

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GENERAL

DATE : April 23, 1987

TO : COLLEEN GUNDERSON
Management Analyst
Administrative and Technical Services

FROM : MIKE MILES
Assistant Attorney General

PHONE : 6-6555

SUBJECT : In the Matter of the Adopted Rules Relating to Youth Employment

The above-referenced rule has been approved as to its legality by the Attorney General on April 20, 1987.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth 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.

JMM:nah

Enclosures

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

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

B

RULE REVIEW CHECKLIST

File No. 1360 Docket No. 05.0009.0404

DATE RECEIVED 4/08/87
REVIEW DATE 4/17/87
DUE DATE 4/22/87

APPROVED 4/20/87
DISAPPROVED
WITHDRAWN

ADOPTED W/O HEARING X
EMERGENCY RULE

REVISOR APPROVED ✓
REVISOR DISAPPROVED
FILED W/SEC. STATE
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion
Sept 8, 1986 Date published in State Register
yes Comments

~~Petition for Adoption of a Rule~~

~~Board's Authorizing Resolution.~~

✓ Proposed rule
yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule
268.31 268.36 Statutory Authority
yes Small business statement
none Expenditure of public money statement
yes Signature forthcoming

✓ Statement of Need and Reasonableness

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
Feb 18, 1987 Date (30)/25 days before adoption

✓ Publication in State Register
Minn. Feb 23, 1987 Date (30)/25 days before adoption

~~Resolution Adopting~~

✓ Findings of Fact, Conclusions & Order Adopting
April 3, 1987 Date

✓ Written requests, submissions or comments

✓ Declaration of attorney
Donald Notvik Name of SAAG representing agency

✓ Notice of Submission to Attorney General

N/A Affidavit of Mailing Notice to Attorney General
They didn't mail any because there was not a request

Kay Tracy 6-6064

AG Copy

Department of Jobs and Training

Adopted Permanent Rules Relating to Youth Employment Opportunities

Rules as Adopted

3300.0200 PURPOSE AND STATUTORY AUTHORITY.

Parts 3300.0100 to 3300.0700 govern the administration of the Youth Employment Opportunities program as authorized by the Youth Employment Act of 1977, Minnesota Statutes, sections 268.31 to 268.36.

3300.0300 ALLOCATION OF FUNDS.

Subpart 1. Allocations to counties. The commissioner shall allocate funds available under the act as follows:

A. [Unchanged.]

B. Fifty percent of the funds available under the act shall be allocated to counties according to each county's share of the estimated youth population of the state which is from the ages of 14 years up to but not including 22 years, adjusted for:

(1) historic summer unemployment rates in the county as evidenced by official labor force estimates for the months of June, July, and August for the most recent three-year period for which such data is available;

(2) the county's poverty ratio based upon the percent of children from five to 17 years of age living in families below the poverty line as evidenced by the most recent United States Census figures as adjusted by reference to more recent population surveys, provided that reference to more recent population surveys shall be made only if such data is available for all counties in the state; and

(3) the migration of postsecondary school students between counties, where they are counted by the census in March and April, to their home counties where the program is active during the June to September period.

C. The mathematical statement of the allocation to

counties is given below:

$$A^{C}_{i} = 0.5(F)\frac{YP^{C}_{i}}{\Sigma^{87}_{i=1}YP^{C}_{i}} + 0.5(F)\frac{(YP^{C}_{i})(U^{C}_{i})(P^{C}_{i})(C^{C}_{i})}{\Sigma^{87}_{i=1}[(YP^{C}_{i})(U^{C}_{i})(P^{C}_{i})(C^{C}_{i})]}$$

$$\text{and } C^{C}_{i} = \left[1 - \frac{1.5(SC^{C}_{i})}{YPC^{C}_{i}}\right]$$

where:

(1) A^{C}_{i} = total dollar allocation to the ith county;

(2) F = total funds available for allocation;

(3) YP^{C}_{i} = youth population 14 to 21 years of age in the ith county, determined by interpolation for the current year from projections of the state demographer;

(4) U^{C}_{i} = most recent three-year average of official labor force unemployment for the months of June, July, and August for the ith county;

(5) P^{C}_{i} = percent of all families with income below the poverty level and with related children five to 17 years of age as evidenced by the most recent United States census or more recent population surveys as referenced in subpart 2, item B;

(6) C^{C}_{i} = the adjustment factor due to the timing of the census in March and April to account for residency flows of postsecondary school enrolled students between their home county and that of school location;

(7) SC^{C}_{i} = count of number of students 20 and 21 years of age enrolled in school in the ith county as evidenced in the most recent United States census; and

(8) YPC^{C}_{i} = youth population 14 to 21 years of age of the ith county as evidenced in the most recent United States census.

Subp. 2. [Unchanged.]

3300.0400 CONTRACTING.

The commissioner may enter into contracts for operation of the program with organizations enumerated in part 3300.0100, subpart 4. Selection of contractors will be determined by the commissioner. Consideration will be given to contractors with experience in administering summer youth employment programs and to those who have demonstrated efforts to coordinate state and federal summer youth programs locally.

