

STATE OF MINNESOTA

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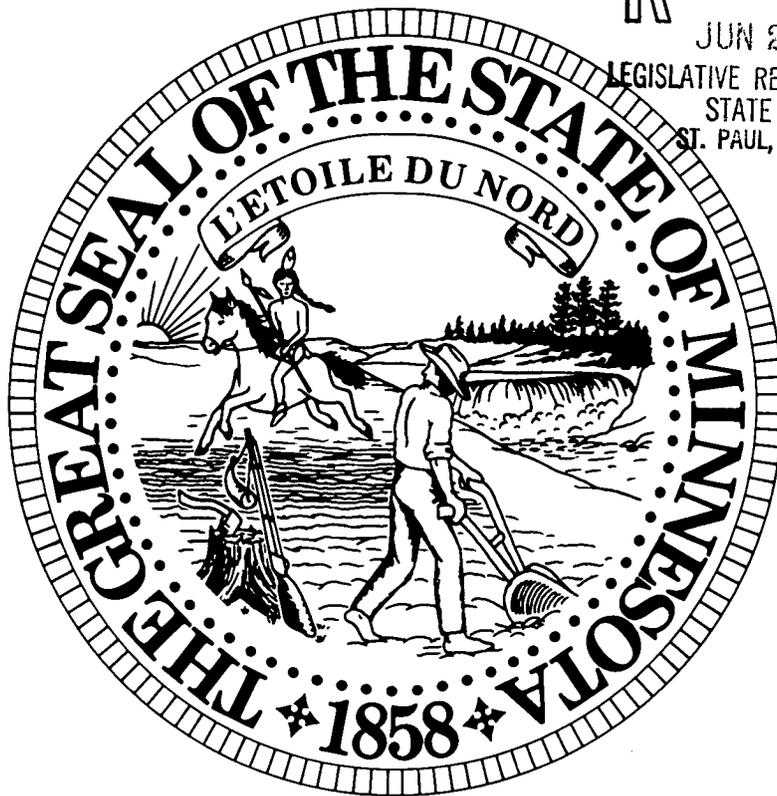
STATE REGISTER

DEPARTMENT OF ADMINISTRATION—DOCUMENTS DIVISION

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Monday 29 June 1987

VOLUME 11, NUMBER 52

Pages 2365-2444

STATE REGISTER

Judicial Notice Shall Be Taken of Material Published in the *State Register*

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, official notices to the public, state and non-state public contracts, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

Volume 11 Printing Schedule and Submission Deadlines

Vol. 11 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
52	Monday 15 June	Monday 22 June	Monday 29 June
Vol. 12—#1	Monday 22 June	Monday 29 June	Monday 6 July
#2	Monday 29 June	Monday 6 July	Monday 13 July
#3	Monday 6 July	Monday 13 July	Monday 20 July

*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 and notices of intent to adopt rules without a public hearing 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 *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The *State Register* is published by the State of Minnesota, Department of Administration, Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to Minn. Stat. § 14.46. Publication is weekly, on Mondays, with an index issue in September. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$130.00 per year, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota. Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$3.50 per copy.

Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 231 State Capitol, St. Paul, MN 55155
(612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

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NOTICE

How to Follow State Agency Rulemaking Action in the State Register

State agencies must publish notice of their rulemaking action in the State Register. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION also.

The PROPOSED RULES section contains:

- Proposed new rules (including notice of hearing and/or notice of intent to adopt rules without a hearing).
• Proposed amendments to rules already in existence in the Minnesota Rules.
• Proposed emergency rules.
• Withdrawal of proposed rules (option; not required).

The ADOPTED RULES section contains:

- Notice of adoption of new rules and rule amendments adopted without change from the previously published proposed rules. (Unchanged adopted rules are not republished in full in the State Register unless requested by an agency.)
• Adopted amendments to new rules or rule amendments (adopted changes from the previously published proposed rules).
• Notice of adoption of emergency rules.
• Adopted amendments to emergency rules (changes made since the proposed version was published).
• Extensions of emergency rules beyond their original effective date.

The OFFICIAL NOTICES section includes (but is not limited to):

- Notice of intent to solicit outside opinion before promulgating rules.
• Additional hearings on proposed rules not listed in original proposed rules calendar.

ALL ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES published in the State Register and filed with the Secretary of State before April 8, 1985 are published in the Minnesota Rules 1985. ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES filed after April 8, 1985 are included in a supplement published in Spring, 1986. Proposed and adopted EMERGENCY (formerly called TEMPORARY) RULES appear in the State Register but are generally not published in the Minnesota Rules due to the short-term nature of their legal effectiveness. Those that are long-term may be published.

The State Register publishes partial and cumulative listings of rule in the MINNESOTA RULES AMENDMENTS AND ADDITIONS list on the following schedule:

Table with 2 columns: Issue range and cumulative listing. Includes: Issues 1-13, inclusive; Issues 14-25, inclusive; Issue 26, cumulative for 1-26; Issues 27-38, inclusive; Issue 39, cumulative for 1-39; Issues 40-51, inclusive; Issue 52, cumulative for 1-52.

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.5130; .5140; .5150; .5160; .5170 (proposed withdrawn)	128	.0105; .0110; .0116; .0140; .0200; .0400; .0410; .0420;	
4655.5610 (Emer. adopted)	747	.0430; .0450; .0460; .0490; .0650; .0660; .0665; .0675;	
4656.0010; .0020; .0030; .0040; .0050; .0060;		.0680; .0685; .0686; .0690; .0700; .0750; .0755; .0760;	
.0070; .0080; .0090 (proposed)	970	.0765; .0770; .0860; .0865; .0870; .0880; .0890; .1000;	
4670.1320; .4200; .4210; .4220; .4230; .4240 (proposed)	577	.1010; .1020; .1030; .1040; .1200; .1210; .1220; .1230;	
4670.1320; .4200; .4210; .4220; .4230; .4240 (adopted)	1069	.1240; .1250; .1260; .1270; .1280; .1290; .1300;	
4670.2520; .2630 (proposed)	2322	5207.0010; .0020; .0030; .0035; .0040; .0050; .0060;	
4670.2720; .2970 (proposed repealer)	2322	.0100; .0200; .0210; .0220; .0250; .0260; .0300; .0310;	
4670.3070 (adopted)	1069	.0320; .0400; .0410; .0500; .0510; .0520; .0530; .0540;	
4670.3070 s.4,5,6; .3080 s.3 (repealed)	1069	.0600; .0610; .0620; .0630; .0700; .0710; .0720; .0730;	
4700.1900; .2000; .2210; .2300; .2400; .2500;		.0740; .0800; .0810; .0900; .0910 (proposed)	2138
.2600 (proposed)	1305	5205.0160; .0170; .0180; .0210; .0220; .0230; .0240;	
4700.2200; .2400 s.3 (proposed repealer)	1305	.0250; .0260; .0270; .0280; .0290; .0300; .0310; .0320;	

MINNESOTA RULES: Amendments and Additions

.0460 s.15, 19; .0900; .0910; .0920; .0930; .0940; .0950 (proposed repealer)	2138
5220.1400; .1500; .1600 (proposed)	487
5220.1400; .1500; .1600 (adopted)	2237
5220.0100 s.1a; 5220.1804 (proposed repealer)	487
5220.0100 s.1a; .1804 (repealed)	2237
5221.1100; .1200; .1300; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2250; .2300; .2400; .2500; .2700; .2800; .2900; .3000; .3100; .3200 (proposed)	491
5220.2510-.2950 (adopted)	1530
5220.2500; .2600; .2700; .2800; .2900; .3000; .3200; .3600; .5000 (repealed)	1530
5221.2900 (Errata)	711
5222.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000 (withdrawal proposed repeal)	711
5222.2000-.2006 (proposed)	738
5222.2000-.2006 (adopted)	1505
5226.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130 (proposed)	1913
5225.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0900; 5230.0050; .0060; .0070; .0080; .0090; .0100 (proposed repealer)	1913
5226.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130 (withdrawn)	2337
5225.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0900; 5230.0050; .0060; .0070; .0080; .0090; .0100 (repealer withdrawn)	2337

MEDIATION SERVICES BUREAU

5510.1210 (adopted)	141
5510.1410; .1510; .1710 (adopted)	669
5510.5110; .5120; .5130; .5131; .5140; .5150; .5160; .5170; .5180 (proposed)	1066
5510.4600; .4700; .4800; .4900; .5000; .5100 (proposed repealer)	1066
5510.5110; .5120; .5130; .5131; .5150; .5160; .5170; .5180 (adopted)	2077
5510.4600; .4700; .4800; .4900; .5000; .5100 (repealed)	2077

MEDICAL EXAMINERS BOARD

5600.2500 (proposed)	210
5600.2500 (adopted)	777
5600.2500 (proposed)	2404

NATURAL RESOURCES DEPARTMENT

6100.1710 (adopted)	714
6105.0605; .0610; .0620; .0625; .0640; .0650 (proposed)	2196
6105.0700 (proposed repealer)	2196
6105.1291 (adopted)	454

NURSING BOARD

6301.0100; 6310.2600; .2700; .2800; .2900; .3100; .3300; .3400; .3500; .3600; .3700; 6330.0600; .0700 (proposed)	1817
6310.2800, s.3; .7600; .7700; .7800; .7900; .8000; .8100 (proposed repealer 7/31/87)	1817
6310.3100, s.3,4 (proposed repealer 3/31/88)	1817
6310.2900, s.6a (proposed repealer 12/31/93)	1817
6310.2800; .3400; .3500; .7600; .7700; .8000; .8100; 6315.0400; .0500 (proposed)	429
6310.2800; .3400; .3500; .7600; .7700; .8000;	

.8100; 6315.0400; .0500 (adopted)	1331
6310.7700 (modification)	842

OPTOMETRY BOARD

6500.0100; .0150; .2700 (proposed)	332
6500.0100; .0150; .2700 (proposed)	773
6500.0100; .0150; .2700 (adopted)	1793
6500.2800; .2900	1987

PEACE OFFICERS STANDARDS AND TRAINING BOARD

6700.0100; .0500; .0501; .0601; .0700; .0701; .0901; .0902; .1101; .1201; .1400; .1600 (proposed)	1499
6700.0500 s.4 (proposed repealer)	1499
6700.0100; .0500; .0501; .0601; .0700; .0701; .0901; .0902; .1101; .1201; .1400; .1600 (adopted)	2337
6700.0500 s.4 (repealed)	2337

PHARMACY BOARD

6800.0400; .1250 (adopted)	335
6800.4210; .4220; .4240; .4250 (proposed)	535
6800.4210; .4220; .4240; .4250 (adopted)	1113

PODIATRY BOARD

6900.0200, .0205 (proposed)	539
6900.0200; .0250 (adopted)	1408

POLLUTION CONTROL AGENCY

7001.0020, .0040, .0050, .0190, .4000, .4010, .4020, .4030, .4035, .4040, .4050, .4060, .4070, .4080, .4090, .4110, .4120, .4130, .4140, .4150; 7035.8200, .8205, .8210, .8220, .8230, .8240, .8250, .8260, .8270, .8280, .8290, .8300, .8400, .8410, .8420, .8430, .8440, .8450, .8460, .8470, .8480, .8490, .8500, .8510, .8520, .8530, .8540, .8550, .8560, .8570, .8580, .8590, .8700, .8710 (proposed)	1918
7001.0150; .0520; .0590; .0600; .0620; .0650; .0712; .0720; 7045.0200; .0075; .0080; .0102; .0120; .0125; .0135; .0139; .0141; .0214; .0261; .0275; .0296; .0302; .0395; .0458; .0460; .0468; .0476; .0478; .0482; .0484; .0485; .0538; .0552; .0556; .0584; .0588; .0638; (proposed)	916
Ibid. (errata)	1087
7001.0150; .0520; .0590; .0600; .0620; .0650; .0712; .0720; 7045.0200; .0075; .0080; .0102; .0120; .0125; .0135; .0139; .0140; .0214; .0261; .0275; .0296; .0302; .0395; .0458; .0460; .0468; .0476; .0478; .0482; .0484; .0485; .0538; .0552; .0556; .0584; .0588; .0638 (adopted)	1832
7001.0190; .0560; .0650; .0730; 7045.0020; .0486; .0488; .0490; .0492; .0494; .0496; .0502; .0504; .0506; .0508; .0518; .0524; .0594; .0496; .0600; .0602; .0604; .0606; .0608; .0610; .0612; .0614; .0616; .0602 (proposed)	1579
7001.0190; .0560; .0650; .0730; 7045.0020; .0486; .0488; .0490; .0492; .0494; .0496; .0502; .0504; .0506; .0508; .0518; .0524; .0594; .0596; .0600; .0602; .0604; .0606; .0608; .0610; .0612; .0614; .0616; .0620 (adopted)	2415
7005.4010-.4050 (adopted)	401
7010.0010-.0080 (adopted)	43
7010.0100; .0200; .0300; .0400; .0500; .0600; .0700 (repealed)	43
7035.8000; .8010; .8020; .8030; .8040; .8050; .8060; .8070; .8080 (proposed)	383

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7035.8000; .8010; .8020; .8030; .8040; .8050; .8060; .8070; .8080 (adopted)	1113
7042.0030; .0040 (proposed)	2106
7045.0075; .0219; .0261; .0292; .0381 (adopted)	1950
7045.0135 (adopted)	335
7045.0534 s.4,5 (proposed repealer)	916
Ibid. (errata)	1087
7045.0534 s.4,5 (repealed)	1832
7045.0075; .0219; .0261; .0292; .0381 (proposed)	1102
7046.0031; .0040; .0050; .0070 (proposed)	1273
7046.0030; .0050 s.2 (proposed repealer)	1273
7046.0031; .0040; .0050; .0070 (adopted)	1993
7046.0030; .0050 subpart 2 (adopted repealer)	1993

HAZARDOUS SUBSTANCE INJURY COMPENSATION BOARD

7190.0001-.0017 (proposed)	1435
7190.0001-.0017 (adopted)	2077
7190.0020 (proposed)	2278

PUBLIC SAFETY DEPARTMENT

7406.0100; .0300; .0500; .0700 (proposed)	611
7406.0100; .0300; .0500; .0700 (withdrawn)	1886
7408.0100; .0200; .0300 (adopted)	1741
7414.0400 (proposed)	1782
7414.0200; .0400 (proposed)	891
7419.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; (adopted)	777
7440.0100; .0300; .0350; .0400 (adopted)	957
7500.0100-.3600 (adopted)	6
7500.0100, s.12,15,20,21; .0900; .1000; .1100; .1700; .1800, s.5; .1900; .2300; .2800; .3200; s.1; .3300 (repealed)	6
7503.0800 (proposed)	775
7520.0650; .1000 (proposed)	614
7520.0650; .1000 (adopted)	1075

PUBLIC UTILITIES COMMISSION

7827.0100; .0200; .0300; .0600 (proposed)	1731
7827.0100; .0200; .0300; .0600 (adopted)	2338
7845.0100-.1000 (proposed emergency)	105
7845.0100-.1000 (adopted emergency)	715
7845.0100-.1000 (emergency extended)	1743
7845.0100-.1000 (proposed)	2281
7845.7000; .7100; .7200; .7300; .7400; .7500; .7600 (proposed)	540
7845.7000; .7100; .7200; .7300; .7400; .7500; .7600 (adopted)	1743

CHARITABLE GAMBLING CONTROL BOARD

7860.0010; .0030; .0040; .0100; .0120; .0160; .0190; .0200; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0400 (adopted)	1310
7860.0070 s.1; .0220 s.2 (repealed)	1310

RACING COMMISSION

7869.0100; .7870.0480; 7873.0130; .0190; .0191; .0195; 7876.0100; 7877.0135; .0145; .0155; .0170; .0180; 7878.0100; .0140; 7879.0100; .7883.0100; .7884.0230; 7890.0110; .0120; .0150; 7895.0100; 7897.0110 .0115; .0120; .0130; .0150; (proposed)	1733
7878.0120, s.3 (proposed repealer)	1733
7869.0100; 7870.0480; 7873.0130; .0190; .0191; .0195; 7876.0100; 7877.0135; .0145; .0155; .0170; .0180; 7878.0100; .0140; 7879.0100;	

7883.0100; 7884.0230; 7890.0110; .0120; .0150; 7895.0100; 7897.0110; .0115; .0120; .0130; .0150 (adopted)	2201
7878.0120; s.3 (repealed)	2201
7884.0120; .0130; .0160; .0200 (proposed)	128
7884.0130; s.2 and 3 (proposed repealer)	128
7884.0120; .0130; .0160; .0200 (adopted)	543
7884.0130, s.2 and 3 (repealed)	543

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

7950.0100; .0200; .0300; .0400; .0500 (proposed)	73
7950.0100; .0200; .0300; .0400; .0500 (adopted)	1042
7950.0500; .0510; .0520 (proposed)	1779
7950.0500; .0510; .0520 (adopted)	2285

REVENUE DEPARTMENT

8019.0400 (adopted)	544
8100.0200; .0300 (adopted)	635
8100.0200; .0300 (proposed)	2029
8105.0100; .0200; .0300; .0400; .0500; .0600; .0700; .9900 (repealed)	335
8106.0100-.9900 (adopted)	335

SECRETARY OF STATE

8200.5100 (adopted)	218
8220.0750; .1250; .1350; 8230.4350 (adopted)	454

ENERGY AND ECONOMIC DEVELOPMENT DEPARTMENT

8300.4101-.4112 (adopted)	669
8300.5000-.5006 (proposed)	125
8300.5000-.5006 (adopted)	713

SOIL & WATER CONSERVATION BOARD

8400.3000-.5500 (adopted)	455
8400.3000-.5500 (emergency extended)	1463
8400.4000-.4080 (adopted)	742

SUPREME COURT

8550.0001-.0027 (emergency)	302
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TEACHING BOARD

8700.0210; .0502; .0900; .1000; .1100; .1300; .1400; .2200; .4710; .5900; .7800 (proposed)	1035
8700.2600; .5000 (proposed repealer)	1035
8700.0502; .0900; .1000; .1100; .1300; .1400; .2200 (withdrawn)	1783
8700.0502; .0900; .1000; .1100; .1300; .1400; .2200; .3110; .3120; .7010 (proposed)	2034
8700.0210; .4710; .5900; .7800 (adopted)	1793
8700.0210; .4710; .5900; .7800 (correction)	1793
8700.2600; .5000 (repealed)	1793
8700.4700 (repealed 7/1/90)	1793
8700.0310; .3810; .5503-.5512; .6410; .7500 (adopted)	48
8700.3800 (repealed effective 7/1/89)	48
8700.4700 (proposed repealer 7/1/90)	1035
8700.5400-.5406; .6400 (repealed effective 7/1/90)	48
8700.5900; .6600 (proposed repealer)	2034
8700.7000 (proposed repealer effective 7/1/90)	2034
8700.7600; .7700 (proposed)	2198

TRANSPORTATION DEPARTMENT

8860.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800 (proposed)	130
8860.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800 (adopted)	690

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TRANSPORTATION REGULATION BOARD

8900.0100-.1100 (adopted) 691
 8910.0100;.0300;.0400 (adopted) 1692

VETERINARY MEDICINE BOARD

9100.0400;.0500 (adopted) 635

WASTE MANAGEMENT BOARD

9200.6000-.6800;.8100-.9000 (adopted) 432

WATER RESOURCES BOARD

9300.0010;.0020;.0030;.0040;.0050;.0060;
 .0070;.0080;.0090;.0100;.0110;.0120;
 .0130;.0140;.0150;.0160;.0170;.0180;
 .0190;.0200;.0210 (proposed) 854
 9300.0010;.0020;.0030;.0040;.0050;.0060;
 .0070;.0080;.0090;.0100;.0110;.0120;
 .0130;.0140;.0150;.0160;.0170;.0180;
 .0190;.0200;.0210 (adopted) 1408

HUMAN SERVICES DEPARTMENT

9525.1500-.1690 (proposed) 1862
 9549.0030;.0036;.0041;.0060 (proposed) 424
 9549.0050;.0051;.0052;.0053;.0054;.0055,
 .0056;.0057;.0058;.0059 (adopted) 1990
 9549.0060 (adopted) 1989
 9500.1090;.1100;.1110;.1115;.1125;.1126;.1130;
 .1135;.1150;.1155 (proposed) 975
 9500.1090;.1110;.1115;.1125;.1126;.1130;
 .1135;.1150;.1155 (adopted) 1688
 9500.1125 s.5 (proposed repealer) 975
 9500.1125 s.5 (repealed) 1688
 9500.1100 (proposed) 987
 9500.1200;.1206;.1209;.1216;.1222;.1258;
 .1260;.1262;.1264;.1266;.1268;.1270;.1300;
 .1302;.1304;.1306;.1308;.1310;.1312;.1314;
 .1316;.1318 (adopted) 134
 9500.1450-.1464 (proposed) 35
 9500.1450-.1464 (proposed repealer effective 12/31/88) 35
 9500.1450-.1464 (adopted) 1107
 9500.1450-.1464 (repealed 12/31/88) 1107
 9500.1650-.1663 (proposed) 69
 9500.1650-.1663 (adopted) 957
 9500.2000-.2880 (adopted) 212
 9500.0010;.0020;.0030;.0040;.0050;.0060;
 .0070;.0080;.0090;.0100;.0110;.0120;.0130;
 .0140;.0150;.0160;.0170;.0180;.0190;.0200;
 .0210;.0220;.0230;.0240;.0250;.0260;.0270;
 .0280;.0290;.0300;.0310;.0320;.0330;.0340;
 .0350;.0360;.0361;.0370 (repealed) 212
 9505.0010-.0150 (adopted) 1069
 9505.0170;.0175;.0180;.0185;.0190;.0195;.0200;
 .0205;.0210;.0215;.0220;.0221;.0225;.0235;.0240;

.0245;.0250;.0255;.0270;.0275;.0280;.0285;.0290;
 .0295;.0300;.0305;.0310;.0315;.0320;.0325;.0330;
 .0335;.0340;.0345;.0350;.0353;.0355;.0360;.0365;
 .0380;.0395;.0405;.0415;.0420;.0425;.0430;.0440;
 .0445;.0450;.0455;.0460;.0465;.0470;.0475;
 9500.1070 (proposed) 1645
 9500.0900;.0930;.0960;.0970;.0990;.1000;.1060;
 .1070, s.2,3,5,7,8,9,10,11,16,17,18,19,20,21,22,24;
 9505.1080 (proposed repealer) 1645
 9505.0211;.0212 (emergency extended) 714
 9505.0500;.0510;.0520;.0530;.0540 (proposed) 1031
 9505.0500;.0510;.0520;.0530;.0540 (adopted) 1687
 9525.0010;.0020;.0030;.0040;.0050;.0060;
 .0070;.0080;.0090;.0100 (repealed) 77
 9525.0015-.0165 (adopted) 77
 9525.1290 (proposed) 300
 9525.1290 (proposed) 709
 9525.1290 (adopted) 1612
 9525.2700;.2710;.2720;.2730;.2740;.2750;
 .2760;.2770;.2780;.2790;.2800;.2810 (proposed) 1355
 9525.2700;.2710;.2720;.2730;.2740;.2750;.2760;
 .2770;.2780;.2790;.2800;.2810 (adopted) 2408
 9530.2800;.5300;.6600;.6605;.6630;.6635;.6640;
 .6645;.6650;.6655;.6800-.7030 (proposed) 1442
 9530.6600-.6655 (adopted) 1005
 9549.0030;.0036;.0041;.0060 (adopted) 866
 9549.0050-.0059 (withdrawn proposed) 710
 9549.0050-.0059 (proposed) 988
 9549.0050-.0060 (errata) 1054
 9549.0060 (proposed) 1004
 9550.6210;.6220 (proposed) 1986
 9553.0050;.0060;.0061;.0075 (proposed) 1857
 9553.0050;.0060;.0061;.0075 (adopted) 2408
 9555.5105;.5205;.5305;.5405;.5415;.5505;.5605;
 .5705;.6105;.6115;.6125;.6145;.6155;.6165;.6167;
 .6175;.6185;.6195;.6205;.6215;.6225;.6233;.6245;
 .6255;.6265 (proposed) 650
 9555.5100;.5200;.5300;.5400;.6100;.6200;.6300;
 .6400 (proposed repealer) 650
 9555.9600;.9610;.9620;.9630;.9640;.9650;
 .9660;.9670;.9680;.9690;.9700;.9710;.9720;
 .9730 (proposed) 582
 9555.9600;.9610;.9620;.9630;.9640;.9650;.9660;
 .9670;.9680;.9690;.9700;.9710;.9720;.9730
 (adopted) 2165
 9575.1070 (adopted) 893
 9575.1070 s.3,4,5;.1080 s.3 (repealed) 893
 9575.0350;.1500 (proposed) 598
 9575.0350;.1500 (adopted) 1075
 9575.0670;.0740;.1500 (proposed) 2325
 9575.0820;.0970 (proposed repealer) 2325

PROPOSED RULES

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Education

Proposed Permanent Rules Relating to School Buses

Notice of Intent to Adopt a Rule without a Public Hearing

Notice is hereby given that the State Board of Education intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statute 169.45.

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

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Len Nachman
Department of Education
937 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Len Nachman upon request.

The State Board of Education estimates that there will be no cost to small business or to local school districts in the state in order to implement the proposed rule.

The following rules have been repealed: 3520.0500, 3520.0700, 3520.0900, 3520.1100, 3520.1700, 3520.1900, 3520.2000, 3520.2100, 3520.2200, 3520.2300, 3520.3800, 3520.4000, 3520.4200, 3520.4210, 3520.4220, 3520.4230, 3520.4240, 3520.4250, 3520.4260, 3520.4300, 3520.4520, 3520.4530, 3520.4580, 3520.4660, 3520.4690, 3520.4700, 3520.4710, 3520.4730, 3520.4740, 3520.4760, 3520.4770, 3520.4800, 3520.4810, 3520.4820, 3520.4830, 3520.4860, 3520.4870, 3520.4920, 3520.4940, 3520.4950, 3520.4960, 3520.4970, 3520.4990, 3520.5020, 3520.5100, 3520.5110, 3520.5130, 3520.5140, 3520.5150, 3520.5170, 3520.5210, 3520.5320, 3520.5350, 3520.5360, 3520.5400, 3520.5410, 3520.5420, 3520.5430, 3520.5440, 3520.5460, 3520.5470, 3520.5480, 3520.5530, 3520.5540, 3520.5550, 3520.5610, and 3520.5800.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the

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Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit a written request to Len Nachman.

Ruth E. Randall, Secretary
State Board of Education

Rules as Proposed

3520.0200 APPLICATION AND CLAIM FOR TRANSPORTATION AID.

Subpart 1. **Deadline.** A district making application for aid for transportation or board and lodging under Minnesota Statutes, sections ~~124.222 and~~ 124.223 and 124.225 shall report to the State Department of Education and all claims submitted shall be postmarked not later than ~~July 31~~ August 15 after the close of the school term for which aid is claimed in order to qualify for final payment at the regular time.

Subp. 2. **Frequency of reports.** For each fiscal year ending June 30, each district shall file a report pursuant to subpart 1. This report and the year-end reports required in subpart 1 shall provide the pupil counts on which the ~~following September, December, and March~~ payments of 30 percent aid will be paid.

3520.0300 AID LIMITATION.

Transportation aid will be paid for the transportation of each eligible resident pupil for one round trip per day to the classified school attended. ~~Transportation aid for any eligible pupils will be granted on the authority of only one clause of Minnesota Statutes, section 124.223, clauses (1), (2), (4), and (5).~~

3520.0400 ~~ELIGIBLE PUPILS, RESIDENT PUPILS~~ TRANSPORTATION DATA REPORTING REQUIREMENTS.

Resident pupils:

~~A. Subpart 1. Regular category. Any An~~ An elementary or secondary pupil for which a school district is entitled to transportation aid under the provisions of Minnesota Statutes, sections 124.223 ~~and 124.32, subdivision 6.~~ Each eligible pupil transported pursuant to Minnesota Statutes, section 124.223, clause (1), to be included for transportation aid, shall reside a walking distance of one mile or more from the school building attended or which could be attended, but in the case of a nonpublic school only to the extent permitted by Minnesota Statutes, sections 123.76 to 123.79 with respect to nonpublic school pupils, clauses (1) and (2), must be transported 20 or more days to be eligible for state aid. A kindergarten pupil attending full-day, every-other day classes must be transported ten or more days to be eligible for state aid. A district shall report annual mileage for regular category transportation.

~~B. Any secondary pupil or an area vocational-technical school pupil, who is a resident of a district not maintaining a secondary school or area vocational-technical school or vocational classes and is transported to a district having a classified secondary or area vocational-technical school or vocational classes at the expense of the resident district.~~

~~C. Any pupil transported to and from an instructional community-based employment station which is part of an approved occupational experience secondary vocational program, subject to such budget limitations as are imposed by current legislation.~~

~~D. Any pupil enrolled on a shared time basis in an educational program approved by the commissioner, for which transportation is provided from one educational facility to another within the district, subject to such budget limitations as are imposed by current legislation.~~

Subp. 2. Other authorized categories. A district that transports pupils under Minnesota Statutes, sections 123.223, clauses (1) and (3) to (10), and 275.125, subdivision 5d, must report the number of pupils transported. Annual mileage must be reported only when separate routes are set up to provide this transportation.

Subp. 3. Other unauthorized categories. A district that transports pupils in categories that are not authorized for transportation aid must furnish information on students transported and mileage as requested on the annual transportation report.

Subp. 4. Other transportation data. A district shall furnish information on vehicle ownership, fuel consumption, and other data as requested on the annual transportation report.

Subp. 5. Duplication of pupil counts. A district must not report a pupil in more than one to-and-from-school category. These categories are: regular, handicapped, secondary one-to-two-miles, traffic hazards, and ineligible.

