

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

SF-00006-03

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO: RUTH E. RANDALL, Secretary
State Board of Education

DATE: 9-27-85

ATTN: CHARLES T. MOTTL
Special Assistant Attorney General

FROM: MARTHA J. CASSERLY MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Board of Education Governing Licensure for Auto & Truck Dismantling Minnesota Rule, part 3515.4621

The above-referenced rule has been approved as to its legality by the Attorney General on September 26, 1985.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

MJC:pmf

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Administrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

SF-00006-02

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Education
747 Capitol Square Building
550 Cedar St., St. Paul, MN 55101

TO : Special Ass't. Attorney General
204 Administration Building

DATE: Sept. 17, 1985

FROM : Lois E. Steinhaus
Rulemaking Liaison

PHONE: 296-4428

SUBJECT: Approval for Rules Governing License to Teach Auto and Truck Dismantling

Rule(s) Without a Public Hearing

Enclosed is a copy or more than one if indicated, of the following materials:

1. Rules as Adopted (4)
2. Order Adopting Rules (2)
3. Certificate of Board's Resolution Adopting Rules
4. Order for Notice of Intent to Adopt Rules Without Public Hearing
5. Certificate of Board's Authorizing Resolution
6. Notice of Intent to Adopt Rules Without Public Hearing
7. Affidavit of Mailing
   Affidavit of the Additional Notice...Rulemaking Mailing List Certificate
8. Rules as Proposed - State Register (copy of appropriate pages) and as mailed
9. Findings of Fact and Conclusions
10. Statement of Need and Reasonableness
11. Correspondence -
12. Notice of Intent to Solicit Outside Opinion
13. Affidavit of Mailing Notice of Submission to the Attorney General - none

Please call me when the material is ready to be returned and I will have some one come and pick it up.

Thank you.

Our File No. 1244

05-0009-0914

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 9-17
DATE FOR REVIEW 9-26
DATE DUE 10-1

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved 9.26.85mjc Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 9.27.85 Revisor approved 9/18/85
disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 6.11.85. Date

✓ Notice of Intent to Solicit Outside Opinion SA. 6.4.84

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
3.5.85 At least 30 days prior to ~~hearing~~/adoption
Affidavit of Additional Mailing

✓ Mailing list Certificate

✓ Publication in State Register
3.11.85 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

Department of Education
Partnership Division

Adopted Rule Relating to License to Teach Auto and Truck Dismantling

Rules as Adopted

3515.4621 AUTO AND TRUCK DISMANTLING.

An applicant for an entrance license to teach the vocational program of auto and truck dismantling at a secondary school must complete either items A or B and C.

A. The applicant must have a bachelor's degree in industrial education or industrial arts, and the following work experience:

(1) 600 hours of auto and truck dismantling yardwork experience;

(2) 600 hours of auto and truck salvage inventory and warehouse experience;

(3) 600 hours of auto and truck salvage sales counter management experience; and

(4) 1,200 hours of auto and truck trade experience pertinent to auto and truck dismantling such as auto and truck mechanic, auto and truck rebuilder, auto and truck sales and service, and auto and truck sales or new/rebuilt parts sales management.

B. The applicant must have 6,000 hours of work experience as follows:

(1) 1,200 hours of auto and truck dismantling yardwork experience;

(2) 1,200 hours of auto and truck salvage inventory and warehouse experience;

(3) 1,200 hours of auto and truck salvage sales counter management experience; and

(4) 2,400 hours of auto and truck trade experience pertinent to auto and truck dismantling such as auto and truck mechanic, auto and truck rebuilder, auto and truck

sales and service, and auto and truck sales or new/rebuilt parts sales management.

C. An applicant must meet the requirements on the industrial education portion of the secondary licensure chart in part 3515.9911. Option B on the industrial education portion of the chart is not an option for this license.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 27 1985
Joan Anderson Growe
Secretary of State
8:55 AM

APPROVED AS TO FORM AND LEGALITY
September 26 1985
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY MJ Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

Rules as Proposed (all new material)

3515.4621 AUTO AND TRUCK DISMANTLING.

An applicant for an entrance license to teach the vocational program of auto and truck dismantling at a secondary school must complete either items A or B and C.

A. The applicant must have a bachelor's degree in industrial education or industrial arts, and the following work experience:

(1) 600 hours of auto and truck dismantling yardwork experience;

(2) 600 hours of auto and truck salvage inventory and warehouse experience;

(3) 600 hours of auto and truck salvage sales counter management experience; and

(4) 1,200 hours of auto and truck trade experience pertinent to auto and truck dismantling such as auto and truck mechanic, auto and truck rebuilder, auto and truck sales and service, and auto and truck sales or new/rebuilt parts sales management.

