

State

Pages 1821-1840



STATE OF
MINNESOTA

Register

HIGHLIGHTS:

Admission Standards Policies, Equal Opportunity, and Resident and Non-Resident Tuition Status

—Proposed Rules from the State University System

Accreditation of Chemical Dependency Training Programs

—Proposed Rules from the Department of Public Welfare

Vocational Programs in Minnesota School Districts

—Public Opinion Sought by the Department of Education

Designation of Certain Guns as Collector's Items

—Public Opinion Sought by the Department of Public Safety

Uniform Financial Accounting and Reporting Standards

—Emergency

—Notice of Intent to Adopt Emergency Rules by the Department of Education

EQC Monitor:

Natural Resource Permit Applications

EQC Informational Meeting

EQC Monitor Printing and Subscription Change

Negative Declaration

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*New rules, both proposed and adopted, and which have never been disseminated or published, are not included in the List of MCAR Rules Affected. Rules which are listed as "uncodified" have been disseminated, but have never been published in the MCAR.

PROPOSED RULES

State University System Purpose, Admissions Policies, Equal Opportunity, and Criteria for Resident and Non-Resident Tuition Status

Notice of Hearing

Another public hearing in the above-entitled matter is hereby scheduled because publication of the original notice in the State Register was one (1) day late. Because of this technical defect, notice is hereby given that a public hearing in the above-entitled matter will be held in the Conference Room A, Capitol Square Building, St. Paul, Minnesota on August 2, 1977 commencing at 9:30 a.m. and continuing until all persons have had an opportunity to be heard. The original Notice of Hearing published in 1 State Register 1597-1599 is hereby incorporated by reference except as modified herein. Written materials may be submitted before or at the hearing or within five (5) working days (or for a longer period not to exceed twenty (20) days if ordered by the hearing examiner) after the close of the hearing.

Dr. Garry D. Hays
Chancellor

Department of Public Welfare Accreditation of Chemical Dependency Training Programs

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held in the Veterans Service Building, Room D, 20 West 12th Street and Columbus Avenue, St. Paul, Minnesota, 55155, on August 1, 1977, 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 materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Peter C. Erickson, Hearing Examiner, Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota, 55104, 612-296-8118, either before the hearing or within 20 days after the close of the hearing.

The proposed rules, if adopted would provide the minimum standards for the accreditation of pre-service

chemical dependency training programs in the State of Minnesota. Copies of the proposed rules are now available and one free copy may be obtained by writing to Don Devens, Chemical Dependency Program Division, Department of Public Welfare, 658 Cedar Street, St. Paul Minnesota 55155. Additional copies will be available at the door on the date of the hearing. The agency's authority to promulgate the proposed rule is contained in Minn. Stat. § 245.781 through § 245.813. A "statement of need" explaining why the agency feels the proposed rules are necessary and a "statement of evidence" outlining the testimony they will be introducing will be filed with the Hearing Examiners 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, requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. Lobbying includes attempting to influence rule making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than \$250 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 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota, 55155, phone 612-296-5615.

VERA J. LIKINS, Commissioner

Readers should note that the following rule is totally new.

DPW 29 Accreditation of pre-service chemical dependency training programs.

A. Introduction. The welfare of persons being treated for problems associated with chemical dependency is often affected significantly by the availability of trained personnel. There is a need to determine whether or not personnel in the field of chemical dependency are sufficiently well-trained.

Under the authority of the Minnesota Laws cited below, the Department of Public Welfare seeks to establish standards for training for professional personnel in the field of chemical dependency. These standards will provide assurance that there are minimum requirements of pre-service training. In addition, the guidelines delineate the minimum conditions under which this training occurs and establishes the minimum competencies for completion of the training. These standards also establish the process for the implementation of this rule and the administration of these training programs.

B. Statutory citations. Minn. Stat. §§ 245.781 through 245.813, and DPW 35 establish the authority of the Commissioner of Public Welfare to approve training programs.

PROPOSED RULES

C. Definitions.

1. "Accreditation" means that the training program has met the requirements of this rule.

2. "Advisory Board of the Training Program" means that group which advises the program staff on matters pertaining to program and policy implementation — hereafter called the Advisory Board.

3. "Applicant Status" means that the applicant program has completed the procedure for application for accreditation.

4. "Chemical Dependency" means the frequent and/or repetitive use of alcohol or other drugs so as to impair the person's health or affect adversely his/her family or employment or other personal or societal relationships on a continuing basis.

5. "The Commissioner" means the Commissioner of the Department of Public Welfare of the State of Minnesota.

