
CHAPTER 324—H.F.No.368

An act relating to community social services; requiring the commissioner of public welfare and each board of county commissioners to develop and update biennially a plan relating to the identification, reduction, remedy, and prevention of public social problems; requiring public participation in state and county plan development; establishing a formula for allocating state and federal funds to counties for the administration and provision of community social services; providing for community social service tax levies; prescribing the duties of county boards and the commissioner of public welfare; establishing an experimental program of services for chronically mentally ill persons; appropriating money; amending Minnesota Statutes 1978, Sections 245.61; 245.62; 245.63; 245.64; 245.66; 245.68; 245.69; 245.84, Subdivisions 1 and 5; 245.85; 245.87; 252.21; 252.22; 252.24, Subdivisions 1, 3 and 4; 252.25; 252.26; 252.261; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 254A.12; 254A.14; and 254A.16, Subdivision 2; repealing Minnesota Statutes 1978, Sections 245.65; 245.651; 245.691; 254A.07, Subdivision 3; 254A.08, Subdivision 3; and 254A.17.

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

Section 1. **[256E.01] CITATION.** Sections 1 to 12 may be cited as the "community social services act."

Sec. 2. **[256E.02] PURPOSE.** It is the purpose of the "community social services act" to establish a system of planning for and providing community social services administered by the boards of county commissioners of each county under the supervision of the commissioner of public welfare.

Sec. 3. **[256E.03] DEFINITIONS.** Subdivision 1. For the purposes of sections 1 to 12 the terms defined in this section shall have the meanings given them, unless the context clearly indicates otherwise.

Subd. 2. "Community social services" means services included in the comprehensive annual services plan published by the commissioner of public welfare and social services authorized by Minnesota Statutes, Sections 245.61 to 245.691, 245.83 to 245.87, 252.21 to 252.27, Subdivision 1, 254A.07, 254A.08, 254A.12, 254A.14, 260.251, Subdivision 1a, 261.27 and 393.07, Subdivision 1. Community social services do not include public assistance programs known as aid to families with dependent children, Minnesota supplemental aid, medical assistance, general assistance, general assistance medical care, or community health services authorized by Minnesota Statutes, Sections 145.911 to 145.922.

Subd. 3. "Commissioner" means the commissioner of public welfare.

Subd. 4. "State social services plan" means the state social services plan developed

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pursuant to section 4.

Subd. 5. "County plan" means the community social services plan required by section 9.

Subd. 6. "County board" means the board of county commissioners in each county.

Subd. 7. "Human services board" means a board established pursuant to Minnesota Statutes, Section 402.02, Laws 1974, Chapter 293 or Laws 1976, Chapter 340.

Sec. 4. [256E.04] BIENNIAL STATE PLAN. Subdivision 1. The commissioner shall prepare a biennial social services plan and present the plan to the governor and the legislature. The commissioner shall update the plan biennially. The plan shall include:

(a) A statement of methods used to ensure intergovernmental coordination of state and local planning and delivery of community social services;

(b) A coordination statement setting forth the relationship of the state social services plan to any other federal, state or locally financed human services programs, including but not limited to, programs for the aged, children, the developmentally disabled, the chemically dependent, and programs related to corrections, education, vocational rehabilitation, mental health, housing, health, and employment;

(c) A statement of the relationship of the state social services plan to comprehensive social, economic, physical, and environmental plans adopted by the regional development commissions and the metropolitan council, including the rationale for any differences; and

(d) An evaluation of the effectiveness of the prior two years performance of each program in relation to identified public social problems, stating the measurable goals, objectives, methods, and outcome for those years, including the extent to which the numbers of persons and families proposed to be served by each category of social service were actually served, the direct cost, and the administrative cost per unit of social service for each category.

The commissioner shall consult with the heads of human service related state departments and agencies in preparing the coordination statement required by this subdivision.

Subd. 2. PUBLIC NOTICE. Copies of the proposed state plan shall be made reasonably available to the public allowing sufficient time for public review and comment. Copies of the updated state social services plan shall be submitted to the governor and the legislature prior to the beginning of each biennium and shall be made available to the public.

Sec. 5. [256E.05] DUTIES OF COMMISSIONER OF PUBLIC WELFARE. Subdivision 1. GENERAL SUPERVISION. The commissioner of public welfare shall

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supervise the community social services administered by the counties through standard-setting, technical assistance to the counties, approval of county plans, preparation of the state biennial plan, evaluation of community social services programs and distribution of public money for services.

Subd. 2. PLAN APPROVAL. Within 30 days after submission of the community social services plan by the counties pursuant to section 9, subdivision 5, the commissioner shall certify whether the plan fulfills the purposes and requirements of law and the rules of the state agency. If the commissioner certifies that the plan does not do so, he shall state the reasons therefore, and the county shall have 30 days to submit a plan amended to comply with the requirements of the commissioner. If the county fails to resubmit a plan amended as required by the commissioner, the commissioner shall notify the county of his intention to reduce the next quarterly payment by an amount equal to one-third of one percent of the county's annual entitlement for each 30 day period during which the county fails to amend the plan as required by the commissioner. The county board has the right to appeal the commissioner's decision pursuant to section 6, subdivision 10.

Subd. 3. ADDITIONAL DUTIES. The commissioner shall also:

(a) Provide necessary forms and instructions to the counties for plan format and information;

(b) Eliminate or revise all applicable department rules as appropriate to accommodate sections 1 to 12;

(c) Provide training and other support services to county boards to assist in needs assessment, planning, implementing, and monitoring social services programs in the counties;

(d) Design and implement a method of monitoring and evaluating the social services programs delivered within the state, and assure compliance with applicable standards, guidelines, and the county and state social services plans;

(e) Annually publish a report on community social services which shall reflect the contents of the individual county reports. The report shall be submitted to the governor and the legislature with an evaluation of community social service programs and recommendations for changes needed to fully implement state social service policies; and

(f) Request waivers from federal programs as necessary to implement sections 1 to 12.

Sec. 6. [256E.06] DISTRIBUTION OF STATE AIDS. Subdivision 1. FORMULA. The commissioner of public welfare shall distribute community social service aids to each county board in an amount determined according to the following formula:

(1) In calendar year 1980:

(a) An amount equal to \$65.50 times the average unduplicated number of persons

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who receive AFDC, general assistance, and medical assistance per month in calendar year 1979 as reported in the average monthly caseload reports required under Minnesota Statutes, Sections 256.01, 256B.04 and 256D.04, and certified by the commissioner of public welfare;

(b) Plus an amount equal to \$3.05 times the number of persons residing in the county as determined by the most recent data of the state demographer;

(c) Plus an amount equal to \$26.75 times the number of persons residing in the county who are 65 years old or older as determined by the most recent data of the state demographer.

