

78 Aug. 7

STATE REGISTER



STATE OF MINNESOTA

RULES

RECEIVED

PROPOSED RULES

AUG 8 1978

STATE CONTRACTS

LEGISLATIVE REFERENCE LIBRARY
STATE CAPITOL
ST. PAUL, MN. 55155

OFFICIAL NOTICES

VOLUME 3, NUMBER 5

AUGUST 7, 1978

Pages 149-188



STATE REGISTER

Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices.	Issue Date
SCHEDULE FOR VOLUME 3			
6	Monday July 31	Monday Aug 7	Monday Aug 14
7	Monday Aug 7	Monday Aug 14	Monday Aug 21
8	Monday Aug 14	Monday Aug 21	Monday Aug 28
9	Monday Aug 21	Monday Aug 28	Monday Sept 4
10	Monday Aug 28	Friday Sept 1	Monday Sept 11

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of Public Hearings on proposed rules are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102.

The *State Register* is published weekly, on Monday, by the State of Minnesota, Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102, pursuant to Minn. Stat. § 15.0411. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$110 per year, and \$85 per year for additional subscriptions, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota, Publication Number 326630. No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$2.25 per copy.

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

The State of Minnesota has reserved a copyright to cross-reference tables, tables of contents, indices, numerical lists and codification guides, as provided in RGSTR 7 of the rules of the Office of the State Register.

Copyright © 1978 State of Minnesota

<p>Rudy Perpich Governor</p> <p>Richard L. Brubacher Commissioner Department of Administration</p> <p>Stephen A. Ordahl Manager Office of the State Register</p>	<p>Carol Anderson Porter Editor</p> <p>James Clancy, Paul Hoffman, Robin PanLener Editorial Staff</p> <p>Jack Richter Information Officer</p> <p>Roy Schmidtke Circulation Manager</p> <p>Cindy Peterson Secretarial Staff</p>
---	---

Acknowledgements: Graphics for this issue were provided courtesy of Minnesota Historical Society, and the following artists: Ann Rauvola, Ron Hunt, Rick James and Ron VanGilder.

CONTENTS

MCAR AMENDMENTS AND ADDITIONS 153

RULES

Department of Agriculture
Shade Tree Program
Adopted Rules Governing the Shade Tree Program .. 154

PROPOSED RULES

Department of Education
State Board of Education and Commissioner of Education (State Board for Vocational Education)
Proposed Rules of the State Board of Education (State Board for Vocational Education) Governing the Proposed Changes in the Rules for Vocational Education and the Inclusion therein of Programs for Nursing Assistants 164

Department of Personnel
Proposed Temporary Rules Governing the Band Width Certification Program 178

STATE CONTRACTS

Department of Agriculture
Plant Industries Division
Certified Seed Potato Program
Notice of Request for Proposals for Advertising Services 181

Department of Education
Executive Division
Notice of Availability of Evaluation Contract for the Minnesota Learning Disabilities Consortium ... 181

Iron Range Resources and Rehabilitation Board
Iron Range Interpretive Program
Notice of Request for Proposals for Consulting Services: Team of Historian Surveyors 182

Metropolitan Council of the Twin Cities
Air Quality Management Program
Notice of Request for Proposals for Collection and Evaluation of Air Pollutant Emission and Pollution Data Attributable to Transportation Related Sources in Twin Cities Metropolitan Area 182

Department of Natural Resources
Bureau of Engineering
Notice of Request for Proposals for Consulting Engineering Work on Tower Sudan Underground Mine and Shaft 183

Department of Transportation — Bureau of Operations in Cooperation with the Metropolitan Council of the Twin Cities
Notice of Availability of Contract for Phases II and III (Draft and Final EIS) of I-35E 183

Department of Transportation
Administration Division
Notice of Availability of Contract for Graphic Specialist 183
Notice of Availability of Contract for Technical Writer/Project Manager for Mn/DOT 184

Department of Transportation
Bureau of Policy and Planning
Notice of Request for Proposals for Consultant Services 184

OFFICIAL NOTICES

Department of Labor and Industry
Occupational Safety and Health Division
Correction to Notices of Hearing 185

Metropolitan Council
Public Hearing on Metropolitan Sports Facilities Commission 1979 Proposed Budget 186

Soil and Water Conservation Board
Notice of Clarification Regarding Adopted Rules for the Cost-Share Program 186



Citizens of Northfield, Minnesota thwarted an attempted robbery of their town bank by the Jesse James gang on August 7, 1876. Gang members Cole Miller and Bill Chadwell were killed in the ensuing gun battle, and a posse killed Charlie Pitts a few days later. Cole, Jim and Rob Younger were wounded, then captured and given life sentences in the Minnesota State Penitentiary. Jesse and Frank James escaped. (Drawing by Rick James.)

MCAR AMENDMENTS AND ADDITIONS

The following is a listing of all proposed and adopted rules published in this issue of the *State Register*. The listing is arranged in the same order as the table of contents of the *Minnesota Code of Agency Rules* (MCAR). All adopted rules published in the *State Register* and listed below amend the rules contained in the MCAR set. Both proposed temporary and adopted temporary rules are listed here although they are not printed in the MCAR due to the short term nature of their legal effectiveness. During the term of their legal effectiveness, however, adopted temporary rules do amend the MCAR. A cumulative listing of all proposed and adopted rules in Volume 3 of the *State Register* will be published on a quarterly basis and at the end of the volume year.

TITLE 2 ADMINISTRATION

Part 2 Personnel Department

2 MCAR §§ 2.300-2.305 (proposed temporary) 178

TITLE 3 AGRICULTURE

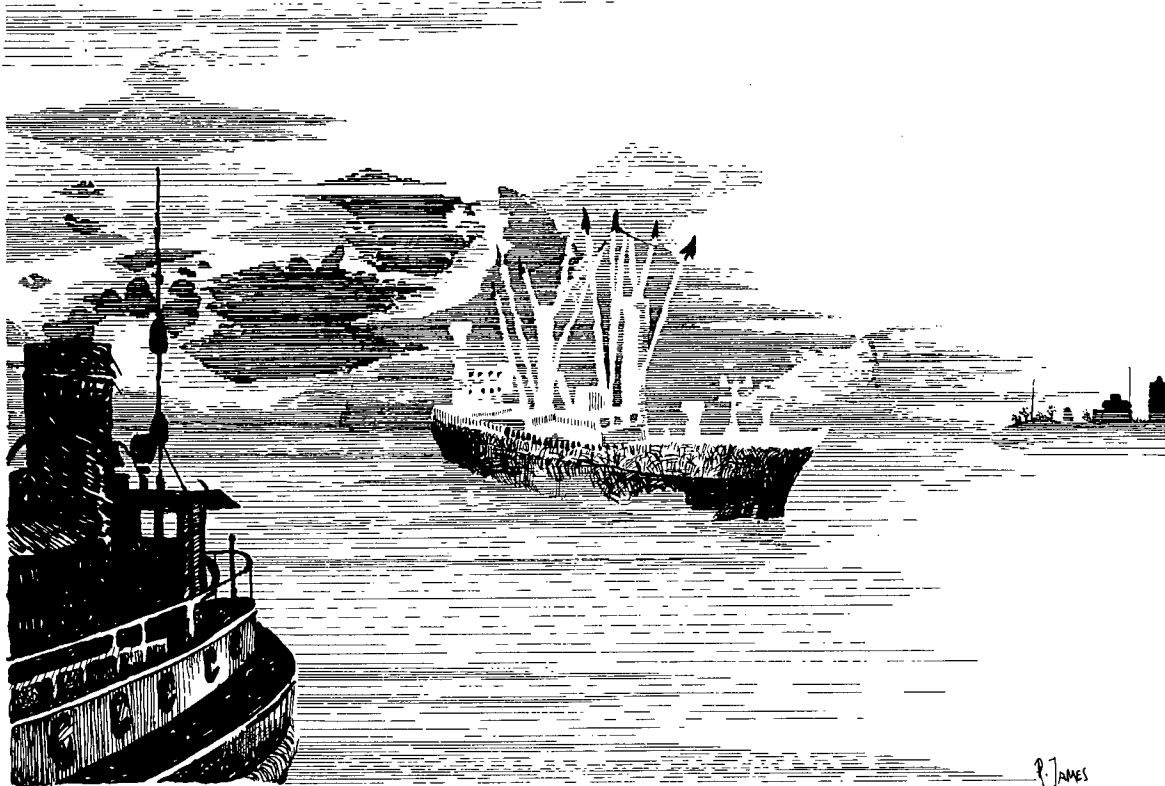
Part 1 Agriculture Department

3 MCAR §§ 1.0109-1.0113 (adopted) 154

TITLE 5 EDUCATION

Part 1 Education Department

5 MCAR §§ 1.00811, 1.0088, 1.0102, 1.0104,
1.0112-1.0113 (proposed) 164



Ore boats, or lakers, have been a familiar sight on Lake Superior since the 1890s when the first train loaded with iron ore rolled into Twin Harbors, Minnesota. Last year, 7.7 million tons of iron ore left the Port of Duluth-Superior for steel-manufacturing centers on the lower Great Lakes. Another 20-30 million tons were shipped from the ports of Twin Harbors, Silver Bay and Taconite Harbor.

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 15.0412, subd. 4, have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption as proposed and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

A temporary rule becomes effective upon the approval of the Attorney General as specified in Minn. Stat. § 15.0412, subd. 5. Notice of his decision will be published as soon as practicable, and the adopted temporary rule will be published in the manner provided for adopted rules under subd. 4.

Department of Agriculture Shade Tree Program Adopted Rules Governing the Shade Tree Program

The proposed rules published at *State Register*, Volume 2, Number 29, pp. 1394-1402 (2 S.R. 1394), are adopted and are identical to their proposed form, with the following amendments:

These rules hereby repeal previous rules and regulations AGR 101 through AGR 108.

3 MCAR § 1.0109 General.

A. Purpose and authority. The rules contained herein are prescribed by the commissioner pursuant to Minn. Stat. see-§ 18.023, as amended, to implement a program to control Dutch elm disease and oak wilt by local units of government and to include procedures and criteria for three grant-in-aid

RULES

programs. The provisions of these rules are in addition to those set forth in the act itself.

B. Definitions. For purposes of these rules, the following definitions, in addition to those in the act, shall apply:

1. "Commissioner" means the Commissioner of Agriculture or his designee.

2. "Shade tree" means any oak or elm tree situated in a disease control area approved by the commissioner.

3. "Shade tree disease" means Dutch elm disease caused by *Ceratocystis ulmi*, or oak wilt caused by *Ceratocystis fagacearum*.

4. "Town" means township as described in Minn. Stat. ~~see~~ § 18.023, subd. 1 (1976), as amended.

5. "Tree inspector" means a person who has the necessary qualifications to properly plan, direct, and supervise all requirements for controlling shade tree disease in one or more governmental subdivisions within the geographical limits of set by the commissioner.

6. "Disease control area" means an area designated by a municipality in which it will conduct a shade tree disease control program according to these rules. The extent of this control area shall be determined by the municipality and approved by the commissioner.

7. "Equipment" means machinery or devices which singularly or in combination are designed, constructed, or operated for the purposes of wood utilization and/or disposal, and shall include all machinery, tools, and devices ancillary to the use of such machinery or devices.

8. "Facility" means land, buildings, and other appurtenances which are necessary or useful in the operation of wood utilization or disposal equipment.

9. "The act" means Minn. Stat. ~~see~~ § 18.023, as amended.

10. "Population" means the population of a municipality as published in the U.S. Bureau of Census, 1970 Census.

3 MCAR § 1.0110 Tree inspectors.

A. Tree inspector employment and qualifications.

3 MCAR § 1.0110

1. In order to be eligible for grants-in-aid pursuant to these rules, A a municipality shall either individually or jointly with one (1) or more other municipalities employ or retain a tree inspector, on a continuous year round basis as provided by the act.

2. Provisional appointments.

a. A municipality may provisionally appoint a tree inspector for a period of not more than six (6) months.

b. This appointment shall be dependent upon approval by the commissioner after determining the competence of the appointee.

c. The provisional appointment shall not be extended and the appointee shall pass the tree inspector examination to become certified.

d. The provisional appointment may be withdrawn for cause by the commissioner upon notice and hearing.

3. A tree inspector shall be able to demonstrate the following qualifications:

a. identify all native tree species, with or without leaves, common to his/her work area, and all felled or downed trees with bark intact;

b. know and understand the biology of oak wilt and Dutch elm disease;

c. be familiar with the problems of elm trees and oak trees other than those of Dutch elm disease and/or oak wilt, as well as identifying symptoms characteristic of these problems that affect oak and elm trees;

d. know the proper method of collecting samples for disease diagnosis;

e. know the appropriate Minnesota laws and rules relative to oak wilt and Dutch elm disease;

f. know the approved control methods for oak wilt and Dutch elm disease; and,

g. be familiar with the recommended tree species to be used in the replanting program, their planting requirements (available through the University of Minnesota Extension Service), and the care of these trees after planting.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **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."

RULES

3 MCAR § 1.0111

4. If a municipality fails to appoint a tree inspector, an appointment may be made by the commissioner pursuant to the act. Ten (10) working days prior to such appointment, the commissioner shall notify the municipality by mail of such pending appointment. An inspector appointed by the commissioner shall be paid by the municipality for a minimum of ninety (90) days, even though the municipality may appoint its own inspector prior to the expiration of ninety (90) days. This provision shall not apply to a municipality that has suspended or terminated the employment of a tree inspector for cause.