3300.0500 OPERATION PROCEDURES.

Subpart 1. **Regular program.** Youths who are at least 14 years of age but less than 22 years of age at the time they are to begin employment under the program established by the act are eligible for program employment. Approximately 60 percent of the youths hired should be from families which meet the definition for economically disadvantaged as established under Public Law Number 97-300, section 4. If there are insufficient eligible youths from economically disadvantaged families available for employment to meet this goal within an area under the jurisdiction of a contractor which has received an allocation under part 3300.0300, and the contractor certifies such insufficiency to the department and the department concurs, the criteria shall be waived with respect to the funds allocated to the area. Hereinafter, this portion of the program is referred to as the "regular program."

Subp. 2. **Postsecondary program.** Notwithstanding subpart 1, at least 33-1/3 percent of the funds allocated to the area served by the contractor are to be used to hire youths who are at least 18 years of age, or a high school graduate, but less than 22 years of age who are certified by the department as intending to enroll or are enrolled in a postsecondary educational institution. Approximately 60 percent of the youths hired should be from families which meet the definition for economically disadvantaged as established under Public Law Number 97-300, section 4. If there are insufficient eligible

youths from economically disadvantaged families available for employment to meet this goal within an area under the jurisdiction of a contractor which has received an allocation under part 3300.0300, and the contractor certifies such insufficiency to the department and the department concurs, the criteria shall be waived with respect to the funds allocated to the area. Hereinafter, this portion of the program is referred to as the "postsecondary program." A partial waiver from this part may be obtained in accordance with part 3300.0700.

Subp. 3. **Eligible youth.** Recruitment of eligible youths shall be a cooperative effort between the department and the local contractors selected to deliver the program.

Subp. 4. [Unchanged.]

Subp. 5. **Supervisors.** A contractor may designate one eligible youth as supervisor for every ten youths in its employ under the act. Contractors who employ at least five but less than ten youths may designate one youth as a supervisor. Youths designated as supervisors shall be paid the federal minimum wage plus 65 cents per hour for up to 40 hours per week for a period not exceeding 12 weeks.

Subp. 6. **Employment of eligible youth.** Contractors may begin employing eligible youths upon signing the contract. No youth may be employed while attending school as a full-time student, nor be employed beyond September 30 of each calendar year.

3300.0601 SUPPORT SERVICES.

Contractors shall provide or arrange for support services to eligible youth, using funds allocated under this act. The cost of the support services must not exceed ten percent of the contract. The services may include transportation, meals, career information training, work-related protective devices, and other normal expenses associated with employment funded under the act. Contractors shall not be required to provide support services to eligible youth when funds received under the act have been exhausted.

APPROVED AS TO FORM AND LEGALITY

4/28 19 87

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY _____
ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 23 1987
Joan Anderson Growe
Secretary of State

3:00 PM

All interested or affected persons or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Rae Bly
DHS Rules Unit
3rd Floor-Space Center
444 Lafayette Road
St. Paul, Minnesota j55155
612/297-1489

Oral statements of information and comment will be received during regular business hours over the telephone by Phil Brekken at 612/296-4611.

All statements of information and comment will be accepted until further notice is given. Any written material received by the Department shall become part of the hearing record.

Department of Jobs and Training
State Job Training Office

Outside Opinion Sought on Proposed Amendment of Rules of the State of Minnesota Relating to the Minnesota Youth Program

Pursuant to Minnesota Statutes, section 14.10, notice is hereby given that the State Job Training Office of the Department is seeking information or opinions from sources outside the Department in its consideration of possible amendments to Minnesota Rules, parts 3300.0100 to 3300.0700, governing the Minnesota Youth Program.

The amendment of the rules is authorized by Minnesota Statutes, section 268.33 which permit the Department to promulgate rules regarding eligibility for employment and placement under this program. The State Job Training Office will assume administrative responsibility for this program effective September 30, 1986.

The Department requests information and comments both concerning the subject matter of the law (Minn. Stat. §§ 268.31 to 268.33 and amendments) and the rule. Interested or affected persons or groups may submit statements of information or comment in writing.

Statements should be submitted to:

Kay Tracy
Youth Programs Coordinator
State Job Training Office
690 American Center Building
150 East Kellogg Blvd.
St. Paul, MN 55101
(612) 296-6064

Any written material received by the Department shall become part of the official rulemaking record in the event the rule is adopted. A copy of the current rules follows this notice. Written comments will be accepted through October 10, 1986.

3300.0100 DEFINITION OF TERMS.

Subpart 1. **Scope.** The following terms used in parts 3300.0100 to 3300.0700 shall have the meanings given them.

Subp. 2. **Act.** "Act" means the Youth Employment Act of 1977, Minnesota Statutes, sections 268.31 to 268.36.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Jobs and Training.

Subp. 4. **Contract.** "Contract" means an agreement entered into between a political subdivision, school district, or a nonprofit organization and the commissioner for the operation of a youth employment program under the act.

Subp. 5. **Department.** "Department" means the Minnesota Department of Jobs and Training.

Subp. 6. [Repealed, 9 SR 2526]

Subp. 7. **Contractor.** "Contractor" means an organization which employs a person under the program established by the act.

Subp. 8. [Repealed, 9 SR 2526]

Subp. 9. **Support services.** "Support services" means services which are necessary to enable an eligible individual to participate in employment funded under the act.

MS s 268.021; 268.33

9 SR 2526; 10 SR 2512

3300.0200 PURPOSE.

Parts 3300.0100 to 3300.0700, adopted pursuant to Minnesota Statutes, section 268.33 are designed to establish a procedure for the allocation of funds under the Youth Employment Act of 1977, Minnesota Statutes, sections 268.31 to 268.36, and to establish contracting, operating, and invoicing procedures to be utilized in the expenditure of the funds.

