
CHAPTER 306—S.F.No.1223

An act relating to public welfare; authorizing grants for child care services; defining terms requiring certain allocations; amending Minnesota Statutes 1974, Sections 245.83, Subdivisions 2 and 5; 245.84; 245.85; 245.86; and 245.87.

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

Section 1. Minnesota Statutes 1974, Section 245.83, Subdivision 2, is amended to read:

Subd. 2. **PUBLIC WELFARE; CHILD CARE SERVICES.** "Child care ~~service services~~ " means a family day care ~~home-homes~~ , group day care ~~center for six or more children-centers~~ , nursery schools, day nurseries, child day care centers and , play groups and ~~group family day care homes-head start and parent cooperatives~~ , as defined by such rules and regulations ~~as of the commissioner shall promulgate from time to time, and in-home child care as defined in the Minnesota plan for social services to families and children .~~

Sec. 2. Minnesota Statutes 1974, Section 245.83, Subdivision 5, is amended to read:

Subd. 5. "Interim financing" means funds to carry out such activities as are necessary for family day care homes, group family day care homes and cooperative child care centers to receive and maintain state licensing, and operating funds for a period of six consecutive months following receipt of state licensing by a family day care home, group family day care home, or cooperative child care center. ~~Interim financing may not exceed a period of 18 months except under such conditions as the commissioner may promulgate from time to time.~~

Sec. 3. Minnesota Statutes 1974, Section 245.84, is amended to read:

245.84 AUTHORIZATION TO MAKE GRANTS. Subdivision 1. The commissioner is authorized to make ~~such provisional~~ grants from the general fund in the state treasury to any municipality, county, corporation or combination thereof for ~~planning, establishing, maintaining or operating a-the cost of providing technical assistance and~~ child care ~~service services~~ as the commissioner deems necessary or proper to carry out the purposes of sections 245.83 to 245.87. ~~The planning, establishing, maintaining or operating of a child care service may include but is not limited to the leasing, renting, constructing, renovating, or purchasing of necessary facilities, equipment or supplies for such service.~~

The commissioner is further authorized to make ~~provisional~~
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grants as provided by sections 245.83 to 245.87 to any such municipality, county, incorporated licensed child care facility, or private corporation or combination thereof; to establish and operate a program to aid in the coordination of child care within a defined community; to aid in the development of social, emotional, educational and physical conditions under which children can best develop within a defined community and to provide for the needs of economically disadvantaged children. No grant shall exceed 50 percent of the total cost of the establishment and operation of a child care service or a program as set forth in this section except for an interim financing grant which shall not exceed 75 percent.

The commissioner shall appoint an advisory committee on child care of not more than 25 people which shall advise the commissioner on grants-in-aid to licensed child care facilities; one-third of those appointed shall consist of parent users of licensed child day care facilities: for any of the following purposes:

(a) For creating new licensed day care facilities and expanding existing facilities including, but not limited to, supplies, equipment, and facility renovation and remodeling;

(b) For improving licensed day care facility programs, including, but not limited to, staff specialists, staff training, supplies, equipment, and facility renovation and remodeling;

(c) For supportive child development services including, but not limited to, inservice training, curriculum development, consulting specialist, resource centers, and program and resource materials;

(d) For carrying out programs including, but not limited to, staff, supplies, equipment, facility renovation, and training; and,

(e) For interim financing.

Subd. 2. The commissioner may make grants to counties, municipalities, corporations or incorporated licensed day care facilities and may promulgate rules for grants using a sliding fee scale. The commissioner shall review the program annually. Excluding that portion charged to parents, grants made pursuant to the sliding fee scale shall not exceed 95 percent of the total cost of the program for fiscal year 1977, 85 percent for fiscal year 1978, and 75 percent for each year thereafter.

Subd. 3. For the purposes of this section, donated professional and volunteer services, program materials, equipment, supplies, and facilities may be approved as part of a matching share of the cost, provided that total costs shall be reduced by the costs charged to parents if a sliding fee scale has been used.

