

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

RULE REVIEW CHECKLIST

CBK

File No. 1720
DATE RECEIVED August 2, 1990
REVIEW DATE 8-13-90
DUE DATE 8-16-90
~~(DIS)~~APPROVED 8-16
WITHDRAWN

Docket No. 05 0009 0407
ADOPTED W/O HEARING
EMERGENCY RULE
TO REVISOR ON 8/7/90
REVISOR (DIS)APPROVED 8-9-90
FILED W/SEC. OF STATE 8/16/90
RETURNED TO AGENCY 8/16/90

✓ Rule as adopted (4 copies)

✓ April 23, 1990 Notice to Solicit Outside Information/Opinion (if applicable)

April 23, 1990 Date published in State Register

____ Comments

____ ~~Board's~~ Authorizing Resolution

____ Date adopted

✓ Proposed Rule

✓ Revisor's Certificate

✓ Notice of Intent to Adoppt Rule, subds. 4 and 11

268.33 subd 1 Statutory Authority

NA Small Business Statement

NA Expenditure of public money statement

May 25, 1990 Signature

✓ Statement of Need and Reasonableness (if applicable)

NA Small Business Statement

____ Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule

May 24, 1990 Dated 30/25 days before adoption

✓ Notice attached indicates it is attached

____ Copy of rule or summary attached

✓ Publication in State Register

June 4, 1990 Date 30/25 days before adoption

✓ 180-day deadline from:

NA Effective date of law requiring rule (14.12) (both rules) ~~See attached notes~~ Amendments

✓ end of comment period (§ 14.26) (rules without hearing)

____ effective date of statutory authority (§ 14.29) (emergency rules)

NA ~~Resolution~~ Adopting

____ ~~Date adopted~~

✓ Findings of Fact, Conclusions & Order Adopting

July 16, 1990 Date

✓ Declaration of Attorney

Donald F. Notvik Name of SAAG representing agency

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DEPARTMENT: Office of the Attorney General

STATE OF MINNESOTA

OFFICE MEMORANDUM

DATE: August 16, 1990

TO: ROGER SORBEL
Rules Coordinator
Department of Jobs and Training

FROM: CHRISTIE B. ELLER CBE
Assistant Attorney General
525 Park Street, Suite 500 (55103)

PHONE: 296-9421

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

The above-referenced rule has been approved as to its legality by the Attorney General on August 16, 1990.

Enclosed is your 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, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published 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.

CE:sc

Enclosures

cc: William Brown, Chief Judge
MaryAnn Hruby
Donald Notvik

Department of Jobs and Training

Adopted Permanent Rules Relating to Youth Employment Opportunities

Rules as Adopted

3300.0100 DEFINITION OF TERMS.

[For text of subps 1 to 7, see M.R.]

Subp. 9. **Support services.** "Support services" means services which are necessary to enable an eligible individual to participate in employment and training funded under the act. Support services ~~may~~ include transportation, child care, meals, temporary shelter, reasonable and necessary safety equipment, required uniforms, and other normal expenses associated with employment and training funded under the act.

Subp. 10. **Transitional services.** "Transitional services" means services which help eligible youth complete school, upgrade basic skills, and prepare for additional schooling or permanent employment. Transitional services ~~may~~ include counseling, case management, basic skills training and remedial education, life skills training, mentoring and tutoring services, and work readiness skills training.

3300.0500 OPERATION PROCEDURES.

[For text of subpart 1, see M.R.]

Subp. 2a. **Transitional services.** Contractors may provide or arrange for transitional services to help eligible youth complete school, upgrade basic skills, and prepare for additional schooling or permanent employment.

[For text of subps 3 to 6, see M.R.]

3300.0601 SUPPORT SERVICES.

Contractors may provide or arrange for support services as defined in part 3300.0100, subpart 9, to eligible youth, using funds allocated under this act. The cost of the support services must not exceed 15 percent of the contract.

Approved by Revisor

Contractors shall not be required to provide support services to eligible youth when funds received under the act have been exhausted.

