

MINNESOTA STATUTES 1979 SUPPLEMENT

BOARD OF ARTS 139.17

of admission fees received by the management unit and for grants in aid to the management unit for use in the sites' operation and maintenance.

[1979 c 125 s 1]

138.91 Minnesota humanities commission.

Subdivision 1. From money appropriated to it for this purpose the Minnesota historical society shall make grants to the Minnesota humanities commission for its general operations and management. A grant shall not be made unless matched by an equal amount of federal money. At least 50 percent of the amount appropriated shall be used for cooperation with and service for other groups, agencies, and institutions outside the seven-county metropolitan area for the support and dissemination of the humanities.

Subd. 2. The Minnesota humanities commission shall report to the legislature by September 1 of each year on the use of these grants. The report shall include an itemized account of the programs and projects supported and the source of money for each. The report shall show actual expenditures for the fiscal year ending the preceding June 30 and proposed expenditures for the fiscal year beginning the preceding July 1.

[1979 c 337 s 15]

138.92 Local and regional historical interpretive centers.

A historical interpretive center shall be operated and maintained by the agency, society, corporation, or political subdivision that owns it. State money shall not be used for operating or maintenance expenses of any historical interpretive center not owned by the state of Minnesota or the Minnesota historical society.

[1979 c 337 s 16]

CHAPTER 139. BOARD OF ARTS

Sec. 139.10	Duties.	Sec. 139.19	General noncommercial radio station grants.
139.17	Definitions.		
139.18	Grants.		

139.10 Duties.

[For text of subd 1, see M.S.1978]

Subd. 2. In performing the duties under subdivision 1, the board shall insofar as reasonably possible:

(a) avoid any actions which infringe on the freedom of artistic expression or which interfere with programs in the state which relate to the arts but which do not involve board assistance;

(b) distribute board assistance equitably according to population throughout the geographical regions of the state;

(c) give special consideration to requests for assistance for the creation or performance of types or variations of the arts which have yet to receive the level of general support and assistance given to the more established types or variations of the arts.

[For text of subds 3 and 4, see M.S.1978]

[1979 c 337 s 17]

139.17 Definitions.

[For text of subd 1, see M.S.1978]

Subd. 2. "Public station" means a licensee of the federal communications commission as a noncommercial educational television broadcast station within this state or a station outside the state which received funds under section 139.18 in 1976.

[1979 c 337 s 18]

MINNESOTA STATUTES 1979 SUPPLEMENT

139.18 BOARD OF ARTS

139.18 Grants.

Subdivision 1. The board of the arts shall distribute the funds provided by sections 139.16 to 139.18. Twice annually the board of the arts shall make block grants which shall be distributed in equal amounts to public stations for operational costs. The board of the arts shall allocate funds appropriated for the purposes of sections 139.16 to 139.18 in such a manner that each eligible public station receives a block grant. In addition, the board of the arts shall make matching grants to public stations. Matching grants shall be used for operational costs and shall be allocated using the procedure developed for distribution of state money under this section for grants made in fiscal year 1979. No station's matching grant in any fiscal year shall exceed the amount of Minnesota based contributions received by that station in the previous fiscal year.

Subd. 2. In calculating the amount of contributions received by a public station pursuant to subdivision 1, there shall be excluded: contributions, whether monetary or in kind, from the corporation for public broadcasting; tax generated funds, including payments by public or private elementary and secondary schools; that portion of any foundation or corporation donation in excess of \$500 from any one contributor in a calendar year; contributions from any source if made for the purpose of capital expenditures; and contributions from all sources based outside the state.

[For text of subs 3 and 4, see M.S.1978]

[1979 c 337 s 19,20]

139.19 General noncommercial radio station grants.

Subdivision 1. **Purpose.** The purposes of this section are to facilitate the use of the noncommercial radio station as a community resource by providing financial assistance to noncommercial radio stations serving Minnesota citizens.