Subd. 4. The commissioner may appoint an advisory council of
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not more than 35 members which shall advise the commissioner on grants and other child care issues. One-third of the members of the advisory council shall be parents who use child care services. The membership terms, compensation and removal from office of members of the advisory council shall be according to section 15.059.

Subd. 5. The commissioner shall annually develop a plan for the distribution of funds for child care services. All licensed child care programs shall be given written notice concerning the availability of funds and the application process.

Sec. 4. Minnesota Statutes 1974, Section 245.85, is amended to read:

245.85 TERMINATION OF ALL OR PART OF A GRANT. The commissioner shall supervise and coordinate all child care services and programs for which a grant has been made pursuant to sections 245.83 to 245.87, and shall endeavor insofar as possible to establish a set of program standards and uniform regulations to coordinate child care services and programs at the state and local level. The commissioner shall, from time to time, review the budgets, expenditures and development of each child care service and program to which a grant has been made pursuant to sections 245.83 to 245.87. If the commissioner determines that any portion of the grants made to establish and operate a child care service or a program are no longer needed, that local support is not available to finance the local share of the cost of such service or programs, or that such service or programs do not comply with the rules, regulations, standards or requirements of the commissioner, the commissioner may, upon 30 days notice, withdraw any funds not allocated prior to the delivery of such notice and cancel the grant to the extent of such withdrawal.

Funds which have not been allocated by the end of the 18th month for each year of the biennium shall which have not been granted by the end of the sixth month of that year may be allocated without regard to area restrictions set forth in section 245.86-245.87 .

Sec. 5. Minnesota Statutes 1974, Section 245.86, is amended to read:

245.86 AUTHORIZATION TO COUNTIES AND MUNICIPALITIES TO MAKE GRANTS. Any county or municipality may make grants from special tax revenues or from its general fund to any organization, governmental or corporate, for the same purposes for which the commissioner is authorized to make grants by sections 245.83 to 245.87. The above funds and an amount of funds established as a usual rate for donations of time or services, or any combination thereof, are to provide for a 50 percent matching of county, local or private funds:

Sec. 6. Minnesota Statutes 1974, Section 245.87, is amended to read:

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245.87 **ALLOCATIONS.** For the purposes of sections 245.83 to 245.87 grants shall be ~~equally~~ distributed between the metropolitan area, comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, and the ~~outstate~~ area outside the metropolitan area so that no more than 55 percent of the total fund goes to either area after excluding allocations for migrant day care services, administrative costs and statewide projects. At least ten percent of the total program allocation shall be designated for interim financing. ~~For the purposes of Laws 1973, Chapter 584;~~ The commissioner is further instructed that the allocation in each area be based on a need and population basis.

Sec. 7. For the purposes of this act section 3, subdivision 4, is effective July 1, 1976.

Approved April 13, 1976.

CHAPTER 307—S.F.No.1499

[Coded in Part]

An act relating to the conduct of public officials and campaigns for public office; redefining "lobbyist" and certain other terms; providing for the filing of certain reports and statements; providing for distribution of moneys in the state elections campaign fund; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2, 5, and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 5, 8 and 11; 10A.04, Subdivision 4, and by adding a subdivision; 10A.09, Subdivision 5; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding subdivisions; 10A.21, Subdivision 1; 10A.23; 10A.25, Subdivisions 3, 6 and 7; 10A.27, Subdivision 3; 10A.30, Subdivision 2; 10A.31, Subdivisions 3, 5, 6, and 7, and by adding subdivisions; and 10A.32; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.22, Subdivisions 2 and 8.

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

Section 1. Minnesota Statutes 1974, Section 10A.01, Subdivision 2, is amended to read:

Subd. 2. **ETHICAL PRACTICES; LOBBYISTS; PUBLIC OFFICIALS.** "Administrative action" means an action ~~of a non-ministerial nature~~ by any official, board, commission or agency of the executive branch to make rules. "Administrative action" does not include the application or administration of those rules, except in cases of rate setting, power plant siting and others specified by the commission.

Sec. 2. Minnesota Statutes 1974, Section 10A.01, Subdivision 5, is amended to read:

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