B. The applicant must have 6,000 hours of work experience as follows:

(1) 1,200 hours of auto and truck dismantling yardwork experience;

(2) 1,200 hours of auto and truck salvage inventory and warehouse experience;

(3) 1,200 hours of auto and truck salvage sales counter management experience; and

(4) 2,400 hours of auto and truck trade experience pertinent to auto and truck dismantling such as auto and truck mechanic, auto and truck rebuilder, auto and truck sales and service, and auto and truck sales or new/rebuilt parts sales management.

C. An applicant must meet the requirements on the industrial education portion of the secondary licensure chart in part 3515.9911. Option B on the industrial education portion of the chart is not an option for this license.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD636

Agency: Department of Education

Division: Secondary Vocational Programs

Agency Contact: Tom Ryerson 296-3306

Minnesota Rules: Part 3515.4621

Title: Proposed Rule Relating to License to Teach Auto and Truck Dismantling

Type of Rules: Permanent

Incorporations by Reference: None

APPROVED AS TO FORM AND LEGALITY
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY
SPECIAL ASSISTANT ATTORNEY GENERAL
19

Steven C. Cross
Revisor of Statutes

Richard J. Sands
Senior Assistant Revisor
Phone: 296-2798
Date: December 20, 1984

State of Minnesota
State Board of Education
Department of Education

In the Matter of the Proposed
Adoption of Rules of the
State Board of Education
Governing Licensure for
Auto & Truck Dismantling
Minnesota Rule, part 3515.4621

ORDER ADOPTING
RULES

Notice of the Board's intent to adopt the above-entitled rule without a public hearing was published in the State Register on March 11, 1985, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes Section 14.14, subd. 1a. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving no written request for a public hearing within the 30-day comment period, receiving no comments, and determining the need for and reasonableness of the above-captioned rule.

NOW, THEREFORE, IT IS ORDERED that this rule identified as Minnesota Rule, part 3515.4621 Governing Auto and Truck Dismantling, is adopted this 11th day of June, 1985, pursuant to authority vested in the Board of Minnesota Statutes Sections 121.11 subd. 12; 125.185, subd. 4.

STATE OF MINNESOTA

Ruth E. Randall

Ruth E. Randall, Secretary

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

State Board of Education
Department of Education
Partnerships Division

Outside Opinion Sought Regarding Proposed Rules Governing the Rules for Licensure of Vocational Education Personnel

Notice is hereby given that the State Board of Education is seeking information or opinions from sources outside the agency in preparing to amend Rules for Licensure of Vocational Education Personnel. The Minnesota Rules, parts 3515.4500-3515.4800 are being amended. The Secondary Licensure Chart, Minnesota Rules, part 3515.9911, subpart 1., under Industrial Education, is also being amended to include the Secondary Auto Dismantling Instructor. The promulgation of these rules is authorized by Minn. Stat. §§ 121.11, subd. 12; 121.21, subd. 6; and 125.185, subd. 4.

The State Board of Education requests information and comments concerning the subject matter of these rules. Interested or affected persons may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Tom Ryerson
Minnesota Department of Education
518 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-3306 and in person at the above address.

All statements of information and comments shall be accepted until July 2, 1984. Any written material received by the State Board of Education shall become part of the record in the event that the rules are amended.

June 4, 1984

Nan Skelton
Assistant Commissioner
Partnerships Division

Ethical Practices Board

Advisory Opinion #88 RE: Reimbursement for Administrative Costs

Approved by the Ethical Practices Board on May 18, 1984

Issued to:

Glenn S. Dorfman
Director of Governmental Affairs
Minnesota Association of Realtors
5501 Green Valley Drive
Bloomington, MN 55437

SUMMARY

88. A political committee must reimburse an unregistered association for the association's administrative costs and expenses in excess of $100 in any calendar year incurred on behalf of the political committee.

State of Minnesota
State Board of Education

Department of Education
Partnerships Division

In the Matter of the Proposed
Adoption of the Rule of the
State Board of Education
Governing License to Teach
Auto and Truck Dismantling
Minnesota Rules, part 3515.4621

ORDER FOR NOTICE OF INTENT
TO ADOPT THE RULE WITHOUT
PUBLIC HEARING

IT IS ORDERED this 12th day of February, 1985, that a Notice of Intent to Adopt the Rule Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the State Board of Education for that purpose and be published in the State Register.

