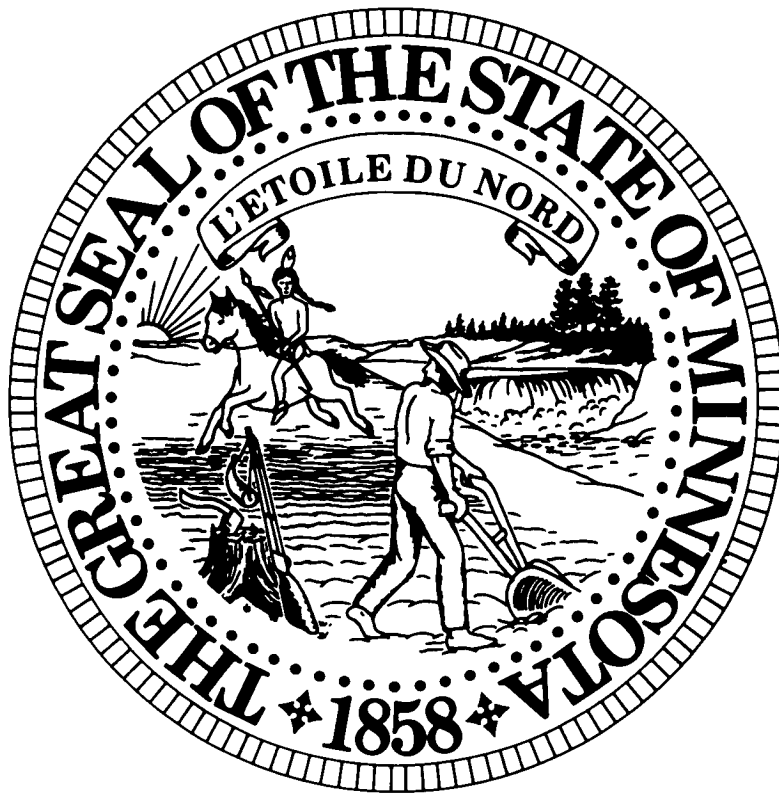


State of Minnesota

# STATE REGISTER

Department of Administration—Print Communications Division



Rules edition  
Published every Monday

7 May 1990

Volume 14, Number 45

Pages 2559-2610

# 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 and commissioners' orders, proposed and adopted rules, official notices, state and non-state contracts, contract awards, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

## Printing Schedule and Submission Deadlines

Vol. 14 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
45	Monday 23 April	Monday 30 April	Monday 7 May
46	Monday 30 April	Monday 7 May	Monday 14 May
47	Monday 7 May	Monday 14 May	Monday 21 May
48	Monday 14 May	Monday 21 May	Monday 28 May

\*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 every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *STATE REGISTER Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme and tax courts; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *STATE REGISTER* be self-supporting, the following subscription rates have been established: the Monday edition costs \$130.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

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.

**Rudy Perpich, Governor**  
**Sandra J. Hale, Commissioner**  
Department of Administration

**Stephen A. Ordahl, Director**  
Print Communications Division  
Robin PanLener, Editor

**Paul Hoffman, Assistant Editor**  
**Debbie George, Circulation Manager**  
Bonita Karels, Staff Assistant

## 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

# Contents

## Minnesota Rules: Amendments & Additions

Issues 40-45 inclusive (issues # 1-39 appeared in #39) . . . . . 2562

## Proposed Rules

### Health Department

Speech-language pathologist and audiologist registration . . . . . 2563

### Human Services Department

Resubmission of proposed rules on implementation of the consolidated chemical dependency treatment fund . . . . . 2579

State financial participation in county welfare administration cost . . . . . 2579

County assistance: mentally ill persons released from state hospitals . . . . . 2580

### Nursing Home Administration Licensure Board

Examination scores . . . . . 2581

## Adopted Rules

### Agriculture Department

Buying and storing of grain . . . . . 2583

### Ethical Practices Board

Campaign financing . . . . . 2583

### Public Safety Department

Driver training programs . . . . . 2583

## Commissioners' Orders

### Natural Resources Department

Order #2369: Closing certain waters to the taking of certain species of fish . . . . . 2585

## Official Notices

### Minnesota Historical Society

Regular meeting of State Review Board . . . . . 2587

### Higher Education Facilities Authority

Hearing on issuance of revenue bonds for:  
 Concordia College Corp. . . . . 2587  
 Augsburg College . . . . . 2588  
 Gustavus Adolphus College . . . . . 2588  
 Trustees of Hamline University . . . . . 2589

### Metropolitan Council

Postponement of public meeting on environmental review program for dual-track major airport strategy . . . . . 2589

### Public Safety Department

Opinion sought on rule for chemical tests for intoxication, persons who may interpret blood or urine tests . . . . . 2589

### Secretary of State

Vacancies in multi-member agencies . . . . . 2590

### Human Services Department

Changes to the Medical Assistance (MA) Program . . . . . 2592

## State Contracts & Advertised Bids

### Administration Department

Materials Management Division: Commodities and requisitions open for bid . . . . . 2594

Print Communications Division: Printing, typesetting, keylining, design and mailing services open for bid . . . . . 2595

## Professional, Technical & Consulting Contracts

### Corrections Department—Willow River/Moose Lake

Proposals sought for registered nursing services . . . . . 2596

### State Designer Selection Board

Proposals sought for a project at the Lino Lakes Correctional Facility . . . . . 2596

### Human Services Department

Proposals sought for design and production of specialized video tape training materials . . . . . 2598

### Natural Resources Department

Contracts available for technical assistance in forestry . . . . . 2600

Proposals sought for consultant services to develop specifications for use in designing a centralized data base . . . . . 2600

### Trade & Economic Development Department

Proposals sought for participation in the CANDO Pilot Project . . . . . 2602

Proposals sought to research and produce a resource guide for community and neighborhood development organizations . . . . . 2602

### Vocational Technical Education Board

Proposals sought for enhancement of hazardous materials curriculum . . . . . 2604

### Workers' Compensation Assigned Risk Plan

Proposals sought for services to be provided to the Minnesota Workers' Compensation Assigned Risk Plan by a qualified actuary . . . . . 2605

## State Grants

### Housing Finance Agency

Proposals sought for Capacity Building Grant Program . . . . . 2605

Applications accepted for the Federal Low Income Housing Tax Credit program . . . . . 2606

## Supreme Court Decisions, Opinions & Rules

Decisions, opinions and orders filed Friday 4 May 1990 . . . . . 2607

Announcements . . . . . 2608

# Minnesota Rules: Amendments and Additions

## NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

## Rules Index for issues 40-45 (Issues 1-39 appeared in #39)

### Agriculture Department

1511.0100-.0170 (adopted) . . . . . 2432  
 1562.0100;.0700 (adopted) . . . . . 2583

### Animal Health Board

1700.2800;.2850;.2900 (proposed) . . . . . 2347  
 1705.2400;.2430;.2434;.2440;.2460;.2472;.2474;.2476;  
 .2480;.2500 (proposed) . . . . . 2347

### Architecture Board

1800.0500 (proposed) . . . . . 2404

### Architecture, Engineering, Land Surveying and Landscape Architecture Board

1800.1000;.1100;.1200;.2500;.2600;.2700;.2800;.2805;  
 .2900 (proposed) . . . . . 2406  
 1800.1000 s.2,3,4;.1200 s.2,3,4;.3000 (proposed repealer) . . . . . 2411

### Chiropractic Examiners Board

2500.0100;.1400;.2020;.2030;.2040 (proposed) . . . . . 2527  
 2500.1100 (proposed) . . . . . 2530

### Vocational Technical Education Board

3700.0258 (adopted) . . . . . 2360  
 3709.0200 becomes 3700.0705; 3709.0220 becomes  
 3700.0750; 3709.0280 becomes 3700.0755; 3709.0210  
 becomes 3700.0760 (renumbered) . . . . . 2360  
 3700.0305;.0310;.0315;.0320;.0325;.0330;.0335;.0340;  
 .0350;.0360;.0370;.0375;.0376;.0377;.0378;  
 .0379 (adopted) . . . . . 2360  
 3700.0355 (repealed) . . . . . 2360

### Electricity Board

3800.2650 (proposed) . . . . . 2451

### Ethical Practices Board

4500.0100;.0600;.1200;.1600;.2500; (adopted) . . . . . 2583  
 4505.0100;.0600;.0800;.0900 (adopted) . . . . . 2583  
 4505.0100 s.5 (repealed) . . . . . 2583

### Health Department

4656.0250-.0330 (withdrawn) . . . . . 2501  
 4745.0010-.0060 (adopted) . . . . . 2493  
 4750.0010-.0700 (proposed) . . . . . 2563

### Housing Finance Agency

4900.0010 (adopted) . . . . . 2354  
 4900.0010;.2200-.2270 (adopted) . . . . . 2354  
 4900.0010;.2200-.2270 (adopted) . . . . . 2432  
 4900.0010;.2300-.2340 (adopted) . . . . . 2432  
 4900.1520;.1574;.1580 (adopted) . . . . . 2354

### Labor & Industry Department

5220.2645 (proposed) . . . . . 2531  
 5221.0100;.2250 (proposed) . . . . . 2412  
 5222.0100;.0200;.0300;.0400;.0500;.0600;.0700;.0800;  
 .0900;.1000 (proposed repealer) . . . . . 2532

### Medical Examiners Board

5600.0400;.0600 (proposed) . . . . . 2452  
 5600.0600 s.3 (proposed repealer) . . . . . 2453  
 5600.2500 (proposed) . . . . . 2414  
 5601.0100;.0300;.0400;.0700;.0800;.1200;.1700;.1800;  
 .1900;.2000;.2100;.2200;.2300;.2400;.2500;.2600;  
 .2700;.2800;.2900 (proposed) . . . . . 2415  
 5601.1000;.1100 (proposed repealer) . . . . . 2419

### Natural Resources Department

6100.0100;.0200;.0300;.0400;.0500;.0600;.0700;.0800;  
 .0900;.1000;.1100;.1200;.1300;.1400;.1500;.1600;  
 .1700;.1710;.1800;.1910;.1920;.2000;.2100;.2200;  
 .2300;.2400 (adopted) . . . . . 2497

### Nursing Home Administration Licensure Board

6400.0600 (proposed) . . . . . 2581

### Pollution Control Agency

7001.0520 (proposed) . . . . . 2489  
 7035.9100-.9150 (proposed) . . . . . 2421  
 7045.0020;.0120;.0310 (proposed) . . . . . 2489  
 7047.0010-.0070 (adopted) . . . . . 2497

### Public Safety Department

7411.0100;.0200;.0300;.0400;.0510;.0550;.0610;  
 .0700;.0800 (adopted) . . . . . 2583  
 7411.0100 s.2,3;.0500;.0600;.0800 s.4,6;.2100;  
 .2200;.2300;.2400;.2500;.2600;.2700 (repealed) . . . . . 2583

<b>Minnesota State Lottery</b>		9510.1020: .1040: .1050: .1070: .1110 (adopted) . . . . .	2354
7857.2000-.7000 (adopted) . . . . .	2354	9520.0300: .0310: .0320: (proposed repealer) . . . . .	2580
<b>Minnesota Racing Commission</b>		9530.6655: .7000: .7012: .7015: .7020: .7022: .7024	
7873.0185: .0186 (adopted) . . . . .	2454	(proposed) . . . . .	2483 and 2579
7877.0120: .0170 (adopted) . . . . .	2454	9530.7020 s.3,4 (proposed repealer) . . . . .	2483 and 2579
<b>Secretary of State</b>		9553.0010: .0020: .0035: .0036: .0040: .0050: .0052:	
8250.0350: .1400 (adopted) . . . . .	2355	.0053: .0054: .0056: .0057: .0061: .0070: .0075:	
<b>Veterans Affairs Department</b>		.0079 (withdrawn) . . . . .	2501
9050.0010-.9000 (adopted) . . . . .	2355 and 2533	9553.0051: .0020 s.43 (proposed renumbering withdrawn) . . .	2501
<b>Human Services Department</b>		9580.0100: .0200: .0300: .0400: .0500: .0600	
9503.0015: .0075: .0170 (adopted) . . . . .	2533	(proposed repealer) . . . . .	2579

## Proposed Rules

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

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

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

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

## Department of Health

### Proposed Permanent Rules Relating to Speech-Language Pathologist and Audiologist Registration

#### ALTERNATIVE NOTICES: Notice of Intent to Adopt Rules without a Public Hearing, Notice of Intent to Adopt Rules with a Public Hearing if 25 or More Persons Request a Hearing, and Notice of Intent to Cancel Hearing if Fewer than 25 Persons Request a Hearing

##### I. EXPLANATION OF ALTERNATIVE NOTICES

The Minnesota Department of Health (Department) is hereby giving notice of its intent to adopt rules without a public hearing under the noncontroversial rulemaking procedure of *Minnesota Statutes* sections 14.22 to 14.28 (1988). However, in case 25 or more persons request a hearing, thus necessitating that one be held pursuant to *Minnesota Statutes* section 14.25 (1988), and in order to expedite the rulemaking process should that occur, the Department is at the same time hereby giving notice of the hearing on the proposed rules pursuant to *Minnesota Statutes* sections 14.131 to 14.20 (1988). The hearing will, of course, be cancelled if 25 or more people do not request that one be held. With the comment period closing on June 6, 1990 there will be four days before the scheduled hearing date. This four-day period will give interested persons ample time to contact the Department to find out whether the hearing will be cancelled and to plan accordingly.

**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.

## Proposed Rules

---

### II. NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Department proposes to adopt the above-captioned rules without a public hearing unless 25 or more persons submit written requests for a public hearing. The Department has determined that the proposed rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes* sections 14.22 to 14.28 (1988).

Interested persons shall have 30 days from the date this notice is published in the *State Register* to submit comments in support of or in opposition to the proposed rules. The 30 days will expire on June 6, 1990. Comment is encouraged. Each comment should identify the portion of the proposed rules being addressed, the reason for the comment, and any change proposed to the rules by the comment. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change in the proposed language.

In addition to submitting comments, interested persons may request in writing during the 30-day comment period that a hearing be held on the proposed rules. Any person requesting a hearing should state his or her name, address, and telephone number and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any changes they want made to the proposed rules. If a person desires that a hearing be held on only a portion of the proposed rules, it is requested that the Department be informed of the specific amendments on which a hearing is being requested at the time that the hearing request is made. This will enable the Department to limit the hearing, if one is held, to the specific issues of concern. A public hearing will be held only if 25 or more persons submit in writing requests for a hearing on the proposed rules or a portion thereof by June 6, 1990. If a hearing is required, it will be held in accordance with the provisions of *Minnesota Statutes* sections 14.131 to 14.20 (1988) and the hearing notice provided below.

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

Jean M. Klosowski  
Rule Development Specialist  
Health Systems Development Division  
Minnesota Department of Health  
P.O. Box 9441  
717 Delaware Street Southeast  
Minneapolis, Minnesota 55440  
Telephone: (612) 623-5751

The statutory authority of the Department to adopt the proposed rules is contained in *Minnesota Statutes* section 214.13.