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3520.0800 TRANSPORTATION AID ~~OTHER THAN SCHOOL TO HOME~~ PROGRAMS THAT REQUIRE AN APPLICATION.

Subpart 1. **Between school buildings.** ~~Any A~~ district in which pupils receive transportation between school buildings within the district for instructional purposes will receive transportation aid if a plan for the program and required transportation is submitted to and approved by the commissioner of education. ~~The amount of such aid shall be specified by the commissioner upon consideration of a proposed budget.~~ All plans and applications must be submitted to the commissioner for approval ~~prior to~~ before July 1 of the fiscal year in which the plan is to be placed in effect. It shall be necessary to renew the plan each year ~~with budget and other modifications as warranted in order to continue the plan.~~

Subp. 2. ~~From employment station~~ **Cooperative academic or vocational classes.** ~~Any A~~ district in which pupils receive transportation to ~~and from an instructional community-based employment station which is part of an approved occupational experience secondary cooperative academic or vocational program classes in another district~~ will receive transportation aid if a transportation application is submitted and approved by the commissioner of education. All plans and applications must be submitted to the commissioner for approval ~~prior to~~ before July 1 of the fiscal year in which the plan is to be placed in effect. It shall be necessary to renew the plan each year ~~with budget and other modifications as warranted in order to continue the plan.~~

Subp. 3. **For shared time program.** ~~Any A~~ district in which pupils are enrolled in an approved shared time program will receive transportation aid if an application for required transportation is submitted to and approved by the commissioner of education. All plans and applications must be submitted to the commissioner for approval ~~prior to~~ before July 1 of the fiscal year in which the plan is to be placed in effect. It shall be necessary to renew the plan each year ~~with budget and other modifications as warranted in order to continue the plan.~~

Subp. 4. [See Repealer.]

3520.1000 TRANSPORTATION AND BOARD AND LODGING CONTRACTS.

The school board shall enter into written contracts for the transportation ~~and/or~~ and board and lodging of its resident pupils ~~and such contracts shall be approved by the commissioner of education within ten days after the written contract is negotiated.~~ (See part 3525.1200)

3520.1200 COMMISSIONER'S RULES, TRANSPORTATION CONTRACTS.

The board of any school district ~~contracting~~ may contract with another district, private contract hauler, or parent for the transportation of its resident pupils ~~shall submit its written contract(s) in duplicate to the commissioner of education within ten days after the written contract is negotiated, but not later than the first day of the school period for which the contract is made.~~

Transportation contracts ~~shall~~ should include at least the following specific items:

- A. the correct names of the contracting parties;
- B. date the contract begins and date the contract ends;
- C. kind of transportation equipment to be used;
- D. total amount to be paid during the school year or base per pupil rate;
- E. when and how payments are to be made;
- F. minimum number of pupils to be transported; and
- G. special terms to be mentioned:
 - (1) holidays, specific dates;
 - (2) vacations, beginning and ending dates;
 - (3) conditions governing bus route changes;
 - (4) how new and additional pupils will be provided for;
 - (5) how extracurricular and other special trips are to be provided and paid for;
 - (6) how adjustments and refunds are to be handled;
 - (7) kinds and amounts of insurance to be carried and special coverage;
 - (8) a statement that the local board shall approve any and all school bus routes, drivers, and alternate drivers; and
 - (9) how contracts may be terminated.

3520.1800 TRANSPORTATION OF NONRESIDENT PUPILS.

Each A school district ~~wishing to~~ may transport nonresident pupils on district-owned and -operated buses ~~and or~~ on privately

owned and operated buses contracted for by the school board of the district shall make written application to the State Board of Education for permission to do so. Permission to transport nonresident pupils may be granted to school districts by the State Board of Education provided:

~~A. that~~ The equipment is must not be required for the transportation of resident pupils ~~and that~~. There is must be available seating space in the bus ~~to accommodate~~ for the nonresident pupils; ~~and~~.

~~B. that~~ The routes ~~are~~ must be within the area of the secondary school to be served and ~~are~~ must be approved by the State Board of Education.

**RULES, OPERATION OF SCHOOL BUSES AND PUPIL
TRANSPORTATION SAFETY EDUCATION PROGRAM**

3520.2400 OPERATION OF TYPE I AND TYPE II SCHOOL BUSES CARRYING MORE THAN 16 PUPIL PASSENGERS.

Subpart 1. **Application of rules.** The operating rules ~~stated~~ in parts 3520.2400 to 3520.2900 shall govern the operation of Type I and Type II school buses used for the transportation of school children when owned and operated by a school district or privately owned and operated under a contract with a school district.

Subp. 2. **Transportation of pupils.** Only pupils assigned to the school bus by the school board or designated administrative officer of the school district shall be transported at district expense.

Pupils are not to be evicted from the bus along the route for a breach of discipline. All breaches of discipline shall be reported by the bus driver to the administrative officer.

The entrance door shall be closed at all times when transporting pupils and the bus is in motion.

All buses shall load and unload in the right lane of the roadway, at ~~pupil's~~ pupil stops on bus routes approved by the administrative officer. Loading or unloading in a designated turn lane or in a lane immediately adjacent to a designated turn lane is prohibited.

There shall be no pupils in the bus while the gas tank is being filled. On leaving the vehicle when pupils are in the bus, the driver shall stop the motor, remove the ignition key, set the brakes, and otherwise render the bus immobile.

The administrative officer shall see that no materials, including guns, loaded or unloaded; gasoline cans, empty or full; animals; or any other object of a dangerous or objectionable nature are transported in the school bus when children are being transported.

~~No school bus shall pull any trailer when children are being transported to or from school or on extracurricular trips.~~

Subp. 3. **Driving on school grounds.** Buses shall not be run backwards on the school grounds or at any other point if it can be avoided. If it is necessary to run a bus backwards, the driver ~~shall~~ should have ~~another responsible person~~ act as a guard or flagman ~~in back of the bus to keep other persons out of the path and to issue warnings to the drivers of approaching vehicles~~ adequate visibility to determine if any moving vehicles are within 500 feet in either direction, when on roadways. When there is a pupil pick-up or unloading at a backing point, the driver shall always load before backing and unload after backing. No pupils should be outside the bus when it is backing.

Subp. 4. **In case of accidents.** In case of an accident or breakdown of the bus the driver shall not leave the bus but send two of the patrol or other responsible pupils to the nearest house to summon help.

Immediate reports of all accidents, however slight, involving the school bus shall be made by the driver to the administrative officer and to such other authorities as required by law, rule, or regulation. The driver shall prepare and keep all records and reports required by the administrative officer.

3520.3000 OPERATION OF TYPE III SCHOOL BUSES ~~CARRYING 16 OR LESS PUPIL PASSENGERS. (INCLUDES AUTOMOBILES, STATION WAGONS, AND OTHER VEHICLES DESIGNED FOR CARRYING NINE OR LESS FEWER.)~~

Subpart 1. **Application.** The operating rules ~~stated~~ in parts 3520.3000 to 3520.3200 shall govern the operation of Type III school buses used for the transportation of school children when owned and operated by a school district or privately owned and operated under a contract with a school district.

Subp. 2. **Transportation of pupils.** Only pupils assigned to the vehicle by the school board or designated administrative officer of the school district shall be transported at district expense.

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3520.3680 INCORPORATIONS BY REFERENCE.

Part or all of the documents and standards referred to in this part are incorporated by reference in chapter 3520. The documents are subject to frequent change and are conveniently available to the public through the Minitex interlibrary loan system. The latest edition available at the time the amendments to chapter 3520 are proposed is cited. Unless a later rulemaking by the Department of Education specifically restricts application of material incorporated by reference to a specific edition, later editions are incorporated by reference as they are published and made conveniently available to the public.

A. National Minimum Standards for School Buses and Operations, 1985 Revised Edition, National Safety Council, 444 North Michigan Avenue, Chicago, IL 60611.

B. SBMI School Bus Design Objectives, January 1985, School Bus Manufacturers Institute, 4907 Cordell Avenue, Bethesda, MD 20814.

C. Standard for Safety for Dry Chemical Fire Extinguishers ANSI-UL 299-1984, Approved March 2, 1984, American National Standard/Underwriter Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL 60062.

D. School Bus Warning Lamps - SAE J887, May 1982, Society of Automotive Engineers Standards, 400 Commonwealth Drive, Warrendale, PA 15096.

E. Standard Method of Salt Spray (706) Testing - Designation B117-85, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

F. Windshield Defrosting Systems Test Procedure - Trucks, Buses, and Multipurpose Vehicles - SAE J381 and SAE J382, June 1984, Society of Automotive Engineers Standards.

G. Standard for the Storage and Handling of Liquefied Petroleum Gases NFPA58, 1986 Edition, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

H. School Bus Stop Arm - Recommended Practice - SAE J1133, April 1984, Society of Automotive Engineers Standards.

I. Windshield Defrosting Systems Performance Guidelines - Trucks, Buses, and Multipurpose Vehicles - Recommended Practice - SAE J382, October 1984, Society of Automotive Engineers Standards.

J. Turn Signal Lamps for Use on Motor Vehicles Less Than 2032 MM in Overall Width - SAE J588, November 1984 and SAE J588I, Society of Automotive Engineers Standards.

K. Manual on Uniform Traffic Control Devices for Streets and Highways, 1987, Federal Highway Administration, 400 7th S.W., Washington, D.C. 20590.

L. United States Standard Alphabets for Highway Signs, Series B and Series D, Federal Highway Administration.

M. Federal Specification TT-C-520B, Coating Compound, Bituminous Solvent Type Underbody (for Motor Vehicles), General Services Administration, Specification and Consumer Information, Distribution Center, Washington Navy Yard, Building 197, Washington, D.C. 20407.

N. Product Standard PS 1-83, Construction and Industrial Plywood, United States Department of Commerce, National Bureau of Standards, Washington, D.C. 20234.

3520.3700 DESIGN.

Subpart 1. **General.** The design and color of school buses, and all other vehicles used in the transportation of public school children to and from school or to and from school-related activities, whether owned and operated by a school or school district or privately owned and operated under a contract with a school or school district, shall ensure safe and economical transportation of pupils at all times and shall reasonably conform to the minimum standards for design of school buses as established by the State Board of Education and as stated in the following rules shall comply with applicable federal standards. These are minimum standards and may be exceeded if exceeding them does not conflict with federal standards, state laws, or rules.

Subp. 2. [See Repealer.]

Subp. 2a. Variances. The commissioner of the Department of Education, after consulting with the commissioner of the Department of Public Safety, may modify or waive any of the standards contained in parts 3520.3700 to 3520.5710 to accommodate testing of new equipment related to school buses, or may issue an interim standard changing present rules.

A variance from the standards must be for the sole purpose of testing and evaluating for increased safety, efficiency, and economy of pupil transportation. The variance expires 12 months from the date of its granting by the commissioner unless the commissioner specifies an earlier expiration date.

The commissioner upon granting a variance must furnish the commissioner of the Department of Public Safety and the requesting operator with a written copy of the variance specifying the conditions imposed on the testing.

The commissioner shall also provide a copy of the variance in writing to all contract operators and school districts.

The commissioner may grant up to one 12-month extension on a variance.

Annually by June 30, the commissioner will review all variances and interim standards for adoption into the minimum standards.

Subp. 3. [See Repealer.]

3520.3701 VEHICLE DESCRIPTIONS.

Subpart 1. Type I. A Type I school bus means a school bus of more than 10,000 pounds gross vehicle weight rating, designed for carrying more than ten persons. A Type I school bus may be either a conventional or forward control bus.

Subp. 2. Type II. A Type II school bus is a bus with a gross vehicle weight rating of 10,000 pounds or less, designed for carrying more than ten persons. It must be outwardly equipped and identified as a school bus. It need not comply with Type I standards unless specified in part 3520.5611.

Subp. 3. Type III. A Type III school bus is restricted to a passenger car, station wagon, van, or bus with a maximum manufacturer's rated seating capacity of ten persons including the driver, and with a gross vehicle weight rating of 10,000 pounds or less. A "gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the loaded weight of a single vehicle. Actual gross vehicle weight must not exceed the manufacturer's gross vehicle weight rating.

A Type III school bus must not in any way be outwardly equipped and identified as a school bus and must not operate as a Type I or Type II bus and need not conform to standards for Type I or Type II buses.

Subp. 4. Standards are for new buses. The minimum standards apply to new school buses purchased for use in Minnesota after the effective date of these standards. Buses complying with these standards when purchased new for use in Minnesota need not comply with standards established later except as specifically provided by law.

Subp. 5. Used buses. A used school bus purchased for use in Minnesota must conform to the Minnesota minimum standards in effect on the date the vehicle was purchased new and to standards established by rules adopted later which are applicable to school buses purchased new for use in Minnesota as set out in subpart 4.

Subp. 6. "MN" designation. School bus bodies manufactured after January 1, 1986, and used on the streets and highways in this state must bear the designation "MN" in the body identification number. The manufacturer of the school bus body certifies by the "MN" designation that the bus body has been manufactured to meet the minimum standards required of school bus bodies. A school bus body manufactured before January 1, 1986, that does not bear a current inspection sticker, must not be used on the streets and highways in the state unless its manufacturer recertifies that the school bus body meets the minimum standards required of school bus bodies by law. Recertification must be made on a form provided by the Minnesota Department of Public Safety.

Automobiles, station wagons, and vans manufactured in a single stage are exempt from the requirements of this subpart.

Subp. 7. Inspection. Pursuant to Minnesota Statutes, section 169.451, school bus inspection procedures that indicate specific criteria and tolerances for each standard must be promulgated by the state patrol.

Subp. 8. Interpretation. The commissioner of the department of education and the commissioner of the department of public safety shall confer on interpretations and clarifications of rules.

Subp. 9. Restructured defined. "Restructured" means a vehicle produced by a chassis manufacturer which is converted into a school bus by a second manufacturer and upon completion shall meet or exceed the static load test code for school bus body structure.

Subp. 10. No depreciation; exception. A new bus body may be remounted on a chassis that is not more than three years old. Permission must be obtained from the commissioner of education in coordination with the commissioner of public safety before the remounting is done. A used bus body must not be remounted on a new or used chassis.

3520.3801 TYPE I CHASSIS.

The standards in parts 3520.3900 to 3520.4761 apply to Type I bus chassis.

3520.3802 COMPLIANCE.

Compliance with these standards is the responsibility of the chassis manufacturer.

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3520.3900 AIR CLEANER.

Bus shall be equipped with adequate oil-bath or dry element type air cleaner mounted outside passenger compartment. The engine intake air cleaner shall be furnished and properly installed by the chassis manufacturer to meet engine specifications.

3520.4001 AXLES.

The front and rear axles, including the suspension assembly, must have a gross weight rating at ground at least equal to that portion of the load imposed by the chassis manufacturer's maximum gross vehicle weight rating.

3520.4100 BATTERY.

Subpart 1. **General requirement.** The storage battery, as established by the manufacturer's rating, shall must be of sufficient capacity to care for starting, lighting, signal devices, heating, and other electrical equipment in Minnesota. No bus shall be equipped with a battery system of less than 150 ampere hours at 12 volts, measured at 20-hour rate. (Negative ground system only-)

A. In a bus with a gas-powered chassis, the battery or batteries must provide a minimum of 800 cold cranking amperes.

B. In a bus with a diesel-powered chassis, the battery or batteries must provide a minimum of 1,070 cold cranking amperes.

Subp. 2. **Option Options.** The following battery systems are optional.

A. A battery system of providing at least 90 ampere hours 550 cold cranking amperes may be installed in the engine compartment and shall be if used only in combination with a generator or alternator of at least 120 amperes. (See chassis, part 3520.4610, subpart 2-)

B. A bus with a gross vehicle weight rating (GVWR) of more than 10,000 pounds, but not over 15,000 pounds GVWR may be equipped with a battery to provide a minimum of 475 cold cranking amperes (CCA) if used only in combination with an alternator of at least 80 amperes.

Subp. 3. **Mounting of battery.** When a battery is to be mounted outside of engine compartment, it may be temporarily mounted to chassis. Body company will permanently mount battery on a sliding tray located so that center line of battery is 52 inches back of eowl. One-piece, one gauge battery cables shall be rather than the standard installation provided by the chassis manufacturer, such cables to be at least 36 inches longer than normally required, to accommodate battery when located 52 inches to rear of eowl the battery must be temporarily mounted on the chassis frame by the chassis manufacturer. The final location of the battery and the appropriate cable lengths shall agree with the SBMI Design Objectives, January 1985 Edition.

Subp. 4. [See Repealer.]

3520.4201 BRAKES.

Subpart 1. **Adequate to control, stop, and hold.** A school bus must have brakes adequate to control the movement of, and to stop and hold the bus.

Subp. 2. **Federal brake standards.** A school bus must meet federal brake standards in effect at the time of manufacture and must include a service brake, a parking brake, and an emergency brake system.

Subp. 3. **Emergency brake system.** A school bus must have either:

A. emergency features in the service brake system; or

B. a system separate from the service brake system.

Subp. 4. **Control.** A control by which the driver applies the emergency brake system must be located so that the driver can readily operate it while being properly restrained by a seat belt assembly provided for the driver's use. The control for applying the emergency brake system may be combined with either the control for applying the service brake system or the control for applying the parking brake system. All three controls must not be combined.

Subp. 5. **Interconnected systems.** If the brake systems specified in subpart 2 are interconnected, they must be designed, constructed, and maintained so that if part of the operating mechanism of one or more of the systems fails, the vehicle will have operative brakes capable of performing as specified in Federal Motor Vehicle Safety Standard Number 105, Code of Federal Regulations, title 49, part 571.

Subp. 6. **Brake tubing and hose.** The brake tubing and brake hose must conform to Federal Motor Vehicle Safety Standard Number 106, Code of Federal Regulations, title 49, part 571.

Subp. 7. **Brake lining.** The brake lining on a school bus must be constructed and installed to avoid excessive fading and grabbing. The brake lining must be adequate in thickness, means of attachment, and physical characteristics to provide for safe and reliable stopping of the motor vehicle.

Subp. 8. **Reservoirs required.** A school bus using air or vacuum for braking must be equipped with reserve capacity or a

reservoir sufficient to ensure a full service brake application with the engine stopped without depleting the air pressure or vacuum below 70 percent of that pressure or degree of vacuum indicated by the gauge immediately before the brake application is made. For purposes of this subpart, a full service brake application is made when the service brake pedal is pushed to the limit of its travel.

Subp. 9. Warning devices and gauges. A school bus must be equipped with a signal that provides a warning to the driver when a failure occurs in the vehicle's brake system.

A. Buses having service brakes activated by hydraulic fluid must be equipped with a warning signal that conforms to Federal Motor Vehicle Safety Standard Number 105, Code of Federal Regulations, title 49, part 571.

B. Buses having service brakes activated by air pressure must be equipped with warning devices that conform with Federal Motor Vehicle Safety Standard Number 121, Code of Federal Regulations, title 49, part 571.

C. Buses having service brakes activated by vacuum must be equipped with a device that provides a readily audible or visible continuous warning to the driver whenever the vacuum in the vehicle's supply reservoir is less than eight inches of mercury and with a vacuum gauge that indicates to the driver the vacuum in inches of mercury available for braking.

Subp. 10. Air or vacuum applied or assisted. A bus having a braking system in which hydraulically activated service brakes are applied or assisted by compressed air or vacuum must be equipped with both a warning signal that conforms to the requirements of subpart 9, item A and a warning device that conforms to the requirements of subpart 9, item B or C.

3520.4301 FRONT BUMPER.

The front bumper must be furnished by the chassis manufacturer as part of the chassis. The front bumper must extend beyond the forwardmost part of the body, grille, hood, and fenders and must extend to the outer edges of the fenders at the bumper top line. The front bumper, except the breakaway bumper ends, must be of sufficient strength to permit pushing a vehicle of equal gross vehicle weight without permanent distortion to the bumper, bumper braces, chassis, or body.

3520.4400 CERTIFICATION.

The chassis manufacturer shall distributor or dealer, on request, must certify to the State Department of Education that their product meets minimum standard on the following items: axles; brakes; exhaust system noise level; horn; power and gradeability; springs; complete electrical system standards on items not covered by certification issued under the requirements of the National Traffic and Motor Vehicle Safety Act, United States Code, title 49, section 571.

3520.4500 CLUTCH.

All chassis of 48 to 60 pupil capacity having mechanical type transmission shall be equipped with clutch of 12-inch minimum diameter. Chassis of 66 and greater pupil capacity having mechanical type transmission shall be equipped with clutch of 13-inch minimum diameter or clutch of equivalent performance Clutch torque capacity must be at least equal to engine torque output.

3520.4510 COLOR.

Subpart 1. and 2. [See Repealer.]

Subp. 3. New buses. (Manufactured after June 1, 1973. See Minnesota Statutes, section 169.44, subdivision 7.) The chassis including front bumper and wheels shall must be painted glossy black, color 17038; the hood and cowl shall must be painted National School Bus Glossy Yellow, color 13432, except that the hood shall may be either that color lusterless yellow or lusterless black, color 37038.

Subp. 4. ~~Option on new buses~~ Color options. Options: Items A to C list color options for specific parts of a school bus.

A. Front fenders may be painted glossy yellow or glossy black.

B. The following may be other than yellow or black: wheel rims; chassis grills; mirror backs, rims, and mounting brackets; reflector housings; window frames; accessories and other minor trim items. ~~See body, part 3520.4900.~~

C. ~~The use of~~ Silver, black, or yellow retroreflective material may be used on the front bumper for increased night visibility.

3520.4531 DRIVE SHAFT.

The drive shaft must be protected by adequate metal guard or guards to prevent it from whipping through the floor or dropping to the ground if broken.

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3520.4540 ELECTRICAL SYSTEM.

Subpart 1. **Battery.** ~~Battery:~~ See chassis, part 3520.4100; and body, part 3520.4820.

Subp. 2. **Generator.** ~~Generator or alternator:~~ See chassis, part 3520.4610.

Subp. 3. **Lamp and signals.** ~~Lamp and signals:~~ See body, parts 3520.5200 to 3520.5230.

Subp. 4. **Wiring.** ~~Wiring:~~ See body, part 3520.5580.

Subp. 5. **Electrical terminal.** The chassis manufacturer shall must install a readily accessible electrical terminal so that the body and chassis electrical load can may be recorded through a chassis ammeter without dismantling or disassembling the chassis component. The chassis wiring system to the terminal shall must have a minimum of 100-ampere capacity. The chassis ammeter and wiring shall must be compatible with the generating capacity, and the ammeter shall must be capable of recording a continuous draw of 100 amperes.

Subp. 5a. Option. A voltmeter may be used in place of an ammeter.

Subp. 6. **Wiring codes, colors, diagram.** A complete and readable wiring diagram shall be furnished with each bus. All wiring must use a standard color and number coding and each chassis must be delivered with a wiring diagram that coincides with the wiring of the chassis.

3520.4550 EXHAUST SYSTEM.

Subpart 1. **General.** The exhaust pipe muffler and tailpipe shall must be outside the bus body and attached to the chassis with adequate hangers of sufficient strength to maintain the position of the exhaust system under all normal operating conditions. The tailpipe shall must be constructed of seamless or electrically welded tubing of 16-gauge steel or its equivalent and shall must extend at least five inches beyond the chassis frame (but should not go beyond the rear bumper). See body, part 3520.5500. The size of the tailpipe shall must not be reduced after it leaves the muffler.

Subp. 2. **Exception.** The exhaust system on vehicles designed for the transportation of special education pupils may be routed to the left of the right frame rail to allow for the installation of a lift on the right side of the vehicle.

Subp. 3. **Insulation.** The exhaust system shall on a gas-powered chassis must be properly insulated from fuel tank and tank connections by a securely attached metal shield at any point where it the exhaust system is within 12 inches or less from of the tank or tank connections. Noise level shall not exceed 125 sones as measured by Beranek-Armour-ATA Equivalent Tone Method.

Subp. 4. **Corrosion-resistant.** The muffler shall must be constructed of corrosion-resistant material.

Subp. 5. **Option; Type I school buses.** Left side exhaust systems are allowed on Type I school buses but must conform to the following requirements:

A. The exhaust system pipe must be of nonflexible, one-piece pipe and be a minimum of 16 gauge steel or its equivalent. Diesel buses may use flex pipe on crossover pipes.

B. The exhaust system pipe must extend a minimum of 18 inches straight rearward from the muffler before a maximum bend of 45 degrees is made in the pipe. More than one bend may be made to attain a 45-degree maximum bend.

C. The exhaust system may extend to a maximum of one inch beyond the body skirt.

D. The end of the exhaust pipe must be cut smooth.

E. An exhaust system that has its exit point behind the rear wheels need not comply with the 45-degree bend requirement.

3520.4560 FENDERS, FRONT.

Subpart 1. **General requirements.** The total spread of the outer edges of the front fenders, measured at the fender line, shall must exceed the total spread of the front tires when the front wheels are in the straight ahead position. The front fenders shall must be properly braced and free from any body attachment.

Chassis sheet metal shall not extend beyond rear face of cowl.

Subp. 2. **Exception for transit and metropolitan vehicles.** The standard in subpart 1 does not apply to forward control buses.

3520.4570 FRAME.

The frame or its equivalent shall must be of such design as designed to correspond at least to standard practice for trucks of that have the same general load characteristics which and that are used for severe highway service. When frame side members are used they shall be of one piece construction. If frame side members are extended, such extension shall be designed and furnished by chassis or body manufacturer with his guarantee, and installation shall be made by either chassis or body manufacturer and guaranteed by company making installation. Any person or secondary manufacturer that modifies the original chassis frame shall guarantee the

performance of workmanship and materials resulting from the modification. Any frame modification must not be for the purpose of extending the wheelbase. Extensions of frame lengths are permissible only when such alterations are behind the rear hanger of the rear spring and shall not be for purpose of extending wheelbase or in front of the front spring hanger. Holes in top or bottom flanges of the frame side rail shall must not be permitted except as provided in the original chassis frame. There ~~shall~~ must be no welding to frame side rails except ~~by chassis or body manufacturer as provided above.~~ Welding for installation of the trailer hitch is permissible. Frame lengths shall be provided in accordance with School Bus Manufacturers Institute design objectives.

3520.4600 FUEL TANK.

Subpart 1. **Capacity of 30 gallons.** The fuel tank shall have or tanks having a minimum capacity of 30 gallons, must be made of 16-gauge terneplate or equivalent, and be mounted directly on right side of chassis frame entirely outside body provided by the chassis manufacturer.

~~Flexible gasoline- and oil-proof connection shall be provided at engine end of fuel feed line.~~

~~Tank shall be equipped with adequate baffles.~~

~~Engine supply line shall be taken from top of tank.~~

~~Drain plug of at least one-fourth inch diameter shall be located in center of bottom of tank.~~

Fill-pipe cap shall be of such design as to minimize spillage of fuel when bus turns corners in either direction. If venting of fuel tank is done other than through fill-pipe cap, cap shall be nonvented type. The fuel tank must be filled and vented to the outside of the body so that accidental fuel spillage will not drip or drain on any part of the exhaust system.

The portion of the fuel system that is located to the rear of the engine compartment, except the filler tube, must not extend above the top of the chassis frame rail. The fuel lines must be mounted to obtain maximum possible protection from the chassis frame in conformance with Federal Motor Vehicle Safety Standard 301, Code of Federal Regulations, title 49, part 371.

The fuel filter with a replaceable element shall must be installed between the fuel tank and carburetor the engine.

The fuel tank, fittings, or lines shall not extend above top of chassis frame rail must meet the national standards that apply for the type of fuel used.

Subp. 2. to 5. [See Repealer.]

Subp. 6. Rear engine powered buses. In rear engine powered buses, the fuel system must have the fuel tank or tanks located ahead of the engine compartment.

Subp. 7. Fuel, liquefied petroleum, compressed and liquefied natural gas. Liquefied petroleum gas (LPG), or compressed or liquefied natural gas installations on school buses must meet National Fire Protection Association Standard Number 58 for "Installation of LP Gas Systems on Vehicles," as adopted by reference in the Minnesota Uniform Fire Code.

A school bus powered by liquefied petroleum or natural gas, or compressed liquefied natural gas must display markings as required by Minnesota Statutes, section 169.762 and parts 7510.4500 to 7510.4900.

3520.4610 GENERATOR OR ALTERNATOR.

Subpart 1. **Output requirement.** The generator or alternator (negative ground only) with rectifier shall must have an output of at least 100 amperes (in accordance with Society of Automotive Engineers rating) with a minimum charging of 30 amperes at the manufacturer's recommended engine idle speed (12-volt system) and shall must be ventilated and voltage-controlled and, if necessary, current-controlled. A matched dual belt drive shall must be used with the generator or alternator. A heavy-duty full transistorized regulator with adjustable voltage shall must be supplied. A direct-drive generator or alternator may be used in place of a belt drive.

Subp. 2. **Option More output if small battery.** When a battery or batteries of less than 150-ampere hours 800 cold cranking amperes (CCA) is installed in the engine compartment, the generator or alternator shall must have an output of at least 120 amperes. (See chassis, part 3520.4100, subpart 2.)

Subp. 3. and 4. [See Repealer.]

Subp. 5. Option; some Type I buses. Type I buses with a gross vehicle weight rating of 15,000 pounds or less may be equipped with a single belt drive alternator. This option does not apply to those buses with wheelchair lifts.

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3520.4620 GOVERNOR.

Subpart 1. **Permissible.** An engine governor is permissible and ~~where~~ if used ~~shall~~ must be set at the manufacturer's recommended maximum engine speed. ~~When~~ If it is desired to limit road speed, a road speed governor should be installed.

Subp. 2. **Exception for transit and metropolitan vehicles.** ~~When~~ If the engine is remotely located from the driver, the governor ~~shall~~ must be installed to limit engine speed to maximum revolutions per minute recommended by the engine manufacturer, or a tachometer ~~shall~~ must be installed so engine speed may be known to the driver.