6. "Denial of Accreditation" means that the training program does not meet the requirements of the rule and will not be able to meet them in the foreseeable future.

7. "Governing Body of the Training Program" means that person or group of persons who have final policy-making and fiscal responsibility for the training program — hereafter called the Governing Authority.

8. "Mood-Altering Chemical" means any chemical that changes the way a person thinks, feels, or acts.

9. "Not Transferable" means that the status of accreditation applies to the specific training program as described in the approved accreditation documents.

10. "Pre-Service Training Programs" means those entry level training programs which aim at developing competence for a professional career in the field of chemical dependency — hereafter called Training Programs.

11. "Provisional Accreditation" means that a training program does not meet some requirements of the rule but will bring the program up to standard by the DPW designated review date.

12. "Recent Consumer" means someone who has completed an approved training program in Minnesota within the past four years.

13. "Standards for Accreditation" means the approved document STANDARDS FOR ACCREDITATION OF PRE-SERVICE CHEMICAL DEPENDENCY PROFESSIONAL TRAINING PROGRAMS — hereafter called Standards.

D. Accreditation process.

1. To be approved by the Minnesota Department of Public Welfare, pre-service chemical dependency training programs shall be accredited.

2. Prior to the issuance of accreditation or provisional accreditation, the following requirements shall be met:

a. The need for the program shall be determined.

b. A completed application shall be submitted to the Commissioner.

c. A written report with recommendations about the accreditation or denial of accreditation of the prospective program shall be submitted to the Commissioner by the review team.

d. An applicant fee to cover administrative costs not to exceed \$150.00 shall be set by the Commissioner.

3. All existing pre-service chemical dependency training programs shall apply to the Commissioner within 60 days of the effective date of this rule and comply with the provisions of the Rule to obtain accreditation. Upon completion of the application procedure, the training program shall be given applicant status and the program shall be allowed to conduct training under this title until the completion of the accreditation process.

4. There shall be a review team appointed by the Commissioner made up of no fewer than five persons knowledgeable in training. The review team shall include at least:

* 2 persons knowledgeable in the field of chemical dependency training;

* 1 racial minority person; and

* 1 recent consumer.

5. It shall be the responsibility of the review team to examine the application for a new or existing training program, make a site visit, review the program, and conduct whatever other inquiries are appropriate and necessary to

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make a recommendation to the Commissioner concerning issuance or denial of accreditation.

6. The review team shall submit a written report to the Commissioner and the applicant at the same time. This report shall contain the review team's findings and recommendations. The report shall take into account the cultural and life-style interests of the persons to be served. The Commissioner shall act on the recommendations of the review team.

If the review team determines that the applicant or accredited program is not complying with the provisions of this Rule or that the public interest is not served by granting or continuing accreditation, accreditation may be denied or not renewed after notice to the applicant or accredited program. The denial or failure to renew shall proceed in accordance with the provisions of Minn. Stat. ch. 15.

Application for renewal of accreditation shall be sent to the applicant by the Commissioner 4 months prior to expiration date.

9. Application for renewal of accreditation shall be made each year 60 days prior to the date of expiration. Application and reapplication shall be made on forms furnished by the Commissioner.

10. Accreditation is not transferable; that is, the status of accreditation cannot be transferred from one program to another without the approval of the Commissioner. Material changes in the program shall be reported in writing to the Commissioner.

11. Every applicant shall be furnished with a copy of these rules.

E. The governing authority. Rationale — to insure the existence of a legally constituted body which makes decisions, implements them, and provides administrative support for the training program.

1. The training program shall have an organizational structure either on its own or within a private or public agency or institution.

2. The training program shall have an individual and/or group which governs the funding and administrative decision-making of the program.

3. The training program shall have a faculty and trainee governance process.

4. The training program shall have a community advisory board which shall participate in the administrative and programmatic process.

F. The admission policy. Rationale — to insure the existence of a fair and equitable admission's policy.

1. Admission policies and procedures shall not discriminate against applicants because of race, creed, ethnic group, religion, age, sex, sexual preference, welfare status, criminal history, or national origin. The admission policies and procedures shall include an equal opportunity plan.

2. The training program shall have a written: a) admissions procedure and requirements; b) screening procedure; c) grievance procedure in regards to admissions.

3. The training program shall provide financial aid counseling.

G. Career counseling. Rationale — to insure that trainees receive employment and career guidance.

1. The training program shall provide career counseling early in the program.

2. The training program shall provide information on employment opportunities and alternatives.

3. The training program shall state to what extent it does or does not guarantee a job upon completion of the program.

4. The training program shall make resources available for training in employment seeking skills.

H. Program completion. Rationale — to insure that prospective trainees know the requirements for completing the program and for meeting State of Minnesota requirements.