If adopted, the proposed rules will: 1) establish a central registry of persons who are registered with the Department and are thereby entitled to use titles protected by the proposed rules, for example, "speech-language pathologist" and "audiologist"; 2) designate titles to be protected by the proposed registration rules; 3) establish the minimum entry requirements for registration as a speech-language pathologist or audiologist; 4) establish speech-language pathologist and audiologist registration and registration renewal procedures; 5) establish speech-language pathologist and audiologist continuing education requirements and procedures; 6) govern the criteria to be applied and the procedure to be followed by the Department in granting, renewing, suspending, or revoking a person's registration or taking any reasonable lesser action against an individual upon proof that the individual has violated the proposed rules; 7) establish a schedule governing the renewal of registration; 8) establish an advisory council to advise the Commissioner of Health on matters relating to the registration and regulation of speech-language pathologists and audiologists; and 9) establish an annual registration fee and a surcharge fee to be applied to registration applicants for a period of five years following the effective date of the proposed rules. The proposed rules will be published in the *State Register* issue of May 7, 1990 and a free copy of the rules may be obtained from the Department by writing or telephoning Jean M. Klosowski at the address or telephone number listed above.

**A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and may be obtained from the Department by writing or telephoning Jean M. Klosowski at the address or telephone number listed above.

Promulgation of the proposed rules will not result in the expenditure of public monies by local public bodies nor have an impact on agricultural land; therefore, no further information need be provided under *Minnesota Statutes* section 14.11 (1988). The basis for the Department's position that the proposed rules will not result in the expenditure of public monies by local public bodies is addressed in the statement of need and reasonableness.

It is the position of the Department that these proposed rules are not subject to *Minnesota Statutes* section 14.115 (1988) regarding small business considerations in rulemaking. The basis for this position and the Department's evaluation of the applicability of the methods contained in *Minnesota Statutes* section 14.115, subd. 2 (1988) for reducing the impact of the proposed rules if they are subject to section 14.115, are addressed in the statement of need and reasonableness.

If no hearing is required, upon adoption of the rules, the rules as proposed, this notice, the statement of need and reasonableness, all written comments received, the rules as adopted, and a statement explaining any differences between the rules as proposed and as

adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. 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 amendments as adopted should submit a written request to Jean M. Klosowski at the address listed above.

### III. NOTICE OF INTENT TO ADOPT RULES WITH A PUBLIC HEARING IF 25 OR MORE PERSONS REQUEST A HEARING

**Please Note: that if 25 or more persons submit written requests for a public hearing with respect to the above-captioned rules within the 30-day comment period pursuant to the notice given in Part II above, a hearing will be held on June 11, 1990, in accordance with the following notice of public hearing.**

**NOTICE IS HEREBY GIVEN** that a public hearing in the above-captioned matter will be held pursuant to *Minnesota Statutes* section 14.131 to 14.20 (1988), in the Veteran's Conference Room D on the fifth floor of the Veteran's Service Building, 20 West 12th Street, St. Paul, Minnesota 55155 on June 11, 1990, commencing at 9:30 a.m.

All interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Jr., Administrative Law Judge, Office of Administrative Hearings, Fifth Floor, Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, telephone (612) 341-7608. Unless a longer period not to exceed 20 calendar days is ordered by the administrative law judge at the hearing, the hearing record will remain open for the inclusion of written material for five working days after the hearing ends. Written material received during this period will be available for review at the Office of Administrative Hearings. The Department and interested persons may respond in writing within three business days after the submission period ends to any new information submitted. No additional evidence may be submitted during the three-day period. This rule hearing procedure is governed by *Minnesota Statutes* sections 14.131 to 14.20 (1988) and by *Minnesota Rules* pts. 1400.0200 to 1400.1200 (1987). Questions about procedure may be directed to the administrative law judge.

If adopted, the proposed rules will: 1) establish a central registry of persons who are registered with the Department and are thereby entitled to use titles protected by the proposed rules, for example, "speech-language pathologist" and "audiologist"; 2) designate titles to be protected by the proposed registration rules; 3) establish the minimum entry requirements for registration as a speech-language pathologist and audiologist; 4) establish speech-language pathologist and audiologist registration and registration renewal procedures; 5) establish speech-language pathologist and audiologist continuing education requirements and procedures; 6) govern the criteria to be applied and the procedures to be followed by the Department in granting, renewing, suspending, revoking a person's registration or taking any reasonable lesser action against an individual upon proof of violation of the proposed rules; 7) establish a schedule governing the renewal of registration; 8) establish an advisory council to advise the Commissioner of Health on matters relating to the registration and regulation of speech-language pathologists and audiologists; and 9) establish an annual registration fee and a surcharge fee to be applied to registration applicants for a period of five years following the effective date of the proposed rules. The proposed rules will be published in the *State Register* issue of May 7, 1990, and a free copy of the rules may be obtained from the Department by writing or telephoning Jean M. Klosowski at the address or telephone number listed above.

The statutory authority of the Department to adopt the proposed rules is contained in *Minnesota Statutes* section 214.13.

The proposed rules may be modified as a result of the rule hearing process. Those who are potentially affected in any manner by the substance of the proposed rules are therefore advised to participate in the process.

*Minnesota Statutes* ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes* section 10A.01, subd. 11, as any individual:

(a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including the individual's own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

**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.

## Proposed Rules

---

---

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone: (612) 296-5615.

**NOTICE IS HEREBY GIVEN** that a statement of need and reasonableness is now available for review at the Department and at the Office of Administrative Hearings. This statement of need and reasonableness includes a summary of all the evidence which the Department anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the statement of need and reasonableness may be reviewed at the Department or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Please note that any person may request notification of the date on which the administrative law judge's report will be available, after which date the Department may not take any final action on the rules for a period of five working days. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the administrative law judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day that the rules are filed. If you want to be so notified, you may so indicate at the hearing or send a request in writing to the Department at any time prior to the filing of the rules with the Secretary of State.

Promulgation of these proposed rules will not result in the expenditure of public monies by local public bodies nor have any impact on agricultural land; therefore, no further information need be provided under *Minnesota Statutes* section 14.11 (1988). The basis for the Department's position that the proposed rules will not result in the expenditure of public monies by local public bodies is addressed in the statement of need and reasonableness.

It is the position of the Department that these proposed rules are not subject to *Minnesota Statutes* section 14.115 (1988) regarding small business considerations in rulemaking. The basis for this position and the Department's evaluation of the applicability of the methods contained in *Minnesota Statutes* section 14.115, subd. 2 (1988) for reducing the impact of the proposed rules should it be determined that the proposed rules are subject to section 14.115, are addressed in the statement of need and reasonableness.

#### **IV. NOTICE OF INTENT TO CANCEL HEARING IF FEWER THAN 25 PERSONS REQUEST A HEARING**

**Please Note:** that the hearing, notice of which is given in Part III above, will be cancelled if fewer than 25 persons request a hearing in response to the notice given in Part II above.

To be informed whether the hearing in Part III above will be held, please telephone Jean M. Klosowski at the telephone number listed above in Part II of this notice before June 11, 1990, and leave your name, address, and telephone number. You will be notified if the hearing has been cancelled. You may also telephone Jean M. Klosowski after June 6, 1990, for oral confirmation, regarding the scheduled hearing.

Dated: 19 April 1990

Sister Mary Madonna Ashton  
Commissioner of Health

### **Rules as Proposed (all new material)**

#### **REGISTRATION OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS**

##### **4750.0010 SCOPE.**

Parts 4750.0020 to 4750.0700 apply only to persons who are applicants for registration, who are registered, who use protected titles, or who represent that they are registered.

##### **4750.0020 DEFINITIONS.**

Subpart 1. **Scope.** For the purpose of parts 4750.0010 to 4750.0700, the following terms have the meanings given to them.

Subp. 2. **Accredited educational institution.** "Accredited educational institution" means a university, college, or other postsecondary educational institution that offers speech-language pathology or audiology training and that is accredited by the American Speech-Language-Hearing Association or the National Council for Accreditation of Teacher Education.

Subp. 3. **Advisory council.** "Advisory council" means the Minnesota Speech-Language Pathologist and Audiologist Advisory Council established under *Minnesota Statutes*, section 214.13, subdivision 4.

Subp. 4. **Applicant.** "Applicant" means a person who applies to the commissioner for registration or registration renewal.

Subp. 5. **Approved continuing education sponsor.** "Approved continuing education sponsor" means an organization that offers a learning experience designed to promote continuing competency in the procedures and techniques of the practice of speech-language pathology or audiology as defined in subparts 7 and 17, and that meets the criteria in part 4750.0400, subpart 3, or is a preapproved sponsor listed in part 4750.0400, subpart 2.



Subp. 6. **Audiologist.** "Audiologist" means a natural person who engages in the practice of audiology as defined in subpart 7, meets the qualifications required by parts 4750.0010 to 4750.0700, and registers as an audiologist with the commissioner. As used in parts 4750.0010 to 4750.0700, audiologist also means a natural person using any descriptive word with the title audiologist.

Subp. 7. **The practice of audiology.** "The practice of audiology" means:

- A. screening, identification, assessment and interpretation, diagnosis, rehabilitation, and prevention of hearing disorders;
- B. conservation of the auditory system function; development and implementation of hearing conservation programs;
- C. measurement, assessment, and interpretation of auditory and vestibular function;
- D. selecting, fitting, and dispensing of assistive listening devices, alerting and amplification devices and systems for personal and public use, including hearing aids and devices, and providing training in their use;
- E. aural habilitation and rehabilitation and related counseling for hearing impaired individuals and their families;
- F. screening of speech, language, voice, or fluency for the purposes of audiologic evaluation or identification of possible communication disorders; or
- G. teaching of, consultation or research about, or supervision of the functions in items A to F.

Subp. 8. **Commissioner.** "Commissioner" means the commissioner of the Department of Health or a designee.

Subp. 9. **Contact hour.** "Contact hour" means an instructional session of 50 consecutive minutes, excluding coffee breaks, registration, meals with or without a speaker, and social activities.

Subp. 10. **Continuing education.** "Continuing education" is a planned learning experience in speech-language pathology or audiology not including the basic educational program leading to a degree if the education is used by the registrant for credit to achieve a baccalaureate or master's degree in speech-language pathology or audiology.

Subp. 11. **Credential.** "Credential" means a license, permit, certification, registration, or other evidence of qualification or authorization to engage in the practice of speech-language pathology or audiology issued by any authority.

Subp. 12. **Individual.** "Individual" means a person over whom the commissioner has jurisdiction under parts 4750.0010 to 4750.0700. Individual includes an applicant, registrant, or person who uses any title protected by part 4750.0030, whether or not authorized to do so by parts 4750.0010 to 4750.0700.

Subp. 13. **Register or registered.** "Register" or "registered" means the act or status of a natural person who meets the requirements of parts 4750.0010 to 4750.0700 and who is authorized by the commissioner to use the titles in part 4750.0030.

Subp. 14. **Registrant.** "Registrant" means a person who meets the requirements of parts 4750.0010 to 4750.0700 and is authorized by the commissioner to use the titles in part 4750.0030.

Subp. 15. **Registration.** "Registration" is the system of regulation defined in *Minnesota Statutes*, section 214.001, subdivision 3, paragraph (c), and is the process specified in parts 4750.0010 to 4750.0700.

Subp. 16. **Speech-language pathologist.** "Speech-language pathologist" means a person who practices speech-language pathology as defined in subpart 17, meets the qualifications in parts 4750.0010 to 4750.0700, and registers with the commissioner. Speech-language pathologist also means a natural person using, as an occupational title, a term identified in part 4750.0030.

Subp. 17. **The practice of speech-language pathology.** "The practice of speech-language pathology" means:

- A. screening, identification, assessment and interpretation, diagnosis, habilitation, rehabilitation, treatment and prevention of disorders of speech, articulation, fluency, voice, and language;
- B. screening, identification, assessment and interpretation, diagnosis, habilitation, and rehabilitation of disorders of oral, pharyngeal function and related disorders;
- C. screening, identification, assessment and interpretation, diagnosis, habilitation, and rehabilitation of communication disorders associated with cognition;
- D. assessing, selecting, and developing augmentative and alternative communication systems and providing training in their use;
- E. aural habilitation and rehabilitation and related counseling for hearing impaired individuals and their families;

**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.

## Proposed Rules

---

---

F. enhancing speech-language proficiency and communication effectiveness:

G. audiometric screening for the purposes of speech-language evaluation or for the identification of possible hearing disorders:

or

H. teaching of, consultation or research about, or supervision of the functions in items A to G.

Subp. 18. **Supervisee.** "Supervisee" means an individual who, under the direction or evaluation of a supervisor, is:

A. engaging in the supervised practice of speech-language pathology or audiology;

B. performing a function of supervised clinical training as a student of speech-language pathology or audiology; or

C. performing a function of supervised postgraduate clinical experience in speech-language pathology or audiology.

Subp. 19. **Supervision.** "Supervision" means the direct or indirect evaluation or direction of:

A. a practitioner of speech-language pathology or audiology;

B. a person performing a function of supervised clinical training as a student of speech-language pathology or audiology; or

C. a person performing a function of supervised postgraduate clinical experience in speech-language pathology or audiology.

Subp. 20. **Supervisor.** "Supervisor" means a person who has the authority to direct or evaluate a supervisee and who is:

A. a registered speech-language pathologist or audiologist; or

B. when the commissioner determines that supervision by a registered speech-language pathologist or audiologist as required in item A is unobtainable, and in other situations considered appropriate by the commissioner, a person practicing speech-language pathology or audiology who holds a current certificate of clinical competence from the American Speech-Language-Hearing Association.

### 4750.0030 PROTECTED TITLES AND RESTRICTIONS ON USE.

Subpart 1. **Protected titles.** A person shall not use a title relating to speech-language pathology or audiology, except as provided in items A to D.

A. Use of the following titles, in combination with any word or words, by any person is prohibited unless that person is registered under parts 4750.0010 to 4750.0700:

(1) speech-language pathologist;

(2) speech pathologist;

(3) language pathologist; or

(4) audiologist.

B. Use of the term "Minnesota registered" in conjunction with the titles protected under this part by any person is prohibited unless that person is registered under parts 4750.0010 to 4750.0700.

C. Use of the term "speech-language" in conjunction with any word or words, or use of the terms "speech" or "language" in conjunction with the term "pathologist" and any other word or words by a person to form an occupational title is prohibited unless that person is registered under parts 4750.0010 to 4750.0700.

Subp. 2. **Restrictions on use of protected titles.** Notwithstanding subpart 1, items A to C, no person is prevented or restricted from using their official employment title if employed by the federal government; however, use of the official title under those circumstances, is allowed only in connection with performance of official duties for the federal government.

### 4750.0040 GENERAL REGISTRATION REQUIREMENTS; PROCEDURES AND QUALIFICATIONS.

Subpart 1. **General registration procedures.** An applicant for registration must:

A. submit an application as required in part 4750.0200, subpart 1; and

B. submit all fees required under part 4750.0500.

Subp. 2. **General registration qualifications.** An applicant for registration must possess the qualifications required in one of the following items:

A. A person who applies for registration before January 1, 1993, must meet the requirements in part 4750.0050.

B. A person who applies for registration on or after January 1, 1993, must meet the requirements in part 4750.0060.

C. A person who applies for registration and who has a current certificate of clinical competence issued by the American Speech-Language-Hearing Association must meet the requirements of part 4750.0070.

D. A person who applies for registration by reciprocity must meet the requirements in part 4750.0080.

**4750.0050 QUALIFICATIONS FOR REGISTRATION BEFORE JANUARY 1, 1993.**

Subpart 1. **Applicability.** Except as provided under parts 4750.0070, 4750.0080, and 4750.0100, an applicant who applies for registration before January 1, 1993, must meet the requirements in this part.

Subp. 2. **Master's degree or equivalent required.** An applicant must possess a master's degree or its equivalent, as approved by the commissioner, in speech-language pathology or audiology from an accredited educational institution offering speech-language pathology or audiology training.