State of Minnesota
Board of Education

Ruth E. Randall

Ruth E. Randall, Secretary

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Ruth E. Randall, do hereby certify that I am the secretary of the Board of Education, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Education duly and properly called and held on the 12th day of February, 1985, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that Ruth E. Randall, secretary of the Board of Education, be and she hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing a rule governing the license to teach Auto and Truck Dismantling programs, to sign the Notice thereof, and to perform any and all acts incidental thereof. In the event a public hearing becomes necessary, she or her deputy hereby is granted the authority and directed to call a hearing for the purpose of adopting said rule as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 12th day of February, 1985.

Ruth E. Randall

Ruth E. Randall, Secretary
State Board of Education

Ruth A. Myers

Member, State Board of Education

State Board of Education
Department of Education
Partnerships Division

In the Matter of the Proposed
Adoption of Rules of the
State Board of Education
Governing License to Teach
Auto & Truck Dismantling,
Minnesota Rules, part 3515.4621

Notice of Intent to Adopt Rule
Without a Public Hearing

Notice is hereby given that the State Board of Education proposes to adopt the above-entitled rule without a public hearing. The Board has determined that the proposed adoption of this rule will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes, Sections 14.21 to 14.28.

This rule establishes the criteria for licensure as an instructor of a secondary vocational auto & truck dismantler program.

Persons interested in this rule are encouraged to submit comments in support of or in opposition to the proposed rule. Each comment should identify the portion of the proposed rule addressed, the reason for the comment and any change proposed. Persons submitting these comments shall have 30 days to submit comments on the proposed rule following publication in the State Register. The proposed rule may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

If 25 or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will be held. The person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. §§ 14.131 to 14.20.

Persons who wish to submit comments or a written request for a public hearing on the proposed rule should submit such comments or requests to:

Tom Ryerson
518 Capitol Square Building
550 Cedar
St. Paul, MN 55101
(612) 296-3306

Authority for the adoption of this rule is contained in Minn. Stat. § §121.11, subd. 12; 125.185, subd. 4. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule has been prepared and is available from Tom Ryerson upon request.

Upon adoption of the final rule without a public hearing, the proposed rule, this Notice, and the Statement of Need and Reasonableness, all written comments received, and the final Rule as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rule as proposed for adoption, should submit a written statement of such request to Tom Ryerson.

The Board estimates that the proposed rule will not require an expenditure of public monies by all local public bodies of an amount which exceeds $100,000 in either of the two years immediately following adoption of the proposed rule. This proposed rule will not directly affect small businesses.

A copy of the proposed rule is attached to this Notice.

A free copy of this Notice and the proposed rule is available and may be obtained by contacting Tom Ryerson.

State of Minnesota
State Board of Education

Ruth E. Randall

Ruth E. Randall
Secretary

Date: February 12, 1985

Rules as Proposed (all new material)

3515.4621 AUTO AND TRUCK DISMANTLING.

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C. An applicant must meet the requirements on the industrial education portion of the secondary licensure chart in part 3515.9911. Option B on the industrial education portion of the chart is not an option for this license.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

3

State of Minnesota
Department of Education

State Board of Education
Partnerships Division

IN THE MATTER OF: The Proposed Adoption of
Rules of the State Board of Education Governing
License to Teach Auto and Truck Dismantling
Minnesota Rules, part 3515.4621
Without Public Hearing

STATE OF MINNESOTA)
) ss.
County of Ramsey)

AFFIDAVIT OF MAILING

John J. Jelinek, being first duly sworn, deposes and says:

That on the 5th day of March, 1985, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Intent to Adopt Rules Without Public Hearing and a copy of the proposed rules, by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations named on the certified list (see attached Certificate) who have requested that their names be placed on file with the Minnesota Department of Education for the purpose of receiving notice of the proposed adoption of rules by the State Board of Education.

John J. Jelinek

Subscribed and sworn to before me

this 6th day March

1985.

Lois E. Steinhaus

LOIS E. STEINHAUS
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES MAY 9, 1989

State of Minnesota
Department of Education

State Board of Education
Partnerships Division

IN THE MATTER OF: The Proposed Adoption of
Rules of the State Board of Education Governing
License to Teach Auto and Truck Dismantling
Minnesota Rules, part 3515.4621
Without Public Hearing

AFFIDAVIT OF ADDITIONAL NOTICE
OF THE STATE BOARD OF EDUCATION
MAILING LIST

I hereby certify that in addition to the Notice required for persons on the State Board of Education rulemaking mailing list of persons who have specifically requested notice of rulemaking proceedings, a notice and a copy of the rules as proposed were mailed to secondary vocational directors and other administrative personnel with vocational education and programs.

