and interoperability with school districts, post-secondary education, or other governmental agencies;

(2) that the connection is established through the most cost-effective means and that the regional library has explored and coordinated connections through school districts, post-secondary education, or other governmental agencies;

(3) that the regional library system has filed an e-rate application; and

(4) other information, as determined by the commissioner of children, families, and learning, to ensure that connections are coordinated, efficient, and cost-effective, take advantage of discounts, and meet applicable state standards.

The library system may include costs associated with cooperative arrangements with post-secondary institutions, school districts, and other governmental agencies.

Subd. 2. AWARD OF FUNDS. The commissioner of children, families, and learning shall develop an application and a reporting form and procedures for regional library telecommunications aid. Aid shall be based on actual costs of connections and funds available for this purpose. The commissioner shall make payments directly to the regional public library system.

Subd. 3. EXPIRATION. This section expires on July 1, 2003.

Sec. 4. Laws 2000, chapter 489, article 5, section 23, is amended to read:

Sec. 23. COMMISSIONER RECOMMENDATION.

By February 1, 2002, the commissioner of children, families, and learning, in cooperation with the commissioner of administration and the Minnesota education telecommunication council, shall recommend to the legislature a permanent method for funding telecommunications access as part of the general education revenue formula under Minnesota Statutes, section 126C.10, for school districts and charter schools and a permanent method for funding telecommunications access as part of the basic support grants for public libraries. The commissioner shall consider the following in making the recommendation:

(1) the range of costs for providing a minimum level of telecommunications access for all students and library users;

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

(2) the flexibility that is necessary to accommodate emerging technological advances in the telecommunications field; and

(3) other related efforts within the state, including the state's higher education and public library systems.

Sec. 5. APPROPRIATIONS.

Subdivision 1. DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING. The sums indicated in this section are appropriated from the general fund to the department of children, families, and learning for the fiscal years designated.

Subd. 2. BASIC SUPPORT GRANTS. For basic support grants according to Minnesota Statutes, sections 134.32 to 134.35:

<u>\$8,570,000</u>	<u>.....</u>	<u>2002</u>
<u>\$8,570,000</u>	<u>.....</u>	<u>2003</u>

The 2002 appropriation includes \$857,000 for 2001 and \$7,713,000 for 2002.

The 2003 appropriation includes \$857,000 for 2002 and \$7,713,000 for 2003.

Base level funding for fiscal year 2004 is \$9,723,000 and \$9,722,000 for fiscal year 2005.

Subd. 3. MULTICOUNTY, MULTITYPE LIBRARY SYSTEMS. For grants according to Minnesota Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

<u>\$903,000</u>	<u>.....</u>	<u>2002</u>
<u>\$903,000</u>	<u>.....</u>	<u>2003</u>

The 2002 appropriation includes \$90,000 for 2001 and \$813,000 for 2002.

The 2003 appropriation includes \$90,000 for 2002 and \$813,000 for 2003.

Any balance in the first year does not cancel but is available in the second year.

Subd. 4. REGIONAL LIBRARY TELECOMMUNICATIONS AID. For aid to regional public library systems under Minnesota Statutes, section 134.47:

<u>\$1,200,000</u>	<u>.....</u>	<u>2002</u>
<u>\$1,200,000</u>	<u>.....</u>	<u>2003</u>

This is a one-time appropriation. Any balance in the first year does not cancel but is available in the second year.

Sec. 6. REPEALER.

(a) Minnesota Statutes 2000, section 125B.20, subdivision 3, is repealed.

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

(b) Minnesota Rules, parts 3530.2610; 3530.2612; 3530.2614; 3530.2616; 3530.2618; 3530.2620; 3530.2622; 3530.2624; 3530.2626; 3530.2628; 3530.2630; 3530.2632; 3530.2634; 3530.2636; 3530.2638; 3530.2640; 3530.2642; and 3530.2644, are repealed.