3520.4630 HEATING SYSTEM.

~~The chassis engine shall provide inlet and outlet holes in accessible locations for attachment of bus heating system water lines. Also see body, part 3520.5150 must have plugged openings for the purpose of supplying hot water for the bus heating system. The opening must be suitable for attaching a 3/4-inch pipe thread/hose connector. The engine must be capable of supplying water having a temperature of at least 170 degrees Fahrenheit at a flow rate of 50 pounds per minute at the return end of 30 feet of one inch inside diameter automotive hot water heater hose. See also School Bus Manufacturers Institute Standard Number 001-Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment.~~

3520.4640 HORN.

~~Bus shall be equipped with dual horns of standard make, each horn capable of producing complex sound in band of audio frequencies between approximately 250 and 2,000 cycles per second and each having a total sound level of 110 decibels within these frequency limits when measured at point on axis of horn three feet from exit of horn.~~

~~Sound-level measurements shall be made with meter that complies with American Standard Z24.3-1944, or current revision thereof, as promulgated by American Standards Association, Inc. Measurement shall be made with meter set to flat response (C weighting network).~~

~~Sound-level measurements shall be made with horn or horns installed on bus. There shall be no reflecting walls or obstacles other than ground and vehicle closer than 100 feet from horn during sound-level measurement. The bus must be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet.~~

3520.4650 INSTRUMENTS AND INSTRUMENT PANEL.

Subpart 1. **Requirements.** ~~The chassis shall~~ must be equipped with following the instruments and gauges ~~(listed in this part. Lights in lieu place of gauges are not acceptable);~~ permitted unless indicated.

A. Speedometer.

B. Odometer ~~which that~~ will give accrued mileage ~~including tenths of miles.~~

C. ~~An~~ ammeter shall be, vane or shunt type, with graduated charge and discharge; ~~both.~~ The ammeter and its wiring ~~to~~ must be compatible with the generating capacities and capable of handling a continuous current draw of 100 amperes. A voltmeter may be used in place of an ammeter.

~~D. Voltmeter with graduated scale (optional item).~~

~~E. Oil-pressure gauge.~~

~~F. E. Water-temperature gauge.~~

~~G. F. Fuel gauge.~~

~~H. G. Upper-beam headlamp indicator. A light indicator is permitted.~~

H. Brake indicator (vacuum or air). A light indicator in place of a gauge is permitted on a vehicle equipped with an hydraulic-over-hydraulic brake system.

~~I. Air pressure or vacuum gauge, where air or vacuum brakes are used, and audible or visible low-pressure indicator to warn driver if air pressure in air-brake system falls below 600 pounds per square inch. See chassis, parts 3520.4200 to 3520.4230; 3520.4240 to 3520.4260.~~

~~J. Tachometer (optional) Turn signal indicator lights.~~

Subp. 2. **Accessibility, mounting, illumination.** All instruments ~~shall~~ must be easily accessible for maintenance and repair.

All instruments and gauges ~~shall~~ must be mounted on the instrument panel ~~in such manner so~~ that each is clearly visible to the driver in a normal driving position. The instrument panel ~~shall~~ must have lamps of sufficient candlepower to illuminate all instruments and gauges and the shift selector indicator for the automatic transmission.

3520.4670 OPENINGS.

All openings in the floorboard or the firewall between the chassis and the passenger-carrying compartments, such as for gearshift lever and auxiliary brake lever, shall must be sealed unless they are altered by the body manufacturer. See parts 3520.4980 and 3520.4990.

3520.4680 PASSENGER LOAD FOR NEW BUSES MANUFACTURED AFTER JANUARY 1, 1975.

Subpart 1. Gross vehicle weight, defined. Average actual GVW (gross vehicle weight) (GVW) is the sum of average actual chassis weight, plus average body weight, plus 150 pounds for driver's weight, plus total seated pupil weight (based on 120 pounds per pupil).

Recommended chassis manufacturer's rated GVW (gross vehicle weight) is weight assigned to complete vehicle. (Weights assigned for each pupil capacity classification are shown in table for next topic: Power and gradeability.)

Manufacturer's gross vehicle weight rating shall be furnished in duplicate (unless more copies are requested by State Department of Education) by manufacturer to the State Department of Education. State Department of Education shall, in turn, transmit such rating to each other state agency responsible for development or enforcement of state standards for school buses.

Subp. 2. Gross vehicle weight (GVW) limit. The actual gross vehicle weight (GVW) must not be more than the chassis manufacturer's gross vehicle weight rating (GVWR) for the chassis.

3520.4701 SHOCK ABSORBERS.

A school bus must be equipped with front and rear double acting shock absorbers compatible with the manufacturer's rated axle capacity at each wheel location.

3520.4711 SPRINGS.

Capacity of springs or suspension assemblies must be commensurate with the chassis manufacturer's gross vehicle weight rating. If rear springs are used, they must be of the progressive type.

3520.4720 STEERING GEAR.

The steering gear shall must be approved by the chassis manufacturer and designed to assure safe and accurate performance when the vehicle is operated with maximum load and at maximum speed. The steering mechanism shall must provide for easy adjustment for lost motion. No Changes shall not approved by the chassis manufacturer must not be made in the steering apparatus which are not approved by chassis manufacturer. There shall must be a clearance of at least three inches between the steering wheel and the cowl, instrument panel, windshield, or any other surface. Power steering is permissible if approved by chassis manufacturer. The steering system must be designed to provide for means for lubrication of all wear-points, if wear-points are not permanently lubricated. Power steering is required and must be of the integral type with integral valves.

3520.4731 TIRES AND RIMS.

Tires and rims of proper size and tires with a load rating commensurate with the chassis manufacturer's gross vehicle weight rating must be provided.

Dual rear tires must be provided on Type I school buses.

Tires of different size or ply rating may be used except that all tires on an axle must be the same size. Radial and bias tires must not be used on the same axle. If a spare tire is carried, it must be suitably mounted in an accessible location outside the passenger compartment.

3520.4741 TRANSMISSION.

An automatic transmission is permissible.

If a manual transmission is used, second gear and higher gears must be synchronized except if to do so would be incompatible with engine power. A minimum of three forward speeds and one reverse speed must be provided. The bus transmission shifting pattern must be permanently displayed in the driver's full view.

3520.4750 UNDERCOATING AND/OR RUSTPROOFING.

Unless fenders are constructed of a noncorrosion material, the chassis manufacturer shall must coat undersides of front fenders with fire-resistant asphalt base, rubber base, and/or rustproofing, or other undercoating material, applied by spray method, in order

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to seal, to deaden sound, to insulate, and to prevent oxidation. See also, body, part 3520.5510 a compound to prevent rust. The compound must meet or exceed Federal Specifications TT-C-520B using modified test procedures as defined under "Undercoating" of body standards.

3520.4761 WEIGHT DISTRIBUTION.

Weight distribution of a fully loaded bus on a level surface must not exceed the manufacturer's front gross axle weight rating and rear gross axle weight rating.

3520.4801 TYPE I BODY.

The standards in parts 3520.4811 to 3520.5580 apply to Type I bus bodies.

3520.4811 AISLE.

Minimum clearance of all aisles, including the aisle or passageway between seats leading to the emergency door, must be 12 inches. See part 3520.5010, subpart 2. Aisle supports of seat backs must be slanted away from the aisle sufficiently to give aisle clearance of 15 inches at the top of the seat backs.

3520.4831 BODY SIZES.

RECOMMENDED BODY - CHASSIS SIZES FOR MINNESOTA SCHOOL BUSES

PASSENGER CAPACITY	WHEELBASE	Items to specify to get proper minimum gross vehicle weights.					GVWR 2/
		FRONT AXLE	REAR AXLE	TIRE SIZE	FRONT GAWR 1/	REAR GAWR 1/	
29	151"	5000# Gas 7500# Diesel *	15000#	8.25 X 20 10 ply	5000# 7500#	14200#	19200# 21700#
35	151-170"	5000# Gas 7500# Diesel *	15000#	8.25 X 20 10 ply	5000# 7500#	14200#	19200# 21700#
41 3/	189-193"	7000# Gas 7500# Diesel *	15000#	8.25 X 20 10 ply	7000# 7500#	14200#	21200# 21700#
47 3/	189-193"	6000# Gas 7500# Diesel *	15000#	8.25 X 20 10 ply	6000# 7500#	14200#	20200# 21700#
53	216-218"	7000# Gas 8000# Diesel *	15000#	8.25 X 20 12 ply	7000# 8000#	15000#	22000# 23000#
59	235-237"	7000# Gas 8000# Diesel *	17000#	9.00 X 20 10 ply	7000# 8000#	16160#	23160# 24160#
65	254-255"	7500# Gas 8000# Diesel *	17500#	9.00 X 20 12 ply	7500# 8000#	17500#	25000# 25500#
71	274-276"	9000# Gas 9000# Diesel	19000#	9.00 X 20 14 ply	9000#	19000#	28000#
77	274-276"	9000# Gas 9000# Diesel	20000#	9.00 X 20 14 ply	9000#	20000#	29000#

* Applies to diesel engines larger than 6.9 liter such as 8.2 and 9 liter and larger.

1/ GAWR (Gross Axle Weight Rating) means the weight carrying capacity of the lightest components of the front or rear axle assembly including axle, tires, wheels, springs, frame, etc.

2/ GVWR (Gross Vehicle Weight Rating) means the total maximum carrying capacity of a bus including body weight; chassis weight, passengers, and fuel. Specify Front GAWR - Rear GAWR and Total GVWR in your bid, using the above chart to properly distribute loaded weights.

3/ The shorter 41 passenger body puts more weight on the front axle than the longer 47 passenger.

- A) The above recommendations are designed to allow bidding of various body - chassis combinations and staying within federal weight tolerances.
- B) Stock bus bids. Due to the fact that the body - chassis dealers know the exact weight of their units built for stock, axles and tire sizes may be less than those listed above and still be within the federal weight tolerances.
- C) The following items add considerable weight and may require heavier axles or longer chassis and body: diesel engines; air brakes; luggage compartments; even size bodies such as 54-60-66 passenger. Uneven sizes as 53-59-65 as listed above are recommended over even sizes as they do not require a wasted nine inch space behind the rear seat.

Chart provided by Minnesota School Bus Body Distributors Association.

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3520.4840 BOOK RACKS.

Subpart 1. Permitted. Book racks or shelves of any type are prohibited on interior of bus body permitted only in buses with 72-inch or more headroom.

Subp. 2. Location. If book racks are permitted, they must be located above the side windows and must not extend forward of the foremost point of the front seat, across or above the emergency door and must not exceed 16 inches in width.

Book racks must have only padded, rounded edges on all surfaces exposed to school bus occupants. Padding must be at least one inch thick. There must be an upward extending edge on the aisle side of the rack that extends half the distance to the ceiling of the bus from the bottom of the rack. A minimum of two racks must have full height dividers above every seat to prevent any book or object from sliding front and back. Each rack must be padded on the aisle side.

3520.4850 BUMPER.

Subpart 1. ~~Chassis Front.~~ See part 3520.4300, subpart 1 3520.4301.

Subp. 2. [See Repealer.]

Subp. 3. **Rear.** Rear bumper ~~shall~~ must be of pressed steel channel at least 3/16 inch thick and eight inches wide (high) and be of sufficient strength to permit being pushed by another vehicle without permanent distortion to bumper, bumper braces, chassis, or body. ~~The center point of such bumper shall be not more than 20, nor less than 14 inches from ground when the vehicle is unloaded (Minnesota Statutes, section 169.73).~~ It ~~shall~~ must be wrapped around back corners of the bus. It ~~shall~~ must extend forward at least 12 inches, measured from rearmost point of body at the floor line. The bumper shall must be attached to the chassis frame in such manner so that it may be easily removed, shall must be so braced as to develop full strength of bumper section from rear or side impact, and shall must be so attached as to prevent hitching of rides. The rear bumper shall must extend beyond rearmost part of body surface, excluding lights, at least one inch, measured at floor line.

Subp. 4. [See Repealer.]

3520.4900 COLOR.

Subpart 1. to 5. [See Repealer.]

Subp. 6. ~~New buses manufactured after June 1, 1973 Body.~~ See Minnesota Statutes, section 169.44, subdivision 7. The body including the hood and the cowl shall must be painted National School Bus Glossy Yellow, color 13432, except that the hood shall be either that color or lusterless black, color 37038.

A. Rub rails: a minimum of three ~~shall~~ must be black.

B. Rear bumper, rubber rear fenders (if used), and lettering ~~shall~~ must be black.

C. The belt line may be yellow with black lettering or may be black with yellow lettering. Yellow or black reflectorization may be used.

~~See part 3520.5160 and Minnesota Statutes, section 169.44, subdivision 3.~~

Subp. 7. **Option Options.** The following color options may be used.

Belt line may be yellow with black lettering or may be black with yellow lettering. See part 3520.5160 and Minnesota Statutes, section 169.44, subdivision 3.

A. The front fenders may be painted glossy yellow or glossy black.

B. The hood may be lusterless yellow or black.

C. The following may be other than yellow or black: wheel rims; chassis grills; mirror backs, rims, and mounting brackets; reflector housings; window frames; accessories and other minor trim items. See part 3520.4510.

D. The use of yellow or red reflective material may be used on the rear bumper for increased night visibility.

Subp. 8 to 10. [See Repealer.]

3520.4910 CONSTRUCTION.

Construction ~~shall~~ must be of prime commercial quality steel or other metal or other material with strength at least equivalent to

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all-steel as certified by the bus body manufacturer and must conform to Federal Motor Vehicle Safety Standard Number 220, Code of Federal Regulations, title 49, part 571. All such construction materials shall be fire-resistant. Construction shall provide reasonably dustproof and watertight unit.

3520.4930 FLOOR CONSTRUCTION.

Subpart 1. Requirements. The floor shall ~~must~~ be of prime commercial quality steel or other metal of at least 14-gauge or other metal and such. The metal floor shall ~~must~~ be covered with plywood. The plywood shall ~~must~~ be five-ply, at least five-eighths inch thick and it shall ~~must~~ equal or exceed properties of exterior-type Douglas fir softwood plywood, grade ~~C-C~~ C-D, as specified in product standard PS 1-83 issued by U.S. the United States Department of Commerce. The floor shall ~~must~~ be level from front to back and from side to side except in wheel housing, toeboard, and driver's seat platform areas.

Subp. 2. Option. The underside of the metal floor may be undercoated with polyurethane floor insulation, foamed in place. The polyurethane floor insulation must be combustible resistant. This option does not replace the plywood required in subpart 1.

3520.4980 OPENINGS.

All openings between chassis and passenger-carrying compartment made due to alterations by body manufacturer must be sealed. See part 3520.4670.

3520.5000 DEFROSTERS.

Defrosters and two all metal defroster auxiliary fans with metal blades and adequate guards shall be of sufficient capacity to keep the windshield, window to left of driver, and glass in entrance door clear of fog, frost, and snow. This may be done by taking the heat directly from an approved heater or auxiliary heaters. Defrosters must conform to Society of Automotive Engineers Standards J-381 and 382.

3520.5010 DOORS.

Subpart 1. Service door. The service door shall ~~must~~ be power or manually operated, under control of the driver, and so designed as to afford easy release and prevent accidental opening. When hand lever is used, no parts shall come together so as to shear or crush fingers.

The service door shall ~~must~~ be located on the right side of the bus opposite the driver and within his the driver's direct view.

The service door shall ~~must~~ have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches.

The service door shall ~~must~~ be of split type, sedan type, or jackknife type. If a split type door is used the front section shall ~~must~~ open outward.

The lower as well as upper glass panels shall ~~must~~ be of approved safety glass. See part 3520.5550 3520.5551. The bottom of the lower glass panel shall ~~must~~ not be more than 42 35 inches from bottom of the door ground when the bus is unloaded. The top of the upper glass panel shall ~~must~~ not be more than six inches from the top of the door.

The vertical closing edges shall ~~must~~ be equipped with flexible material to protect children's fingers.

There shall be no door to the left of the driver in the front half of the bus. (This shall not be interpreted to conflict with subpart 2.)

Subp. 2. Emergency door and emergency window. An emergency door shall ~~must~~ be located in the center of the rear end of the bus or in the rear half of the left side of the bus.

The emergency door shall ~~must~~ have a minimum horizontal opening of 24 inches and a minimum vertical opening of 48 inches measured from floor level.

The emergency door shall ~~must~~ be hinged on the right side if it is in the rear end of the bus and on the front side if it is on the left side of the bus. The door shall ~~must~~ open outward and shall ~~must~~ be labeled inside to indicate how it operates.

Upper portion of All the glass in the emergency door shall ~~must~~ be equipped with approved safety glass. The exposed area of which shall the safety glass ~~must~~ be not less than 400 square inches. See part 3520.5550 3520.5551.

There shall ~~must~~ be no steps leading to the emergency door.

No A seat or other object shall ~~must not~~ be so placed in the bus to restrict any part of the passageway leading to either rear or left side the emergency door to an opening smaller than a rectangle of 12 inches in width and 48 inches in height, measured from floor level.

The words "EMERGENCY DOOR" or "EMERGENCY EXIT" both inside and outside in letters at least two inches high, shall ~~must~~ be placed at the top of or directly above upper window on the emergency door or on the door in the metal panel above the top glass. New buses purchased after September 1, 1973, words "EMERGENCY EXIT" may be substituted.

If the emergency door is located on the left side of the bus, it must conform to Federal Motor Vehicle Safety Standard Number 217, Code of Federal Regulations, title 49, part 571, and the window at the rear shall must be designed as an emergency exit and shall must be no smaller than 16 inches in height and 54 inches in width on buses 80 inches or more in width; it shall must be no smaller than 16 inches in height and 49 inches in width on buses less than 80 inches in width. The window shall must be hinged from the top and devised and operated to ensure against an accidental closing in an emergency.

The emergency window in the rear must be equipped with a latch or latches on the inside connected with an electrical buzzer located in the driver's compartment that will go off when the latch is being released.

The emergency window must also be equipped on the outside with a nondetachable fastening device designed to prevent hitching-to, but to permit opening from the outside.

Paneling is required to cover the space between the top of the rear divan seat and the inside surface of emergency window at rear.

The words "EMERGENCY EXIT" in letters at least two inches high shall must be placed directly above the emergency window on the inside and directly below the window on the outside.

The emergency door and emergency window shall must be designed to be opened from the inside and the outside of the bus and shall must be equipped with a fastening device which that may be quickly released but is designed to offer protection against accidental release. ~~Control~~ The opening of the emergency door and window must not be controllable from the driver's seat shall not be permitted. ~~Provision~~ The providing for opening from the outside shall must consist of a nondetachable device so designed as to prevent hitching-to but to permit opening when necessary.

The emergency door shall must be equipped with a slide-bar cam-operated lock. The slide bar shall must have a minimum stroke of one inch. The emergency door lock shall must be equipped with a suitable electric plunger type switch connected with a buzzer located in the driver's compartment. The switch shall must be enclosed in a metal case, and the wires leading from the switch shall must be concealed in the bus body. The switch shall must be so installed so that the plunger contacts the farthest edge of the slide bar in such manner that any so that any movement of the slide bar will immediately close closes the circuit on the switch and activate sets off the buzzer.

The emergency door lock shall must be equipped with an interior handle that extends approximately to the center of the emergency door. ~~The~~ The handle shall lift up to release the lock.

Emergency window in rear shall be equipped with latch or latches on inside connected with electrical buzzer located in driver's area that will actuate when latch is being released.

It shall also be equipped on outside with nondetachable fastening device so designed as to prevent hitching-to, but permit opening from the outside. The service door and the emergency door (side or rear) may be equipped with vandal locks if the locks comply with Federal Motor Vehicle Safety Standard Number 217, Code of Federal Regulations, title 49, part 571.

3520.5111 FIRE EXTINGUISHER.

A minimum of one 2-1/2 pound dry chemical type fire extinguisher, with not less than a 10-B-C rating, is required. It must be approved by Underwriters Laboratories, Inc. or an equivalent testing laboratory.

The extinguisher must be mounted in a bracket, located in the driver's compartment and readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.

3520.5120 FIRST AID KIT.

The bus shall must carry a removable Grade A metal, or high impact strength, light-weight polymer, dust-proof first aid kit, mounted in full view or in a labeled accessible place in the driver's compartment.

Required The first aid kit must have the following units and required packages per unit first aid kit is to have:

- A. ten units for Type II and Type III vehicles of 16 or less capacity;
- B. 24 units for Type I buses with passenger capacity in excess of 16 and up to and including 42 passengers; or
- C. 36 units for Type I buses of passenger capacity in excess of 42.

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D. The table of required items and packages for items A to C:

Unit Size	Item	Required Packages		
		10 Unit	24 Unit	36 Unit
1	Compress Bandage, 4 inch	2	6	8
1	Compress Bandage, 2 inch	1	3	7
1	Adhesive Compress, 1 inch	2	2	4
1	Triangular Bandage, 40 inch with 2 safety pins	1	2	4
1	Gauze Bandage, 4 inch	—	2	4
1	Absorbant Gauze Compress	—	2	2
1	Gauze Compress, 24 by 72 inches	1	2	2
1	Padded Tongue Blades	1	1	1
2	Adhesive Tape, 1 inch by 2½ yards	+ 2	+ 2	+ 2
1	Wire Splint	—	2	2

3520.5141 FLOOR COVERING.

The floor in the underseat area, including the tops of wheel housings, driver's compartment, and toeboard, must be covered with rubber floor covering or its equivalent having a minimum overall thickness of 0.125 inch.

The floor covering in the aisle must be of aisle-type rubber or its equivalent, nonskid, wear-resistant, and ribbed. Minimum overall thickness must be 0.187 inch measured from top of ribs.

The floor covering must be permanently bonded to the floor and must not crack if subjected to sudden change in temperature. Bonding or adhesive material must be waterproof and must be of a type recommended by the manufacturer of the floor covering material. All seams must be sealed with waterproof sealer.

3520.5151 HEATERS.

Heaters must be of the hot water or combustion type. If the heater is of the hot water type, the heater system must be equipped with a shutoff valve readily accessible to the driver. If only one heater is used, it must be of fresh air or combination fresh air and recirculating type. If more than one heater is used, the additional heaters may be of recirculating type. Each heater motor must be two speed.

All heaters installed by body manufacturers must bear a name plate that must indicate the heater rating in accordance with SBMI Code 001. The plate must be attached by the heater manufacturer. The attachment certifies that the heater performance is as shown on the plate.

All combustion-type heaters must be approved by the Federal Highway Administration, Motor Carrier Safety Regulations, Code of Federal Regulations, title 49, part 393.77.

If combustion-type heaters are used, they must be installed on new buses by body manufacturers and on buses now in operation by authorized dealers or by authorized garages.

Heaters must be capable of maintaining an inside temperature of 40 degrees Fahrenheit at average minimum January temperatures as established by the United States Department of Commerce, Weather Bureau, for the area in which the heater is required.

Heater lines inside the passenger compartment must be guarded to prevent accidental contact by the driver or passengers.

3520.5160 IDENTIFICATION.

Subpart 1. Requirements. The body shall must bear the words "SCHOOL BUS" in black letters at least eight inches high on both front and rear of the body or on signs attached signs thereto. The lettering shall must be placed as high as possible without impairment of its visibility. The lettering shall must conform to "Series B" of Standard Alphabets for Highway Signs.

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Only signs and lettering approved by state law or rule, limited to name of owner or operator and ~~any number necessary for identification shall home post office address, city, or town may appear on the sides of the bus, in accordance with Minnesota Statutes, section 221.031, subdivision 6. See Minnesota Statutes, section 169.44, subdivision 3~~ Any number of symbols necessary for identification may also appear on the sides of the bus.

Subp. 2. Options. Symbols or letters may be used on the outside of the bus for student identification. The manufacturer's name or logo may appear on the roof line. A nameplate may be placed on the side of the bus near the entrance door and on the rear.

3520.5171 INSIDE HEIGHT.

Inside body height must provide 72 inches of headroom, measured from the metal floor to the center line of the metal roof.

3520.5180 INSULATION.

Ceiling and walls ~~shall~~ must be insulated with proper material to deaden sound and to reduce vibrations to a minimum, and ~~shall~~ must be insulated to a minimum of one-inch fiberglass and installed ~~in such a manner so~~ that the insulation does not compact or sag. Thermal insulation ~~shall~~ must be of fire-resistant material of a type approved by Underwriter's Laboratories, Inc.

3520.5190 INTERIOR.

Subpart 1. Projections. The interior of the bus ~~shall~~ must be free of all unnecessary projections likely to cause injury. ~~This standard requires Ceilings and walls must have an inner lining on ceilings and walls. Ceilings over aisle shall be free of all projections. If the ceiling is constructed so as to contain lapped joints, the forward panel must be lapped by the rear panel and exposed edges must be beaded, hemmed, flanged, or otherwise treated to minimize sharp edges.~~

Subp. 2. Speakers. Interior speakers except in the driver's compartment must not protrude more than one-half inch. A two-way speaker in the driver's compartment need not be flush mounted.

Subp. 3. Flammability. Flammability standards of interior materials covered by Federal Motor Vehicle Safety Standard Number 302, Code of Federal Regulations, title 49, part 571 must be met.

3520.5200 LAMPS AND SIGNALS FOR NEW BUSES ONLY.

Subpart 1. Factory installation-Compliance required. Factory Installation of an eight-lamp alternately flashing warning signal system manufactured after the effective date of these rules shall must comply with the following this part.

Subp. 2. Installation. All lamps on the exterior of the vehicle ~~shall~~ must conform with and be installed as required by Federal Motor Vehicle Safety Standard Number 108; Minnesota Statutes, sections 169.49 to 169.70; and current Minnesota approved motor vehicle equipment (Department of Public Safety), Code of Federal Regulations, title 49, part 571.

Subp. 3. Interior lamps. Interior lamps ~~shall~~ that adequately illuminate the aisle and the step well must be provided ~~which adequately illuminate aisle and step well.~~

Subp. 4. Red and amber signal lamps. School bus alternately flashing signal lamps mounted at same horizontal level; intended to identify vehicle as school bus and to inform other users of highway that such vehicle is about to stop or is stopped on roadway to take on or discharge school children. Each school bus ~~shall~~ must be equipped with a system consisting of four red signal lamps designed to conform to SAE Standard J887. "School Bus Red Signal Lamps," and four amber signal lamps designed to that standard, except for color, and except that their candlepower ~~shall~~ must be at least 2-1/2 times that specified for red signal lamps. Both red and amber signal lamps ~~shall~~ must be installed in accordance with SAE Standard, J887, except that each amber signal lamp ~~shall~~ must be located near each red signal lamp, at the same level, but closer to the vertical centerline of the bus.

Subp. 4a. Wiring, flashing. The system ~~shall~~ must be wired so that the amber signal lamps are activated only by hand operation, and if activated, are automatically deactivated and red signal lamps are automatically activated when the bus entrance door is opened. Right and left signal lamps ~~shall~~ must flash alternately. Each signal lamp ~~shall~~ must flash not less than 60 nor more than 120 flashes per minute. The "on" period ~~shall~~ must be long enough to permit bulb filament to come up to full brightness. ~~No~~ A brake-operated switch ~~shall~~ be is not permitted.

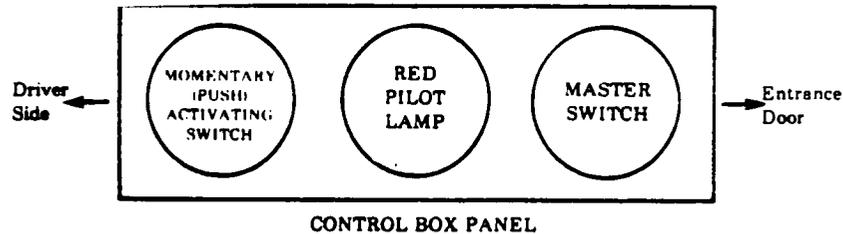
There ~~shall~~ must be a red pilot lamp which ~~shall~~ must go on when the respective amber or red systems are actuated. The pilot ~~shall~~ must either go out or flash at an altered rate in the event the system is not functioning normally.

Subp. 5. [See Repeater.]

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Subp. 6. **Control box for signal lamps.** The signal lamp system shall must include a separate closed control box. The box shall must be ~~constructed~~ as small as practical, easily demounted or partially disassembled to provide simple access for maintenance purposes. The switches and red pilot lamp shall must be located in conformance with the following diagram.



The control box shall must be securely mounted to the right of the steering wheel, in the near proximity of the entrance door control, within easy unobstructed reach of the driver. Switches and pilot lamp shall must be readily visible to the driver. The activating switch may be self-illuminated (glow type). Buses equipped with an eight lamp system prior to the effective date of these rules shall be exempt from subparts 4, last paragraph; 5; and 6 Other warning devices or lamp controls must not be placed near the light lamp control.

Subp. 7. **System and stop arm.** The signal lamp system and stop arm shall must operate as follows:

The stop signal arm shall must be of an automatic type. It shall must automatically extend and retract in conjunction with the alternately flashing red lights and shall must be activated and deactivated by the entrance door switch.

With the master switch on, and the entrance door closed, depress hand switch. The red pilot lamp and amber signals shall will go on.

Open the entrance door. The pilot lamp and amber signal lamps shall will go off, and the pilot lamp and red signal lamps shall will go on. The stop arm shall will automatically extend.

Close the entrance door. The red pilot and signal lamps shall will go off and the stop arm shall will automatically retract.

Open the entrance door without depressing the hand switch. The red pilot lamp and red signal lamps shall will go on. The stop arm shall will automatically extend.

With the master switch off, depressing the hand switch shall will not actuate the amber signal system, nor will opening the entrance door actuate the red signal system and stop arm.