MS s 268.33

3300.0300 ALLOCATION OF FUNDS.

Subpart 1. **Allocations to counties.** The commissioner shall allocate funds available under the act as follows:

A. Fifty percent of the funds available under the act shall be allocated to counties on the basis of each county's share of the estimated youth population of the state which is from the ages of 14 years up to but not including 22 years.

B. Fifty percent of the funds available under the act shall be allocated to counties according to each county's share of the estimated youth population of the state which is from the ages of 14 years up to but not including 22 years, adjusted for:

(1) historic summer unemployment rates in the county as evidenced by official labor force estimates for the months of June, July, and August for the most recent three-year period for which such data is available; and

(2) the county's poverty ratio based upon the percent of children from five to 17 years of age living in families below the poverty line as evidenced by the most recent United States Census figures as adjusted by reference to more recent population surveys, provided that reference to more recent population surveys shall be made only if such data is available for all counties in the state.

Subp. 2. **Allocation to cities and Indian reservations.** After the commissioner has made an allocation to each county, each county's allocation shall be divided as follows:

A. Each city within the county which has a total population of 2,500 or more shall receive that portion of the county's allocation which is proportionate to the population of the city as compared to the total population of the county as evidenced by the most recent United States Bureau of Census estimates. Allocations to Indian reservations will be based on the same procedure as that of cities. Reservation population and counties of location will be based on the most recent United States Bureau of Indian Affairs and/or United States Bureau of Census Information.

B. The remainder of the county allocation, that part which is not allocated to cities and Indian reservations under item A, shall be allocated to the county as a whole.

MS s 268.021; 268.33

9 SR 2526; 10 SR 2512

3300.0400 CONTRACTING.

The commissioner may enter into contracts for operation of the program with organizations enumerated in part 3300.0100, subpart 4. Selection of contractors with experience in administering summer youth employment programs will be determined by the commissioner taking into consideration recommendations made by local service units. The commissioner may also consider recommendations by other organizations with experience in operating summer youth programs.

MS s 268.021; 268.33

9 SR 2526; 10 SR 2512

3300.0500 OPERATION PROCEDURES.

Subpart 1. **Regular program.** Youths who are at least 14 years of age but less than 22 years of age at the time they are to begin employment under the program established by the act are eligible for program employment. Approximately 50 percent of the youths hired should be from families which meet the definition for economically disadvantaged as established under Public Law Number 97-300, section 4. If there are insufficient eligible youths from economically disadvantaged families available for employment to meet this goal within an area under the jurisdiction of a contractor which has received an allocation under part 3300.0300, and the contractor certifies such insufficiency to the department and the department concurs, the criteria shall be waived with respect to the funds allocated to the area. Hereinafter, this portion of the program is referred to as the "regular program."

Subp. 2. **Postsecondary program.** Notwithstanding subpart 1, at least 33⅓ percent of the funds allocated to the area served by the contractor are to be used to hire youths who are at least 18 years of age, or a high school graduate, but less than 22 years of age who are certified by the department as intending to enroll or are enrolled in a postsecondary educational institution. Approximately 50 percent of the youths hired should be from families which meet the definition for economically disadvantaged

as established under Public Law Number 97-300, section 4. If there are insufficient eligible youths from economically disadvantaged families available for employment to meet this goal within an area under the jurisdiction of a contractor which has received an allocation under part 3300.0300, and the contractor certifies such insufficiency to the department and the department concurs, the criteria shall be waived with respect to the funds allocated to the area. Hereinafter, this portion of the program is referred to as the "postsecondary program." A partial waiver from this part may be obtained in accordance with part 3300.0700.

Subp. 3. **Eligible youth.** To obtain eligible youths, contractors must place job orders with the department and may employ only those youths referred by the department.

Subp. 4. **Minimum wage.** Eligible youths not designated as supervisors shall be paid the federal minimum wage for a period not to exceed 40 hours per calendar week and for not more than 12 weeks.

Subp. 5. **Supervisors.** A contractor may designate one eligible youth as supervisor for every ten youths in its employ under the act. Contractors who employ at least five but less than ten youths may designate one youth as a supervisor. Youths designated as supervisors shall be paid the federal minimum wage plus 25 cents per hour for up to 40 hours per week for a period not exceeding 12 weeks.

Subp. 6. **Employment of eligible youth.** Upon signing a contract contractors may begin employing eligible youths referred by the department; however, no youth may be employed while attending school as a full-time student. No youth may be employed beyond September 30 of each calendar year.

MS s 268.33

9 SR 2526

3300.0600 [Repealed, 9 SR 2526]

3300.0601 SUPPORT SERVICES.

Using funds allocated under the act, contractors shall provide or arrange for support services for eligible youths. The cost of the support services must not exceed ten percent of the contract. The services may include transportation, meals, career information training, work-related protective devices, and other normal expenses associated with employment funded under the act.

MS s 268.021; 268.33

10 SR 2512

3300.0700 REALLOCATION PROCEDURES.

Funds may be reallocated within a county or between a county and a city or between counties under the following circumstances:

A. the city or county originally allocated the funds according to the formula in part 3300.0300 refuses the funds; or

B. the city or county originally allocated the funds gives its permission for those funds to be used in another city or county.