Presented to the governor June 28, 2001

Signed by the governor June 30, 2001, 8:43 p.m.

CHAPTER 4—H.F.No. 5

An act relating to state government; appropriating money for economic development, housing, and certain agencies of state government; establishing and modifying programs; abolishing the department of economic security; transferring certain duties and funds; creating a transition team for the reorganization of state departments; consolidating housing programs; regulating activities and practices; modifying fees; making conforming changes; requiring reports; codifying reorganization order No. 181; transferring the remaining duties of the commissioner of public service to the commissioner of commerce; instructing the revisor to change certain terms; amending Minnesota Statutes 2000, sections 3.922, by adding a subdivision; 3C.12, subdivision 2; 13.679; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 16B.32, subdivision 2; 16B.335, subdivision 4; 16B.56, subdivision 1; 16B.76, subdivision 1; 17.86, subdivision 3; 18.024, subdivision 1; 43A.08, subdivision 1a; 45.012; 103F.325, subdivisions 2, 3; 115A.15, subdivision 5; 116J.8731, subdivision 1; 116L.03; 116L.04, by adding a subdivision; 116L.05, by adding a subdivision; 116L.16; 116O.06, subdivision 2; 123B.65, subdivisions 1, 3, 5; 138.664, by adding a subdivision; 161.45, subdivision 1; 168.61, subdivision 1; 169.073; 174.03, subdivision 7; 181.30; 184.29; 184.30, subdivision 1; 184.38, subdivisions 6, 8, 9, 10, 11, 17, 18, 20; 184.41; 216A.01; 216A.035; 216A.036; 216A.05, subdivision 1; 216A.07, subdivision 1; 216A.08; 216A.085, subdivision 3; 216B.02, subdivisions 1, 7, 8; 216B.16, subdivisions 1, 2, 6b, 15; 216B.162, subdivisions 7, 11; 216B.1675, subdivision 9; 216B.241, subdivisions 1a, 1b, 2b; 216C.01, subdivisions 1, 2, 3; 216C.051, subdivision 6; 216C.37, subdivision 1; 216C.40, subdivision 4; 216C.41, as amended; 237.02; 237.075, subdivisions 2, 9; 237.082; 237.21; 237.30; 237.462, subdivision 6; 237.51, subdivisions 1, 5, 5a; 237.52, subdivisions 2, 4, 5; 237.54, subdivision 2; 237.55; 237.59, subdivision 2; 237.768; 239.01; 239.10; 268.022, subdivision 2; 268.145, subdivision 1; 268.665, by adding a subdivision; 325E.11; 325E.115, subdivision 2; 326.243; 462A.01; 462A.03, subdivisions 1, 6, 10, by adding a subdivision; 462A.04, subdivision 6; 462A.05, subdivisions 14, 14a, 16, 22, 26; 462A.06, subdivisions 1, 4; 462A.07, subdivisions 10, 12; 462A.073, subdivision 1; 462A.15; 462A.17, subdivision 3; 462A.20, subdivision 3; 462A.201, subdivisions 2, 6; 462A.204, subdivision 3; 462A.205, subdivisions 4, 4a; 462A.209; 462A.2091, subdivision 3; 462A.2093, subdivision 1; 462A.2097; 462A.21, subdivisions 5, 10, by adding subdivisions; 462A.222, subdivision 1a; 462A.24; 462A.33, subdivisions 1, 2, 3, 5, by adding a subdivision; 473.195, by adding a subdivision; 484.50; Laws 1993, chapter 301, section 1, subdivision 4, as amended; Laws 1995, chapter 248, article 12, section 2, as amended; Laws 1995, chapter 248, article 13, section 2, subdivision 2, as amended; Laws 2000, chapter 488, article 8, section 2, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 116L; 181; 462A; repealing Minnesota Statutes 2000, sections 184.22, subdivisions 2, 3, 4, 5; 184.37, subdivision 2; 216A.06; 237.69,

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