1. The training program shall provide a written statement of completion requirements.

2. The training program shall allow for equivalent alternatives to the requirements of the program.

3. The training program shall provide a written statement of what competencies the graduates will have upon completion of the program and how these competencies meet the State of Minnesota requirements for credentialing of chemical dependency professionals.

I. Fiscal resource plan. Rationale — to insure the financial continuity of the program.

1. The training program shall have a written plan for obtaining financial resources for the total program.

a. This plan shall include a statement of expected financial resources for the program during the year in which accreditation is being sought.

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b. This plan shall include a statement of estimated financial resources for the program for at least one year beyond the year in which accreditation is being sought.

c. This plan shall be reviewed and approved at least once annually by the governing authority.

2. The training program shall have a written, program-oriented budget of expected revenues and expenses.

3. The fiscal plan shall:

a. Include a cost accounting procedure.

b. Maintain a reporting mechanism to the governing authority.

c. Provide a periodic audit of financial operation of the program.

J. Physical environment. Rationale — to insure adequate physical facilities.

1. The training program shall have adequate physical facilities to carry out the goals of the training program.

K. Personnel policies. Rationale — to insure fair and equitable treatment of all personnel.

1. The training program shall have written personnel policies and practices to include:

a. A statement of how policies and practices are determined.

b. A statement of how the policies are reviewed and updated.

c. An affirmative action plan for recruiting personnel from among members of cultural minority groups, women, and gay males and lesbians. Personnel policies and procedures must not discriminate in hiring or promotion against persons because of race, creed, ethnic group, religion, age, sex, sexual preference, welfare status, criminal history or national origin.

d. Due process for suspension and/or dismissal of an employee.

e. A description of a grievance procedure.

f. Job descriptions for all employees.

g. A description of the personnel evaluation procedure.

h. A written description of its personnel records system and policy for release of records.

i. A plan for professional growth and inservice training.

L. Trainee and applicant records. Rationale — to insure maintenance, accessibility, and privacy of trainees' records.

1. The training program shall provide a written policy on privacy of trainee and applicant records.

2. The training program shall provide a written policy guaranteeing trainees and applicants access to their records.

3. The training program shall maintain a list of all materials contained in the trainees' files.

4. The training program shall state how long it retains records and how it disposes of these records.

5. The training program shall provide a written policy on the recording of the evaluation of the trainee's performance.

M. Planning and needs assessment. Rationale — to insure that the training program is fulfilling a need for trained personnel.

1. The training program shall have available to it and shall review annually a current needs assessment of the populations to be served, i.e., job market, client population, geographic area.

N. Evaluation of training programs. Rationale — to insure accountability of the training program.

1. The training program shall provide a written statement of the goals and objectives of the program.

2. The training program shall have a method by which the program is evaluated and revised.

3. The training program shall have a procedure for involving trainees in the evaluation of all phases of the program.

4. The training program shall have a procedure for involving its advisory board in program evaluation.

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5. The training program shall conduct a periodic follow-up survey of graduates and employers of graduates.

6. The training program shall have a procedure for research and development of curriculum.

O. Affiliations. Rationale — to insure that training programs interact with other segments of the chemical dependency community, the educational community, and other professions.

1. The training program shall maintain affiliations with other organizations as are appropriate to the goals of the program.

P. The program director. Rationale — to insure that the Program Director is competent in the administration of pre-service chemical dependency training programs.

1. The director shall have a minimum of five years of combined experience and demonstrated competency in the delivery of human services, including three years in the field of chemical dependency.

a. The director shall be able to demonstrate competency in the field of education and/or training, and competency in at least two of the following: program administration; personnel supervision; and/or program development and evaluation.

b. The director shall meet the requirements for State registration in the field of chemical dependency.

2. The director shall maintain a responsible relationship to alcohol and other mood-altering chemicals, including a minimum of three consecutive years of abstinence (for chemically dependent persons) immediately prior to assuming the directorship.

3. The director shall attain the following continuing education requirements:

a. During each calendar year, the director must attend a minimum of 40 contact hours of approved seminars, institutes, workshops and/or college/university courses; a minimum of ten of these hours shall be in the areas of program administration, personnel supervision, and program development and evaluation.

Q. Program philosophy and goals. Rationale — to insure that the training program has a stated direction for training and stated goals to move in that direction.

1. The training program shall have a written philosophy of the program.

2. The training program shall have a written set of

training goals which are implemented in all parts of the program.

