

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

ATTORNEY GENERAL

September 12, 1988

JAMES J. SOLEM
Commissioner
Housing Finance Agency

MARTY J. CASSERLY
Special Assistant
Attorney General

6-9422

In the Matter of the Adopted Rule Relating to
Urban Indian Housing Program

The above-refernced rule has been approved as to its legality by the Attorney General on September 12, 1988.

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 accoradance 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.

JAL:rer

Enclosures

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

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

File No. 1514

Docket No. DE 3009.0450

DATE RECEIVED 8/26/88

ADOPTED W/O HEARING X

REVIEW DATE 9/6/88

EMERGENCY RULE _____

DUE DATE 9/9/88

REVISOR APPROVED _____

APPROVED 9-6-88 mjc

REVISOR DISAPPROVED _____

DISAPPROVED _____

FILED W/SEC. OF STATE _____

WITHDRAWN _____

RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

_____ ~~Notice to Solicit Outside Information/Opinion (if applicable)~~

_____ ~~Date published in State Register~~

_____ ~~Comments~~

_____ ~~Petition for Adoption of a Rule (if applicable)~~

✓ Board's Authorizing Resolution

6/23/88 Date adopted

✓ Proposed Rule

yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule

462A.06 subd Statutory Authority

no 4+11 Small Business Statement

no Expenditure of public money statement

yes Signature

✓ Statement of Need and Reasonableness (if applicable)

yes Small Business Statement

n/A Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule

7/8/88 Date 30/25 days before adoption

ok Notice attached

_____ ~~Copy of rule or summary attached~~

✓ Publication in State Register

7/11/88 Date 30/25 days before adoption

_____ 180-day deadline from:

8/7/88 end of comment period (§ 14.26) (rules without hearing)

_____ ~~effective date of statutory authority (§ 14.29) (emergency rules)~~

✓ Resolution Adopting

8/25/88 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting

8/25/88 Date

_____ ~~Written requests, submissions or comments~~

✓ Declaration of attorney

Bill Kuretsky Name of SAAG representing agency

_____ ~~Notice of Submission to Atty. Gen. (if applicable)~~

_____ ~~Aff. of Mailing Notice to Atty. Gen. (if applicable)~~

Housing Finance Agency

Adopted Permanent Rules Relating to Urban Indian Housing Program

Rules as Adopted

REPEALER. Minnesota Rules, parts 4900.1530, 4900.1531, 4900.1532, 4900.1533, 4900.1550, 4900.1560, and 4900.1570, are repealed.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 12 1988
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

SEP 12 1988

Joan Anderson Growe

Secretary of State

1:35 PM

APPROVED AS TO FORM AND LEGALITY

September 6 1988

HUBERT H HUMPHREY, III
ATTORNEY GENERAL

BY M J Carsenday

SPECIAL ASSISTANT ATTORNEY GENERAL

CERTIFICATE OF AGENCY'S

AUTHORIZING RESOLUTION

I, Robert A. Worthington, do hereby certify that I am Chairman of the Minnesota Housing Finance Agency, an Agency 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 Agency and properly called and held on the 23rd day of June, 1988, 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 James J. Solem, Commissioner of the Minnesota Housing Finance Agency, be and he hereby is authorized and directed to give public notice for the purpose of promulgating rules of the Minnesota Housing Finance Agency without a public hearing, said rules relating to the Urban Indian Housing Program as well as to perform any and all acts incidental thereto, including the signing of a notice of intent to adopt rules without a public hearing."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 23rd day of June, 1988.

Robert A. Worthington

Chairman

Housing Finance Agency

Proposed Permanent Rules Relating to Urban Indian Housing Program

Rules as Proposed

REPEALER. Minnesota Rules, parts 4900.1530, 4900.1531, 4900.1532, 4900.1533, 4900.1550, 4900.1560, and 4900.1570, are repealed.