A. Until January 1, 1993, an applicant may qualify as holding an equivalent to a master's degree if the applicant holds a bachelor's degree from a regionally accredited educational institution and provides evidence of at least 42 postbaccalaureate semester credits or 63 quarter credits or their equivalent in courses that are acceptable toward a graduate degree by the educational institution in which they are taken. Thirty semester credits or 45 quarter credits or their equivalent must be in the areas of speech-language pathology, audiology, or speech-language and hearing science. At least 21 of the 42 semester credits or 31 of the 63 quarter credits or their equivalent must be obtained from a single educational institution. None of the applicable credits may have been completed earlier than ten years before the date of application. No more than six semester credits or nine quarter credits or their equivalent may be credit received for clinical training. An applicant seeking to obtain registration by establishing an equivalent to a master's degree must submit an application to the commissioner before January 1, 1993.

B. The master's degree training must meet the following criteria:

(1) A minimum of 90 quarter credits or 60 semester credits or their equivalent must deal with normal aspects of human communication, development and disorders of communication, and clinical techniques for evaluation and management of such disorders.

(2) Eighteen of the 90 quarter credits or 12 of the 60 semester credits or their equivalent must be obtained in courses that pertain to normal development and use of speech, language, and hearing. The applicant must show evidence of obtaining at least three quarter credits or two semester credits in each of the following areas:

(a) the anatomic/physiologic bases for normal development and use of speech, language, and hearing;

(b) physical bases and processes of the production and perception of speech, language, and hearing; and

(c) linguistic and psycholinguistic variables related to normal development and use of speech, language, and hearing.

(3) Forty-five of the 90 quarter credits or 30 of the 60 semester credits or their equivalent must be in courses that provide information relative to communication disorders and information about and training in evaluation and management of speech, language, and hearing disorders. A minimum of 45 of the 90 quarter credits or 30 of the 60 semester credits or their equivalent must be at the graduate level. Thirty-one and one-half of the 45 quarter credits or 21 of the 30 semester credits or their equivalent taken at the graduate level must be within the 36 quarter credits or the 24 semester credits or their equivalent required in the area for which registration is sought as described in paragraphs (a) and (b).

(a) Applicants seeking registration as speech-language pathologists must complete 36 quarter credits or 24 semester credits or their equivalent in courses pertaining to speech and language disorders and nine quarter credits or six semester credits or their equivalent in courses in the area of audiology.

(i) The 36 quarter credits or 24 semester credits or their equivalent in speech and language disorders must include at least nine quarter credits or six semester credits or their equivalent in speech disorders and nine quarter credits or six semester credits or their equivalent in language disorders.

(ii) The nine quarter credits or six semester credits or their equivalent in the area of audiology must include at least 4.5 quarter credits or three semester credits or their equivalent in auditory pathology and 4.5 quarter credits or three semester credits or their equivalent in habilitation and rehabilitation.

(iii) No more than nine quarter credits or six semester credits or their equivalent may be in courses that provide credit for clinical training obtained during academic training.

(b) Applicants seeking registration as audiologists must complete 36 quarter credits or 24 semester credits or their equivalent of coursework in audiology and nine quarter credits or six semester credits or their equivalent in the area of speech-language pathology.

(i) The 36 quarter credits or 24 semester credits or their equivalent in audiology must include at least nine quarter

**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.

## Proposed Rules

---

---

credits or six semester credits or their equivalent in auditory pathology and nine quarter credits or six semester credits or their equivalent in habilitation and rehabilitation.

(ii) The nine quarter credits or six semester credits or their equivalent in speech-language pathology must include at least 4.5 quarter credits or three semester credits or their equivalent in speech disorders and at least 4.5 quarter credits or three semester credits or their equivalent in language disorders.

(iii) No more than nine quarter credits or six semester credits or their equivalent may be in courses that provide credit for clinical training obtained during academic training.

(c) Applicants seeking registration as both a speech-language pathologist and an audiologist must complete a minimum of 22.5 quarter credits or 15 semester credits or their equivalent at the graduate level in each area of speech-language pathology and audiology.

Subp. 3. **Supervised clinical training required.** An applicant must complete no fewer than 300 hours of supervised clinical training as a student in an accredited educational institution in speech-language pathology or audiology, according to items A to C.

A. Supervision in the student's clinical training must include evaluation and management of persons with disorders of hearing, language, and speech. At least half of the hours must be obtained during graduate study. All of the hours must be obtained within an accredited educational institution or in one of its cooperating programs. A minimum of 50 hours must be spent in at least two separate clinical settings. The first 25 hours of the clinical training must be supervised by the educational institution's professional staff. A minimum of one-half of each evaluation session must be supervised. The applicant's clinical training must include work with individuals, groups, children, and adults.

B. An applicant for registration as a speech-language pathologist shall complete:

(1) a minimum of 200 hours in speech-language pathology as follows:

- (a) 50 hours in evaluation of speech and language problems;
- (b) 75 hours in treatment of language disorders;
- (c) 25 hours in treatment of voice disorders;
- (d) 25 hours in treatment of articulation; and
- (e) 25 hours in treatment of fluency disorders; and

(2) a minimum of 35 hours in audiology as follows:

- (a) 15 hours in assessment or treatment of speech or language problems associated with hearing impairment. Additional hours may be counted toward minimum hours with language and speech disorders;
- (b) 15 hours in assessment of auditory disorders; and
- (c) five hours in audiology within the applicant's discretion.

C. An applicant for registration as an audiologist shall complete:

(1) a minimum of 200 hours in audiology as follows:

- (a) 50 hours in identification and evaluation of hearing impairment;
- (b) 50 hours in habilitation or rehabilitation of the hearing impaired; and
- (c) 100 hours in audiology within the applicant's discretion; and

(2) a minimum of 35 hours in speech-language pathology in evaluation and treatment of speech and language problems not related to hearing impairment.

Subp. 4. **Supervised postgraduate clinical experience required.** An applicant must complete no less than nine months or its equivalent of full-time supervised postgraduate clinical experience according to this part.

A. Supervision in the postgraduate clinical experience includes both on-site observation and other monitoring activities. On-site observation must involve the supervisor, the supervisee, and the client receiving speech-language pathology or audiology services. On-site observation must include direct observation by the supervisor of treatment given by the supervisee. Other monitoring activities may be executed by correspondence and include, but are not limited to, conferences with the supervisee, evaluation of written reports, and evaluations by professional colleagues. Other monitoring activities do not include the client receiving speech-language pathology or audiology services but must involve direct or indirect evaluative contact by the supervisor of the supervisee.

B. The applicant must, as part of the postgraduate clinical experience, be supervised by an individual who meets the definition of part 4750.0020, subpart 20.

(1) When registration as a speech-language pathologist is sought, the supervisor must be a registered speech-language

pathologist or hold a current certificate of clinical competence in speech-language pathology from the American Speech-Language-Hearing Association.

(2) When registration as an audiologist is sought, the supervisor must be a registered audiologist or hold a current certificate of clinical competence in audiology from the American Speech-Language-Hearing Association.

C. The applicant may not begin the postgraduate clinical experience until the applicant has completed the academic coursework and clinical training in subparts 2 and 3.

D. To be considered full time, at least 30 hours per week must be spent over a nine-month period in clinical work. Equivalent time periods may include part-time professional employment as follows:

- (1) 12 months of at least 25 hours per week;
- (2) 15 months of at least 20 hours per week; or
- (3) 18 months of at least 15 hours per week.

E. The applicant's postgraduate clinical experience must include direct clinical experience with patients, consultations, report writing, record keeping, or other duties relevant to clinical work. A minimum of 80 percent of the clinical experience must be in direct contact with persons who have communication handicaps. If the applicant uses part-time employment to fulfill the postgraduate clinical experience requirement, all of the minimum required hours of the part-time work week requirement must be spent in direct professional experience.

F. The applicant must complete the postgraduate clinical experience within a maximum of 36 consecutive months and must be supervised in no less than 36 activities, including 18 one-hour on-site observations. A maximum of six hours can be accrued in one day. A minimum of six one-hour on-site observations must be accrued during each one-third of the experience.

G. The applicant must complete 18 other monitored activities and complete at least one monitored activity each month of the postgraduate clinical experience. Alternatives to on-site observation and monitoring activities include activities supervised by correspondence, evaluation of written reports, and evaluation by professional colleagues.

Subp. 5. **Qualifying examination score required.** An applicant must achieve a qualifying score on the National Examination in Speech-Language Pathology or Audiology (NESPA), administered by NTE Programs, Educational Testing Service.

A. The commissioner shall determine the qualifying scores for both the speech-language pathology and audiology examinations based on guidelines provided by the advisory council or the American Speech-Language-Hearing Association.

B. The applicant is responsible for:

- (1) making arrangements to take the examination described in this item;
- (2) bearing all expenses associated with taking the examination;
- (3) having the examination scores sent directly to the commissioner from the educational testing service; and
- (4) including a copy of the scores along with the original registration application.

C. The applicant must receive a qualifying score on the examination within three years after the applicant applies for registration under part 4750.0200. If the applicant does not receive a qualifying score on the examination within three years after the applicant applies for registration, the applicant may apply to the commissioner in writing for consideration to submit a new application for registration under part 4750.0200.

#### **4750.0060 QUALIFICATIONS FOR REGISTRATION ON OR AFTER JANUARY 1, 1993.**

Subpart 1. **Applicability.** Except as provided in parts 4750.0070, 4750.0080, and 4750.0100, an applicant who applies for registration on or after January 1, 1993, must meet the requirements in this part.

Subp. 2. **Master's or doctoral degree required.** An applicant must possess a master's or doctoral degree that meets the requirements of this part.

A. If an applicant's registration application is postmarked on or after January 1, 1994, all of the applicant's graduate coursework and clinical practicum required in the professional area for which registration is sought must have been initiated and completed at an institution whose program was accredited by the educational standards board of the American Speech-Language-Hearing Association in the area for which registration is sought.

**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.

## Proposed Rules

---

---

B. The master's degree training must include a minimum of 112.5 quarter credits or 75 semester credits or their equivalent of academic coursework that includes basic science coursework and professional coursework.

C. Applicants for registration in either speech-language pathology or audiology must complete 40.5 quarter credits of the 112.5 quarter credits or 27 of the 75 semester credits or their equivalent in basic science coursework, distributed as follows:

- (1) nine quarter credits or six semester credits or their equivalent must be in biological or physical sciences and mathematics;
- (2) nine quarter credits or six semester credits or their equivalent must be in behavioral or social sciences, including normal aspects of human behavior and communication;
- (3) 22.5 quarter credits or 15 semester credits or their equivalent must be in basic human communication processes and must include coursework in each of the following three areas of speech, language, and hearing:
  - (a) the anatomic and physiologic bases;
  - (b) the physical and psychophysical bases; and
  - (c) the linguistic and psycholinguistic aspects.

D. All applicants for registration must complete 54 quarter credits of the 112.5 quarter credits or 36 semester credits of the 75 semester credits or their equivalent in professional coursework. The coursework must include the nature, prevention, evaluation, and treatment of speech, language, and hearing disorders. The coursework must encompass courses in speech, language, and hearing that concern disorders primarily affecting children as well as disorders primarily affecting adults. A minimum of 45 of the 54 quarter credits or 30 of the 36 semester credits or their equivalent must be courses for which graduate credit was received. A minimum of 31.5 of the 45 quarter credits or 21 of the 30 semester credits must be in the professional area for which registration is sought.

E. Applicants seeking registration as speech-language pathologists must complete the following professional coursework:

- (1) 45 quarter credits of the 54 quarter credits of the professional coursework or 30 semester credits of the 36 semester credits of the professional coursework or their equivalent must be in courses pertaining to speech-language pathology and nine quarter credits of the 54 quarter credits or six semester credits of the 36 semester credits or their equivalent in courses in the area of audiology.
- (2) The 45 quarter credits or 30 semester credits or their equivalent pertaining to speech-language pathology must include at least nine quarter credits or six semester credits or their equivalent in speech disorders and nine quarter credits or six semester credits or their equivalent in language disorders. The nine quarter credits or six semester credits or their equivalent in the area of audiology must include at least 4.5 quarter credits or three semester credits or their equivalent in hearing disorders and hearing evaluation and 4.5 quarter credits or three semester credits or their equivalent in habilitative and rehabilitative procedures.

F. Applicants seeking registration as an audiologist must complete professional coursework as follows:

- (1) 45 quarter credits of the 54 quarter credits or 30 semester credits of the 36 semester credits or their equivalent of coursework must be in audiology. At least nine quarter credits of the 45 quarter credits or six semester credits of the 30 semester credits in audiology must be in hearing disorders, and hearing evaluation and at least nine quarter credits or six semester credits or their equivalent must be in habilitative or rehabilitative procedures with individuals who have hearing impairment; and
- (2) nine quarter credits of the 54 quarter credits or six semester credits of the 36 semester credits or their equivalent in the area of speech-language pathology. At least 4.5 quarter credits of the nine quarter credits or three semester credits of the six semester credits must be in speech disorders and at least 4.5 quarter credits of the nine quarter credits or three semester credits of the six semester credits must be in language disorders. This coursework in speech-language pathology must concern the nature, prevention, evaluation, and treatment of speech and language disorders not associated with hearing impairment.

G. Of the professional coursework required in items E and F, no more than nine quarter credits or six semester credits or their equivalent associated with clinical training may be counted toward the minimum of 54 quarter credits or 36 semester credits or their equivalent of professional coursework. However, those hours may not be used to satisfy the minimum of nine quarter credits or six semester credit hours in hearing disorders or evaluation, nine quarter credits or six semester credits in habilitative or rehabilitative procedures, or nine quarter credits or six semester credits in speech-language pathology.

**Subp. 3. Supervised clinical training required.** An applicant must complete at least 375 hours of supervised clinical training as a student that meets the requirements of this part.

A. The supervised clinical training must be provided by the educational institution or by one of its cooperating programs.

B. The first 25 hours of the supervised clinical training must be spent in clinical observation. Those 25 hours must concern the evaluation and treatment of children and adults with disorders of speech, language, or hearing.

C. All applicants must complete at least 350 hours of supervised clinical training that concern the evaluation and treatment of children and adults with disorders of speech, language, and hearing. At least 250 of the 350 hours must be at the graduate level in the area in which registration is sought. At least 50 hours must be spent in each of three types of clinical settings including, but not limited to, university clinics, hospitals, private clinics, and schools, including secondary and elementary.

D. An applicant seeking registration as a speech-language pathologist must complete clinical training as required in this item.

- (1) The applicant must obtain 250 of the 350 supervised hours in speech-language pathology.
- (2) The applicant must complete a minimum of 20 hours of the 250 hours in each of the following eight categories:
  - (a) evaluation: speech disorders in children;
  - (b) evaluation: speech disorders in adults;
  - (c) evaluation: language disorders in children;
  - (d) evaluation: language disorders in adults;
  - (e) treatment: speech disorders in children;
  - (f) treatment: speech disorders in adults;
  - (g) treatment: language disorders in children; and
  - (h) treatment: language disorders in adults.
- (3) The applicant must complete a minimum of 35 hours in audiology including:
  - (a) 15 hours in the evaluation or screening of individuals with hearing disorders; and
  - (b) 15 hours in habilitation or rehabilitation of individuals with hearing impairment.
- (4) The applicant must obtain no more than 20 hours in the major professional area that are in related disorders.