R. Program methods and techniques. Rationale — to insure that adequate facilities, methods, techniques, and learning tools are available and to implement the philosophy and goals of training programs.

1. The training program shall provide theoretical training and supervised internship/practicum experiences in the following areas:

a. The training program shall provide cognitive knowledge of chemical dependency. The facilities, techniques, and learning tools may include but are not limited to the following: direct experience, textual materials, audiovisual equipment and materials, individual tutoring, small group learning situations, adequate training space, library.

b. The training program shall provide opportunities for attitudinal development in relation to chemical dependency. The facilities, techniques, and learning tools may include but are not limited to the following: direct experience, lectures, discussion groups, journals and periodicals, access to professional organizations.

c. The training program shall provide training in the skills necessary to work in the field of chemical dependency. The facilities, techniques, and learning tools may include but are not limited to the following: direct experiences, simulations, instruction, practice, and supervised internships.

S. Preparation of attitudes. Rationale — to insure that the training program has specific curricula and the trainee is prepared in the attitudes appropriate to the profession as basically outlined below.

1. The chemical dependency professional consistently acknowledges and accepts his/her responsibility to the client by:

a. Acting in the client's interest.

b. Providing an appropriate setting for the therapeutic relationship.

c. Treating information relative to the client's case in a private manner.

d. Consulting other professionals.

e. Involving family members and significant others in the delivery of services.

f. Recognizing that the specialist's responsibility to

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the client continues until this responsibility is assumed by another professional or has been terminated by mutual consent.

g. Terminating the therapeutic relationship when the client is no longer benefiting from it.

h. Ensuring the client's need and right to understand what is being done on the client's behalf through the use of understandable, clear and specific language.

2. The chemical dependency professional consistently acknowledges and accepts his/her responsibility to the profession of chemical dependency services by:

a. Preparing himself/herself for professional practice in the specific prerequisite areas of knowledge, skills and attitudes.

b. Continuing his/her own education within the profession.

c. Practicing in conjunction with others as part of a multi-disciplinary team.

d. Informing himself/herself about professional associations that support, monitor and enhance the profession of chemical dependency service delivery.

e. Conducting his/her professional practice in a manner which allows for public accountability and yet protects the privacy of the individual.

f. Practicing in accordance with consumer rights.

3. The chemical dependency professional consistently acknowledges and accepts his/her responsibility for his/her personal and professional growth by:

a. Pursuing continuing education within the profession.

b. Recognizing the impact of his/her relationship to mood-altering chemicals upon his/her professional competence and maintaining a responsible relationship to such chemicals.

c. Preserving good mental health as a prerequisite to effectiveness as a helping professional.

T. Preparation in knowledge. Rationale — to insure that the training program has specific curricula and the trainee is

prepared in the knowledge appropriate to the profession as basically outlined below.

1. The chemical dependency professional has a general knowledge of the field of chemical dependency and its historical development which can be demonstrated by:

a. Naming and reviewing core literature.

b. Listing national, state, and local agencies and describing their roles in funding and/or administering chemical dependency programs.

c. Describing the legal implications of confidentiality, Patient's Bill of Rights, and the commitment process.

2. The chemical dependency professional has knowledge of mood-altering chemicals, chemical use, chemical abuse and chemical dependency, which can be demonstrated by:

a. Defining the major classifications of mood-altering chemicals and describing the systems for classifying them.

b. Listing the most frequently abused chemicals according to their major classifications.

c. Describing the physical effects upon individuals relative to varying degrees of chemical use.

d. Describing the changes in physiological functioning, social behavior and spiritual or value systems relative to varying degrees of chemical use.

e. Describing theories of causation of chemical dependency.

f. Describing theories of prevention of chemical dependency.

g. Describing implications of culture identity, ethnic background, sexual role or identity, and age group relative to chemical dependency.

h. Describing symptoms for diagnosing chemical dependency.

i. Describing the progression of chemical dependency.

j. Describing how chemical dependency affects families and significant relationships.

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3. The chemical dependency professional has knowledge relating to the care and treatment of persons who may be afflicted or affected by chemical dependency which can be demonstrated by:

- a. Describing the continuum of care for chemical dependency as defined by the State of Minnesota.
- b. Describing continuum of care resources available to family and concerned others.
- c. Describing theories of treatment for chemical dependency.
- d. Describing the principles and philosophy of self-help movements as related to chemical dependency.
- e. Describing models of group therapy.
- f. Describing group process and group dynamics.
- g. Describing theories and techniques of counseling.
- h. Describing the prevailing legal requirements for keeping records.