Approved by Revisor

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Urban Indian Housing Program

AGENCY: Housing Finance Agency

MINNESOTA RULES: Chapter 4900

The attached rules are approved for publication in the State Register

David S. Niss
Assistant Revisor

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to the Urban Indian Housing Program

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. Sec. 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received 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. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. Sec. 14.14 et. seq. 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.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 300
400 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9794

Authority for the adoption of these rules is contained in Minn. Stat. Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and

whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that Minn. Stat. Ch. 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. Sec. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520 (612) 296-5615.

Dated: July 8, 1988

James J. Solem
Commissioner

State of Minnesota

Minnesota Housing Finance Agency

In the Matter of the Proposed Rules
Relating to Urban Indian Housing Program

Statement of Need and Reasonableness

4900.1500 through 4900.1586:

Minnesota Statutes, Section 462A.07, Subdivision 15 establishes that the Minnesota Housing Finance Agency (Agency) may engage in housing programs for low and moderate income American Indians residing in designated metropolitan areas throughout the state. The statute further provides, in excerpt, that the program shall demonstrate innovative methods of providing housing for urban Indians, shall, to the extent possible, combine appropriated money with other money from both public and private sources, and shall be flexible as to the entity that shall administer such programs. The statute also provides that the Agency shall consult with the Advisory Council on Urban Indians in the development of programs pursuant to the applicable subdivision.

Recently, the Agency promulgated amended administrative rules to govern administration of these programs. In summary, these rules provided that the Agency may directly administer these programs, established criteria for a "homeownership mortgage participation component" of the program, and established criteria by which administrators other than the Agency may implement programs which are alternatives to the "homeownership mortgage participation component."

In promulgating these rules, the Agency had intended a repealer pertaining to several existing rules under the program. The previous "Statement of Need and Reasonableness" attached hereto referenced the repeal of several of these rules. However, due to an error on the Agency's part, these rules remained intact upon completion of the rules process for the amended administrative rules.

After consulting with legal counsel, it was determined that the appropriate way to rectify this error was to promulgate new rules repealing those rules that the Agency had intended to repeal earlier.

In reviewing the attached "Statement of Need and Reasonableness" it may be noted that the deletion of Administrative Rule 4900.1530 is not referenced. Upon review of the amended administrative rules, it was determined that this section was no longer necessary as the process by which either the Agency or alternate administrators may administer the program is well defined and the application process is open-ended.

The Agency is cognizant of the provisions of Section 14.115 of the Minnesota Statutes, entitled Small Business Considerations in Rulemaking, however, the proposed rules do not establish any compliance or reporting requirements, design or operational standards, or directly affect the way any business must operate. Therefore, the provisions contained in Minnesota Statutes paragraph 14.115 (1986) do not apply to the proposed rules discussed herein.

State of Minnesota

Minnesota Housing Finance Agency

In the Matter of the Proposed Rules
Relating to Urban Indian Housing Program

Statement of Need and Reasonableness

4900.1500 through 4900.1586:

Minnesota Statutes, Section 462A.07, Subdivision 15 establishes that the Minnesota Housing Finance Agency (Agency) may engage in housing programs for low and moderate income American Indians residing in designated metropolitan areas throughout the state. The statute further provides, in excerpt, that the programs shall demonstrate innovative methods of providing housing for urban Indians, shall, to the extent possible, combine appropriated money with other money from both public and private sources, and shall be flexible as to the entity that shall administer such programs. The statute also provides that the Agency shall consult with the advisory council on urban Indians in the development of programs pursuant to the applicable subdivision.

Upon passage of the statute enabling urban Indian housing programs, the Agency promulgated administrative rules to govern administration of the programs. Generally, these rules provided that individual programs for eligible communities would be administered by nonprofit entities. It was felt that this delivery system would enable programs to be developed that addressed locally identified housing needs and would allow an administering entity to identify and procure local sources of funds to be leveraged with urban Indian program appropriations. These rules have not been amended since they were originally promulgated.