Approved
by Revisor _____

APPROVED AS TO FORM AND LEGALITY
August 16 19 90
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Christie L Eller
ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 16 1990 3:40
Joan Anderson Growe P.M.
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption of the Rules of State of Minnesota Governing the Youth Employment Program	SUPPLEMENTAL FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULES WITHOUT PUBLIC HEARING

This order supplements my FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULES WITHOUT PUBLIC HEARING dated July 16, 1990.

Based upon advice of legal counsel, I find the following:

It is necessary that Rule 3300.0100, subparts 9 and 10 be changed to eliminate inappropriate discretion by omitting the word "may" after the terms "support services" and "transitional services" in subparts 9 at line 12 and subpart 10 at line 19, as set forth in AR1691 respectively, and that this change is not substantial.

NOW, THEREFORE, IT IS ORDERED that the rules identified as the Youth Employment Program as proposed and as modified by this Order are adopted this 15th day of August, 1990, pursuant to authority vested in me by Minnesota Statutes, sections 268.0122, subdivision 5, and 268.33, subdivision 1.

Joe Samargia
Commissioner of
Department of Jobs and Training

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

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

SUPPLEMENTAL FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULES WITHOUT PUBLIC HEARING

This order supplements my FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULES WITHOUT PUBLIC HEARING dated July 16, 1990.

Based upon advice of legal counsel, I find the following:

It is necessary that Rule 3300.0100, subparts 9 and 10 be changed to eliminate inappropriate discretion by omitting the word "may" after the terms "support services" and "transitional services" in subparts 9 at line 12 and subpart 10 at line 19, as set forth in AR1691 respectively, and that this change is not substantial.

NOW, THEREFORE, IT IS ORDERED that the rules identified as the Youth Employment Program as proposed and as modified by this Order are adopted this 15th day of August, 1990, pursuant to authority vested in me by Minnesota Statutes, sections 268.0122, subdivision 5, and 268.33, subdivision 1.

Joe Samargia
Commissioner of
Department of Jobs and Training

Stat. Authority

268.33 subd 1

The Commissioner of jobs and training shall make rules determining the priority and eligibility for employment and placement pursuant to sections 268.31 to 268.36.

268.31 through 268.36
Worker Displacement Prohibited
Rate of Pay
Eligibility for Employment and Placement
Employment Contracts
Allocation of Funds
Report to the Legislature

Rules 3300.0601 and 3300.0500
Contractors may provide the transitional or support services

M E M O R A N D U M

AGENCY: ATTORNEY GENERAL

DATE: August 1, 1990

TO: CHRISTIE B. ELLER
Assistant Attorney General
525 Park Avenue

FROM: DONALD E. NOTVIK
Special Assistant
Attorney General

PHONE: 296-1265

RE: **Rules of the State Department of Jobs and Training Governing the Youth Employment Program**

Submitted herewith are the above referenced rules and the rule making record for review by the Attorney General as provided by Minn. Stat. § 14.26 (1988).

DEN/kts/.EJ7
Attachments

cc: Roger Sorbel
Rule Coordinator

Kay Tracy

Official Notices

Pursuant to the provisions of Minnesota Statutes §14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

Department of Human Services

Notice of Request for Information from Organizations to Provide Medical Information Line Services

The MN Department of Human Services, Division of Health Care Management, Managed Health Care Section is requesting information from organizations interested in providing medical information telephone line services to medical assistance recipients in Ramsey County and/or another selected county. The State is proposing to offer the telephone line service on a pilot basis.

Initial implementation will not include a provider network restriction, but may evolve to this design. The telephone service would be available after hours only or on a 24-hour a day basis and would be staffed by registered nurses, using predetermined medical protocols. Services included would be the following: provision of medical advice, direction to appropriate care site, provision of information on medical providers, collection of information on callers and follow-up with callers. An evaluation component will be included.

A request for proposals will be issued in the near future. If interested in providing information or discussing the proposed pilot, please contact DHS by May 15, 1990.