U. Preparation for skills. Rationale — to insure that the training program has specific curricula and experiences so that the trainee can demonstrate skills appropriate to the profession as basically outlined below.

1. The chemical dependency professional can demonstrate his/her knowledge of chemical dependency diagnostically by:

- a. Identifying symptomatic clues, both verbal and non-verbal.
- b. Identifying the pattern of usage, distinguishing between appropriate use, abuse, and chemical dependency.
- c. Determining the progression of the dependency by means of an accepted diagnostic procedure.
- d. Identifying a wide range of toxicity and withdrawal symptoms sufficient to protect the health and well being of the client.
- e. Helping the client recognize the client's need for services through interpretation of the data collected.

2. The chemical dependency professional can demonstrate his/her knowledge of interviewing theories and techniques by:

- a. Utilizing the available physical surroundings to set the stage for an interview.
- b. Establishing rapport through active listening, genuineness, concreteness, respect and empathetic understanding.
- c. Formulating questions clearly and concisely, eliciting accurate and key information.
- d. Summarizing and recording relevant information in a usable fashion.
- e. Demonstrating a variety of interviewing skills.

3. The chemical dependency professional can use his/her knowledge of the theories and techniques of problem solving to:

- a. Facilitate problem identification by:
 - (1) Establishing rapport.
 - (2) Providing appropriate and accurate feedback.
 - (3) Assisting the client in identifying needs through confrontation of the client's denial system, coping and defense mechanisms.

b. Facilitate rehabilitation planning by:

- (1) Assisting the client in developing and pursuing personal growth and recovery goals.
- (2) Offering alternatives to the client.

4. The chemical dependency professional can demonstrate his/her knowledge of group theories and techniques by:

- a. Starting a group, including helping the group set the ground rules.
- b. Modeling group behavior within the established group rules.
- c. Keeping the group moving toward the desired goals.
- d. Describing and summarizing group activity.

5. The chemical dependency professional can demonstrate his/her knowledge of lecturing techniques by:

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a. Preparing and presenting informative and factually accurate lectures for a variety of audiences including clients, peers and general public.

b. Preparing an outline and bibliography of a lecture noting relevant resource materials.

6. The chemical dependency professional can demonstrate his/her knowledge of the continuum of care by:

a. Successfully referring the client, including:

(1) Gathering appropriate and relevant information about the client to facilitate movement along the continuum of care.

(2) Matching the client's identified needs and circumstances with the most appropriate treatment alternatives.

(3) Writing an individual client continuum of care plan.

b. Utilizing appropriate procedures for obtaining and releasing information following legal and ethical standards.

c. Providing accurate documentation of written and verbal communication with others within the continuum of care.

7. The chemical dependency professional can demonstrate his/her knowledge of an accepted procedure of record keeping by:

a. Planning and recording individual treatment goals.

b. Recording progress of the client in relation to treatment goals.

c. Preparing accurate and concise drug and treatment histories.

d. Preparing an accurate, concise and complete discharge summary.

e. Protecting the client's right to privacy in the preparation and handling of records.

8. The chemical dependency professional can demonstrate his/her knowledge of underserved and minority populations by:

a. Identifying behaviors, attitudes, and values unique to identified underserved and minority populations.

b. Respond positively and supportively to the client's needs in terms of behaviors, attitudes and values unique to identified underserved and minority populations.

9. The chemical dependency professional can demonstrate his/her knowledge of the effects of chemical dependency on significant relationships by:

a. Identifying the influence of family and other relationships on the development of dependencies.

b. Actively involving family members and others in the treatment and recovery process.

c. Utilizing supporting persons and agencies such as clergy, employer and courts as resources in the treatment process.

V. Evaluation of trainee competence. Rationale — to insure that the trainees attain the competencies for professional employment in the field of chemical dependency.

1. The training program shall have a written procedure for evaluating whether or not the trainee has attained the stated competencies, and a written grievance procedure to challenge this evaluation.

W. Faculty and trainers. Rationale — to insure that the faculty and trainers are qualified by training and experience.

1. The faculty, trainers and consultants shall collectively have the knowledge, attitudes, and skills necessary to carryout the philosophy and goals of the program.

2. The training program shall provide in-service training and evaluation of the faculty and other trainers.

3. The training program shall have an annual listing of all faculty and trainers and their functions within the training curriculum.