Since the administrative rules governing the urban Indian housing programs have been promulgated, seven separate programs have been operated by six program administrators. The results of this system have been that programs have been implemented that were unevenly administered at a high administrative cost. To date, approximately $4,622,096 has been disbursed for loans under the program at an administrative cost of $823,371, which is over $1.00 in administrative costs for every $5.60 in benefits delivered. Given the preceding, it is deemed desirable to consider a means of program delivery that would considerably reduce administrative costs while increasing benefits to recipients. While this should be the case for all programs, it is particularly the case with programs designed to improve the housing for an underhoused segment of the population in an era of declining financial resources.

Furthermore, with a few exceptions, the programs that have been implemented in various communities have been very similar and were for the most part leveraged with mortgage revenue bond funds, such as funds from the Agency's home mortgage program. Generally, programs have been operated in each community designed to encourage and increase homeownership opportunities for American Indian households. In three of the four communities, an "equity participation loan" format has been used to meet the leverage requirements of the statute. In the fourth community, a monthly payment and downpayment assistance program similar to the Agency's Homeownership Assistance Fund has been implemented. During the past five years, only one program component has been implemented that was not a homeownership program, and that program provided rental housing by leveraging state and federal resources in a combination that is not likely to recur.

Given the above, the Agency is proposing rules that would enable it to directly administer urban Indian housing programs and to implement a specific homeownership program component that would leverage appropriations for the urban Indian housing program together with mortgage revenue bond funds from the Agency's home mortgage program. Furthermore, the Agency is designing the homeownership program component to be compatible with the Agency's Homeownership Assistance Fund in high interest rate mortgage markets to provide an even greater opportunity for homeownership by the urban Indian housing program's constituency.

It is felt that by implementing these changes, the Agency will be able to deliver the program at a considerably reduced administrative cost while providing a comparable, if not superior, homeownership opportunity than had been provided previously. The Agency is proposing to deliver the program using existing staff and the main costs expected for program administration pertain to marketing and delivery expenses.

However, while providing for a specific homeownership program component, it should be noted that the proposed administrative rules would enable a rental program component to be administered by either the Agency or an outside administrator should resources become available to allow such a component. The advisory council on urban Indians has initially endorsed the concepts described herein.

In accordance with the above, one purpose of the changes to Minnesota Rules 4900.1520 is to enable the Agency to be an eligible administrator of urban Indian housing loan programs. There is also a change to this section to enable the Agency to reallocate funds at its discretion based on varying loan demand after initially allocating program funds equitably among eligible areas. This is to enable use of program resources after a reasonable period of time has elapsed if it becomes apparent that a market does not exist within a particular community to bring about reasonably expeditious use of program funds.

Minnesota Rules 4900.1531 through 4900.1533 have been deleted, although the substance of these rules have been incorporated into other sections of the proposed rules.

Minnesota Rules 4900.1540 are essentially as provided in previous rules. The only significant change to these rules is to provide that if a definition of American Indian is promulgated under Minnesota Statutes 462A.07, that definition may be used for purposes of this program. It is anticipated that a definition under this Statute will be passed during the 1988 legislative session, and this language would enable this definition to be used without further revising the rules.

Minnesota Rules 4900.1550 through 4900.1570 have been deleted, although the substance of these rules have been incorporated into other sections of the proposed rules.

Minnesota Rules 4900.1572 describe the homeownership mortgage participation component to be administered directly by the Agency. This component provides for leveraging urban Indian housing program funds, interest free, with funds from another source to provide for mortgage loans at a very low interest rate. A formula is provided therein by which the interest rate may be computed. The rules also provide other restrictions designed to appropriately target appropriations to a clientele that may be deemed to be most in need. These restrictions are compatible with restrictions used in current urban Indian homeownership programs implemented under the existing statute and rules.

It is felt that the program component proposed in 4900.1572 has several advantages compared to the equity participation loan format previously provided by urban Indian housing program administrators. The mortgage to be provided will be on standard documentation with one note and one mortgage to be amortized over a standard mortgage term. Thus, this concept will be very simple to explain to program beneficiaries. The leveraging of urban Indian housing loan program funds interest free with other funds will provide a very affordable mortgage interest rate at a low administrative cost. Finally, it is anticipated that interest rate levels under this program component will be comparable to interest rate levels provided under housing programs provided by Indian housing authorities on reservations throughout the state, which has always been a desire of the urban Indian housing program constituency.