STATE BOARD OF EDUCATION

Ruth E. Randall

Ruth E. Randall, Secretary

Subscribed and sworn to before me

this 6th day of March, 1985.

Lois E. Steinhaus

Notary Public

Ramsey County, Minnesota

My Commission expires 1989

LOIS E. STEINHAUS
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES MAY 9, 1989

State of Minnesota
Department of Education

State Board of Education
Partnerships Division

STATE OF MINNESOTA

COUNTY OF RAMSEY

IN THE MATTER OF: The Proposed Adoption of
Rules of the State Board of Education Governing
License to Teach Auto and Truck Dismantling
Minnesota Rules, part 3515.4621
Without Public Hearing

CERTIFICATE

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 14.14, subd. 1a, that their names be placed on file with and maintained by the Minnesota Department of Education for the purpose of receiving notice of the proposed adoption of rules by the State Board of Education is accurate and complete as of 8 o'clock A.M. this 1st day of March, 1985.

STATE DEPARTMENT OF EDUCATION

By Evilona Lowe

JEAN DAWSON, EDITOR 19 0010
MINN GOVERNMENT REPORT
B-12 PRESS ROOM, STATE CAPITOL
ST. PAUL
MN 55155

VIRGINIA PETTY, MN AEYC 19 0011
1821 UNIVERSITY AVE
ROOM 373 SO
ST PAUL
MN 55104

DIR-DEVELOPMENTAL DIS- 19 0013
ABILITIES PLANN OFF
200 CAPITOL SQ BLDG
ST PAUL,
MN 55101

LEO FITZPATRICK 19 0016
9138 HENSLOWE AVE SO
COTTAGE GROVE,
MN 55016

JAMES D. VAN HORN 19 0017
271 GRIGGS-MIDWAY BLDG
1821 UNIVERSITY AVE
ST. PAUL
MN 55104

GOVERN. RELATIONS DEPT 19 0019
UNITED WAY OF MPLS AREA
404 SO 80TH ST
MINNEAPOLIS
MN 55404

CRIS JULIAR-RGN 9 DEV CM 19 0022
410 SO 5TH ST
P O BOX 3367
MANKATO,
MN 56001

ALTERNATIVE FOR AUTISTIC 19 0001
PEOPLE, INC
3725 47TH AVE SOUTH
MINNEAPOLIS
MN 55406

SAM RUHLE 19 0003
400 SUMMIT BANK BLDG
310 SO 4TH AVE
MINNEAPOLIS
MN 55415

ROGER BUETTNER, ADM ASST 19 0004
SO ST PAUL SCH DIST
700 N 2ND ST
SO ST. PAUL
MN 55075

CRISTINE E BOSWELL 19 0005
ASSO DIR, MARC
2344 NICOLLET AVE SO
MINNEAPOLIS
MN 55404

PHILLIP TENNEY, EX DIRECTOR 19 0006
MASSP
1910 WEST CO RD B, SUITE 109
ST. PAUL
MN 55113

Dup.

RICK CARTER 19 0008
MINN ASSO HEALTH CARE
2850 METRO DR-SUITE 429
MINNEAPOLIS
MN 55420

MARY ROBERTS 19 0009
ASSOC OF METRO SCHOOL DISTRICTS
7001 HARRIET AVE S
RICHFIELD
MN 55423

GENE JOHANNES 19 0024
MINN CHIROPRACTIC ASSO
2353 RICE ST-SUITE 170
ST PAUL,
MN 55113

JEFFREY OLSON, DEPUTY COMM. 19 0025
DEPT OF VETERANS AFFAIR
VETERANS SERV BLDG
ST. PAUL
MN 55155

MINN BOARD OF NURSING 19 0027
717 DELAWARE ST SE
MINNEAPOLIS
MN 55414

PHILLIPS LEG SER INC 19 0029
459 RICE ST
ST PAUL,
MN 55103

PETER POPOVICH-PETERSON 19 0030
POPOVICH-KNUTSON & FLYNN
345 CEDAR ST.
ST, PAUL
MN 55101

THOMAS POLT 19 0031
ATTORNEY AT LAW
MC CARTHY BLDG
EYOTA,
MN 55934

KATHLEEN BUREK 19 0032
LCRAR-ROOM B-46
STATE CAPITOL
ST. PAUL
MN 55155

BRUCE T R[illegible]E 19 0033
COMM HEALTH SER BOARD
325 LAKE AV SO-SUITE 604
DULUTH,
MN 55802

CHARLES SCHAFFER 19 0034
ENERGY & EC DEVELOPMENT
~~480 CEDAR ST, RM 100~~
ST. PAUL 900 American Ctr. Bldg.
MN 55101 150 E. Kellogg Blvd.