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OFFICIAL NOTICES

Department of Education

Notice of Intent to Solicit Outside Opinion Regarding Rules for the Operation and Funding of Vocational Programs at the Secondary and Adult Levels in Minnesota School Districts

The Department of Education is drafting rules to amend the standards established for programs in secondary, post secondary, and adult vocational education. These rules are authorized by Minn. Stat. §§ 124.573 subd. 3, 124.561 subd. 3, 124.572 subd. 3.

The Department invites interested persons or groups to provide information, comment, and advice on the subject, in writing to Robert P. Van Tries, Assistant Commissioner, Division of Vocational-Technical Education, 564 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.

Written statements will be made part of the public hearing record.

Notice of Intent to Adopt Emergency (Temporary) Rules Relating to the Uniform Financial Accounting and Reporting Standards

The State Board of Education will consider a resolution at its meeting on August 1 and 2, 1977 to adopt emergency (temporary) rules relating to the uniform financial accounting and reporting standards. These rules EDU 764E-769 (5 MCAR §§ 1.0764E-1.0769) if adopted, shall take effect on August 12, 1977 and shall remain in effect until October 25, 1977 or the adoption of permanent rules, whichever occurs first. The rules to be considered will be identical to those printed in the State Register, April 25, Vol. 1, Number 42, pp. 1539-1542.

Statements or comments may be made orally and written material may be submitted to the State Board of Education meeting.

Howard B. Casmey
Commissioner

Department of Public Safety

Notice of Intent to Solicit Outside Opinion on Proposed Rules Relating to the Designation of Certain Guns as Collector's Items

Notice is hereby given, pursuant to Minn. Stat. § 15.0412, subd. 6 (1976) that the Minnesota Department of Public Safety has begun consideration of proposed rules relating to the designation of certain short-barrelled shot-guns and machine guns as collector's items, relics, etc. as required by Laws of 1977, ch. 255. The Department is therefore seeking information from outside sources in preparing to compile the proposed rules.

All interested parties desiring to submit data or opinions relating to the above subject should address their comments to:

James Massoth
Department of Public Safety
Criminal Apprehension Division
1246 University Avenue
St. Paul, Minnesota 55104
(612) 296-7454

Evidence submitted for consideration must be pertinent to the aforementioned subject matter and must be received by July 25, 1977. All written material received will become part of the official record of the rule-making hearing.

Minnesota Council on Quality Education

Notice of Grants Available for Early Childhood and Family Education Programs

Persons interested in starting new early childhood and family education programs during the 1977-78 school year may now apply through their school districts for Minnesota Council on Quality Education (CQE) grants. Early childhood and family education programs offer services to families with children ages 0-5 in several areas: parent education; child development; health screening; resource libraries for parents and children; and parenthood education for adolescents.

The public, teachers and administrators interested in applying for grants may contact the Council for application

OFFICIAL NOTICES

materials. Completed applications should be submitted to the Council postmarked no later than July 29, 1977.

A technical assistance workshop, set up to aid persons applying for grants, will be held June 30 in the Minneapolis/St. Paul area (location to be announced). Workshop reservations and application materials are available from the Council on Quality Education, State Department of Education, 718 Capitol Square Bldg., St. Paul, MN. 55101, phone (612) 296-5072 or 296-8200.

Department of Transportation

Petition of the Kasson Lumber Company Requesting Approval for Restricted Vertical and Lateral Clearances at its facility in Kasson, Minnesota, on Trackage Served by the Chicago and Northwestern Transportation Company.

Order for Hearing and Notice Thereof

It is hereby ordered, and notice is hereby given that a contested case hearing concerning the above-entitled matter will be held on July 14, 1977 at 10:00 A.M., at the Offices of the Chief Hearing Examiner, Room 300, 1745 University Avenue, Saint Paul, Minnesota.

The hearing will be held before Ms. Natalie Gaul, 1745 University Avenue, Saint Paul, Minnesota 55104, (Telephone: 612-296-8119), a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented by legal counsel or any other representative of their choice throughout the contested case proceeding. The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. § 15.0411 through Minn. Stat. § 15.052 and Minn. Rule HE 201 through 222. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General Frederick S. Suhler, Jr., 5th Floor, Transportation Building, Saint Paul, Minnesota 55155, (Telephone: 612-296-3257).

The purpose of the hearing is that under the provisions of Minn. Stat. § 219.47 all parties and potential parties of interest are given an opportunity to be heard on the proposed variance from statutory lateral and vertical clearances at its

facility alongside the Chicago and Northwestern Spur Track No. 297 in Kasson, Minnesota:

The petition recites among other matters that the vertical clearance is 15 feet and the lateral clearance is 8.5 feet except that at the east and west ends of the property the clearance is, respectively, 7.2 feet and 6.8 feet from the center of the track to the perpendicular extension of the cave of the "coal sheds" in question.