E. An applicant seeking registration as an audiologist must complete clinical training as required in this item.

- (1) The applicant must obtain 250 of the 350 hours in audiology.
- (2) The applicant must complete a minimum of 40 hours in each of the following four categories:
  - (a) evaluation: hearing in children;
  - (b) evaluation: hearing in adults;
  - (c) selection and use: amplification and assistive devices for children; and
  - (d) selection and use: amplification and assistive devices for adults.
- (3) The applicant must complete a minimum of 20 hours in the category of the treatment of hearing disorders in children and adults.
- (4) The applicant must complete a minimum of 35 hours of the 350 hours in speech-language pathology unrelated to hearing impairment as follows:
  - (a) 15 hours in evaluation or screening; and
  - (b) 15 hours in treatment.
- (5) The applicant must obtain no more than 20 hours in the major professional area that are in related disorders.

Subp. 4. **Supervised postgraduate clinical experience required.** An applicant must complete at least nine months or its equivalent of full-time supervised postgraduate clinical experience that meets the requirements in part 4750.0050, subpart 4.

Subp. 5. **Qualifying examination score required.** An applicant must achieve a qualifying score on the National Examination in Speech-Language Pathology or Audiology (NESPA), administered by NTE Programs, Educational Testing Service, as required in part 4750.0050, subpart 5.

#### **4750.0070 REGISTRATION BY EQUIVALENCY.**

The commissioner may register an applicant who shows evidence of possessing a current certificate of clinical competence issued by the American Speech-Language-Hearing Association, and who otherwise meets the requirements of part 4750.0040.

#### **4750.0080 REGISTRATION BY RECIPROCITY.**

Subpart 1. **Applicability.** An applicant may be registered as a speech-language pathologist or audiologist by reciprocity, according to subparts 2 and 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.

## Proposed Rules

---

---

Subp. 2. **Current credentials required.** When the commissioner determines that an applicant holds a current and unrestricted credential for the practice of speech-language pathology or audiology in another jurisdiction that has requirements equivalent to or higher than those in effect for determining whether an applicant in this state is qualified to be registered as a speech-language pathologist or audiologist, the commissioner may register the applicant without the applicant meeting the requirements of part 4750.0050 or 4750.0060, if the applicant otherwise meets all other requirements of parts 4750.0010 to 4750.0700.

Subp. 3. **Verification of credentials required.** An applicant for registration by reciprocity under subpart 2, must have the appropriate government body in each jurisdiction in which the applicant holds a credential submit letters of verification to the commissioner. Each letter must state the applicant's name, date of birth, credential number, date of issuance, a statement regarding disciplinary actions, if any, taken against the applicant, and the terms under which the credential was issued.

### **4750.0090 REGISTRATION FOLLOWING LAPSE OF REGISTERED STATUS.**

Subpart 1. **Lapse of three years or less.** For an applicant whose registered status has lapsed for three years or less, the applicant must:

A. apply for registration renewal according to part 4750.0300 and document compliance with the continuing education requirements of part 4750.0400 since the applicant's registration lapsed; or

B. fulfill the requirements of part 4750.0080.

Subp. 2. **Lapse of more than three years.** For an applicant whose registered status has lapsed for more than three years, the applicant must:

A. fulfill the requirements for registration in part 4750.0050, subparts 4 and 5, or 4750.0060, subparts 4 and 5, whichever is applicable. A qualifying score on the examination described in part 4750.0050, subpart 5, or 4750.0060, subpart 5, whichever is applicable, must be obtained within one year of the application date for registration renewal; or

B. fulfill the requirements of part 4750.0080.

### **4750.0100 TEMPORARY REGISTRATION REQUIREMENTS.**

Subpart 1. **Temporary registration requirements.** An applicant for registration need not comply with the requirements of part 4750.0050 or 4750.0060 for two years after the effective date of parts 4750.0010 to 4750.0700 if, at the time of application, the applicant provides the commissioner with evidence that the applicant has:

A. a master's degree or an equivalent to a master's degree as described in part 4750.0050, subpart 2, in speech-language pathology, audiology, communication disorders, or their equivalent as determined by the commissioner; or

B. a current or expired certificate of clinical competence issued by the American Speech-Language-Hearing Association; and

C. engaged in active practice of speech-language pathology or audiology immediately preceding the effective dates of parts 4750.0010 to 4750.0700. Active practice includes the practice of speech-language pathology or audiology as defined in part 4750.0020, subparts 7 and 17, for a minimum of 750 hours a year for three of the last five years. Active practice may include the required postgraduate clinical experience described in part 4750.0050, subpart 4, or 4750.0060, subpart 4, or experience equivalent to the postgraduate clinical experience described. However, clinical experience gained as a student or as described in part 4750.0050, subpart 3, or 4750.0060, subpart 3, shall not count toward active practice.

Subp. 2. **Permanent registration requirement.** After the time for temporary registration has expired, an applicant for initial registration must meet the requirements of part 4750.0050, 4750.0060, 4750.0070, or 4750.0080.

Subp. 3. **Notification of applicants.** The commissioner shall notify applicants for registration of the effective date of parts 4750.0010 to 4750.0700 and the date on which registration by meeting the requirements of part 4750.0050, 4750.0060, 4750.0070, or 4750.0080 is required.

### **4750.0200 REGISTRATION PROCEDURES.**

Subpart 1. **Applications for registration.** An applicant for registration must:

A. Submit a completed application for registration on forms provided by the commissioner. The application must include the applicant's name, permit number under chapter 4692, if applicable, business address and phone number, or home address and phone number if the applicant practices speech-language pathology or audiology out of the home, and a description of the applicant's education, training, and experience, including previous work history for the five years immediately preceding the date of application. The commissioner may ask the applicant to provide additional information necessary to clarify information submitted in the application.

B. Submit a transcript showing the completion of a master's degree or its equivalent meeting the requirements of part 4750.0050, subpart 2, or 4750.0060, subpart 2.

C. Submit documentation of the required hours of supervised clinical training meeting the requirements of part 4750.0050, subpart 3, or 4750.0060, subpart 3.



D. Submit documentation of the postgraduate clinical experience meeting the requirements of part 4750.0050, subpart 4, or 4750.0060, subpart 4.

E. Submit documentation of receiving a qualifying score on an examination meeting the requirements of part 4750.0050, subpart 5, or 4750.0060, subpart 5.

F. Sign a statement that the information in the application is true and correct to the best of the applicant's knowledge and belief.

G. Submit with the application all fees required by part 4750.0500.

H. Sign a waiver authorizing the commissioner to obtain access to the applicant's records in this or any other state in which the applicant has engaged in the practice of speech-language pathology or audiology.

Subp. 2. **Action on applications for registration.** The commissioner shall act on an application for registration according to items A to C.

A. The commissioner shall determine if the applicant meets the requirements for registration. The commissioner or advisory council may investigate information provided by an applicant to determine whether the information is accurate and complete.

B. The commissioner shall notify an applicant of action taken on the application and of the grounds for denying registration if registration is denied.

C. An applicant denied registration may make a written request to the commissioner, within 30 days of the commissioner's determination, to appear before the advisory council and for the advisory council to review the commissioner's decision to deny the applicant's registration. After reviewing the denial, the advisory council shall make a recommendation to the commissioner as to whether the denial should be affirmed. An applicant is allowed no more than one request for a review of denial of registration in any one registration renewal period.

#### **4750.0300 REGISTRATION RENEWAL.**

Subpart 1. **Renewal requirements.** To renew registration, an applicant must:

A. annually complete a renewal application on a form provided by the commissioner and submit the annual renewal fee;

B. meet the continuing education requirements of part 4750.0400 and submit evidence of attending continuing education courses, as required in part 4750.0400, subpart 6; and

C. submit additional information if requested by the commissioner to clarify information presented in the renewal application. The information must be submitted within 30 days after the commissioner's request.

Subp. 2. **Late fee.** An application submitted after the renewal deadline date must be accompanied by a late fee as provided in part 4750.0500, subpart 4.

Subp. 3. **Registration renewal notice.** Registration renewal is on an annual basis. At least 30 days before the registration renewal date in subpart 4, the commissioner shall send out a renewal notice to the registrant's last known address. The notice shall include a renewal application and notice of fees required for renewal. If the registrant does not receive the renewal notice, the registrant is still required to meet the deadline for renewal to qualify for continuous registered status.

Subp. 4. **Renewal deadline.** The renewal application and fee must be postmarked on or before the date registration must be renewed according to items A to E. Registration must be renewed according to the following schedule:

A. for registrants whose last name begins with the letters A to E, February 1;

B. for registrants whose last name begins with the letters F to L, April 1;

C. for registrants whose last name begins with the letters M to P, June 1;

D. for registrants whose last name begins with the letters Q to U, August 1; and

E. for registrants whose last name begins with the letters V to Z, October 1.

#### **4750.0400 CONTINUING EDUCATION REQUIREMENTS.**

Subpart 1. **Number of contact hours required.** An applicant for registration renewal must meet the requirements for continuing education according to this subpart.

A. Except as provided in item B, an applicant for registration renewal must provide evidence to the commissioner of a minimum

**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.

## Proposed Rules

---

---

of 30 contact hours of continuing education offered by an approved continuing education sponsor within the two years immediately preceding registration renewal. A minimum of 20 contact hours of continuing education must be directly related to the registrant's area of registration. Ten contact hours of continuing education may be in areas generally related to the registrant's area of registration.

B. If an applicant for registration renewal is registered as a speech-language pathologist and as an audiologist, the applicant must attest to and document completion of a minimum of 36 contact hours of continuing education offered by an approved continuing education sponsor within the two years immediately preceding registration renewal. A minimum of 15 contact hours must be received in the area of speech-language pathology and a minimum of 15 contact hours must be received in the area of audiology. Six contact hours of continuing education may be in areas generally related to the registrant's areas of registration.

C. Contact hours cannot be accumulated in advance and transferred to a future continuing education period.

**Subp. 2. Preapproved continuing education sponsors.** The commissioner will accept continuing education approved or sponsored by the Minnesota Department of Health, the Minnesota Speech-Language-Hearing Association, the American Speech-Language-Hearing Association, the American Academy of Audiology, the Academy of Rehabilitative Audiologists, the Acoustical Society of America, Twin Cities Clinical Speech-Language Pathologists, Minnesota Foundation for Acoustical Education and Research, or universities accredited by the American Speech-Language-Hearing Association.

**Subp. 3. Approval of continuing education sponsors.** Continuing education sponsors, unless preapproved under subpart 2, must be approved by the commissioner according to items A to D.

A. Applications for approval must be submitted to the commissioner at least 60 days before the date of the first continuing education activity. Applications must be made in writing by the person or officer of the organization sponsoring the program. On receiving the commissioner's approval, continuing education activities of the sponsor related to speech-language pathology or audiology are approved for two years following the date of the commissioner's approval. To obtain approval, continuing education sponsors must submit the information described in subitems (1) to (5) on an application provided by the commissioner:

(1) The continuing education sponsor must describe the content of courses to be offered. The course content must contribute directly to the professional competency of the speech-language pathologist or audiologist, must be beyond the basic educational program leading to a degree in speech-language pathology or audiology, and must include subject matter related to current developments in speech-language pathology and audiology.

(2) The continuing education sponsor must describe the method of instruction for each course offered. The continuing education sponsor must describe for each course offered the teaching methods to be used, such as lecture, seminar, audiovisual, or simulation.

(3) The continuing education sponsor must outline specific written objectives that describe expected outcomes for the participants.

(4) The continuing education sponsor must state the number of contact hours of continuing education which may be obtained by completing a specified course, which must be a minimum of one hour.

(5) The continuing education sponsor must provide a resume of each instructor's qualifications with the application for approval by the commissioner. Instructors must be qualified to teach the specified course content based on their prior education, training, or experience.

B. The continuing education sponsor must report to the commissioner, on a timely basis, any change in the course content or instructor.

C. Continuing education sponsors must maintain, for a minimum of three years, a record of attendance for each course offered.

D. The commissioner may withdraw the approval of any continuing education sponsor for failure to comply with this part.

**Subp. 4. Earning continuing education contact hours through contact hour equivalents.** A registrant who teaches continuing education courses may obtain contact hour equivalents according to items A to C.

A. The sponsor of the course must be approved by the commissioner.

B. A registrant may not obtain more than six contact hours in any two-year continuing education period by teaching continuing education courses.

C. A registrant may obtain two contact hours for each hour spent teaching a course if the course is sponsored by an approved continuing education sponsor. Contact hours may be claimed only once for teaching the same course in any two-year continuing education period.

**Subp. 5. Continuing education activities offered by a sponsor not approved by the commissioner.** A registrant may seek approval of a continuing education activity offered by a sponsor who is not approved by the commissioner. The registrant must seek approval according to items A and B.

A. The registrant's request for approval must be made in writing to the commissioner, on forms available from the commissioner. A request for approval before the continuing education activity is attended must be made a minimum of 45 days before the first day of the continuing education activity. A request for approval after the continuing education activity is attended must be made within 30 days of the last day of the continuing education activity and must include verification of attendance. A registrant not complying with this subpart will not receive approval for the continuing education activity.

B. A registrant denied approval of a continuing education activity may make a written request to the commissioner, within 30 days of the commissioner's decision, that the advisory council review the commissioner's decision to deny the registrant's request for approval of continuing education. After reviewing a denial, the advisory council shall submit its recommendation to the commissioner.

Subp. 6. **Evidence of attendance.** A registrant must maintain records of attending the continuing education contact hours required for registration renewal. An applicant for registration renewal must submit the following information on a form provided by the commissioner: the sponsoring organization, the dates of the course, the course name, the number of contact hours completed, and the name and signature of the registrant. The form must be submitted with the renewal application under part 4750.0300, subpart 1.

Subp. 7. **Verification of continuing education reports.** The commissioner may request a registrant to verify the continuing education to which the registrant attested. Documentation may come directly from the registrant or from a national accrediting or certifying organization which maintains the records.

#### **4750.0500 FEES.**

Subpart 1. **First time registrants and applicants for registration renewal.** The commissioner shall prorate the registration fee for first time registrants and applicants for registration renewal according to the number of months that have elapsed between the date registration is issued and the date registration must be renewed under part 4750.0300, subpart 4.

Subp. 2. **Annual registration fee.** The fee for initial registration and annual registration renewal is \$80.

Subp. 3. **Annual registration fee for dual registration as a speech-language pathologist and audiologist.** The fee for initial registration and annual registration renewal is \$80.

Subp. 4. **Penalty fee for late renewals.** The penalty fee for late submission of a renewal application is \$15.

Subp. 5. **Surcharge.** In addition to the other applicable fees, an applicant must pay a surcharge fee of \$21. The surcharge fee applies to all registrants during the first five years following the effective date of parts 4750.0010 to 4750.0700.

Subp. 6. **Nonrefundable fees.** All fees are nonrefundable.

#### **4750.0600 INVESTIGATION PROCESS AND GROUNDS FOR DISCIPLINARY ACTION.**

Subpart 1. **Investigations of complaints.** The commissioner or advisory council may initiate an investigation upon receiving a complaint or other oral or written communication that alleges or implies that an individual has violated parts 4750.0010 to 4750.0700. The investigation may proceed on an oral complaint but disciplinary action may proceed only on a signed complaint. According to *Minnesota Statutes*, section 214.13, subdivision 6, in the receipt, investigation, and hearing of a complaint that alleges or implies an individual has violated parts 4750.0010 to 4750.0700, the commissioner shall follow the procedures in *Minnesota Statutes*, section 214.10.

Subp. 2. **Rights of applicants and registrants.** The rights of an applicant denied registration are stated in part 4750.0200, subpart 2, item C. A registrant shall not be subjected to disciplinary action under this part without first having an opportunity for a contested case hearing under *Minnesota Statutes*, chapter 14.