MARGARET SANDBERG 19 0035
DEPT OF HEALTH
717 DELAWARE ST SE
MINNEAPOLIS
MN 55440

ROBERT A. HARDER 19 0037
MINN DENTAL ASSO.
2236 MARSHALL AVE
ST. PAUL
MN 55104

CITY EDITOR 19 0038
MPLS. STAR & TRIBUNE
425 PORTLAND AVE
MINNEAPOLIS
MN 55488

DALE G. SWANSON 19 0039
SUITE 210
1068 SO LAKE ST
FOREST LAKE
MN 55025

MARY SAMOSZUK 19 0040
MN HIGHER ED COOR BOARD
SUITE 400 CAPITOL SQUARE
ST PAUL,
MN 55101

KEN GREENER 19 0067
5040 - 17TH AVE SO
MINNEAPOLIS,
MN 55417

VERNON VICK, VOC DIR 19 0042
ROSEVILLE AREA SCHOOLS
1251 W CO RD B-2
ROSEVILLE,
MN 55113

BARBARA ASLAKSON 19 0068
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MINNEAPOLIS,
MN 55426

ALAN INGRAM 19 0044
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614 PORTLAND
ST PAUL,
MN 55102

KINGSLEY HOLMAN 19 0069
HOLMAN & HOLMAN ATTORNEY
220 W 98TH ST
BLOOMINGTON,
MN 55420

KAREN GEORGE 19 0047
SO MN LEGAL SERVICES
310 MEDICAL ARTS BLDG
ALBERT LEA
MN 56007

FRUNDT, FRUNDT-JOHNSON 19 0070
117 WEST FIFTH ST
BLUE EARTH,
MN 56013

DR GLENN HOLMAN 19 0061
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FARIBAULT
MN 55021

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MN 55432

MIKE GRAVEL 19 0064
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ST. PAUL
MN 55101

DAVID KINGSBURY 19 0073
BRIDGEMAN HALL
BEMIDJI STATE UNIV.
BEMIDJI
MN 56601

POST BOARD 19 0066
333 SIBLEY ST
SUITE 495
ST. PAUL
MN 55101

KATHLEEN ARNOLDI-MN FOUNDATION 19 0076
FOR BETTER SPEECH & HEARING
508 BREMER - 7TH & ROBERT
ST. PAUL
MN 55101

FRANCES H. GRAHAM 19 0078
345 CEDAR BLDG
SUITE 800
ST. PAUL,
MN 55101

CURT MICKA 19 0079
222 GRAIN EXCHANGE
323 4TH AVE SOUTH
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MN 55415

RICHARD ANDERSON 19 0080
MN SCH BOARDS ASSOC
BOX 119
ST. PETER,
MN 56082

STEVE KAATZ 19 0081
1865 ROME
ST. PAUL,
MN 55116

MS. MARY STANTON 19 0082
STATE UNIV SYSTEM
555 PARK ST.-SUITE 230
ST.PAUL
MN 55103

GREGOR PINNEY 19 0085
MPLS STAR & TRIBUNE
425 PORTLAND AVE SO
MINNEAPOLIS
MN 55488

Dr. Ruth E. Randall
Commissioner of Education
712 Capitol Square Building

Curman Gaines
Deputy Commissioner
Department of Education
711 Capitol Square Building

Daniel A. Skoog
Assistant Commissioner
Department of Education
726 Capitol Square Building

June Alexander
Executive Assistant
Department of Education
713 Capitol Square Building

Laura Zahn
Executive Aide
Department of Education
812 Capitol Square Building

Nan Skelton
Assistant Commissioner
Department of Education
811 Capitol Square Building

Dan Loritz
Assistant Commissioner
Department of Education
709 Capitol Square Building

Mary Lynne McAlonie
Room 703
Capitol Square Building

Barry Sullivan
Room 710
Capitol Square Building

Ted Suss
705 Capitol Square Building

Charles Mottl
Office of Attorney General
Bremer Tower

Zona De Witt
Legislative Reference Library
Room 111
State Capitol

Secretary of State
Room 231
State Capitol

Chief Clerk of House
Room 211
State Capitol

Karen Baker
House Research
Room 17
State Capitol

Marsha Gronseth
House Research
Room 17
State Capitol

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Duluth AVTI
2101 Trinity Road
Duluth, MN 55811