Kathleen Schuler
Managed Health Care
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3854
612-297-4668

Department of Jobs & Training

State Job Training Office

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Permanent Rules Relating to the Youth Employment Program Including the Impact of the Rules on Small Businesses

NOTICE IS HEREBY GIVEN that the Department of Jobs and Training is seeking information or opinions from sources outside the agency in proposing to adopt amendments to *Minnesota Rules,* parts 3300.0100 through 3300.0700, relating to the Youth Employment Program. The proposed amendments to rules will change the definition for support services by adding the elements of child care and temporary shelter and by deleting the elements of career information training, work related protective devices, basic skills training and counseling services. The rule amendments add a definition for transitional services. Transitional services are those related to the school-to-work component of the program and may include counseling, case management, basic skills training and remedial education, life skills training, mentoring and tutoring services and work readiness skills training.

Permanent rules are being proposed to interpret *Minnesota Statutes,* sections 268.31 through 268.36, which authorize the Youth Employment Program. These rules are being developed as permitted under *Minnesota Statutes,* section 268.33.

Outside opinion is also being solicited concerning how these rules may affect small businesses as defined by *Minnesota Statutes,* section 14.115, subdivision 1.

Interested persons or groups may submit data or comments in writing. Written comments should be addressed to:

Kay Tracy
State Job Training Office
690 American Center Building
150 East Kellogg Blvd.
St. Paul, Minnesota 55101

All comments and information will be accepted until 4:30 p.m. on May 24, 1990. Any written material received by the Department of Jobs and Training will become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event the rules are adopted.

Joe Samargia, Commissioner
Department of Jobs & Training

Secretary of State

Election Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Punch Card Voting Systems

NOTICE IS HEREBY GIVEN that the Secretary of State is seeking information or opinions from sources outside the agency in preparing to propose an amendment of the rule governing the format of ballot pages used in punch card voting systems (Chapter 8250). The adoption of the rule is authorized by *Minnesota Statutes*, section 206.57, which requires the Secretary of State to adopt rules governing the use of electronic voting systems.

The Secretary of State requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Joseph Mansky
Director, Election Division
180 State Office Building
St. Paul, MN 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-2805 and in person at the above address.

All statements of information and opinions shall be accepted until May 31, 1990. Any written material received by the Secretary of State shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event the rule is adopted.

Dated: 13 April 1990

Joan Anderson Growe
Secretary of State

Minnesota Office of Waste Management

Solid Waste Grants and Market Development Unit

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing Recycling Market Development Grant and Loan Programs

NOTICE IS HEREBY GIVEN that the Minnesota Office of Waste Management (Office) is seeking information or opinions from outside sources as it prepares to propose the adoption of rules governing the Office's issuance of grants and loans, to public, non-profit, and private organizations, for projects that develop markets or end uses for recyclable materials. The rules will establish criteria and procedures for awarding recycling market development grants and loans. Adoption of the rules is authorized by *Minnesota Statutes* § 115A.48, subd. 5.(d) (1989), which directs the Office to adopt rules for administering recycling market development grant and loan programs.

The Office requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written or oral statements or comments should be directed to:

Cristine Leavitt
Minnesota Office of Waste Management
1350 Energy Lane
St. Paul, MN 55108
Telephone: (612) 649-5771 or
1-800-652-9747

Department of Jobs and Training

Proposed Permanent Rules Relating to Youth Employment Program

Notice of Intent to Adopt Rules Without a Public Hearing

(1) Notice is hereby given that the State Department of Jobs and Training intends to adopt amendments to Minnesota Rules, parts 3300.0100 through 3300.0700, relating to the Youth Employment Program. The department proposes to adopt these rule amendments without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 through 14.28. The statutory authority to adopt the rule amendments is Minnesota Statutes, section 268.33, subdivision 1. This statutory section provides the agency with emergency and permanent rulemaking authority to implement sections 268.31 through 268.36.

(11) The proposed amendments to rules will change the definition for support services by adding the elements of child care and temporary shelter and by deleting the elements of career information training, work related protective devices, basic skills training and counseling services. The rule amendments add a definition for transitional services. Transitional services are those related to the school-to-work component of the program and may include counseling, case management, basic skills training and remedial education, life skills training, mentoring and tutoring services and work readiness skills training.

(2) All persons have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. (3) Each comment should identify the portion of the proposed rules addressed, the reason for comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30-day comment period. (4) 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. (6) Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion or proposed rule section addressed, the reason for the request, and any change proposed. (7) If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 through 14.20.