(2) In calendar year 1981:

(a) An amount equal to \$69 times the average unduplicated number of persons who receive AFDC, general assistance, and medical assistance per month in calendar year 1979 as reported in the average monthly caseload reports required under Minnesota Statutes, Sections 256.01, 256B.04 and 256D.04, and certified by the commissioner of public welfare;

(b) Plus an amount equal to \$3.20 times the number of persons residing in the county as determined by the most recent data of the state demographer;

(c) Plus an amount equal to \$28.25 times the number of persons residing in the county who are 65 years old or older as determined by the most recent data of the state demographer.

If the legislature appropriates for any biennium a greater or lesser amount than the amount determined according to this formula, the amount due to the counties based on the formula in clauses (a) to (c) shall be increased or decreased accordingly. The local effort required by subdivisions 4 and 5 and any reductions required by subdivisions 6 to 9 or section 5, subdivision 2 shall be calculated on the basis of the amounts actually appropriated from year to year.

Subd. 2. MINIMUM FUNDING LEVEL. No county shall receive less for community social services under subdivision 1 in calendar years 1980 and 1981 than 106 percent and 112 percent respectively of the amount of state money it received in calendar year 1978 for moneys earned in calendar year 1978 as authorized by Laws 1977, Chapter 453, Section 2 and as authorized by the 1979 regular session of the seventy-first legislature for the following activities: community mental health centers pursuant to Minnesota Statutes, Sections 245.61 to 245.691 and 254A.07, except money authorized for programs serving native Americans pursuant to Minnesota Statutes, Section 254A.031; developmental achievement centers pursuant to Minnesota Statutes, Sections 252.21 to 252.261; day care services pursuant to Minnesota Statutes, Sections 245.83 to 245.87, except money authorized in the official worksheets of the senate and house conferees for migrant labor day care; money authorized in the official worksheets of the senate and house conferees for detoxification programs pursuant to Minnesota Statutes, Section 254A.08 and for half-way houses for chemically dependent persons; and money

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authorized for affected employees pursuant to Minnesota Statutes, Section 254A.12 and for services to youth and other underserved populations pursuant to Minnesota Statutes, Section 254A.14.

For purposes of this subdivision, 50 percent of the county administrative cost reimbursement authorized by Laws 1977, Chapter 453, Section 2, which was earned in calendar year 1978 is considered community social service money. The term state funds does not include any federal money received by the state or counties for financing these services.

No county shall receive more than 130 percent of the amount received in the immediately preceding year as specified in this subdivision. For the first year following the effective date of sections 1 to 12, no county shall receive more than 130 percent of the amount received in 1978.

Subd. 3. PAYMENTS TO COUNTIES. The commissioner of public welfare shall make payments for community social services to each county in four installments per year. The commissioner of public welfare may certify the payments for the first three months of a calendar year based on estimates of the unduplicated number of persons receiving AFDC, general assistance and medical assistance for the prior year. The following three payments shall be adjusted to reflect the actual unduplicated number of persons who received AFDC, general assistance and medical assistance as required by subdivision 1.

Subd. 4. LOCAL EFFORT. Each county shall quarterly certify to the commissioner of public welfare that the county has provided from its resources funding for community social services in an amount at least equal to its state aids pursuant to the formula in subdivision 1.

Subd. 5. COMMUNITY SOCIAL SERVICE LEVY. In calendar year 1979 for taxes payable 1980, each county board shall levy upon all taxable property in the county a tax at least equal to the amount determined in subdivision 1 for community social service programs. In calendar year 1980 for taxes payable 1981, a county board shall levy upon all taxable property in the county a tax at least equal to the amount determined in subdivision 1. All money available to counties pursuant to this section may be used by counties to match federal money.

Subd. 6. FAILURE TO SPEND. A county which has not spent the aids granted under subdivision 1 for community social services within two years of receiving those aids shall receive a reduction in aid calculated pursuant to subdivision 1. This reduction shall be made in the calendar year which begins no more than 30 months after the underspending has occurred and shall be equal to one-half the amount of aids which were not spent.

Subd. 7. FAILURE TO LEVY. A county which levies less than the levy required in subdivision 5, shall receive a reduction in the aid calculated pursuant to subdivisions 1 and 2. The commissioner shall calculate the reduced aid as follows:

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(a) Divide the amount levied by the amount required to be levied in subdivision 5; and

(b) Multiply the ratio derived in clause (a) times the aid calculated under subdivision 1.

Subd. 8. INAPPROPRIATE EXPENDITURES. Beginning in calendar year 1981, in counties containing a city of the first class, the distribution in aid provided in subdivision 1 shall be reduced by an amount equal to the community social service aids allocated pursuant to subdivision 1 in the immediately preceding year which have been spent for purposes other than community social services.

Subd. 9. LOCAL GOVERNMENT AID. Beginning in calendar year 1981 the distribution of local government aid pursuant to Minnesota Statutes, Section 477A.01, Subdivision 2 shall be reduced by an amount equal to the community social service aids allocated pursuant to subdivision 1 in the immediately preceding year which have been spent for purposes other than community social services.

Subd. 10. APPEAL. Prior to certifying any reduction in aids, the commissioner shall notify the county of his intention to certify a reduction. He shall notify the county of the right to a hearing. If the county requests a hearing within 30 days of notification of intention to reduce aids, the commissioner shall not certify any reduction in aids until a hearing is conducted and a decision rendered in accordance with the provisions of chapter 15 for contested cases.

Subd. 11. PLANNING GRANTS. The commissioner may make grants to counties for planning community social service programs. The commissioner shall specify the terms and conditions of the planning grants. Grants for planning shall be limited to one year.

Sec. 7. [256E.07] TITLE XX ALLOCATION. Subdivision 1. In federal fiscal year 1980 and subsequent years, money for social services that is received from the federal government to reimburse counties for social service expenditures pursuant to title XX of the social security act shall be allocated to each county according to the following formula:

(a) Two-thirds shall be allocated on the basis of the annual average number of unduplicated active caseloads in each county in the following programs: aid to families with dependent children, medical assistance, supplementary security income, and Minnesota supplemental aid.

