

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3962

(SENATE AUTHORS: **BOLDON, Mitchell and Pha**)

DATE
02/19/2024

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to child care; establishing the Minnesota Great Start Compensation Board;
1.3 authorizing rulemaking; amending Minnesota Statutes 2023 Supplement, section
1.4 119B.27, by adding a subdivision; proposing coding for new law in Minnesota
1.5 Statutes, chapter 119B.

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

1.7 Section 1. Minnesota Statutes 2023 Supplement, section 119B.27, is amended by adding
1.8 a subdivision to read:

1.9 Subd. 11. **Required notices.** Employers of licensed child care settings must provide
1.10 written notices to child care workers of their rights and obligations under this section.

1.11 Sec. 2. [119B.271] MINNESOTA GREAT START COMPENSATION BOARD.

1.12 Subdivision 1. **Establishment.** The Minnesota Great Start Compensation Board is created
1.13 with the powers and duties established by law.

1.14 Subd. 2. **Definitions.** (a) For the purposes of this section and section 119B.27, the
1.15 following terms have the meanings given.

1.16 (b) "Board" means the Minnesota Great Start Compensation Board established under
1.17 this section.

1.18 (c) "Commissioner" means the commissioner of human services.

1.19 (d) "Child care worker" means a person employed by a licensed child care setting who
1.20 is eligible to receive benefits from the great start compensation support payment program
1.21 under section 119B.27.

2.1 (e) "Department" means the Department of Human Services.

2.2 (f) "Licensed child care setting" means:

2.3 (1) a child care center licensed under chapter 245A and Minnesota Rules, chapter 9503;

2.4 or

2.5 (2) a family or group family child care home licensed under chapter 245A and Minnesota
2.6 Rules, chapter 9502.

2.7 Subd. 3. **Membership.** The board is composed of the following voting members:

2.8 (1) the commissioner of human services, or a designee;

2.9 (2) the commissioner of education, or a designee;

2.10 (3) one member from the Children's Cabinet;

2.11 (4) two members from Minnesota's Tribal Nations with experience as child care providers;

2.12 (5) one member who is employed in a certified license-exempt child care center;

2.13 (6) one member who is employed as a director or administrator of a licensed child care
2.14 center;

2.15 (7) one member who is a licensed family child care provider;

2.16 (8) two members who are employed as teachers in a licensed child care center;

2.17 (9) one member who is employed as a teacher assistant in a licensed child care center;

2.18 and

2.19 (10) one member who is employed as an aide in a licensed child care center.

2.20 Subd. 4. **Terms; vacancies.** (a) Board members appointed under subdivision 3, clauses
2.21 (4) to (10), shall serve four-year terms following the initial staggered lot determination. The
2.22 initial terms of members appointed under subdivision 3, clauses (4) to (10), must be
2.23 determined by lot by the secretary of state as follows:

2.24 (1) three members must each be appointed for a two-year term;

2.25 (2) three members must each be appointed for a three-year term; and

2.26 (3) three members must each be appointed for a four-year term.

2.27 (b) For board members appointed under subdivision 3, clauses (4) to (10), the governor
2.28 shall fill vacancies occurring before the expiration of a member's term by appointment for
2.29 the unexpired term. A member appointed under subdivision 3, clauses (4) to (10), must not
2.30 be appointed to more than two consecutive terms.

3.1 Subd. 5. **Initial appointments.** The governor shall make initial appointments to the
3.2 board by August 1, 2024.

3.3 Subd. 6. **Chairperson.** The board must elect a member by majority vote to serve as its
3.4 chairperson and must determine the term to be served by the chairperson.

3.5 Subd. 7. **Compensation.** Compensation of board members is governed by section
3.6 15.0575.

3.7 Subd. 8. **Application of other laws.** Meetings of the board are subject to chapter 13D.
3.8 The board is subject to chapter 13. The board must comply with section 15.0597.

3.9 Subd. 9. **Voting.** The affirmative vote of five board members is required for the board
3.10 to take any action.

3.11 Subd. 10. **Staffing.** The commissioner may employ an executive director for the board
3.12 and other personnel to carry out the duties of the board under this section.

3.13 Subd. 11. **Department support.** The commissioner must provide staff support to the
3.14 board. The support includes professional, legal, technical, and clerical staff necessary to
3.15 perform rulemaking and other duties assigned to the board. The commissioner shall supply
3.16 the necessary office space and supplies to assist the board in its duties.

3.17 Subd. 12. **Duties; authority to establish compensation standards.** (a) The board must
3.18 adopt rules establishing standards that are reasonably necessary and appropriate to ensure
3.19 child care workers are fully informed and receiving the benefits of the great start
3.20 compensation support payment program under section 119B.27.

3.21 (b) Standards established by the board must include, as appropriate, standards on the
3.22 compensation, the delivery of the support payments under section 119B.27, and the protection
3.23 of due process for child care workers. The board may establish additional standards as
3.24 necessary. The board may not adopt standards that are less protective of or beneficial to
3.25 child care workers than those already established in law or by rule.

3.26 (c) The board must adopt the rules required under this subdivision by December 1, 2024.
3.27 The board may use the authority in section 14.389 to adopt rules under this paragraph. The
3.28 board shall consult with the department in the development of these standards before
3.29 beginning the rule adoption process.

3.30 Subd. 13. **Review of standards.** At least once every two years, the board shall:

3.31 (1) conduct a full review of the adequacy of the standards previously established by the
3.32 board; and

- 4.1 (2) following that review, adopt new rules, amend or repeal existing rules, or make
4.2 recommendations to adopt new rules or amend or repeal existing rules for great start
4.3 compensation support payment program standards using the expedited rulemaking process
4.4 in section 14.389, as appropriate to meet the purposes of this section and section 119B.27.
- 4.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.