(5) 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

(8) The proposed rules 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 rules as noticed.

(11) A copy of the proposed rules follows this notice.

(12) 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.

(9) If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the attorney general for review as to legality and form, where the form relates 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 rules, must submit the written request to Kay Tracy at the above address.

(14) Because the proposed rules will have no effect on small business, section 14.115 of the administrative procedure act does not apply.

Dated: May 25, 1990

Commissioner
Department of Jobs and Training

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
Senior Assistant Revisor

Department of Jobs and Trainir

Proposed Permanent Rules Relating to Youth Employment Opportunities

Rules as Proposed

3300.0100 DEFINITION OF TERMS.

[For text of subps 1 to 7, see M.R.]

Subp. 9. **Support services.** "Support services" means services which are necessary to enable an eligible individual to participate in employment and training funded under the act. Support services may include transportation, child care, meals, temporary shelter, reasonable and necessary safety equipment, required uniforms, and other normal expenses associated with employment and training funded under the act.

Subp. 10. **Transitional services.** "Transitional services" means services which help eligible youth complete school, upgrade basic skills, and prepare for additional schooling or permanent employment. Transitional services may include counseling, case management, basic skills training and remedial education, life skills training, mentoring and tutoring services, and work readiness skills training.

3300.0500 OPERATION PROCEDURES.

[For text of subpart 1, see M.R.]

Subp. 2a. **Transitional services.** Contractors may provide or arrange for transitional services to help eligible youth complete school, upgrade basic skills, and prepare for additional schooling or permanent employment.

[For text of subps 3 to 6, see M.R.]

3300.0601 SUPPORT SERVICES.

Contractors may provide or arrange for support services as defined in part 3300.0100, subpart 9, to eligible youth, using funds allocated under this act. The cost of the support services must not exceed 15 percent of the contract. The

Approved by Revisor JCF

~~services may include transportation, meals, career information training, work related protective devices, basic skills training, counseling services, reasonable and necessary safety equipment and materials, required uniforms, and other normal expenses associated with employment and training 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 _____

DEPARTMENT OF JOBS AND TRAINING
STATE JOB TRAINING OFFICE

STATEMENT OF NEED AND REASONABLENESS
FOR PROPOSED RULES RELATING TO
YOUTH EMPLOYMENT OPPORTUNITIES

The proposed rules modify existing rules found in Minn. Rules pts. 3300.0100, 3300.0500, and 3300.0601 pertaining to the Youth Employment Act of 1977 by adding a definition for "transitional services," adding language to the definition of "support services" and incorporating the definitions in subsequent parts. The modifications will clarify the scope of services which may be delivered under the Act.

Because the proposed rules will have no effect on small businesses, Section 14.115, Subdivision 1, of the Administrative Procedures Act does not apply.

3300.0100 DEFINITION OF TERMS

Subpart 9. Support Services.

The present rule is not specific as to types of services which may be provided as "support services". The language added is needed to establish the specific types of services which may be supplied to participants in the programs established under the Act. The DJT has been informed by contracting agencies that the services listed are those which have been found by contracting agencies to effectively assist individuals in participating in programs established under the Act and in earlier federal programs with similar objectives administered under the

Concentrated Employment and Training Act and Job Training Partnership Act.

Subpart 10. Transitional Services.

By Laws of Minnesota 1989, ch. 282, art. 2, § 170, the Legislature authorized the Commissioner to "provide transitional services" in addition to support services. A definition of "transitional services" is necessary to define the activities that are within this category. The Department of Jobs and Training has been informed by contracting agencies that the activities listed have been found to be important ways in which to assist individuals in moving from the school setting to the work setting.

3300.0500 Operation Procedures.

Subpart 2a. Transitional Services.

This rule is needed to authorize the expenditure of funds by contractors for transitional services as authorized by Laws of Minnesota 1989, ch. 282, art. 2, § 170. It incorporates by reference, the definition of transitional services found in Minn. Rule 3300.0100, subpart 10.

3300.0601 Support Services

This rule modification is needed to incorporate the new definition of "support services" into the rule authorizing contractors to provide services that fall within this category.