Subp. 8. **Installation requirements.** Each alternately flashing signal lamp shall must be mounted with its axis substantially parallel to the longitudinal axis of the vehicle.

Front and rear alternately flashing signal lamps shall must be spaced as far apart laterally as practicable.

Alternately flashing signal lamps shall must be mounted at the front on the same horizontal center line and above the windshield, and at the rear on the same horizontal center line so that the lower edge of the lens is not lower than the top line of the side window.

The vertical and lateral vision of the front and rear alternately flashing warning lamps shall must not be obstructed by any part of the body or lamp-house insofar as standard bus body construction will permit permits.

The area around the lens of each alternately flashing signal lamp and extending outward approximately three inches shall must be painted black. In installations where there is no flat vertical portion of body immediately surrounding entire lens of lamp, circular or square band of black approximately three inches wide, immediately below and to both sides of lens, shall must be painted on body or roof area against which signal lamp is seen (from distance of 500 feet along axis of vehicle).

A separate fuse or circuit breaker, adequate to prevent damage to the system in the event of a dead short, shall must be provided between the power source and the master switch.

All wiring from alternately flashing signal lamps to the door switch shall be at least ten-gauge. All other wire shall must be a minimum of 14-gauge.

Subp. 9. **Options.** School buses may be equipped with the following safety equipment devices.

A. A driver-activated student control warning system to assist students in crossing roadways. The system must contain one high-intensity flashing red signal, an audible warning signal, and one high-intensity steady amber proceed-with-caution signal lamp. Red and amber signal lamps must be at least four inches in diameter and no larger than 4-1/2 inches in diameter.

The control system unit must be installed in a vertical position, with the red signal on the top and the amber signal on the bottom.

(1) One control system unit must be mounted on the left side of the bus next to the driver and one unit must be mounted on the right side just ahead of the entrance door. The units must be wired to be activated and deactivated in conjunction with the eight-lamp and stop arm, and to be controlled by the entrance door switch.

(2) Amber walk lamps of the units must be on a separate on/off switch controlled by the driver, but deactivated when the entrance door is closed.

B. The use of a crossing guard gate mounted on the front bumper to put students in view of the bus driver.

C. The use of an external public address system to assist students in crossing roadways.

D. The use of a roof mounted white double flash strobe light described in Minnesota Statutes, section 169.64, subdivision

7.

E. The use of electronic sensing devices.

3520.5220 TURN SIGNAL LAMPS AND STOP LAMPS.

Subpart 1. Turn signal lamps. The school bus shall be equipped with Class A must have turn signal lamps that indicators of an automatic type. The bus body must be equipped with amber or red rear turn signal lamps that are at least seven inches in diameter and meet current specifications of the Society of Automotive Engineers (SAE J588). These signals The turn signal lamps must be independent units and shall be equipped with four-way connected to the chassis hazard warning switch to cause simultaneous flashing of turn signal lamps when needed as a vehicular traffic hazard warning. The turn signal lamps must be placed as wide apart as practical and their center line must be approximately eight inches below the rear windows.

Subp. 2. Stop lamps. The school bus must be equipped with red stop lamps. If round, the stop lamps must be seven inches in diameter. If the stop lamps are a shape other than round, they must have a minimum 38 square inches of illuminated area. The stop lamps must be mounted on the rear of the bus just inside the turn signals, at the same height.

The brake lights must be wired to combine stop and tail lights.

Subp. 3. Federal Motor Vehicle Safety Standard Number 108. All lamps on the exterior of the vehicle must conform with and be installed as required by Federal Motor Vehicle Safety Standard Number 108, Code of Federal Regulations, title 49, part 571.

3520.5230 FLAGS AND FLARES WARNING DEVICES.

Subpart 1. Required. The school bus shall carry at all times at least three red, yellow, or orange flags not less than 12 inches square and means for mounting for use in warning traffic in event of breakdown on the highway.

Bus shall carry at least three red electric lanterns or at least three emergency reflectors, to be displayed according to state law in event of breakdown on the highway.

Fuses may also be used (not required). Liquid burning "pot type" flares not allowed.

Mounted reflectors: see Minnesota Statutes, sections 169.50 and 169.75 must contain at least three reflectorized triangle road warning devices mounted in an accessible place in the driver's compartment. The mounting location is optional.

Subp. 2. Prohibited equipment. The school bus must not be equipped with liquid burning "pot type" flares or fuses.

3520.5300 METAL TREATMENT.

Subpart 1. General requirements. All ferrous metal less than 12-gauge that is used in the construction of the bus body shall must be zinc or aluminum coated, mill applied. Included are such items as if it is used in structural members, inside and outside panels, floor panels, and floor sills; excluded are. The metal need not be zinc or aluminum coated, mill applied if it is used in door handles, grab handles, stanchions, interior decorative parts, and other interior plated parts.

Subp. 1a. Painted parts. In addition to the requirement in subpart 1, all metal parts that will to be painted shall must be (in addition to these requirements) chemically cleaned, etched, zinc-phosphate-coated, and zinc-chromate or epoxy-primed or conditioned by an equivalent process.

Subp. 1b. Particular attention. In providing for these requirements complying with subparts 1 and 2, particular attention shall must be given to lapped surfaces, welded connections of structural members, cut edges, punches or drilled hole areas in sheet metal, closed or box sections, unvented or undrained areas, and surfaces subjected to abrasion during vehicle operation.

Subp. 2. [See Repealer.]

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Subp. 3. Test standard. As evidence that the requirements of subparts 1, 1a, and 1b have been met, samples of materials and sections used in the construction of the bus body, when subjected to a 1000-hour salt spray test as provided for in the latest revision of ASTM designation; B-117 "Standard Method of Salt Spray (Fog) Testing" must not lose more than ten percent of material by weight.

3520.5310 MIRRORS.

Subpart 1. Required equipment. The interior clear view mirror shall must be at least 6 by 30 inches overall to afford good view of pupils and roadway to rear. If not metal-backed and framed, the mirror shall must be of laminated plate safety glass. It shall must have rounded corners and protected edges.

Two exterior clear-view, rearview mirrors shall must be provided, one to the left and one to the right of the driver. The area of each mirror shall must be not less than 50 square inches overall. Each mirror shall must be firmly supported and adjustable to give the driver a clear view past the left rear and right rear of the bus.

Option: Subp. 2. Optional equipment. Small convex mirrors may be used in conjunction with above the equipment required under subpart 1.

Subp. 3. Required convex mirrors. Four exterior convex mirror mirrors at least 7-1/2 inches in diameter shall must be located either as follows: two on the left or and two on the right side of the bus in such a manner that the seated driver may observe, through its their use, areas to front or side of bus where direct observation, as prescribed in Federal Motor Vehicle Safety Standard Number 17, Code of Federal Regulations, title 49, part 571, is not possible. The mirrors must comply with Federal Motor Vehicle Safety Standard Number 111, Code of Federal Regulations, title 49, part 571.

Transit-type buses must have at least three mirrors, two crossover mirrors, one in each corner, and one rearview mirror on the right side.

Subp. 4. Optional equipment. Elliptical or hemispherical mirrors may be substituted for the equipment required in subpart 3 on a one-for-one basis if indirect visibility requirements are met.

3520.5330 OVERALL LENGTH.

The overall length of a school bus shall must not exceed 40 feet.

3520.5340 OVERALL WIDTH.

The overall width of a school bus shall, excluding mirror brackets, must not exceed 96 inches.

3520.5361 RUB RAILS.

There must be one rub rail located on each side of the bus approximately at seat level. The rub rail must extend from the rear side of the entrance door completely around the bus body (except for the emergency door) to the point of curvature near the outside cowl on the left side.

There must be one rub rail located approximately at the floor line which must cover the same longitudinal area as the upper rub rail, except at the wheel housings, and must extend only to the radii of the right and left rear corners.

For buses using a rear luggage or rear engine compartment, the rub rails need not extend around rear corners.

There must be a rub rail at the base of the skirt of the bus.

All rub rails must be attached at each body post and all other upright structural members.

All rub rails must be four inches or more in width, must be of 16-gauge steel, and must be constructed in corrugated or ribbed fashion.

All rub rails must be applied outside the body or outside the body posts.

Pressed-in or snap-on rails do not satisfy this requirement.

3520.5370 SANDERS.

Where required or Sanders are not required equipment, but if used, sanders shall must:

- A. be of hopper cartridge-valve type;
- B. have a metal hopper with all interior surfaces treated to prevent condensation of moisture;
- C. be of at least 100-pound (grit) capacity;
- D. have a cover on the filler opening of the hopper, which that screws into place, sealing the unit airtight;
- E. have discharge tubes extending to the front of each rear wheel under the fender;
- F. have no-clogging discharge tubes with slush-proof, nonfreezing rubber nozzles;

- G. be operated by an electric switch with a telltale light mounted on the instrument panel;
- H. be exclusively driver controlled; and
- I. have a gauge to indicate the hoppers need refilling when they are down to one-quarter full.

3520.5380 SEAT BELT FOR DRIVER.

A seat belt for the driver shall must be provided. The belt to and mounting must comply with current specifications and recommended practices of Society of Automotive Engineers except that belt shall be fastened to bus floor immediately behind driver's seat when adjusted to rearmost position. Retractable seat belt to stop at seat level Federal Motor Vehicle Safety Standard Numbers 207 to 210, Code of Federal Regulations, title 49, part 571. Each belt section must be booted so as to keep the buckle and latch off the floor and within easy reach of the driver. The belt must be anchored or guided at the seat frame so as to prevent the driver from sliding sideways under the belt.

3520.5401 SEATS AND CRASH BARRIERS.

The school bus seats must be based on 13-inch rump room for each passenger. All seats must face forward, except that variations may be made to accommodate handicapped students. Seats, seat back cushions, and crash barriers must be covered with a material having 42-ounce finished weight, 54 inches width, and finished vinyl coating of 1.06 broken twill, or other material with equal tensile strength, tear strength, seam strength, adhesion strength, resistance to abrasion, resistance to cold, and flex separation. All seats and crash barriers must conform to Federal Motor Vehicle Safety Standard Number 222, Code of Federal Regulations, title 49, part 571.

3520.5450 STEPS.

Subpart 1. **General requirements.** The first step at the service door shall must be not less than 12 inches and not more than 47 18 inches from the ground, based on standard chassis specifications.

The service door entrance may be equipped with two-step or three-step step-well. Risers in each case shall must be approximately equal. When plywood floor is used on steel, differential may be increased by thickness of plywood used.

Steps shall must be enclosed to prevent accumulation of ice and snow.

Steps shall must not protrude beyond side body line.

Grab handle not less than ten inches in length shall must be provided in unobstructed location inside doorway.

Surface of steps shall be of nonskid material.

Subp. 2. [See Repeater.]

Subp. 3. Step treads. All steps, including the floor line platform area, must be covered with 3/16-inch rubber floor covering or other material equal in wear resistance and abrasion resistance to top grade rubber.

The metal back of the tread must be a minimum of 24-gauge cold roll steel and must be permanently bonded to ribbed rubber. The grooves in the grooved design must run at a 90-degree angle to long dimension of the step tread.

The 3/16-inch ribbed step tread must have a 1-1/2 inch white nosing as an integral piece without any joint.

The rubber portion for the step treads must have the following characteristics:

A. special compounding for good abrasion resistance and a high coefficient of friction;

B. flexibility to be bent around a 1/2-inch mandrel both at 130 degrees Fahrenheit and 20 degrees Fahrenheit without breaking, cracking, or crazing; and

C. show a durometer hardness of 85 to 95.

3520.5461 STIRRUP STEPS.

There must be at least one folding stirrup step or recessed foothold and suitably located handles on each side of the front of the body for easy accessibility for cleaning the windshield and lamps except when the windshield and lamps are easily accessible from the ground. Steps are permitted in or on the front bumper, in place of the stirrup steps, if the windshield and lamps are easily accessible for cleaning from that position.

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3520.5471 STOP SIGNAL ARM.

Subpart 1. The stop signal arm. The stop signal arm must be installed on the left side of the bus and must be octagonal in shape. It must meet the applicable requirements of the Society of Automotive Engineers J1133. The stop signal arm must be of an automatic type. See part 3520.5200.

It shall display a stop signal on both sides, the word "STOP" in white or silver-white letters at least one-third the height of the signal, and have a red background.

The stop arm must be equipped with alternating double faced (front and rear) red warning signals and must be activated and deactivated by the entrance door switch. The sign need not be reflectorized.

Subp. 2. The stop signal. The stop signal must be of the shape, size, legend, and colors specified by the "Manual on Uniform Traffic Control Devices for Streets and Highways," Federal Highway Administration.

The stop signal may be 18 or 24 inches in height.

3520.5481 STORAGE COMPARTMENT.

Subpart 1. Location, cover. If tools, tire chains, or tow chains are carried on the bus, a container of adequate strength and capacity must be provided for them. The storage container may be located inside or outside the passenger compartment. If inside, it must have a cover capable of being securely latched and must be fastened to the floor convenient to either the service or emergency door. A seat cushion must not be used as the cover.

Subp. 2. Option. In place of the container required in subpart 1, an overhead storage compartment may be placed in the front of the cab for storage of emergency equipment and labeled as the location of this equipment. It must be properly secured.

3520.5490 SUNSHIELD.

An interior, adjustable transparent sunshield not less than 6 by 46 3/4 inches in size shall with a finished edge must be installed above windshield, driver's side, with mounting of double bracketed type in a position convenient for use by the driver.

3520.5500 TAILPIPE.

Subpart 1. Tailpipe. The tailpipe shall not must extend to the body perimeter and must extend no more than one-half inch beyond the rear bumper. See part 3520.4550.

Subp. 2. Trailer hitch. The trailer hitch, if used, must be of a flush mounted type and must not extend beyond the rear bumper when not in use.

3520.5510 UNDERCOATING AND RUSTPROOFING.

Subpart 1. Required. The entire underside of the bus body, including floor members sections, cross members, and below floor line side panels below floor level shall be coated with fire-resistant, asphalt base, rubber base, or other undercoating material, applied by spray method, in order to seal, to deaden sound, to insulate, and to prevent oxidation. Undercoating shall be applied after assembly of the body has been completed, must be coated with a rust-proofing compound for which the compound manufacturer has issued notarized certification of compliance to the bus body builder that the compound meets or exceeds all performance requirements of Federal Specification TT-C-520a using modified test procedures for the following requirements:

A. salt spray resistance - pass test modified to five percent salt and 1,000 hours;

B. abrasion resistance - pass; and

C. fire resistance - pass.

Subp. 2. Modified test procedures. Test panels are to be prepared in accordance with Federal Specification TT-C-520a paragraph 4 6.12 with a modified procedure requiring that tests be made on a 48-hour air cured film at thickness recommended by the compound manufacturer.

The undercoating compound must be applied with suitable airless or conventional spray equipment to recommended film thickness and must show no evidence of voids in cured film.

3520.5520 VENTILATION.

Subpart 1. General requirement. The body shall must be equipped with a suitable, controlled ventilating system of sufficient capacity to maintain proper quantity of air under operating conditions without opening of windows except in extremely warm weather.

If static-type exhaust roof ventilators are desired, they shall must be installed in a low-pressure area of the roof panel.

Subp. 2. ~~Exception for small vehicles~~ Option. ~~Standard does not apply to small vehicles not manufactured specifically as school buses~~ In addition to the ventilation equipment required in subpart 1, the body may be equipped with multi-position roof ventilators

of sufficient number and capacity to maintain proper quantity of air under normal operating conditions without opening of windows except in extremely warm weather.

Subp. 3. Exhaust vent. Roof ventilators may include a leak resistance static-type exhaust vent as an integral part of the design.

Subp. 4. Rear roof ventilator. The rear roof ventilator must not be installed beyond the rear axle.

Roof ventilators may also include auxiliary release handles to permit operation as emergency exits in compliance with Federal Motor Vehicle Safety Standard Number 217, Code of Federal Regulations, title 49, part 571.

Exit release handles, if used, must be equipped with an electric plunger-type switch connected with a buzzer located in the driver's compartment to indicate when the exit is opened.

3520.5531 WHEEL HOUSING.

Wheel house openings must allow for easy tire removal and service.

Wheel housings must be attached to floor sheets so as to prevent any dust, water, or fumes from entering the body.

The wheel housing must be constructed of 16-gauge steel or other material of equal strength.

The inside height of the wheel housings above floor line must not exceed 12 inches.

Wheel housings must provide clearance for dual installation and use of tire chains on dual drive wheels.

No part of a raised wheel housing may extend into the emergency door opening.

3520.5551 WINDSHIELD AND WINDOWS.

Subpart 1. Glazing. Laminated or tempered glass is permitted in all side windows. Windshield, entrance, and rear emergency exit doors must be of approved safety glass and be federally approved and marked as provided in Minnesota Statutes, section 169.74.

Subp. 2. Tint. The windshield may be of uniform tint throughout or may have a horizontal gradient band starting slightly above the line of the driver's vision and gradually decreasing in light transmission to 20 percent or less at the top of the windshield.

Subp. 3. Side and rear windows. The first two sections of the side windows, rear door, and rear windows must be of clear glass. The use of approved tinted glass is permitted on other side windows.

Each full side window must provide an unobstructed emergency opening at least nine inches high and 22 inches wide, obtained by lowering of the window.

3520.5560 WINDSHIELD WASHERS.

A windshield washers shall washer system must be optional but, where required, they shall conform to body manufacturer's recommendations as to type and size for bus on which they are to be used provided.

3520.5570 WINDSHIELD WIPERS.

Bus shall be equipped with two positive-action variable-speed, heavy duty bus type, windshield wipers of air or electric type. Wiper blades shall be at least 14 inches long and shall be of the replaceable blade type A windshield wiping system, two-speed or more, must be provided.

The wipers must be operated by one or more air or electric motors of sufficient power to operate wipers. If one motor is used, the wipers must work in tandem to give full sweep of the windshield.

3520.5580 WIRING.

Subpart 1. Standard. All wiring shall must conform to the current standards of the Society of Automotive Engineers.

Subp. 2. Circuits. Wiring shall must be arranged in at least eight regular circuits, as follows: head, tail, stop (brake), and instrument panel lamps; clearance lamps; dome and step-well lamps; starter motor; ignition and emergency door signal; turn signal lamps; alternately flashing red signal lamps; and horn.

Any of the subpart 2 combination circuits may be subdivided into additional independent circuits.

Whenever If heaters and defrosters are used, at least one additional circuit shall must be installed.

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When installed, all other electrical functions shall ~~shall~~ must be provided with independent and properly protected circuits.

Each body circuit shall ~~shall~~ must be ~~individually color coded and by number or letter on~~ individually color coded and by number or letter on a diagram of the circuits shall. ~~The diagrams must be attached to the body in a readily accessible location, preferably on cover of fuse panel.~~

A separate fuse or circuit breaker shall be provided for each circuit except starter motor and ignition circuits. ~~The fuse panel shall be located next to the circuit switch panel and color coded.~~

All wires within body shall be insulated and protected by covering of fibrous loom or approved equal which will protect them from external damage and minimize dangers from short circuits. ~~Whenever wires pass through body members, additional protection in the form of appropriate type of insert shall be provided.~~

Subp. 2a. Additional requirements. If wires pass through metal openings, they must be protected by a grommet.

Wires not enclosed within ~~the~~ the body shall ~~shall~~ must be fastened securely at intervals of not more ~~that 24 than 18~~ than 18 inches. All joints shall ~~shall~~ must be soldered or joined by equally effective connectors.

The entire electrical system of the body must be designed for the same voltage as the chassis on which the body is mounted.

All wiring must have an amperage capacity equal to or exceeding the designed load. All wiring splices are to be done at an accessible location and noted as splices on the wiring diagram.

The body power wire must be attached to the special terminal on the chassis.

Subp. 3. [See Repealer.]

3520.5600 TYPE II SCHOOL BUSES.

Type II buses carrying 16 or less pupil passengers shall be painted National School Bus Glossy Yellow, identified as a school bus, equipped with eight-lamp warning system and stop signal arm, and shall operate as a Type I bus. See Type I, Operating Rules, parts 3520.2400 to 3520.2900.

Type II vehicles are restricted in size and shall not exceed 16 passengers (rated manufacturer's capacity).

Automobiles, station wagons, and other vehicles designed for carrying nine or less pupil passengers are Type III buses, and their use is prohibited as a Type I or Type II bus. The standards in part 3520.5611 apply to Type II school buses.

3520.5611 EQUIPMENT.

Subpart 1. Standards. All related equipment provided on Type II school buses must comply with Type I school bus equipment standards except as specified in this part.

Subp. 2. Age of bus. Type II buses have no maximum age limit and may continue to transport school children as long as the bus passes inspection.

Subp. 3. Alternator. The alternator must be a minimum of 60 amperes (12 volts). When the bus is equipped with a power lift, at least an 80-ampere alternator is required.

Subp. 4. Battery. The battery must provide a minimum of 475 cold cranking amperes (CCA).

Subp. 5. Bumpers. Bumpers must meet manufacturer's standards.

Subp. 6. Defrosters. Defrosters of sufficient capacity to clear the windshield, window to the left of the driver, and glass in the entrance door of condensation, ice, and snow must be provided. Defrosters must conform to Society of Automotive Engineers Standards J-381 and 382. Auxiliary fans with metal blades and adequate guards may be used.

Subp. 7. Door. The entrance door must be under the control of the driver, and designed to afford easy release and prevent accidental opening. The door opening must provide a minimum opening area of 1,200 square inches.

Subp. 8. Exhaust system. The exhaust system must meet the manufacturer's standard and is not required to extend out the rear. It must have an exit point behind the rear wheels. The exhaust system on a gas-powered chassis must be properly insulated from fuel tank connections by a securely attached metal shield at any point where it is 12 inches or less from tank or tank connections.

Subp. 9. First aid kit. The bus must carry a removable Grade A metal dust-proof first aid kit, mounted in full view or in a labeled accessible place in the driver's compartment. Required units and required packages per unit first aid kit is to include: ten units for Type II vehicles of 16 or less capacity; and 24 units for Type II buses with passenger capacity in excess of 16.

Subp. 10. Fuel tanks. Tank size and location may be manufacturer's standard and must conform with Federal Motor Vehicle Safety Standard Number 301, Code of Federal Regulations, title 49, part 571.

Subp. 11. Glazing. Laminated or tempered glass is permitted in all side windows except that windshield, entrance, and rear emergency exit doors must be of approved safety glass and be federally approved and marked.

The use of approved tinted glass is permitted.

Subp. 12. Headroom. The bus must provide at least a minimum 62-inch headroom, measured from metal floor to center line of metal roof.

Subp. 13. Lamps and signals. An eight-lamp alternately flashing warning signal system must be installed and operate in conformance with Type I buses.

All lamps on the exterior of the vehicle must conform with and be installed as required by Federal Motor Vehicle Safety Standard Number 108, Code of Federal Regulations, title 49, part 571.

Subp. 14. Rub rails. There must be one rub rail located on each side of the bus approximately at seat level which must extend from the rear side of the entrance door to the rear corner of the bus body.

There must be one rub rail located approximately at the floor line which must cover the same longitudinal area as the upper rub rail, except at the wheel housings, and must extend to the right and left rear corners.

All rub rails must be attached in conformance with federal standards.

All rub rails must be four inches or more in width, must be of 16-gauge steel, and must be constructed in corrugated or ribbed fashion.

Pressed-in or snap-on rails do not satisfy this requirement.

Additional rub rails may be used.

Subp. 15. Seat belt; driver. The bus must have a seat belt and shoulder harness for the driver that comply with Federal Motor Vehicle Safety Standard Numbers 208, 209, and 210, Code of Federal Regulations, title 49, part 571.

Subp. 16. Seats and barriers. School bus seating provided must be based on 13-inch rump room for each passenger. All seats must face forward, except variations may be made to accommodate handicapped students. Seats and seat back cushions must be covered with a material having 42-ounce finished weight, 54 inches width, and finished vinyl coating of 1.06 broken twill, or other material with equal tensile strength, tear strength, seam strength, adhesion strength, resistance to abrasion, resistance to cold, and flex separation. All seats and seat belts must conform to Federal Motor Vehicle Safety Standard Number 222, Code of Federal Regulations, title 49, part 571.

A school bus of 10,000 pounds gross vehicle weight or less must be equipped with a barrier or padded stanchion forward of the foremost seat.

Subp. 17. Undercoating. Type II buses, except for the heat shield area, must be undercoated.

3520.5700 TYPE III SCHOOL BUSES.

Type III buses carrying 16 or less pupil passengers (including automobiles, station wagons, and other vehicles designed for carrying nine or less); shall not be painted school bus color, bear the words "SCHOOL BUS," have the eight-lamp warning system or stop signal arm, and shall not operate as a Type I or Type II bus. See Type III buses, parts 3520.3000 to 3520.3200.

Type III vehicles are restricted in size and shall not exceed 16 passengers (rated manufacturer's capacity) The standards in part 3520.5710 apply to Type III school buses.

3520.5710 EQUIPMENT.

Subpart 1. Standards. All related equipment provided on the vehicle must comply with federal motor vehicle safety standards where applicable. If no federal standard applies, equipment must be manufacturer's standard.

Subp. 1a. Age of the bus vehicle. No Type III vehicle used to transport school children shall be more than ten years old. Every Type III vehicle shall comply with the requirements for Type II buses, parts 3520.5600 and 3520.5610, except for the following Vehicles ten years or older must not be used as Type III vehicles to transport school children.

Subp. 2. Color. Shall Vehicles must be painted a color other than National School Bus Glossy Yellow or Minnesota Golden Orange.

Exception: Vehicles purchased prior to the effective date of this rule.

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Subp. 2a. Fire extinguisher. A minimum of one 2-1/2 pound dry chemical type fire extinguisher, with not less than a 10-B-C rating, is required. It must be approved by Underwriters Laboratories, Inc. or an equivalent testing laboratory.

The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.

Subp. 2b. First aid kit. A minimum of a ten unit first aid kit is required. The bus must have a removable, moisture- and dust-proof first aid kit mounted in an accessible place within the driver's compartment and must be marked to indicate its location.

Subp. 3. Identification. ~~Shall~~ The vehicle must not have the words, "School Bus" in any location on the exterior of the vehicle, or in any interior location visible to a motorist.

~~Shall~~ The vehicle must display to the rear of the vehicle a this sign: "VEHICLE STOPS AT RR CROSSINGS."

The lettering (except for "AT," which may be one inch smaller) ~~shall~~ must be a minimum two-inch "Series D" as specified in Standard Alphabets for Highway Signs as specified by the Federal Highway Administration. The printing must be in a color giving a marked contrast with that of the part of the vehicle on which it is placed.

The sign ~~shall~~ must have provisions for being covered, or be of a removable or fold down type.

Subp. 4. Lamps and signals. Installation and use of the eight-lamp warning system is prohibited.

All lamps on the exterior of the vehicle ~~shall~~ must conform with and be installed as required by Federal Motor Vehicle Safety Standard 108, Code of Federal Regulations, title 49, part 571.

Subp. 5. Stop signal arm. Installation and use of a stop signal arm is prohibited.

Subp. 6. Mirrors. The interior clear rearview mirror must afford a good view of pupils and roadway to the rear.

Two exterior clear rearview mirrors must be provided, one to the left and one to the right of the driver.

Each mirror must be firmly supported and adjustable to give the driver clear view past the left rear and the right rear of the bus.

Subp. 7. Warning device. A Type III bus must contain at least three red reflectorized triangle road warning devices. Fuses may also be used. Liquid burning "pot type" flares are not allowed.

Subp. 8. Emergency doors. The doors on Type III buses must remain unlocked when carrying passengers.

Subp. 9. Option. Passenger cars and station wagons may carry fire extinguisher, first aid kit, and warning triangles in the trunk or trunk area of the vehicle, if a label in the driver and front passenger area clearly indicates the location of these items.

3520.5900 CONSTRUCTION OF VEHICLES FOR CHILDREN WITH MOBILITY PROBLEMS.

Subpart 1. Standards. The standards in this part apply to vehicles constructed to transport children with mobility problems so severe as to prohibit them from using the regular service door entrance. Vehicles constructed for transporting these children must meet all federal and Minnesota school bus construction standards.

Subp. 2. Alteration of vehicle. The interior of the vehicle may be altered if all seats and barriers, component parts, anchorages, wheelchair securement devices, and placement of seats and barriers and wheelchair securement devices comply with federal standards as of the date of manufacture. All equipment must be supplied by the original equipment manufacturer and installed according to the original equipment manufacturer's specification. Alterations that remove all wheelchair securement devices that return the vehicle to conventional passenger seating must also make the power lift and special service door inoperable.

Subp. 3. Power lift or ramp. A school bus purchased specifically or partially for the transportation of these children must be equipped with a power lift or ramp located on the right side of the bus body.

Subp. 4. Seating capacity. A statement of the actual rated seating capacity, excluding wheelchairs, following the modification of a vehicle, must be placed above the windshield on the interior of the body.

Subp. 5. Special service opening. An enclosed service opening must be located on the right side of the body. The door opening must be not less than 38 inches wide and 52 inches high.

Subp. 6. Reinforcement. Door posts, headers, and all floor sections around the special opening must be reinforced to provide strength and support equal to adjacent side wall and floor construction of an unaltered model.

Subp. 7. Drip mold. A drip mold must be installed above the opening so as to effectively channel the water away from the entrance.

Subp. 8. Header pad. A header pad, at least three inches wide, extending the width of the special service door, must be placed above the opening on the inside of the bus or on the lift if it has a top cross bar.

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Subp. 9. Special service door enclosure. The lift may be enclosed by either one or two doors. All doors must open outwardly.

Subp. 10. Two-panel door. If the door is made of two panels, the standards in this subpart apply.