Minnesota Rules 4900.1574 define persons and families of low and moderate income given the interest rates which are anticipated under this program. Previously, these recipients were defined identically to the recipients under the Agency's home mortgage program. Given that recipients under this program component are likely to receive a far lower interest rate than under the Agency's regular home mortgage

program, it is deemed prudent to provide lower income limits than under the Agency's home mortgage program. The practical result of this is that recipients who would be eligible for the Agency's home mortgage program may use that program, but recipient eligibility is limited for the urban Indian housing program to individuals generally not eligible for the Agency's home mortgage program due to lower household income levels.

Minnesota Rules 4900.1576 provide the circumstances under which urban Indian housing loan program recipients may also be eligible for monthly payment or downpayment assistance under the Agency's Homeownership Assistance Fund. The rules provide that all loan recipients are eligible for downpayment assistance under the rules governing the Homeownership Assistance Fund, but that recipients are only eligible for monthly payment assistance in the event that the first mortgage note or coupon rate exceeds an interest rate of 8% per annum. This is to assure that recipients of very low income who are not reasonable prospects for homeownership under mortgage industry standards do not receive homeownership due to excessive levels of state subsidy.

Minnesota Rules 4900.1578 provide the administrative structure by which the Agency may deliver the homeownership mortgage participation component of the program. It enables the Agency to enter into such agreements that will facilitate delivery of the program and to reimburse itself and others for expenses incurred in program delivery.

Minnesota Rules 4900.1580 through 4900.1586 deal with alternative program components and, for the most part, incorporate many of the provisions of rules in effect for the urban Indian housing programs currently. The main differences within these rules from previous rules are that alternative program components are identified as program components that deal primarily with rental and rehabilitation of housing, that either the Agency or an alternate administrator may deliver such program components, that, in the event an alternative program component is submitted and implemented for a limited geographical area within the state, the allocation of urban Indian program funds to that area will be proportionately reduced, and that the Agency will report to the advisory council on urban Indians on a periodic basis pertaining to the operation of the homeownership mortgage participation component of the urban Indian housing loan program.

The Agency is cognizant of the provisions of Section 14.115 of the Minnesota Statutes, entitled Small Business Considerations in Rulemaking, however, the proposed rules do not establish any compliance or reporting requirements, design or operational standards, or directly affect the way any business must operate. Therefore, the provisions contained in Minn. Stat. §14.115 (1986) do not apply to the proposed rules discussed herein.

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed
Rules Relating to
the Urban Indian Housing Program
Without a Public Hearing

AFFIDAVIT
OF MAILING

Kathleen J. Johnson, being first duly sworn, deposes and says:

That on the 8th day of July, 1988, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid to all persons and associations who have requested that their names be placed on file with the Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency.

Kathleen J. Johnson

Subscribed and sworn to before
me this 8th day of July,
1988.

R. M. Koran
Notary Public

R. M. KORAN
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES MARCH 30, 1992

projected and electronic resources, selected in accordance with a school board adopted selection policy. Each year a percentage of the resources shall be updated.

Subp. 4. **Facilities.** There shall be a well-equipped, centrally located, library media center of a size appropriate to the library media program and the enrollment in every elementary, middle, and secondary school building. Additional space and facilities shall be provided for work storage, listening, viewing, technological, and conference purposes. In one- and two-room elementary schools, provisions shall be made for library media services.

REPEALER. *Minnesota Rules,* part 3500.0700 is repealed.

Housing Finance Agency

Proposed Permanent Rules Relating to Urban Indian Housing Program

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes* Sec. 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received 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. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of *Minnesota Statutes*, Sec. 14.14 *et. seq.* 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.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 300
400 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9794

Authority for the adoption of these rules is contained in *Minnesota Statutes*, Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that *Minnesota Statutes* Ch. 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes*, Sec. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520 (612) 296-5615.