In addition, the contractors may reallocate up to the equivalent of one full-time slot or position not to exceed $1,500 between any subdivision above for the purpose of simplified administration of the program.

Contractors may shift funds from the postsecondary portion of their program to the regular portion of their program provided that they certify in writing to the department that they are unable to obtain sufficient youth who meet the criteria in part 3300.0500, subpart 2, and the department concurs.

During the period of the contract, the department may shift funds from one contractor to another with the mutual consent of both contractors.

MS s 268.33

9 SR 2526

Metropolitan Council

Public Hearing on Certificate of Need for Expansion of the Anoka Sanitary Landfill

The Metropolitan Council will hold a public hearing on a request for a "certificate of need" required to proceed with plans to expand the Anoka Sanitary Landfill in Ramsey, Minnesota. The hearing on the request by Waste Management of Minnesota, Inc. is scheduled on Wednesday, October 8, 1986 at 7:00 p.m. at the Ramsey Elementary School, 15000 Nowthen Blvd., Ramsey, Minnesota. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Jane Larson at 291-6500. Copies of a Metropolitan Council staff analysis of the need for the proposed expansion will be available for public inspection beginning Monday, September 8 at designated libraries throughout the region. For information on the location of these libraries or a free copy of the staff report, call 291-6464.

Department of Jobs and Training

Proposed Permanent Rules Relating to Youth Employment Opportunities

Rules as Proposed

3300.0200 PURPOSE AND STATUTORY AUTHORITY.

Parts 3300.0100 to 3300.0700~~,-adopted-pursuant-to-Minnesota Statutes,-section-268.33-are-designed-to-establish-a-procedure for-the-allocation-of-funds-under~~ govern the administration of the Youth Employment Opportunities program as authorized by the Youth Employment Act of 1977, Minnesota Statutes, sections 268.31 to 268.36~~,-and-to-establish-contracting,-operating,-and invoicing-procedures-to-be-utilized-in-the-expenditure-of-the funds~~.

3300.0300 ALLOCATION OF FUNDS.

Subpart 1. **Allocations to counties.** The commissioner shall allocate funds available under the act as follows:

A. [Unchanged.]

B. Fifty percent of the funds available under the act shall be allocated to counties according to each county's share of the estimated youth population of the state which is from the ages of 14 years up to but not including 22 years, adjusted for:

(1) historic summer unemployment rates in the county as evidenced by official labor force estimates for the months of June, July, and August for the most recent three-year period for which such data is available; ~~and~~

(2) the county's poverty ratio based upon the percent of children from five to 17 years of age living in families below the poverty line as evidenced by the most recent United States Census figures as adjusted by reference to more recent population surveys, provided that reference to more recent population surveys shall be made only if such data is available for all counties in the state; and

(3) the migration of postsecondary school

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students between counties, where they are counted by the census in March and April, to their home counties where the program is active during the June to September period.

C. The mathematical statement of the allocation to counties is given below:

$$A^{C}_{i} = 0.5(F)\frac{YP^{C}_{i}}{\Sigma^{87}_{i=1}YP^{C}_{i}} + 0.5(F)\frac{(YP^{C}_{i})(U^{C}_{i})(P^{C}_{i})(C^{C}_{i})}{\Sigma^{87}_{i=1}[(YP^{C}_{i})(U^{C}_{i})(P^{C}_{i})(C^{C}_{i})]}$$

$$\text{and } C^{C}_{i} = \left[1 - \frac{1.5(SC^{C}_{i})}{YPC^{C}_{i}}\right]$$

where:

(1) A^{C}_{i} = total dollar allocation to the ith county;

(2) F = total funds available for allocation;

(3) YP^{C}_{i} = youth population 14 to 21 years of age in the ith county, determined by interpolation for the current year from projections of the state demographer;

(4) U^{C}_{i} = most recent three-year average of official labor force unemployment for the months of June, July, and August for the ith county;

(5) P^{C}_{i} = percent of all families with income below the poverty level and with related children five to 17 years of age as evidenced by the most recent United States census or more recent population surveys as referenced in subpart 2, item B;

(6) C^{C}_{i} = the adjustment factor due to the timing of the census in March and April to account for residency flows of postsecondary school enrolled students between their home county and that of school location;

(7) SC^{C}_{i} = count of number of students 20 and 21 years of age enrolled in school in the ith county as evidenced

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in the most recent United States census; and

(8) YPC^{C}_{i} = youth population 14 to 21 years of age of the ith county as evidenced in the most recent United States census.

Subp. 2. [Unchanged.]

3300.0400 CONTRACTING.

The commissioner may enter into contracts for operation of the program with organizations enumerated in part 3300.0100, subpart 4. Selection of contractors ~~with-experience-in-administering-summer-youth-employment-programs~~ will be determined by the commissioner ~~taking-into-consideration-recommendations-made-by-local-service-units.--The-commissioner-may-also-consider-recommendations-by-other-organizations-with-experience-in-operating-summer-youth-programs.~~ Consideration will be given to contractors with experience in administering summer youth employment programs and to those who have demonstrated efforts to coordinate state and federal summer youth programs locally.