A. The forward panel must be provided with an overlapping flange to close the space where the door panels meet, and a weather seal must be provided around the doors or opening to eliminate water leakage or heat loss.

B. Each door must have a safety glass window, set in rubber and aligned with the lower line of the adjacent sash. The window must be, as nearly as practical, of the same size as other bus windows.

C. Each door panel must open outwardly and a positive fastening device must be installed to hold the doors in an open position.

Subp. 11. One-piece construction door. If the door is made of one-piece construction, the standards in this subpart apply.

A. The door must open outwardly and a positive fastening device must be installed to securely hold the door in an open position.

B. The door must be equipped with a slide-bar, cam-operated type locking device.

C. Weather stripping must be installed around the entire door or opening to eliminate water leakage or heat loss.

D. The door must have a safety glass window, set in rubber and aligned with the lower line of the adjacent sash. The window must be, as nearly as practical, of the same size as other bus windows.

Subp. 12. Door equipment. The door must be equipped with a device that actuates a flashing visible signal, located in the driver's compartment, when the door is not securely closed, and the emergency brake is not on. An audible signal must not be used.

Subp. 13. Door construction. All doors must be constructed to meet the standards in law, in strength and materials for other school bus doors.

Subp. 14. Power lift. The power lift must be of at least a 750 pound capacity rating and capable of lifting the wheelchair, occupant, and attendant.

Subp. 15. Power lift controls. All power lift controls must be portable and conveniently located on the inside of the bus lift door. A master cut-off switch must be located in the driver's compartment.

Subp. 16. Power lift platform. The power lift platform must be covered with skid-resistant material or be so designed so as to prevent slipping. The lift platform must be constructed to permit vision through that portion of the platform covering the window of the special service door when the platform is in the "up" position. The power lift must be designed so that the lift does not operate unless the special service door is opened.

Subp. 17. Ramp. A self-adjusting ramp made of steel or equivalent material, if needed, must be attached to the lift platform or to the bus and be of sufficient length to minimize the incline. The ramp must be equipped with skid-resistant surface. The ramp must be in a secured position while the bus is in motion. The ramp must be at least 30 inches wide on the surface.

Subp. 18. Barriers. A padded crash barrier meeting federal manufacturing requirements for school bus seats and crash barriers must be properly installed between the special service door and passenger seats to the rear of the door.

In vehicles of 10,000 pounds gross vehicle weight rating and less, padded stanchions may be used.

Subp. 19. Elevator-type lift. In the event that an elevator-type lift is used with the body floor section serving as lift platform, both the forward and rear sides of the platform must be protected with heavy-duty padded barriers extending from the wall of the body toward the aisle. A covered chain must be fastened to the rear barrier adjacent to the lift platform, and must extend across the platform opening and attach with hook and eye to the forward barrier adjacent to the lift platform.

Subp. 20. Wheelchair securement devices. Wheelchair securement devices must be as provided by Minnesota Statutes, section 299A.11.

Subp. 21. Special student restraining devices. Special restraining devices such as shoulder harnesses, lap belts, and chest restraint systems may be installed to the seats if the devices do not require the alteration in any form of the seat, seat cushion, framework, or related seat components. The restraints must be for the sole purpose of restraining handicapped students.

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Subp. 22. Seats. All seats and related components shall comply with applicable federal standards on date of manufacture. Seat frames may be equipped by the school bus body manufacturer with rings or other devices to which passenger restraint systems may be attached if seat anchorages can handle the increased load demands that may occur.

3520.5910 MOTOR COACH USED FOR SCHOOL ACTIVITIES.

Subpart 1. Comply with this part. A motor coach used for school activities must comply with this part and must have been acquired by a school district before March 26, 1986.

Subp. 2. Standards. Equipment standards for motor coaches must conform to the Federal Motor Carrier Safety Regulations, Code of Federal Regulations, title 49.

Relevant standards are in chapter III, subpart D, sections 393.61, 393.62, and 393.63; subpart E, section 393.67; subpart G, sections 393.78, 393.79, 393.80, 393.81, 393.82, 393.83, 393.84, 393.89, 393.90, 393.91, 393.92, and 393.93; and subpart H, section 393.95.

Subp. 3. Identification. Motor coaches must be identified as provided in Minnesota Statutes, section 168.012.

Subp. 4. Inspection. Motor coaches must be inspected as provided for school buses in Minnesota Statutes, section 169.45, using standards for motor coaches in Minnesota Statutes, section 221.221.

Subp. 5. Certification. Upon passing an annual inspection, a motor coach will be issued a motor carrier safety sticker.

3520.5920 OPERATION OF MOTOR COACHES USED FOR SCHOOL ACTIVITIES.

Subpart 1. Comply with this part. A driver of a motor coach used for school activities must have the qualifications referred to in subpart 2 and follow the rules referred to in subpart 3.

Subp. 2. Driver qualifications. Qualifications for drivers for motor coaches must conform with standards in chapter III, subpart B, sections 391.11 and 391.15; and subpart E, sections 391.41 and 391.43 of the Federal Motor Carrier Safety Regulations, Code of Federal Regulations, title 49.

Subp. 3. Driving rules. The driver must comply with the rules for driving of motor coaches in chapter III, part 392 of the Federal Motor Carrier Safety Regulations, Code of Federal Regulations, title 49.

REPEALER. Minnesota Rules, parts 3520.0500; 3520.0700; 3520.0800, subpart 4; 3520.0900; 3520.1100; 3520.1700; 3520.1900; 3520.2000; 3520.2100; 3520.2200; 3520.2300; 3520.3700, subparts 2 and 3; 3520.3800; 3520.4000; 3520.4100, subpart 4; 3520.4200; 3520.4210; 3520.4220; 3520.4230; 3520.4240; 3520.4250; 3520.4260; 3520.4300; 3520.4510, subparts 1 and 2; 3520.4520; 3520.4530; 3520.4580; 3520.4600, subparts 2, 3, 4, and 5; 3520.4610, subparts 3 and 4; 3520.4660; 3520.4690; 3520.4700; 3520.4710; 3520.4730; 3520.4740; 3520.4760; 3520.4770; 3520.4800; 3520.4810; 3520.4820; 3520.4830; 3520.4850, subparts 2 and 4; 3520.4860; 3520.4870; 3520.4900, subparts 1, 2, 3, 4, 5, 8, 9, and 10; 3520.4920; 3520.4940; 3520.4950; 3520.4960; 3520.4970; 3520.4990; 3520.5020; 3520.5100; 3520.5110; 3520.5130; 3520.5140; 3520.5150; 3520.5170; 3520.5200, subpart 5; 3520.5210; 3520.5300, subpart 2; 3520.5320; 3520.5350; 3520.5360; 3520.5400; 3520.5410; 3520.5420; 3520.5430; 3520.5440; 3520.5450, subpart 2; 3520.5460; 3520.5470; 3520.5480; 3520.5530; 3520.5540; 3520.5550; 3520.5580, subpart 3; 3520.5610; and 3520.5800 are repealed.

Department of Labor and Industry Occupational Safety and Health Division

Proposed Revisions to the Occupational Safety and Health Standards

Request for Comments

Notice is hereby given that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Minnesota Occupational Safety and Health Standards, as authorized under *Minnesota Statutes* § 182.655 (1986), amending the Occupational Safety and Health Standards that have already been proposed and adopted by the federal Occupational Safety and Health Administration (Federal OSHA).

Complete copies of the specific revisions are available by writing: Occupational Safety and Health Division, Department of Labor and Industry, 444 Lafayette Road, St. Paul, Minnesota 55101; or by calling (612) 297-3254.

Interested persons are hereby afforded a period of 30 days to submit written comments or objections on the described standards.

Any interested person may file with the Commissioner written objections to the proposed standards stating the grounds for those objections. Such person may request a public hearing on those objections.

Ray Bohn, Commissioner
Labor and Industry

Standards as Proposed

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE. The Minnesota Department of Labor and Industry, Occupational Safety and Health standards and rules are amended by incorporating and adopting by reference, and thereby making a part thereof, Title 29, of the *Code of Federal Regulations* as follows:

Part 1910—Occupational Safety and Health Standards as published in Volume 43, No. 206 of the *Federal Register* on October 24, 1978 and corrected in Volume 43, No. 216 on November 7, 1978 which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes made prior to ~~December 31, 1986~~ June 1, 1987:

Federal Register, Vol. 52, No. 83, dated April 30, 1987—“Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Extension of the Partial Stay and Amendment of Final Rule”

Federal Register, Vol. 52, No. 85, dated May 4, 1987—“Hazardous Waste Operations and Emergency Response; Corrections to Interim Final Rule (29 CFR 1910.120).”

Federal Register, Vol. 52, No. 91, dated May 12, 1987—“Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Corrections and Information Collection Requirements Approval.”

Part 1928—Occupational Safety and Health Standards for Agriculture as published in Part II, Volume 40, No. 81 of the *Federal Register* on April 25, 1975 and subsequent changes made prior to ~~June 1, 1984~~ June 1, 1987:

Federal Register, Vol. 52, No. 84, dated May 1, 1987—“Field Sanitation, Final Rule (29 CFR 1928.110).”

Summary of Standards: The following summary of the proposed standards is very brief; persons interested in reviewing any of these standards in their entirety may obtain a copy as noted above.

A) “Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite, Extension of Partial Stay and Amendment of Final Rule.” In June, 1986, Federal OSHA issued revised standards governing occupational exposure to asbestos, tremolite, anthophyllite and actinolite for general industry and construction (29 CFR 1910.1001 and 1926.58). In October, 1986, a partial administrative stay of the revised standards was issued insofar as they apply to non-asbestiform tremolite, anthophyllite and actinolite, in order to enable Federal OSHA to review new submissions raising questions about the appropriateness of regulating these minerals in the revised asbestos standards and to allow sufficient time to reopen the rulemaking record and conduct supplemental rulemaking proceedings. The administrative stay was to expire on April 21, 1987.

Minnesota OSHA adopted the revised standards (29 CFR 1910.1001 and 1926.58) along with the partial administrative stay on November 10, 1986. While the administrative stay is in effect, non-asbestiforms of asbestos, tremolite, anthophyllite and actinolite will be governed by the “old” asbestos standard, redesignated as 29 CFR 1910.1101. Minnesota OSHA adopted this redesignated standard on March 30, 1987.

Federal OSHA is drafting a notice of proposed rulemaking and is collecting data relative to the issue of whether and how to regulate these non-asbestiform minerals including the feasibility of regulating all impacted industries. Because of the variety of the impacted industries and the unavailability of both minerologic and exposure data concerning many of these industries, the length of the initial partial stay has proven inadequate for OSHA to complete the rulemaking procedures. Therefore, Federal OSHA extended the partial administrative stay to July 21, 1988. The former asbestos standard, now redesignated 29 CFR 1910.1101, will remain in effect for non-asbestiforms of asbestos, tremolite, anthophyllite and actinolite for the duration of the stay.

By this notice, Minnesota OSHA proposes to extend the partial administrative stay to July 21, 1988, and to continue coverage of non-asbestiforms of these minerals under 29 CFR 1910.1101.

B) “Hazardous Waste Operations and Emergency Response; Corrections to Interim Final Rule (29 CFR 1910.120).” On December 19, 1986, Federal OSHA published an interim final rule governing employee protection at hazardous waste operations and during emergency response to incidents involving hazardous substances. Minnesota OSHA adopted this standard on March 30, 1987.

On May 4, 1987, Federal OSHA published corrections to the original standard. These corrections clarify ambiguities in both the

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regulatory text and the preamble published as part of the standard and also corrects errors and inaccurate citations. The corrections do not substantively change the requirements or the intent of the standard.

By this notice, Minnesota OSHA proposes to adopt the corrections as published in the *Federal Register* on May 4, 1987.

C) "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Corrections and Information Collection Requirements Approval." When Federal OSHA published the final rules for occupational exposure to asbestos, tremolite, anthophyllite, and actinolite on June 20, 1986, the information collection requirements of those rules had not been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980. The May 12, 1987 *Federal Register* notice announced that OMB had approved the general industry standard (29 CFR 1910.1001) on October 2, 1986 and the construction standard (29 CFR 1926.58) on November 14, 1986. Therefore, the information collection requirements of 1910.1001 and 1926.58 are now in effect. Minnesota OSHA adopted 29 CFR 1910.1001 and 1926.58 on November 10, 1986.

The May 12, 1987 publication also amends and corrects all the substantive and typographical errors in the regulatory text and in the preamble to the standard as published on June 20, 1986. One of the amendments is to the respirator selection tables found in Table 1 of 29 CFR 1910.1001 and Table D-4 of 29 CFR 1926.58. These tables have been amended by adding the phrase "other than a disposable respirator" to the description of the class of respirator allowed to be worn in airborne concentrations not in excess of 2 f/cc. While this explicit prohibition on the use of disposable respirators was not included in the regulatory text issued on June 20, 1986, Federal OSHA intended to prohibit their use. The preamble to the standards indicates that disposable respirators were not allowed and had stated in the appendices to the standards that "disposable respirators or dust masks are not permitted to be used for asbestos, tremolite, anthophyllite and actinolite work." The clarifying phrase was omitted from the tables because the purpose of the respirator selection tables is primarily to state which respirators are permitted in specific air concentrations, not to list explicitly those which are not allowed. To ensure that the respirator selection tables, when read alone, are clear, they are being amended to specifically state that disposable respirators are not permitted.

By this notice, Minnesota OSHA proposes to adopt the corrections and amendments as published in the *Federal Register* on May 12, 1987.

D) "Field Sanitation, Final Rule." On May 1, 1987, Federal OSHA published the final *Field Sanitation Standard* (29 CFR 1928.110). The *Field Sanitation Standard* covers those agricultural establishments hiring 11 or more workers for hand-labor, including work done by hand or with hand tools during cultivation, weeding, planting, and harvesting of vegetables, nuts, fruits, seedlings or other crops, and the packing of produce in the field into containers, whether performed on the ground, on moving machinery, or in a shed. The standard requires these employers to provide potable drinking water that is suitably cool and in sufficient amounts, dispensed in single-use drinking cups or by fountains and located so as to be readily accessible to all employees. It also requires one toilet and handwashing facility for each 20 employees, located within a quarter mile walk or, if not feasible, at the closest point of vehicular access. Facilities are not required for employees who do field work for three hours or less each day. Pre-moistened towelettes are prohibited.

In addition, the standard requires maintenance in accordance with public health sanitation practices including upkeep of water quality through daily change or as often as needed; toilets being kept clean, sanitary and operational; handwashing facilities being refilled with potable water as necessary and kept clean and sanitary; and the prevention of unsanitary conditions through proper waste disposal. The employer must also notify each employee of the location of the drinking water and facilities and must allow reasonable opportunities during the workday for employees to use them. The employer must also inform employees of the relevant health hazards in the field and practices necessary to minimize exposure to them.

By this notice, Minnesota OSHA proposes to adopt the final *Field Sanitation Standard* (29 CFR 1928.110) as published by Federal OSHA on May 1, 1987.

Board of Medical Examiners

Proposed Permanent Rules Relating to Fees

Notice of Intent to Adopt a Rule without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Board of Medical Examiners (hereinafter "Board") proposes to amend the above-entitled rule without a public hearing. The Board has determined that the proposed rule changes will be noncontroversial in nature pursuant to *Minnesota Statute* § 16A.128 (1986) and has elected to follow the procedures set forth in *Minnesota Statute* § 14.22 to 14.28 (1986).

Interested persons shall have 30 days in which to submit comments in support of or in opposition to the proposed rule amendment. Comment is encouraged. Each comment should identify the portion of the proposed rule amendment being addressed, the reason

for the comment, and any change proposed. The proposed rule amendment may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

PLEASE NOTE THAT NO PUBLIC HEARING WILL BE HELD ON THIS RULE AMENDMENT UNLESS 20 PERCENT OF THOSE AFFECTED BY THE CHANGE REQUEST SUCH A HEARING.

Persons who wish to should submit comments or requests to:

David Ziegenhagen
Executive Director
Minnesota Board of Medical Examiners
Suite 106
2700 University Avenue West
St. Paul, Minnesota 55114
Telephone: (612) 642-0538

The statutory authority of the Board to adopt the proposed rule amendment is contained in *Minnesota Statute* §§ 16A.128 and 146.13 (1986).

If adopted, the proposed rule amendment would set the fees for admission to examination, licensure, renewal of license, and late fees.

A Statement of Need and Reasonableness that describes the need for and reasonableness of the proposed rule amendment and identifies the data and information relied upon to support the proposed changes has been prepared and is also available from the Board upon request.

Promulgation of the proposed rule amendment will not result in the expenditure of public monies by local public bodies. In accordance with *Minnesota Statute* § 14.115 (1986), the Board's consideration of any such effect on small business will be addressed in the Statement of Need and Reasonableness. Persons representing small businesses are invited to participate in the rulemaking process.

Upon adoption of the final rule amendment without a public hearing, the proposed changes, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rule amendment as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial changes. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the final rule amendment as proposed for adoption should submit a written statement of such request to David Ziegenhagen.

Dated: 10 June 1987

David Ziegenhagen, Executive Director
Board of Medical Examiners

Rules as Proposed

5600.2500 ANNUAL FEES.

The fees charged by the board are fixed at the following rates:

- A. physician examination fee, full exam, \$425;
- B. physician examination fee, Part I only, \$250;
- C. physician examination fee, Part II only, \$300;
- ~~B-~~ D. physician application fee, ~~\$100~~ \$200;
- ~~C-~~ E. physician annual registration, ~~\$55~~ \$115;
- ~~D-~~ F. physician certification to other states, \$10;
- G. physician verification to institutions, \$5;
- H. physician endorsement to other states, \$40;

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PROPOSED RULES

- I. physician emeritus license, \$50;
- ~~E- J.~~ physician temporary licenses, \$40 \$60;
- ~~F- K.~~ physician late fee, \$40 \$60;
- G- L. physical therapist application fee, \$40;
- ~~H- M.~~ physical therapist examination fee, \$90;
- ~~I- N.~~ physical therapist annual registration, \$15 \$20;
- ~~J- O.~~ physical therapist late fee, \$7 \$10; and
- ~~K- P.~~ physical therapist certification to other states, \$10; and
- Q. physical therapist verification to institutions, \$5.

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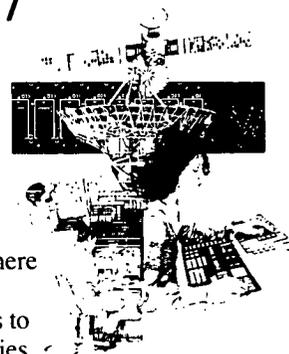


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NEW: In the directory this year are two titles (where applicable) Chief Engineer and Data Processing Manager.



REVISED: There are more than 7,000 changes to the 7,068 entries.



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ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *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 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 strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

State Board of Education

Adopted Rules Relating to Education; Secondary Vocational Licenses; Comprehensive Changes

The rules proposed and published at *State Register*, Volume 11, Number 26, pages 1140-1248, December 29, 1986 (11 S.R. 1140) are adopted with the following modifications:

Rules as Adopted

3517.0060 SECONDARY VOCATIONAL SPECIAL NEEDS PERSONNEL.

Subp. 2. **Teacher-coordinator for work experience program for disadvantaged.** A person holding a position as a teacher-coordinator for work experience programs for the disadvantaged must be licensed under part 3517.1500. The teacher-coordinator is responsible for:

F. providing the department with evidence necessary to ensure that the special needs program complies with relevant state and federal labor ~~law~~ laws;

Subp. 3. **Teacher-coordinator for work experience program for handicapped.** A person holding a position as a teacher-coordinator for work experience programs for the handicapped must be licensed under part 3517.1520. The teacher-coordinator is responsible for:

F. giving the department evidence necessary to ensure that the special needs program operation complies with relevant state and federal labor ~~law~~ laws;

3517.0900 SECONDARY MARKETING TEACHER.

Subp. 3. **Converting a narrower license.** Upon application and payment of the processing fee, a holder of a valid secondary vocational program teaching license in any of the following categories of practice may have the license converted to the broad category of practice marketing:

D. purchasing agent/industrial and institutional; ~~or~~

E. traffic/transportation management; or

F. model store.

3517.6000 SECONDARY VOCATIONAL PART-TIME RESOURCE SPECIALIST.

Subpart 1. **Entrance license.** An applicant for an entrance license to serve as a part-time (less than one-quarter time) resource specialist in a secondary school must meet the following requirements:

A. Educational criteria: ~~(1)~~ six clock hours of vocational teaching techniques completed before entrance licensure. This training may be provided by the authorized local vocational administrator.

~~(2) A course in philosophy of vocational education completed before renewal of the entrance license.~~

~~(3) The human relations program as specified in part 3517.3500.~~

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ADOPTED RULES

Department of Human Services

Adopted Permanent Rules Relating to Determination of Payment Rates for Intermediate Care Facilities for Persons With Mental Retardation and Related Conditions

The rules proposed and published at *State Register*, Volume 11, Number 41, pages 1857-1862, April 13, 1987 (11 S.R. 1857) are adopted as proposed.

Department of Human Services

Adopted Permanent Rules Relating to Use of Aversive and Deprivation Procedures in Licensed Facilities Serving Persons with Mental Retardation and Related Conditions

The rules proposed and published at *State Register*, Volume 11, Number 30, pages 1355-1369, January 26, 1987 (11 S.R. 1355) are adopted with the following modifications:

Rules as Adopted

9525.2700 PURPOSE AND APPLICABILITY.

Subp. 2. **Applicability.** Parts 9525.2700 to 9525.2810 govern the use of aversive and deprivation procedures with persons who have mental retardation and related conditions when those persons are being served in or by:

A. a facility licensed by the commissioner as a day care facility as defined in part 9525.2710, subpart 10; ~~or. This category of licensure includes developmental achievement services provided to children and day training and habilitation services provided to adults with mental retardation and related conditions.~~

B. a facility licensed by the commissioner as a residential facility as defined in part 9525.2710, subpart ~~34~~ 30. This category of licensure includes intermediate care facilities for persons with mental retardation and other residential programs and services for persons with mental retardation and related conditions licensed under parts 9525.0210 to 9525.0430. If there is an instance where these rule parts differ in their requirements from requirements in Code of Federal Regulations, title 42, sections 442.400 to 442.515, an intermediate care facility for persons with mental retardation and related conditions shall comply with the regulation that sets the more stringent standard.

C. a supported living arrangement for children or for adults or respite care as defined in part 9525.1860 when the service or care is provided in a service site requiring licensure by the commissioner.

Subp. 3. **Exclusion.** Parts 9525.2700 to 9525.2810 do not govern the regulated treatments specified in part ~~9515.0400 which must be administered pursuant to parts 9515.0500 to 9515.0700~~ apply to:

A. any of the treatments defined in parts 9515.0200 to 9515.0800 governing the administration of specified therapies to committed patients residing at state hospitals; or

B. residential care or program services licensed under parts 9520.0500 to 9520.0690 to serve persons with mental illness.

9525.2710 DEFINITIONS.

Subp. 13. **Emergency use.** "Emergency use" means using a controlled procedure without first meeting the requirements in parts 9525.2750, 9525.2760, and 9525.2780 when it can be documented under part 9525.2770 that immediate intervention is necessary to protect a person or other individuals from physical injury or to prevent severe property damage which is an immediate threat to the physical safety of the person or others.

~~Subp. 14. Expanded interdisciplinary team. "Expanded interdisciplinary team" means an interdisciplinary team defined in subpart 19 that includes a qualified mental retardation professional (QMRP) as required by part 9525.2750.~~

~~Subp. 15. Facility review committee. "Facility review committee" means the committee required by and described in part 9525.2750, subparts 1 and 2.~~

~~Subp. 16. Faradic shock. "Faradic shock" means the application of electric current to a person's skin or body parts as an aversive stimulus contingent upon the occurrence of a behavior that has been identified in the person's individual habilitation plan for reduction or elimination.~~

~~Subp. 17. Individual habilitation plan. "Individual habilitation plan" means the written plan for providing service to persons required by and specified in part 9525.0105.~~

Subp. 17- 17. **Informed consent.** "Informed consent" means consent to the use of an aversive or deprivation procedure that is given voluntarily by a person or the person's legal representative after disclosure of the information required in part 9525.2780, subpart 4, and that is obtained by the case manager under part 9525.2780.

Subp. 18- 18. **Interdisciplinary team.** "Interdisciplinary team" means a team composed of the case manager, the person with mental retardation or a related condition, the person's legal representative and the person's advocate, if any the person has a legal representative and an advocate, and representatives of all providers of services set forth in the person's individual service plan. ~~The expanded interdisciplinary team referred to in parts 9525.2700 to 9525.2810 adds a qualified mental retardation professional to the team described here~~ When an individual habilitation plan proposing the use of a controlled procedure is reviewed by an interdisciplinary team, part 9525.2750 requires that one member of that interdisciplinary team be a qualified mental retardation professional with at least one year of experience in the development and implementation of behavior management programs.

Subp. 19- 19. **Intermediate care facility for persons with mental retardation and related conditions or ICF/MR.** "Intermediate care facility for persons with mental retardation and related conditions" or "ICF/MR" means a program licensed under Minnesota Statutes, sections 245.781 to 245.812 and 252.28, subdivision 2, to provide services to persons with mental retardation and related conditions and a physical plant licensed as a supervised living facility under Minnesota Statutes, chapter 144, which together are certified by the Minnesota Department of Health as an intermediate care facility for persons with mental retardation and related conditions.

Subp. 20- 20. **Legal representative.** "Legal representative" means the parent or parents of a person under 18 years old or a guardian or conservator authorized by the court to make decisions about services for a person of any age.

Subp. 21- 21. **Licensed facility.** "Licensed facility" means a facility licensed by the department as a day care facility or a residential facility under Minnesota Statutes, sections 245.781 to 245.812 and 252.28, subdivision 2.

Subp. 22- 22. **Manual restraint.** "Manual restraint" means physical intervention intended to hold a person immobile or limit a person's movement by using body contact as the only source of physical restraint. The term does not mean physical contact used to: (1) facilitate a person's completion of a task or response when the person does not resist or the person's resistance is minimal in intensity and duration; ~~or~~ (2) escort or carry a person to safety when the person is in danger; or (3) conduct necessary medical examinations or treatments.

Subp. 23- 23. **Mechanical restraint.** "Mechanical restraint" means the use of devices such as mittens, straps, restraint chairs, or papoose boards to limit a person's movement or hold a person immobile as an intervention precipitated by a person's behavior. The term does not apply to mechanical restraint used to treat a person's medical needs, to protect a person known to be at risk of injury resulting from lack of coordination or frequent loss of consciousness, or to position a person with physical disabilities in a manner specified in the person's individual habilitation plan. The term does apply to, and the rule parts do govern, mechanical restraint when it is used to prevent injury with persons who engage in behaviors such as head-banging, gouging, or other actions resulting in tissue damage which have caused or could cause medical problems resulting from the self-injury.

Subp. 24- 24. **Person with mental retardation or a related condition or person.** "Person with mental retardation or a related condition" or "person" means:

Subp. 25- 25. **Positive practice overcorrection.** "Positive practice overcorrection" means a procedure that requires a person to demonstrate or practice a behavior at a rate or for a length of time that exceeds the typical frequency or duration of that behavior. The behaviors identified for positive practice are typically appropriate adaptive behaviors or are incompatible with a behavior identified for reduction or elimination in a person's individual habilitation plan.

Subp. 26- 26. **Positive reinforcement.** "Positive reinforcement" means the presentation of an object, event, or situation following a behavior that increases the probability of the behavior recurring. Typically, the object, event, or situation presented is enjoyable, rewarding, or satisfying.

Subp. 27- 27. **Qualified mental retardation professional or QMRP.** "Qualified mental retardation professional" or "QMRP" means an individual who meets the qualifications specified in Code of Federal Regulations, title 42, section 442.401, as amended through October 1, 1985.

Subp. 28- 28. **Regional center.** "Regional center" has the meaning given it in Minnesota Statutes, section 253B.02, subdivision 18.

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ADOPTED RULES

Subp. ~~30-~~ 29. **Regional review committee.** "Regional review committee" means a committee established by part 9525.2790 to monitor parts 9525.2700 to 9525.2810 as mandated by Minnesota Statutes, section 245.825. Review committee jurisdictions and responsibilities are defined in part 9525.2790.

Subp. ~~31-~~ 30. **Residential facility.** "Residential facility" means a public or private facility that, for gain or otherwise, regularly provides one or more persons with a 24-hour per day substitute for necessary care, food, lodging, training, rehabilitation, and treatment that cannot be furnished in the person's own home, as specified in Minnesota Statutes, section 245.782, subdivision 6.

Subp. ~~32-~~ 31. **Restitutional overcorrection.** "Restitutional overcorrection" means a procedure that requires a person to clean, repair, or correct an area or situation damaged or disrupted as a result of the person's behavior to a point where the area or situation is not only restored to but exceeds its original condition.

Subp. ~~33-~~ 32. **Seclusion.** "Seclusion" means the placement of a person alone in a room from which egress is:

A. noncontingent on the person's behavior; or

B. prohibited by a mechanism such as a lock or by a device or object positioned to hold the door closed or otherwise prevent the person from leaving the room.

Subp. ~~34-~~ 33. **Separation.** "Separation" has the same meaning given "room time out" in subpart ~~36~~ 35.

Subp. ~~35-~~ 34. **Target behavior.** "Target behavior" means a behavior identified in a person's individual habilitation plan as the object of efforts intended to increase, reduce, or eliminate the behavior.