(b) One-third shall be allocated on the basis of the number of persons residing in the county as determined by the most recent data of the state demographer.

(c) The commissioner shall allocate to the counties pursuant to this section the total money received from the federal government for social services pursuant to title XX of the social security act, except that portion of the state's allocation which the legislature authorizes for administrative purposes and for migrant day care.

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(d) In federal fiscal year 1980 and in subsequent years the minimum title XX share of a county shall be the sum of:

(1) The title XX earnings of that county in calendar year 1978, except that in the counties of Hennepin, Ramsey and St. Louis the greater of 99 percent of their title XX earnings in calendar year 1978 or 99 percent of their allocation in federal fiscal year 1979; and

(2) One-half of the amount that the county would be entitled to by applying the allocation formula described in paragraphs (a), (b), and (c) to the amount of title XX money received by the state which is in excess of the state's 1979 federal fiscal year allocation.

If the amount allocated to any county pursuant to paragraphs (a), (b), and (c) is less than the minimum title XX share of that county, its allocation shall be raised to its minimum title XX share through a percent reduction applied to the amounts that allocations to other counties exceed their minimum title XX shares. If in any year the amount of title XX funds to the state is reduced below the level it received in federal fiscal year 1979, the guarantee provided in this paragraph shall be reduced by a percentage reduction equal to the percentage reduction in title XX money to the state as a whole. The commissioner of public welfare shall annually review the use of title XX money by each county and reallocate unused money among the other counties, except Hennepin, Ramsey and St. Louis counties, so as to raise them to their earnings in federal fiscal year 1979. Any federal title XX money unused after this reallocation shall be reallocated by the commissioner according to the formula in paragraphs (a), (b), and (c) so that all available federal money is used within the federal fiscal year.

Subd. 2. TITLE XX TRAINING FUNDS. The commissioner shall make determined efforts to obtain the maximum amount of training money to which the state is entitled pursuant to title XX of the social security act. In allocating training money received from the federal government pursuant to title XX of the social security act, the commissioner shall, insofar as federal regulations allow, give preference to training or retraining county personnel in the administration of community social services.

Sec. 8. [256E.08] DUTIES OF COUNTY BOARDS. Subdivision 1. The county board of each county shall be responsible for administration, planning and funding of community social services programs. Each county board shall singly or in combination with other county boards as provided in section 9 prepare a social services plan for development and coordination of community social services programs and shall update the plan biennially. Upon final approval of the plan by the county board or boards, the plan shall be submitted to the commissioner. The county board shall distribute money available pursuant to sections 6 and 7 for community social services programs.

Subd. 2. COUNTY STAFF. The board may appoint a director of community social services to serve at the pleasure of the board and to perform the administrative functions required of the board by sections 1 to 12. The board may assign to the director of community social services the duties of the welfare director as described in section 393.04.

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Subd. 3. ADMINISTRATION OF INCOME MAINTENANCE PROGRAMS. The county board may designate itself, a human services board, or a county welfare board to perform the functions of county welfare boards as prescribed in chapter 393 and assigned to county agencies in other law which pertains to the administration of income maintenance programs known as aid to families with dependent children, general assistance, Minnesota supplemental aid, medical assistance, general assistance medical care, and emergency assistance.

Subd. 4. CONTRACTS FOR SERVICES. The county board may contract for community social services programs with a human services board, a multi-county board established by a joint powers agreement, other political subdivisions, or private organizations. The final approval of the community social services plan required in section 9 shall be made by the county board of each county. Nothing in this subdivision shall be construed to negate any collective bargaining unit agreements that are operative on the effective date of sections 1 to 14 between currently existing exclusive representatives and the county.

Subd. 5. COMMUNITY SOCIAL SERVICES FUND. In the accounts and records of each county there shall be created a community social services fund. All moneys provided for community social services programs under sections 6 and 7 and all other revenues, fees, grants-in-aid, gifts, or bequests designated for community social services purposes shall be identified in the record of the fund and in the report required in subdivision 8. This fund shall be used exclusively for planning and delivery of community social services as defined in section 3, subdivision 2. If county boards have joined for purposes of administering community social services, the county boards may create a joint community social services fund. If a human service board has been established, the human service board shall account for community social services money as required in Minnesota Statutes, Chapter 402.

Subd. 6. FEES FOR SERVICES. The county board may, subject to approval of the commissioner, establish a schedule of fees based upon clients' ability to pay to be charged to recipients of community social services. Payment, in whole or in part, for services may be accepted from any person. When services are provided to any person, including a recipient of aids administered by the federal, state or county government, payment of any charges due may be billed to and accepted from a public assistance agency or from any public or private corporation.

Subd. 7. COUNTY OF FINANCIAL RESPONSIBILITY. The county responsible for payment for community social services is the county in which the recipient of services resides at the time of application. The county of financial responsibility does not change as a result of referral for services to another county. Minors are considered as residing in the county in which their parents or guardians reside. When a minor reaches the age of 18, the county of financial responsibility is the county in which the minor resides. If a person continues in residential care or treatment after reaching the age of 18, the county which initiated the treatment is the county of financial responsibility.

Subd. 8. FINANCIAL REPORTING BY COUNTIES. Beginning in calendar year 1980 each county shall submit to the commissioner of public welfare a financial
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accounting of the county's community social services fund. A quarterly statement shall be submitted no later than 15 days after the end of the calendar quarter, and shall include:

(a) A detailed statement of income and expenses attributable to the fund in the preceding quarter; and

(b) A statement of the source and application of all money used for social services programs by the county during the preceding quarter, including the number of clients served and expenditures for each service provided, as required by the commissioner of public welfare.

In addition, each county shall submit to the commissioner of public welfare no later than February 15 of each year, a detailed balance sheet of the community social development fund for the preceding calendar year.

If county boards have joined or designated human service boards for purposes of providing community social services programs, the county boards may submit a joint statement or the human service board shall submit the statement, as applicable.

Subd. 9. REDUCTION IN SERVICES PROHIBITED. In calendar years 1980 and 1981 the county board shall not reduce the funding provided in calendar year 1979 for the following services: child care, mental health, chemical dependency, and mental retardation services, including developmental achievement centers.