3300.0500 OPERATION PROCEDURES.

Subpart 1. **Regular program.** Youths who are at least 14 years of age but less than 22 years of age at the time they are to begin employment under the program established by the act are eligible for program employment. Approximately ~~50~~ 60 percent of the youths hired should be from families which meet the definition for economically disadvantaged as established under Public Law Number 97-300, section 4. If there are insufficient eligible youths from economically disadvantaged families available for employment to meet this goal within an area under the jurisdiction of a contractor which has received an allocation under part 3300.0300, and the contractor certifies such insufficiency to the department and the department concurs, the criteria shall be waived with respect to the funds allocated to the area. Hereinafter, this portion of the program is referred to as the "regular program."

Subp. 2. **Postsecondary program.** Notwithstanding subpart

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1, at least 33-1/3 percent of the funds allocated to the area served by the contractor are to be used to hire youths who are at least 18 years of age, or a high school graduate, but less than 22 years of age who are certified by the department as intending to enroll or are enrolled in a postsecondary educational institution. Approximately ~~50~~ 60 percent of the youths hired should be from families which meet the definition for economically disadvantaged as established under Public Law Number 97-300, section 4. If there are insufficient eligible youths from economically disadvantaged families available for employment to meet this goal within an area under the jurisdiction of a contractor which has received an allocation under part 3300.0300, and the contractor certifies such insufficiency to the department and the department concurs, the criteria shall be waived with respect to the funds allocated to the area. Hereinafter, this portion of the program is referred to as the "postsecondary program." A partial waiver from this part may be obtained in accordance with part 3300.0700.

Subp. 3. **Eligible youth.** ~~To obtain~~ Recruitment of eligible youths~~, contractors must place job orders with~~ shall be a cooperative effort between the department and ~~may employ only those youths referred by the department~~ the local contractors selected to deliver the program.

Subp. 4. [Unchanged.]

Subp. 5. **Supervisors.** A contractor may designate one eligible youth as supervisor for every ten youths in its employ under the act. Contractors who employ at least five but less than ten youths may designate one youth as a supervisor. Youths designated as supervisors shall be paid the federal minimum wage plus ~~25~~ 65 cents per hour for up to 40 hours per week for a period not exceeding 12 weeks.

Subp. 6. **Employment of eligible youth.** ~~Upon signing a contract~~ Contractors may begin employing eligible youths ~~referred by the department, however,~~ upon signing the contract. No youth may be employed while attending school as a full-time student~~. No youth may~~, nor be employed beyond September 30 of

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each calendar year.

3300.0601 SUPPORT SERVICES.

~~Using funds allocated under the act,~~ Contractors shall provide or arrange for support services ~~for~~ to eligible youth, using funds allocated under this act. The cost of the support services must not exceed ten percent of the contract. The services may include transportation, meals, career information training, work-related protective devices, and other normal expenses associated with employment funded under the act. Contractors shall not be required to provide support services to eligible youth when funds received under the act have been exhausted.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Youth Employment Opportunities

AGENCY: Department of Jobs and Training

MINNESOTA RULES: Chapter 3300

The attached rules are approved for publication in the State Register

John C. Fuller
Assistant Deputy Revisor

PROPOSED RULES

Pursuant to Minn. Stat. of 1984, §§ 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 Jobs and Training

Proposed Permanent Rules Relating to Youth Employment Opportunities

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the State Department of Jobs and Training intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, section 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes, sections 268.33 which provides the Department with emergency and permanent rulemaking authority to implement sections 268.31 to 268.36.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any 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. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Kay Tracy
Youth Programs Coordinator
State Job Training Office
690 American Center Building
150 East Kellogg Blvd.
St. Paul, MN 55101
(612) 296-6064

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule follows this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request from Kay Tracy at the above address.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of

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 date of submission to the Attorney General. 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 adopted rule, must submit the written request to Kay Tracy at the above address.

Because the proposed rule will have no effect on small business, section 14.115 of the APA does not apply.

Joe Samargia, Commissioner
Department of Jobs and Training

Rules as Proposed

3300.0200 PURPOSE AND STATUTORY AUTHORITY.

Parts 3300.0100 to 3300.0700~~, adopted pursuant to Minnesota Statutes, section 268.33 are designed to establish a procedure for the allocation of funds under~~ govern the administration of the Youth Employment Opportunities program as authorized by the Youth Employment Act of 1977, Minnesota Statutes, sections 268.31 to 268.36~~, and to establish contracting, operating, and invoicing procedures to be utilized in the expenditure of the funds~~.

3300.0300 ALLOCATION OF FUNDS.

Subpart 1. **Allocations to counties.** The commissioner shall allocate funds available under the act as follows:

A. [Unchanged.]

B. Fifty percent of the funds available under the act shall be allocated to counties according to each county's share of the estimated youth population of the state which is from the ages of 14 years up to but not including 22 years, adjusted for:

(1) historic summer unemployment rates in the county as evidenced by official labor force estimates for the months of June, July, and August for the most recent three-year period for which such data is available; ~~and~~

(2) the county's poverty ratio based upon the percent of children from five to 17 years of age living in families below the poverty line as evidenced by the most recent United States Census figures as adjusted by reference to more recent population surveys, provided that reference to more recent population surveys shall be made only if such data is available for all counties in the state; and

(3) the migration of postsecondary school students between counties, where they are counted by the census in March and April, to their home counties where the program is active during the June to September period.