Mr. Oscar Bergos, Director
Moorhead AVTI
1900 - 28th Avenue South
Moorhead, MN 56560

Mr. Roger Lee, Director
Suburban Hennepin AVTI/North
9000 North 77th Avenue
Brooklyn Park, MN 55445

Dr. Orley Gunderson, Director
Thief River Falls AVTI
Highway #1 East
Thief River Falls, MN 56701

Mr. Lowell Rasmussen, Director
Wadena AVTI
405 Colfax Avenue, S.W.
Wadena, MN 56482

Mr. William Hemsey, Director
Winona AVTI
1250 Homer Road
Winona, MN 55987

Karen Constant
Student Organization Center
9875 E. Inver Grove Trail
Inver Grove Heights, MN 55075

Ardith Jones
3550 Jerry Street
White Bear Lake, MN 55110

Ms. Sue Holmes, Executive Dir.
Minnesota Vocational Assoc.
P.O. Box 16187
Elway Station
St. Paul, MN 55116

Howard D. Lee
~~Howard D. Lee~~
916 AVTI
3300 Century Avenue
White Bear Lake, MN 55110

PROPOSED RULES

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Education
Secondary Vocational Programs

Proposed Rule Relating to License to Teach Auto and Truck Dismantling

Notice of Intent to Adopt Rule without a Public Hearing

Notice is hereby given that the State Board of Education proposes to adopt the above-entitled rule without a public hearing. The Board has determined that the proposed adoption of this rule will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes, Sections 14.21 to 14.28.

This rule establishes the criteria for licensure as an instructor of a secondary vocational auto and truck dismantler program.

Persons interested in this rule are encouraged to submit comments in support of or in opposition to the proposed rule. Each comment should identify the portion of the proposed rule addressed, the reason for the comment and any change proposed. Persons submitting these comments shall have 30 days to submit comments on the proposed rule following publication in the *State Register*. The proposed rule may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

If 25 or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will be held. The person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. §§ 14.131 to 14.20.

Persons who wish to submit comments or a written request for a public hearing on the proposed rule should submit such comments or requests to:

Tom Ryerson
518 Capitol Square Building
550 Cedar
St. Paul, MN 55101
(612) 296-3306

Authority for the adoption of this rule is contained in Minn. Stat. §§ 121.11, subd. 12; 125.185, subd. 4. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule has been prepared and is available from Tom Ryerson upon request.

Upon adoption of the final rule without a public hearing, the proposed rule, this notice, and the Statement of Need and Reasonableness, all written comments received, and the final Rule as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rule as proposed for adoption, should submit a written statement of such request to Tom Ryerson.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

The Board estimates that the proposed rule will not require an expenditure of public monies by all local public bodies of an amount which exceeds $100,000 in either of the two years immediately following adoption of the proposed rule. This proposed rule will not directly affect small businesses.

A copy of the proposed rule is attached to this notice.

A free copy of this notice and the proposed rule is available and may be obtained by contacting Tom Ryerson.

February 12, 1985

Ruth E. Randall
Secretary
State Board of Education

Rules as Proposed (all new material)

3515.4621 AUTO AND TRUCK DISMANTLING.

An applicant for an entrance license to teach the vocational program of auto and truck dismantling at a secondary school must complete either items A or B and C.

A. The applicant must have a bachelor's degree in industrial education or industrial arts, and the following work experience:

(1) 600 hours of auto and truck dismantling yardwork experience;

(2) 600 hours of auto and truck salvage inventory and warehouse experience;

(3) 600 hours of auto and truck salvage sales counter management experience; and

(4) 1,200 hours of auto and truck trade experience pertinent to auto and truck dismantling such as auto and truck mechanic, auto and truck rebuilder, auto and truck sales and service, and auto and truck sales or new/rebuilt parts sales management.

B. The applicant must have 6,000 hours of work experience as follows:

(1) 1,200 hours of auto and truck dismantling yardwork experience;

(2) 1,200 hours of auto and truck salvage inventory and warehouse experience;

(3) 1,200 hours of auto and truck salvage sales counter management experience; and

(4) 2,400 hours of auto and truck trade experience pertinent to auto and truck dismantling such as auto and truck mechanic, and auto and truck rebuilder, auto and truck sales and service, and auto and truck sales or new/rebuilt parts sales management.