Subd. 10. INTERCOUNTY COOPERATION. Two or more contiguous counties which are situated within the boundaries of the same region designated pursuant to Minnesota Statutes, Sections 462.381 to 462.396 or the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2, and which have not established a human services board may, by resolution of their respective county boards, agree to combine into one board for social service purposes to serve the counties that enter into the agreement. The joint board shall have the same powers, duties, and functions as the individual county boards. The term of the joint board, withdrawal from the joint board, composition of the board, and contribution to the expenses of the board shall be according to the terms of the agreement. Nothing in this section shall prevent a county board from purchasing services from an agency outside the boundaries of the Minnesota economic development region in which it is situated. A joint board established pursuant to this section may encompass completely two regions. Insofar as possible, social services which are jointly administered shall be equally accessible to all citizens of the counties which are party to the agreement.

Sec. 9. [256E.09] COMMUNITY SOCIAL SERVICE PLANS. Subdivision 1. PLAN PROPOSAL. Commencing in 1980, and every two years thereafter, the county board shall, on or before May 1 of that year, publish and make available upon request to all residents of the county a proposed biennial community social services plan.

Subd. 2. CITIZEN PARTICIPATION. The county board shall provide opportunities for participation by citizens in the county, including representatives of users of services, in the development of the biennial plan and in the allocation of money for

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community social services. At least 60 days prior to publication of the proposed plan the county board shall publish the methods proposed to achieve citizen participation in the planning process.

Subd. 3. PLAN CONTENT. The biennial community social services plan published by the county shall include:

(a) A statement of the goals of community social service programs in the county;

(b) Methods used pursuant to subdivision 2 to encourage participation of citizens and providers in the development of the plan and the allocation of money;

(c) Methods used to identify persons in need of service and the social problems to be addressed by the community social service programs;

(d) A description of each community social service proposed and identification of the agency or person proposed to provide the service;

(e) The amount of money proposed to be allocated to each service;

(f) An inventory of public and private resources which are available to the county for social services;

(g) Evidence that serious consideration was given to the purchase of services from private and public agencies; and

(h) Methods whereby community social service programs will be monitored and evaluated by the county.

Subd. 4. PLAN SUBMISSION. The county board of commissioners shall submit the biennial community social services plan to the commissioner of public welfare. The date of publication and submission to the commissioner shall be determined so that the plan is coordinated with the proposed and final comprehensive annual services program plan required by title XX of the social security act.

Subd. 5. PUBLIC NOTICE. The county board shall make available to the public through publication or posting in public buildings the names and locations of agencies responsible for the provision of community social services.

Sec. 10. [256E.10] PROGRAM EVALUATION. Beginning in calendar year 1981, each county shall submit to the commissioner a report on the effectiveness of the community social service programs in the county. The commissioner in collaboration with county boards shall prescribe standard methods to be used by the counties in making the report. The report shall be submitted no later than January 15 of each year and shall include:

(a) The number and type of recipients of each service; and

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(b) An evaluation on the basis of measurable program objectives and performance criteria for each county social service program.

Sec. 11. [256E.11] PILOT PROGRAMS. Nothing in sections 1 to 12 shall prohibit the commissioner from making grants for pilot programs in certain counties or on a statewide basis when the legislature authorizes money to encourage innovation in community social services programs or to respond to the needs of a specified group of persons.

Sec. 12. [256E.12] GRANTS FOR CHRONICALLY MENTALLY ILL PERSONS. Subdivision 1. The commissioner shall establish an experimental statewide program to assist counties in providing services to chronically mentally ill persons. The commissioner shall make grants to counties to establish, operate, or contract with private providers to provide services designed to help chronically mentally ill persons remain and function in their own communities.

Subd. 2. To apply for a grant a county board shall submit an application and budget for the use of the money in the form specified by the commissioner. The commissioner shall make grants only to counties whose applications and budgets are approved by the commissioner. A county receiving a grant under this section shall finance at least ten percent of the cost of services for chronically mentally ill persons from local resources, which may include private contributions and federal money.

Subd. 3. The commissioner shall allocate grants under this section to finance up to 90 percent of each county's costs for services for chronically mentally ill persons. The commissioner shall promulgate temporary rules to govern grant applications, approval of applications, allocation of grants, and maintenance of financial statements by grant recipients. The commissioner shall require collection of data and periodic reports as the commissioner deems necessary to demonstrate the effectiveness of the services in helping chronically mentally ill persons remain and function in their own communities. The commissioner shall report to the legislature no later than January 15, 1981 on the effectiveness of the experimental program and his recommendations regarding making this program an integral part of the social development programs administered by counties. The experimental program shall expire no later than June 30, 1981.

Sec. 13. Minnesota Statutes 1978, Section 245.61, is amended to read:

245.61 COUNTY BOARDS MAY MAKE GRANTS FOR LOCAL MENTAL HEALTH PROGRAMS. ~~The commissioner of public welfare is~~ County boards are hereby authorized to make grants to ~~assist cities, counties, towns or any combinations thereof, or non-profit corporations in the establishment public or private agencies to~~ establish and operation of operate local mental health programs to provide the following services: (a) collaborative and cooperative services with public health and other groups for programs of prevention of mental illness, mental retardation, alcoholism, and other psychiatric disabilities; (b) informational and educational services to the general public, and lay and professional groups; (c) consultative services to schools, courts and health and welfare agencies, both public and private, including diagnostic evaluation of cases from juvenile courts; (d) out-patient diagnostic and treatment services; (e) rehabilitative

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services for patients suffering from mental or emotional disorders, mental retardation, alcoholism, and other psychiatric conditions particularly those who have received prior treatment in an in-patient facility; (f) detoxification in alcoholism evaluation and service facilities.

Sec. 14. Minnesota Statutes 1978, Section 245.62, is amended to read:

245.62 COMMUNITY MENTAL HEALTH PROGRAM; TAX LEVY. Any city, county, town, or any combination thereof, ~~of over 50,000 population; and upon consent of the commissioner of public welfare, any city, county, town or combination thereof with less than 50,000 population;~~ may establish a community mental health services program and may establish clinics and staff same with persons specially trained in psychiatry and related fields. Such programs and clinics may be administered by a city, county, town, or non-profit corporation or a community mental health board established pursuant to sections 245.61 to 245.69. After June 30, 1977, each community mental health services program must be contained completely within the boundaries of one Minnesota economic development region except that a community mental health board may encompass completely two Minnesota economic development regions.