B. Certification of tree inspector.

1. A tree inspector shall be certified upon the passing of an examination prescribed by the commissioner for the purpose of determining that the applicant possesses the necessary qualifications set forth in this rule. The commissioner shall notify by mail each applicant and municipality of the time and date for such an examination. The applicant shall be notified of the results of the examination within fifteen (15) days after its administration.

2. After certification, a tree inspector shall be required to annually attend at least one (1) program of continuing education approved by the commissioner. Failure to attend one (1) such continuing education program, or failure to meet alternative certification requirements, shall terminate certification.

C. Certification alternatives. Upon written application, the commissioner ~~may~~ shall grant to an individual an alternative for the certification requirement and procedures set forth in this rule provided that:

1. there is good cause why the individual cannot comply with the provision of this rule;

2. the requirements and procedures provided for in the alternative is equivalent to those set forth in this rule;

3. when an examination is involved, the subject matter and difficulty of the examination is equivalent to the examination for which the alternative is granted;

4. the ~~spirit and~~ intent of the act and these rules ~~are~~ is not violated; and,

5. the environment of the public will not be adversely affected by the alternative requirements or procedures.

3 MCAR § 1.0111 Shade tree disease control program.

~~A.~~ The shade tree disease control program of all municipalities affected by these rules shall include as a minimum the following elements. However, the ordi-

nances or resolutions adopted by the municipality regarding the local shade tree disease control program may be more stringent than these rules.

A. 1. Control area. Each municipality shall designate an area or areas in which the municipality shall enact control procedures for Dutch elm disease and/or oak wilt. The extent of the control areas will be determined by the municipality and approved by the commissioner.

B. 2. Program plan. Each municipality shall prepare a shade tree disease control program plan detailing the manner in which the requirements set forth in these rules shall be fulfilled.

C. 3. Methods of identifying diseased shade trees. Diseased shade trees shall be identified by generally accepted field symptoms such as wilting, yellowing of leaves, and/or staining of wood under the bark. Confirmation, when determined to be necessary by the certified municipal tree inspector, shall be made by the Minnesota Department of Agriculture Tree Disease Laboratory, or other laboratories capable of performing such services approved by the commissioner.

D. 4. Dutch elm disease and oak wilt control.

1. a. Tree inventory. Each municipality shall maintain a reasonable estimate of:

a. †The number of elms, oaks, and other tree species on both public and private property within the control area of the municipality as well as those regions of the municipality outside this control area; ~~E~~estimates of the tree count shall be made by acceptable forest inventory procedures. These records shall be permanent and shall be filed with the commissioner.

b. The number of high risk and low risk elm trees anticipated; and,

c. The schedule for the continuous and orderly removal of low risk elm trees. The removal of low risk trees shall commence after the removal of all of the high risk trees identified prior to June 25, shall be conducted on a continuous basis and shall be completed prior to April 1 of the following year.

2. b. Dutch elm disease control.

a. † Sanitation. All elm bark beetles, trees affected with Dutch elm disease, and any dead or weakened elm wood arising from any cause shall be eliminated in a timely manner within the control area of the municipality. This shall include trees on private property.

RULES

3 MCAR § 1.0111

(1a) Prior to April 1 of each year, municipalities shall inspect all public and private properties for elm wood or logs/stumps that could serve as bark beetle breeding sites, and require by April 1, removal, or debarking, of all wood, logs, and stumps to be retained. Before making any inspection on private property within a municipality, it shall be the duty of the municipality to give notice of said inspection to all affected residents and property owners either through an individual, ~~an~~ oral or a written notice, or by publishing said notice in a local newspaper.

(2b) Each municipality shall inspect all elm trees within a control area ~~at least twice~~ three times during the growing season (by June 15, July 15, and August 15) for Dutch elm disease symptoms. For a control program to be most effective, it is *highly recommended* that continuous inspections be initiated in those areas where the incidence of the disease is severe.

(3e) Due to a summer generation of elm bark beetles emerging in late July, the municipality's tree inspector shall be responsible for:

(ai) visually identifying whether a tree infected with Dutch elm disease has extensive wilt or is only showing early symptoms of the disease; and

(bii) categorizing trees infected with Dutch elm disease as either high risk trees or low risk trees.

(iia) High risk elm trees shall be those trees that are dead, barren, or have extensive wilt [~~(fifty~~ thirty (~~50~~ 30) percent or more of the tree is wilted)]. Such trees shall be identified, and marked in a distinctive manner to indicate their high risk status; prior to June 25, and removed on private and These high risk trees located on public property shall be removed within twenty (20) days of notification identification; high risk trees located on private property shall be removed within twenty (20) days of notification of the property owner. ~~and/or by July 15, whichever is first.~~ Any high risk tree identified and marked after ~~July 15~~ June 25 shall be removed within twenty (20) days of identification on public property and within twenty (20) days of notification on private property.

(iib) Low risk elm trees shall be those trees that show early stages of infection in June or subsequently during the growing season with those symptoms not progressing beyond the ~~fifty~~ thirty (~~50~~ 30) percent wilting point. Such trees shall be identified, marked, and removed before April 1 of the following year. Municipalities shall

make every reasonable effort to remove all low risk trees on private and public property within twenty (20) days of notification, but in no case shall it be later than April 1 of the following year. Only methods of removal approved by the commissioner shall be utilized.

~~(d) After categorization, marking, and notification by the municipality, private property owners shall remove and properly dispose of diseased or dead elm trees or any above ground parts thereof within the time limit established by the municipality, not to exceed twenty (20) days. Methods of removal shall be approved by the Commissioner and shall be consistent with applicable air quality and solid waste rules.~~

(4) All dead or diseased elm trees, including any above ground parts thereof on private property which are not removed within the time periods provided for in these rules or within the time limits established by the municipality, if more stringent, shall be removed by the municipality within twenty (20) days and the costs thereof assessed against the property.

~~(e) After notification, trees or parts thereof not removed within the time limit established by the municipality, not to exceed twenty (20) days, shall be considered "high risk" and shall be removed by the municipality within twenty (20) days and the costs thereof assessed against the property.~~

(5) If upon application of the municipality the commissioner has determined that extraordinary circumstances prevented the removal of the trees according to the schedule described above and that good cause has been shown by the municipality, the commissioner shall establish an alternative removal schedule based upon a program which will expedite their timely removal.

(6) All diseased elm trees including the above ground parts thereof shall be properly disposed of by such methods including burning, burying, chipping, and utilization.

(7f) Stumps of all elm trees shall be removed or debarked to the ground-line to eliminate all possibilities of beetle habitation.

(8g) Stockpiling and storage of elm logs with bark intact shall be prohibited except is permitted during the period September 15 through April 1 of the following year

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **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."

RULES

3 MCAR § 1.0111

at locations specifically ~~approved in writing by the municipality~~ allowed by individual municipal permits or a municipal ordinance.

b. ~~(2)~~ Root graft control. It is recommended to a municipality that all common root systems of trees growing within forty (40) to fifty (50) feet of a tree infected with Dutch elm disease should be disrupted by chemical or mechanical means as approved by the commissioner to prevent root graft spread of Dutch elm disease. (Refer to the Agricultural Extension Service, University of Minnesota Extension Folder 211-Revised 1977, "The Dutch Elm Disease," pp. 8-12).

3. e. Oak wilt. Although oak wilt and Dutch elm disease are both vascular infections caused by a fungus, each infection shall be dealt with separately. Control methods prescribed for each disease are different, and again, shall be dealt with separately. Oak wilt control shall include the disruption of root grafts and the prevention of infection by insect-carried spores (overland spread).

a. ~~(4)~~ Root graft control. Since most oak trees are susceptible to the fungus through root grafts, it is recommended to a municipality that all common root systems of trees growing within forty (40) to fifty (50) feet of a diseased oak tree of the same species should be disrupted by chemical or mechanical means to prevent the root graft transmission of the oak wilt fungus as approved by the commissioner. (Refer to Agricultural Extension Service, University of Minnesota Extension Folder 210-1975, "Oak Wilt Disease").

b. ~~(2)~~ To control the overland spread of the disease, a municipality ~~should~~ shall:

(1a) Avoid pruning or other mechanical damage during the most susceptible period of May and June. A tree inspector may determine that emergency pruning by utility companies is necessary during this susceptible period if trees interfere with utility lines. If wounding is unavoidable during this period, as in the aftermath of a storm or when the tree interferes with utility lines, a tree wound dressing shall be applied.

(2b) ~~Disrupt root grafts by chemical or mechanical means if the disease fungus is likely to spread in this manner.~~ Red oak trees diagnosed as having oak wilt ~~shall~~ may be girdled as soon as they are detected in order to reduce spore production. Girdling ~~should~~ shall be done only in areas where a weakened tree will not constitute a hazard to life and/or property should it fall.

(3e) Identify, mark, and remove from both private and public property by April 1 of the following year

those trees in the Red oak group that wilt in July and August that could have spores on them the following May or June. The trees in this group are the Northern Red Oak (*Quercus rubra*); Northern Pin Oak (*Quercus ellipsoidalis*); Black Oak (*Quercus velutina*); and Scarlet Oak (*Quercus coccinea*).

(4d) After notification by the municipality, private property owners shall remove and properly dispose of diseased oak trees including any above ground parts thereof by April 1 ~~using methods approved by the Commissioner and consistent with applicable air quality and solid waste rules.~~ by burning, burying, chipping, and utilization which includes the storage of the wood as set forth in Agricultural Extension Service, University of Minnesota Extension Folder 310-1975, "Oak Wilt Disease."

(5e) Trees or parts thereof not removed on or before April 1 by the property owner shall be removed by the municipality within twenty (20) days after notification and the cost thereof assessed against the property.

(6f) Stumps of Red Oak trees removed due to oak wilt shall be removed or debarked to the ground-line to eliminate all possibilities of spore formation.

E. ~~5.~~ Records.

1. a. Shade tree disease program records shall be kept by each municipality and shall be made available for examination at reasonable times by the commissioner. These records shall include, ~~but not be limited to,~~ the following:

a. ~~(4)~~ monies expended on personnel, equipment, and contracts, listed separately;

b. ~~(2)~~ man hours spent on tree inventory, sanitation, and any chemical measures;

c. ~~(3)~~ an initial inventory of trees;

d. ~~(4)~~ the number of diseased trees identified on private and public property, and the dates of identification;

e. ~~(5)~~ the number and the dates of trees removed, both diseased and other, on private and public property; ~~and,~~

f. ~~(6)~~ the number of log piles found which were a hazard in the spread of a shade tree disease; ~~and,~~

g. other information deemed relevant and necessary by the commissioner.

2. b. A yearly report containing a summation of these records shall be made to the commissioner by December 1.

RULES

F. ~~6.~~ Program review.

1. a. By November of each year, municipalities shall submit to the commissioner their shade tree disease control and replanting programs for the following calendar year. The commissioner shall review these programs to determine if the requirements of the law and the applicable rules have been met.

2. b. Final determination of municipal program compliance with the rules shall rest with the commissioner.

3. e. The commissioner may require that changes be made in any municipal program whenever a determination is made that such changes are needed to comply with the act or these rules.

3 MCAR § 1.0112 Grants-in-aid to municipalities for sanitation and reforestation program. ~~A.~~ The commissioner may, in the name of the state and within the limits of appropriations provided, make grants-in-aid to a municipality with an approved disease control program for the partial funding of municipal sanitation and reforestation programs.

A. f. Sanitation grants. Grants to any municipality for sanitation shall not exceed forty-five (45) percent of the municipality's total cost for sanitation approved by the commissioner. The total cost may include any amounts paid for sanitation by special assessments, *ad valorem* taxes, federal grants, or other funds. A municipality may assess to the abutting property not more than fifty (50) percent of the expense of treating with an approved method or removing diseased shade trees located on street terraces or boulevards to that abutting property.

Grants shall not be made to a municipality if the total cost of tree removal has been incurred solely by the individual property owner and the municipality has not reduced the cost to the property owner via direct subsidy or reduced special assessment. The only amount that may be included in the municipality's total cost for purposes of computing the above-described reimbursement is the reduction of the cost of the property owner.

B. 2. Reforestation grants. Grants to any municipality for reforestation shall not exceed either fifty (50) percent of the cost to the municipality for reforestation, or forty (40) dollars multiplied by the number of trees planted on public lands pursuant to the reforestation program, whichever is less.

1. a. Reforestation grants to a municipality shall be

limited in any calendar year to grants for not more than the number of trees removed from public lands in the sanitation program in the previous calendar year except during the first year of an approved disease control program. During the first year of an approved disease control program, there shall be no restriction upon the number of trees for which grants may be made.

2. b. Reforestation grants to any county with an approved disease control program may include up to ninety (90) percent of the cost of planting the first fifty (50) trees on public lands in a town not defined as a municipality and of less than 1,000 population, upon the town's application to the county and county's designation of the town as a disease control area.

3. e. Reforestation grants to towns *with an approved disease control program* which are defined as municipalities in the act and are less than 1,000 in population may include up to ninety (90) percent of the cost of planting the first fifty (50) trees on public lands.

C. 3. Program eligibility. Any municipality is eligible to receive sanitation and reforestation grants upon submitting to the commissioner by November 15 a completed program application form provided by the commissioner, and upon receiving notice of an approved disease control program designation. Extensions ~~may~~ shall be granted for good cause shown.

1. a. The program application shall serve as the basis for approving the municipality's shade tree disease control program.

