

the provisions of sections 1 to 5 or any lawful rules and regulations promulgated thereunder is guilty of a misdemeanor. Any public employee who willfully violates sections 1 to 5 may be suspended without pay or discharged after a hearing as prescribed by law.

Sec. 7. [15.168] APPLICATION. Sections 1 to 5 shall not apply to data on individuals relating to criminal investigations. Nothing in sections 1 to 5 shall be construed to restrict or modify right of access to public records guaranteed by Minnesota Statutes, Section 15.17, or by any other statute.

Approved April 11, 1974.

CHAPTER 480—H.F.No.1415

An act relating to health; providing for grants to daytime activity centers for mentally retarded and cerebral palsied persons; amending Minnesota Statutes 1971, Sections 252.21; 252.23; 252.24, Subdivision 1; 252.25; 252.26; and Minnesota Statutes, 1973 Supplement, Sections 252.22 and 252.24, Subdivision 4.

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

Section 1. Minnesota Statutes 1971, Section 252.24, Subdivision 1, is amended to read:

252.24 PUBLIC WELFARE; MENTALLY RETARDED; DAYTIME ACTIVITY CENTERS. Subdivision 1. **SELECTION OF DAYTIME ACTIVITY CENTERS.** The commissioner of public welfare shall select those applicants for assistance and grant them assistance, as provided in subdivision 3, whose center location and program is licensed under the provisions of Minnesota Statutes 1965, Sections 257.081, 257.101, 257.111, 257.123, 257.175, 257.13, and in his opinion, best provides daytime activities for mentally retarded and cerebral palsied persons within the state appropriation made available for this purpose.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 252.24, Subdivision 4, is amended to read:

Subd. 4. **LIMITATION ON GRANTS; FEES.** No grants of assistance to any center shall exceed 60 percent of all its expenditures for (a) salaries, (b) contract facilities and services, (c) operation, maintenance and service costs, (d) rent of an appropriate facility, (e) mortgage or other financial costs specifically approved and authorized by the commissioner of public welfare, (f) other expenditures specifically approved and authorized by the commissioner of public welfare.

Where any county served by a program hereunder has an assessed valuation of real and personal property of less than \$13,000,000

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and the required total mill levy for all costs, including administrative costs, for all forms of public assistance exceeds by 50 percent or more the average required mill levy for such costs in all counties of the state, ~~and the levy is insufficient to pay the county's share of such costs;~~ grants hereunder, attributable to such county's proportionate share of the total expenditures based on the ratio of such county's population to the total population of the area served by the program, may exceed 50 percent of the total expenditures but shall not exceed 75 percent of the total expenditure for the daytime activity center program of such county. The board of directors of an activity center may, with the approval of the commissioner, charge a reasonable attendance fee, based on the ability of the mentally retarded ~~or cerebral palsied~~ person, his guardian or family to pay such a fee ; ~~provided that~~. No mentally retarded ~~or cerebral palsied~~ person shall be denied participation in the activities of such a center because of an inability to pay such a fee.

Sec. 3. Minnesota Statutes 1971, Section 252.25, is amended to read:

252.25 BOARD OF DIRECTORS. Every city, village, town, county or non-profit corporation, or combination thereof, establishing a daytime activity center for the mentally retarded ~~and cerebral palsied~~ shall, before it comes under the terms of sections 252.21 to 252.26, appoint a board of directors for the activity center program. When any city, village, town or county singly establishes such a center, such board shall be appointed by the chief executive officer of the city or village or the chairman of the governing board of the county or town. When any combination of cities, villages, towns, counties or non-profit corporations, establishes such a center, the chief executive officers of the cities, villages or non-profit corporations and the chairman of the governing bodies of the counties or towns shall appoint the board of directors. If a non-profit corporation singly establishes such a center, its chief executive officer shall appoint the board of directors of the activity center. Membership on a board of directors while not mandatory, should be representative of local health, education and welfare departments, medical societies, mental health centers, associations concerned with mental retardation ~~and cerebral palsy~~ , civic groups and the general public. Nothing in sections 252.21 to 252.26 shall be construed to preclude the appointment of elected or appointed public officials or members of the board of directors of the sponsoring non-profit corporation to such board of directors.