In order to provide the necessary funds to establish and operate a mental health services program and to establish and maintain a clinic, the governing body of any city, county or town may levy annually upon all taxable property in such city, county or town a special tax in excess of any statutory or charter limitation but except when levied by a county, such levy shall not exceed two-thirds of one mill. The governing body of any city, county or town may make such a levy, where necessary, separate from the general levy and at any time of the year. 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 or counties.

Sec. 15. Minnesota Statutes 1978, Section 245.63, is amended to read:

245.63 ASSISTANCE OR GRANT. Any city, county, town, ~~non-profit or public or private~~ corporation or community mental health board administering a mental health services program may apply to a county board for the assistance provided by sections 245.61 to 245.69 by submitting annually to the commissioner of public welfare its plan and budget for the next fiscal year together with the recommendations of the community mental health board thereon in establishing and funding a mental health services program. No programs shall be eligible for a grant hereunder unless its plan and budget have been approved by the commissioner. After June 30, 1977, no program shall be eligible for a grant hereunder unless it is contained completely within the boundaries of one Minnesota economic development region except that a community mental health board may encompass completely two Minnesota economic development regions county board or boards.

Sec. 16. Minnesota Statutes 1978, Section 245.64, is amended to read:

245.64 FUNDS ALLOCATED. At the beginning of each fiscal year In preparing the biennial plan prescribed in section 5, the commissioner of public welfare county board Changes or additions indicated by underline deletions by strikeout

shall allocate available funds to the mental health programs for ~~disbursement during the fiscal year~~ in accordance with such approved plans and budgets. ~~The commissioner shall~~ county board may, from time to time during the ~~fiscal~~ year, review the budgets and expenditures of the various programs and if funds are not needed for a program to which they were allocated, ~~he~~ it may, after reasonable notice and opportunity for hearing, withdraw such funds as are unencumbered and reallocate them to other programs. ~~He may~~ The county board may withdraw funds from any program which is not being administered in accordance with its approved plan and budget.

Sec. 17. Minnesota Statutes 1978, Section 245.66, is amended to read:

245.66 **COMMUNITY MENTAL HEALTH BOARDS.** Every city, ~~county or town~~ or, combination thereof or corporation establishing a community mental health services program shall, before it may come within the provisions of sections 245.61 to 245.69, establish a community mental health board. When a combination of six or less political subdivisions establish a program, the board shall consist of at least nine members, but not more than twelve members, at the option of the selection committee. When seven or more political subdivisions establish a program the board shall consist of at least nine members, but not more than fifteen members, at the option of the selecting committee. When any city, county or town singly establishes a program, the board shall be appointed by the chief executive officer of the city or the chairman of the governing body of the county or town. ~~When the county contracts with a non-profit corporation is the administrator of a~~ to operate the program not established by a city, county or town, the corporation shall select a community mental health board which shall be representative of the groups herein enumerated, but the number of members need not be nine. When any combination of the political subdivisions herein enumerated establishes a community mental health services program, the chief executive officer of each participating city and the chairman of the governing body of each participating county or town shall appoint two members to a selecting committee, which shall select the members of the board. Membership of the community mental health boards shall include at least one county commissioner representative from each participating county and shall also be representative of local health departments, medical societies, county welfare boards, hospital boards, lay associations concerned with mental health, mental retardation and chemical dependency, labor, agriculture, business, civic and professional groups and the general public. Membership may include a representative from any county which purchases substantial services from the community mental health board. ~~Nothing in Laws 1975, Chapter 69~~ shall prevent a county or community mental health board from purchasing services from an agency outside the boundaries of the Minnesota economic development region.

Sec. 18. Minnesota Statutes 1978, Section 245.68, is amended to read:

245.68 **DUTIES OF COMMUNITY MENTAL HEALTH BOARDS.** Subject to the provisions of this section and the rules and regulations of the commissioner of public welfare, each community mental health board shall:

(a) Facilitate and implement programs in mental health, mental retardation and inebriacy so as to assure delivery of services;

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(b) Review and evaluate community mental health service provided pursuant to sections 245.61 to 245.69, and report thereon to the ~~commissioner of public welfare~~ county board, the administrator of the program, and, when indicated, the public, together with recommendations for additional services and facilities;

(c) Recruit and promote local financial support for the program from private sources such as community chests, business, industrial and private foundations, voluntary agencies and other lawful sources, and promote public support for municipal and county appropriations;

(d) Promote, arrange and implement working agreements with other social service agencies, both public and private, and with other educational and judicial agencies;

(e) Advise the administrator of the community mental health program on the adoption and implementation of policies to stimulate effective community relations;

(f) Review the annual plan and budget and make recommendations thereon;

(g) When so determined by the authority establishing the program, act as the administrator of the program;

~~(h) Establish and operate a detoxification center;~~

~~(j) (h)~~ Encourage and assist innovative private treatment programs;

~~(k) (i)~~ Provide services for drug dependent persons; and

~~(h) (j)~~ Appoint advisory committees in at least the areas of mental health, mental retardation and inebriacy. A committee shall consist of residents of the area served who are interested and knowledgeable in the area governed by such committee. These advisory committees shall report regularly to the board.

Sec. 19. Minnesota Statutes 1978, Section 245.69, is amended to read:

245.69 **ADDITIONAL DUTIES OF COMMISSIONER.** In addition to the powers and duties already conferred upon him by law the commissioner of public welfare shall:

(a) ~~Promulgate rules and regulations governing eligibility of community mental health programs to receive state grants,~~ prescribing standards for qualification of personnel and quality of professional service and for in-service training and educational leave programs for personnel, governing eligibility for service so that no person will be denied service on the basis of race, color or creed, or inability to pay, providing for establishment, subject to the approval of the commissioner, of fee schedules which shall be based upon ability to pay and the guiding principle of which shall be that no one who can afford to pay for his own treatment at the rate customarily charged in private practice shall be treated in the community mental health services clinic except as hereinafter provided, regulating fees for consultation and diagnostic services which services may be provided to anyone without regard to his financial status when referred by the courts,

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schools, or health or welfare agencies whether public or private, and such other rules and regulations as he deems necessary to carry out the purposes of sections 245.61 to 245.69.