2. b. Approval shall be granted only upon the municipality's agreement to conduct its sanitation program in conformance with these rules and ~~recommended~~ issued disease control practices designated by the commissioner upon the recommendation of the Shade Tree Advisory Committee.

3. e. Approval shall only be granted upon the municipality's agreement to conduct its reforestation program in ~~conformance with the recommended practices issued~~ a manner consistent with advice and counsel given the commissioner by the Minnesota Agricultural Extension Service.

4. d. Program approval may be revoked upon a determination by the commissioner that the municipality has failed to conduct its sanitation and reforestation program in conformance with the standards set forth in this rule. Such a

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **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."

RULES

3 MCAR § 1.0112

determination or disapproval of a municipal program or control area may be appealed by the municipality and upon request, a hearing pursuant to Minn. Stat. ch. 15 shall be granted.

5. e. Sanitation and reforestation grants may be terminated upon the municipality's failure to maintain an approved shade tree disease control program and upon evidence that proper record-keeping and documentation has not been maintained.

D. 4. Program application. To receive a sanitation and reforestation grant, a municipality shall submit to the commissioner by November 15 a completed program application form provided by the commissioner.

1. a. A municipality's program application shall include, but not be limited to, the following information:

a. (1) an inventory of shade trees within the municipality's disease control area and an estimate of the distribution of these shade trees between public and private lands;

b. (2) a complete description of the municipality's sanitation and reforestation programs which shall include, but is not limited to:

(1a) the method and schedule of diseased trees surveys;

(2b) the extent of disease control tree trimming activities;

(3e) the policies for removal of trees on public lands;

(4d) the policies for removal of trees on private lands;

(5e) the method and location of disposal of tree wastes;

(6f) the policies for planting new shade trees, including;

(a) the source of nursery stock, if known;

(b) species planted;

(c) type of stock planted;

(d) distribution of species; and

(e) other relevant information;

(7g) the methods of financing sanitation and reforestation programs, including:

(a) the use of funds derived from general tax levies;

(b) special assessments;

(c) federal funds;

(d) other sources of funding; and,

(8h) a complete description of the municipality's subsidy program, if any;

c. (3) a statement of planned expenditures for the sanitation and reforestation program for the calendar year;

d. (4) a copy of local ordinances and resolutions authorizing the local shade tree program;

e. other information deemed necessary and relevant by the commissioner.

2. b. Grants for sanitation shall be forty-five (45) percent of the applicant's planned expenditures for sanitation, unless forty-five (45) percent of the total planned expenditures for all applicants exceeds forty-five (45) percent of the funds designated for sanitation grants; in which case, grants shall be a pro rata allocation among the eligible applicants.

3. e. Except for the first fifty (50) trees for towns as set forth in 4. below, ~~G~~ grants for reforestation shall be fifty (50) percent of the applicant's planned expenditures for reforestation, unless fifty (50) percent of the total of planned expenditures for all applicants exceeds ~~fifty (50) percent~~ of the funds designated for reforestation grants; in which case, grants shall be a pro rata allocation among the eligible applicants.

4. d. Grants for reforestation in eligible towns shall be ninety (90) percent of the town's planned expenditures for planting the first fifty (50) trees on public lands. ~~Grants for planting in excess of fifty (50) trees in eligible towns shall be the lesser of fifty (50) percent of planned expenditures or forty (\$40) dollars times the number of trees in excess of fifty (50) to be planted.~~

E. 5. Request for payment. A municipality receiving a sanitation and reforestation grant shall make request for payment upon forms provided by the commissioner.

1. a. Payment periods shall be January 1 through March 31; April 1 through June 30; July 1 through September 30; and, October 1 through December 31 of each calendar year.

RULES

3 MCAR § 1.0112

2. b. Requests for payment shall be due ~~fifteen~~ forty-five (45) days after the close of the preceding payment period, unless the municipality has requested and received an extension of time from the commissioner. Costs in one request for payment period may be carried over into a succeeding payment period, but shall not be carried over into a succeeding calendar year.

3. e. Requests for payments may be for the lesser of actual costs incurred or costs not to exceed the limits established by the commissioner during the payment period for which documentation for such costs and expenditures can be produced upon request of the commissioner. Requests may also be made for advance payments for planned expenditures for the succeeding period.

4. d. Request for payment shall include:

a. (1) the population of the municipality making the request for payment;

b. (2) a statement of actual sanitation and reforestation costs for the payment period;

c. (3) if advance payments for planned expenditures are sought by the municipality, a statement of planned expenditure for the succeeding payment period;

d. (4) the signature of an authorized agent of the municipality making the request for payment; and,

e. (5) notarization of the agent's signature.

5. e. Grant payments for actual sanitation and reforestation costs incurred shall be a percentage of the actual costs stated in the municipality's request for payment; that percentage being the same percentage used to make the initial grant award.

a. (1) Advance grant payments for planned sanitation and reforestation expenditures shall be a percentage of the planned expenditures for the succeeding payment period stated in the municipality's request for payment; that percentage being the same percentage used to make the initial grant award.

(1a) In the event that planned expenditures exceed or are less than actual costs incurred by the municipality for a payment period for which advance payment was made, the appropriate adjustments shall be made in the next request for payment submitted by the municipality.

(2b) In the event that overpayment is made to the municipality by the commissioner because of an advance over payment for the last payment period of the calendar year, the municipality shall be liable to the state for the amount of overpayment, and shall make payment of this amount to the state within thirty (30) days after notice of such over payment is received.

F. 6. Eligible costs. Grants shall be based upon the total eligible cost to the municipality of its sanitation and reforestation program.

1. a. Sanitation activities on public and private lands which are eligible for grants shall include:

a. (1) diseased tree identification and inspection;

b. (2) disruption of common root systems;

c. (3) trimming of elm and oak trees for purposes of disease control;

d. (4) girdling of oak trees where appropriate for purposes of disease control;

e. (5) removal and operational costs associated with the disposal of dead or diseased wood of elm and oak trees; and,

f. (6) subsidies for trees removed from private property pursuant to Minn. Stat. ~~(Supp., 1977)~~ as amended, see § 18.023, subd. 4.

2. b. Reforestation activities on public lands which are eligible for grants shall ~~include~~ be limited to:

a. (1) acquisition of nursery stock; and

b. (2) tree planting, which includes only the initial cost of planting, watering, fertilizing, and staking. Maintenance costs thereafter shall not be eligible for reimbursement.

3. e. Grants shall be made only for costs incurred by the municipality in the actual and direct physical performance of sanitation and reforestation activities.

4. d. Grants shall be made for costs to be paid by:

a. (1) *ad valorem* taxes;

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **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."

RULES

3 MCAR § 1.0112

b. ~~(2)~~ special assessments pursuant to a municipal program whereby the sanitation activity is carried out by municipal employees or a contractor acting in behalf of the municipality; however, no assessment shall exceed the total of the sanitation cost less the amount of grant for such cost;

c. ~~(3)~~ a charge through direct invoice to a property owner pursuant to a municipal program whereby the sanitation activity is carried out by municipal employees or a contractor acting in behalf of the municipality; however, no charge against a property owner shall exceed the total sanitation cost less the amount of grant for such cost;

d. ~~(4)~~ federal grants, ~~except that no grant shall be made for costs paid pursuant to the Federal Comprehensive Employment and Training Act of 1973;~~ and,

e. ~~(5)~~ in the case of a municipality with a population of less than 1,000, documented "in kind" services or voluntary work from or by private sources.

3 MCAR § 1.0113 Grants-in-aid for wood utilization and disposal systems.

A. The commissioner ~~may shall~~, within the monies appropriated, make grants-in-aid to eligible applicants for the cost of facilities, equipment, and systems for the disposal or utilization of diseased shade trees. Such grants-in-aid ~~may shall~~ be made to:

1. any home rule charter or statutory city of more than 40,000 population in the metropolitan area or a combination of such cities with a combined population of 40,000 under a joint powers agreement pursuant to Minn. Stat. see: § 471.59 (1976);

2. any home rule charter or statutory city of more than 20,000 population outside the metropolitan area or a combination of such cities with a combined population of 20,000 under a joint powers agreement pursuant to Minn. Stat. see: § 471.59 ~~(1976)~~ as amended;

3. any special purpose park and recreation board organized under a charter of a city of the first class;

4. any nonprofit corporation serving a city of the first class; or,

5. any county.

B. Such grants shall be made with the following provisions:

1. the city (cities) or county has an approved shade tree disease control program as described in the act or these rules;

2. grants-in-aid may be less than but shall not exceed fifty (50) percent of the cost of such facility, equipment, or system;

3. grants-in-aid shall not be made for costs of operating such facility, equipment, or system;

4. grants-in-aid for site acquisitions shall be made only for land used in the actual operational site; and,

5. grants-in-aid shall not be made by the commissioner until he receives certified evidence of the actual cost of the equipment or site; and,

6. Allowable cost shall be determined by the Commissioner.

C. Criteria for administration of grants-in-aid.

1. Grants-in-aid to eligible applicants ~~may shall~~ be made by the commissioner provided that such wood disposal utilization system meets the following criteria:

a. it aids in the control of shade tree diseases;

b. it aids in the recovery of material or energy from wood;

c. it is located to accomplish the above with maximum efficiency and use of available facilities;

d. it is available to all parties, public and private;

e. it is able to render wood pest-risk free within five (5) days of delivery to the site unless an extension of time has been granted by the commissioner based on existing circumstances of the disposal/utilization site;

f. it includes adequate manpower to operate and service equipment; and,

g. it provides for proper handling and the timely removal of processed wood from the site.

2. In addition to the general criteria under C. 1. above, the commissioner, as appropriate, may consider other specific criteria including, ~~but not limited to,~~ the following in evaluating grant payment requests:

a. Sites for wood disposal systems:

(1) shall be selected on the basis of anticipated volumes of wood and/or the need for a wood disposal system;

(2) shall be accessible by roadways that permit year-round truck traffic;

RULES

(3) shall have adequate storage areas for both processed wood and equipment;

(4) shall have protective enclosures, adequate control, and supervision to prevent entry of unwanted materials and unauthorized persons;

(5) shall be in compliance with regional solid waste management plans and requirements.

b. Equipment for wood disposal systems:

(1) shall, where feasible, be portable so that it can be used for servicing more than one site;

(2) shall be stationary only when the anticipated volume over a five-year period will fully utilize the facility;

(3) shall be capable of processing large-diameter logs; and,

(4) shall include auxiliary units and equipment necessary to the operation of the system.

3. Requests for grant-in-aid payments shall be made on forms provided by the commissioner. Contingent upon the availability of funds, the timeliness of applications and other administrative considerations, the commissioner may set deadlines for consideration of requests which shall be published in the *State Register* at least thirty (30) days prior

3 MCAR § 1.0112

to the deadline. Requests for payments shall include the following:

a. an itemized list of the applicant's proposed expenditures for qualifying equipment and/or site, and the total amount of these expenditures; and,

b. additional documents or other information deemed relevant by the commissioner.

4. Records.

a. Applicants receiving grants-in-aid under this rule shall keep detailed records concerning the operation of the wood disposal and utilization system and shall make these records available to the commissioner at any reasonable time. Such records shall include, ~~but not be limited to:~~

(1) hours of operation;

(2) clientele served;

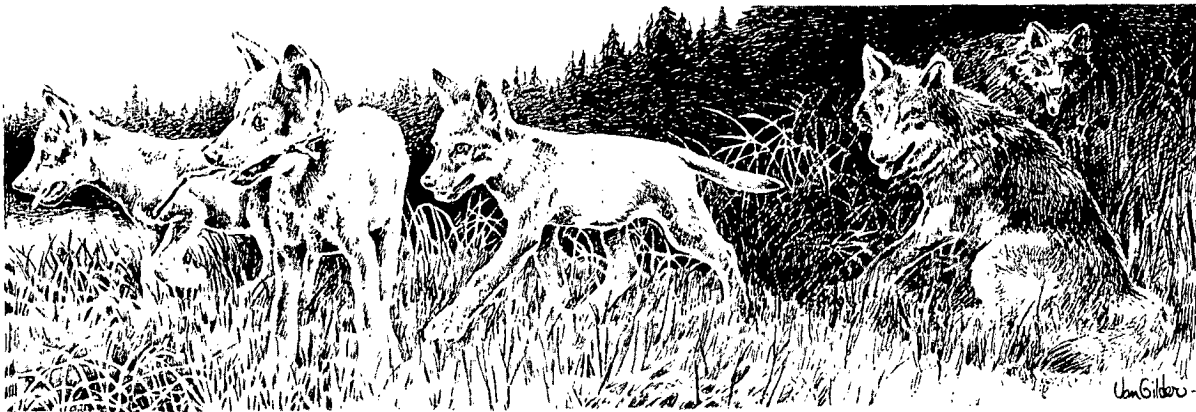
(3) volume of wood handled; and,

(4) ~~Any~~ other information deemed necessary and relevant by the commissioner.

b. A yearly report containing a summation of these records shall be made to the commissioner by December 1.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. **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."

PROPOSED RULES



Timber wolves are so adept at concealing their dens and choose such rugged terrain in largely inaccessible areas that few are found. Some wolves dig tunnels beneath stands of timber; others hide their litters in hollow logs or under rocky cliffs. Reports differ on the average size of the wolf family, but it is believed to be about 6.4 cubs per litter. (Drawing by Ron VanGilder reprinted, with permission, from *Volunteer*, Vol. 40, No. 235, Nov.-Dec. 1977, published by the Minnesota Department of Natural Resources.)