C. An applicant must meet the requirements on the industrial education portion of the secondary licensure chart in part 3515.9911. Option B on the industrial education portion of the chart is not an option for this license.

Department of Energy and Economic Development Small Business Finance Agency

Proposed Rules Relating to Tourism Loan Program

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Energy and Economic Development Authority is proposing to adopt emergency rules for Tourism Loans. The agency is authorized by Minnesota Statutes, section 116M.08, subdivision 4, to adopt emergency rules for its financial assistance programs.

All interested parties have 25 days from the day of publication of this notice in the *State Register* to submit written comments to the agency in support of or in opposition to the proposed emergency rules, and comments are encouraged. With publication of this

State Board of Education
Department of Education
Partnerships Division

In the Matter of the Proposed
Adoption of Rules of the
State Board of Education
Governing Licensure for
Auto & Truck Dismantling,
Minnesota Rule, part 3515.4621

FINDINGS OF FACT AND CONCLUSIONS

At its meeting of February 12, 1985, the State Board of Education (hereinafter "the Board") proposed that the above-entitled rule be adopted after compliance with the procedures which authorizes an agency to propose and adopt rules without a public hearing. Pursuant thereto, the Notice of Intent to Adopt Rules Without a Public Hearing was published in the State Register together with a copy of the proposed rule. After adoption by the Board, this rule and the record herein shall be submitted to the Attorney General for review.

Based upon all the records and proceedings herein, the State Board of Education makes the following:

FINDINGS OF FACT

1. On June 4, 1984, the Notice of Intent to Solicit Outside Opinion Concerning Proposed Rules Governing Licensure for Auto & Truck Dismantling Programs was published in the State Register. One telephone call was received from Bernard Brommer, Minnesota AFL-CIO. Mr. Brommer was concerned about the ability of a person with only a trade background (no college degree) to teach this program and was assured that a non-degree option would be included in the license.

2. On February 12, 1985, the Board resolved to amend Rules for Licensure of Vocational Education personnel, the Minnesota Rules, parts 3515.4500 - 3515.4800 and the Secondary Licensure chart, Minnesota Rules part 3515.9911, subpart 1, to include the Secondary Auto/Truck Dismantling License, after compliance with the procedure which authorizes an agency to adopt rules without public hearing, Minnesota Statutes, Sections 14.22 to 14.28.

3. On March 5, 1985, copies of the Notice of Intent to Adopt Secondary Auto/Truck Dismantling Licensure Rule Without Public Hearing and of the proposed rule were mailed to names appearing on the State Board of Education rule-making mailing list and to persons on the Education Statistics memo series list which are secondary vocational directors and other administrative personnel with vocational education programs.

4. On March 11, 1985, the Notice of Intent to Adopt Rules Without a Public Hearing, together with the rule proposed to be adopted were published in the State Register.

5. Two letters and one telephone call were received prior to or during the 30-day comment period. Both Lynn Salisbury and Michael Mattson received copies of the licensure materials at meetings or through other means prior to the formal notification process date and the submission dates of their letters, therefore, appear to be early. In a letter dated March 5, 1985, from Lynn Salisbury, Director, Oak Land Vocational Center, Cambridge, Minnesota he expressed concerns about the restrictive nature of the license in that it requires specific work experience hours in three areas. Mr. Salisbury also expressed concern that, as proposed, the program would probably be restricted to the one school where it presently operates, and as such will restrict training opportunities, especially to students with special needs. Mr. Tom Strom, Manager, Secondary Vocational Education, in a letter dated April 24, 1985, replied to Mr. Salisbury's concerns by reaffirming the advisory committee's input into the license design relative to the three areas, supporting the desire for special needs programs with well qualified instructors, and stating that it was not the intent of this license to restrict the program to one school.

A second letter, dated March 3, 1985, came from Michael G. Mattson, Consultant, Industrial Technology Education, Minneapolis Public Schools. Mr. Mattson expressed concern that this kind of program stereotypes our industrial education programs and, therefore, causes us problems. He also expressed concern that, in his opinion, the auto/truck dismantler program did not fit an overall plan for redirecting and modernizing industrial programs. Since his concerns did not seem directly related to licensure criteria, he was responded to by telephone by Tom Ryerson and assured that his viewpoints would be considered in program planning.

6. The Statement of Need and Reasonableness for the Proposed Amendment to Minnesota Rule, part 3515.4621, which is attached hereto, and by this reference made a part hereof, sets forth the need for and reasonableness of the rule to be adopted.