(b) Review and evaluate local programs and the performance of administrative and psychiatric personnel and make recommendations thereon to ~~community mental health county~~ boards and program administrators;

(c) Provide consultative staff service to communities to assist in ascertaining local needs and in planning and establishing community mental health programs; and

(d) Employ qualified personnel to implement sections 245.61 to 245.69.

Sec. 20. Minnesota Statutes 1978, Section 245.84, Subdivision 1, is amended to read:

245.84 **AUTHORIZATION TO MAKE GRANTS.** Subdivision 1. The ~~commissioner county board~~ is authorized to make grants from the ~~general fund in the state treasury~~ community social service fund to any municipality, ~~county~~, corporation or combination thereof for the cost of providing technical assistance and child care services as the ~~commissioner board~~ deems necessary or proper to carry out the purposes of sections 245.83 to 245.87.

The ~~commissioner board~~ is further authorized to make grants to any municipality, ~~county~~, incorporated licensed child care facility, or corporation or combination thereof 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.

Sec. 21. Minnesota Statutes 1978, Section 245.84, Subdivision 5, is amended to read:

Subd. 5. The ~~commissioner county~~ shall ~~annually~~ biennially develop a plan for the distribution of funds for child care services as part of the community social services plan prescribed in section 5. All licensed child care programs shall be given written notice

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concerning the availability of funds and the application process.

Sec. 22. Minnesota Statutes 1978, Section 245.85, is amended to read:

245.85 TERMINATION OF ALL OR PART OF A GRANT. The ~~commissioner~~ county board 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 board~~ 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 for each year of the biennium which have not been granted by the end of the sixth month of that year may be allocated without regard to restrictions set forth in section 245.87.

Sec. 23. Minnesota Statutes 1978, Section 245.87, is amended to read:

245.87 ALLOCATIONS. For the purposes of sections ~~245.83 to 245.87~~ section 245.84, subdivision 2 grants shall be distributed between the metropolitan area, comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, and the 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. The commissioner is further instructed that the allocation in each area be based on a need and population basis.

Sec. 24. Minnesota Statutes 1978, Section 252.21, is amended to read:

252.21 COUNTY BOARDS MAY MAKE GRANTS FOR DEVELOPMENTAL ACHIEVEMENT CENTERS FOR THE MENTALLY RETARDED AND CEREBRAL PALSID. In order to assist in the establishment of developmental achievement centers for the mentally retarded and cerebral palsied, the ~~commissioner of public welfare~~ is county board or boards are hereby authorized and directed to make grants, within the limits of the money appropriated, to ~~those~~ developmental achievement centers for the mentally retarded and cerebral palsied ~~that he shall select~~.

Sec. 25. Minnesota Statutes 1978, Section 252.22, is amended to read:

252.22 APPLICANTS FOR ASSISTANCE; TAX LEVY. Any city, town, ~~county~~ or non-profit corporation or any combination thereof, may apply to the ~~commissioner~~ of ~~Changes or additions indicated by underline deletions by strikeout~~

public welfare county board for assistance in establishing and operating a developmental achievement center and program for mentally retarded and cerebral palsied persons. Application for such assistance shall be on forms supplied by the commissioner board. Each applicant shall annually submit to the commissioner board 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 board.

Any city, town, 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 developmental achievement center for the mentally retarded and cerebral palsied. ~~In order to provide necessary funds to establish and operate developmental achievement centers for the mentally retarded and cerebral palsied, the governing body of any city, town, or county may levy annually upon all taxable property in such city, town, or county, a special tax in excess of any statutory or charter limitation but such levy shall not exceed one-sixth of one mill as to any city or town. The governing body of any city, town, 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 and counties.~~

Sec. 26. Minnesota Statutes 1978, Section 252.24, Subdivision 1, is amended to read: .

252.24 DUTIES OF COUNTY BOARDS. Subdivision 1. **SELECTION OF DEVELOPMENTAL ACHIEVEMENT CENTERS.** The commissioner of public welfare county board shall select those applicants for assistance and grant them assistance, as provided in subdivision 3, whose *developmental achievement center location and program* is licensed under the provisions of sections 245.781 to 245.813 and 257.175, and in his the board's opinion, best provides daytime activities for mentally retarded and cerebral palsied persons within the state appropriation made available for this purpose.

Sec. 27. Minnesota Statutes 1978, Section 252.24, Subdivision 3, is amended to read:

Subd. 3. **PAYMENT PROCEDURE.** The commissioner of public welfare board at the beginning of each ~~fiscal~~ year, shall allocate available funds to developmental achievement center programs for disbursement during the ~~fiscal~~ year to those centers that have been selected to receive grants and whose plans and budgets have been approved. The commissioner board shall, from time to time during the fiscal year, review the budgets, expenditures and programs of the various centers and if ~~he~~ it determines that any amount of funds are not needed for any particular center to which they were allocated, ~~he~~ it may, after 30 days' notice, withdraw such funds as are unencumbered and reallocate them to other centers. ~~He~~ It may withdraw all funds from any center upon 90 days' notice whose program is not being administered in accordance with its approved plan and budget.

Sec. 28. Minnesota Statutes 1978, Section 252.24, Subdivision 4, is amended to

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read:

Subd. 4. 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; provided, the grant of assistance to each center shall fund the center's total cost under its approved budget for the fiscal year for transportation to and from the center of persons who fulfill the eligibility requirements of section 252.23, subdivision 1, and who attend the center.

The board of directors of a developmental achievement center may, with the approval of the county board and 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. 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. 29, Minnesota Statutes 1978, Section 252.25, is amended to read:

252.25 **BOARD OF DIRECTORS.** Every city, town, ~~county~~ or non-profit corporation, or combination thereof, establishing a developmental achievement 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 center program. When any city : or town ~~or county~~ singly establishes such a center, such board shall be appointed by the chief executive officer of the city or the chairman of the governing board of the ~~county~~ or town. When any combination of cities, towns, ~~counties~~ or non-profit corporations, establishes such a center, the chief executive officers of the cities 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 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. 30, Minnesota Statutes 1978, 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 of the commissioner of public welfare, each board of directors of a developmental achievement center shall:

(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;

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

(3) Advise the commissioner of public welfare county board 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 county board, and when indicated to the public;

(6) Provide for transportation to and from the center of all persons who fulfill the eligibility requirements of section 252.23, clause (1) and who attend the center, if provision for this transportation is not unreasonably burdensome to the center and if a more efficient, reasonable, alternative means of transportation does not exist.