Dated: 8 July 1988

James J. Solem
Commissioner

Rules as Proposed

REPEALER. *Minnesota Rules,* parts 4900.1530, 4900.1531, 4900.1532, 4900.1533, 4900.1550, 4900.1560, and 4900.1570, are repealed.

Executive Orders

Order #88-7: Establishing the Governor's Council on Children, Youth, and Families; Amending Executive Order No. 84-11

I, RUDY PERPICH, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

WHEREAS, families and children are truly our most precious social resource because they are responsible for perpetuating the basic goal and values which bind a society together; and

WHEREAS, Minnesota families reflect a richness of ethnic diversity and family styles which need to be supported and encouraged; and

WHEREAS, rapid and radical changes in society have brought new pressures and challenges to today's families, and especially to the children in these families; and

WHEREAS, public policy toward families and children is of the utmost importance because of the demonstrable effects on the family by the actions of major social institutions, including all levels of government; and

WHEREAS, public policy should be designed to combat harmful effects upon the family by all such activities, just as programs which actively service family needs should be devised and implemented; and

WHEREAS, the current Governor's Council on Families and Children should be strengthened and its work expanded;

NOW, THEREFORE, I hereby order that a Governor's Council on Children, Youth, and Families be created to propose policies to improve services for children and families. The Council will be administered by the Department of Human Services.

1. The Council shall advise the Governor on the development of state policies that strengthen and support the ability of parents to care for children and that provide families with those preventive and other supports that contribute to children's well-being.

2. The Council shall consist of the following members: the Commissioner of Human Services, Commissioner of Health, Commissioner of Education, Commissioner of Jobs and Training, Commissioner of Finance, and the Commissioner of State Planning or their designees. Two legislators may be appointed, one of whom shall be appointed by the Speaker of the House and the other by the Majority Leader of the Senate. Seven citizens-at-large shall be appointed by the Commissioner of Human Services to serve as members.

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

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed
Rules Relating to
the Urban Indian Housing Program
Without a Public Hearing

CERTIFICATE OF BOARD'S
RESOLUTION ADOPTING RULES

I, Robert A. Worthington, do hereby certify that I am Chairman of the Minnesota Housing Finance Agency, an agency 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 Agency, duly and properly called and held on the 25th day of August, 1988, 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 rules relating to the Urban Indian Housing Program attached hereto as Exhibit A be and they hereby are approved and adopted pursuant to authority vested in us by Minnesota Statutes Section 462A.06, Subdivisions 4 and 11 and that James J. Solem, Commissioner of the Agency, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 25th day of August, 1988.

Robert A. Worthington
Chairman

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Adoption of the Rule of the Minnesota Housing Finance Agency Relating to the Urban Indian Housing Program	FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Board's intent to adopt the above-entitled rule was published in the State Register on July 11, 1988 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on July 8, 1988. 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 comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the agency.

No submissions or comments on the rule were received by the agency. No requests for notice of submission to the attorney general were received by the agency.

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 rules identified as 4900.1530, 4900.1531, 4900.1532, 1400.1533, 4900.1550, 4900.1560, and 4900.1570, and relating to the Urban Indian Housing Program are adopted this 25th day of August, 1988, pursuant to authority vested in me by Minnesota Statutes, sections 462A.06 subd. 3 and 11 and by a resolution of the Board of the Minnesota Housing Finance Agency dated the 25th day of August, 1988.

James J. Solem, Commissioner

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to the Urban Indian Housing Program

STATEMENT OF COMPLIANCE WITH THE RULEMAKING PROCEDURES

I, Special Assistant Attorney General, William H. Kuretsky 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: 8/26/88

William H. Kuretsky
Special Assistant Attorney General

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules
Relating to the Urban
Indian Housing Program

ORDER FOR NOTICE OF
INTENT TO ADOPT RULES
WITHOUT A PUBLIC HEARING

It is ordered this 23rd day of June, 1988 that a Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Housing Finance Agency for that purpose and be published in the State Register.