Subd. 2. **Definitions.** As used in this section, the terms defined in this subdivision have the meanings given them.

(a) "Corporation for Public Broadcasting" means the nonprofit organization established pursuant to 47 U.S.C. 396.

(b) "Federal Communications Commission" means the federal agency established pursuant to 47 U.S.C. 151.

(c) "Noncommercial radio station" means a station holding a license or operating under program test authority from the Federal Communications Commission as a non-commercial educational radio station, licensed to a community within the state and serving a segment of the population of the state.

(d) "Operating income" may include:

- (1) individual and other community contributions;
- (2) all grants received from the Corporation for Public Broadcasting;
- (3) grants received from foundations, corporations, or federal, state, or local agencies or other sources for the purpose of programming or general operating support;
- (4) interest income;
- (5) earned income;
- (6) employee salaries paid through the federal Comprehensive Employment Training Act, or other similar public employment programs, provided that only salary expended for employee duties directly relating to radio station operations shall be counted;
- (7) employee salaries paid through supporting educational institutions, provided that only salary expended for employee duties directly relating to radio station operations shall be counted;
- (8) direct operating costs provided by supporting educational institutions; and
- (9) no more than \$15,000 in volunteer time calculated at the federal minimum wage.

MINNESOTA STATUTES 1979 SUPPLEMENT

BOARD OF ARTS 139.19

The following are specifically excluded in determining a station's operating income:

- (1) dollar representations in in-kind assistance from any source except as stipulated in clauses (8) and (9) above;
- (2) grants or contributions from any source for the purpose of purchasing capital improvements or equipment; and
- (3) noncommercial radio station grants received in the previous fiscal year pursuant to this section.

Subd. 3. Station eligibility. To qualify for a grant under this section, a noncommercial radio station shall:

- (a) Hold a valid noncommercial educational radio station license or program test authority from the Federal Communications Commission;
- (b) Have facilities adequate to provide local program production and origination;
- (c) Employ a minimum of two full time professional radio staff persons or the equivalent in part-time staff and agree to employ a minimum of two full time professional radio staff persons or the equivalent in part-time staff throughout the fiscal year of the grant;
- (d) Maintain a minimum daily broadcasting schedule of (1) the maximum allowed by its Federal Communications Commission license or (2) 12 hours a day during the first year of eligibility for state assistance, 15 hours a day during the second year of eligibility and 18 hours a day during the third and following years of eligibility;
- (e) Broadcast 365 days a year or the maximum number of days allowed by its Federal Communications Commission license;
- (f) Have a daily broadcast schedule devoted primarily to programming that serves ascertained community needs of an educational, informational or cultural nature within its primary signal area; however, a program schedule of a main channel carrier designed to further the principles of one or more particular religious philosophies or including 25 percent or more religious programming on a broadcast day does not meet this criterion, nor does a program schedule of a main channel carrier designed primarily for in-school or professional in-service audiences;
- (g) Originate significant, locally produced programming designed to serve its community of license;
- (h) Have a total annual operating income and budget of at least \$50,000;
- (i) Have either a board of directors representing the community or a community advisory board that conducts advisory board meetings that are open to the public;
- (j) Have a board of directors that: (1) holds the portion of any meeting relating to the management or operation of the radio station open to the public and (2) permits any person to attend any meeting of the board without requiring a person, as a condition to attendance at the meeting, to register the person's name or to provide any other information; and
- (k) Have met the criteria in clauses (a) to (j) for six months before it is eligible for state assistance under this section.

The board of the arts shall accept the judgment of a Corporation for Public Broadcasting accepted audit when it is available on a station's eligibility for assistance under the criteria of this subdivision. If the applicant station is not qualified for assistance from the Corporation for Public Broadcasting, an independent audit is required.

Subd. 4. Application. To be eligible for a grant under this section, a station shall submit an application to the board of the arts within the deadline prescribed by the board. It shall also submit, within the deadline prescribed by the board, its audited financial records for the fiscal year preceding the year for which the grant will be made.