Pursuant to Minn. Stat. § 15.0412, subd. 4, agencies must hold public hearings on proposed new rules and/or proposed amendment of existing rules. Notice of intent to hold a hearing must be published in the *State Register* at least 30 days prior to the date set for the hearing, along with the full text of the proposed new or amended rule. The agency shall make at least one free copy of a proposed rule available to any person requesting it.

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Education State Board of Education and Commissioner of Education (State Board for Vocational Education)

Proposed Rules of the State Board of Education (State Board for Vocational Education) Governing the Proposed Changes in the Rules for Vocational Education and the Inclusion therein of Programs for Nursing Assistants

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matters will be held in the State Office Building, Room 83, St. Paul, Minnesota on Thursday, September 7, 1978, commencing at 9:00 a.m. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written material may be submitted at the hearing. In addition, written material may be submitted by mail to Mr. Steve Mihalchick, Office of Hearing Examiner, 1745 University Avenue, Room 300, St. Paul, Minnesota 55104, telephone (612) 296-8112, before the hearing or after the hearing until the record is closed. The record will remain open for five working days after the public hearing ends, or for a longer period not to exceed 20 calendar days if ordered by the Hearing Examiner.

A copy of the proposed rules is attached hereto. Most of the changes in the rules are designed to bring the rules into compliance with legislative mandates. Other changes are proposed for the purpose of clarification. One free copy may be obtained by writing to the Minnesota Department of

PROPOSED RULES

Education, Room 541, Capitol Square Building, St. Paul, Minnesota 55101. Additional copies will be available at the door on the date of the hearing. The Board's and the Commissioner of Education's authority to promulgate the proposed rules is contained in Minn. Stat. § 121.11, subd. 12, and § 144A.61 (Supp. 1977). A statement of need and reasonableness explaining why the board believes the proposed rules are necessary and reasonable, and evidence outlining the testimony to be introduced, shall be filed with the Hearing Examiner's office at least 25 days prior to the hearing and will be available there for public inspection.

Please be advised that Minn. Stat. ch. 10A (1976) requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than \$250.00 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than \$250.00 per year or five hours per month lobbying. The statute in question provides certain exceptions. Questions should be directed to the Minnesota Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

Howard B. Casmey, Secretary
State Board of Education
(State Board for Vocational Education)

July 13, 1978

Rules as Proposed

Chapter Five A: Secondary Vocational Education

5 MCAR § 1.00811 Instructional program approval. The Commissioner of Education shall approve programs on the following basis:

A. Approval shall be on the basis of a complete program as defined in Section D., with the exception of programs set forth in Section G.3.b., c. and d.

B. The local education agency shall provide evidence that its curriculum is designed to meet vocational objectives which shall include:

1. in-depth exploration of occupations to assist in the career planning process, and

5 MCAR § 1.00811

2. development of occupational competencies designed to be recognized for advanced placement in post-secondary programs, and

3. development of occupational competencies necessary to enter an occupation.

C. Each program shall have a vocational advisory committee to advise the instructor(s), the local authorized administrator, and the local board; the advisory committee shall meet at least two times a year.

D. Program components and time standards. All program components must be addressed in order to qualify for approval, however, emphasis shall be at the discretion of the local education agency with guidance from the program advisory committee. Daily time requirements may be converted to weekly equivalents.

1. Agriculture/agribusiness and natural resources occupations.

a. Programs. Instruction in safety, leadership, communications, personal development, decision making, job seeking skills, good work attitudes and habits shall be an integral part of an approved program.

(1) Agricultural mechanics occupations. Learning experiences concerned with the application of mechanical competencies to agriculture. Program components include: agricultural power; hydraulics; welding; machinery maintenance; electrification; mechanics shop; material handling; buildings and conveniences; soil and water management, irrigation; livestock and crop production; farm and business management and entrepreneurship as related to mechanics.

(2) Agricultural products, processing and marketing occupations. Learning experiences concerned with the application of processing and marketing principles, agricultural products. Program components include: evaluation, processing and marketing of dairy, livestock, poultry products, cereal grains and specialty crops; agricultural business management and entrepreneurship; agricultural mechanics principles.

(3) Agricultural supplies and service occupations. Learning experiences concerned with the provision of consumable supplies and services used in agriculture. Program components include: animal and crop production; soils

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. **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."

PROPOSED RULES

5 MCAR § 1.00811

and soil fertility; animal nutrition and health; chemicals, fertilizers and pesticides; mechanics shop; agribusiness organization; management; entrepreneurship; marketing; power; machinery.

(4) Forestry occupations. Learning experiences concerned with the growing, managing, protecting, harvesting, utilizing and marketing of trees. Program components include: tree production, harvesting, management, protection, measurement and marketing; operation and maintenance of forestry equipment; agribusiness management; intensive laboratory occupational experience.

(5) Horticultural occupations. Learning experiences concerned with the culture of plants used for ornamental, aesthetic and food purposes. Program components include: greenhouse and nursery management; turf, fruit and vegetable production; floral production; landscape design; construction; equipment operation, repair and maintenance; garden center materials; plant and soil sciences; agribusiness management; entrepreneurship.

(6) Natural resources occupations. Learning experiences concerned with the principles and processes involved in the preservation and/or improvement of natural resources such as air, forests, soil, water, fish and wildlife. Program components include: water; air; quantity analysis resources; fish; wildlife; animal waste; soil and water management; pollution control; guiding and park management; resort and recreation operation; mechanics shop; entrepreneurship.

(7) Production agriculture occupations. Learning experiences concerned with the principles and processes involved in the economic use of land, labor, capital and management. Program components include: crop, livestock and poultry production; power, hydraulics, welding machinery maintenance and electrification; building and conveniences; mechanics shop; materials handling; irrigation, soil and soil fertility and soil and water management; marketing; finance, recordkeeping, entrepreneurship and farm management.

(8) Other agriculture/agribusiness, natural resources occupations. Programs not otherwise defined which meet the vocational program criteria in 5 MCAR § 1.00811 B. may be approved.

b. Implementation. When offering a vocational agriculture/agribusiness, natural resources program, the following considerations apply.

(1) Component emphasis shall be consistent with program objectives.

(2) The program shall include one of the follow-

ing experience application options by the 1980-81 school year.

(a) Forestry occupations program shall include an intensive supervised laboratory experience of at least 280 hours, or

(b) production agriculture occupations programs shall have a coop placement in a production agriculture operation either wage paying or entrepreneurship.

(c) All other programs in agriculture/agribusiness shall have an intensive supervised laboratory experience or a coop placement in a related agricultural business or industry either wage paying or entrepreneurship. An agriculture instructor-coordinator may supervise students in any vocational agriculture/agribusiness and natural resources occupations program.

(3) Various program components which meet approval criteria may be combined to develop a program to meet the needs of the local educational agency, including placement in a coop experience.

(4) Each program shall include one of the following options:

(a) The program shall consist of a minimum of 140 hours for the regular school year, with classes available to students in grades 10, 11, 12. The summer school segment of an approved vocational education program in this option shall provide for: cooperative supervised experience, internship, and/or classroom instruction. (Approved programs not currently meeting this rule must comply in the 1980-81 school year.) Or

(b) the program shall consist of a minimum of two 140-hour classes and one 280-hour class for the regular school year. The summer school segment of an approved vocational education program in this option shall provide for: cooperative supervised experience, internship, and/or classroom instruction. (Approved programs not currently meeting this rule must comply in the 1980-81 school year.) Or

(c) the program shall consist of a minimum of two 280-hour classes for one regular school year. The summer school segment of an approved vocational education program in this option shall provide for: cooperative supervised experience; internship, and/or classroom instruction. (Approved programs not currently meeting this rule must comply in the 1980-81 school year.) Or

(d) approved programs currently operating on a 280-hour intensive laboratory experience method of instruction, for the regular school year and 1, 2, or 3 280-hour classes per year shall develop, by the 1980-81 school year, a

PROPOSED RULES

comprehensive program. Summer components such as internship and classroom instructional program are strongly encouraged to support the coop component. (See community-based rules in 5 MCAR § 1.00811 G.) Or

(e) any expansion of currently approved programs must meet agriculture/agribusiness and natural resources options b, 2a, b and/or c in the year for which approval is sought, or

(f) new program requests shall comply with an agriculture/agribusiness and natural resources option b, 4a, b, and c by the third year of operation.

2. Business and office occupations. Instruction in human relations, leadership and organizational competencies, public relations, personal development, self-concept, work attitudes and job seeking skills shall be an integral part of instruction in each program.

a. Programs.

(1) General office typist occupations. Learning experiences concerned with the performance of a variety of office duties, including maintenance of the system and generation of reports. Program components include: typewritten communications; records filing and management; recordkeeping (numerical data); machine transcription; office functions including supplies control, telephone techniques, mail handling, reprographics services, machine maintenance and operation.

(2) Secretarial occupations. Learning experiences concerned with coordination of office responsibilities, generation of communication and facilitation of office functions. Program components include: all in general office typist plus: business composition; meeting and travel arrangements; transcription from shorthand notes or machine (shorthand optional); word processing concepts; clerical accounting.

(3) Accounting/data processing occupations. Learning experiences concerned with systematizing information about financial transactions and quantitative records in a traditional or automated setting. Program components include: accounting for receivables, payables; payroll; billing/invoicing; inventory; purchasing; cash receipts and disbursements; communications; electronic computing; machine operation; business mathematics; records management; programming fundamentals; computer applications.

5 MCAR § 1.00811

(4) Banking and finance occupations. Learning experiences concerned with banking or financial institutions services, the handling of money and negotiable instruments. Program components include: accounting for receivables; payables; billing/invoicing; inventory; purchasing; cash receipts and disbursements; communications; electronic computing; business mathematics; teller functions; finance and credit; decision making; data entry; records management.

(5) Supervisory/management occupations. Learning experiences concerned with managerial skills in planning, organizing, supervising, coordinating, determining work procedures and assigning duties. Program components include: accounting for receivables, payables, billing/invoicing, inventory, purchasing; cash receipts and disbursements; communications; electronic computing; management principles; business ownership; business law; economics; public enterprise systems; personnel management.

(6) Other business and office occupations. Programs not otherwise defined which meet the vocational program criteria in 5 MCAR § 1.00811 B. may be approved.

b. Implementation. In offering a vocational business and office program, the following considerations apply:

(1) Component emphasis shall be consistent with the program objectives.

(2) The program shall include prior or concurrent classroom instruction in the occupational area plus one of the following application experience options:

(a) In school: model office — a minimum of 100 minutes per day for one school year. (Primarily for use with general office typist and secretarial occupations; see model office brochure for details.)

(b) In school: intensified laboratory — a minimum of 100 minutes per day for one semester; plus related instruction to comprise a minimum of 280 hours in one fiscal year.

(c) Employment related community-based education: See community-based rules in 5 MCAR § 1.00811 G. A business and office instructor-coordinator can supervise students in any vocational business and office occupations program.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **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."

PROPOSED RULES

5 MCAR § 1.00811

3. Health and environmental occupations.

a. Programs. Instruction in safety, equipment utilization, self-concept, work attitudes and behavior, leadership and job researching skills shall be an integral part of an approved program.

(1) Environmental occupations. Learning experiences concerned with identification, prevention and control of environmental hazards, environmental aspects of population and society, natural resources, health and physical implications, technology involved in protecting and restoring the quality of modern environment, and exploring careers in environmental areas. Program components include: environmental services; industrial hygiene related to environmental hazards and toxicants; safety, minimizing accident hazards and promoting safe work habits in plants, mines, industrial, agricultural areas; interpretation and enforcement of environmental laws; environmental technology aspects including performing tests and making samples; option of treatment equipment; societal responsibilities concerned with energy; providing and maintaining safe water, foods, air.

(2) Health care occupations. Learning experiences concerned with health concepts related to the providers and consumers of health care, preventative health care, and the utilization of materials, instruments and equipment in the health care area. Program components include: health occupations orientation; preparation of health consumer records; laboratory procedures concerned with tests to provide data; performance of routine clinical laboratory procedures; direct care services; procedures designed to introduce concepts related to rehabilitation of people with physical or mental emotional disabilities; communications between health providers and consumers of health services; applied anatomy and physiology.

(3) Other health and environmental occupations. Programs not otherwise defined which meet the vocational program criteria may be approved.

b. Implementation. In offering a vocational health and scientific occupations program, the following considerations apply:

(1) Component emphasis shall be consistent with program objectives.

(2) The program shall include one of the following application experience options:

(a) In school: the program shall be offered for a minimum of 280 hours within one fiscal year.

(b) Employment related community-based education: see community-based rules in 5 MCAR § 1.00811 G. A health occupations instructor-coordinator can supervise students in any vocational health and scientific occupations program.

4. Homemaking occupations.

a. Programs. Instruction in health and safety, multiple roles of both sexes, use of energy in the home and by families, development of self-concept, human relations, and leadership skills shall be an integral part of an approved program.

(1) Consumer-homemaking occupations. Learning experiences concerned with the work in one's own home environment including relating to family members and managing resources. Program components shall include: child development and parenting; individual and family life; home and family resource management and consumerism; consumer (individual and family) housing; consumer (individual and family) foods and nutrition; consumer (individual and family) clothing and textiles.