Dated: May 21, 1990

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Department of Jobs and Training

Adopted Permanent Rules Relating to Youth Employment Opportunities

Rules as Adopted

3300.0100 DEFINITION OF TERMS.

[For text of subps 1 to 7, see M.R.]

Subp. 9. **Support services.** "Support services" means services which are necessary to enable an eligible individual to participate in employment and training funded under the act. Support services may include transportation, child care, meals, temporary shelter, reasonable and necessary safety equipment, required uniforms, and other normal expenses associated with employment and training funded under the act.

Subp. 10. **Transitional services.** "Transitional services" means services which help eligible youth complete school, upgrade basic skills, and prepare for additional schooling or permanent employment. Transitional services may include counseling, case management, basic skills training and remedial education, life skills training, mentoring and tutoring services, and work readiness skills training.

3300.0500 OPERATION PROCEDURES.

[For text of subpart 1, see M.R.]

Subp. 2a. **Transitional services.** Contractors may provide or arrange for transitional services to help eligible youth complete school, upgrade basic skills, and prepare for additional schooling or permanent employment.

[For text of subps 3 to 6, see M.R.]

3300.0601 SUPPORT SERVICES.

Contractors may provide or arrange for support services as defined in part 3300.0100, subpart 9, to eligible youth, using funds allocated under this act. The cost of the support services must not exceed 15 percent of the contract.

Contractors shall not be required to provide support services to eligible youth when funds received under the act have been exhausted.

Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Permanent Rules Relating to Youth Employment Opportunities

AGENCY: Department of Jobs and Training

MINNESOTA RULES: Chapter 3300

The attached rules are approved for filing with the Secretary of State

Paul M. Marinac
Assistant Deputy Revisor

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption of Rules of the State of Minnesota Relating to Youth Employment Program

AFFIDAVIT OF MAILING

Roger Sorbel, Rules Coordinator, being duly sworn deposes and says:

That on the 24th day of May, 1990, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Intent to Adopt Rules Without a Public Hearing and a copy of proposed rules by depositing in the State of Minnesota Central Mail System for the United States mail system at said City of St. Paul, copies thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the Department for the purpose of receiving notice of rulemaking by the Department.

STATE OF MINNESOTA

Roger Sorbel

Roger Sorbel
Rules Coordinator
Policy Development Office
Department of Jobs and Training

Subscribed and sworn to before me
this 24th day of May, 1990.

JoAnn Denesh

Notary Public
Ramsey County

JOANN DENESH
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES JUNE 8, 1992

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption of Rules of the State of Minnesota Relating to Youth Employment Program

CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA
COUNTY OF RAMSEY

Roger Sorbel, Rules Coordinator, being duly sworn deposes and says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the state Youth Employment Program rulemaking mailing list is accurate, complete, and current as of this 18th day of July, 1990.

Roger Sorbel
Roger Sorbel
Rules Coordinator
Policy Development Office
Department of Jobs and Training

Subscribed and sworn to before me
this 18TH day of JULY, 1990.

Dan W. Simpson
Notary Public
Ramsey County

DAN W. SIMPSON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSON EXPIRES MARCH 27, 1991

Proposed Rules

Pursuant to Minn. Stat. §§ 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 amendments to *Minnesota Rules*, parts 3300.0100 through 3300.0700, relating to the Youth Employment Program. The department proposes to adopt these rule amendments without a public hearing following the procedures set forth in *Minnesota Statutes*, sections 14.22 through 14.28. The statutory authority to adopt the rule amendments is *Minnesota Statutes*, section 268.33, subdivision 1. This statutory section provides the agency with emergency and permanent rulemaking authority to implement sections 268.31 through 268.36.

The proposed amendments to rules will change the definition for support services by adding the elements of child care and temporary shelter and by deleting the elements of career information training, work related protective devices, basic skills training and counseling services. The rule amendments add a definition for transitional services. Transitional services are those related to the school-to-work component of the program and may include counseling, case management, basic skills training and remedial education, life skills training, mentoring and tutoring services and work readiness skills training.