Sec. 4. Minnesota Statutes 1971, Section 252.26, is amended to read:

252.26 DUTIES OF BOARD OF DIRECTORS. Subject to the provisions of sections 252.21 to 252.26 and the rules and regulations of the commissioner of public welfare, each board of directors of a daytime activity center shall:

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(1) Recruit and promote financial support for the center from sources such as business, labor, industrial and private foundations, voluntary agencies, and the general public;

(2) Promote and enter into working agreements with other social service and educational agencies, both public and private, ~~that which~~ provide service to the mentally retarded and cerebral palsied ;

(3) Advise the commissioner of public welfare on the adoption and implementation of policies to stimulate effective community relations;

(4) Review the annual budget and plan of the center and make recommendations thereon;

(5) Review and evaluate periodically the services provided by the center and report thereon to the commissioner of public welfare, and when indicated to the public.

Sec. 5. Minnesota Statutes 1971, Section 252.21, is amended to read:

252.21 COMMISSIONER OF PUBLIC WELFARE MAY MAKE GRANTS FOR DAYTIME ACTIVITY CENTERS FOR THE MENTALLY RETARDED AND CEREBRAL PALSIED. In order to assist in the establishment of daytime activity centers for the mentally retarded and cerebral palsied , the commissioner of public welfare is hereby authorized and directed to make grants, within the limits of the money appropriated, to those daytime activity centers for the mentally retarded and cerebral palsied that he shall select.

Sec. 6. Minnesota Statutes, 1973 Supplement, Section 252.22, is amended to read:

252.22 APPLICANTS FOR ASSISTANCE; TAX LEVY. Any city, village, town, county or non-profit corporation or any combination thereof, may apply to the commissioner of public welfare for assistance in establishing and operating a daytime activity center and program for mentally retarded and cerebral palsied persons. Application for such assistance shall be on forms supplied by the commissioner. Each applicant shall annually submit to the commissioner its plan and budget for the next fiscal year. No applicant shall be eligible for a grant hereunder unless its plan and budget have been approved by the commissioner.

Any city, town, village, or county is authorized, at the discretion of its governing body, to make grants from special tax revenues or from its general revenue fund to any nonprofit organization, governmental or corporate, within or outside its jurisdiction, that has established a daytime activity center for the mentally retarded and cerebral palsied . In order to provide necessary funds to establish and operate

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daytime activity centers for the mentally retarded and cerebral palsied, the governing body of any city, town, village, or county may levy annually upon all taxable property in such city, town, village, or county, a special tax in excess of any statutory or charter limitation but such levy shall not exceed one-half mill as to any city, town or village. The governing body of any city, town, village, or county may make such a levy, where necessary, separate from the general levy. Nothing contained herein shall in any way preclude the use of funds available for this purpose under any existing statute or charter provision relating to cities, towns, villages and counties.

Sec. 7. Minnesota Statutes 1971, Section 252.23, is amended to read:

252.23 ELIGIBILITY REQUIREMENTS. An applicant shall satisfy all of the following requirements to be eligible for assistance under sections 252.21 to 252.26:

(1) Provide daytime activities for any or all of the following classes of persons:

Mentally retarded and cerebral palsied children who can benefit from the program of services, including those school age children who have been excused or excluded from school;

Mentally retarded and cerebral palsied children and adults who are unable to attend school because of their chronological age and are unable to independently engage in ordinary community activities;

(2) Provide counselling services to parents or guardians of mentally retarded and cerebral palsied persons who may register at the center;

(3) Comply with all rules and regulations duly promulgated by the commissioner of public welfare.

Approved April 11, 1974.

CHAPTER 481—H.F.No.1425
[Coded]

An act relating to the supreme court; authorizing promulgation of rules of evidence by the supreme court.

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

Section 1. **[480.0591] SUPREME COURT; RULES OF EVIDENCE.** Subdivision 1. **AUTHORITY TO PROMULGATE.** The supreme Changes or additions indicated by underline deletions by ~~strikeout~~