

9571.0050 CESSATION AND CHANGE OF DESIGNATION.

Subpart 1. **Circumstances for cessation.** A governing body may change its designation of a community action agency to serve the area under its jurisdiction after a request to cease all community action program operation in the entire area has been received from the designated community action agency.

Subp. 2. **Priority among possible designees.** A governing body may choose a designee under this part, in descending order of priority, by:

A. requesting an existing community action agency that is located and is providing services in a contiguous area to expand its program operations into the service area;

B. requesting an existing community action agency closest to the service area or an existing community action agency within reasonable proximity to the service area to expand its program operations into the service area, if no existing community action agency in a contiguous area agrees to expand its operations; and

C. nominating any entity eligible or potentially eligible to be designated under federal law and regulations and to be recognized under part 9571.0040, when no community action agency accepts the request to operate in the service area.

Subp. 3. **Procedure.** The governing body must follow the procedure in part 9571.0030 in order to change designation and must also prepare a transition plan for continuation of community action program services. The governing body must submit the transition plan to the department simultaneously with the notice of intent to designate. In addition to the notice requirements in part 9571.0030, subpart 3, the governing body must also serve copies of the notice of intent to designate and the notice of public hearing upon any existing community action agency concurrently operating in the same political subdivision and all subgrantees in the service area. Upon request, copies of the designee's eligibility documents and the transition plan must be made available by the governing body to any interested party.

Subp. 4. **Additional review by department.** In addition to the review requirements in part 9571.0030, subpart 8, the department must also review the transition plan for service delivery in the interim before the governor's recognition as provided in part 9571.0040, subpart 2. The department has 30 calendar days from the date of receipt of the transition plan to either approve or disapprove of the plan. If the transition plan is not approved, the governing body may not proceed to designate a community action agency under the procedure of part 9571.0030. Without an approved transition plan in operation, the department will not forward to the governor a request for recognition as provided in part 9571.0040. If the transition plan is not approved, the governing body may submit a subsequent transition plan consistent with the department's comments. Along with the

transition plan, the department must also receive evidence of service of additional notice on interested parties as required in subpart 3.

Statutory Authority: *MS s 256.01; 268.0122; 268.021*

History: *16 SR 2319; 33 SR 1300*

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