(2) Home and individual/family resource management occupations. Learning experiences concerned with the work in one's own home environment with emphasis on multiple roles of family members, managing resources, purchasing, using products and services. Program components shall include: family financial, time, energy, and human talent management; consumer buying; community resources; multiple roles of family members; housekeeping management skills; family decision making and goal setting.

(3) Individual/family life and parenting occupations. Learning experiences concerned with the work in one's own home environment with the emphasis on relationships, communication among family members; human growth and development and parenting. Program components shall include: relationships; marriage; family financial management and consumerism; human sexuality; alternate life styles, families throughout the life cycle; pregnancy and birth; growth and development; parent-child relationships; community services; family decision making and goal setting.

(4) Other homemaking occupations. Programs not otherwise defined which meet the vocational programs criteria may be approved.

b. Implementation. When offering a vocational homemaking occupations program, the following considerations apply:

(1) Component emphasis shall be consistent with program objectives.

PROPOSED RULES

5 MCAR § 1.00811

(2) The following are in-school options which a district or center shall use to deliver homemaking occupations programs:

(a) For a consumer-homemaking program, simulation or laboratory and classroom methods shall be a minimum of 280 hours within two consecutive fiscal years. Each component shall be one or more separate courses. Each of the components shall constitute a minimum of 40 hours of instruction, or

(b) for a home and individual/family resource management or individual/family life and parenting program,

(i) simulation and classroom methods shall be a series of courses for a minimum of 140 hours in one fiscal year, or

(ii) simulation and classroom methods shall be a single course for a minimum of 140 hours within one fiscal year.

5. Industrial occupations.

a. Programs. Instruction in safety, tool usage, self-concept, work attitudes and habits, leadership skills, and job-seeking skills shall be an integral part of all instruction.

(1) Auto body repair occupations. Learning experiences concerned with the repair of automotive bodies, fenders, and frames. Program components include: metal straightening by hammering or machine; smoothing areas by filing, grinding, or sanding; concealment of imperfections; replacement of body components including trim; arc and gas welding; refinishing; glass replacement service; new and used vehicle preparation.

(2) Auto mechanics occupations. Learning experiences concerned with the inspection, diagnosis and repair of motor vehicle components. Program components include: engine tune-up; emission systems; lubrication and maintenance; power transmission; steering and suspension; brakes; electrical systems; diagnostic and testing equipment; parts; fuel and emission systems; cooling and heating systems; technical manuals.

(3) Communication/media technology occupations. Learning experiences concerned with the production and use of electronics and other media materials and equipment. Program components include audio-visual equipment and related production techniques; black/white photogra-

phy; audio production, including equipment and recording; television equipment; television studio production; production distribution.

(4) Construction occupations — general. Learning experiences concerned with all major phases of residential construction from financing to finishing. A minimum of five of the following program components shall be included: finance; planning site development; masonry; carpentry; mechanical trades; pipe trades; finishing trades. If a residential unit is to be constructed as a learning experience in a program, it shall not exceed 1,200 square feet. An exception to the square footage maximum may be granted by the Commissioner of Education when there is a conflict with bona fide local ordinances. A program shall build no more than one unit per year and the unit shall be owned by the school district or center.

(5) Construction occupations planning and management. Learning experiences concerned with all business, planning and preparation essential to begin erection of a project. Program components include: real estate financing, appraising and insurance; small business management, sole proprietorship, limited partnership, corporate management; land surveying; civil technology; landscaping; heavy equipment operation; environmental enrichment; architectural drafting; construction drafting; codes and ordinances; soil testing and permits; equipment and materials; energy conservation factors.

(6) Carpentry occupations and finishing trades. Learning experiences concerned with rough carpentry and residential interior finishing. Program components include: material and fastening devices; form work; scaffolds, ladders and riggings; framing principles, roof framing, stair framing; exterior finish; insulation and dry wall; floor covering; paper hanging, painting and decorating. No residential unit shall be built in this program.

(7) Construction occupations mechanical trades. Learning experiences concerned with the trade areas dealing with heating, lighting, air exchange, and water. Program components include: air conditioning and heating; ventilation; sheet metal; construction electricity; plumbing; pipe fitting; mechanical blueprint reading.

(8) Construction occupations masonry trades. Learning experiences concerned with concrete and masonry areas. Program components include: brick laying; block laying; stone masonry; cement finishing; concrete technology.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. **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."

PROPOSED RULES

5 MCAR § 1.00811

(9) Electricity/electronics occupations. Learning experiences concerned with the design, construction, maintenance, and repair of electronic equipment. Program components include: basic electricity; residential/commercial wiring; motor controls; AC-DC electronics; digital electronics; industrial electronics; active devices (tubes and semiconductors); communications.

(10) Graphic arts occupations. Learning experiences concerned with the design, preparation, printing, and assembly of printed materials. Program components include: layout and design; copy preparation; line photography; halftone photography; continuous tone photography; cold type composition; stripping; plate making; offset presswork; printing inks; paper; bindery; screen printing; letterpress.

(11) Machine shop occupations. Learning experiences concerned with metal properties, machining, and heat treating. Program components include: bench work; grinding principles; blueprint reading; set up and rigidity; machining principles; use of machinery handbook; cutting tools; feed speeds; drill press; horizontal cut of saw; lathe; horizontal and vertical milling; surface and cylindrical grinding; basic metallurgy, alloys, annealing, hardening, drawing, case hardening and foundry.

(12) Mechanical drafting occupations. Learning experiences concerned with visual communications skills to convey ideas and specifications necessary to manufacture or reproduce mechanical items. Program components include: equipment/instrument usage; sketching; geometric figures; multiview drawing; dimensioning; auxiliary views; pictorial drawing; sectional views; detail and assembly views.

(13) Recreational vehicle repair occupations. Learning experiences concerned with the maintenance and repair of recreational equipment such as snowmobiles, motorcycles, and marine engines. Program components include: principles of internal combustion engine operation; diagnostic and testing equipment and tools; snowmobiles; marine products; motorcycles; welding; machine tooling; parts; principles of power transmission; technical manuals.

(14) Service station occupations. Learning experiences concerned with the inspection service, maintenance, and minor repair of automobiles. Program components include: principles of internal combustion engine operation; engine tune-up; lubrication service; exhaust system service; cooling and heating system service; suspension system service; fuel system service; brake system service; diagnostic testing equipment; technical manuals.

(15) Small engine repair occupations. Learning experiences concerned with maintaining and repairing small

engines used on portable power equipment. Program components include: 2-cycle fundamentals; 4-cycle fundamentals; rotary engine fundamentals; carburetion; ignition; cooling; lubrication; diagnostic testing equipment and tools; welding; machine tooling; parts; technical manuals.

(16) Welding occupations. Learning experiences concerned with the fusion or separation of metals for fabrication or repair purposes. Program components include: blue-print reading; rough grinding; electrode selection; identification of metals; arc welding (flat, horizontal, vertical down, and vertical up); oxyacetylene cutting; oxyacetylene welding; brazing and fabrication.

(17) Other industrial occupations. Programs not otherwise defined which meet the vocational program criteria in 5 MCAR § 1.00811 B. may be approved.

b. Implementation. In offering a vocational industrial occupations program, the following considerations apply:

(1) Component emphasis shall be consistent with program objectives.

(2) The following are in-school options which a district or center shall choose when offering a vocational industrial education program:

(a) Summer program of 120 hours for programs 5, 6, 7, 8, 12, 14 and 16;

(b) 140 hours within one school year for programs 5, 6, 7, 8, 12, 14 and 16;

(c) 220 hours within one semester for all programs;

(d) 280 hours within one school year for all programs;

(e) 280 hours within two school years for programs 2, 3, 9, 10, 12, 13, 14, 15 and 16;

(f) programs 13 and 15 can be combined to meet the 280-hour minimum requirement.

(3) Employment related community-based education: see community-based rules in 5 MCAR § 1.00811 G. An industrial instructor-coordinator can supervise students in any vocational industrial occupations program.

6. Marketing and distribution occupations.

a. Programs. Instruction in marketing and distribution approved programs shall be composed of the following components as related to the occupational area: advertising,

PROPOSED RULES

communications, display, human relations, mathematics, merchandising, operations/management, product/service technology, selling, and job-researching skills, work attitudes and behavior.

(1) General merchandise retailing occupations. Learning experiences concerned with various marketing functions and tasks performed by retail employees and management in retail stores.

(2) General marketing occupations. Learning experiences concerned with the general application of marketing functions, principles, practices, and procedures without particular emphasis on the kind of environment in which the marketing functions are performed or the kind of products or services involved. The basic knowledge, skills and attitudes developed in this instructional program are applicable in a variety of industries. For example: advertising and display services; apparel and accessories marketing; automotive, recreational, and agricultural vehicles and accessories marketing; finance and credit services; floristry, farm, and garden supplies marketing; food marketing; food services marketing; hardware and building materials marketing; home furnishings marketing; hotel, motel, and lodging services; industrial and institutional marketing; insurance; personal services marketing; petroleum marketing; recreational marketing; real estate marketing; transportation and travel marketing; business services marketing; business ownership.

(3) Other marketing and distribution occupations. Instructional programs involving learning experiences which emphasize marketing functions and tasks performed by employees, including management personnel, not otherwise defined which meet the vocational program criteria may be approved.

b. Implementation. In offering a vocational marketing and distribution program, the following considerations apply:

(1) Component emphasis shall be consistent with the program objectives.

(2) The program shall include prior or concurrent classroom instruction in the occupational area plus a minimum of one of the following application experience options:

(a) In school: a minimum of 280 hours of simulated occupational experience in a one or two year period.

5 MCAR § 1.00811

(b) Employment related community based education: see regular cooperative rules. A marketing and distribution instructor-coordinator can supervise students in any vocational marketing and distribution program.

(c) Other options: must meet all program approval criteria in 5 MCAR § 1.00811 B.

7. Service occupations.

a. Programs. Instruction in safety, decisions in the use of energy, equipment utilization, self-concept, work attitudes and behavior, leadership and job researching skills shall be an integral part of an approved program.

(1) Child care/guidance and education occupations. Learning experiences concerned with human development in personal care institutions and agencies. Program components include: growth and development; interpersonal relationships of children and care-givers; supervision and guidance; health; nutrition and feeding; day care; nursery school; family day care; management/organization, guidance skills; care of persons with exceptional needs; implications of health and welfare agencies on child care services.

(2) Community service occupations. Learning experiences concerned with social and economic services, resource management, rural, urban and community development, public safety, corrections and judicial services, and public transportation operation/management. Program components include: community and public services; service to people as individuals; preserving, managing and restoring natural and artificial environments within the public domain; chart and map preparation; land use studies; preparation of community relations materials; planning of water, sewer line, and transportation layouts; schools/playgrounds; protection of human rights; health, safety and welfare; property rights; exploration of community service careers.

(3) Fashion/apparel/textile occupations. Learning experiences concerned with use of equipment, textile design and production, methods of construction necessary for the production, maintenance, and alterations of clothing and/or industrial household goods. Program components include: clothing production; textiles; alterations; fashion design; selection and coordination; laundry; dry cleaning; accessories; tailoring; management skills.

(4) Food occupations. Learning experiences concerned with planning, preparing, and serving food on a

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. **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."

PROPOSED RULES

5 MCAR § 1.00811

quantity basis. Program components include: sanitation; commercial foods; institutional foods; food procurement; meal planning and nutrition; interpersonal relationships; front and back house operations; management skills.

(5) Grooming services occupations. Learning experiences concerned with services in the areas of personal appearance, skin and hair care. Program components include: Introduction to barbering; introduction to cosmetology; domestic animal grooming; introduction to death-related occupations; interpersonal relationships; management skills.

(6) Housing occupations. Learning experiences concerned with services in the areas of design, care and management of single family and multiple dwellings, commercial and institutional buildings. Program components include: housekeeping/management skills; cleaning/sanitation skills; interpersonal relationships; housing services; interior design/decorating; building/apartment management; city planning/zoning; health and safety in building design and maintenance; elements and principles of design; housing and environment; careers in the housing industry.

(7) Tourism occupations. Learning experiences designed to provide instruction involving the operation of lodging facilities and travel services. Program components include: Planning and providing travel conveniences, recreation activities and leisure time activities; introduction to planning and operating a tourism enterprise; management skills; hospitality and service; tourism enterprise; conventions; interpersonal relationships; careers in the tourism industry.

(8) Other service occupations not otherwise defined which meet the vocational program criteria in 5 MCAR § 1.00811 G., may be approved.

b. Implementation. When offering vocational service occupations programs, the following considerations apply:

(1) Component emphasis shall be consistent with program objectives.

(2) The program shall include a minimum of one of the following application experience options:

(a) In school: For all programs in service occupations except grooming services and community service occupations, a minimum of 220 hours in laboratory or simulation and classroom instruction shall be offered within one semester.

(b) In school: For tourism occupations pro-

grams, a minimum of 280 hours of laboratory or simulation and classroom instruction offered within two school years.

(c) In school: For grooming services, simulation and classroom methods shall be a series of courses for a minimum of 140 hours in one fiscal year.

(d) In school: For child care/guidance and education occupations programs, fashion/apparel/textile occupations programs, food occupations programs, housing occupations programs and community service programs, a minimum of 280 hours of laboratory or simulation and classroom instruction offered within one school year.

(e) Employment related community-based education: See regular cooperative rules. A hospitality/recreation personal service instructor-coordinator can supervise students in any vocational service occupations program. This program shall include prior or concurrent classroom instruction in the occupational area.