CONCLUSIONS

1. The Board gave due, timely, adequate legal notice of its intent to adopt rules without public hearing.

2. Minnesota Statutes, Section 14.25 requires a public hearing on the proposed rule only if 25 persons request a public hearing during the comment period.

3. No requests for a public hearing were made.

4. The Board has statutory authority to promulgate the proposed rules.

5. The Board has fulfilled all relevant, substantive and procedural requirements of law or rule.

6. The Board has demonstrated the need for and the reasonableness of the proposed rule by an affirmative presentation of facts in its statement of need and reasonableness.

7. The Board has concluded that the proposed rule satisfies the requirements of Minnesota Statutes, Section 14.22 to 14.28 and that the proposed rule should be adopted and published as final rule.

Dated this 11 day of June, 1985

Ruth E. Randall

Secretary, State Board of Education

CERTIFICATE OF BOARD'S

RESOLUTION ADOPTING RULES

I, Ruth E. Randall, do hereby certify that I am the Secretary of the Board of Education, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Education, duly and properly called and held on the 11th day of June, 1985, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED, that the permanent rule relating to auto/truck dismantling, Minnesota Rules, part 3515.4621 and it is hereby approved and adopted, pursuant to authority vested in us by Minnesota Statutes Sections 121.11 subd. 12; 125.185, subd. 4 and that the Secretary of the Board of Education, be and hereby is authorized to sign and order adopting this rule and further is authorized to perform the necessary acts to provide that this rule shall have the force and effect of law.

In WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of June, 1985.

Ruth E. Randall

Ruth E. Randall, Secretary

Ruth A. Myers

Member, State Board of Education

State of Minnesota
State Board of Education

Department of Education
Partnership Division

STATEMENT OF NEED AND REASONABLENESS
LICENSE TO TEACH AUTO AND TRUCK DISMANTLING

There is a need for licensure specific to Auto/Truck Dismantling because it: 1) is a unique occupation; employment in a business which provides a market for old or wrecked automobiles and provides used parts for auto body repairers, general auto repairers, and do-it-yourselfers; 2) requires unique skills including dismantling, yardwork, inventory, warehousing, and counter management; 3) requires related knowledge and skills learned in auto/truck service and repair such as mechanic, body repair, rebuilder, sales and services, and management.

Two options are provided for obtaining a license in this occupation. The first option (A) requires a bachelor's degree in industrial arts or industrial education plus 3000 hours of work experience. Auto/Truck Dismantling is classified as a Trade and Industrial occupation and all other Trade and Industrial occupations programs provide for the bachelor's degree in industrial arts or industrial education plus 3000 hours of appropriate work experience.

The Industrial Arts or Industrial Education degree provides an applicant with a broad general background in industrial materials, principles of power/auto mechanics, welding and cutting, materials processing, safety, industrial organization, and communication. This preparation has been recognized for many years in licensure as a broad, general preparation for Trade and Industrial occupations programs.

The second option (B) allows a person to be licensed based upon 6000 hours of directly related occupational experience plus the completion of the vocational teacher education sequence. The option is needed because applicants who possess the necessary technical expertise would rarely possess an Industrial Education

degree. This is the same option which is presently available to licensure candidates in all other secondary vocational industrial licensure areas.

The licensure rule proposed for auto dismantler instructors is reasonable for the following reasons:

1. It requires that an instructor in this program has more than a casual knowledge of the field. Given the proper tools and sufficient time, nearly anyone could dismantle an automobile. However, to be saleable, certain sheet metal and body parts must be separated in the correct location to be reuseable; mechanical parts must be disassembled to a saleable component, i.e., a transmission rather than a pile of transmission gears and shafts; some parts may be disassembled with an oxy-acetylene cutting torch, others may not; disassembly must be done in a timely and efficient manner so that parts can be competitively priced; and the instructor must be very knowledgeable in all these areas so that students can be taught correct procedures.

2. Safety considerations such as handling and disposal of flammables, towing, and lifting of heavy components must be well understood so that students can be taught safe working procedures.

3. It requires a variety of experiences as specified by the hours indicated. This insures that an instructor in this program can teach all aspects of the field from dismantling to sales.

It is not anticipated that this licensure rule will have any impact on Small Businesses.

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Minnesota Rule, part 3515.4621

STATEMENT OF
COMPLIANCE WITH
RULEMAKING PROCEDURES

I, Special Assistant Attorney General Charles T. Mottl, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Charles T. Mottl
Special Assistant
Attorney General

Dated: Sept. 11, 1985