

Minnesota Youth Program Rules
Statement of Need and Reasonableness

Minnesota Rule Parts 3300.0100 through 3300.0700 (Summer Youth Employment) needs to be amended because the federal law referenced in the rule, the Comprehensive Employment and Training Act of 1973, Public Law Number 93-203 expired effective September 30, 1983. References in the rule to organizations authorized under that law became obsolete with its expiration.

The proposed rule reflects the new state-local relationship in the employment and training area as established under the Job Training Partnership Act (PL 97-300).

Certain information used in the formula in calculating allocations to cities and counties (Part 3300.0300) became unavailable to the Department in time to calculate the allocation. Thus, it is necessary to amend the allocation formula in the rule to accurately reflect the method of allocation we must now use.

Since these amendments to the rule needed to be made, it appears reasonable to simplify and clarify the rule at the same time.

The proposed rule will have no effect on small business.

3300.0100, Subpart 4 Contract.

The term "Prime Sponsor" in this part is deleted because with the expiration of the Comprehensive Employment and Training Act of 1973, PL Number 93-203 the entity "Prime Sponsor" ceased to exist.

The term "school district" was added to this part to more accurately reflect the types of organizations authorized to participate under the Act.

3300.0100 Subpart 6.

Subpart 6 is repealed because with the expiration of the Comprehensive Employment and Training Act of 1973, Public Law 93-203 and the cessation of the entity - prime sponsor, a definition of the term is no longer needed.

3300.0100, Subpart 7.

The term "Program Employer" was replaced with "Contractor" to more accurately reflect the relationship of the Department with those organizations using funds under the Act. In addition, in other parts of the rule the term "Prime Sponsor" is replaced with the term "Contractor". Thus, replacing the term "Program Employer" with the term "Contractor" in this subpart avoids the need for an additional subpart defining contractor and further maintains consistency of terminology throughout the rule.

3300.0100 Subpart 8.

Subpart 8 is repealed as it is no longer necessary as a result of the amended procedure for contracting in 3300.0400.

3300.0300 Subpart 1 B 2.

The term 1970 is replaced by 1980 to reflect more accurately the most recent United States census survey.

3300.0300 Subpart 1 B 3.

Subpart 1 B 3 is repealed because the data specified therein is no longer available to the Department in time to prepare the allocations. The data referenced in 3300.0300 Subpart 1 B 3 has only a minor effect on the allocations.

3300.0300 Subpart 1 C.

The repeal of 3300.0300 Subpart 1 B 3 necessitates a change in the allocation formula. In addition, there is a typographical error in the mathematical formula used to express the method of allocation. In the second part of the mathematical formula the term 0.5C should be 0.5FC. All of the changes in 3300.0300 Subpart 1 C reflect the change in the allocation formula.

3300.0300 Subpart 2 - Allocation to cities and Indian reservation.

The language in 3300.0300 Subpart 2 is amended so that the procedures used to allocate funds to Indian reservations use the most recent and most accurate population data available to the Department.

3300.0400 - Contracting.

The language in 3300.0400 (which refers to the procedures used to contract with prime sponsors) is deleted. The reason for the deletion is that the entity

"prime sponsor" ceased to exist with the expiration of the federal Comprehensive Employment and Training Act of 1973, Public Law 93-203. The deleted language is replaced with language which:

1. More nearly reflects the intention of the law (MS 268.34) namely that all organizations with experience in administering summer youth employment programs may be considered for contracting.
2. Provides for local input in the contractor selection while at the same time it does not preclude any eligible organization from being considered as a contractor.

3300.0500 - Operation Procedures, Subpart 1 Regular Program.

The reference "Code of Federal Regulations, Title 20, section 675.4 and 675.510 (1980) is deleted because its definition of economically disadvantaged has been replaced by PL 97-300 section 4 (1982). The term prime sponsor is replaced by the term contractor to conform with the definition in Part 3300.0100 Subpart 7 and to maintain consistency of terminology throughout the rule.

3300.0500 - Operation Procedures, Subpart 2 - Postsecondary Program.

The deletions and replacement of language in this subpart are the same as in 3300.0500 subpart 1 and were done for the same reasons as set forth above.

3300.0500 Subpart 3 - Eligible Youth.

The term "Program Employers" is replaced by the term "Contractors" to conform with the definition in 3300.0100 Subpart 7 and for the purpose of maintaining

consistency of terminology throughout the rule. The term "Job Order" is replaced by "Job Orders" because contractors typically place more than one job order with the Department, particularly in those cases where the contractor's program operation encompasses more than one political subdivision (e.g., several cities or several counties).

3300.0500 Subpart 5 - Supervisors.

The term "Program Employers" is deleted and replaced with the term "Contractors" to conform with the definition in 3300.0100 Subpart 7 and to maintain consistency of terminology in the rule.

3300.0600 - Invoicing.

Part 3300.0600 is repealed because invoicing procedures are set forth in contracts the Commissioner signs with eligible organizations. In addition, the language in this part would appear to prohibit administrative costs. Such costs are not prohibited by the act.

3300.0700, Subpart C - Reallocation procedures.

The terms "Prime Sponsor" in this subpart are deleted and replaced with the term contractor to comply with the definition in 3300.0100 Subpart 7 and to maintain consistency of terminology in the rule. The amount \$1,000 is deleted and replaced with \$1,500 because the latter amount more accurately reflects the current cost of one full-time slot.

The terminology in the last sentence of 3300.0700 Subpart C beginning as follows "Prime sponsors if the prime sponsor releasing the funds certifies such

funds are surplus and unlikely to be used within his area by the end of the contract period and the prime sponsor receiving the funds certifies that the funds are likely to be used before the end of the contract period" is deleted and replaced with the term contractor. With the expiration of the federal Comprehensive Employment and Training Act of 1973, PL 93-203 and the consequent end of the prime sponsor entity the reference to prime sponsor is obsolete and unnecessary.