E. To be eligible for aid, the minimum student-instructor staff ratio for each program shall be ten students to instructor or instructor-coordinator. When more than one program section is in operation, enrollment shall average ten or more students per section. An exception to the minimum student/staff ratio may be granted by the Commissioner of Education for a maximum of one year to permit students to complete a sequential program, or during the first year of a new program.

F. A student shall be allowed to enter or withdraw from the program without completing all courses or components.

G. Community-based education. When a vocational program includes a segment in which students are placed on a paid or unpaid experience outside the vocational class or laboratory for more than 40 hours during the program, the local education agency shall meet the rules for the community-based education option of a program as stated below:

1. Single vocational area coop — regular coop.

a. The authorized local administrator shall assign coordination time for the instructor-coordinator in blocks of time large enough for efficiency, such that the staff can contact the employer during hours when the student is working. Preparation time for the instructor-coordinator shall be assigned separately from coordination time.

b. Training stations shall be available to at least half of the coop student prior to the commencement of the program.

c. The student shall be on the job a minimum of one hour per day, averaging no less than 10 hours per week

PROPOSED RULES

during the school session. An exception for this rule may be granted by the Commissioner of Education for handicapped persons whose physical or emotional disability prevents them from working a two hour day.

d. The local education agency shall have a training agreement and training plan for each student on the job. The agreement and plan shall be signed by the student/parent or guardian (when the student is under 18), employer and instructor-coordinator, and shall remain on file locally for at least six months after the student completes the cooperative component of the program.

e. The coop experience shall include occupational relations, an employability seminar, or a related seminar which shall consist of a minimum of 50 minutes per day or 250 minutes per week. When the seminar convenes two or fewer times per week, a minimum of 200 minutes is required.

f. The coop experience shall include prior or concurrent classroom instruction in the occupational area except work experience for special needs students.

g. Age certificates shall be submitted to the Minnesota State Department of Labor and Industry.

2. Multiple vocational area coop — diversified occupations/interrelated coop.

a. 5 MCAR § 1.00811 G.1. rules shall be met.

b. Diversified occupations/interrelated coop shall serve students from more than one vocational program area.

c. A student shall possess, or acquire concurrently, skill competencies related to his/her stated career objective(s) as stated in the component section of the vocational program area which relates to that stated objective.

3. Special needs coop — community-based education designed specifically to develop employability competencies for special needs students.

a. All programs shall meet the following criteria:

(1) 5 MCAR § 1.00811 G.1. rules shall be met.

(2) Students selected for these programs shall meet the definition of handicapped or disadvantaged. A committee consisting of teachers involved in general and vocational education, counselors and administrators shall

5 MCAR § 1.00811

participate in the identification of disadvantaged students. Handicapped students shall be identified through the special education child study process outlined in the state Board of Education rules and shall be limited to students who cannot succeed in regular vocational programs.

(3) Proof that all students enrolled in the program have been identified as handicapped or disadvantaged shall be kept on file locally for five years.

b. Work experience/career exploration.

(1) 5 MCAR § 1.00811 G.3.a. rules shall be met.

(2) Students who have reached age 14 and have not reached 16 are eligible for the work experience/career exploration. When students become 16 while enrolled, they may remain enrolled until the end of the school year.

(3) The maximum number of students enrolled in work experience/career exploration shall conform with federal regulations.

(4) The training agreement, not including the training plan, shall be submitted to the Commissioner of Education upon placement of the student.

(5) Employment certificates shall be submitted to the Minnesota Department of Labor and Industry.

c. Work experience disadvantaged.

(1) 5 MCAR § 1.00811 G.3.a. rules shall be met.

d. Work experience handicapped.

(1) 5 MCAR § 1.00811 G.3.a. rules shall be met.

(2) The maximum number of students enrolled in the work experience handicapped coop shall be 23 students when the instructor-coordinator is responsible only for the vocational area of instruction. When the instructor-coordinator is responsible for the nonvocational areas of special education as well as the work experience coop, the maximum shall be 15 students as identified in the state board of education rules.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **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."

PROPOSED RULES

5 MCAR § 1.00811

(3) The training agreement and training plan shall be in accordance with the special education individual educational plan in the State Board of Education rules EDU 120 A. 3.(5 MCAR § 1.0120 A. 3.)

(4) The instructor-coordinator shall possess a valid special education license appropriate for the type of handicapped students being served if the instructor-coordinator is responsible for the nonvocational areas of special education instruction.

5 MCAR § 1.0088 Contracts with public or private agencies for vocational programs.

A. When a school district or cooperative center contracts with a public or private agency other than a Minnesota school district or cooperative center for the provision of secondary vocational education services, a legally binding contract must exist.

B. Secondary vocational education programs offered by the contracting public or private agency shall comply with all rules governing vocational education in order to be eligible for aid.

C. A district or cooperative center shall receive aid in the amount of 40 percent of the amount of an approved contract entered into pursuant to this section.

D. Contracts with public or private agencies for secondary vocational education programs shall be submitted by the school district or cooperative center to the Commissioner of Education for approval at the time of submission of the budget for the following school year (February 1).

Chapter Six: Post-Secondary Vocational-Technical Education

5 MCAR § 1.0102 Program approval. The following requirements will apply to all requests for initial and annual program approval. Only approved programs can be a part of the district's budget request.

A. Appropriate work stations for each student shall be provided in all post-secondary supervised cooperative education or internship programs.

1. Training agreements and training plans shall be used by all supervised cooperative education and internship programs and shall be on file in the area vocational-technical institute.

2. Training assignments and work stations shall be evaluated by the students, the employers and the staff and

these evaluations shall be in writing. All programs, including cooperative and internships, shall be supervised by the appropriate area vocational-technical institute instructional staff.

3. Length of internship shall be established by the local board after receiving the recommendation of the program advisory committee and approved by the Commissioner of Education, except when the internship program is regulated by the accrediting agencies related to that program.

B. A program's advisory committee shall include membership of persons employed in that occupation or at a supervisory level of that occupation and shall be appointed by the local board.

1. The program advisory committee shall choose from its membership a chairperson and other officers as it deems necessary.

2. Each program advisory committee shall meet at least once a year and more often if deemed necessary by the advisory committee or the director.

3. The program advisory committee shall review annually the following appropriate criteria and make recommendations to the local board and the administration:

- a. curriculum;
- b. facility and equipment;
- c. staff recruitment;
- d. student recruitment;
- e. student placement;
- f. job availability.

4. Each program advisory committee membership list and minutes of each committee meeting shall be on file at the area vocational-technical institute and available for review by the Commissioner of Education.

C. All major program redirections shall be reviewed and approved by the Commissioner of Education prior to implementation.

D. The Commissioner of Education shall review and approve program title, length, and curriculum modifications.

E. The cost of the program shall be related to the benefits to students and business and industry.

F. Instructional programs shall have an enrollment of ten

PROPOSED RULES

5 MCAR § 1.0104

or more students per program. When more than one program section is in operation an average may be used. All vocational-technical programs shall be limited to a maximum of 24 students per section. Exemptions shall be given where licensure requirements are specifically established or on recommendation of other state industry groups. Exemption may be granted by the Commissioner of Education when adequately justified. Programs not meeting the minimum student requirement shall be placed on one-year probation during which enrollment must meet the ten-student criteria in order to receive subsequent approval.

G. Post-secondary instruction shall be provided on either a full-time or part-time basis by the local district.

1. Full-time student day means six clock-hours per day or a total of 30 hours per week in laboratory and shop subjects, technical subjects, related subjects, and supervised on-the-job work experience of cooperative or internship programs.

2. An extended time student shall have a maximum attendance of nine hours per day or 45 hours per week.

3. Part-time instruction means less than six hours per day, based on the needs of the student and the occupation being served. Provision for part-time students shall be at the discretion of the local district subject to the program approval process with the state board for vocational education.

4. A part-time student shall have a minimum attendance of five hours per week with a minimum of one hour in any one day.

5. Part-time student instructional hours shall be accumulative and computed to equal no less than six hours of instruction for one average daily membership equivalent for funding purposes. Foundation aid shall be paid on all part-time students with their hourly enrollment converted to average daily membership.

6. Part-time students shall be dropped from aid eligibility records when they have been absent all scheduled days of attendance in a 15-day period of full time operation.

H. Annual student placement shall be 51 percent or greater of students who have completed their educational objectives and are available for employment. However, special needs students may be exempt from the placement criteria. Placement and enrollment reports shall be submitted to the Commissioner of Education upon request.

I. The State Board for Vocational Education may exempt students of certain programs from the 51 percent criteria if economic conditions, deemed to be temporary in character, are influencing placement.

J. The local district shall be responsive to current and projected manpower needs and the population groups to be served in the various geographic areas and communities of the state.

K. Each director of an area vocational-technical institute shall conduct an annual evaluation based on the goals and objectives of the vocational-technical programs as approved by the State Board for Vocational Education for that local district. Those institutes with programs subject to review by national or state accrediting bodies shall 30 days prior to that review provide the date of the review and copies of all information required by the review body to the Commissioner of Education.

L. Evaluation visits shall be made by the Commissioner of Education at the rate of ~~four~~ seven area vocational-technical institutes per year, or more, for the purposes of conducting on-site evaluations of the existing programs in each institute. A cycle of program evaluations by experts from business and industry will be completed every ~~three~~ five years. On-site ~~Self~~-evaluations shall be submitted by the institutes to the Commissioner of Education in the intervening years.

5 MCAR § 1.0104 Foundation aid.

A. A school district operating an area vocational-technical institute shall be eligible to receive post-secondary vocational foundation aid for all students attending approved post-secondary vocational-technical programs.

B. Average daily membership estimates shall be included in the annual budget request. These estimates shall be derived from uniform student accounting reports and that shall be the basis for beginning foundation aid payments.

C. Changes in estimates as authorized in Minn. Stat. § 124.11 shall be approved by the Assistant Commissioner of Vocational-Technical Education before payment is authorized by the department.

D. Final adjustment data shall be submitted by August 15 of each year.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. **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."

PROPOSED RULES

5 MCAR § 1.0104

E. Only days in which school is open and students are under the supervision and guidance of teachers and for educational purposes are eligible for foundation aid. Snow days are not to be counted.

F. Tuition and fees.

1. Deductible fees shall include all charges that are uniformly assessed all students. Charges for materials or equipment that become the property of the student shall not be considered fees. ~~A non-refundable processing fee for application may be charged not to exceed \$10.00, and the processing fee shall not be deductible from foundation aid.~~

2. All tuition paid in advance shall be refundable on a pro rata basis as of the day of official termination.

3. Students shall have their tuition prorated for less than or more than the regular instructional schedule.

4. Collection of tuition shall be on the basis of four periods per year as determined by the local calendar. No single period shall exceed 65 school days. Tuition may not be demanded more than 15 consecutive school days in advance of the time period but a student may pay in advance. Tuition may be delayed only upon initial application for tuition subsidy in any given year or guaranteed receipt from an agency.

5. A late penalty may be charged not to exceed \$10.00 per period established pursuant to F.4. of this rule. Penalty payments shall be deducted from foundation aid. The penalty assessment period is the period of time between the date of tuition was demanded and the commencement of classes.

6. The total amount of tuition deducted from foundation aid shall be calculated on the total number of ADM's in the fiscal year. This calculation shall be made at the time of the final foundation aid adjustment, with tuition deficits being charged to local funds. Tuition loss due to deferment during student application for tuition subsidy shall not be deducted from foundation aid. Students shall not apply for a tuition subsidy more than once during a collection period.

7. Students on internships shall pay tuition for the time period claimed for foundation aid. Daily hours shall not exceed six unless the students are fully supervised under personnel provided by the institute.

8. Each district shall have an attendance policy. Students who notify the school of their withdrawal shall be dropped from the roll upon date of notification. Students absent for 15 consecutive school days shall be classified as withdrawn.

9. Students in continuous enrollment programs may be maintained on the roll for a vacation or a personal leave not to exceed 15 consecutive school days.

Chapter Six-A: Adult Vocational-Technical Education

5 MCAR § 1.0112 Instructional program approval. The following requirements shall apply to all requests for initial and annual program approval. Only approved programs can be a part of the district's budget request.

A. An overall adult vocational-technical advisory committee or program advisory committees for each occupational area shall be maintained which shall meet one or more times a year. Nothing shall prevent a district or center from having both. Local school personnel shall not be members of advisory committees within the district or center except as ex-officio nonvoting members.

B. Instructional staff shall hold a valid adult vocational-technical license in the area for which aid is claimed. Adult instructors serving over 500 clock hours on an annual basis shall meet full-time licensure requirements.

C. Administrative services shall be provided to administer the adult vocational-technical program needs.

D. Part-time programs shall have an enrollment of ten or more enrollees per program. When more than one program section is in operation, enrollment shall average ten or more enrollees.

E. Programs with full-time adult enrollees shall meet the following criteria:

1. Shall employ a minimum of a 40 percent instructor.

2. Adult farm management shall have a minimum enrollment of 42 cooperators who have been enrolled six years or less. When more than one adult farm management education program is operated within a district, enrollment shall average 42 or more. Eighty percent or more of the cooperators who have been enrolled for one full year or more, as measured from July 1 of any calendar year, shall have an annual analysis of their farm accounts. Programs not meeting the minimum enrollment prior to July 1, 1982, may apply to the Commissioner of Education for an exception to this rule on an annual basis which may be granted if:

a. an exception would allow enrolled cooperators to complete their program of education, or,

b. the instructional quality and efficiency would be improved by the exception.