Subp. 3. **Grounds for disciplinary action by commissioner.** The commissioner may take any of the disciplinary actions listed in subpart 4 on proof that the individual has:

- A. intentionally submitted false or misleading information to the commissioner or the advisory council;
- B. failed, within 30 days, to provide information in response to a written request by the commissioner or advisory council;
- C. performed services of a speech-language pathologist or audiologist in an incompetent or negligent manner;
- D. violated parts 4750.0010 to 4750.0700;
- E. failed to perform services with reasonable judgment, skill, or safety due to the use of alcohol or drugs, or other physical or mental impairment;

**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.

## Proposed Rules

---

---

F. been convicted within the last five years of violating any laws of the United States, or any state or territory of the United States, and the violation is a felony or misdemeanor, an essential element of which is dishonesty, or which relates to the practice of speech-language pathology or audiology, except as provided in *Minnesota Statutes*, chapter 364;

G. aided or abetted another person in violating any provision of parts 4750.0010 to 4750.0700;

H. been or is being disciplined by another jurisdiction, if any of the grounds for the discipline is the same or substantially equivalent to those in parts 4750.0010 to 4750.0700;

I. not cooperated with the commissioner or advisory council in an investigation conducted according to subpart 1;

J. advertised in a manner that is false or misleading;

K. engaged in conduct likely to deceive, defraud, or harm the public; or demonstrated a willful or careless disregard for the health, welfare, or safety of a client;

L. failed to disclose to the consumer any fee splitting or any promise to pay a portion of a fee to any other professional other than a fee for services rendered by the other professional to the client;

M. engaged in abusive or fraudulent billing practices, including violations of federal Medicare and Medicaid laws, Food and Drug Administration regulations, or state medical assistance laws;

N. obtained money, property, or services from a consumer through the use of undue influence, high pressure sales tactics, harassment, duress, deception, or fraud;

O. violated any state or federal law, rule or regulation which relates directly or indirectly to the practice of speech-language pathology or audiology;

P. performed services for a client who had no possibility of benefiting from the services;

Q. failed to refer a client for medical evaluation or to other health care professionals when appropriate or when a client indicated symptoms associated with diseases that could be medically or surgically treated; or

R. if the individual is a seller of hearing instruments as defined by *Minnesota Statutes*, section 153A.13, subdivision 5, had the permit required by *Minnesota Statutes*, chapter 153A, denied, suspended, or revoked according to chapter 4692.

Subp. 4. **Disciplinary actions.** If the commissioner finds that an individual should be disciplined according to subpart 3, the commissioner may take any one or more of the following actions:

A. refuse to grant or renew registration;

B. suspend registration for a period not exceeding one year;

C. revoke registration for a period not exceeding three years; or

D. take any reasonable lesser action against an individual upon proof that the individual has violated parts 4750.0010 to 4750.0700.

Subp. 5. **Consequences of disciplinary action.** Upon the suspension or revocation of registration, the speech-language pathologist or audiologist shall cease to use titles protected by parts 4750.0010 to 4750.0700 and shall cease to represent to the public that the speech-language pathologist or audiologist is registered by the commissioner.

Subp. 6. **Reinstatement requirements after disciplinary action.** A speech-language pathologist or audiologist who has had registration suspended or revoked may apply for reinstatement or registration renewal following the period of suspension or revocation specified by the commissioner. The requirements of part 4750.0300 for renewing registration must be met before registration may be reinstated or renewed.

### 4750.0700 SPEECH-LANGUAGE PATHOLOGIST AND AUDIOLOGIST ADVISORY COUNCIL.

Subpart 1. **Membership.** The commissioner shall appoint seven persons to a Speech-Language Pathologist and Audiologist Advisory Council.

A. The seven persons must include:

(1) Two public members, as defined in *Minnesota Statutes*, section 214.02. The public members shall be either persons receiving services of a speech-language pathologist or audiologist, or family members of or caregivers to such persons.

(2) Two speech-language pathologists registered under parts 4750.0010 to 4750.0700, one of whom is currently and has been, for the five years immediately preceding the appointment, engaged in the practice of speech-language pathology in Minnesota and each of whom is employed in a different employment setting including, but not limited to, private practice, hospitals, rehabilitation settings, educational settings, and government agencies.

(3) One speech-language pathologist registered under parts 4750.0010 to 4750.0700, who is currently and has been, for

the five years immediately preceding the appointment, employed by a Minnesota public school district or a Minnesota public school district consortium that is authorized by *Minnesota Statutes* and who is licensed in communication disorders by the Minnesota Board of Teaching.

(4) Two audiologists registered under parts 4750.0010 to 4750.0700, one of whom is currently and has been, for the five years immediately preceding the appointment, engaged in the practice of audiology in Minnesota and each of whom is employed in a different employment setting including, but not limited to, private practice, hospitals, rehabilitation settings, educational settings, industry, and government agencies.

Subp. 2. **Organization.** The advisory council shall be organized and administered under *Minnesota Statutes*, section 15.059.

Subp. 3. **Duties.** The advisory council shall:

- A. advise the commissioner regarding speech-language pathologist and audiologist registration standards;
- B. advise the commissioner on enforcement of parts 4750.0010 to 4750.0700;
- C. provide for distribution of information regarding speech-language pathologist and audiologist registration standards;
- D. review applications and make recommendations to the commissioner on granting or denying registration or registration renewal;
- E. review reports of investigations relating to individuals and make recommendations to the commissioner as to whether registration should be denied or disciplinary action taken against the individual;
- F. advise the commissioner regarding approval of continuing education sponsors using the criteria in part 4750.0400, subpart 3; and
- G. perform other duties authorized for advisory councils by *Minnesota Statutes*, chapter 214, or as directed by the commissioner.

## Department of Human Services

### Proposed Permanent Rules Relating to Implementation of the Consolidated Chemical Dependency Treatment Fund

#### Resubmission of Notice of Intent to Adopt a Rule without a Public Hearing

The Department of Human Services has resubmitted to the *State Register* the above-entitled rule amendments and notice of intent to adopt the amendments without a public hearing.

The proposed amendments and notice were originally published in the *State Register* on April 23, 1990 (14 S.R. 2483).

The resubmission does not affect the proposed amendments; they remain as they were originally published. The one difference made by the resubmission is that interested parties now have until 4:30 p.m. on June 7, 1990 (instead of May 23, 1990) to submit comments on the proposed amendments or requests for hearings.

Comments or written requests for a public hearing must be submitted to: Alice Weck, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816, telephone (612) 296-0626. Questions about the resubmission can also be directed to Ms. Weck at (612) 296-0626.

## Department of Human Services

### Proposed Permanent Rules Relating to State Financial Participation in County Welfare Administration Cost

#### Notice of Intent to Repeal a Rule without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the State Department of Human Services intends to repeal the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for repealing rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority for the adoption of the rule was *Minnesota Statutes*, section 256D.22. The authority for the repeal of the rule is *Laws of Minnesota*, chapter 719, article 8, section 33.

**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.

## Proposed Rules

---

---

All persons have 30 days or until 4:30 p.m. on June 6, 1990, in which to submit comment in support of or in opposition to the proposed rule repeal or any part or subpart of the rule repeal. Comment is encouraged. Each comment should identify the portion of the proposed rule repeal 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 repeal 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: Nancy Bishop, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816, or by calling (612) 296-7454.

The proposed rule repeal 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 repeal as noticed.

*Minnesota Rules*, parts 9580.0100 to 9580.0600 were authorized by *Minnesota Statutes*, section 256D.22 and had provided property tax relief as a result of state financial aid for certain welfare administrative costs. The adopted rule parts had also provided a method to calculate state reimbursement for county welfare administrative costs. Rule parts 9580.0100 to 9580.0600 affected county agencies.

The repeal of rule parts 9580.0100 to 9580.0600 is authorized by Laws of Minnesota 1988, chapter 719, article 8, section 33, which repealed *Minnesota Statutes*, section 256D.22.

The repeal of *Minnesota Statutes*, section 256D.22, was done in conjunction with the State takeover of certain Income Maintenance program costs. Legislative intent was that the county increase in administrative costs would be more than offset by the county reduction in responsibility for Income Maintenance program costs.

A free copy of the rule is available upon request from Nancy Bishop, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816, or by calling (612) 296-7454. A copy of the rule may also be viewed at any of the 87 county welfare or human services agencies in the State of Minnesota.

**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 upon request from Nancy Bishop, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-381, or by calling (612) 296-7454.

Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the 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 the written request to Nancy Bishop, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816, or by calling (612) 296-7454.

Ann Wynia  
Commissioner

### Rules as Proposed (all new material)

**REPEALER.** *Minnesota Rules*, parts 9580.0100, 9580.0200, 9580.0300, 9580.0400, 9580.0500, and 9580.0600 are repealed.

## Department of Human Services

### Proposed Permanent Rules Relating to County Assistance; Mentally Ill Persons Released from State Hospitals

#### Notice of Intent to Repeal a Rule without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the State Department of Human Services intends to repeal 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.

All persons have 30 days or until 4:30 p.m. on June 6, 1990, in which to submit comment in support of or in opposition to the repeal of the rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the 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 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: Nancy Bishop, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816 or by calling (612) 296-7454.

The rule may be modified if the modifications are supported by data and views submitted to the agency.

The Rule parts 9520.0300 to 9520.0320, proposed to be repealed, provided methods and procedures for county welfare boards to follow in their assistance to patients released from state hospitals for the mentally ill.

The rule also described the procedures of the release plan for patients with and without relatives. These procedures include: construction of sound release plans by the patient's hospital; financial assistance to discharged patients; collaboration between hospitals and county welfare boards to assist patients in finding suitable employment and shelter; and maintenance of records by county welfare boards.

This rule has no affect on counties or patients since it is obsolete.

Current provisions and duties related to county responsibilities for services to persons being discharged from regional treatment centers are included in *Minnesota Rules*, parts 9550.0010 to 9550.0092 (Rule 160), *Minnesota Rules*, parts 9525.0015 to 9525.0165 (Rule 185), the Comprehensive Adult Mental Health Act, *Minnesota Statutes*, sections 245.461 to 245.486, and the Comprehensive Children's Mental Health Act, *Minnesota Statutes*, sections 245.487 to 245.4887.

A free copy of the rule to be repealed is available upon request from Nancy Bishop, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816 or by calling 296-7454. A copy of the rule may also be viewed at any of the 87 county welfare or human services agencies in the State of Minnesota.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need and reasonableness of repeal of the rule and identifies the data and information relied upon to support the proposed rule repeal has been prepared and is available upon request from Nancy Bishop, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816 or by calling (612) 296-7454.

Repeal of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following repeal under the requirements of *Minnesota Statutes*, section 14.11.

If no hearing is required, upon adoption of the repeal of the rule, the rule and the required supporting documents will be submitted to the 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 repealed rule, must submit the written request to Sylvia L. Strobel, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816.

Ann Wynia  
Commissioner

### **Rules as Proposed (all new material)**

**REPEALER.** *Minnesota Rules*, parts 9520.0300, 9520.0310, and 9520.0320 are repealed.

## **Nursing Home Administration Licensure Board**

### **Proposed Permanent Rules Relating to Examination Scores**

#### **Notice of Intent to Adopt Rules without a Public Hearing**

**NOTICE IS HEREBY GIVEN** that the Minnesota Board of Examiners for Nursing Home Administrators (hereinafter "Board"), 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* §§ 14.22 to 14.28 (1988). The statutory authority to adopt the rules is *Minnesota Statutes* § 144A.24 (1988).

**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.

## Proposed Rules

---

---

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 Board will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1988).

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

Mr. Phillip C. Newberg  
Executive Director  
Suite 104  
2700 University Avenue West  
St. Paul, Minnesota 55114  
Telephone: (612) 642-0595

The rule relates to establishing a pass/fail scoring method which will provide for more equitable scoring on the national licensing examination. 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 Phillip C. Newberg upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the 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 the written request to Phillip C. Newberg.

Dated: 20 April 1990

Phillip C. Newberg  
Executive Director

### Rules as Proposed

#### 6400.0600 LICENSE REQUIREMENTS.

No initial license shall be issued to a person as a nursing home administrator unless the individual:

[For text of items A to E, see M.R.]

~~F. Has achieved a passing score of at least 75 percent, on all required examinations.~~ Has achieved a passing score of at least 75 percent on the state examination and has achieved, on the national examination, a passing score set by the board at a pass/fail level established in a manner that is generally accepted in the psychometric community as fair and reasonable. The passing score, on the national examination, shall be determined by the Modified Angoff Scale Score method.

[For text of items G and H, see M.R.]



## 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.

## Department of Agriculture

### Adopted Permanent Rules Relating to Buying and Storing of Grain

The rule proposed and published at *State Register*, Volume 14, Number 33, pages 1990-1991, February 12, 1990 (14 S.R. 1990) is adopted as proposed.

## Ethical Practices Board

### Adopted Permanent Rules Relating to Campaign Financing

The rules proposed and published at *State Register*, Volume 14, Number 24, pages 1374-1376, December 11, 1989 (14 S.R. 1374) are adopted as proposed.

## Department of Public Safety

### Driver and Vehicle Services Division

### Adopted Permanent Rules Relating to Driver Training Programs

The rules proposed and published at *State Register*, Volume 14, Number 28, pages 1755-1772, January 8, 1990 (14 S.R. 1755) are adopted with the following modifications:

#### Rules as Adopted

#### 7411.0100 DEFINITIONS.

Subp. 4. **Certificate.** "Certificate" refers to the written document issued by the commissioner to a private or parochial college, university, or high school that offers driver training to persons under 18 years of age as part of the normal program for that institution, ~~commercial driver education school or institute~~ indicating the department's approval of the school's ~~or institute's~~ courses in driver education training under *Minnesota Statutes*, section 171.04, clause (1), and parts 7411.0100 to 7411.0900.

Subp. 5. **Certified; certified program.** "Certified" and "certified program" refer to a private, ~~commercial driver education school or institute~~ that holds a currently valid certificate from the commissioner indicating the department's approval of the school's or institute's courses in driver education under *Minnesota Statutes*, section 171.04, clause (1) or parochial college, university, or high school that offers driver training as part of the normal program for that institution and that holds a current certificate from the commissioner indicating that it complies with department driver training requirements.

Subp. 9. **Commercial driver training school.** "Commercial driver training school" ~~has the meaning given it in *Minnesota Statutes*, section 171.33, subdivision 1.~~ means a business enterprise conducted by an individual, association, partnership, or corporation, that charges a fee to educate and train persons to drive motor vehicles or to prepare an applicant for a driver's license examination given by the state, and that is required to be licensed by the commissioner under *Minnesota Statutes*, sections 171.33 to 171.41.

**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

---

---

Subp. 12. **Driver training program; program.** "Driver training program" or "program" means:

A. a commercial driver training school ~~that is required to be licensed by the commissioner under Minnesota Statutes, sections 171.33 to 171.41;~~

B. a ~~private, commercial driver education school or institute that is required to be approved by the commissioner under Minnesota Statutes, section 171.04, clause (1)~~ certified program; or

### 7411.0510 STUDENT AND COURSE REQUIREMENTS; CLASS A, B, AND C VEHICLES.

Subp. 7. **Nonconcurrent classroom and laboratory instruction.** When a program conducts the classroom and laboratory phases of instruction during separate time periods for those wishing to obtain a class C license, the program may not provide laboratory instruction to a student until the student has ~~successfully~~ satisfactorily completed the required classroom instruction phase. ~~The time period between the two phases of instruction may not exceed six months.~~ When a student has ~~satisfactorily~~ satisfactorily completed the required classroom instruction phase, an authorized operator or instructor may complete a certificate of enrollment indicating when laboratory instruction will begin. The department accepts this certificate from the student at driver examination stations when the student is applying for an instruction permit. The program may not provide laboratory instruction to a student who has not obtained the instruction permit.

