

in clause (b), provided the organization complies with the other requirements and restrictions of section 349.26.

(b) For the purposes of this subdivision, an organization covered by clause (a) is not subject to the membership limitations of subdivisions 9, 11, and 12, nor to the compensation limitations of subdivision 12. Subject to the other requirements of subdivision 13, the person who accounts for gross receipts, expenses, and profits from the conduct of raffles may be the same person who accounts for other revenues of the organization.

Approved March 22, 1982

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### CHAPTER 571 — S.F.No. 2054

*An act relating to the department of economic security; regulating community action programs and agencies; amending Minnesota Statutes 1981 Supplement, Sections 268.52, Subdivisions 1, 2, and 4; 268.53, Subdivisions 1, 2, and by adding subdivisions; 268.54, Subdivision 2.*

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

Section 1. Minnesota Statutes 1981 Supplement, Section 268.52, Subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZATION.** The commissioner of economic security may provide financial assistance for community action agencies, Indian reservations and the statewide migrant seasonal farmworker organization known as the Minnesota migrant council to carry out community action programs as described in section 268.54 in accordance with state and federal law and regulation.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 268.52, Subdivision 2, is amended to read:

Subd. 2. **ALLOCATION OF FUNDS AMONG COMMUNITY ACTION AGENCIES.** Funds appropriated for the purpose of subdivision 1 shall be allocated annually to community action agencies under either clause (a) or (b), whichever is more advantageous to the agency, to Indian reservations under clause (c) and to the Minnesota migrant council under clause (d).

If the appropriation is insufficient to fully fund each agency, the insufficiency shall be prorated annually among the agencies.

(a) *In proportion to the size of the poverty level population served by the agency when compared to the size of the poverty level population in the state; or*

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

## (b) Determined as follows:

If the appropriation of funds for community action agencies shall be equal to or more than that available in fiscal years 1979 and 1980, there shall be in place a "hold-harmless" provision for the allocation of funds among community action agencies. For purposes of Laws 1981, Chapter 367 this section, "hold-harmless" ~~shall be defined~~ as is the amount of funding received by a community action agency under the Economic Opportunity Grant Program in the previous fiscal year when calculating an agency's economic opportunity grant. When calculating an agency's community services block grant, "hold-harmless" is the amount of funding received by a community action agency from the local initiative or community services block grant in the previous fiscal year.

(c) Allocation of funds to Indian reservations is based on the poverty level population of the reservation.

(d) Allocation of funds to the Minnesota migrant council shall not exceed three percent of the total funds available. The state office of economic opportunity shall negotiate the percentage allocation annually based on the most recent low income population figures.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 268.52, Subdivision 4, is amended to read:

Subd. 4. **DEFINITION.** For the purposes of sections 268.52 to 268.54, "poverty level population" means the number of people whose household income is at or below the poverty line established by the United States office of management and budget in accordance with the most recent state population figures established by the United States Department of Commerce, Bureau of the Census.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 268.53, Subdivision 1, is amended to read:

Subdivision 1. **IN GENERAL.** A community action agency is a political subdivision of the state, a combination of political subdivisions, a public agency, or a private nonprofit agency which has the authority under its applicable charter or laws to receive funds under section 268.52 to support community action programs as described in section 268.54 and which is was designated as a community action agency by according to federal law, federal or regulations, or recognized as a community action agency by the governor.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 268.53, is amended by adding a subdivision to read:

Subd. 1a. **DESIGNATION AND RECOGNITION.** To obtain recognition by the governor a community action agency must be designated by a political subdivision having jurisdiction over the entire area to be served by the agency. To designate a community action agency, the political subdivision must hold a

public hearing, pass a resolution to designate, and file a "notice of intent to designate" and eligibility documents with the state office of economic opportunity for final review and authorization for a new community action agency.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 268.53, Subdivision 2, is amended to read:

Subd. 2. **GOVERNING ADMINISTERING BOARD.** Each community action agency shall administer its community action programs through a community action board consisting of 15 to 51 members.

(a) One-third of the members of the board shall be elected public officials, currently holding office, or their representatives.

(b) At least one-third of the members shall be persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served.

(c) The other members shall be officials or members of business, industry, labor, religious, welfare, education, or other major groups and interests in the community. Each member of the board selected to represent a specific geographic area within a community must reside in the area represented.

(d) No person selected under clause (b) or (c) shall serve for more than five consecutive years or more than a total of ten years.

(e) The public community action agency shall have an administering board which meets the requirements of this subdivision.

(f) The statewide migrant seasonal farmworker organization known as the Minnesota migrant council and Indian reservations carrying out community action programs are exempt from the board composition requirements of this subdivision.

Sec. 7. Minnesota Statutes 1981 Supplement, Section 268.53, is amended by adding a subdivision to read:

Subd. 6. **AGENCIES AS LOCAL PROVIDERS.** Agencies defined by section 268.53 shall be considered among local providers of outreach services and activities for all anti-poverty efforts.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 268.53, is amended by adding a subdivision to read:

Subd. 7. **CATEGORICAL FUNDS.** Federal anti-poverty categorical funds consolidated into block grants to the state of Minnesota shall be designated by the state for anti-poverty purposes.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 268.54, Subdivision 2, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. **COMPONENTS.** The components of a community action program shall be designed to assist participants, including the elderly poor to:

- (a) ~~Secure and retain meaningful employment;~~
- (b) ~~Attain an adequate education;~~
- (c) ~~Make better use of available income;~~
- (d) ~~Provide and maintain adequate housing and a suitable living environment;~~
- (e) ~~Undertake family planning, consistent with personal and family goals, religious and moral convictions;~~
- (f) ~~Obtain services for the prevention of narcotics addiction, alcoholism, and the rehabilitation of narcotic addicts and alcoholics;~~
- (g) ~~Obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs, including the need for health services, nutritious food, housing and employment-related assistance;~~
- (h) ~~Remove obstacles and solve personal and family problems which block the achievement of self-sufficiency;~~
- (i) ~~Achieve greater participation in the affairs of the community; and,~~
- (j) Make more frequent and effective use of other programs related to the purposes of sections 268.52 to 268.54 achieve increased self-sufficiency and greater participation in the affairs of the community by providing services and programs not sufficiently provided in the community by any governmental unit, any public institution, or any other publicly funded agency or corporation. Community action agencies, governmental units, public institutions or other publicly funded agencies or corporations shall consult on whether or not a program or service is sufficiently provided in the community.

Sec. 10. **EFFECTIVE DATE.**

Sections 1 to 9 are effective the day following final enactment.

Approved March 22, 1982

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**CHAPTER 572 — S.F.No. 2141**

*An act relating to local government; authorizing county boards to publish its official proceedings completely or partially; allowing towns and cities to set license fees for cigarette sellers; amending Minnesota Statutes 1980, Sections 375.12, Subdivision 1; and 461.12; repealing Minnesota Statutes 1980, Sections 461.03 to 461.06; and 461.14.*

Changes or additions are indicated by underline, deletions by ~~strikeout~~.