

Clause 2. The number of "on-sale" licenses issued pursuant to this section by any municipality shall not exceed the number authorized by section 340.11, ~~subdivisions 6 or 7, as the case may be-subdivision 5a~~ ; provided, that the provisions of section 340.11, subdivision 18, shall apply to any city issuing licenses pursuant to this section ~~340.353. For purposes of this subdivision, population shall be established by the most recent available federal decennial census as of the date upon which a license is issued .~~

Clause 3. No city shall issue licenses as provided in this section until authorized by the voters of the city voting on the question at a special election called for such purpose, the election to be conducted in accordance with the applicable provisions of the Minnesota election law.

Sec. 7. Minnesota Statutes 1974, Section 340.11, Subdivisions 6 and 7, are repealed.

Approved June 4, 1975.

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**CHAPTER 346—H.F.No.210**

[Coded]

*An act relating to public health; providing nutritional supplements to high risk women and children; appropriating money.*

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

Section 1. **[145.891] PUBLIC HEALTH; MATERNAL AND CHILD NUTRITION ACT; CITATION.** This act shall be known as the "maternal and child nutrition act of 1975."

Sec. 2. **[145.892] DEFINITIONS.** Subdivision 1. For purposes of this act, the terms defined in this section have the meanings given them.

Subd. 2. "Local health agency" means the county public health nursing service or any public or private nonprofit organization which enters into a contract with the board of health pursuant to this act.

Subd. 3. "Pregnant woman" means an individual determined by a licensed physician, midwife, or appropriately trained registered nurse to have one or more fetuses in utero.

Subd. 4. "Lactating woman" means any breast feeding individual who presents competent evidence of having been delivered of a surviving child within the 12 months immediately preceding the filing of an application for nutritional supplements.

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Subd. 5. "Infant" means an individual under one year of age.

Subd. 6. "Child" means an individual one to four years of age.

Subd. 7. "Nutritional risk" means individuals with any of the following characteristics:

(a) For pregnant and lactating women:

(i) Known inadequate nutritional patterns;

(ii) Anemia;

(iii) History of prematurity or miscarriage; or

(iv) Inadequate patterns of growth (underweight, obesity, or stunting).

(b) For infants and children:

(i) Low birth weight;

(ii) Deficient patterns of growth;

(iii) Anemia; or

(iv) Known inadequate nutritional patterns.

Subd. 8. "Low birth weight" means a birth weight of less than 2,500 grams.

Subd. 9. "Nutritional supplements" means any food authorized by the board to be made available under this program.

Subd. 10. "Board" means the state board of health or its representative.

**Sec. 3. [145.893] NUTRITIONAL SUPPLEMENT PROGRAM.**  
Subdivision 1. An eligible individual shall receive vouchers for the purchase of specified nutritional supplements in type and quantity approved by the board. Alternate forms of delivery may be developed by the board in appropriate cases.

Subd. 2. An individual shall be eligible for nutritional supplements who is not receiving a similar supplement under any federal, state, or local program and

(a) Is pregnant or lactating; or

(b) Is an infant or a child; and

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(c) Is eligible for or a recipient of any form of public assistance authorized by law and is certified by the local health agency to be a nutritional risk; or

(d) Is certified by the local health agency to be a nutritional risk and is without sufficient resources to purchase necessary nutritional supplements.

Subd. 3. Eligibility for nutritional supplements shall cease upon certification by the local health agency that the individual is no longer a nutritional risk, but in no case later than:

(a) For lactating women, 12 months after the birth of a surviving child; and

(b) For children, at four years of age.

Sec. 4. [145.894] STATE BOARD OF HEALTH; DUTIES, RESPONSIBILITIES. The board of health shall:

(a) Develop a comprehensive state plan for the delivery of nutritional supplements to pregnant and lactating women, infants, and children;

(b) Contract with existing local public or private nonprofit organizations for the administration of the nutritional supplement program;

(c) Develop and implement a public education program promoting the provisions of this act, and provide for the delivery of individual and family nutrition education and counseling at project sites;

(d) Develop in cooperation with other agencies and vendors a uniform state voucher system for the delivery of nutritional supplements;

(e) Develop, analyze and evaluate the health aspects of the nutritional supplement program and establish nutritional guidelines for the program;

(f) Apply for and administer any available federal or private funds;

(g) Coordinate with the state and local public welfare agencies in identifying eligible individuals;

(h) Promulgate all rules and regulations necessary to carry out the provisions of this act;

(i) Report to the legislature by November 15 of every year on the expenditures and activities under this act of the state and local health agencies for the preceding fiscal year.

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Sec. 5. [145.895] **DEPARTMENT OF PUBLIC WELFARE.** The commissioner of public welfare shall cooperate with the board of health in identifying eligible individuals. The commissioner shall provide a procedure for the notification of pregnant or lactating women, infants and children receiving any form of public assistance of eligibility for benefits under this program.

Sec. 6. [145.896] **PROGRAM NOT A SUBSTITUTE OR REPLACEMENT.** This program shall not be a replacement or substitute for any other local, state, or federal program administered through the departments of health or public welfare, nor shall the value of the nutritional supplements be included in eligibility determination for other assistance programs.

Sec. 7. [145.897] **VOUCHERS.** Vouchers issued pursuant to this act shall be only for the purchase of those foods determined by the board to be desirable nutritional supplements for pregnant and lactating women, infants and children. These foods shall include, but not be limited to, iron fortified infant formula, vegetable or fruit juices, cereal, milk, cheese, and eggs.

Sec. 8. **APPROPRIATION.** The sum of \$1,000,000 for the biennium beginning July 1, 1975 and ending June 30, 1977 is appropriated to the state board of health for purposes of this act. No more than ten percent of the appropriation shall be used annually by the board for purposes of administration of the program. Notwithstanding Minnesota Statutes, Section 16A.28 or any other law, the appropriation made by this section shall not lapse prior to June 30, 1977.

Approved June 5, 1975.

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#### CHAPTER 347—H.F.No.216

[Coded in Part]

*An act relating to estates; affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; revising aspects of the law relating to wills, intestacy, administration and distribution of estates; taxation of inheritances; ordering the powers and proceedings of the court and certain officials concerned with the administration of estates of decedents and others; amending Minnesota Statutes 1974, Sections 287.22; 291.005; 291.07, and by adding a subdivision; 291.09, Subdivision 1; 291.14, Subdivision 1, and by adding subdivisions; 502.71; 508.68; 508.69; 524.1-102; 524.1-107; 524.1-108; 524.1-201; 524.1-301; 524.1-302; 524.1-303; 524.1-307; 524.1-401; 524.1-403; 524.3-101; 524.3-102; 524.3-104; 524.3-105; 524.3-108; 524.3-109; 524.3-203; 524.3-204; 524.3-301; 524.3-303; 524.3-305; 524.3-306; 524.3-310; 524.3-311; 524.3-401; 524.3-402; 524.3-403; 524.3-406; 524.3-409; 524.3-412; 524.3-413; 524.3-502; 524.3-601; 524.3-602; 524.3-603; 524.3-604; 524.3-605; 524.3-606; 524.3-609; 524.3-703; 524.3-706; 524.3-711; 524.3-715;*

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