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

Any person may make a written request for a public hearing on the rules 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 proposed rule section 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 through 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 rules 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 rules as noticed.

A copy of the proposed rules 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 rules, the rules and the required supporting documents will be submitted to the attorney general for review as to legality and form, where the form relates 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 rules, must submit the written request to Kay Tracy at the above address.

Because the proposed rules will have no effect on small business, section 14.115 of the administrative procedure act does not apply.

Commissioner
Department of Jobs and Training

Rules as Proposed

3300.0100 DEFINITION OF TERMS.

[For text of subps 1 to 7, see M.R.]

Subp. 9. **Support services.** "Support services" means services which are necessary to enable an eligible individual to participate in employment and training funded under the act. Support services may include transportation, child care, meals, temporary shelter, reasonable and necessary safety equipment, required uniforms, and other normal expenses associated with employment and training funded under the act.

Subp. 10. **Transitional services.** "Transitional services" means services which help eligible youth complete school, upgrade basic skills, and prepare for additional schooling or permanent employment. Transitional services may include counseling, case management, basic skills training and remedial education, life skills training, mentoring and tutoring services, and work readiness skills training.

3300.0500 OPERATION PROCEDURES.

[For text of subpart 1, see M.R.]

Subp. 2a. **Transitional services.** Contractors may provide or arrange for transitional services to help eligible youth complete school, upgrade basic skills, and prepare for additional schooling or permanent employment.

[For text of subps 3 to 6, see M.R.]

3300.0601 SUPPORT SERVICES.

Contractors may provide or arrange for support services as defined in part 3300.0100, subpart 9, to eligible youth, using funds allocated under this act. The cost of the support services must not exceed 15 percent of the contract. ~~The services may include transportation, meals, career information training, work related protective devices, basic skills training, counseling services, reasonable and necessary safety equipment and materials, required uniforms, and other normal expenses associated with employment and training 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.

Office of Waste Management

Proposed Permanent Rules Relating to Grant Programs

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Rule Amendments *Minnesota Rules* Parts 9210.0100 to 9210.0180: Governing Solid Waste Processing Facility Capital Assistance Program

NOTICE IS HEREBY GIVEN that the Minnesota Office of Waste Management (Office) intends to adopt amendments to the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes* §§ 14.22 to 14.28 (1988). The Office's authority to adopt the amendments to the rules is set forth in *Minnesota Statutes* § 115A.06, subd. 2 (1988).

All persons have until 4:30 p.m. on July 5, 1990, to submit comments in support of or in opposition to the proposed rule amendments or any part or subpart of the rule amendments. Comment is encouraged. Each comment should identify the portion of the proposed rule amendments addressed, the reason for the comment, and any change proposed.

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 the Rules of State of Minnesota Governing the Youth Employment Program

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

(1) Notice of the Commissioner's intent to adopt the above-entitled rules was published in the State Register on June 4, 1990, and was sent on May 24, 1990, along with a copy of the proposed rules, 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. (2) The statement of need and reasonableness was prepared before the notice of intent to adopt rules 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.

(4) All persons were given the opportunity to submit comment on the rules for 30 days after notice of proposed rulemaking. (5) No requests for a public hearing on the rules were received by the agency. Therefore, the agency did not receive requests for a public hearing from 25 or more persons which were not subsequently withdrawn.

(7) No submissions or comments on the rules 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:

No changes were made between the rules as proposed and the rules as adopted. Therefore, no substantive changes were made to the rules as adopted.

(8) The above-captioned rules are needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rules identified as the Youth Employment Program as proposed are adopted this 16th day of July, 1990, pursuant to authority vested in me by Minnesota Statutes, sections 268.0122, subdivision 5, and 268.33, subdivision 1. (9)

Joe Samargia
Commissioner of
Department of Jobs and Training

In the Matter of the Adoption
of the Rules of the State Department
of Jobs and Training Governing
the Youth Employment Program

DECLARATION OF
COUNSEL

I, Donald E. Notvik, Special Assistant Attorney General, do hereby declare that I have examined the above captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0407.

Donald E. Notvik

DONALD E. NOTVIK
Special Assistant
Attorney General

Dated: August 1, 1990
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