Subd. 5. Grants. (a) The board of the arts shall determine eligibility for grants and the allocation of grant funds on the basis of audited financial records for the applicant station's fiscal year preceding the year in which the grant is made, as well as on the basis of the other requirements set forth in this section. The board shall annually distribute grants to all stations that comply with the eligibility requirements and apply for a

MINNESOTA STATUTES 1979 SUPPLEMENT

139.19 BOARD OF ARTS

grant. The board of the arts may promulgate rules to implement this section. For this purpose the board of the arts may promulgate temporary rules pursuant to section 15.0412, subdivision 5. An applicant's share of the grant money shall be based on:

(1) The amount received in the preceding year by the station in private non-tax generated contributions from sources within the state; no contributions made for the purpose of capital expenditures shall be counted; and

(2) The dollar value in the preceding year of contributions of volunteer time to station operations, provided that the volunteer time was not used for the purpose of raising money for the station. Volunteer time shall be valued at the federal minimum wage per hour. A station's total allocation for volunteer time shall not exceed 20 percent of its total grant pursuant to this section.

(b) The board of the arts shall match every verified contribution dollar under paragraph (a), clause (1) and volunteer time dollar, as calculated under paragraph (a), clause (2), with two state dollars for each eligible applicant until the applicant station has received \$10,000 in grant money under this section, and thereafter grant money shall be distributed on a dollar for dollar basis until the total amount appropriated for that year has been distributed equally among all applicants. A station may receive state matching money only until the station's total verified contribution and volunteer time has been matched or the amount of the grant received equals one-third of the station's total operating income for the previous fiscal year.

(c) A station may use grant money under this section for any radio station expenses.

Subd. 6. **Audit.** A station that receives a grant under this section shall have an audit of its financial records made by an independent auditor or Corporation for Public Broadcasting accepted audit at the end of the fiscal year for which it received the grant. The audit shall include a review of station promotion, operation, and management and an analysis of the station's use of the grant money. A copy of the audit shall be filed with the board of the arts.

[1979 c 337 s 21]

CHAPTER 144. DEPARTMENT OF HEALTH

Sec.		Sec.	
144.123	Fees for diagnostic laboratory services; exceptions.	144.807	Reports.
144.49	Violations; penalties.	144.808	Inspections.
144.573	Pets in certain institutions.	144.809	Renewal of emergency medical technician's certificate, fee.
144.7021	Exempt hospitals.	144.8091	Reimbursement to nonprofit ambulance services.
144.801	Definitions.	144.8092	Redesignation of emergency ambulance services; temporary continuation of existing standards.
144.802	Licensing.		
144.803	Licensing; suspension and revocation.		
144.804	Standards.		
144.805	Class C driver's license.		

144.123 Fees for diagnostic laboratory services; exceptions.

Subdivision 1. Except for the limitation contained in this section, the commissioner of health shall charge a handling fee for each specimen submitted to the department of health for analysis for diagnostic purposes by any hospital, private laboratory, private clinic, or physician. No fee shall be charged to any entity which receives direct or indirect financial assistance from state or federal funds administered by the department of health, including any public health department, nonprofit community clinic, venereal disease clinic, family planning clinic, or similar entity. The commissioner of health may establish by rule other exceptions to the handling fee as may be necessary to gather information for epidemiologic purposes. All fees collected pursuant to this section shall be deposited in the state treasury and credited to the general fund.

Subd. 2. The commissioner of health shall promulgate rules, in accordance with chapter 15, which shall specify the amount of the handling fee prescribed in subdivision 1. The fee shall approximate the costs to the department of handling specimens including reporting, postage, specimen kit preparation, and overhead costs. The fee prescribed in subdivision 1 shall be \$1.50 per specimen until the commissioner promulgates rules pursuant to this subdivision.

[1979 c 49 s 1]