All parties are advised that if a party intends to appear at the hearing scheduled for July 14, 1977 at 10:00 A.M., the Notice of Appearance form enclosed with this order must be completed and returned to the Hearing Examiner at least 10 days before the hearing date. **SHOULD A PARTY FAIL TO APPEAR AT THE HEARING, THE ALLEGATIONS IN THE PETITION MAY BE TAKEN AS TRUE.**

The above cited procedural rules are available at the Office of Hearing Examiners or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, Saint Paul, Minnesota 55155 (Telephone: 612-296-2874). They provide generally for the procedural rights of the parties including: rights to advance notice of witnesses and evidence, right to a prehearing conference, rights to present evidence and cross-examine witnesses, and right to purchase a record or transcript. Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence.

Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least 5 days prior to the hearing. A copy of the request must be served on the agency and any other parties.

Jim Harrington
Commissioner of Transportation

Notice of Appearance

Date of Hearing: July 14, 1977

Name and Telephone Number of Hearing Examiner:

Natalie Gaul
1745 University Avenue
Saint Paul, Minnesota 55104
296-8119

TO THE HEARING EXAMINER:

You are advised that the party named below will appear at the above hearing.

OFFICIAL NOTICES

Name of Party: _____

Party's Attorney or Other Representative: _____

Address: _____

Telephone Number: _____

Signature of Party or Attorney: _____

Date: _____

EQC MONITOR

Minnesota Environmental Quality Council, 550 Cedar Street, St. Paul, MN, (612) 296-2723

Natural Resource Permit Applications

Dakota County

Name of Permit: Installation (Construction)

Applicant: Koch Refining Company

Agency: Pollution Control Agency

Project Location: Rosemount, Dakota County; NE ¼ of NE ¼, Sec. 13, R19W, Twp. 114N.

Project Description: Construction of a new bottom loading truck facility for gasoline and fuel oils to replace a top loading facility. Will result in a reduction of 135 to 205 tons per year of hydrocarbon emissions.

No Environmental Assessment Worksheet preparation is anticipated.

For further information on this project contact:

Edward M. Wiik, P.E.
Director of Air Quality Division
Minnesota Pollution Control Agency
1935 W. County Rd. B-2
Roseville, MN 55113
(612) 296-7331

Comments on this project should be submitted by July 27, 1977 to Lyle H. Smith, Minnesota Pollution Control Agency Administration at the above address, telephone (612) 296-7306.

Ramsey County

Name of Permit: National Pollutant Discharge Elimination System Permit and State Disposal System Permit

Applicant: Metropolitan Council and Metropolitan Waste Control Commission

Project Location: Metropolitan Wastewater Treatment Plant, 2400 Childs, St. Paul, Minnesota

Project Description: The applicant seeks permits for an existing wastewater treatment plant which treats a substantial portion of the industrial and domestic sewage from the metropolitan area. After treatment the wastes are discharged to the Mississippi River.

A public hearing will be conducted on the issuance of

these permits by the State Office of Hearing Examiner. A separate notice of that public hearing will be issued.

No Environmental Assessment Worksheet (EAW) has been prepared. The proposed permits and a fact sheet summarizing the application and the conditions of the proposed permits will be mailed to any interested person upon written request. Comments and requests for additional information should be submitted by July 27, 1977 to:

Ms. Terry Mader
Minnesota Pollution Control Agency
1935 W. County Road B-2
Roseville, MN 55113
(612) 296-7381

St. Louis County

Name of Permit: Installation

Applicant: Intermix Corporation

Agency: Pollution Control Agency (MPCA)

Project Location: Duluth, St. Louis County

Project Description: Modify former U.S. Steel Corp. Universal Atlas Cement Plant, reopen plant, resume production.

An Environmental Assessment on this project has been completed and no Environmental Impact Statement (EIS) is required.

Public hearings on this proposal will be held at 9:30 a.m. and 7:00 p.m. on July 18, 1977 at Morgan Park High School, 1243 88th Ave., W. in Duluth.

For further information on this project contact:

William Rottschaefter
Minnesota Pollution Control Agency
1935 West County Rd. B-2
Roseville, Minnesota 55113
(612) 296-7331

Comments on this project should be submitted by July 27, 1977 to Edward M. Wiik, MPCA, at the above address, telephone (612) 296-7331.

