

HUMAN SERVICES ACT 402.02

Subd. 2. The commissioner shall biennially review the ranking accorded each county by the equalization formula provided in section 401.10 and compute the subsidy rate accordingly.

[1973 c 354 s 15]

401.16 Withdrawal from program

Any participating county may, at the beginning of any calendar quarter, by resolution of its board of commissioners, notify the commissioner of its intention to withdraw from the subsidy program established by sections 401.01 to 401.16, and such withdrawal shall be effective the last day of the last month of the quarter in which such notice was given.

[1973 c 354 s 16]

CHAPTER 402. HUMAN SERVICES ACT (NEW)

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402.01 Agreement

Subdivision 1. One or more contiguous counties, having an aggregate population of 50,000 or more persons or comprising all the counties within a region designated pursuant to sections 462.381 to 462.396 or chapter 473B, situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or chapter 473B, may, by resolution of their county boards of commissioners, designate a human services board having the composition, powers, and duties provided in sections 402.01 to 402.10.

Subd. 2. Any agreement pursuant to subdivision 1 shall be governed by sections 402.01 to 402.10 and section 471.59 provided that a county board may withdraw from the agreement only after one year's notice to all other counties party to the agreement which notice shall be delivered on or before the last day of the current fiscal year.

[1973 c 716 s 1]

402.02 Board; composition; powers; funding; grants

Subdivision 1. Human services boards shall be composed as follows:

(a) Not less than one county commissioner from each county party to the agreement, the commissioner or commissioners to be selected by the county board of the participating county; and

(b) Citizen members who in number shall comprise not less than one third of the membership of the human services board, one of whom shall be the chairman of the human services advisory committee, appointed in a manner determined by the county boards which are party to the agreement.

Board members shall serve for terms of three years, so arranged that as nearly as practicable, the terms of one-third of the members shall expire each year. Vacancies shall be filled in the same manner as original appointments.

Subd. 2. A human services board shall possess all the powers and duties now assigned by law to:

(a) Manage the existing public resources devoted to human services delivered or purchased by the counties, which are subsidized or regulated by the departments of corrections, health, and public welfare;

(b) Employ staff to carry out the purposes of sections 402.01 to 402.10;

(c) Deliver services directly, or through contract with other governmental or nongovernmental providers;

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(d) Develop a plan for the delivery of human services, which shall include court services, public health services, public assistance, mental retardation services, social services, mental health services, and others of similar classification; and

(e) Receive and expend for the purposes of sections 402.01 to 402.10 funds from the departments of corrections, health and public welfare, or from any other lawful source, including any governmental source.

Subd. 3. The county boards of commissioners, party to the agreement, shall determine the proportional financial responsibility of each county to support the programs and services of the board. The agreement may provide for payments by each county based upon use by residents of the county of a particular program or service provided, or by other arrangements as determined pursuant to the agreement. Each county shall be subject to applicable requirements of law concerning funding, and to existing limitations upon the authority to levy taxes, for any particular program or service.

Subd. 4. The departments of corrections, health, and public welfare shall provide funds from any grant or subsidy program or other authorized source to the human services board, based upon a plan which satisfies the standards and regulations of the individual state agency, and which represents all subsidy money for human services which each agency commits to programs within counties comprising the human services board.

[1973 c 716 s 2]

402.03 Advisory committee

Each human services board shall appoint an advisory committee, which shall actively participate in the formulation of the plan for the development, implementation and operation of the programs and services by the board, and shall make a formal recommendation to the board at least annually concerning the annual budget of the board and the implementation of the plan during the ensuing year.

Membership on the advisory committee shall consist of no more than 25 persons serving three year terms. The chairman shall be appointed by the human services board and may not be a member of a county board.

One-third of the members of the advisory committee shall be representatives of those persons receiving services provided by the human services board. No more than one-third may be providers or employees of providers of services. The remaining members shall represent the citizens of the counties.

The advisory committee shall appoint at least three permanent task forces to assist it in its functions: Corrections, social and mental health services, and public health.

Task force membership shall be constituted to fulfill state agency requirements for receiving categorical funds. Where appropriately constituted, these task forces may replace those advisory bodies required by statute and regulation to advise county welfare boards and other county and area boards. Individuals not members of the advisory committee may be appointed to the task forces; provided, however, that each task force shall be chaired by a member of the advisory committee.

The human services board shall provide staff assistance to the advisory committee.

[1973 c 716 s 3]

402.04 Delegation of functions; financial aid; standards; reports

Subdivision 1. During the biennium ending June 30, 1975, the commissioner of corrections, state board of health, and commissioner of public welfare may, without reference to the provisions of chapter 15, delegate any duty, authority, or responsibility vested in their respective departments relative to any program or service presently provided by the state, to any human services

board which has in effect an approved plan for the affected program or service. The authority granted under this section shall include the authority to transfer to a human services board that portion of any unexpended appropriation which represents a saving to the department concerned by virtue of the assumption by the board of the duty, authority, or responsibility so delegated. No state employee shall be involuntarily terminated from employment by any action under this section.