Subp. ~~36-~~ 35. **Time out.** "Time out" or "time out from positive reinforcement" means removing a person from the opportunity to gain positive reinforcement and is ~~used contingent upon the occurrence of~~ employed when a person demonstrates a behavior identified in the individual habilitation plan for reduction or elimination. Return of the person to normal activities from the time-out situation is contingent upon the person's demonstrating more appropriate behavior. Time-out procedures governed by parts 9525.2700 to 9525.2810 are:

B. room time out or separation, which means removing a person from an ongoing activity to an unlocked room for a brief time, typically five minutes or less. The person may be prevented from leaving a time-out room by staff members but not by mechanical restraint or by the use of devices or objects positioned to hold the door closed. Time-out periods are usually brief, lasting only several minutes.

9525.2720 EXEMPTED ACTIONS AND PROCEDURES.

Use of the instructional techniques and intervention procedures listed in items A to ~~F~~ G is not subject to the restrictions established by parts 9525.2700 to 9525.2810. Use of these techniques and interventions must be addressed in each person's individual habilitation plan as required by part 9525.0105.

C. The use of physical contact to redirect a person's behavior when the behavior:

(1) is infrequent, occurring no more than three times in a 30-day period;

(2) does not pose a serious threat to the person or others; and

(3) is effectively redirected with less than 60 seconds of physical contact by staff.

This exemption may not be used to circumvent the requirements for controlling use of manual restraint. It is included to allow caregivers to deal effectively and naturally with intermittent and infrequently occurring situations.

D. The use of positive reinforcement procedures alone or in combination with the procedures described in items A and B to develop new behaviors or increase the frequency of existing behaviors.

~~D-~~ E. Temporary interruptions in instruction or ongoing activity in which a person is removed from an activity to a location where the person can observe the ongoing activity and see others receiving positive reinforcement for appropriate behavior. Return of the person to normal activities is contingent upon the person's demonstrating more appropriate behavior. This procedure is often referred to as contingent observation.

~~E-~~ F. Temporary withdrawal or withholding of goods, services, or activities to which a person would otherwise have access as a natural consequence of the person's inappropriate use of the good, service, or activity. Examples of situations in which the exemption would apply are briefly delaying the return of a person's beverage at mealtime after the person has thrown the beverage across the kitchen or the temporary removal of temporarily removing an object the person is using to hit another individual. Temporary withdrawal or withholding is meant to be a brief time period lasting no more than several minutes until the person's behavior is redirected and normal activities can be resumed.

~~F-~~ G. Use of token fines or response cost procedures such as removing objects or other rewards received by a person as part of a positive reinforcement program. Token fines or response cost procedures are typically implemented after the occurrence of a

behavior identified in the individual habilitation plan for reduction or elimination. Removing the object or other reward shall not interfere with a person's access to the goods, services, and activities protected by part 9525.2730.

9525.2730 PROCEDURES AND ACTIONS RESTRICTED OR PROHIBITED.

Subp. 2. **Procedures and actions prohibited.** The actions or procedures listed in items A to H are prohibited.

B. Speaking to a person in a manner that ridicules, demeans, threatens, or is abusive.

G. Use of a noxious smell, taste, substance, or spray, including water mist, as an aversive stimulus.

9525.2740 PROCEDURES PERMITTED AND CONTROLLED.

Subpart 1. **Controlled procedures.** The procedures listed in items A to ~~K~~ F are permitted when the procedures are implemented in compliance with parts 9525.2700 to 9525.2810. Permitted but controlled procedures, referred to as controlled procedures, are:

~~D. application of a commercially available product such as Thumb to a person's hands as a deterrent to placing the hands in the mouth or as a deterrent to self-injury;~~

~~E. partially restricting a person's senses at a level of intrusiveness that does not exceed placing a hand in front of a person's eyes as a visual screen or playing music through earphones worn by the person at a level of sound which does not cause the person discomfort;~~

~~F. E. manual restraint; or~~

~~G. F. mechanical restraint.~~

9525.2750 STANDARDS GOVERNING USE OF CONTROLLED PROCEDURES IN AN INDIVIDUAL HABILITATION PLAN.

Subpart 1. **Standards and conditions.** Except in an emergency governed by part 9525.2770, use of a controlled procedure shall occur only when the controlled procedure is proposed, approved, and implemented as part of an individual habilitation plan. Use of a controlled procedure within an individual habilitation plan must comply with items A to ~~I~~ L.

A. The controlled procedure is proposed or implemented only as a part of the total methodology specified in the person's individual habilitation plan. The individual habilitation plan ~~shall have~~ has as its primary focus the development of adaptive behaviors. The controlled procedure authorized represents the lowest level of intrusiveness required to influence the target behavior and is not excessively intrusive in relation to the behavior being addressed.

B. The proposed use of a controlled procedure is supported by documentation describing how intervention procedures incorporating positive approaches and, ~~if applicable,~~ less intrusive ~~controlled~~ procedures, have been tried ~~and~~ how long they were tried in each instance, and possible reasons why they were unsuccessful in controlling the behavior of concern.

F. The procedure is implemented and monitored by staff members trained to implement the procedure. Facilities where staff members are employed are responsible for providing ongoing training to ensure that the competence necessary to implement the procedures is present within the staff currently employed and must demonstrate to members of the interdisciplinary team that staff are competent to implement the procedures. Controlled procedures shall not be implemented as part of the individual habilitation plan until staff who are involved in providing supervision or training of the person have been trained to implement all programs contained in the individual habilitation plan.

G. When a controlled procedure involves the use of mechanical or manual restraint, the person's primary care physician must be consulted to determine whether implementing the procedure is medically contraindicated.

H. When a controlled procedure involves removing a person from an ongoing activity, the person is returned to the activity when the procedure is completed.

~~H. I.~~ Time-out procedures are implemented in the person's own room or other area commonly used as living space whenever possible rather than in a room used specifically for time out. Persons in time out must be continuously monitored by staff. If a room is used specifically for time out, the room must:

J. Time-out procedures must meet the following standards:

(1) Release from time out is contingent on the person's stopping or bringing under control the behavior that precipitated the time out and shall occur as soon as the behavior that precipitated the time out abates or stops. If the precipitating behavior has

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ADOPTED RULES

not abated or stopped, staff members must attempt to return the person to an ongoing activity at least every 30 minutes.

(2) If time out is implemented contingent on repeated instances of the target behavior for longer than 30 minutes, the person must be offered access to a bathroom and drinking water.

† K. Use of mechanical restraint which is so intrusive that it restricts three or more of a person's limbs or restricts the person's movement from one location to another must meet the standards in subitems (1) and (2) in addition to the other standards in parts 9525.2700 to 9525.2810.

L. Use of manual restraint which is less intrusive than that described in item K must meet the requirements in subitems (1) and (2) in addition to the other standards in parts 9525.2700 to 9525.2810.

(1) Staff must check on the person every 30 minutes and document that such checks were made; and

(2) A person must be given an opportunity for release from the mechanical restraint and for motion and exercise of the restricted body parts for at least ten minutes out of every 60 minutes that the restraints are used.

Subp. 2. **Facility review committee.** Each facility except for a licensed foster care facility shall have at least one committee that reviews all individual habilitation plans proposing the use of controlled procedures. The committee shall be appointed by the administrator with overall responsibility for the facility's policy and program. The committee shall determine if each plan as submitted meets the requirements of parts 9525.2700 to 9525.2810 and all other applicable requirements governing behavior management established by federal regulations or by order of a court before approving the plan. The committee membership must meet the criteria in items A and B.

Subp. 3. **Review and authorization by an expanded the interdisciplinary team.** When an individual habilitation plan proposes the use of a controlled procedure, the plan must be reviewed by and use of the procedure must be authorized by an interdisciplinary team expanded beyond the membership specified in part 9525.2710, subpart ~~49~~ 18, to include a qualified mental retardation professional with at least one year of experience in the development and implementation of behavior management programs.

Subp. 4. **Report to regional review committee.** When a controlled procedure in items A to D is authorized or reauthorized under subpart 3, the case manager shall send the regional review committee a copy of the individual habilitation plan that proposes the procedure and that includes the information required in part 9525.2760.

The case manager shall send the individual habilitation plan within ten working calendar days after the controlled procedure is ~~implemented~~ authorized by the interdisciplinary team. When use of a controlled procedure has been reauthorized, the case manager must also submit data on the use and effectiveness of the procedure to the regional review committee.

9525.2760 REQUIREMENTS GOVERNING INDIVIDUAL HABILITATION PLANS THAT PROPOSE THE USE OF A CONTROLLED PROCEDURE.

Subp. 2. **Assessment information.** When an interdisciplinary team is developing an individual habilitation plan that includes the use of a controlled procedure, the case manager must ~~provide the team with~~ obtain assessment information that includes the elements specified in items A to F

B. A report completed by the person's primary care physician within 90 days prior to the initial development of the individual habilitation plan that includes the use of a controlled procedure. The report must:

(1) indicate diagnosed conditions that could influence the person's behavior, limit the range of procedures that may safely be used with that person, or necessitate particular care in implementing a specific procedure with that person;

(2) indicate that the target behavior does not appear to be directly attributable to a condition requiring medical attention;
and

(3) indicate any recent changes in the person's medication indicate that the physician has reviewed whether there are existing medical conditions that (1) could result in the demonstration of behavior for which a controlled procedure might be proposed; or (2) should be considered in the development of a program for the person.

D. A summary of what has been considered or attempted to change elements in the person's environment, including the physical and social environment, that could be influencing the person's behavior. This summary must include an analysis of the person's current residence and day program and must specifically address the question of whether a change in these services appears to be warranted.

E. An analysis of ~~whether~~ to what extent the behavior identified for reduction or elimination represents an attempt by the person to communicate with others or serves as a means to control the person's environment and recommendations for changes in the person's training program or environment that are designed to enhance communication.

Subp. 4. **Review and content standards.** An individual habilitation plan that proposes the use of controlled procedures shall include the elements in items A to I.

D. A detailed description of the ways in which implementation of the procedure will be monitored, by whom, and how frequently. This description must specify how staff implementing the procedure will be trained and supervised. Direct on-site supervision of the procedure's implementation must be provided by the professional staff responsible for developing the procedure.

H. The date when use of the controlled procedure will terminate unless, before that date, continued use of the procedure is authorized by the ~~expanded interdisciplinary team case manager and the member of the interdisciplinary team who is a qualified mental retardation professional with at least one year of experience in the development and implementation of behavior management programs.~~ The projected termination date shall be no more than 90 days after the date on which use of the procedure was authorized. Reauthorization for use of the procedure can be given at 90-day intervals if evaluation data on the effectiveness of the procedure support continuation. Informed consent must be obtained every 90 days under part 9525.2780.

9525.2770 EMERGENCY USE OF CONTROLLED PROCEDURES.

Subp. 2. **Criteria for emergency use.** Emergency use of controlled procedures will be deemed to comply with parts 9525.2700 to 9525.2810 only when it is documented that: must meet the conditions in items A to D.

A. Immediate intervention ~~was~~ is needed to protect the person or others from physical injury or to prevent severe property damage; which is an immediate threat to the physical safety of the person or others.

B. The individual habilitation plan of the person demonstrating the behavior does not include provisions for the use of the controlled procedure.

C. The procedure used was is the least intrusive intervention possible to react effectively to the emergency situation;

~~C. use of a controlled procedure initiated on an emergency basis stops ten working days after the date the procedure was first implemented unless it can be documented that efforts to meet the requirements of parts 9525.2750, 9525.2760, and 9525.2780 are in process. In no case shall emergency use of a controlled procedure continue more than 30 days beyond the date when the procedure was first implemented. At the end of the 30 days, use of the procedure shall continue only if the requirements of parts 9525.2750, 9525.2760, and 9525.2780 have been met.~~

~~D. The onset of the behavior resulting in the need for intervention has not been demonstrated by the person within the previous 90 days or the behavior has been dealt with as an exemption under part 9525.2720 up to the point when emergency use became necessary.~~

Subp. 3. **Time limits on emergency use.** Use of a controlled procedure initiated on an emergency basis in accordance with subpart 2 shall not continue for more than 15 days. Within 15 days of the emergency use, the interdisciplinary team must evaluate whether the individual habilitation plan requires modification to better meet the person's needs.

Subp. ~~3.~~ 4. **Authorization of emergency use.** The emergency use of a controlled procedure must be authorized by the individual identified in the facility's policy on emergency use in subpart 4. Emergency use of faradic shock is prohibited by part 9525.2730, subpart 3, and shall not be authorized by a facility.

Subp. 4. ~~5.~~ **Written policy on emergency use.** The facility must have a written policy on emergency use of controlled procedures that specifies:

C. that the staff members responsible for authorizing emergency procedures must have at least one year of training and experience in the use of behavioral management, must be trained in the implementation of all controlled procedures allowed by the facility policy, and must be available on a 24-hour basis to give authorization;

~~D.~~ D. the internal procedures that must be followed for emergency use;

~~D.~~ E. how the facility will monitor and control emergency use;

~~E.~~ F. the training a staff member must have completed before being assigned by the facility to implement a controlled procedure under emergency conditions; and

~~F.~~ G. that the standards in part 9525.2750, subpart 1, items F, ~~G,~~ H, ~~and I,~~ J, K, and L must be met when controlled procedures are used on an emergency basis.

Subp. ~~5.~~ 6. **Reporting and review of emergency use.** Any emergency use of a controlled procedure must be reported and reviewed as specified in items A to D.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

ADOPTED RULES

A. Within ~~five working~~ three calendar days after an emergency use of a controlled procedure, the facility staff member in charge at the time of the emergency use shall report in writing to the person's ~~case manager~~ interdisciplinary team the following information about the emergency use:

- (1) a detailed description of the incident leading to the use of the procedure as an emergency intervention;
- ~~(1)~~ (2) the controlled procedure that was used;
- ~~(2)~~ (3) the time implementation began and the time it was completed;
- ~~(3)~~ (4) the behavioral outcome that resulted;
- ~~(4)~~ (5) why the procedure used was judged to be necessary to prevent injury or severe property damage;
- ~~(5)~~ (6) an assessment of the likelihood that the behavior necessitating emergency use will recur; and
- ~~(6)~~ (7) the names of the persons who authorized the procedure and approved the report.

B. Within ~~ten working~~ seven calendar days after the date of the emergency use reported in item A, the case manager shall confer with members of the interdisciplinary team to:

(3) schedule an expanded interdisciplinary team meeting within ~~20 working~~ 15 calendar days after the emergency use if it is determined that the behavior should be identified in the individual habilitation plan for reduction or elimination.

C. A copy of the report in item A and a summary of the ~~expanded~~ interdisciplinary team's decision under item B must be added to the person's permanent record.

D. If the emergency use involved manual restraint, mechanical restraint, or use of time out exceeding 15 minutes at one time or a cumulative total of 30 minutes or more in one day, the case manager shall send a copy of the report in item A to the regional review committee within ~~ten working~~ five calendar days after the case manager receives it.

9525.2780 REQUIREMENTS FOR OBTAINING INFORMED CONSENT.

Subp. 2. **When informed consent is required.** Except in situations governed by subpart 6, by part 9525.2770, or by part 9525.2730, subpart 3, the case manager shall obtain or re-obtain written informed consent before implementation of:

B. ~~a controlled procedure for which informed consent has been given more than 90 days before the proposed date of implementation; expired.~~ Informed consent must be obtained every 90 days in order to continue use of the controlled procedure;
or

Subp. 4. **Information required as a condition of obtaining informed consent.** The case manager shall provide the information specified in items A to J to the individual authorized to give informed consent. Consent obtained without provision of the information required in items A to J is not considered to be informed consent. The case manager shall document that the information in items A to J was provided orally ~~or~~ and in writing and that consent was given voluntarily. The information shall be provided in a nontechnical manner and in whatever form is necessary to communicate the information effectively, such as in the person's or the authorized individual's native language if the person or the authorized individual does not understand English or in sign language if that is the person's or the authorized individual's preferred mode of communication, and in a manner that does not suggest coercion.

Subp. 7. **Appeals.** ~~The decision of the head of the treatment facility under subpart 6~~ A decision made pursuant to subpart 6 to implement a controlled procedure in an individual habilitation plan for which consent has been refused or withdrawn may be appealed pursuant to part 9525.0135 by following the procedure in Minnesota Statutes, section 256.045. The scope of the appeal is to determine whether or not the provisions of parts 9525.0015 to 9525.0165 and parts 9525.2700 to 9525.2810 have been met. Implementation of a the controlled procedure authorized by the head of the treatment facility under subpart 6 must be suspended while the appeal is pending. If a court orders the use of faradic shock under part 9525.2730, subpart 3, the action of the court is not appealable under parts 9525.2700 to 9525.2810.

9525.2790 REGIONAL REVIEW COMMITTEES.

Subpart 1. **Appointment.** As mandated by Minnesota Statutes, section 245.825, the commissioner shall initially appoint at least two regional review committees to monitor parts 9525.2700 to 9525.2810. The commissioner ~~will~~ shall establish additional committees if required by the number of procedures received for review and the level of effort required to ensure timely and thorough review.

Subp. 2. **Membership.** ~~Membership on the~~ Each regional review committees committee shall include ~~representation from:~~

A. at least one member who is licensed as a psychologist by the state of Minnesota and whose areas of training, competence, and experience include mental retardation and behavior management; and

B. representation from each of the following categories:

- A- (1) facilities governed by parts 9525.2700 to 9525.2810;

~~B-~~ (2) parents or guardians of persons with mental retardation and related conditions;

~~C-~~ (3) other concerned citizens, none of whom is employed by or has a controlling interest in a facility governed by parts 9525.2700 to 9525.2810; and

~~D-~~ (4) the department.

When a matter being reviewed by the committee requires the expertise and professional judgment of a medical doctor, the commissioner shall make the services of a licensed physician available to the committee.

Subp. 3. **Duties and responsibilities.** Regional committees shall:

C. act as directed by the commissioner to:

(1) ~~review~~ monitor and facilitate compliance with parts 9525.2700 to 9525.2810 and make recommendations to the commissioner;

(2) provide technical assistance in achieving compliance; and

(3) review, monitor, and report to the commissioner on statewide use of aversive and deprivation procedures in relationship to the use of less intrusive alternatives and to the use of psychotropic medication.

9525.2800 REPORTING POSSIBLE NONCOMPLIANCE.

If an individual has reason to believe that a facility governed by parts 9525.2700 to 9525.2810 is not in compliance with parts 9525.2700 to 9525.2810, the concern or complaint ~~may~~ can be reported as described in items A and B. Reporting a concern or complaint under this part does not meet the requirements governing mandated reporting of maltreatment of minors under Minnesota Statutes, section 626.556, and rules adopted under that statute or mandated reporting of maltreatment of vulnerable adults under Minnesota Statutes, section 626.557 and parts 9555.8000 to 9555.8500.

A. Concerns or complaints about any facility governed by parts 9525.2700 to 9525.2810 ~~may~~ can be reported to: The Commissioner, Department of Human Services, Centennial Office Building, 658 Cedar Street, Saint Paul, Minnesota 55155.

B. Concerns or complaints about intermediate care facilities for persons with mental retardation and related conditions in addition to being reported to the commissioner under item A ~~may~~ can also be directed to: The Minnesota Department of Health, Office of Health Facility Complaints, 717 Delaware Street S.E., Minneapolis, Minnesota 55440.

EFFECTIVE DATE. Parts 9525.2700 to 9525.2810 are effective October 1, 1987.

Pollution Control Agency

Adopted Permanent Rules Relating to Hazardous Waste; Closure, Post-closure, and Financial Assurance

The rules proposed and published at *State Register*, Volume 11, Number 36, pages 1579-1609, March 9, 1987 (11 S.R. 1579) are adopted with the following modifications:

Rules as Adopted

7045.0504 FINANCIAL ASSURANCE FOR FACILITY CLOSURE.

Subp. 4. **Surety bond guaranteeing performance of closure.** The following apply to surety bonds that guarantee performance of closure:

E. Under the terms of the bond, the surety becomes liable on the bond obligation when the owner or operator fails to perform as guaranteed by the bond. Following a ~~final~~ determination by the director that the owner or operator has failed to perform final closure in accordance with the closure plan and other permit requirements when required to do so, under the terms of the bond the surety shall perform final closure in accordance with the closure plan and other permit requirements or will deposit the amount of the penal sum into the standby trust fund.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

ADOPTED RULES

7045.0594 CLOSURE.

Subp. 2. **Closure performance standard.** The owner or operator shall close the facility in a manner minimizing the need for further maintenance. Closure procedures must result in controlling, minimizing, or eliminating, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere, in accordance with all closure requirements including the requirements of parts 7045.0628, subpart 5; 7045.0630, subpart 6; 7045.0632, subpart 7; 7045.0634, subpart 6; 7045.0638, subpart 4; ~~7045.0634~~ 7045.0640, subpart 5; and 7045.0642, subpart 5.

Department of Energy and Economic Development

Adopted Permanent Rules Relating to Community Block Grants

The rules proposed and published at *State Register*, Volume 11, Number 33, pages 1433-1435, February 16, 1987 (11 S.R. 1433) are adopted as proposed.

EXECUTIVE ORDERS

Emergency Executive Order #87-12 Providing Clean Drinking Water to the Residents of Lakeland, Minnesota

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

WHEREAS, the Mayor of Lakeland, Minnesota has requested assistance in providing clean drinking water for the residents of Lakeland, Minnesota due to contamination of several local wells; and

WHEREAS, the City of Lakeland and other local officials have exhausted all other available resources in their efforts to provide safe drinking water for the residents of Lakeland, Minnesota;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to active duty on and after June 1, 1987, in service of the State, such elements of the military forces of the State and equipment as are necessary to provide drinking water to the residents of Lakeland, Minnesota. These forces shall be utilized for a period of time as necessary.

2. The costs of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State as provided for in Minnesota Statutes, Sections 192.49, subdivision 1; 192.51, and 192.52.

Pursuant to Minnesota Statutes, Section 4.035, subd. 2, this Emergency Executive Order shall be effective June 1, 1987, shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes, Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I have set my hand this fourth day of June, 1987.



Rudy Perpich
Governor

Executive Order #87-13 Providing for the Establishment of the Governor's Interagency Coordinating Council on Early Childhood Intervention

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

WHEREAS, handicaps can be ameliorated or prevented through early intervention and development; and

WHEREAS, the Commissioners of Education, Health, and Human Services support the development of a statewide system of comprehensive multidisciplinary programs providing appropriate early intervention services to all children who are handicapped, to all children who are at risk of handicapping conditions, and to their families; and

WHEREAS, the federal government has passed Public Law 99-457 to assist states in planning and developing statewide systems of early intervention services for all children with handicaps or at risk of handicapping conditions from birth to school age and for their families; and

WHEREAS, Public Law 99-457 requires the appointment of a lead agency for the purpose of general administration of the program and coordination of the activities of the other state agencies;

NOW, THEREFORE, I hereby order that:

1. The Minnesota Department of Education be designated to serve as the lead agency in developing a comprehensive interagency service delivery system for children under age five who are handicapped or at risk of handicapping conditions and their families, in accordance with Public Law 99-457.

2. The Governor's Interagency Coordinating Council on Early Childhood Intervention be established. The Council shall be composed of 15 members, appointed by the Governor according to Minnesota Statutes 1986, Section 120.17, as amended, and Public Law 99-457. The terms, compensation and removal of members and the expiration date of the council shall be governed by Minnesota Statutes 1986, Section 15.059.

The Council shall advise and assist the Minnesota Department of Education in developing, implementing, and financing a comprehensive and coordinated system of state and local agency services.

To ensure a comprehensive, coordinated system of all state and local agency services, the Council shall recommend policies on how to incorporate every agency's services into a unified state and local system.

On January 15 of each year, the Council shall submit policy recommendations to the Governor, the Commissioners of Education, Health, and Human Services, and the education committees of the Legislature, in accordance with Public Law 99-457 and Minnesota Statutes 1986, Section 120.17, as amended.

Pursuant to Minnesota Statutes 1986, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes 1986, Section 4.035, Subdivision 3.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

EXECUTIVE ORDERS

IN TESTIMONY WHEREOF, I have set my hand this eighteenth day of June, 1987.



Rudy Perpich
Governor

Executive Order #87-14 Providing for the Establishment of the Governor's Task Force on Math and Science

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

WHEREAS, high quality mathematics and science education is critical to the preparation of students for a rapidly changing world; and

WHEREAS, it is imperative that all students are provided the opportunity to participate in academic programs which meet their unique needs and talents; and

WHEREAS, the condition of existing pre-college math and science education requires close scrutiny to enhance and expand learning opportunities for students; and

WHEREAS, our state has the benefit of resources within the business and academic communities to address the issue of math and science education through our demonstrated strength as a center of innovation in scientific fields such as biotechnology, microelectronics, composites, and medical technologies;

NOW, THEREFORE, I hereby order that:

1. A Governor's Task Force on Math and Science be created to study and develop recommendations about improving math and science education in elementary and secondary schools. The Task Force shall be composed of fifteen members, including the following:

- a. Two secondary teachers of science and mathematics
- b. One public school administrator
- c. Two persons representing higher education
- d. One representative from the Minnesota High Technology Council
- e. Nine public members.

2. The Task Force shall have the following duties:

By December 15, 1987, the Task Force shall report to the Governor and Legislature its recommendations for improving math and science education in elementary and secondary schools. The report shall include the following:

- a. A review of existing programs for math and science instruction.
- b. A comprehensive assessment of the need for improving math and science programs with recommendations for expanded math and science opportunities for all students.
- c. Recommendations regarding the establishment of a school for mathematics and science,

including: the need for the school, its ability to serve as a statewide resource center for school districts and staff, its organization and management, its administration and staffing, its curriculum components, its tuition, its transportation and housing, and its funding.

3. The Department of Education shall assist in staffing the Task Force and may employ consultants and specialists to assist in preparing the report.

Pursuant to Minnesota Statutes, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes, Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I have set my hand this fifth day of June, 1987.



Rudy Perpich
Governor

OFFICIAL NOTICES

Pursuant to the provisions of Minnesota Statutes 214.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

Ethical Practices Board**Request for Advisory Opinion Regarding Campaign Finance Disclosure**

The Ethical Practices Board solicits comments regarding the following request for an advisory opinion received from Bruce D. Willis. Written comments should arrive at the Board Office, 625 N. Robert St., St. Paul, MN 55101 prior to July 7, 1987, for consideration at the Board's meeting of July 9, 1987.

June 22, 1987—

I represent the Independent-Republican House Caucus and the Independent-Republican Senate Caucus, which intend to establish a fund to which contributions from individuals (only) will be solicited.

It is proposed that the funds will be used to buy advertisements to be run beginning this autumn that refer to the Independent-Republican party of Minnesota generally in a party-building effort. It is also intended that the advertisements will develop a "theme" or catch phrase. It is further intended that Independent-Republican candidates in the next election may want to use the theme or catch phrase developed by the advertisements in their campaigns and that they be allowed to do so.

We would like the Board's opinions regarding the following: 1. Would you please confirm our understanding that expenditures made by a political fund co-sponsored by the Independent-Republican House Caucus and Independent-Republican Senate Caucus will be considered expenditures by a sub-state unit of a state political party for the purposes of Minn. Stat. § 10A.275? 2. Will all or any portion of the money expended by the proposed political fund in the development of a theme constitute a donation in kind under Minn. Stat. § 10A.01, subd. 7b to individual candidates who choose to use the theme in their own campaigns, bearing in mind that the expenditures will be made before there are any Independent-Republican candidates for the 1988 election?

I look forward to your responses at your earliest convenience.

**Department of Human Services
Income Maintenance Bureau**

**Notice of Intent to Solicit Outside Opinion Concerning Proposed Emergency Rules
Governing Eligibility Standards for General Assistance**

Notice is hereby given that the Minnesota Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose emergency rules amending eligibility standards for General Assistance eligibility, parts 9500.1206, 9500.1232, 9500.1262 and 9500.1257.

The adoption of emergency rules is authorized by Minnesota Statutes, section 256D.05, subdivision 1, paragraph a, clause 15, which permits the department to adopt literacy training for General Assistance recipients.

The proposed emergency rule amendments relate to literacy training and:

- Define occupational or vocational literacy programs in part 9500.1206;
- Add requirements for continued General Assistance eligibility for recipients who must participate in an occupational or vocational literacy program in part 9500.1262;
- Require the local agency to determine if such programs exist in the local labor market and to recommend their development if they are not available in part 9500.1257;
- Require assessment of the reading potential of eligible persons and the assignment to literacy programs where indicated in part 9500.1257;
- Require the local agency to provide child care and transportation if needed by recipients assigned to literacy programs in part 9500.1257;
- Under certain "good cause" circumstances require the local agency to make General Assistance payments to non-participating recipients in part 9500.1257;
- Require referral to Work Readiness when the person is no longer functionally illiterate and not otherwise eligible for General Assistance in part 9500.1257;
- At the local agency's discretion, allow for voluntary participation in Work Readiness by recipients of General Assistance who are in literacy training in part 9500.1257;
- Provide state participation for the child care and transportation at 100 percent in part 9500.1232.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons may submit data or views on the subject matter of concern in writing or orally.

Written statements should be addressed to:

Steven B. Katz
Minnesota Department of Human Services
444 Lafayette Rd.—3rd Floor
St. Paul, MN 55155

Oral statements will be received during regular business hours over the telephone at 612/296-5696 and in person at the above address.

All statements of information and comment will be accepted until further notice is given. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general in the event the rule is adopted.

**Department of Jobs and Training
State Job Training Office**

**Petitions Sought for Redesignation of Service Delivery Areas to Operate under the Job
Training Partnership Act**

Notice is hereby given that the State Job Training Office will accept petitions for redesignation of service delivery areas (SDAs) to operate under the Job Training Partnership Act (JTPA), Public Law 97-300.

Pursuant to JTPA Section 101(c), the Governor may re-designate SDAs no more frequently than every two years and such re-designation shall be made not later than 4 months before the beginning of a program year.