3. Small business management education programs shall have a minimum enrollment of 30 enrollees who have

PROPOSED RULES

5 MCAR § 1.0113

been enrolled three years or less. Eighty percent or more of the persons who have been enrolled for one full year or more, as measured from July 1 of any calendar year, shall have an annual analysis of their business accounts. Programs not meeting the minimum enrollment prior to July 1, 1981, may apply to the Commissioner of Education for an exception to this rule on an annual basis which may be granted if:

a. an exception would allow enrolled cooperators to complete their program of education, or,

b. the instructional quality and efficiency would be improved by the exception.

4. Full-time adult education programs except adult farm management and small business management shall have a minimum student enrollment of 14.

F. When an existing program does not meet the minimum enrollment, the program shall be placed on probation for one year.

G. The local district or center shall conduct an annual evaluation as prescribed by the Commissioner of Education. Programs subject to review by national or state accrediting bodies shall, 30 days prior to that review, provide the date of the review to the department of education and have on file copies of all information supplied to the review body.

5 MCAR § 1.0113 Nursing assistant programs. Nursing assistant education programs shall use the curriculum developed by the Commissioner of Education. The program shall include an individual written/oral test and performance evaluation, which shall be administered on a monthly basis by the Department of Education, and shall be 30 hours of planned learning activities, exclusive of the evaluation.

A. Definitions. For the purpose of this section, the following definitions shall apply:

1. Nursing assistant — an individual working in or employed by a nursing home, including, but not limited to, a nurse's aide or an orderly, who is assigned by the director of nursing to provide or assist in the provision of direct patient care services under the supervision of a registered nurse.

2. Curriculum — the aggregate of courses of study and planned learning activities developed by the Commis-

sioner of Education to comply with Minn. Stat. § 144A.61, subd. 3.

3. Completion of the program — successful completion of individual oral/written test and performance evaluation.

4. Supplemental nursing service — an entity which recruits and employs nursing and ancillary health care personnel for temporary assignments to supplement the staff of health care institutions; and which is not an employment agency but the employer of all such personnel assigned.

5. Technical assistance — technical assistance by the Department of Education may include:

a. training of instructors;

b. utilization of the curriculum; and

c. instructional materials.

B. Instructional staff qualifications. Instructional staff for approved nursing assistant education programs offered in facilities other than the area vocational-technical institutes shall be exempt from § 1.0112 B., and on January 1, 1979, shall meet the following qualifications:

1. a registered nurse with 2,000 hours of experience within the last five years, at least 500 hours of which must be in geriatric or rehabilitation nursing; or

2. a licensed practical nurse with 4,000 hours of experience within the last five years in geriatric or rehabilitation nursing.

3. As of January 1, 1982, the minimum requirement for instructional staff shall be a registered nurse with at least one year (2,000 hours) of experience, 500 hours of which must be in a geriatric or rehabilitation nursing setting. This section shall not apply to licensed practical nurses teaching this course in a nursing home as of January 1, 1979 who continue to teach this course in that same facility as of January 1, 1982.

C. Exempt categories. The following categories of nursing assistants shall not be required to comply with the edu-

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **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."

PROPOSED RULES

5 MCAR § 1.0113

ation requirements of Minn. Stat. § 144A.61 (Supp. 1977).

1. Nursing assistants who began employment in a nursing home on or before December 31, 1978, and who continue employment in the same nursing home in which they were employed on December 31, 1978.

2. Nursing assistants who have successfully completed, since January 1, 1976, a training program for nursing assistant employed in nursing homes, which utilized a program endorsed by the state Department of Education, unless employment has been interrupted for greater than two consecutive years.

3. Nursing assistants who have successfully completed a state approved nursing education program which prepares an individual for licensure as a registered nurse or licensed practical nurse if completion occurred no more than two (2) calendar years prior to employment.

4. Persons who have successfully completed the individual oral/written test and performance evaluation, even though the course has not been taken.

5. Registered nurses or licensed practical nurses holding current licensure in the state of Minnesota.

6. Nursing assistants who began employment in a supplemental nursing service on or before December 31, 1978 and who continue employment in that same nursing service in which they were employed on December 31, 1978, and who have worked a minimum of twelve (12) hours per week for that same supplemental nursing service in a nursing home prior to December 31, 1978.

~~5 MCAR § 1.0113~~ 5 MCAR § 1.0114 No change, except rule number.

~~5 MCAR § 1.0114~~ 5 MCAR § 1.0115 No change, except rule number.

~~5 MCAR § 1.0115~~ 5 MCAR § 1.0116 No change, except rule number.

~~5 MCAR § 1.0116~~ 5 MCAR § 1.0117 No change, except rule number.

~~5 MCAR § 1.0117~~ 5 MCAR § 1.0118 No change, except rule number.

Department of Personnel

Proposed Temporary Rules Governing the Band Width Certification Program

Request for Public Comment

Notice is hereby given that the Department of Personnel has proposed the following temporary rules for the purpose of implementing the provisions of Minn. Laws 1978, ch. 734, § 17, the band width certification program.

All interested persons are hereby afforded the opportunity to submit their comments on the proposed rules for 20 days immediately following publication of this material in the *State Register* by writing to Julie Vikmanis, Manager of the Examining and Referral Division, Department of Personnel, 3rd Floor, Space Center Building, 444 Lafayette Road, St. Paul, Minnesota 55101. The temporary rules may be revised on the basis of comments received. Any written material received shall become part of the record in the final adoption of the temporary rules.

Clarence E. Harris
Commissioner of Personnel

July 24, 1978

Temporary Rules as Proposed

2 MCAR § 2.300 Conduct of band-width certification experiment. Pursuant to Minn. Laws 1978, ch. 734, § 17, the commissioner has authority to temporarily adopt band-width certification procedures based on the reliability of selection processes in order to determine the appropriateness of permanently adopting such procedures for all certifications which would otherwise be made under the provisions of Minn. Stat. § 43.18. This experiment will be conducted in accordance with the following rules.

2 MCAR § 2.301 Selection of job classes. The commissioner shall designate at least ten classifications for inclusion in the experimental band-width certification program. The classifications to be included shall be selected to make the experiment as representative of actual conditions as possible to determine the utility, practicality, and overall effect of band-width certification procedures for filling classified positions. In making the selection of classes to be included in the experiment the commissioner shall consider the following factors:

1. The number of incumbents in the classification with emphasis on large classes.

PROPOSED RULES

2. The number of anticipated appointments to be made from competitive eligible lists with emphasis on frequently filled classes.

3. The number of anticipated applicants with emphasis on classes eliciting high levels of competition.

4. The range of different selection processes used alone or in combination to screen candidates including one each of classes where selection is based on written test only, experience and training rating only, written test combined with oral examination, and experience and training rating combined with oral examination.

5. The number of departments and the number of appointing authorities utilizing the classification with emphasis on classes widely dispersed throughout the state service.

6. Selection of at least one class in each of the A, B, and C salary schedules.

7. Selection of at least one class used in departments governed by collective bargaining agreements and at least one class used in departments not governed by collective bargaining agreements.

8. Selection of at least one class used in departments governed by United States Civil Service Merit System Standards.

2 MCAR § 2.302 Public notice. The commissioner shall give public notice of the classes selected for the band-width certification experiment by including a list of those classes to which band-width certification procedures shall apply in the bi-monthly announcement of openings of competitive examinations published by the Department of Personnel and shall include a brief explanation of the program when announcing individual classes included in the program as open to competition.

2 MCAR § 2.303 Determination of the width of the band to be certified for each class. The commissioner shall determine the band-width to apply to certifications for each class selected for the experiment basing that determination upon the statistical reliability of the selection instruments used for the classes. Reliability calculations shall be based upon scientifically accepted statistical methods.

2 MCAR § 2.304 Certification procedures. The following certification procedures will apply to certifications made for the selected classes from competitive eligible lists and

2 MCAR § 2.305

shall supersede the certification requirements of Minn. Stat. § 43.18, but shall not apply where the provisions of Minn. Stat. § 43.15, subd. 5 expand the appointment list beyond the number which application of these procedures would provide.

The commissioner shall prepare appointment lists for vacant positions in the selected classes consisting of all eligibles within the reliability based certification band, randomly ordered. In determining which eligibles fall within the band, the commissioner shall select the highest final score on the eligible list without veteran's preference points and subtract from it the number derived by the calculation of the band-width to determine the lowest score to be certified. The names of all eligibles with final scores including veteran's preference points equal to or higher than that lowest score shall be included on the appointment list. Standard considerations of candidate location and employment condition availability will prevail. If the number of eligibles placed on the appointment list in accordance with the above is less than ten, as many additional names as necessary will be added from the eligible list in the order established by 2 MCAR § 2.048 and certified for appointment to bring the total number of eligibles on the appointment list to ten. In such instances all candidates with scores tied with the tenth name so selected will also be certified. In all cases the names of all eligibles certified will be randomly ordered.

If contact with the eligibles on the appointment list shows one or more candidates to be no longer available for employment, the appointing authority may contact the certification unit of the Department of Personnel to determine whether the unavailability of that candidate or candidates would result in an appointment list with additional candidates. If so, and the appointing authority desires a new appointment list from a band-width certification based on the scores of the remaining available candidates, or if fewer than ten candidates are determined to be available, the appointing authority may return the initial appointment list to secure a new appointment list to be certified under the procedures outlined above.

2 MCAR § 2.305 Record keeping and evaluation of band-width experimental program.

A. Record keeping. The commissioner shall maintain a record of the results of the reliability-based band-width certification experiment, which shall include the following:

1. The statistical reliability of all selection instruments used for the classes included in the experiment.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. **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."

PROPOSED RULES

2 MCAR § 2.305

2. The band-width determination for each class based upon the statistical reliability and the calculations outlined in 2 MCAR § 2.303.

3. An analysis of all certifications made to classes selected for the experimental program showing the number of eligibles who would have been certified under the provisions of Minn. Stat. § 43.18, the number of eligibles who would have been certified using only the band-width calculation, the number of eligibles who would have been certified using the band-width calculation and the requirement to expand to at least ten candidates and those tied with the tenth score, the number which would have been certified under Minn. Stat. § 43.15, subd. 5 and the number who were actually certified under which applicable statute or procedure.

4. A list of all appointments made under the band-

width experimental procedures and the rank of the appointees on the eligible list at the time the appointment was made.

B. Program evaluation. The commissioner shall require the appointing authority to complete an evaluation of the band-width certification procedure when making an appointment to a vacancy in one of the selected classes from a certification prepared under the band-width procedures. Such an evaluation shall include an explanation of factors considered in determining which candidates to contact for interviews and which candidate to appoint to the position. The evaluation shall also include comments about the utility, practicality and overall effectiveness of the program based on the use of the certification report made under the program. A summary of such evaluations and of comments and evaluations presented by applicants and others who may be effected by the program shall be included with the Personnel Commissioner's report to the legislature about the program.

STATE CONTRACTS

Pursuant to the provisions of Laws of 1978, ch. 480, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.



Frank B. Kellogg (1856-1937), Minnesota's U.S. Senator from 1916 to 1922, won the Nobel Peace Prize for his role in negotiating the Briand-Kellogg Pact of 1928. Kellogg also was U.S. ambassador to England and served as Secretary of State during the Calvin Coolidge administration. (Drawing by Rick James.)

Department of Agriculture Plant Industries Division Certified Seed Potato Program

Notice of Request for Proposals for Advertising Services

The Department of Agriculture is seeking a consultant to provide advertising services under contract as follows:

1. To promote the quality of Minnesota Certified Seed Potatoes and thus increase the demand and sales of same through advertising promotion in various printed media, including various potato oriented publications throughout the country;

2. To develop and implement, upon review and approval of the department, an advertising campaign to accomplish objective #1.

The selected consultant will be paid up to \$18,600 for services rendered. The actual contract payment will be based upon the actual services performed. The contract will be for September 1, 1978 through June 30, 1979.

Proposal submissions will be accepted until 4:30 p.m. on August 25, 1978 by and inquiries may be made to:

Jerome Jevning, Supervisor
Seed Potato Certification
670 State Office Building
Saint Paul, MN 55155
(612) 296-8557

Department of Education Executive Division

Notice of Availability of Evaluation Contract for the Minnesota Learning Disabilities Consortium

Notice is hereby given that the Department of Education intends to enter into a contract for the third year evaluation of the Minnesota Learning Disabilities Consortium's Child Service Demonstration Center. The consultant chosen for this position must have extensive expertise in the areas of evaluation, learning disabilities, and computer assisted instruction.

STATE CONTRACTS

The estimated cost will be \$8,000. Interested persons are invited to contact Beth Sullivan, Project Administrator, State Department of Education, Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101, for further information.

Final submission date is August 28, 1978.

Iron Range Resources and Rehabilitation Board Iron Range Interpretive Program

Notice of Request for Proposals for Consulting Services: Team of Historian Surveyors

A request for proposal is being made by Iron Range Resources and Rehabilitation Board, State of Minnesota, Eveleth, Minnesota, to continue a field survey of the Iron Ranges of northeast Minnesota for the purpose of identifying sites of historic, cultural, architectural and archaeological significance. A specific description of the work to be performed will be forwarded to all applicants upon request. A total budget of \$40,000 has been set for the project. It is emphasized that an essential component of the survey process is the analysis which the surveyors will be required to prepare. This analysis is expected to be worthy of publication and should synthesize historical, architectural and cultural aspects of Iron Range features for interpretation.