Subd. 2. The delegation of any duty, authority, or responsibility, and transfer of funds therewith, shall be subject to the maintenance by the human services board of applicable standards prescribed by the respective department, pursuant to the provisions of subdivision 1. Upon failure to maintain the prescribed standards, any delegated function and unexpended funds shall revert to the department concerned according to procedures established by it.

Subd. 3. The exercise of any transfer of function or funds pursuant to subdivisions 1 and 2 shall be immediately reported to the committees on appropriations of the house of representatives and finance of the senate.

[1973 c 716 s 4]

402.05 Employees

Subdivision 1. All persons employed by a county, whose functions are assumed by a human services board, shall continue as employees of the board without loss in seniority, status, or benefits, and subject to any merit or civil service system.

Subd. 2. Not later than 90 days after the designation of a human services board established pursuant to section 402.01 any county board, committee or commission having authorities or duties in the areas designated in section 402.02, subdivision 2, clause (d) shall cease its operation and no per diem or reimbursement of expenses shall be paid to any member of the board, committee or commission.

Subd. 3. Each member of the human services board may receive a per diem and be reimbursed expenses in the performance of official duties in the amount and within the limitations as are members of county welfare boards provided in section 393.03.

[1973 c 716 s 5]

402.06 Implementation

Upon the designation as a human services board, the board shall transmit copies of the agreement documents to each affected state agency, the regional development commission, if established, and the governor. Each affected department shall assign personnel to assist the board in preparing its organization and initial plan for receipt of operating funds. Within six months of its creation, each human services board shall present its initial plan and budget to affected state agencies.

[1973 c 716 s 6]

402.07 Termination

The county boards party to an agreement to designate a human services board may terminate the agreement and no longer manage the public resources devoted to human services in their counties but only on notice of an intention to terminate delivered to the commissioner of public welfare, state board of health, and commissioner of corrections not less than 90 days before the effective date of the termination. On the termination all public resources devoted to human services shall be managed in accordance with provisions of law in effect on June 30, 1973.

[1973 c 716 s 7]

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402.08 Pilot planning grants

The state planning agency shall designate no more than two human services boards as participants in a pilot study to plan for the development and delivery of services and programs pursuant to sections 402.01 to 402.10. Any human services board designated for a pilot study grant shall receive financial assistance to plan and implement its responsibilities under sections 402.01 to 402.10. No grant pursuant to this section shall be made to any individual county.

[1973 c 716 s 8]

402.09 Reports to legislature

Each affected state agency shall report to the standing committees concerned, and the committees on appropriations and finance of the house of representatives and the senate, any grant made to a human services board pursuant to sections 402.01 to 402.10; and shall present a report to the legislature concerning recommendations regarding experience under, and suggested amendments to, sections 402.01 to 402.10 not later than January 1, 1975.

[1973 c 716 s 9]

402.10 Citation

Sections 402.01 to 402.10 may be cited as the human services act.

[1973 c 716 s 11]

CITIES, VILLAGES, METROPOLITAN AREAS

ORGANIZATION

CHAPTER 410. CLASSIFICATION; CHARTERS

Sec.		Sec.	
410.12	Amendments.	410.30	Abandonment of home rule charters by cities; assumption of village status.
410.17	Repealed.	410.31	Repealed.
410.22	Repealed.		
410.27	Repealed.		

410.12 Amendments

[For text of subd. 1, see M.S.1971]

Subd. 1a. Alternative methods of charter amendment. A home rule charter may be amended only by following one of the alternative methods of amendment provided in subdivisions 1 to 7.

[1973 c 503 s 1]

[For text of subds. 2 to 4, see M.S.1971]

Subd. 5. Amendments proposed by council. The council of any city having a home rule charter may propose charter amendments to the voters by ordinance. Any ordinance proposing such an amendment shall be submitted to the charter commission. Within 60 days thereafter, the charter commission shall review the proposed amendment but before the expiration of such period the commission may extend the time for review for an additional 90 days by filing with the city clerk its resolution determining that an additional time for review is needed. After reviewing the proposed amendment, the charter commission shall approve or reject the proposed amendment or suggest a substitute amendment. The commission shall promptly notify the council of the action taken. On notification of the charter commission's action, the council may submit to the people, in the same manner as provided in subdivision 4, the amendment originally proposed by it or the substitute amendment proposed by the charter commission. The amendment shall become effective only when approved by the voters as provided in subdivision