Therefore, any unit of general local government or consortium of contiguous units of general local governments, with a population of at least 100,000, may seek JTPA SDA re-designation by completing a formal petition package. Such petitions are to be signed by the chief-elected official(s) and are to be received by the State Job Training Office no later than August 31, 1987.

To receive a copy of the formal petition package, contact:

Lawrence S. Eisenstadt, TAT Coordinator
State Job Training Office
690 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
612/296-6073

Completed petitions are to be received by the State Job Training Office at the above address no later than 4:30 p.m. on August 31, 1987.

Department of Labor and Industry Labor Standards Division

Notice of Intent to Solicit Outside Opinion on Rules Governing Laws Protecting Employees from Discharge for Reporting Violations of Laws

Notice is hereby given that the Minnesota Department of Labor and Industry, Labor Standards Division, is seeking information or opinions from sources outside the agency in preparing rules governing the NOTICE by the employer to employees of their rights under Minnesota Statutes 181.931-181.935. These laws protect employees from discharge for reporting violations of laws and requires employers to give truthful reasons for involuntary termination upon written request of the employee. The promulgation of these rules is authorized by Minnesota Statute 181.934.

The Minnesota Department of Labor and Industry, Labor Standards Division, requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit written or oral information. Written statements should be addressed to:

Don Jackman
Director of Labor Standards
Minnesota Department of Labor and Industry
444 Lafayette Road
St. Paul, Minnesota 55101

Any written material received by the Minnesota Department of Labor and Industry, Labor Standards Division, shall become part of the record in the event that the rules are promulgated.

Oral statements will be received during regular business hours over the telephone at (612) 296-2282 and in person at the above address. Information will be accepted until July 15, 1987.

Dated: 15 June 1987

Ray Bohn, Commissioner
Department of Labor & Industry

Department of Trade and Economic Development Office of Financial Management

Notice of Availability of Tax Exempt Financing Authority

Pursuant to Minn. Laws 1987, ch. 268, article 16

The Department gives notice that the amounts of tax exempt financing authority available to qualified issuers as of June 22, 1987, is as follows:

Manufacturing Pool (Small Issue Bonds)	\$69,250,000.
Multifamily Housing Pool	\$53,110,000.
Public Facilities Pool	\$ 1,245,380.

OFFICIAL NOTICES

The issuance authority in the pools shown above is available to qualified issuers submitting applications, the required deposit and supporting documents by any Monday through the second to the last Monday in October.

The issuance shown below is available to issuers submitting applications during the period beginning with the week ending on the last Monday in October through the second last Monday in December.

Unified Pool

\$ N/A

Application forms are available from the Department upon request.

Department of Transportation Office of Aeronautics

Notice of Solicitation of Outside Information or Opinions Regarding a Proposed Amended Rule Governing Permitted Seaplane Operations on Ox Yoke Lake, within Hennepin County, a Part of the Seven-County Metropolitan Area

Notice is hereby given that the State of Minnesota, Department of Transportation, is seeking information or opinions from sources outside the Department in preparing to propose the amendment of Minnesota Rules, part 8800.2800, subp. 2, the rule governing permitted seaplane operations within Hennepin County, a part of the seven-county metropolitan area. The State of Minnesota, Department of Transportation, requests information and opinions concerning the proposed addition of Ox Yoke Lake, in Hennepin County, Minnesota among the bodies of water permitted to accept seaplane operations in the seven-county metropolitan area. The adoption of the rule is authorized by Minnesota Statutes, Section 360.015, subp. 3, which permits the Commissioner of Transportation to adopt rules to protect and insure the general public interest and its safety, the safety of persons using aircraft, and of persons and property on land or water.

Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Larry R. Myking, Manager
Aviation Services Section
Office of Aeronautics
Program Management Division
Minnesota Department of Transportation
St. Paul Downtown Airport
644 Bayfield Street
Room 222
St. Paul, Minnesota 55107
Telephone: 612-296-8056

Oral statements will be received during regular business hours over the telephone at the telephone number given immediately above and in person at the above address.

All statements of information and opinions shall be accepted until August 1, 1987. Any written material received by the State of Minnesota, Department of Transportation, shall become a part of the rule-making record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

Dated: 19 June 1987

Leonard W. Levine
Commissioner

STATE CONTRACTS AND ADVERTISED BIDS

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency must make reasonable effort to publicize the availability of any 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. Certain quasi-state agencies are exempted from some of the provisions of this statute.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Procurement Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Department of Administration: Procurement Division

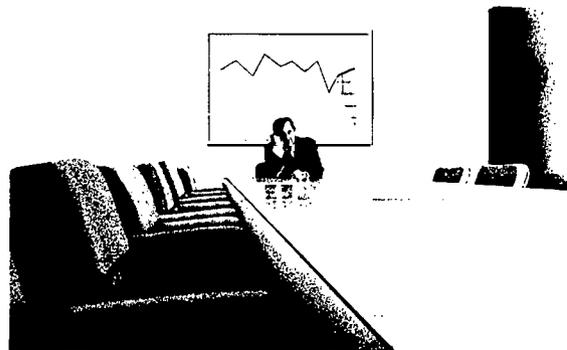
Contracts and Requisitions Open for Bid

Call 296-6152 for Referral to Specific Buyers, whose initials are next to each commodity.

Commodity for Bid (and Buyer)	Bid Closing Date at 2 pm	Department or Division	Delivery Point	Requisition #
PC/AT compatibles (PA)	July 1	State University	Mankato	26 071 17828
PC/AT compatibles (PA)	July 1	State University	Mankato	26 071 17225
Uninterruptible power source (PA)	July 1	Transportation	Oakdale	79 900 03397
DG upgrade (PA)	July 2	State University	Marshall	26 175 06817
IBM-MTCF (PA)	July 2	Jobs & Training	St. Paul	21 200 15688
Logging recorders (PA)	July 2	Public Safety	St. Paul	07 500 39672
Aultracentrifuge (DK)	July 2	State University	St. Cloud	26 073 19830
Monitor (DK)	July 2	State University	Mankato	26 071 17455
Oscilloscopes (DK)	July 2	State University	St. Cloud	26 073 19832
Ultimate computer system (PA)	July 6	Trade and Economic Development	St. Paul	22 200 00249
Dismounting & mounting Virginia Metal (BV)	July 6	Jobs and Training	St. Paul	21 200 15800
File server (PA)	July 7	Transportation	St. Paul	79 000 74407
Wang VS WP stations (AW)	July 7	Administrative Hearings	Minneapolis	99 690 80051
Mobile radio equipment (EFS)	July 7	Public Safety	St. Paul	B07500-39699 Adden. #1
Zenith computers (PA)	July 7	State University	Moorhead	26 072 10250
Armored car service (JS)	July 7	Community College	Metro	Price Contract
Electronic component parts (DVK)	July 7	Administration	St. Paul	02 307 52759
IBM computers (PA)	July 7	Transportation	St. Paul	79 000 74372

Business and NonProfit Corporation Act

Laws governing establishment and conduct of for-profit and non-profit businesses and corporations. Covers incorporation, bylaws, mergers, dissolution, franchises, and definitions. Laws in effect on January 1, 1985. Contains Minnesota Statutes Chapters 80B, 302A, and 317. Paperbound, 102 papers, Code # 2-87, \$10.00.



TO ORDER: Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for "DOCUMENTS." Please include 6% sales tax, and \$1.50 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard orders accepted over phone.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Correctional Facility/Stillwater

Notice of Request for Bids for a Contract for Industrial Paints

The Minnesota Correctional Facility/Stillwater wishes to retain a contractor to provide paints and primers to be used on farm and related equipment manufactured by Minnesota Correctional Industries according to MCI specifications.

A minimum two year contract is to be established with a single vendor from 8/1/87 to 7/31/89.

Estimated cost of the contract is approximately \$110,000.00.

Bids must be received by 2:00 p.m. July 10, 1987. A copy of the Request for Bids is available upon request. Inquiries and requests should be directed to:

Allen Ophoven
Buyer
MCF/Stillwater
Box 55
Stillwater, Mn. 55082
Phone: 612-779-2731

State Designer Selection Board

Request for Proposal for four State University Projects

To Registered Professionals in Minnesota:

The State Designer Selection Board has been requested to select a designer for four State University Projects. Design firms who wish to be considered for this project should submit proposals on or before 4:00 P.M., July 21, 1987, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

1. Six copies of the proposal will be required.
2. All data must be on 8½" x 11" sheets, soft bound.
3. The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 8 below, together with the designer's firm name, address, telephone number and the name of the contact person.
4. Mandatory Proposal contents in sequence:
 - a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.
 - b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.
 - c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.
 - d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall list and total all fees associated with these projects whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects listed pursuant to the above.
 - e) A section containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel named were, at the time of the work, employed by other than their present firms.

The proposal shall consist of no more than twenty (20) faces. Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.

5. Statutory Proposal Requirements:

In accordance with the provisions of Minnesota Statutes, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted. The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificates of compliance issued by the Commissioner of Human Rights; or
- b) A statement certifying that firm has a current certificate of compliance issued by the Commissioner of Human Rights;

or

- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
- d) A statement certifying that the firm has an application pending for a certificate of compliance.

6. In accordance with the provisions of Minnesota Statutes 16B.19, Subdivision 6, at least 10% of the amount of any contract in excess of \$200,000.00 must be subcontracted to certified small businesses owned and operated by S/E/D persons as defined by Minnesota Statutes 645.445. Alternatively, the requirement may be met by purchasing materials or supplies from S/E/D businesses. Any combination of subcontracting and purchasing that meets the 10% requirements is acceptable. If there are no S/E/D persons able to perform subcontracting or provide supplies and materials, other small businesses as defined are to be utilized instead of small businesses owned and operated by S/E/D persons.

7. Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:

- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
- b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures or their schedule for the project herein described may be referred to George Iwan at (612) 296-4656.

8a) PROJECT—14-87

Construct Greenhouse and Replace existing
Greenhouse with Classrooms
St. Cloud State University
St. Cloud, Minnesota

Appropriation: \$927,000.00 for the preparation of the facilities program; including schematic design, design development, construction documents, bidding, and construction.

Scope of Project: Plan, construct, equip, and furnish three classrooms and a greenhouse. The facility will be new construction and connected to the Mathematics and Science Center.

Program Summary**Greenhouse:**

- Demolish the existing greenhouse. Tuckpoint and repair as necessary the exterior brick work on the remaining auditorium.
- Repair interior damage to the auditorium. This includes replacing all carpeting, repairing the plaster soffitted areas, etc.
- Construct a new 5,000 GSF greenhouse/headhouse adjacent to the Mathematics and Science Center.

Classrooms:

Construct a new 4,000 GSF classroom structure on top of the auditorium in place of the existing greenhouse. Install a new roof membrane on the remaining sections of exposed roof area.

Site

The building will be located on the St. Cloud State University campus, 9th Street South between 1st and 2nd Avenue adjacent and south of the Mathematics and Science Center.

Purpose of Project

The primary purpose for the greenhouse is to support the undergraduate and graduate research program in the Biology Department.

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Building Construction

Greenhouse:

The greenhouse should be a traditional shed roof design, wall and roof system must be energy efficient insulated glaze with thermal break frames. The headhouse attached to the greenhouse should be basic concrete block construction with a brick exterior to match the existing brick of the adjacent building. Facility will contain program needs such as laboratory, isolation room, cold room, one office, storage, and potting area.

The Biology Department requires direct access from the greenhouse to its laboratories on the second floor. It will be necessary to connect the greenhouse to the main building by means of a first floor corridor link. The link will run along the south side of the main building and will connect at the existing auditorium corridor link. Existing elevators in the main building will provide access to the second floor.

Classrooms:

The proposed addition is to house two or three general classrooms. It is assumed that the existing reinforced concrete structure of the auditorium, originally designed to support the greenhouse structure, would be able to support a steel framed structure of similar size. This would have to be confirmed by a structural engineer during the design of the new structure. The addition would have same footprint as the greenhouse and its steel structure would be supported by the same concrete columns below. A standing-seam metal roof would pick up the character of the old greenhouse and complement both the brick auditorium structure below and the adjacent Mathematics/Science Center.

Architectural Responsibilities: The architect shall be responsible for but not limited to, such tasks as: space programming, preparation of preliminary schematics and cost estimates, project design, and the preparation of final working drawings and specifications required for bidding, supplemental agreements, review and approval of shop drawings and payment requests, continuing and intensive supervision and oversight of project construction for owner, and assistance in final project acceptance.

Architectural Fee: Legislative appropriation assumed fees at 6% of construction costs.

University Contact

Name:

William Radovich
Vice President Administrative Affairs
St. Cloud State University
St. Cloud, MN 56301
(612) 255-2286

State University System Contact

Name:

David Hardin
555 Park Street, Suite 230
St. Paul, MN 55103
(612) 296-6624

8b) PROJECT—15-87

Plans for Health and Applied Science Building
Winona State University
Winona, Minnesota

Appropriation: \$1,500,000.00 for Planning and Land Acquisition.

Scope of Project: The Legislature appropriated funds for the preparation of building plans including facility program, schematic design, design development and construction drawings for a building having a total projected cost of \$8,970,000.00.

Construction which is contingent upon legislative authorization and funding is scheduled to begin in August or September of 1988.

The planning process should recognize the later construction of a second phase addition.

Projected Total Gross Square Footage: The building is projected to contain between 64,000 to 71,000 gross square (gsf). Phase II is estimated to be 30,000 gsf.

Program Summary

The building is projected to contain between 64,000 to 71,000 gross square (gsf). Phase II is estimated to be 30,000 gsf:

- Composites Engineering
- Nursing
- Biology
- Allied Health
- Health Administration
- Wellness

Because these programs are closely related to those science programs now in Pasteur Hall, the two buildings must be physically linked.

Site: Pasteur Hall is located on the corner of Sanborn and Washington Streets. The new construction will connect with Pasteur Hall extend North on to Sanborn Street and on to the South half of the adjacent block.

Architectural Responsibilities: The architect shall be responsible for but not limited to, such tasks as: space programming, preparation of preliminary schematics and cost estimates, project design, and the preparation of final working drawings and specifications required for bidding, supplemental agreements, review and approval of shop drawings and payment requests, continuing and intensive supervision and oversight of project construction for owner, and assistance in final project acceptance.

The Architectural/Engineering team for this project should have extensive experience in science/research lab design. The team should include a science lab design consultant. A campus visitation prior to preparation of proposal is strongly recommended.

University Contact: Firms interested in submitting a proposal for this project are asked to contact:

Name:

John Burros, Director of Facilities Management
Winona State University
Winona, Minnesota 55987
(507) 457-5050

State University System Contact

Name:

David Hardin
555 Park Street, Suite 230
St. Paul, Minnesota 55103
(612) 296-6624

8c) PROJECT—16-87

Trafton Science Center Addition
Mankato State University
Mankato, Minnesota

Appropriation: \$10,099,800.00 for the development of the facility program; including schematic design, design development, construction documents, bidding, construction, and equipment.

Scope of Project: Plan, construct, equip, and furnish a Science Center Addition to the existing Trafton building.

Projected Total Gross Square Footage: The building is expected to contain 100,000 gross square feet of space with exact dimensions to be determined following the program phase.

Program Summary: The plan calls for 12,600 NASF for general classrooms and 26,000 NASF of special laboratories. Laboratories will house advance level mechanical engineering and manufacturing engineering technology laboratories including some of the following: heat transfer, thermodynamics, structural fabrication and analysis, computer assisted manufacturing, advanced robotics, advanced controls, precision machining, fluid power, aerodynamics, materials testing, and a vibrations lab.

Also included are nine project and incubator spaces at 450 sq. ft. each. These spaces would be used as faculty project labs and for industry. As an incubator space, the tenant would be adjacent to engineering personnel assisting in the development of a product up to the manufacturing stage. At that point, the outside party would move to an industrial park to manufacture the product.

One of the strengths of the Mankato State University's engineering programs is the design component. All of the junior and senior engineering students are required to enroll in classes which require an engineering design project. This facility calls for 11,300 NASF of such laboratory space. An additional 1,200 NASF is targeted for laboratory services in which special chemicals and equipment can be stored.

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A resource/conference training center of 1,000 NASF is planned for this facility. This center would be used to deliver education to non-traditional students in non-traditional ways. There is a constant demand for courses in the new technologies for the working engineer.

Offices in the building will include an office complex for the Dean of the School of Physics, Engineering, and Technology at 1,950 NASF, departmental office complexes at 3,500 NASF, and faculty offices at 5,000 NASF. This new building should accommodate the department offices for the School (5 @ 700 NASF). The office suite for these departments would be similar to that of the College of Business. 5,000 NASF will provide new offices for faculty.

In summary here are the space and activity requirements:

General classrooms	12,600	NASF
Special laboratories	26,000	NASF
Research (project incubator) laboratories	4,050	NASF
Senior design laboratories	11,300	NASF
Laboratory services	1,200	NASF
Resource/conference training center	1,000	NASF
Deans office complex	1,950	NASF
Departmental office complexes	3,500	NASF
Faculty offices	5,000	NASF
Mechanical & electrical equipment room	2,200	NASF
Project material storage	1,200	NASF
	<u>70,000</u>	<u>NASF</u>

Architectural firms that plan to submit a proposal should make an on-site visit in order to understand the integration of the new building with the existing campus facilities. Advance arrangements can be made by contacting: L. J. Gieneart, Assistant Vice President for Facilities Planning, Mankato State University.

A building efficiency of 70% must be achieved resulting in a building addition totaling 100,000 gross square feet.

In addition to expanding Trafton Science Center, a remote Trafton laboratory is required to house a new 20-inch telescope. This laboratory is proposed to be located south of the main campus near the south property line and will, in addition to having a special concrete base and rotating dome over the observatory, be comprised of a control room, work and storage room, foyer, and toilet.

A structure of approximately 2,500 gross square feet will be required for this laboratory.

Site: The building will be located to the northeast of the present facility. This location will allow tying into the existing building circulation systems and establishing a close relationship between inter-related departments in the addition to Trafton, the existing Trafton Center, and in the classroom building currently under construction between Trafton and Nelson Hall.

Purpose of Project: The proposed addition will create appropriately designed facilities for the School of Physics, Engineering, and Technology and provide it with State-of-the-Art facilities necessary to educate engineers. The development of academic programs in Electrical and Mechanical Engineering and associated technologies, as well as in Physics at Mankato State University, combine with increased enrollment in the School to create this need.

Building Construction: The project shall provide a distinct identity, harmoniously coupled with the existing Trafton Science Center structure and compatible with other existing Mankato State University campus structures. It is anticipated but not limited to a concrete structural frame. Exterior face brick and stone shall match existing materials. The interior shall be designed for maximum space utilization, future space reorganization and flexibility. Special research and development incubator laboratories shall be capable of multi-use or modification to meet the needs of each project. All areas shall have computer accessibility. All plumbing, heating, ventilation, air conditioning, electrical equipment/distribution systems shall be designed to meet hazardous materials and code requirements where applicable and be compatible with space reorganization. An overhead traveling crane is an option in the "high bay" laboratory.

Architectural Responsibilities: Responsibilities shall include but not be limited to such tasks as: space programming, preparation of schematic design drawings for owner approval and costs estimates; preparation of preliminary design drawings for owner approval and cost estimates; preparation of final working drawings, specifications and cost estimates; issuance of plans, specifications and addendums for bidding purposes; preparation and execution of supplemental agreements, review and approval/rejection of subcontract suppliers, project cost breakdown, project progress schedules, shop drawings, and request for payments; continuing and intensive supervision and oversighting of the project for the owner, and assisting the owner in the final acceptance of the project construction; ascertain that all specified certificates, warranties, manuals and instructions have been provided to the owner. The architectural/engineering/design team shall be experienced in the design and construction of large public, administrative, educational, and electrical/electronic/mechanical research facilities. The team shall be experienced in the design and construction of special heating,

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ventilation, air conditioning, exhausting, electrical power distribution, and electronics (computer) information transmission as it relates to hazardous material and research and development projects.

Architectural Fee: Estimated to be 6% of the construction cost.

University Contact

Name: Lester J. Gieneart, Assistant Vice President for Facilities Planning
Mankato State University
P.O. Box 1, Mankato, MN 56001
(507) 389-2226

State University System Contact

Name: David Hardin
555 Park Street, Suite 230
St. Paul, MN 55103
(612) 296-6624

8d) PROJECT—17-87

Memorial Library Addition
Mankato State University
Mankato, Minnesota

Appropriation: \$10,386,200.00 for the development of the facility program; including schematic design, design development, construction documents, bidding, construction, and equipment.

Scope of Project: Plan, construct, equip, and furnish an addition to Memorial Library to supplement stock and seating space and to remodel the existing facility to permit accessibility and retrieval of materials.

Projected Total Gross Square Footage: The new building is expected to contain approximately 110,000 gross square feet of space with precise dimensions to be ascertained following completion of the program phase.

Program Summary:

Proposed additions and modifications

1. Remodel all of the existing 41,545 gross square feet contained on the ground floor level of the existing library facility and an appropriate addition to the ground floor to adequately accommodate the keys to the collection. The keys to the collection are the reference and research public services which provide bibliographic access to informational resources.

2. A second floor of the new addition will provide additional shelving and the majority of the required new reader space.

3. Remodel all of the existing 41,545 gross square feet contained on the third floor and construction of appropriate additional third floor to accommodate the administrative, librarian, professional, and technical processing offices; and the non-library users currently housed elsewhere in the existing library facility.

Group study rooms are required throughout the facility.

Emphasis is placed on the following programs in order of priority:

1. Remodeling and expanding ground floor space to enhance library service by gathering the key public services on this level.

2. Well developed electronic environment throughout library.

3. Expanded seating to provide an additional 2,000 reader stations which requires 60,000 net assignable square feet.

4. Increase stack and shelving capacity by approximately 35,000 net assignable square feet.

Architectural firms that plan to submit a proposal should make an on-site visit in order to understand the integration of the new building with the existing campus facilities. Advance arrangements can be made by contacting: L.J. Gieneart, Assistant Vice President for Facilities Planning, Mankato State University.

Site: The new addition will be located west and adjacent to the existing Memorial Library.

Purpose of Project: The project is expected to provide enlarged and improved retrieval capability for a student body significantly larger than the existing facility can accommodate. The project should also provide up to 2,000 more seats for patrons, additional space for stacks to house the library's collection, and the keys to the collection.

Building Construction: The project shall provide a distinct identity, harmoniously coupled with the existing Memorial Library structure and compatible with other existing Mankato State University campus structures. It is anticipated but not limited to a concrete structural frame. Exterior face brick and stone shall match existing materials. Interior shall be designed for maximum space

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utilization, future space reorganization and flexibility, climate control, contemporary electronic environment, highly flexible lighting system, and appropriate fire suppression system. The interior of existing library floor will require major remodeling and reorganization.

Architectural Responsibilities: Responsibilities shall include but not be limited to such tasks as: space programming; preparation of schematic design drawings for owner approval and costs estimates; preparation of preliminary design drawings for owner approval and cost estimates; preparation of final working drawings, specifications, and cost estimates; issuance of plans, specifications and addendums for bidding purposes; preparation and execution of supplemental agreements, review and approval/rejection of subcontract suppliers, project cost breakdown, project progress schedules, shop drawings, and request for payments; continuing and intensive supervision and oversighting of the project for the owner, and assisting the owner in the final acceptance of the project construction; ascertain that all specified certificates, warranties, manuals and instructions have been provided to the owner. Prior experience with the design and construction of large public and special facilities is most desirable.

Architectural Fee: Estimated to be 6% of construction cost.

University Contact

Name: Lester J. Gieneart, Assistant Vice President for Facilities Planning
Mankato State University
P.O. Box 1, Mankato, MN 56001
(507) 389-2226

State University System Contact

Name: David Hardin
555 Park Street, Suite 230
St. Paul, MN 55103
(612) 296-6624

Richard F. Whiteman, Chairman
State Designer Selection Board

Housing Finance Agency and the Department of Jobs and Training

Request for Proposals for the Temporary Housing Program

The Minnesota Housing Finance Agency (MHFA) and the Minnesota Department of Jobs and Training (DJT) request proposals from housing and redevelopment authorities, community action agencies or other public or private nonprofit agencies for projects to be funded under the Temporary Housing Program. The MHFA and DJT were appropriated \$150,000 and \$170,000 by the 1987 Legislature, respectively, to make grants.

The MHFA will be accepting proposals to acquire, construct or rehabilitate residential housing to be used to provide temporary housing for low and moderate income persons in need of immediate temporary housing. The DJT will be accepting proposals to initiate, maintain or expand programs which provide temporary housing and support services for the homeless. Applicants wishing to receive grants for both structural development and program expenses must submit separate applications to the MHFA and DJT requesting the appropriate grant funds.

Applicants may request application packets by contacting staff at the MHFA or the DJT. These staff may also be contacted to answer any questions or to clarify information contained in either the Request for Proposals or the application packet.

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101

Minnesota Department of Jobs and Training
Office of Job Opportunities and Insurance
690 American Center Building
150 E. Kellogg Boulevard
St. Paul, MN 55101

Susan E. Haugen
(612) 296-9848

Mark D. Kaszynski
(612) 297-2590

An original and two copies of the completed application must be sent by mail or hand-delivered to the appropriate addresses above. All applications must arrive no later than 5:00 p.m. on July 31, 1987.

An announcement of awards is expected in August of 1987.

This request for proposals is subject to all laws, rules and regulations promulgated by any federal, state and municipal authority

having jurisdiction as the same and may be amended from time to time. MHFA and DJT reserve the right, in their sole discretion, to modify and/or withdraw this RFP at any time. All applications pursuant to this RFP are prepared at the sole risk, cost and expense of the applicant.

Department of Jobs and Training Division of Rehabilitation Services

Notice of Proposed Contracts—Federal Fiscal Year 1988

The Minnesota Department of Jobs and Training, Division of Rehabilitation Services is publishing notice that the contracts listed below are available and will be awarded for federal fiscal year 1988 (October 1, 1987 to September 30, 1988):

A. Notice of Proposed Contracts for Medical, Psychiatric, and Psychological Services

1. The Division of Rehabilitation Services, Office of Vocational Rehabilitation is seeking an individual to function as the Chief Medical Consultant to provide services under contract as follows:

- a. Provide technical supervision and assistance, and review the work of field office medical consultants;
- b. Analyze the medical service program of the division and make recommendations for program modifications;
- c. Participate in the planning, development, and conduct of in-service training, for both medical consultants and VR counseling supervisory staff, in the medical aspects of Vocational Services;
- d. Assist the agency in the development of forms, procedures and other operational materials that relate to the medical program;
- e. Review individual case material in order to provide advice on diagnosis, prognosis, medical implications and functional limitations resulting from disability;
- f. Represent the agency at meetings of state and local medical societies;
- g. To review and comment on individual medical plans that exceed certain specific cost limitations;
- h. Assist in the recruitment and selection of field office medical consultants.

The medical consultant will be responsible to the Assistant Commissioner of Rehabilitation Services with primary administrative direction coming from the Director, Office of Vocational Rehabilitation. The individual will be paid at the rate of \$55 per hour. The contract will require an average of 2 to 5 hours per month. Total cost is not expected to exceed \$3,300.00. Inquiries should be directed to:

James R. House
Director, Office of Vocational Rehabilitation
MN Department of Jobs and Training
Division of Rehabilitation Services
5th Floor
390 North Robert Street
St. Paul, Minnesota 55101

All proposals must be received by 4:30 p.m. 7-27-87.

2. The Division of Rehabilitation Services, Office of Vocational Rehabilitation is seeking to employ individuals under contract who will meet with local staff of the section in order to provide them with advice, consultation, and training on medical and psychiatric or psychological aspects affecting the rehabilitation process for specific clients and for the agency, in general. This section will be seeking at least one medical and one psychiatric or psychological contractor in each of the following locations: Bemidji, Brainerd, Duluth, Fergus Falls, Mankato, Minneapolis, Rochester, St. Cloud, St. Paul, Virginia, Willmar, Worthington, Moose Lake and Anoka. All individuals will be paid at a rate of \$40 to \$60 per hour. Most contract work will require an average of 2 to 4 hours per week. Total cost is not expected to exceed \$400,000.00. Inquiries should be directed to:

James R. House
Director, Office of Rehabilitation Services
MN Department of Jobs and Training
Division of Rehabilitation Services
5th Floor
390 North Robert Street
St. Paul, Minnesota 55101

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All proposals must be received by 4:30 p.m. 7-27-87.

3. The Division of Rehabilitation Services, Social Security Disability Determination Services Section, is seeking to employ individuals under contract who will advise and consult with disability examiner staff and others regarding the medical and psychological aspects of impairments including the nature and severity of disease processes, appropriate medical development and case documentation for individual claims, proper application of SSA medical policy and assessment of the claimant's residual level of functioning. The contractor will also be required to certify the claimant's determination of disability as required by the Social Security Administration. The section will be seeking up to twenty Minnesota licensed medical doctors and up to ten Minnesota licensed consulting psychologists. All services will be utilized in St. Paul. Range of pay is \$42 to \$45 per hour. Contracts will vary from 8 to 25 hours per week and will be for 1 year (10/1/87 through 9/30/88) or 1 year with an option to renew for a 2nd year. Total cost is not expected to exceed \$900,000. Inquiries should be directed to:

William T. Ruhl
Assistant Director, Medical Services
Disability Determination Services Section
MN Department of Jobs and Training
Rehabilitation Services
Suite 200—Metro Square Building
Seventh and Robert Streets
St. Paul, Minnesota 55101
(612) 296-4419; (612) 297-4578

All proposals must be received by 4:30 p.m. 7-27-87.