MINNESOTA HOUSING FINANCE AGENCY

James J. Solem, Commissioner

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

MAILING LIST CERTIFICATE

In the Matter of the Proposed
Rules Relating to
the Urban Indian Housing Program
Without a Public Hearing

I hereby certify that the list of persons, associations and other interested groups who have requested, pursuant to Minnesota Statutes Section 14.14 Subdivision 1, that their names be placed on file with and maintained by the Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency is accurate and complete this 8th day of July, 1988.

Kathleen J. Johnson

Kathleen J. Johnson

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed
Rules Relating to
the Urban Indian
Housing Program
Without a Public Hearing

ORDER ADOPTING RULES

Notice of the Agency's intent to adopt the above-entitled rules without a public hearing was published in the State Register on July 11, 1988 and was sent by United States mail to all persons on the list maintained by the Agency pursuant to Minnesota Statutes Section 14.14 Subdivision 1 on July 8, 1988. After affording interested and affected persons an opportunity to submit comments for 30 days, receiving fewer than twenty-five written requests for a public hearing within the 30 day comment period, reviewing and considering the comments, supplying notice to all persons requesting notice of the date of submission of the proposed rules to the Attorney General for review, and determining the need for and reasonableness of the above-captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Rules of the Minnesota Housing Finance Agency Relating to the Urban Indian Housing Porgram are adopted this 25th day of August, 1988 pursuant to authority vested in the Agency by Minnesota Statutes 462A.06, Subdivisions 4 and 11.

James J. Solem, Commissioner

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed
Rules Relating to
the Urban Indian
Housing Program
Without a Public Hearing

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James J. Solem, Commissioner

MINNESOTA HOUSING FINANCE AGENCY

August 26, 1988

Ms. Rita Desmond
Attorney General Office
515 Transportation Building
St. Paul, Minnesota 55155

RE: In the Matter of the Proposed Rules Relating to the Urban Indian Housing Program Without a Public Hearing

Dear Ms. Desmond:

Enclosed please find for your review pursuant to Minnesota Statutes Sections 14.21 through 14.28, the adopted rules of the Minnesota Housing Finance Agency.

The following materials are submitted to you for your review pursuant to Minnesota Rules, Part 2000.0400:

Rule as Adopted;

Order Adopting;

Certificate of Board's Resolution Adopting the Rule;

Order of Notice to Adopt Rule Without a Public Hearing;

Certificate of Agency's Authorizing Resolution;

Notice of Intent to Adopt Rule Without a Public Hearing;

Affidavit of Mailing Notice of Intent to Adopt a Rule Without a Public Hearing;

Mailing List Certificate;

Rule as Proposed;

Findings of Fact, Conclusions, and Order Adopting Rule Without Public Hearing;

Statement of Need and Reasonableness; and

Certificate of Compliance with Rulemaking Procedures.

The Agency did not publish a Notice of Intent to Solicit Outside Opinion in connection with this rule. No requests for a hearing were received during the 30 day comment period. The Agency did not receive any comments during the 30 day comment period, nor did it receive any requests from persons desiring notice of the date of submission of the proposed rule to the Attorney General. The Adopted rules are the same as the Proposed rules.

Sincerely,

James J. Solem
Commissioner

JJS/kjj

Encs.

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

DATE :

TO : STATE AGENCY

FROM : Office of the Attorney General
Administration/Finance Division

PHONE : 296-9715

SUBJECT : Outdated Forms Your Agency Submitted for Review

In our review of your rule as to legality, we note that your agency continues to use the old, outdated forms from the repealed Attorney General rule. The new Attorney General Rule was enacted in 1986 and made a number of changes in the forms to conform with statutory changes. For example, the new rule requires additional statutorily required information on most of the forms, and further, some of the old forms were omitted or consolidated with other forms under the new rule.

In order for the rule to be approved by the Attorney General, your agency is required to follow the existing attorney general rule in Chapter 2010. A copy of the existing rule may be obtained from the 1987 set of Minnesota Rules or purchased through the Document Center.

Although the enclosed rule was approved, please be aware that in the future, rules may not be approved if they do not comply with the present Attorney General Rule.

MJC:sc