St. Louis County

The following three parcels of timber will be offered for sale by public auction by the Minnesota Department of Natural

EQC Monitor

Resources (DNR) at 10:00 a.m. August 30, 1977 at the DNR Forestry office in Cook, Minnesota:

1. Harvest of 60 acres of spruce, balsam fir and aspen — partial cut — in Lots 3 and 4, Sec. 1, R21W, Twp. 61N, St. Louis County. Portions of the area will be seeded or planted to white spruce with the remainder left to regenerate naturally to aspen.

2. Harvest of 24 acres of aspen and white spruce in SW ¼ NW ¼ Sec. 3, R21W, Twp. 61N, St. Louis County. The area will be planted with superior white spruce seedlings and managed as a seed production area.

3. Harvest of 131 acres of aspen and birch in Lots 2, 3, 4 and 5, Sec. 6, R21W, Twp. 61N, St. Louis County. The area will regenerate naturally providing improved wildlife habitat.

No Environmental Assessment Worksheet (EAW) preparation is anticipated.

Comments and requests for additional information on this project should be submitted by July 27, 1977 to:

Joe Fabish
Regional Forest Supervisor
Minn. Dept. of Natural Resources
Box 220
Cloquet, Minnesota 55720
(218) 879-4544

Environmental Quality Board Information Meeting on Izaty's Resort Proposal

The Minnesota Environmental Quality Board (EQB) will hold an informal meeting on June 30, 1977, in Wahkon, Mille Lacs County, to gather information to assist it in determining whether an Environmental Impact Statement (EIS) is needed on the proposed expansion of Izaty's Resort. The meeting will begin at 7:00 p.m. in the Wahkon Fire Hall.

A Negative Declaration on this proposal was published in the *EQC Monitor* on April 25, 1977 (1 S.R. 1552) and objections were subsequently filed (see 1 S.R. 1787). Anyone with information that would assist the EQB in making this decision is invited to attend the meeting.

The EQB will make its decision at its July 19, 1977 meeting. For further information contact:

Nancy Onkka
Environmental Quality Board
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-8253

EQC MONITOR

New Printing and Reduced Subscription Rates

Starting July 11, 1977 the *EQC Monitor* will be printed and distributed as a separate document, and will not be printed in the *Minnesota State Register*. The new publication will be called the *EQB Monitor* in accord with the Environmental Quality Council's name change to the Environmental Quality Board (EQB).

Due to decreased printing costs, it is expected that the quantity and variety of notices published in the *EQB Monitor* will be expanded. The *Monitor* will continue to be published weekly, or as necessary, with no notices remaining unpublished for more than ten working days.

Annual subscriptions to the *EQB Monitor* have been lowered from \$50 to \$8 per year and can be ordered by sending the order form printed below to the *EQB Monitor* office. Individual weekly copies may be obtained by sending a self-addressed, stamped envelope for each issue requested.

Questions regarding the *EQB Monitor* should be directed to:

Eileen Deitcher, Editor
106 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-8541

EQB MONITOR

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EQC Monitor

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Name _____

Street _____

City _____ State _____ Zip _____

Please enclose check or money order for full amount of purchase made out to "State Planning Agency — Monitor" and mail to:

EQB Monitor
106 Capitol Square Bldg.
550 Cedar Street
St. Paul, MN 55101

Negative Declaration (No EIS)

The Environmental Assessment Worksheet (EAW) listed below has been filed with the EQB. This EAW determined an EIS is not needed on this project because it is not a major action and does not have the potential for significant environmental effects. **The EQB will reconsider these**

findings only if objections are filed by July 27, 1977. MEQC Rule 28B indicates the procedures for filing objections to a Negative Declaration.

Maple Greens PUD

Ramsey County

Proposer: Century Land Company, Inc.

Responsible Agency: City of Maplewood

Project Description: Planned Unit Development consisting of approximately 490 units to include single family, double bungalow and quad-homes, townhouses, apartments and a golf course and clubhouse.

Project Location: Maplewood, Ramsey County; Sections 24 & 25, R22W, Twp. 29N.

The EAW and supporting documentation are on file for public review from 8:00 a.m. to 5:00 p.m. at the Maplewood City Hall, telephone (612) 777-8131.

For further information on this EAW contact William C. Cass, City of Maplewood, 1380 Frost Avenue, Maplewood, MN 55109 at (612) 777-8131.

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

95 Sherburne, Suite 203
St. Paul, Minnesota 55103
(612) 296-8239

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Name of Company or Organization _____

Attention to: _____

Street _____

City _____ State _____ Zip _____

Telephone _____ [S.R. 3/14/77]

House of Representatives
Attn: Edward Burdick, Chief Clerk
Room 211 Capitol
St. Paul, Minnesota 55155

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