B. Notice of Proposed Contract for Psychometric Testing Services

The Rehabilitation Services Division, Office of Vocational Rehabilitation is seeking a contractor who would provide psychometric testing to about 4,500 disabled clients. The testing would be provided by the contractor in approximately 50 testing locations throughout the State of Minnesota. The contractor would be required to administer any of eight psychometric tests and provide test scores, together with an interpretation of the tests results, within two weeks of the testing date. Total cost is not expected to exceed \$165,000.00. Inquiries should be directed to:

James R. House
Director, Office of Vocational Rehabilitation
MN Department of Jobs and Training
Division of Rehabilitation Services
5th Floor
390 North Robert Street
St. Paul, Minnesota 55101

All proposals must be received by 4:30 p.m. 7-27-87.

C. Notice for Request for Qualifications and Request for Proposal for Mobile/Onsite Medical Examination Services

The Division of Rehabilitation Services, Social Security Disability Determination Services Section, is seeking the services of contractors to provide qualified physicians in certain specialties (e.g., orthopedics, neurology, psychiatry) to travel to various Minnesota cities (e.g. St. Cloud, Bemidji, Duluth, Mankato) to perform consultative examinations and requested lab or x-ray studies and to provide written results of these examinations. The division's fee schedule will be used as a guide to determine compensation.

Fees may not exceed the division's fee maximums. Multiple contracts will be written. Expenditure for these contracts is not expected to exceed \$200,000. Reimbursement for mileage according to state regulations is provided. The contract period is 10/1/87 through 9/30/88. Inquiries and request for a copy of the RFQ and RFP should be directed to:

William T. Ruhl
Assistant Director, Medical Services
Disability Determination Services Section
MN Department of Jobs and Training
Rehabilitation Services
Suite 200—Metro Square Building
Seventh and Robert Streets
St. Paul, Minnesota 55101
(612) 296-4419

All proposals must be received by 4:30 p.m. 7-27-87.

D. Notice of Request for Proposals for Medical Teledictation Service

The Social Security Disability Determination Services Section is seeking the services of a contractor to receive by telephone, transcribe, and deliver medical reports dictated by consulting and treating physicians. Three telephone lines and (3) sets of tele-recording equipment are to be used exclusively by this section. Dictation recording equipment is to be provided by the contractor. Compensation is based on a 12-14 (elite type) word line. The contract will run 10/1/87 through 9/30/88 with an additional one year option to renew and is not expected to exceed 400,000 lines for the period 10/1/87 through 9/30/88 and approximately 425,000-450,000 lines for the period 10/1/88 through 9/30/89. Expenditure for this contract is not expected to exceed \$52,000.00 for FY 1988 and \$57,500.00 for FY 1989.

Inquiries and request for a copy of the RFP should be directed to:

William T. Ruhl
Assistant Director, Medical Services
Disability Determination Services
Division of Rehabilitation Services
Suite 200—Metro Square Building
Seventh & Robert Streets
St. Paul, MN 55101
(612) 296-4419; (612) 297-4578

All proposals must be received by 4:30 p.m. 07/27/87.

Pollution Control Agency**Notice of Request for Proposals for Consultant Services for Study of Koch Refining Company Plans**

The Minnesota Pollution Control Agency (MPCA) wishes to retain consultant(s) for the preparation of an environmental impact statement (EIS) on the proposal by Koch Refining Company to abandon its present land treatment facility and construct a new hazardous waste land treatment facility on the existing Koch Refining Company property in the Pine Bend Industrial District in the City of Rosemount. A draft EIS is to be completed by January, 1987, with the final EIS to be completed by April, 1988.

It is estimated that the consultant services for the project EIS may cost up to \$145,000.

Copies of the Request for Proposals and the scoping environmental assessment worksheet (EAW) for the project are available from:

Marlene Voita, EIS Project Manager
Office of Planning and Review
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-7275

Proposals must be submitted to the MPCA by July 13, 1987, or two weeks from the date of the first publication of this notice, whichever is later.

Thomas J. Kalitowski
Executive Director

Pollution Control Agency**Notice of Request for Proposals for Consultant Services for Study of Winona County Proposal**

The Minnesota Pollution Control Agency (MPCA) wishes to retain one or more consultant(s) for the preparation of an environmental impact statement (EIS) on the proposal by Winona County to construct a municipal solid waste resource recovery facility at one of two candidate sites in the City of Winona. Elements of the EIS will include a health risk assessment of air emissions from the facility, including food chain impacts, an evaluation of ash disposal considerations, and an evaluation of solid waste management alternatives. A draft EIS is to be completed by January, 1987, with the final EIS to be complete by March, 1988.

It is estimated that the consultant services for the project EIS may cost up to \$120,000.

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Copies of the Request for Proposals and the scoping environmental assessment worksheet (EAW) for the project are available from:

Eric Kilberg, EIS Project Manager
Office of Planning and Review
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-8643

Proposals must be submitted to the MPCA by July 13, 1987, or two weeks from the date of the first publication of this notice, whichever is later.

Thomas J. Kalitowski
Executive Director

Department of Trade and Economic Development

Request for Proposals for Aquaculture Feasibility Study and Market Analysis

The Department of Trade and Economic Development is requesting proposals from qualified individuals and organizations interested in working on a project to determine the extent to which Minnesotans can profitably culture and competitively market aquaculture products. This is a two phase proposal. Implementation of Phase II will be dependent upon information gained in Phase I. Proposals are being requested to complete the following major project activities.

- A. Determine general biological needs and natural resources/existing conditions in Minnesota that would be conducive to the biological needs of selected species.
- B. Determine statewide and midwest regional demand for selected species.
- C. Determine targeted market and market value for most feasible species as determined in A and B.
- D. Determine cost of production for most feasible species.
- E. Estimate potential for job creation in the aquaculture industry in Minnesota.

Phase I is expected to be completed by October 15, 1987 and the anticipated completion date for Phase II is November 30, 1987. It is estimated that the cost of this activity need not approach but shall not exceed \$25,000 including travel and expenses and printing costs of the final report. Proposals should be received by the Department of Trade and Economic Development no later than 4:30 p.m. August 3, 1987. A MORE DETAILED FORMAL REQUEST FOR PROPOSAL DOCUMENT MAY BE REQUESTED AND INQUIRIES SHOULD BE DIRECTED TO:

Harry Rosefelt
Department of Trade and Economic Development
900 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

Waste Management Board

Notice of Request for Proposals for Design, Construction, and Operation of a Hazardous Waste Stabilization and Containment Facility

The Chair of the Minnesota Waste Management Board (WMB) has issued a Request for Proposals (RFP) for the design, construction, and operation of a hazardous waste stabilization and containment facility in Minnesota.

In January 1987 the WMB issued a Request for Qualifications (RFQ) asking potential developers to submit information to help the WMB identify firms qualified to build and operate the facility. Twenty-three companies responded to the RFQ. Based on an evaluation of the RFQ responses by the WMB staff, seven firms have been identified as best qualified to develop the facility; however, the WMB will accept and review proposals from all interested firms.

In response to the RFQ, companies submitted information regarding corporate structure, financial capability, existing operations, community relations experience, key personnel, regulatory compliance, and proposed technologies. The RFP asks firms to submit

NON-STATE PUBLIC CONTRACTS

detailed information regarding the design and economics of the proposed facility. Firms that did not submit their qualifications to the WMB through the RFQ process will be expected to demonstrate their qualifications in their response to the RFP.

Scope of Project

The legislation authorizing the WMB to oversee development of the facility defines stabilization as "a chemical or thermal process in which materials or energy are added to waste in order to reduce the possibility of migration of any hazardous constituents. . . ." The facility will be designed to process primarily inorganic waste, including ash from hazardous waste incineration and metal sludges from the treatment of wastewater generated by electroplating firms and circuit board manufacturers.

However, the legislation states that the facility may also include "other appurtenant facilities needed to process waste for stabilization, containment, or transfer to another facility." Appurtenant technologies might include metal recovery, thermal destruction, solvent recovery, and used oil recovery. The WMB will accept two types of proposals:

1. Potential developers must submit a proposal that includes only stabilization and containment (and other technologies designed to process inorganic wastes).
2. Potential developers have the option of submitting a second proposal that includes additional technologies designed to process other types of wastes besides inorganics.

Containment of the stabilized waste will be above-grade, unless the WMB determines that below-grade containment would better protect human health and the environment. The containment structure must meet requirements for the disposal of hazardous waste, although ideally the stabilized waste could be delisted under U.S. Environmental Protection Agency and Minnesota Pollution Control Agency regulations.

Deadline

Copies of the Request for Proposals are available from the following:

Dan Reinke
Minnesota Waste Management Board
7323 58th Avenue North
Crystal, MN 55428
Telephone: (612) 536-0816

Responses should be submitted to the Chair of the Waste Management Board by 4:00 P.M. CDT, Wednesday, September 30, 1987. According to the present schedule, the developer will be selected by the end of 1987.

NON-STATE PUBLIC CONTRACTS

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Ramsey County

Modification of Request for Proposals for Development of a New County Office Facility

Ramsey County recently issued a Request for Proposals calling for information on costs associated with the development of a new County office facility.

This proposal is modified as follows:

The due date for this proposal shall be changed from July 1, 1987, to August 14, 1987.

All other terms and conditions of the Request for Proposals shall remain in full force and effect.

NON-STATE PUBLIC CONTRACTS

Regional Transit Board

Consultant Services Sought to Evaluate Delivery of Ridesharing Services in the Twin Cities Metropolitan Area

The Regional Transit Board (RTB) is seeking the services of a qualified consultant to evaluate the delivery of ridesharing services in the Twin Cities metropolitan area.

The detailed proposal requirements are part of a Request for Proposal document, which can be obtained from: Regional Transit Board, 270 Metro Square Building, St. Paul, MN 55105, (612) 292-8789.

All questions on this RFP should be directed to Cynthia Mayer, rideshare project administrator. You may submit questions verbally or in writing but must do so by June 30, 1987. Following this date, all prospective consultants will receive in the mail a copy of the RTB response to each question asked.

Dated: 22 June 1987

Cynthia M. Mayer
Project Administrator

SUPREME COURT DECISIONS

Decisions Filed Friday 19 June 1987

Compiled by Wayne O. Tschimperle, Clerk

C7-86-445 Mark and Brian Schneider, d.b.a. Schneider Farms v. Plainview Farmers Mutual Fire Insurance Company, petitioner, Appellant. Court of Appeals.

Pursuant to Minn. Stat. § 67A.18, subd. 2 (1986), the mailing of notice of cancellation to the insured by township mutual insurance company by registered or certified mail to the last known address of the insured constitutes a legally effective cancellation of its insurance policy.

Reversed. Coyne, J.

C5-85-2202 In the Matter of the Application for the Discipline of Joel R. Thompson, an Attorney at Law of the State of Minnesota. Supreme Court.

Attorney who has abandoned his law practice and failed to cooperate with the Lawyers Professional Responsibility Board is subject to indefinite suspension from the practice of law with reinstatement conditioned on satisfying certain requirements.

Indefinite suspension. Per Curiam.

CX-86-343 In the Matter of the Application for the Discipline of Norman Perl, an Attorney at Law of the State of Minnesota. Supreme Court.

Suspended. Per Curiam.

Took no part, Coyne, J.

Orders

C1-82-688 In the Matter of the Application for the Discipline of John Emory Lee, Jr., an Attorney at Law of the State of Minnesota. Supreme Court.

Disbarred. Amdahl, C.J.

TAX COURT

Pursuant to Minn. Stat. § 271.06, subd. 1, an appeal to the tax court may be taken from any official order of the Commissioner of Revenue regarding any tax, fee or assessment, or any matter concerning the tax laws listed in § 271.01, subd. 5, by an interested or affected person, by any political subdivision of the state, by the Attorney General in behalf of the state, or by any resident taxpayer of the state in behalf of the state in case the Attorney General, upon request, shall refuse to appeal. Decisions of the tax court are printed in the *State Register*, except in the case of appeals dealing with property valuation, assessment, or taxation for property tax purposes.

Regular Division

Docket No. 4648—Dated: June 3, 1987

William D. and Delores T. Buth, Appellants, vs. Commissioner of Revenue, Appellee.

The above-entitled matter came on for hearing before the Honorable M. Jean Stepan, Judge of the Minnesota Tax Court, at the District Courthouse in Anoka, Minnesota, on February 19, 1987.

William and Delores Buth appeared *pro se*.

Thomas M. O'Hern, Jr., Special Assistant Attorney General, appeared on behalf of the appellee.

Post-trial briefs were submitted by both parties. Some issues raised in the appeal were settled by the parties subsequent to the hearing. The only issue remaining for determination by the Court is the deductibility in determining appellants' 1984 Minnesota income tax liability of amounts appellants expended for a personal computer.

The Court, having heard and considered the arguments of counsel and upon all of the files and records herein, now makes the following:

FINDINGS OF FACT

1. Appellants are cash basis calendar year taxpayers.
2. Mr. and Mrs. Buth, the appellants herein, are and were in 1983 both employed as teachers of the German language in the Anoka-Hennepin Independent School District No. 11.
3. In 1984 appellants purchased an Apple IIe personal computer system, and claimed as an employee business expense deduction on their state and federal income tax returns the cost of the computer system in the amount of \$2,366.
4. Upon audit the Commissioner denied the deduction for the computer system. There was no audit of the Buths' 1984 income tax return by the Internal Revenue Service (IRS).
5. During the school year in which the Buths purchased their computer, their school district issued memos to the faculty regarding special price breaks for teachers wanting to purchase a computer. Teachers were strongly encouraged to take advantage of the offer.
6. The Buths use their computer virtually 100% for professional purposes, for class and exam preparations, as a grade book, to store teaching reference materials, and as a word processor.
7. In their capacity as German teachers, the Buths have served as chaperones and leaders for student trips to Germany. They are active in the foreign student exchange program and use their computer to do all of the paperwork associated with that program.
8. Mrs. Buth is very active in the state foreign language teachers association. She used the computer extensively when she was in charge of their state convention.
9. The school at which Mr. Buth teaches has Apple IIe computers for student use. These computers were used by Mr. Buth before he purchased his own computer.
10. The school at which Mrs. Buth teaches has a computer lab with IBM personal computers. These computers were installed after the Buths purchased their own computer.
11. Mr. and Mrs. Buth teach pursuant to a union agreement between the teachers and the schools. They have no individual contracts of employment. Their agreement does not address the purchase or use of computers by teachers as aides in fulfilling their teaching obligations.
12. The attached Memorandum is hereby made a part of these Findings of Fact.

CONCLUSIONS OF LAW

1. Appellants are not entitled to deduct the cost of their personal computer in the computation of their federal adjusted gross income for purposes of determining their 1984 Minnesota income tax liability.

2. The Order of the Commissioner of Revenue dated May 2, 1986, assessing additional income tax against appellants for the 1984 tax year, is hereby affirmed with respect to the computer expense deduction.

LET JUDGMENT BE ENTERED ACCORDINGLY. A STAY OF 15 DAYS IS HEREBY ORDERED.

BY THE COURT,

M. Jean Stepan, Judge
Minnesota Tax Court

ANNOUNCEMENTS

Jobs & Training Department Minnesota's seasonally adjusted unemployment rate rose 0.2 of a point from April to May, to 4.8 percent. Despite the slight increase, the May 1987 jobless rate still is below the 5.4 percent for the same month a year ago. The May national unemployment rate of 6.3 percent remained unchanged from April. Minnesota's total employment in May, seasonally adjusted, slipped 0.6 percent from April, but was 2.1 percent above May 1986. Wage and salary employment was nearly unchanged over the month as manufacturing and nonmanufacturing sectors fell by 300 and 600 jobs, respectively. Compared to a year ago, payroll jobs increased by 42,700 on the strength of nonmanufacturing jobs which were up 42,000, led by service industry growth of 18,000. Individual area jobless rates varied from a low of 3.2 percent in Pipestone County to a high of 19.9 percent in Red Lake County for April, the most recent month for which county data are available.

Department of Natural Resources In an effort to help with river trip and vacation planning the DNR offers a river level reporting service for 19 designated Canoe and Boating Route rivers. This system allows canoeists to call for up-to-date information on river levels and general conditions. To receive this information, call DNR Outdoor Information Center (612) 296-6699 or statewide toll-free 1-800-652-9747. Free maps showing access points, campsites, rest areas and portages are also available.

Sentencing Guidelines Commission A public hearing to consider modifications of the sentencing guidelines will be held Thursday 23 July 1987 at 5:30 pm in Hearing Room 5, Ground Floor, State Office Building, St. Paul, MN. The modifications are in regards to rankings for crimes created or changed by new legislation. Contact the commission for more information at (612) 296-0144.

Minnesota: national leader in education

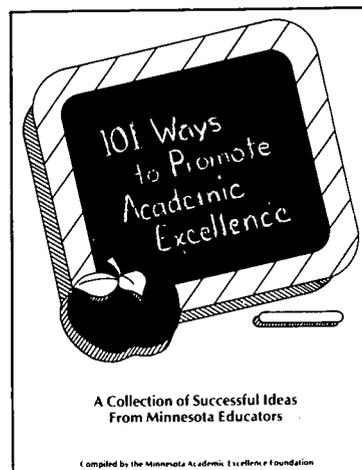
101 Ways to Promote Academic Excellence

A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

Education Directory, 1986-87

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers, and enrollment. 128 pages, paperbound. Code #1-93, \$5.00.

TO ORDER: Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for "DOCUMENTS." Please include 6% sales tax, and \$1.50 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard orders accepted over phone.



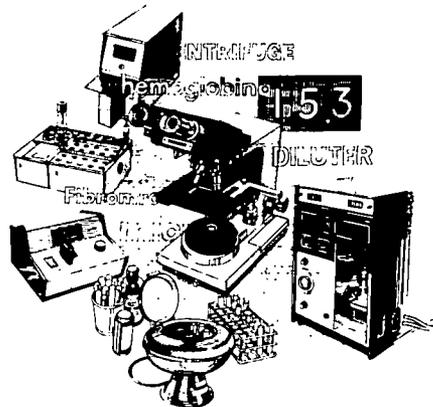
Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Buying Or Selling?

In either case, **The Medical Alley Directory** can help you do your job better. Double your business; the 1986 edition is nearly twice as large as last year's. Reach the decision-makers without delay at more than 300 medical and bio-tech companies and healthcare delivery organizations.

Entries include major products and/or services, company background, special interests, trade name(s), major activities, and addresses and phone numbers. Code # 40-7, \$49.95.

Mailing Lists. We have a large variety of mailing lists, in many formats. A new catalog is being developed. Call or write if you wish to receive a copy when it is updated.



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MAILING LISTS GALORE

Successful business means successful sales

The Minnesota Documents Division has a variety of mailing lists of licensed professionals and permit holders that will enable you to focus your marketing efforts on a targeted audience.

Types of lists available are: registered nurses, real estate agents, physicians, insurance agents, boatowners, hunters, cosmetologists, teachers, and many more! And you can get them on printouts, cheshire/pressure sensitive labels, as well as 9-track magnetic tapes.

What's more, you can choose from several selection capabilities. You will find our selections most helpful and beneficial to your business when you learn that you can acquire names and addresses of individuals in the areas you need to target most.

Find out more about our mailing lists by writing for our free mailing list catalog. In a hurry? Call (612) 297-2552 for more information. Requests can be sent to: Minnesota Documents Division, Mailing List Operation, 117 University Avenue, St. Paul, MN 55155.

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Minnesota Manufacturer's Directory 1986-87

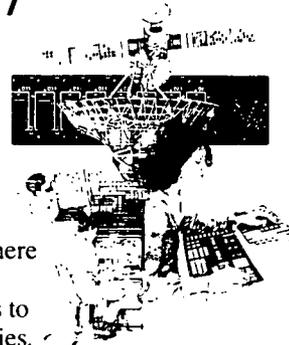


UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code # 40-2, \$68.50.

NEW: In the directory this year are two titles (where applicable) Chief Engineer and Data Processing Manager.



REVISED: There are more than 7,000 changes to the 7,068 entries.



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Voices of the Loon

Its voice severs the bonds to the world of cities, traffic, crowds, lights and noise. The lyrical magic of the loon, sometimes hauntingly eerie, makes the skin tingle, and the hair on the back of the neck stand on edge, awakening a primitive response. Its solitary wail turns the shadowy wilderness into a mysterious path into eternity.

Voices of the Loon, cassette tape, includes introduction and loon call identification, chorus from a distant lake, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during a thunderstorm, and coyotes calling with loons. Code #19-73, \$12.00.

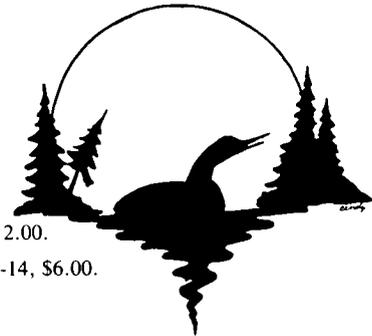
The Loon: Voice of the Wilderness, hardbound with color plates and illustrations, 143 pages. Code #9-14, \$6.00.

Loon Calendar 1987, beautiful photographs and scenes. Code #15-40, \$6.95.

Loon Lapel Pin. Code #15-30, \$2.49.

Loon Windsock, 56 inches long in full color. Code #15-29, \$19.95.

Loon Nature Print, full-color poster 16" x 22". Code #15-18, \$3.00.



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Minnesota's future environment

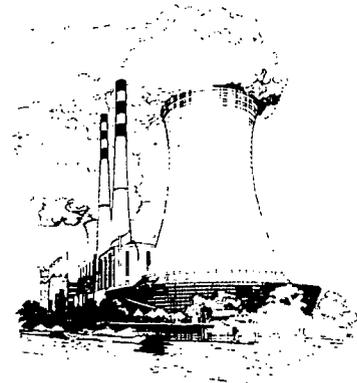
The issue of environmental protection is of continuing interest to both Minnesota business and the general public. Stay abreast of changes in state government regulations with these publications.

1986 Pollution Control Laws

Laws dealing with water pollution, disposal facilities, solid waste management, the MN Environmental Rights Act, recycling, and more. Code No. 2-21. \$15.00.

1986 Hazardous Waste Rules

Governs the production, storage, transportation and disposal of hazardous waste. MN Rules Chapter 7045 and 7046. Code No. 3-71. \$13.50.



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60% Discount on case lots of the 1986 Official Minnesota Hiway Map

Equip your sales force. Drive off with your Minnesota Highway maps for less than 20¢ each (regular retail price: 55¢ each). Discount applies to case lots only, with a minimum order of 1 case (200 maps) at \$39.95. Great for workshop folders, conventions and programs. Code #12-52.

Hudson's Street Atlas of the Greater Twin City Metropolitan Area. Includes 186 municipalities, 129 sectional street maps, and 22,000 street listings. Code #12-62, \$10.95.

Minnesota Travel and Recreation Guide. Where to go and what to see, canoeing and hiking trails, golf directory, campground directory, "Minne-Tours," state parks, hunting and fishing information and more. 296 pp., code #40-6, \$11.95.

Room at the Inn: Guide to Historic Bed and Breakfasts, Hotels and Country Inns Close to the Twin Cities, by Laura Zahn. 127 pp., Code #19-72, \$7.95.



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Subscription Services

The Minnesota Documents Division offers several subscription services of activities, awards, decisions and special bulletins of various Minnesota state agencies.

Use the handy order form on the back of the *State Register* to order. Simply fill in the subscription code number, include your name, address and zip and your check made out to the State of Minnesota (PREPAYMENT IS REQUIRED) and send it in. We'll start your subscription as soon as we receive your order, or whenever you like.

SUBSCRIPTION	COST	CODE NO.	SUBSCRIPTION	COST	CODE NO.
Career Opportunity Bulletin, 1 year	\$ 20.00	90-3	State Register, 1 year	\$130.00	90-1
Career Opportunity Bulletin, 6 mos.	\$ 15.00	90-4	State Register, 3 mos. trial can be converted to a full subscription for \$90 at end of trial	\$ 40.00	90-2
Human Services Informational and Instructional Bulletin	\$100.00	90-6	Tax Court/Property Decisions	\$210.00	90-11
Human Services Bulletin List	\$ 20.00	90-7	Workers Compensation Decisions, unpublished subs run Jan-Dec; can be prorated	\$320.00	90-12
LRL (Legislative Reference Library) Checklist	\$ 75.00	90-8	Workers Compensation Decisions Vol. 38 (limited quantity)	\$ 89.50	
PERB (Public Employee Relations Board) Awards	\$260.00	90-9	Workers Compensation Decisions Vol. 39	\$ 95.00	90-13
PERB (Public Employee Relations Board) Decisions	\$ 60.00	90-10			
Minnesota Statutes Subscription Includes the complete 10-volume set of Minnesota Statutes 1986 and the 1987 Supplement	\$135.00	18-8			

TO ORDER: Prepayment required to start your subscription. Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. (612) 297-3000 VISA/MasterCard orders accepted. Please include daytime phone.

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Selling business and financial services to physicians?

Physicians Directory 1985

Names and addresses of licensed chiropractors, doctors of medicine, and osteopaths, optometrists, podiatrists and registered physical therapists in alphabetical order by discipline. Includes members of all the state medical profession boards. Code #1-1, \$15.00.

Medical Alley Directory 1986

A guide to more than 300 high-tech medical, bio-tech and health care companies, institutions and organizations and their products and services. Code #40-7, \$49.95.

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For Real Estate Professionals:

REAL ESTATE RULES 1986

Chapters 2800, 2805, and 2810 from the Minnesota Rules. *Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code No. 3-99. \$7.00.

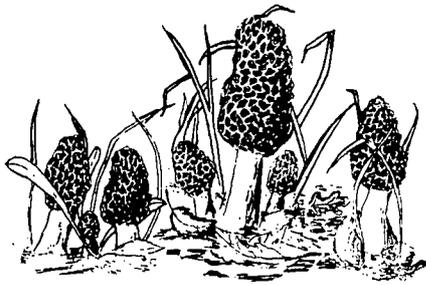
REAL ESTATE LAWS 1986

Includes all the changes made by the 1986 State Legislature. Complete and up-to-date. Code No. 2-92. \$5.00.

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Morel: Minnesota's mushroom

ROON: A Tribute to Morel Mushrooms, this delightful treatise on the "filet mignon" of mushrooms will help the stalker of this elusive prey find, and prepare in a variety of ways, its mouth-watering madness. Code #19-55, \$9.50.

Edible Mushrooms, a classic guide to safe mushrooms, describes 60 species in detail, with photographs (many in color) to show each in its natural habitat. Advice to amateur mushroom hunters. Paperbound, 118 pp. Code #19-11, \$8.95.

Mushrooms of North America, full color poster, 24" x 37", showing 40 common species of edible and poisonous mushrooms. Code #15-13, \$8.50.

Northland Wildflowers, the perfect mushroomers companion. An excellent guide for identification and enjoyment of wildflowers, with 308 color photographs and descriptions of 300 species. Hardbound, 236 pp. Code #19-9, \$12.95.

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Catching criminals is only one part of law enforcement. Here's the rest of it.

Police Report Writing Style Manual 1986—A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms, and introduces the Data Practices Law. Code No. 14-13. \$12.50.

Background Investigation Manual 1986—A guide to conducting effective thorough background investigations of peace officer candidates. Included are various criteria for use in the selection process: experience, education, and past behavior. Sample forms. Code No. 14-15. \$10.00.

Motor Vehicle Traffic Laws 1986—Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code No. 2-85. \$12.50.

Criminal Code & Selected Statutes 1986—Governs the conduct of peace officers. Includes continuing education requirements, sentencing standards, and more. Code No. 2-68. \$12.00.

Blue Binder—3 ring, 2" capacity. Criminal Code and Motor Vehicle Traffic Laws require 1 binder each. Code No. 10-21. \$4.25.



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NOTARY PUBLIC LAWS

Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of office and procedures for removal from office. Code No. 2-13. \$4.00.



JANE SMITH
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY

MY COMMISSION EXPIRES JANUARY 1, 1990

U.S. SMALL BUSINESS ADMINISTRATION PUBLICATIONS:

Insurance and Risk Management for Small Business	Code No. 16-50. \$3.00.
Small Business Finance	Code No. 16-42. \$4.50.
Starting and Managing a Small Business of Your Own	Code No. 16-40. \$4.75.

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DOCUMENTS DIVISION

Publications, Services, Subscriptions

Order Form on Back—For Information, Call 297-3000

NEW PUBLICATIONS:

Building Code 1987. Regulates design, construction, quality of materials, use and occupancy of all buildings and structures. Includes adoption by reference of Uniform Building Code, National Electrical Code and others. Code #3-65s3, \$10.00.

Plumbing Code 1987. Rules concerning public safety and health in regard to: materials, joints, traps, fixtures, water supply, drainage, inspection and water conditioning. Code #3-6, \$11.00.

Health Care Facilities Directory 1987. A list of hospitals and related institutions licensed and/or certified to deliver various levels of care. The list is alphabetical by county, town and facility name. Code #1-89, \$15.00.

Human Services Rules Supplement 1987. The 1987 Supplement to the Department's rule book includes recent changes to many rules in effect from July 1986 through January 1987. Code #3-95s1, \$14.00.

Human Services Rules 1986. Governs assistance programs, eligibility, grant amounts, AFDC and residence requirements. *Minnesota Rules* 9500-9580. Code #3-95, \$24.95.

OTHER PUBLICATIONS

1987 Workers' Compensation Handbook. Includes the statutes (Minn. Stat. Chapter 176), the Office of Administrative Hearings and Litigation Procedure Rules (Rules Chapter 1415), Fees for Medical Services (Rules Chapter 5221), Disability Schedules (Rules Chapter 5223) Workers' Compensation Court of Appeals Rules of Procedure (Rules Chapter 9800). Code #2-72. \$14.00 plus tax.

Woodworking for Wildlife. Carefully illustrated with a variety of game bird and mammal box designs, including maintenance requirements and important information on the placement of nests in proper habitat areas. Diagrams. Code #9-14. \$6.00 plus tax.

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