Subp. 11. **Outside practice.** A program or instructor shall encourage students to practice outside the school instruction course when permissible by law and considered appropriate by the instructor.

### 7411.0550 STUDENT AND COURSE REQUIREMENTS; MOTORCYCLES.

Subp. 5. **Laboratory curriculum.** A written laboratory curriculum guide must be available to and used by an instructor conducting laboratory instruction. The program shall submit the curriculum to the commissioner for approval. The commissioner shall approve the curriculum if it meets the requirements of this subpart. The program may not use the curriculum until the curriculum has been approved. The curriculum must include:

E. scanning techniques for recognizing ~~and responding to, and surmounting~~ obstacles;

H. ~~counterbalancing and decreasing radius turns~~ selecting a safe speed in cornering maneuvers;

### 7411.0700 PROGRAM REQUIREMENTS.

Subp. 8. **Authorized official; certificates.** A program shall designate an authorized official to perform the following duties:

A. The authorized official shall furnish the student:

(1) a certificate of course completion within 15 calendar days after a student ~~satisfactorily~~ satisfactorily completes instruction, including both the required course of classroom instruction and the required course of laboratory instruction; or

(2) a verification statement of completion of classroom instruction within 15 calendar days after the student ~~satisfactorily~~ satisfactorily completes the required course of classroom instruction and notifies the program that the student intends to complete laboratory instruction with another program.

B. The authorized official shall notify the department's driver and vehicle services division within a reasonable period of time of when a student who is 15 years of age fails to continue or ~~successfully~~ satisfactorily complete the required automobile driver training course, including laboratory instruction.

C. The authorized official shall issue:

(1) a certificate of enrollment within 15 calendar days after a student ~~satisfactorily~~ satisfactorily completes the classroom phase of the required motorcycle safety course and enrolls in the laboratory phase of the course, on a form provided by the department that must be presented to a driver's license examiner at the time of application for a motorcycle instruction permit or endorsement; or

(2) a certificate of course completion within 15 calendar days after a student ~~satisfactorily~~ satisfactorily completes both phases of the required motorcycle safety course, on a form provided by the department that must be presented to a driver's license examiner at the time of application for a motorcycle instruction permit or endorsement and that may be presented by the student, one time only, for renewing the motorcycle instruction permit.

D. Parts 7411.0100 to 7411.0800 do not require a program to issue a certificate to a student who has not paid the agreed-upon fees.

Subp. 11. **Certified programs; licensure and age conditions.** A certified program shall not employ a person as an instructor unless the person has satisfactorily fulfilled the licensure requirements of parts 8700.4901 and 8700.4902.

A certified program shall not offer a course in driver education to a student unless the student is at least 15 and not more than 18 years of age and the student is taking the course to qualify for a class C instruction permit or driver's license or unless the program is conducted by a college, university, or high school as part of the normal program for that institution.

Subp. 14. **Types of instruction.** A program shall offer a driver training student under 18 years of age ~~with complete the required~~ course of classroom instruction and complete the required course of laboratory instruction.

**7411.0800 LICENSING AND CERTIFICATION PROVISIONS.**

Subp. 8a. **Administrative review.** When the commissioner notifies a program or instructor of a revocation, suspension, or refusal to renew, the program or instructor may proceed under item A or B. A revocation, suspension, or refusal to renew is not effective until the time for requesting a review or hearing under items A and B has lapsed or, if a review or hearing is requested under items A and B, until completion of these proceedings.

B. The program or instructor may request a formal hearing with or without undergoing the review process in item A. The request must be in writing and must be received within 30 days after the program or instructor receives notice of the revocation, suspension, or refusal, or within ten days after the party receives notice of an adverse determination under item A, whichever period is longer. When a formal hearing is requested, the commissioner shall arrange a contested case hearing before an administrative law judge under *Minnesota Statutes*, chapter 14. After the hearing, the administrative law judge may recommend that the commissioner affirm, modify, or reverse the revocation, suspension, or refusal.

---

---

**Commissioners' Orders****Department of Natural Resources****Commissioner's Order No. 2369: Closing Certain Waters to the Taking of Certain Species of Fish; Superseding Commissioner's Order No. 2324**

**PURSUANT TO AUTHORITY** vested in me by *Minnesota Statutes* §§ 97A.045, 97C.395, 97C.401 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby close certain waters to the taking of certain species of fish.

Section 1. The letters "S", "T", and "R", as used in this order, mean the section, township, and range, respectively, in which the designated waters are generally located.

Sec. 2. The following waters or designated portions thereof are closed to the taking of all species of fish at all times:

**Aitkin County:**

Sandy Lake, within 300 feet below the Federal Dam, S. 25, T. 50, R. 24.

**Anoka and Ramsey Counties:**

Wilkinson Lake, including inlet and outlet channels, S. 4, 5, 9, T. 30, R. 22; S. 34, T. 31, R. 22.

**Cass County:**

Thunder Creek at the outlet of Thunder Lake, within 500 feet below the dam, S. 10, T. 140, R. 26.

**Cass and Itasca Counties:**

Winnibigoshish Lake, within 300 feet below the Federal Dam, S. 25, T. 146, R. 27.

**Dakota and Washington Counties:**

Mississippi River, within 150 feet below the Federal Dam at Hastings, S. 21, T. 115, R. 17.

**Douglas County:**

Christina Lake, S. 3-11, 17, 18, 1, 12, 13, T. 130, R. 41.

**Goodhue County:**

Mississippi River, within 150 feet below U.S. Lock and Dam No. 3 near Red Wing, S. 10, T. 113, R. 15: except that fishing from shore within 150 feet below the lock and dam and from boats that remain outside the 150 foot restricted zone is permitted.

**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.

## Commissioners' Orders

---

---

### **Hennepin County:**

Mississippi River, within 150 feet below the St. Anthony Falls dam at Minneapolis, S. 23, T. 29, R. 24.

### **Hennepin and Ramsey Counties:**

Mississippi River, within 150 feet below U.S. Lock and Dam No. 1 (Ford Dam), between Minneapolis and St. Paul, S. 17, T. 28, R. 23.

### **Houston County:**

Mississippi River, within 150 feet below U.S. Lock and Dam No. 8 near Reno, S. 7, T. 101, R. 3; except that fishing from shore within 150 feet below the lock and dam and from boats that remain outside the 150 foot restricted zone is permitted.

### **Itasca County:**

Mississippi River, within 300 feet below the Pokegama Reservoir Dam, S. 13, T. 55, R. 26.

Mississippi River, from 500 feet upstream to 300 feet downstream of the Blandin Dam, S. 21, T. 55, R. 25.

### **Itasca and Cass Counties:**

Winnibigoshish Lake. See Cass and Itasca Counties for area closed.

### **Otter Tail County:**

Stream between East and West Battle Lakes, S. 33, 34, T. 133, R. 39.

Area between West Battle and Clitherall Lakes, S. 2, 11, T. 132, R. 40.

Pelican River from bridge in Trunk Highway 59 to Lake Lizzie, S. 20, T. 137, R. 42.

### **Pine County:**

Kettle River, within 200 feet below the Sandstone Power Dam, both channels, S. 22, T. 42, R. 20. Stream in S. 26, T. 42, R. 16.

### **Ramsey County:**

Charles Lake, including inlet and outlet channels, S. 12, T. 30, R. 23.

Deep Lake, including inlet and outlet channels, S. 5, 6, 7, T. 30, R. 22.

Pleasant Lake, including inlet and outlet channels, S. 7, 8, 18, 19, T. 30, R. 22; S. 12, 13, T. 30, R. 23.

### **Ramsey and Anoka Counties:**

Wilkinson Lake, including inlet and outlet channels. See Anoka and Ramsey Counties.

### **Ramsey and Hennepin Counties:**

Mississippi River. See Hennepin and Ramsey Counties for area closed.

### **St. Louis County:**

French River, between Lake Superior and the new Highway 61, S. 17, T. 52, R. 12.

### **St. Louis and Carlton Counties:**

St. Louis River, from the Fond du Lac Dam downstream for one-half mile to the Minnesota-Wisconsin boundary cable, S. 6, T. 48, R. 15.

### **Wabasha County:**

Mississippi River, within 150 feet below U.S. Lock and Dam No. 4 near Kellogg, S. 17, T. 110, R. 9; except that fishing from shore within 150 feet below the lock and dam and from boats that remain outside the 150 foot restricted zone is permitted.

### **Washington and Dakota Counties:**

Mississippi River. See Dakota and Washington Counties for area closed.

### **Winona County:**

Mississippi River, within 150 feet below the following U.S. Locks and Dams: No. 5, S. 17, T. 108, R. 8; No. 5A, S. 9, T. 107, R. 7; No. 6, S. 8, T. 106, R. 5, near Winona; and No. 7, S. 28, T. 105, R. 4, near Dresbach; except that fishing from shore within 150 feet below these locks and dams and from boats that remain outside the 150 foot restricted zone is permitted.

Sec. 3. The following waters in the portions designated are closed to the taking of all species of fish during the periods specified:

### **Cook County:**

Sea Gull River, S. 19, 30, 31, T. 66, R. 4, and S. 25, 36, T. 66, R. 5, from Sea Gull Lake including Gull Lake to Saganaga Lake approximately 1/3 mile north of the narrows. Date closed—from April 1 through the last Friday in May.

**Sherburne County:**

Elk River, S. 33, T. 33, R. 26, for a distance of 1,000 feet below the power dam at the City of Elk River. Date closed—November 1 to February 15, inclusive.

**St. Louis and Carlton Counties:**

St. Louis River, S. 6, 7, T. 48, R. 15, from the State Highway 23 bridge upstream to the Minnesota-Wisconsin boundary cable crossing the river. Date closed—from the Saturday closest to May 1 through May 15.

Sec. 4. The following waters in the portions designated are closed to the taking of specific species of fish during the periods specified:

**St. Louis and Koochiching Counties:**

Black Bay of Rainy Lake, south of a line between Voyageur's National Park Visitor's Center on the west side of the bay and Perry Point on the east side, all of Rat Root Lake in Koochiching County, and that portion of the Rat Root River between Rat Root Lake and Black Bay. These areas are generally located in the following sections, townships, and ranges:

S. 2-5, 8-10, T. 69, R. 23.

S. 7, 18, 19, T. 70, R. 21.

S. 3-5, 7-19, 22-24, T. 70, R. 22.

S. 12-14, 23, 24, 26, 27, 33-35, T. 70, R. 23.

These areas are closed to the taking of walleye from April 1 through the last Friday in May.

Sec. 5. Commissioner's Order No. 2324 is hereby superseded.

Dated at Saint Paul, Minnesota, this 19 day of April, 1990.

Joseph N. Alexander, Commissioner  
Department of Natural Resources

---

---

**Official Notices**

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

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

---

**Minnesota Historical Society****Notice of State Review Board Regular Meeting**

A meeting of the State Review Board of the Minnesota Historical Society to consider nominations to the National Register of Historic Places will be held on May 24, 1990 in the Auditorium of the Fort Snelling History Center, Fort Snelling Minnesota. The Preservation Office staff will make an informational presentation on program activities at 5:30 p.m. The meeting will be called to order and consideration of the meeting's agenda will begin at 7:00 p.m. For further information contact the State Historic Preservation Office, Minnesota Historical Society, Fort Snelling History Center, St. Paul, MN 55111, (612) 726-1171.

**Higher Education Facilities Authority****Notice of Public Hearing on Proposal to Issue Revenue Bonds on Behalf of the Concordia College Corporation**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds on behalf of The Concordia College Corporation, a Minnesota non-profit corporation, as owner and operator of Concordia College, a Minnesota nonprofit institution of higher education (the "College"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on May 23, 1990 at 2 o'clock p.m.

## Official Notices

---

Under the proposal, the Authority would issue its revenue bonds in an aggregate principal amount of up to approximately \$4,000,000, to provide financing for a Project generally described as (i) improving the Field House, a student athletic and recreational facility; (ii) constructing a campus pedestrian mall with a bell tower, adjacent parking and site improvements in the area of the visitors' entrance; (iii) remodeling, furnishing and equipping the Library in order to convert the third and fourth floor space from office and classroom use to additional library collection space; (iv) improving the campus electrical system; (v) the acquisition and installation of a central air conditioning system for a portion of the campus and replacement of certain existing air conditioning facilities in the Library; (vi) the demolition and conversion to parking facilities of four existing tennis courts and acquisition, construction, furnishing and equipping of six new tennis courts; and (vii) the acquisition, construction, furnishing and equipping of a new athletic facility housing a two hundred meter track, four basketball and volleyball courts and additional recreational facilities; all including appurtenant site improvements and all to be operated by the College and located on the campus of the College, the street address of which is Concordia College, 901 South Eighth Street, Moorhead, Minnesota 56560. At said time and place the Authority shall give all parties who appear an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 7 May 1990

BY ORDER OF THE MINNESOTA HIGHER  
EDUCATION FACILITIES AUTHORITY

Joseph E. LaBelle  
Executive Director

## Higher Education Facilities Authority

### Notice of Public Hearing on Proposal to Issue Revenue Bonds on Behalf of Augsburg College

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds on behalf of Augsburg College, a Minnesota non-profit corporation and institution of higher education (the "College"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on May 23, 1990 at 2 o'clock p.m. Under the proposal, the Authority would issue its revenue bonds in an aggregate principal amount of up to approximately \$900,000, to provide financing for a Project generally described as acquisition and installation of a new campus telecommunications system, including wiring upgrade, and a new administrative computer system equipment and software, to be owned and operated by the College and located on the campus of the College, the street address of which is Augsburg College, 731 21st Avenue South, Minneapolis, Minnesota 55454. At said time and place the Authority shall give all parties who appear an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 7 May 1990

BY ORDER OF THE MINNESOTA HIGHER  
EDUCATION FACILITIES AUTHORITY

Joseph E. LaBelle  
Executive Director

## Higher Education Facilities Authority

### Notice of Public Hearing on Proposal to Issue Revenue Bonds on Behalf of Gustavus Adolphus College

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds on behalf of Gustavus Adolphus College, a Minnesota non-profit corporation and institution of higher education (the "College"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on May 23, 1990 at 2 o'clock p.m. Under the proposal, the Authority would issue its revenue bonds in an aggregate principal amount of up to approximately \$3,500,000, to provide financing for a Project generally described as constructing, furnishing and equipping a new classroom building of approximately 22,100 square feet and acquisition and installation of chiller and related equipment and piping to improve and expand the air conditioning system, together with appurtenant site improvements, all to be owned and operated by the College and located on the campus of the College, the street address of which is Gustavus Adolphus College, College Avenue, St. Peter, Minnesota 56082. At said time and place the Authority shall give all parties who appear an opportunity to express their views with respect to the proposal to undertake and finance the project.

