

**Sec. 2. APPLICATION.**

Section 1 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

**Sec. 3. EFFECTIVE DATE.**

This act is effective on December 31, 2002.

Presented to the governor March 22, 2002

Signed by the governor March 25, 2002, 2:15 p.m.

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**CHAPTER 279—S.F.No. 2419**

*An act relating to human services; defining certain terms; changing a calculation; clarifying the use of portable wading pools at family day care settings; amending Minnesota Statutes 2000, sections 119B.011, subdivision 7, by adding a subdivision; 119B.061, subdivision 1; 144.1222, by adding a subdivision; 245A.14, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 119B.061, subdivision 4.*

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

Section 1. Minnesota Statutes 2000, section 119B.011, subdivision 7, is amended to read:

Subd. 7. **CHILD CARE SERVICES.** “Child care services” means the provision of child care provided in family day care homes, group day care homes, nursery schools, day nurseries, child day care centers, head start, and extended day school age child care programs in or out of the child’s home as defined in subdivision 5.

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

Subd. 22. **SERVICE PERIOD.** “Service period” means the biweekly period used by the child care assistance program for billing and payment purposes.

Sec. 3. Minnesota Statutes 2000, section 119B.061, subdivision 1, is amended to read:

Subdivision 1. **ESTABLISHMENT.** A family in which a parent provides care for the family’s infant child may receive a subsidy in lieu of assistance if the family is eligible for, or is receiving assistance under the basic sliding fee program. An eligible family must meet the eligibility factors under section 119B.09, except as provided in subdivision 4, the income criteria under section 119B.12, and the requirements of this section. Subject to federal match and maintenance of effort requirements for the child care and development fund, the commissioner shall establish a pool of up to seven percent of the annual appropriation for the basic sliding fee program to provide assistance under the at-home infant child care program. At the end of a fiscal year, the

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

commissioner may carry forward any unspent funds under this section to the next fiscal year within the same biennium for assistance under the basic sliding fee program.

Sec. 4. Minnesota Statutes 2001 Supplement, 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 subdivision 2. The maximum rate of assistance is equal to 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~~ For purposes of this section, the annual income of the applicant family must be based on an annualization of the income received only during the period in which the family is participating in the at-home infant care program.

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

(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 144.1222, is amended by adding a subdivision to read:

Subd. 2a. **POOLS AT FAMILY DAY CARE OR GROUP FAMILY DAY CARE HOMES.** A portable wading pool that is located at a family day care or group family day care home licensed under Minnesota Rules, chapter 9502, or at a home at which child care services are provided under section 245A.03, subdivision 2, clause (2), shall be defined as a private residential pool and not as a public pool for purposes of public swimming pool regulations under Minnesota Rules, chapter 4717, provided that the portable wading pool has a maximum depth of 24 inches and is capable of being manually emptied and moved.

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Sec. 6. Minnesota Statutes 2000, section 245A.14, is amended by adding a subdivision to read:

**Subd. 10. PORTABLE WADING POOLS; FAMILY DAY CARE AND GROUP FAMILY DAY CARE PROVIDERS.** A portable wading pool as defined in section 144.1222 may not be used by a child at a family day care or group family day care home or at a home at which child care services are provided under section 245A.03, subdivision 2, clause (2), unless the parent or legal guardian of the child has provided written consent. The written consent shall include a statement that the parent or legal guardian has received and read material provided by the department of health to the department of human services for distribution to all family day care or group family day care homes and the general public on the human services Internet Web site related to the risk of disease transmission as well as other health risks associated with the use of portable wading pools.

**Sec. 7. EFFECTIVE DATE.**

Sections 5 and 6 are effective the day following final enactment.

Presented to the governor March 22, 2002

Signed by the governor March 25, 2002, 2:21 p.m.

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**CHAPTER 280—H.F.No. 197**

*An act relating to appropriations; reducing an earlier general fund appropriation; authorizing the sale of state bonds; appropriating money for grants to noncommercial television stations and to design and construct bus garages; amending Laws 2000, chapter 479, article 1, section 3, subdivision 2.*

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

**Section 1. DIGITAL TELEVISION CONVERSION APPROPRIATION.**

\$7,800,000 is appropriated from the general fund to the commissioner of administration for grants to noncommercial television stations to assist with conversion to a digital broadcast signal as mandated by the federal government.

The grants must be paid within 30 days after the effective date of this act to the following stations, each of which has already met the criteria established for grants in Minnesota Statutes, section 129D.12, subdivision 2, and has certified to the Federal Communications Commission that it will convert to a digital broadcast signal:

KAWB-DT Brainerd;

KAWE-DT Bemidji;

KFME-DT Fargo-Moorhead;

KGFE-DT Crookston;

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