C. The mathematical statement of the allocation to counties is given below:

$$A^c_i = 0.5\,(F)\,\frac{YP^c_i}{\Sigma^{87}_i = {}_1 YP^c_i} + 0.5\,(F)\,\frac{(YP^c_i)(U^c_i)(P^c_i)(C^c_i)}{\Sigma^{87}_i = {}_1[(YP^c_i)(U^c_i)(P^c_i)(C^c_i)]}$$

$$\text{and } C^c_i = \left[1 - \frac{1.5(SC^c_i)}{YPC^c_i}\right]$$

where:

(1) A^c_i = total dollar allocation to the ith county;

(2) F = total funds available for allocation;

(3) YP^c_i = youth population 14 to 21 years of age in the ith county, determined by interpolation for the current year from projections of the state demographer;

(4) U^c_i = most recent three-year average of official labor force unemployment for the months of June, July, and August for the ith county;

(5) P^c_i = percent of all families with income below the poverty level and with related children five to 17 years of age as evidenced by the most recent United States census or more recent population surveys as referenced in subpart 2, item B;

(6) C^c_i = the adjustment factor due to the timing of the census in March and April to account for residency flows of postsecondary school enrolled students between their home county and that of school location;

(7) SC^c_i = count of number of students 20 and 21 years of age enrolled in school in the ith county as evidenced in the most recent United States census; and

(8) YPC_i = youth population 14 to 21 years of age of the ith county as evidenced in the most recent United States census.

Subp. 2. [Unchanged.]

3300.0400 CONTRACTING.

The commissioner may enter into contracts for operation of the program with organizations enumerated in part 3300.0100, subpart 4. Selection of contractors ~~with experience in administering summer youth employment programs~~ will be determined by the commissioner ~~taking into consideration recommendations made by local service units. The commissioner may also consider recommendations by other organizations with experience in operating summer youth programs~~. Consideration will be given to contractors with experience in administering summer youth employment programs and to those who have demonstrated efforts to coordinate state and federal summer youth programs locally.

3300.0500 OPERATION PROCEDURES.

Subpart 1. **Regular program.** Youths who are at least 14 years of age but less than 22 years of age at the time they are to begin employment under the program established by the act are eligible for program employment. Approximately ~~50~~ 60 percent of the youths hired should be from families which meet the definition for economically disadvantaged as established under Public Law Number 97-300, section 4. If there are insufficient eligible youths from economically disadvantaged families available for employment to meet this goal within an area under the jurisdiction of a contractor which has received an allocation under part 3300.0300, and the contractor certifies such insufficiency to the department and the department concurs, the criteria shall be waived with respect to the funds allocated to the area. Hereinafter, this portion of the program is referred to as the "regular program."

Subp. 2. **Postsecondary program.** Notwithstanding subpart 1, at least 33-1/3 percent of the funds allocated to the area served by the contractor are to be used to hire youths who are at least 18 years of age, or a high school graduate, but less than 22 years of age who are certified by the department as intending to enroll or are enrolled in a postsecondary educational institution. Approximately ~~50~~ 60 percent of the youths hired should be from families which meet the definition for economically disadvantaged as established under Public Law Number 97-300, section 4. If there are insufficient eligible youths from economically disadvantaged families available for employment to meet this goal within an area under the jurisdiction of a contractor which has received an allocation under part 3300.0300, and the contractor certifies such insufficiency to the department and the department concurs, the criteria shall be waived with respect to the funds allocated to the area. Hereinafter, this portion of the program is referred to as the "postsecondary program." A partial waiver from this part may be obtained in accordance with part 3300.0700.

Subp. 3. **Eligible youth.** ~~To obtain~~ Recruitment of eligible youths~~, contractors must place job orders with~~ shall be a cooperative effort between the department and ~~may employ only those youths referred by the department~~ the local contractors selected to deliver the program.

Subp. 4. [Unchanged.]

Subp. 5. **Supervisors.** A contractor may designate one eligible youth as supervisor for every ten youths in its employ under the act. Contractors who employ at least five but less than ten youths may designate one youth as a supervisor. Youths designated as supervisors shall be paid the federal minimum wage plus ~~25~~ 65 cents per hour for up to 40 hours per week for a period not exceeding 12 weeks.

Subp. 6. **Employment of eligible youth.** ~~Upon signing a contract~~ Contractors may begin employing eligible youths ~~referred by the department; however,~~ upon signing the contract. No youth may be employed while attending school as a full-time student~~. No youth may~~, nor be employed beyond September 30 of each calendar year.

3300.0601 SUPPORT SERVICES.

~~Using funds allocated under the act.~~ Contractors shall provide or arrange for support services ~~for~~ to eligible youth, using funds allocated under this act. The cost of the support services must not exceed ten percent of the contract. The services may include transportation, meals, career information training, work-related protective devices, and other normal expenses associated with employment funded under the act. Contractors shall not be required to provide support services to eligible youth when funds received under the act have been exhausted.

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.

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption
of Rules of the State of Minnesota
Governing Youth Employment Opportunity
Minnesota Rules Parts 3301.0100 to 3300.0700

NOTICE OF INTENT
TO ADOPT RULES WITHOUT
A PUBLIC HEARING

Notice is hereby given that the State Department of Jobs and Training intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The Statutory authority to adopt the rule is Minnesota Statutes, sections 268.33 which provides the Department with emergency and permanent rulemaking authority to implement sections 268.31 to 268.36.

All persons hove 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for comment, and any change proposed.