Dated: 7 May 1990

BY ORDER OF THE MINNESOTA HIGHER  
EDUCATION FACILITIES AUTHORITY

Joseph E. LaBelle  
Executive Director

## **Higher Education Facilities Authority**

### **Notice of Public Hearing on Proposal to Issue Revenue Bonds on Behalf of the Trustees of Hamline University**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds on behalf of the Trustees of the Hamline University of Minnesota, a Minnesota non-profit corporation, as owner and operator of Hamline University, a Minnesota non-profit institution of higher education (the "University"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on May 23, 1990 at 2 o'clock p.m. Under the proposal, the Authority would issue its revenue bonds in an aggregate principal amount of up to approximately \$5,600,000, to provide financing for a Project generally described as (i) the refunding of the Authority's Series Two-G Bonds, the proceeds of which were used for the renovation of Sorin Hall, a student residence facility, the refurbishing of Peterson, Osborn and Schilling Residence Halls, and electrical repairs in Manor House; (ii) the construction of a 36,000 square foot Science Building to be used for chemistry, physics and biology labs and offices; (iii) the renovation of Manor House, a 60,638 square foot student residence facility; and (iv) the construction of a 15,000 square foot second phase addition to the Science Building to provide space for additional biology labs and offices; all including appurtenant site improvements and all owned or to be owned and operated by the University and located on the campus of the University, the street address of which is Hamline University, 1536 Hewitt Avenue in St. Paul, Minnesota 55104. At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 7 May 1990

BY ORDER OF THE MINNESOTA HIGHER  
EDUCATION FACILITIES AUTHORITY

Joseph E. LaBelle  
Executive Director

## **Metropolitan Council**

### **Notice of Postponement of Metropolitan Council Public Meeting on Environmental Review Program for Dual-Track Major Airport Strategy**

The Metropolitan Council's public meeting on the Environmental Review Program for the dual-track major airport strategy, originally scheduled for 11 a.m., Tues., June 5, 1990, has been postponed until further notice. A new public meeting notice will be published when a new meeting date is set.

## **Department of Public Safety**

### **Bureau of Criminal Apprehension**

### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Chemical Tests for Intoxication, Persons Who May Interpret Blood or Urine Tests**

**NOTICE IS HEREBY GIVEN** that the State Department of Public Safety is seeking information or opinions from sources outside the agency in preparing to revise existing rule 7502.0600 governing chemical tests for intoxication, persons who may interpret blood or urine tests. The adoption of the rule is authorized by *Minnesota Statutes*, section 169.128, which authorizes the agency to adopt rules to carry out the provisions of *Minnesota Statutes* sections 169.121 and 169.123 pertaining to issues related to driving while under the influence of alcohol and implied consent.

The State Department of Public Safety requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing to:

Lowell Van Berkom  
Bureau of Criminal Apprehension  
246 University Avenue  
St. Paul, MN 55104

Any written material received by the State Department of Public Safety shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Paul J. Tschida, Commissioner  
Department of Public Safety

# Office of the Secretary of State

## Notice of Vacancies in Multi-Member Agencies

**NOTICE IS HEREBY GIVEN** to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. The application deadline is May 29, 1990.

### **Health Care Access Commission**

Governor's Office, Room 130 State Capitol, St. Paul, 55155. 612-296-0059  
*Laws of 1989, Chapter 327*

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** Per diem plus expenses.

**VACANCY:** Ten new positions created by Laws of 1990: eight members to have served on the Governor's Advisory Council to the Health Care Access Commission; two members directly representing business.

The commission, with the assistance of the commissioner of the State Planning Agency, shall develop and recommend to the legislature a plan to provide access to health care for all state residents.

Fifteen members, five members appointed by the governor including one experienced health care professional, one representative of small business and one consumer representative; three members appointed under senate rules; three appointed under house rules; and the commissioners of the Depts. of Health, Human Services, Employee Relations, Commerce, or their designees. **NOTE:** Ten new members were added by 1990 legislation. Meeting schedule and location not established.

### **State Board of Vocational Technical Education (Technical College System)**

306 Capitol Square Bldg., 550 Cedar St., St. Paul 55101. 612-296-3995  
*Minnesota Statutes* 136C.03

**APPOINTING AUTHORITY:** Governor. Senate confirmation. **COMPENSATION:** \$48 per diem plus expenses.

**VACANCY:** One member, to be a resident of Congressional District 3. The new member will complete an unexpired term ending January 1993.

The board has the power to manage postsecondary vocational education. The board consists of eleven members; one member from each congressional district; two at-large members and one student member. Except for the student representative, members may not receive compensation or be employed by any public or private postsecondary technical college. Terms are staggered. Members must file with the Ethical Practices Board.

### **Metropolitan Airports Commission**

6040 28th Ave. S., Mpls 55450. 612-726-1892  
*Minnesota Statutes* 473.603 as amended by *Laws of 1989, Chapter 279*

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$50 per diem.

**VACANCY:** Three members, one to reside in MAC Precinct 4, one to reside in MAC Precinct 2, one to reside in a city, town, or county with a key airport.

The commission promotes air transportation locally, nationally, and internationally by developing the Twin Cities as an aviation center. Fifteen members include the chair and twelve members appointed by the governor, including eight residing in precincts determined by the governor, and four residing outside the metro area, two from cities, towns or counties containing a key airport, and two from cities, towns or counties containing an intermediate airport. The mayors of Minneapolis and St. Paul, or designees, are ex-officio members. The chair receives \$16,640. per year plus expenses and serves at the pleasure of the governor. Monthly meetings. Members must file with the Ethical Practices Board.

### **Minnesota Educational Computing Corporation**

3490 Lexington Ave. N., Shoreview 55126. 612-481-3510  
*Minnesota Statutes* 119.01

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** None.

**VACANCY:** Two members: members shall be knowledgeable about the use of computing in elementary, secondary, and higher education or the business community.

The corporation provides cost-effective computing and technology related products and services to the educational programs of educational institutions and agencies in Minnesota and elsewhere. The nine member board will be knowledgeable about the use of computing in elementary, secondary, vocational, and public and private higher education or the business community. Terms are for four years and are staggered. Members must file with the Ethical Practices Board.



**Market Assistance Program Committee**

Pioneer Post Office Box 1760, St. Paul 55101. 612-222-0484

*Minnesota Statutes* 621.09

APPOINTING AUTHORITY: Commissioner of Commerce. COMPENSATION: None.

VACANCY: Twelve members: see the description of this agency.

The committee reviews applicants of the Minnesota Joint Underwriting Association to ascertain if coverage is available in private insurance. Twelve members include six representatives of insurers, two insurance agents, two public members, and two representatives of groups insured by the Minnesota Joint Underwriting Association. Meeting schedule varies, usually monthly or bimonthly.

**Minnesota Board of Chiropractic Examiners Peer Review Committee**

2700 University Ave. W., Suite 20, St. Paul 55114-1089. 612-642-0591

*Minnesota Statutes* 148.01-148.106

APPOINTING AUTHORITY: Executive Director, State Board of Chiropractic Examiner. COMPENSATION: \$50 per day.

VACANCY: Two members: open to any public consumer residing in Minnesota.

The committee makes determinations of whether or not certain chiropractors properly utilized services rendered or ordered appropriate treatment or service, and if the cost of treatment was unconscionable. Seven members consist of five chiropractors and two consumer members. Terms are varied.

**Minnesota Environmental Quality Board**

Centennial Bldg., 3rd Floor, St. Paul 55155. 612-296-2723

*Minnesota Statutes* 116C.03

APPOINTING AUTHORITY: Governor. Senate confirmation. COMPENSATION: \$35 per diem.

VACANCY: One member: to be a statewide citizen member.

The board insures coordination and cooperation among state agencies on environmental issues and advises the governor and legislature on environmental legislation and issues. Fifteen members include five public members appointed by the governor. A representative of the governor's office serves as chair. Other members include the commissioners of the Dept. of Agriculture, Dept. of Health, Dept. of Natural Resources, Dept. of Transportation, Pollution Control Agency, Dept. of Public Service, and the State Planning Agency, the chair of the Board of Water and Soil Resources, and the director of the Office of Waste Management. EQB programs: environmental review, water resources management and planning, power plant siting, power transmission line routing, critical areas, radioactive waste management, pipeline routing. Monthly meetings. Members must file with the Ethical Practices Board.

**Subcommittee on Children's Mental Health**

444 Lafayette Rd., St. Paul 55155-3828. 612-297-4164

*Laws of 1988*, Chapter 689

APPOINTING AUTHORITY: Chairman, State Advisory Council on Mental Health. COMPENSATION: \$35 per diem plus expenses.

VACANCY: One member: to be a parent of a child or adolescent who has an emotional disturbance. Parents from rural areas of Minnesota will be given added consideration.

The subcommittee must make recommendations to the advisory council on policies, law, regulations, and services relating to children's mental health. Members to include: commissioners or designees of Dept. of Commerce, Corrections, Education, Health, Human Services, and State Planning; one member children's mental health advocacy group, three service providers (preadolescent, adolescent, and hospital-based), parents of emotionally disturbed children, a consumer of adolescent mental health services, educators currently serving emotionally disturbed children, people who worked with emotionally disturbed minority children, or with emotionally disturbed juvenile status offenders, social service representatives, county commissioners, advisory council members, one representative of the local corrections system, and one representative from the Minnesota District Judges Association juvenile committee. Meeting schedule not determined.

**Minnesota Library for the Blind and Physically Handicapped Advisory Committee**

Faribault, MN., 55021. 507-332-3569

*Minnesota Laws of 1989*, Ch. 329

APPOINTING AUTHORITY: Commissioner of Education. COMPENSATION: \$35 per diem plus expenses.

VACANCY: Five members: members shall be people who use the Minnesota Library for the Blind and Physically Handicapped.

The committee advises the staff of the Minnesota Library for the Blind and Physically Handicapped on long-range plans and library services. Five members: members shall be people who use the Minnesota Library for the Blind and Physically Handicapped. Quarterly meetings usually held in Faribault with occasional meetings in the Twin Cities.

## Official Notices

---

### Minnesota Workers Compensation Assigned Risk Plan Review Board

133 E. 7th St., St. Paul 55101. 612-297-4017

*Minnesota Statutes 79.251*

APPOINTING AUTHORITY: Commissioner of Commerce. COMPENSATION: None.

VACANCY: Two members: insurers licensed pursuant to section 60A.06, subdivision 1, clause (5), paragraph (b).

The board will audit the reserves established for individual cases and the total book of business arising under workers' compensation policies and contracts of coverage issued pursuant to *Minnesota Statutes 79.25* and *79.252*. Six members includes three insured holding workers' compensation policies issued by the assigned risk plan and two representatives of licensed workers' compensation insurance companies. The sixth member is the commissioner of Commerce. Term of office is three years. Meetings held at variable times in St. Paul.

### Special Education Advisory Council

800 Capitol Square Bldg., St. Paul 55101. 612-297-4682

*Public Law 94-142*

APPOINTING AUTHORITY: Board of Education. COMPENSATION: Reimbursed for expenses.

VACANCY: Six members: to ensure appropriate representation special consideration will be given to regular education administrators, special education teacher training programs staff, special education teachers, special education administrators, parents of children with disabilities, and to representatives from Congressional Districts 1, 2, 5, 7 and 8.

The council assists the state in developing plans and practices that will help assure effective and efficient implementation of special education programs for handicapped students in local school districts. The fifteen member council represents individuals involved in or concerned with the education of handicapped children, including handicapped persons, teachers, parents of handicapped children, state and local education officials and school administrators and residents of congressional districts. Members are appointed for three year terms. The council meets five times from September through June each year. Meetings are one and one-half day in length.

### Advisory Task Force on the Woman Offender in Corrections

Dept. of Corrections, 300 Bigelow Bldg., 450 N. Syndicate Ave., St. Paul 55104. 612-642-0212

*Minnesota Statutes 241.71*

APPOINTING AUTHORITY: Commissioner of Corrections. COMPENSATION: Reimbursed for expenses.

VACANCY: Three members: one position to be filled by a member of the Minnesota State Senate, and two newly created positions.

The task force consults with the commissioner regarding choice of model programs to receive funding, reviews and makes recommendations on matters affecting women offenders, identifies problem areas, and assists the commissioner when and where possible in seeking improved programming for women offenders. Members shall reflect a statewide geographical representation. Meetings held the first Wednesday of each month.

## Department of Human Services

### Long Term Care Management Division

### Public Notice Regarding Changes to the Medical Assistance (MA) Program

NOTICE IS HEREBY GIVEN to providers of Minnesota Medical Assistance (MA) and to the public of certain changes affecting the MA Program that were enacted during the 1990 legislative session. This notice is published pursuant to federal regulations which govern the administration of the MA Program. *Code of Federal Regulation*, Title 42, section 447.205. The purpose of this notice is to inform the public of changes made in the MA Program due to changes in the state law. The legislative changes are expected to result in an estimated increase in MA expenditures of \$87,000 for fiscal year 1991.

Changes were made in the Medical Assistance payment rate for Intermediate Care Facilities for the Mentally Retarded (ICF's/MR) services.

Written comments may be addressed to:

Long Term Care Management  
Department of Human Services  
444 Lafayette Road  
St. Paul, MN 55155-3844

• Effective May 1, 1990, the term "newly constructed or newly established" was defined in *Minnesota Statutes*, 256B.501.

Subdivision 11 as a facility with an approved need determination, that is newly licensed, and meets conditions regarding exceptions to the facility moratorium law. The defined term does not include a facility for which a need determination was granted solely for other reasons such as the relocation of a facility; a change in the facility's name, program, number of beds, type of beds, or ownership; or the sale of a facility, unless the relocation of a facility to one or more service sites is the result of an eligible facility closure. The term does include a facility that converts more than 50 percent of its licensed beds from class A to class B residential or class B institutional to serve persons discharged from state regional treatment centers.

• Effective May 1, 1990, newly constructed or newly established facilities that are certified for Medical Assistance after the statutory effective date will be allowed the following new capital asset investment per bed limits:

1. The 1990 calendar year investment per bed limit for a facility's land will not exceed \$5,700 per bed for new facilities in Hennepin, Ramsey, Anoka, Washington, Dakota, Scott, Carver, Chisago, Isanti, Wright, Benton, Sherburne, Stearns, St. Louis, Clay, and Olmsted counties, and must not exceed \$3,000 per bed for new facilities in other counties.

2. The 1990 calendar year investment per bed limit for a newly established facility's depreciable capital assets must not exceed \$44,800 for class B residential beds, and \$45,200 for class B institutional beds.

3. The investment per bed limit in 2 above will not be used in determining the three-year average percentage increase for facilities established prior to the statutes effective date.

4. The limits will be indexed for inflation.

• Effective May 1, 1990, newly constructed or newly established facility's interest expense limitation (down payment) on capital debt for capital assets acquired during the interim or settle-up period, will be increased by 2.5 percentage points for each full .25 percentage points that the facility's interest rate on its mortgage is below the maximum interest rate. For all following rate periods, the interest expense limitation (down payment) on capital debt shall apply to the facility's capital assets acquired, leased, or constructed after the interim or settle-up period. If a new facility is acquired by the state, this down payment limitation does not apply.

• Effective May 1, 1990, newly constructed or newly established facilities that are leased are subject to certain provisions. Lease agreements must be at least 20 years, including options, and the maximum interest rate for determining the investment in the facility is the same as that related to debts under the reimbursement rule. Also, a residual "remaining" value must be established for a facility that is leased in the same way a facility is depreciated under the reimbursement rule.

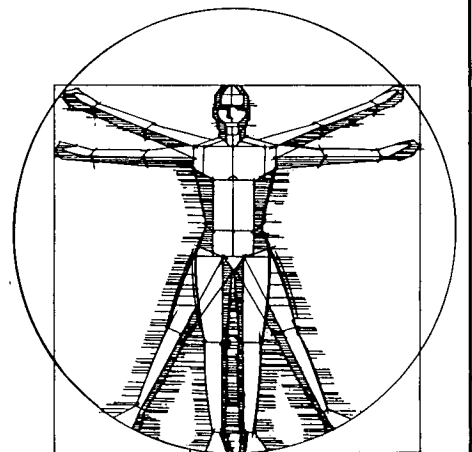
• Effective May 1, 1990, all leases negotiated must contain a requirement that the Commissioner must be notified 90 days before the lessee can be requested or ordered to vacate the facility premises. The cost of leases without this clause are non-allowable for reimbursement purposes.