Proposals will be considered from individuals, groups, and teams until the 18th of August, 1978. A specific description of the work and application forms will be forwarded to all applicants upon request. Direct all inquiries to:

Historical-Cultural Survey of the Iron Range
c/o Commissioner, Iron Range Resources
& Rehab.
P.O. Box 678
Eveleth, MN 55734

Metropolitan Council of the Twin Cities Air Quality Management Program

Notice of Request for Proposals for Collection and Evaluation of Air Pollutant Emission and Pollution Data Attributable to Transportation Related Sources in Twin Cities Metropolitan Area

Proposals should be submitted in ten copies and mailed to the Metropolitan Council, Suite 300, Metro Square Building, St. Paul, Minnesota 55101. Attention: Raymond W. Thron, Contract Manager. Proposals must be received by August 18, 1978 before 4:00 p.m. A copy of the detailed request for proposal and other information may be obtained at the Metropolitan Council or by calling (612) 291-6409.

The proposed services would include (1) data collection needed for the analysis of measures included in the Metropolitan Council's Transportation System Management Plan and for any additional analysis supportive of the development of the Council's air quality policies and plan; (2) determination of the amounts of carbon monoxide, hydrocarbons, and nitrogen oxides emitted from mobile sources in 1977 (base year) and a forecast of these emissions for the years 1982 and 1987; all based on emission and roadway network information as provided by the Council and the Minnesota Department of Transportation (Mn/DOT); (3) examination and evaluation of emission inventory runs generated by Mn/DOT to validate findings and to determine the degree of carbon monoxide reduction needed to attain the ambient air quality standards; (4) preliminary qualitative and quantitative analysis of Council staff; (5) preliminary listing, discussion and identification of methods and programs by which the emissions of transportation related air pollutants can be reduced; and (6) development of a potential schedule and work tasks necessary to fully evaluate methods and programs identified in Task No 5.

Tasks 1 and 2 must be completed in draft form by September 15, 1978, and tasks 3, 4, 5 and 6 must be completed in draft form by October 13, 1978. All work performed would terminate no later than December 29, 1978. The estimated cost of contract services should not exceed \$30,000.

John Boland
Chairman

STATE CONTRACTS

Department of Natural Resources Bureau of Engineering

Notice of Request for Proposals for Consulting Engineering Work on Tower Sudan Underground Mine and Shaft

Notice is hereby given that the Department of Natural Resources is requesting proposals from Consulting Engineers to design, prepare plans and specifications for an underground room, provide a materials list and identify the technical aspects involved therein; and also to provide a safety survey of the passenger route and survey the electrical, communications and water piping systems. Estimated cost is \$10,000.

Proposals must be submitted by 3:00 p.m., August 30, 1978, to Eugene Gere, Administrator of Bureau of Engineering, Department of Natural Resources, Box 29, 444 Lafayette Road, Space Center Building, St. Paul, Minnesota 55101. Mr. Gere may be contacted at (612) 296-2119.

Department of Transportation — Bureau of Operations In Cooperation with the Metropolitan Council of the Twin Cities

Notice of Availability of Contract for Phases II and III (Draft and Final EIS) of I-35E

The Metropolitan Council intends to engage the services of a qualified consultant to conduct a Draft Environmental Impact Statement and Final Environmental Impact Statement for Trunk Highway No. 35E in the Pleasant Avenue Corridor. The area of study will extend from I-94 in Mendota Heights to Trunk Highway No. 94 in St. Paul.

These studies will include data collection and analysis, a draft environmental statement, a final environmental state-

ment, a location study report, public hearings and any auxiliary reports (air, noise, water quality) as may be necessary. It is estimated that the cost range of this study will be \$200,000 to \$300,000. Qualified consultants interested in receiving a "Request for Proposal" for the proposed services should contact:

Ghaleb Abdul-Rahman
METROPOLITAN COUNCIL
Transportation Planning Division
Suite 300 Metro Square Building
Saint Paul, Minnesota 55101
Telephone Number: (612) 291-6336

Final submission date is Tuesday, August 14, 1978.

Department of Transportation Administration Division

Notice of Availability of Contract for Graphic Specialist

The Minnesota Department of Transportation (Mn/DOT) requires the services of a qualified consultant to perform as a graphic specialist in the development of a training course for the planning, location and design of safety rest areas.

The training course development will include the following:

1. Preparation of graphics materials and illustrations in the development of visual aids for the executive summary session.
2. Preparation of graphic illustrations, analysis diagrams, design details and renderings required for the preparation of a manual entitled "Planning, Location and Design of Safety Rest Areas."
3. Preparation of graphic materials required for the development of an instructors guide, student work problems and development of visual aid materials required for a course presentation.

The estimated fee range for this project is \$14,000 to \$16,000. Firms based or having established offices in the State of Minnesota are to be given first consideration.

Firms desiring consideration should submit a resume of their office and work before August 15, 1978.

STATE CONTRACTS

This is not a request for proposal. Send your response to:

B. E. McCarthy
Consultant Services Engineer
Room 612B
Transportation Building
St. Paul, Minnesota 55155
Telephone (612) 296-3051

This is not a request for proposal. Send your response to:

B. E. McCarthy
Consultant Services Engineer
Room 612B
Transportation Building
St. Paul, Minnesota 55155
Telephone (612) 296-3051

Notice of Availability of Contract for Technical Writer/Project Manager

The Minnesota Department of Transportation (Mn/DOT) requires the services of a qualified consultant to perform as technical writer/project manager in the development of a training course for the planning, location and design of safety rest areas.

The training course development will include the following:

1. Compilation and development of reference materials.
2. Development of an executive summary session to be presented to top state officials.
3. Preparation of a reference manual entitled "Planning, Location and Design of Safety Rest Areas."
4. Development of training curriculum and training materials.

The estimated fee range for this project is \$23,000 to \$26,500. Firms based or having established offices in the State of Minnesota are to be given first consideration.

Firms desiring consideration should submit a resume of their office and work before August 15, 1978.

Department of Transportation Bureau of Policy and Planning

Notice of Request for Proposals for Consultant Services

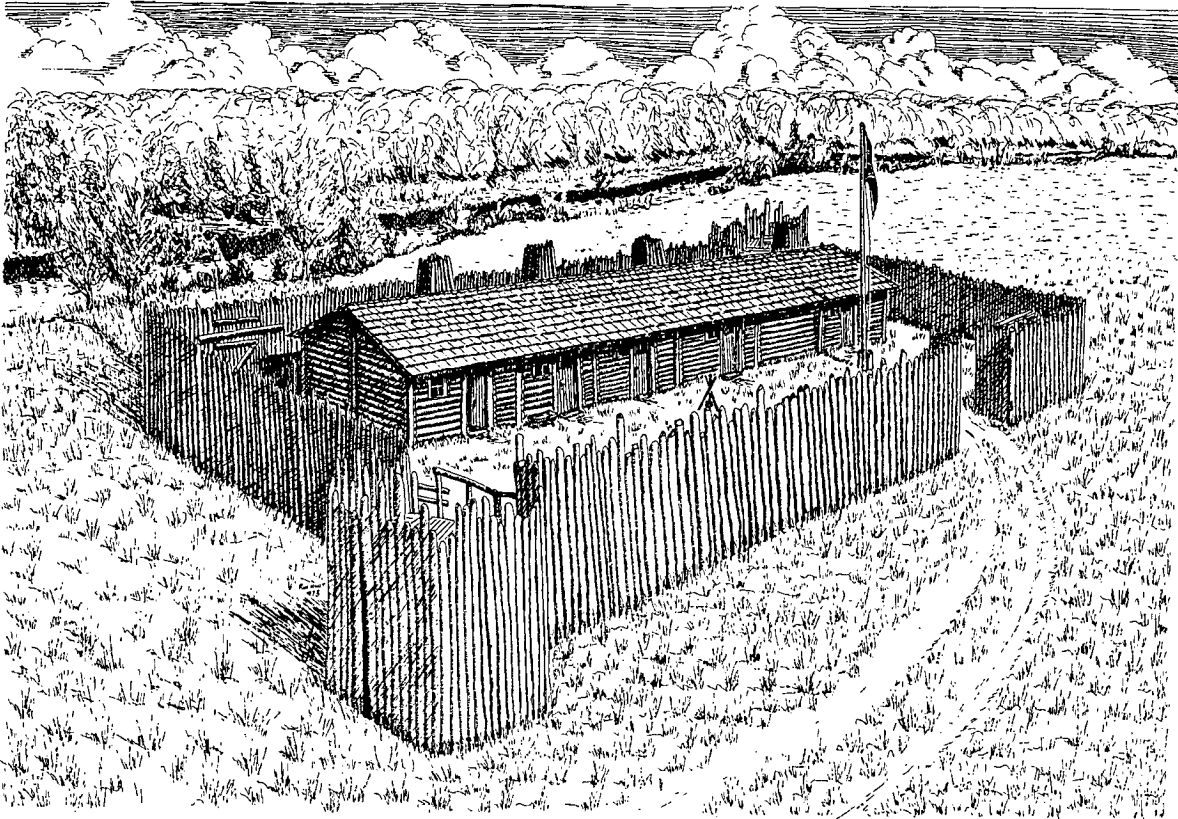
Notice is hereby given of a Request for Proposals from qualified consultants for a study to find and test solutions to adverse impacts from railroad operations in communities, with emphasis on low cost solutions, along a rail corridor in Minnesota and North Dakota.

An amount not to exceed \$150,000 is available for this study. All proposals must be received by the Minnesota Department of Transportation by the close of business, September 8, 1978.

For additional information, contact:

Chuck Anders
Office of Multi-Modal Planning
Minnesota Department of Transportation
Room 820, Transportation Building
St. Paul, Minnesota 55155
Telephone: (612) 296-1608

OFFICIAL NOTICES



Fur trader Thomas Connor lived among the Chippewa (Ojibway) Indians and built a trading post near the Snake River in 1804, but its exact location was not known until a farmer found its remains in 1964. Reconstruction of the fur post was completed in 1970 by the Minnesota Historical Society. Located on Pine County road no. 7, it is open daily during the summer. (Drawing by Ron Hunt reprinted, with permission, from *A Living Past: 15 Historic Places in Minnesota*, copyright 1973, 1978 by the Minnesota Historical Society.)

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

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

Department of Labor and Industry Occupational Safety and Health Division

Correction to Notices of Hearing

This notice hereby corrects an error in the Department of Labor and Industry, Occupational Safety and Health Division, Notices of Hearing published in the *State Register* on July 24, 1978 (3 S.R. 91 through 98). The three notices of hearing are corrected to read "Request for Public Comment." The 30-day period allowed for submission of written data or comments on the proposed rules shall commence with this notice.

Metropolitan Council

Public Hearing on Metropolitan Sports Facilities Commission 1979 Proposed Budget

The Metropolitan Sports Facilities Commission will hold a public hearing on Wednesday, August 16, 1978 at 10:00 A.M. in the Metropolitan Council Chambers, 300 Metro Square Building, St. Paul, Minnesota 55101, for the purpose of receiving public comment on its proposed 1979 budget. It is proposed that the estimated expenditures contained therein will be financed according to law by revenues from tenant leases and a 3% admissions tax relating to activities at the Metropolitan Sports Arena. All interested persons are invited to present their views on the proposed 1979 budget at this hearing. Persons may register in advance to speak at the hearing by phoning (612) 291-6595. Copies of the proposed budget will be available, free of charge, after August 7, 1978 at the Commission offices, Suite 402, Metro Square Building, St. Paul, Minnesota 55101.

Dan Brutger
Chairman

Soil and Water Conservation Board

Notice of Clarification Regarding Adopted Rules for the Cost-Share Program

The adopted rules which were published at *State Register* on July 10, 1978 (3 S.R. 19), had not been approved by the Office of the Attorney General or filed with the Secretary of State. Those rules have now been approved and filed and are effective five (5) working days from the date of publication of this notice.

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

Suite 415, Hamm Building
408 St. Peter Street
St. Paul, Minnesota 55102
(612) 296-8239

ORDER FORM

State Register. Minnesota's official weekly publication for agency rules, notices and executive orders.

- _____ Annual subscription \$110.00
- _____ Additional subscription \$85.00
- _____ Single copy \$2.25 each

State Register Binder. Durable 3½ inch, forest green binders imprinted with the State Register logo.

- _____ State Register Binder \$5.00 + \$.20 (sales tax) = \$5.20* each

Guidebook to State Agency Services. The 53rd issue of the State Register, a how-to-get-it guide to state services. Detailed information about every service available to the public, in clear, simple English.

- _____ Single copy \$4.95 + \$.20 (sales tax) = \$5.15*

Minnesota Code of Agency Rules (MCAR). The permanent, 15 volume set of state agency rules. An indispensable reference work for the practice of administrative law.

- _____ 15 volume set \$325.00, includes the annual update service subscription for the year of order (a \$105.00 value) and a set of MCAR binders.

MCAR Binders. A set of 15 sturdy, three inch, three-ring binders in attractive forest green, imprinted with the MCAR logo.

- _____ 15 volume set \$35.00 + \$1.40 (sales tax) = \$36.40*

*To avoid Minnesota sales tax, please include below your tax exempt number.

Please enclose full amount of items ordered. Make check or money order payable to "Minnesota State Treasurer."

Name _____

Attention to: _____

Street _____

City _____ State _____ Zip _____

Telephone _____

Tax Exempt Number _____

Legislative Reference Library

Attn: Stephen Plumb

Room 11 State Capitol

ENTER OFFICE 69-11-11

I