An person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion or the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Kay Tracy
Youth Programs Coordinator
State Job Training Office
690 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101
(612) 296-6064

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request from Kay Tracy at the above address.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form related to legality. Any person may request notification of the date of submission to the Attorney General. 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 adopted rule, must submit the written request to Kay Tracy at the above address.

Because the proposed rule will have no effect on small business, section 14.115 of the APA does not apply.

2/18/87
Date

STATE OF MINNESOTA

Joseph Samargia
COMMISSIONER OF DEPARTMENT
OF JOBS AND TRAINING

STATE OF MINNESOTA

DEPARTMENT OF JOBS AND TRAINING

IN THE MATTER OF THE PROPOSED RULES
RELATING TO YOUTH EMPLOYMENT
OPPORTUNITY, MINNESOTA RULES
PARTS 3300.0100 to 3300.0601

STATEMENT OF NEED
AND REASONABLENESS

INTRODUCTION

These rules are presented by the Department of Jobs and Training (DJT) in accordance with the provisions of the Minnesota Administrative Procedures Act (APA), Minnesota Statutes § 14.22 to § 14.28. The proposed rules have been developed pursuant to Minnesota Statutes § 268.33 as amended by Laws 1985, First Special Session, Chapter 14, Article 9 (Omnibus Jobs Act), which authorize the commissioner to make permanent rules to implement the Youth Employment Opportunity Program.

Because the proposed rule will have no effect on small businesses, section 14.115 of the APA does not apply.

DISCUSSION

3300.0200 PURPOSE

The purpose statement has been revised to include the statutory authority for the program and to delete references to operating procedures not covered by the rule.

3300.0300 ALLOCATION OF FUNDS

Subpart 1. Item B (3) is added to adjust for the migration of postsecondary school students between counties, where they are counted by the census in March and April, to their home counties where the program is active during the June to September period. This adjustment factor lends greater accuracy to the process of allocating funds to the county level.

Subpart 1. Item C provides a mathematical statement of the allocation to counties. A decision to include the formula was to ensure that in addition to explaining how funds are allocated in narrative form (subpart 1, items A and B), interested parties are informed of the exact data and computations the department uses in this process. The formula that is incorporated in the rule was developed by the department many years ago in response to the passage of the first summer youth legislation in 1973. It has been successfully employed with only minor modifications since that time.

The allocation process incorporates the objective of allocating funds to promote employment of youth in the summer months. For purposes of this bill,

youth are defined as those between the ages of 14 and 21 inclusive. Also the allocation is to give weight to consideration of economic hardship and difficulty between counties in seeking and obtaining employment. Thus the process proceeds in two parts. The first part allocated half of the fund among counties based simply on their share of the total youth population of the state with no adjustments. For example, if a county had ten percent of the total state youth population and if the allocation was from a fund of two million dollars, the county would receive ten percent of half of the fund (one million dollars), or 100,000 dollars.

The second part of the process allocates the other half of the fund. This half is allocated based on two adjustments. The first adjustment is meant to take account of poverty and unemployment. Thus, the youth population of each county is multiplied by the county's unemployment rate and the fraction of its families with children between 5 and 17 years of age whose family income is below the poverty level. This has the result of giving more dollars to counties with high unemployment and high poverty levels among youth population families.

The second adjustment is a technical adjustment. It recognizes that the census counts county population based on where people are living in the months of March and April. Therefore, for youth away from home and at schools, the census counts these as living in the county of residence (near the school location) during the school year. Many of these students will return to the counties of their parent's (or home) residence in the summer, and that is where they will be residing during the activation of the summer youth employment program. The second adjustment is necessary in order to correct for this deficiency in the census, when considered against the purposes of the program. The adjustment is made to only the allocation of the second half of the fund in recognition that the correction is imperfect due to data limitations and only represents a step in the right direction. After each county's youth population is adjusted the result is the county adjusted youth population. From the second half of the fund each county receives an amount equal to its proportion of total state adjusted youth population.

The total allocation to each county is the sum of the two allocations described above.

The allocation to cities and Indian reservations is based on the share that each subcounty jurisdiction is of total county population. Even though there are some data limitations with respect to these two target populations

3300.0400 CONTRACTING

The language in this part has been revised to emphasize desired coordination at the local level in the delivery of state and federal summer youth employment programs. The change reflects a desire to maximize resources available to youth and local employers.

3300.0500 OPERATION PROCEDURES

Subparts 1 and 2. The language has been revised to require that at least 60 percent of the youth employed on the program should be from families which

meet the definition for economically disadvantaged as established under Public Law Number 97-300, section 4. Those "most in need" of the services available through this program should receive priority consideration. Most in need is defined as youth from families at or below the poverty level.

Subpart 3. Eligible youth. The language has been revised to emphasize that recruitment of eligible youth for the program shall be a cooperative effort between the local Job Service and the contractor(s) selected to deliver the program. The change reflects the desire for joint recruitment for state and federal summer youth employment programs.

Subpart 5. Supervisors. The rule has been modified to allow youths designated as supervisors to be paid the federal minimum wage plus 65 cents per hour for up to 40 hours per week for a period not exceeding 12 weeks. The change allows contractors the flexibility to compensate supervisors at a level which approximated the rate paid under the federal summer youth program.

Subpart 6. Employment of eligible youth. The rule has been clarified to reflect the fact that eligible youth may be employed upon signature of the contract by the agency selected to operate the program locally. Language, which, restricted operators to employing only youth referred by the Job Service has been eliminated.