Sec. 31. Minnesota Statutes 1978, Section 252.261, is amended to read:

252.261 **EXISTENCE.** Any daytime activity center in existence on September 1, 1977 shall be deemed to be a developmental achievement center for the purposes of ~~Laws 1977, Chapter 337, Sections 4 to 7~~ sections 252.21 to 252.26.

Sec. 32. Minnesota Statutes 1978, Section 253A.02, is amended by adding a subdivision to read:

Subd. 23. "Designated agency" means an agency selected by the county board to provide the services under Minnesota Statutes, Chapter 253A.

Sec. 33. Minnesota Statutes 1978, Section 253A.07, Subdivision 1, is amended to read:

253A.07 **JUDICIAL COMMITMENT.** Subdivision 1. Any interested person may file in the probate court of the county of the proposed patient's settlement or presence a petition for commitment of a proposed patient, setting forth the name and address of the proposed patient, the name and address of his nearest relatives, and the reasons for the petition. Such petition shall be accompanied either by a written statement by a licensed physician stating that he has examined the proposed patient and is of the opinion that the proposed patient may be mentally ill, mentally deficient, or inebriate, and should be hospitalized, or by a written statement by the petitioner that, after reasonable effort, the petitioner has been unable to obtain an examination by a licensed physician or that an examination could not be performed. Before filing, a copy of the petition shall be delivered by the petitioner to the ~~county welfare department~~ designated agency.

Sec. 34. Minnesota Statutes 1978, Section 253A.07, Subdivision 7, is amended to read:

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Subd. 7. The probate court shall direct the ~~county welfare department~~ designated agency to make an investigation into the financial circumstances, family relationships, residence, social history, and background of such patient and make a report thereof in writing to be filed with the court for the use and guidance of the head of the hospital to which such person may be committed. The court may require that such report be filed prior to the commitment hearing.

Sec. 35. Minnesota Statutes 1978, Section 253A.09, Subdivision 1, is amended to read:

253A.09 **TRANSPORTATION.** Subdivision 1. Whenever an individual is about to be placed in a hospital or public health facility under the terms of sections 253A.01 to 253A.21, the court may by order:

(a) Upon the request of an interested person, authorize the ~~county welfare department~~ designated agency to arrange for the individual's transportation to the hospital with appropriate medical or nursing attendants, and by such means as may be suitable for the individual's condition. The person making the request shall be liable for the cost of such transportation.

(b) Authorize ~~county welfare department~~ the designated agency or public health facility personnel to transport the individual to the designated facility if the head of the ~~welfare department~~ designated agency or health facility has advised the court that such personnel are available for the purpose.

(c) Authorize an interested or any other responsible person to transport the individual to the designated facility.

(d) Authorize a peace officer to transport the individual to the hospital or public health facility. Unless otherwise ordered by the court, the peace officer shall not be in uniform and shall use a motor vehicle not visibly marked as a police vehicle.

Sec. 36. Minnesota Statutes 1978, Section 253A.10, Subdivision 4, is amended to read:

Subd. 4. The ~~county welfare board~~ designated agency shall take such reasonable measures, including provision for medical treatment, as may be necessary to assure proper care and treatment of a person temporarily detained pursuant to this section.

Sec. 37. Minnesota Statutes 1978, Section 253A.14, Subdivision 1, is amended to read:

253A.14 **TRANSFER.** Subdivision 1. The commissioner may transfer any patient who is committed by probate court as mentally ill, mentally deficient, or inebriate from one state hospital or institution to any other hospital or other institution under his jurisdiction which is capable of providing such patient proper care and treatment, unless such patient was found by the committing court to be dangerous to the public or to have a psychopathic personality. Whenever a patient is transferred from one hospital to

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another written notice shall be given to the probate court if the patient was committed under sections 253A.01 to 253A.21, and to his parent or spouse or, if none be known, to an interested person, and the ~~county welfare board~~ designated agency.

Sec. 38. Minnesota Statutes 1978, Section 253A.15, Subdivision 6, is amended to read:

Subd. 6. Notice of the expiration of the one year period or of the extended period shall be given by the head of the hospital to the committing court, the commissioner, and the ~~county welfare board~~ designated agency.

Sec. 39. Minnesota Statutes 1978, Section 253A.15, Subdivision 11, is amended to read:

Subd. 11. (a) The head of any hospital, prior to the discharge or provisional discharge of any patient committed as mentally ill, mentally deficient, or inebriate, shall notify the patient's spouse, or if there be none, an adult child, or if there be none, the next of kin of the patient, of the proposed discharge date. The notice shall be sent to the last known address of the patient's next of kin by certified mail with return receipt. Further, the notice shall include the following information: (1) the proposed date of discharge or provisional discharge; (2) the date, time and place of the meeting of the staff, who have been treating the patient, to discuss discharge and discharge planning; (3) that the patient will be present at the meeting; (4) that the next of kin may attend the designated staff meeting and present any information relevant to the discharge of the patient. The notice shall be sent to the next of kin at least one week prior to the date designated for the meeting.

(b) The head of any hospital, upon the provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, shall notify the ~~welfare board and in the event the patient is a drug dependent person the community mental health center of the county of such patient's residence~~ designated agency before the patient is to leave the hospital. Whenever possible said notice shall be given at least one week before the patient is to leave the hospital. The commissioner shall provide by ~~regulation~~ rule the procedure and methods whereby such patient shall be helped to receive all public assistance benefits provided by state or federal law to which his residence and circumstances entitle him. ~~Such regulations~~ The rules shall be uniformly applied in all counties, and all counties shall provide temporary relief whenever necessary to meet the intent of this subdivision.

Sec. 40. Minnesota Statutes 1978, Section 253A.15, Subdivision 12, is amended to read:

Subd. 12. Prior to the date of discharge, provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, the ~~county welfare board~~ designated agency of the county of such patient's residence, in cooperation with the head of the hospital where the patient is hospitalized, ~~the director of the community health center service of said area~~, and the patient's physician, if notified pursuant to subdivision 13, shall establish a continuing plan of after-care services for such

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patient including a plan for medical and psychiatric treatment, nursing care, vocational assistance, and such other aid as the patient shall need. It shall be the duty of ~~such welfare board~~ the designated agency to supervise and assist such patient in finding employment, suitable shelter, and adequate medical and psychiatric treatment, and to aid in his readjustment to the community.