3300.0601 SUPPORT SERVICES

The rule has been revised to clarify that contractors shall not be required to provide support services to eligible youth when funds received under the program have been exhausted.

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption of Rules of the State of Minnesota Governing Youth Employment Opportunities

AFFIDAVIT OF MAILING THE NOTICE OF PROPOSED ADOPTION OF A RULE WITHOUT A PUBLIC HEARING

STATE OF MINNESOTA
ss.
COUNTY OF RAMSEY

Colleen S. Gunderson, being duly sworn deposes and says:

I hereby certify that the list of persons who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22, that their names be placed on the state Department of Jobs and Training rulemaking mailing list is accurate, complete and current as of 10:30 A.M. this 2nd day of April, 1987.

That on the 18th day of February, 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Proposed Adoption of a Rule Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy thereof with postage prepaid, to all persons on the aforementioned mailing list.

STATE OF MINNESOTA

Colleen S. Gunderson

DEPARTMENT OF JOBS AND TRAINING

Subscribed and sworn to before me
this 2ND day of APRIL, 1987.

Dan W. Simpson

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption of Rule of the State Department of Jobs and Training Governing the Youth Employment Opportunity

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on February 23, 1987 and a copy of the notice and rule was sent by United States mail to all persons on the list maintained by the Department pursuant to Minnesota Statutes, section 14.14, subdivision 1a and 14.22 on February 18, 1987. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comments on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received.

Based on the comments and evidence in the record before the agency, I find the following:

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Youth Employment Oportunities is adopted this 3rd day of April, 1987, pursuant to authority vested in me by Minnesota Statutes, section 268.021 and 268.33.

Joseph Samargia
for COMMISSIONER

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the
Proposed Adoption of Rules
of the State of Minnesota
Governing Youth Employment
Opportunities

STATMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Donald E. Notvik, 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.

Dated: April 8, 1987

DONALD E. NOTVIK
Special Assistant
Attorney General
Atty. Reg. No: 80007

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption of Rules of the State of Minnesota Governing Youth Employment Opportunities Program

NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, April 8, 1987, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received and other required documents also have been submitted to the Attorney General.

The rule must be approved or disapproved by the Attorney General within 14 calendar days of the date of submission to the attorney general. You may submit written comments to the attorney general on the legality of the rule. Any written comments must be submitted within eight calendar days of the date of submission of the rule to the Attorney General. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
204 Administration Building
50 Sherburne Ave.
St. Paul, MN 55155
(612) 296-1288

Any written comments submitted to the Attorney General be submitted simultaneously to:

Colleen Gunderson
Department of Jobs and Training
390 North Robert Street
St. Paul, Mn 55101
(612) 296-3669

4/8/87
Date

STATE OF MINNESOTA

Joseph Samargia

Joseph Samargia
COMMISSIONER OF THE
DEPARTMENT OF JOBS AND
TRAINING

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : Office of Full Productivity and Opportunity

DATE : February 2, 1987

TO : Colleen Gunderson, Rules Coordinator
Department of Jobs and Training

FROM : Keith Ford, Coordinator KF
Office of Full Productivity and Opportunity

PHONE : 296-2227

SUBJECT : Proposed Youth Employment Opportunities Rule

The proposed YEO Rule is approved for publication in the State Register. Please provide our office with copies of public comments prior to your finalization of the Rule.

Feel free to contact Steve Rhodes at 296-3274 if you have any questions. Thank you.

KJF:jf

STATE OF MINNESOTA
Office Memorandum

DEPARTMENT: Jobs & Training

TO : J. Michael Miles
Assistant Attorney General
The Office of the Attorney General

DATE: April 8, 1987

FROM : Colleen Gunderson
Management Analyst
Administrative and Technical Services

PHONE: 296-3669

SUBJECT : In the Matter of the Proposed Adoption of Rules of the Department of Jobs and Training Governing Youth Employment Opportunity

Pursuant to the Administrative Procedures Act, Minnesota Statutes, Chapter 14, the following documents are provided for your review as to legality and form in accordance with the noncontroversial rulemaking process (Minn. Stat. §§ 14.22 to 14.28):

1. Notice of Intent to Solicit Outside Opinion as published in the State Register and written comments received.
2. Rules as proposed.
3. Affidavit of mailing notice of proposed adoption of rule (including mailing list certification).
4. Notice of Intent to Adopt the Rule Without a Public Hearing as published in the State Register.
5. State of Need and Reasonableness.
6. Copies of comments received in response to 4 above.
7. Four copies of the adopted rule.
8. Findings of Fact and Conclusions and Order Adopting. Original and two copies.
9. Approval of the Proposed Rules by the Coordinator of the Office of Full Productivity and Opportunity.
10. Certification of Compliance with Rulemaking Procedures.
11. Notice of Submission of Rule Adopted without Public Hearing.

Enclosure

RECEIVED
ATTORNEY GENERAL'S OFFICE

APR 07 1987

cc: Joseph Samargia
Michael Gunderson
Gary Denault
Kay Tracy

204 ADMINISTRATION BLDG.
50 SHERBURNE AVENUE
ST. PAUL, MN 55155

4/13

Notice of ~~Intent~~

A signed Notice is in the mail

Rule

Not all new material - See Proposed Rule

P 2 lines 2-20 ~~6-24~~ Sounds good to me

Athority

268.31

268.36 ✓ (subd 3)