Sec. 41. Minnesota Statutes 1978, Section 253A.15, Subdivision 13, is amended to read:

Subd. 13. In establishing such plan for after-care services the ~~county welfare board~~ designated agency shall engage in ~~such~~ consultation with persons or agencies, including any public health nurse and vocational rehabilitation personnel, as is necessary to insure adequate planning for after-care services.

Sec. 42. Minnesota Statutes 1978, Section 254A.05, Subdivision 1, is amended to read:

254A.05 **DUTIES OF ADVISORY COUNCIL.** Subdivision 1. (a) The council shall assist in the formulation of policies and guidelines for the implementation of the commissioner's responsibilities in the area of alcohol and drug abuse.

(b) The council shall advise the commissioner and director on policies, goals, and the operation of the comprehensive state plan for alcohol and drug abuse program services in the state and other matters as directed by the commissioner and director, and shall encourage public understanding and support of the alcohol and drug abuse programs.

(c) The council shall make recommendations to the commissioner regarding grants of federal money to ~~community mental health~~ county boards under section 254A.07.

Sec. 43. Minnesota Statutes 1978, Section 254A.07, Subdivision 1, is amended to read:

254A.07 **COMPREHENSIVE PROGRAMS; COORDINATION OF LOCAL PROGRAMS.** Subdivision 1. The ~~commissioner of public welfare~~ shall designate the ~~community mental health boards~~ to ~~(a)~~ county board shall coordinate all alcohol and other drug abuse services conducted by local agencies, and to ~~(b)~~ review all proposed agreements, contracts, plans, and programs in relation to alcohol and other drug abuse prepared by any such local agencies for funding from any local, state or federal governmental sources.

Sec. 44. Minnesota Statutes 1978, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The ~~department of public welfare~~ county boards may make grants to ~~community mental health boards~~ for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. Grants made for programs serving the native American community shall take

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into account the guidelines established in section 254A.03, subdivision 1, clause (j). Grants may be made for the cost of these comprehensive programs and services whether provided directly by ~~community mental health~~ county boards or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Sec. 45. Minnesota Statutes 1978, Section 254A.08, Subdivision 1, is amended to read:

254A.08 **DETOXIFICATION CENTERS.** Subdivision 1. Every ~~community mental health~~ county board shall provide a detoxification program for drug dependent persons ~~within its area~~. The board may utilize existing treatment programs and other agencies to meet this responsibility.

Sec. 46. Minnesota Statutes 1978, Section 254A.12, is amended to read:

254A.12 **AFFECTED EMPLOYEES.** ~~Participating area~~ County boards shall may enter into one or more purchase of service agreements to provide services to employers to develop personnel practices for prevention of alcoholism and other chemical dependency, and to assist affected employees in gaining access to care through identification and referral services.

Sec. 47. Minnesota Statutes 1978, Section 254A.14, is amended to read:

254A.14 **SERVICES TO YOUTH AND OTHER UNDERSERVED POPULATIONS.** Subdivision 1. **IDENTIFICATION.** ~~Participating area~~ County boards shall may enter into one or more purchase of service agreements to provide services related to the prevention of chemical dependency to persons and groups which have responsibility for, and access to, youth and other underserved populations. The boards shall may also enter into purchase of service agreements to assist youth and other underserved populations in gaining access to care.

Subd. 2. **TREATMENT FACILITIES.** If, as a result of programs authorized under subdivision 1, significant numbers of persons are identified for whom treatment and aftercare programs are not available, ~~participating area~~ county boards may request funds from the commissioner to develop treatment and aftercare capabilities.

Sec. 48. Minnesota Statutes 1978, Section 254A.16, Subdivision 2, is amended to read:

Subd. 2. (a) The commissioner shall provide program guidelines and technical assistance to the ~~area~~ county boards in carrying out their responsibilities under sections 254A.12 and 254A.14.

(b) The commissioner shall recommend to the governor and to the legislature means of making the programs funded under sections 254A.031, 254A.12, and 254A.14

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wholly or partially self-sustaining.

Sec. 49. APPROPRIATIONS. Subdivision 1. COMMUNITY SOCIAL SERVICE AID FORMULA. The money to pay the state aids authorized by section 6, subdivision 1, shall be paid from appropriations to the commissioner of public welfare.

Subd. 2. PLANNING GRANTS. There is appropriated from the general fund to the commissioner of public welfare for the biennium ending June 30, 1981, the sum of \$300,000 for the purposes of section 6, subdivision 11.

Subd. 3. MENTAL HEALTH GRANTS. The sum of \$2,000,000 for the biennium ending June 30, 1981, is appropriated to the commissioner of public welfare for the purposes of section 12.

Sec. 50. REPEALER. Minnesota Statutes 1978, Sections 245.65; 245.651; 245.691; 254A.07, Subdivision 3; 254A.08, Subdivision 3; and 254A.17 are repealed.

Approved June 5, 1979.

CHAPTER 325—H.F.No.444

An act relating to intoxicating liquor; allowing municipalities to set license fees in excess of \$100 for club on-sale licenses; allowing the cities of Spring Lake Park, Hermantown and Waseca to issue on-sale licenses to clubs in existence for less than 15 years; amending Minnesota Statutes 1978, Section 340.11, Subdivision 11.

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

Section 1. Minnesota Statutes 1978, Section 340.11, Subdivision 11, is amended to read:

Subd. 11. ON-SALE LICENSES, INCLUDING HOTELS, CLUBS, RESTAURANTS, AND ON-SALE EXCLUSIVE LIQUOR STORES. "On-sale" licenses may be issued by municipalities for the sale of intoxicating liquors in hotels, clubs, restaurants and establishments for the sale of "on-sale" liquors exclusively within the number authorized by this section. Except in a city of the first class and in addition to the number of licenses authorized by this section, an "on-sale" license may be issued, if approved by the commissioner of public safety, to a bona fide club which has been in existence for 15 years or more or to a congressionally chartered veterans' organization which has been in existence for 10 years. Such a club or veterans' organization shall be incorporated in order to be eligible to apply for a license, and the license issued shall be for the sale of intoxicating liquors to members and bona fide guests only. The license fee for such an "on-sale" license issued by a municipality pursuant to this subdivision is \$100 unless the municipality sets a higher amount. Except in cities of the first, second, and third class, a license may be issued jointly to congressionally chartered veterans' organizations which otherwise qualify under this subdivision.

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