• Effective May 1, 1990, the period during which newly constructed or newly established facilities incurs pre-opening costs that can be reimbursed under the reimbursement rule is limited to the lesser of 12 months or the period between the need determination approval date and 30 days before the facility is certified for medical assistance.

### **A Helping Hand for the Chemically Dependent**

#### ***Directory of Chemical Dependency Programs in Minnesota.***

This 250-page directory lists prevention and intervention programs including county social service agencies, mental health centers, other information and referral programs, self-help programs and employee assistance programs. It also lists DWI (Driving While Intoxicated) clinics and detoxification centers. Outlining Minnesota's continuum of care, the Minn. Dept. of Human Services Directory lists treatment services under three headings: **Primary Residential Programs**—freestanding facilities, hospital-based facilities and state regional treatment centers; **Intermediate/Extended Residential Programs**—halfway houses, extended care facilities, and board and lodging facilities; **Non-Residential Programs**—freestanding facilities and hospital-based facilities. Stock #1-12. \$15.00 + 90¢ tax.



**TO ORDER:** Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

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.

# State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. §14.10, 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.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek **STATE REGISTER Contracts Supplement**, published every Thursday. Call (612) 296-0931 for subscription information.

## Department of Administration: Materials Management Division

### Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

**Commodity:** Vehicle V-3L-89—Rebid  
**Contact:** Brenda Thielen 296-9075  
**Bid due date at 2pm:** May 8  
**Agency:** Natural Resources Department  
**Deliver to:** St. Paul  
**Requisition #:** 29000-53820

**Commodity:** Liquid chromatograph for the mass spectrometer  
**Contact:** Joseph Gibbs 296-3750  
**Bid due date at 2pm:** May 11  
**Agency:** Agriculture Department  
**Deliver to:** St. Paul  
**Requisition #:** 04661-03634

**Commodity:** Mailing system  
**Contact:** John Bauer 296-2621  
**Bid due date at 4:30pm:** May 11  
**Agency:** Public Service Department  
**Deliver to:** St. Paul  
**Requisition #:** 80100-04161

**Commodity:** Brainerd CC signage  
**Contact:** John Bauer 296-2621  
**Bid due date at 2pm:** May 14  
**Agency:** Administration Department—Building Construction  
**Deliver to:** Brainerd  
**Requisition #:** 02310-17893

**Commodity:** Computer w/RISC processor  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 2pm:** May 14  
**Agency:** Trade & Economic Development Department  
**Deliver to:** St. Paul  
**Requisition #:** 22400-03830

**Commodity:** Unshielded twisted pair Ethernet equipment  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 2pm:** May 14  
**Agency:** Housing Finance Agency  
**Deliver to:** St. Paul  
**Requisition #:** 34000-0619

**Commodity:** Influenza virus vaccine  
**Contact:** Don Hanson 297-5619  
**Bid due date at 2pm:** May 15  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Gas chromatograph  
**Contact:** Joseph Gibbs 296-3750  
**Bid due date at 2pm:** May 14  
**Agency:** Agriculture Department  
**Deliver to:** Various St. Paul  
**Requisition #:** 04131-03626, 27, 28 / 04661-03632 & 33

**Commodity:** Epson PC and Apple Printer  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 4:30pm:** May 11  
**Agency:** Health Department  
**Deliver to:** Minneapolis  
**Requisition #:** 12500-47242-01

**Commodity:** Muskellunge signs  
**Contact:** John Bauer 296-2621  
**Bid due date at 4:30pm:** May 14  
**Agency:** Natural Resources Department  
**Deliver to:** St. Paul  
**Requisition #:** 29000-54094

**Commodity:** Refrigerated milk unit  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 4:30pm:** May 15  
**Agency:** Human Services—Regional Treatment Center  
**Deliver to:** Faribault  
**Requisition #:** 55303-14430

**Commodity:** Copy machine  
**Contact:** Joseph Gibbs 296-3750  
**Bid due date at 2pm:** May 15  
**Agency:** Revenue Department  
**Deliver to:** St. Paul  
**Requisition #:** 67120-23518

---

---

## State Contracts and Advertised Bids

**Commodity:** Trencher/back hoe with trailer  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** May 15  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 79382-01963

**Commodity:** Gas meter and blower  
**Contact:** Steve Burgstahler 296-3775  
**Bid due date at 2pm:** May 15  
**Agency:** Human Services Regional Treatment Center  
**Deliver to:** Willmar  
**Requisition #:** 55106-07405

**Commodity:** Step van  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** May 15  
**Agency:** State University  
**Deliver to:** Winona  
**Requisition #:** 26074-13453

**Commodity:** Water tank and sprayer  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 4:30pm:** May 15  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 79382-01966

**Commodity:** EZ-Liner ind. pickup striper  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 4:30pm:** May 15  
**Agency:** Transportation Department  
**Deliver to:** Willmar  
**Requisition #:** 79382-01974

**Commodity:** Shelving-rebid  
**Contact:** John Bauer 296-2621  
**Bid due date at 4:30pm:** May 15  
**Agency:** State University Board  
**Deliver to:** St. Paul  
**Requisition #:** 26137-05403-1

## Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

**Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.**

**Commodity:** Election posters, 9 different posters, various quantities and sizes 27,800 total 9" x 12"/12" x 18", 1-color, makeup & halftones, drop ship 90% to county 87 auditors, union label desirable—not required  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 10  
**Agency:** Secretary of State  
**Deliver to:** Various  
**Requisition #:** 6661

**Commodity:** *Minnesota Election Laws*, 3 separate publications, 3,500 96-pages; 5M 24-pages; 5M 56-pages; all 6¾" x 9¼", 1-color, saddle stitch last two, 3-hole punch first, union label desirable—not required  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 10  
**Agency:** Secretary of State  
**Deliver to:** Various  
**Requisition #:** 6659

**Commodity:** *Election Judges Guide*, 4,500 24-page self-covered, 8½" x 11", camera ready, 1-color, 2-sided, saddle stitch  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 10  
**Agency:** Secretary of State  
**Deliver to:** Various  
**Requisition #:** 6660

**Commodity:** Parking contract for SWA, 2M 3-part forms, 5½" x 8½" plus ¾" stub, 2-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 9  
**Agency:** Administration Department—Plant Management  
**Deliver to:** St. Paul  
**Requisition #:** 6894

**Commodity:** Window envelope, 21M, type to set, 1-sided, brown kraft  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 11  
**Agency:** Commerce Department—Unclaimed Property  
**Deliver to:** St. Paul  
**Requisition #:** 6992

**Commodity:** Statement of Need-Spanish, 15M books, 36-pages self cover, 22" x 8½" and 26¾" x 8½" folded to 11" x 8½", camera ready, 2-sided, saddle stitch  
**Contact:** Printing Buyer's Office  
**Bids are due:** May 11  
**Agency:** Human Services Department  
**Deliver to:** St. Paul  
**Requisition #:** 6931

## State Contracts and Advertised Bids

---

**Commodity:** Requisition for motor pool vehicle, 15M 4-part forms 8½"x6¼" overall, carbonless, camera ready + negs, 1-sided

**Contact:** Printing Buyer's Office

**Bids are due:** May 11

**Agency:** Administration Department—  
Central Stores

**Deliver to:** St. Paul

**Requisition #:** 6986

**Commodity:** Application for AFDC, GA, FS, MA, MSA (Spanish), 15M 3-part sets, 8½"x11" plus stub, camera ready, 2-sided, carbonless, screens

**Contact:** Printing Buyer's Office

**Bids are due:** May 11

**Agency:** Human Services Department

**Deliver to:** St. Paul

**Requisition #:** 6930

## Professional, Technical & Consulting Contracts

---

### Department of Corrections

#### Minnesota Correctional Facility—Willow River/Moose Lake

#### Notice of Request for Proposals for Registered Nursing Services

NOTICE IS HEREBY GIVEN to request proposals for the provision of Registered Nursing Services for the inmates of the Minnesota Correctional Facility—Willow River/Moose Lake. Proposals shall be based on services to be provided at the Minnesota correctional facility for two hours at Willow River per week and one hour at Moose Lake per week. The proposal shall cover the period of July 1, 1990 to June 30, 1991 and shall be submitted on a per hour basis. Proposals shall be submitted by 4:00 p.m. on Wednesday May 30, 1990.

To submit proposals or for additional information, contact:

Diane Jacobson  
MCF-WR/ML  
Box 200  
Willow River, MN 55795  
Phone#: 218-372-3101

### State Designer Selection Board

#### Request for Proposal for a Project at the Lino Lakes Correctional Facility

##### To Registered Professional in Minnesota:

The State Designer Selection Board has been requested to select a designer for a project at the Lino Lakes Correctional Facility. Design firms who wish to be considered for this project should submit proposals on or before 4:00 p.m., May 29, 1990, 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.

---

---

## Professional, Technical & Consulting Contracts

3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 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) pages. 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 certificate of compliance issued by the Commissioner of Human Rights; or

b) A statement certifying that the 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) 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.

## 7) **PROJECT—09-90**

Expansion Projects  
Minnesota Correctional Facility  
Lino Lakes, Minnesota

The Legislature has approved funds for a number of building projects that will require the services of a designer. These projects are related to the expansion of bed space at Minnesota Correctional Facility-Lino Lakes and are being group together into a single project requiring a single designer. The components and estimated costs of each are shown below.

## Professional, Technical & Consulting Contracts

---

---

Residential bed space for 120 to 150 inmates	\$4,500,000.00
Industry production area (printing) of 12,000 sq. ft.	710,000.00
Remodel 1250 sq. ft. of present industry area	130,000.00
Remodel existing visiting area and holding cells	112,000.00
Expand institution heating capacity	235,000.00
Expand refrigeration capacity in the kitchen	25,000.00
Projects to include furnishings and equipment	288,000.00
Construct a 10,000 sq. ft. addition to existing Industry 'Q' building. Area to house production, storage and office space appropriate for the manufacturing of furniture	<u>500,000.00</u>
TOTAL BUDGET	\$6,500,000.00

Questions concerning this project may be referred to Mike Westhoff at (612) 780-6120.

Mark Anderson, Chairman  
State Designer Selection Board

## Department of Human Services

### Community Social Services Division

### Request for Proposals (RFP) to Design and Produce Specialized Video Tape Training Materials on Guardianship and Conservatorship for Persons with Developmental Disabilities

TO: All Interested Applicants

Date Issued: 5/7/90 Date Due: 5/30/90

#### I. INTRODUCTION

The Minnesota Department of Human Services (DHS), Community Social Services Division, Guardianship Section, is soliciting proposals from qualified candidates to design and produce six twenty minute training videos. These videos will be utilized to provide technical assistance for parents, volunteers, attorneys, and social service staff on guardianship and conservatorship in Minnesota.

This RFP is soliciting proposals from qualified candidates to:

A. Design and produce six training videos each approximately 20 minutes in length, in the following subject areas:

1. Overview of guardianship in Minnesota: definitions: philosophy: history.
2. Public guardianship: modification of guardianship status: new guardianships: discharges: need for guardianship assessments: change of venue.
3. Private guardianship: technical assistance for parents or interested volunteers on how to become a guardian and provide quality guardianship service to Persons with Developmental Disabilities. (DHS Discharge Initiative).
4. General consents for public and private guardianships: the process of substitute decision making as a public or private guardian.
5. Controversial consents: Electroshock Treatment (ECT): Do Not Resuscitate (DNR): Sterilization: Etc.
6. Legal processes: Experience based knowledge on working with the court system and the legal processes involved with guardianships.

The Training videos should be useful for both initial training and as a refresher course for groups or individuals. The videos should be able to stand alone as a presentation or be used as part of in-person training with written instructional materials. They should incorporate solutions to some common problems as well as detailed instruction. The videos should include appropriate references to *Minnesota Statutes, Rules* and policy.

Award of this contract is contingent upon the availability of appropriate funds. This request for proposal does not obligate the State to complete the project and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.



## **II. BACKGROUND**

The Minnesota Commissioner of Human Services is the Public Guardian or Conservator for approximately 6,000 persons with developmental disabilities. Public guardianship, by statute, is the most restrictive form of guardianship in Minnesota. The Commissioner holds a large responsibility which is shared with local social service agencies. The Department of Human Services has historically been the gate keeper, overseer, and provider of training and has given consent for non-delegated guardianship authorities.

The Minnesota Department of Human Services seeks to be an innovative leader in providing quality guardianship services. Training is considered to be an important part of meeting the ongoing professional needs of local social service agencies. Training will be a crucial part of the Department of Human Services public guardianship discharge initiative. The Discharge Initiative will attempt to discharge wards from public guardianship to private guardianship. The training will consist of technical assistance to parents and other volunteers.

## **III. QUALIFICATIONS OF RESPONDENTS:**

Respondents must demonstrate successful experience and expertise in writing scripts for video tapes for training purposes and in producing video tapes. Respondents must be able to demonstrate familiarity with the field of Developmental Disabilities, the social service delivery system, and guardianship and conservatorship.

## **IV. SCOPE OF THE PROJECT:**

### **A. Duration of the project.**

A contract will be initiated upon selection of a proposal. The video tapes must be completed, and submitted to the DHS by September 28, 1990.

### **B. Tasks to be performed.**

1. Writing scripts for the videos.
2. Production of video tapes in studio or on site.
3. Final editing of the videos.
4. Delivery of ten copies of each video to DHS.

### **B. Maximum Expenditures.**

DHS will not accept any bids that exceed a total cost of \$40,000.00.

DHS will pay for time and materials within this upper limit.

## **V. PROPOSAL CONTENTS:**

The following will be considered minimum contents of the proposal:

1. A summary of the approach the contractor will use to develop a script and a style of video that will meet the basic objectives of this project. This summary should include discussion of why the contractor believes the approach selected will yield effective training for persons interested in guardianship issues and process.

2. A detailed work plan that identifies in specific terms all the tasks to be performed, with timelines and cost estimates for each task.

3. An outline of the contractor's background and experience in the design, development, and implementation of this type of training media to the proposed audience. Please include a one page summary of projects completed that are most similar to this project.

4. Identification of all personnel including subcontractors who will perform each task, their training and experience. No change in personnel assigned to this project will be permitted without approval of DHS's project manager. Responders must assure that they do not employ and will not employ any current Minnesota state employees for this project.

5. A summary of the anticipated level of Departmental participation in the project as well as any services to be provided by the Department of Human Services.

## **VI. EVALUATION:**

All proposals received by the deadline will be reviewed and evaluated. An oral interview may be part of the selection process. Factors upon which the proposals will be judged include:

1. Clear understanding of the project objectives and scope (5%).
2. Proposed approach to script design and content (25%).
3. Qualifications and experience of both company and personnel, including project management capabilities and experience (20%).

## Professional, Technical & Consulting Contracts

---

---

4. Project work plan and timetable (30%).
5. Cost of the project as presented in the itemized budget (20%).

Evaluation and selection will consist of: Written proposal being reviewed by June 7, 1990. An oral interview may be held with those who receive the highest ratings.

### VII. SUBMISSION OF PROPOSALS:

All proposals must be sent to and received by:

Brian Relay  
Minnesota Department of Human Services  
Social Services Division, Guardianship Section  
444 Lafayette Road  
St. Paul, Minnesota 55155-3839

no later than 4:00 p.m., May 30, 1990.

Late proposals will not be accepted. Three copies of the proposal must be submitted in a sealed mailing envelope or package with the responder's address clearly written on the outside. Each copy of the proposal must be signed in ink by an authorized member of the contracting firm. Prices and terms of the proposal as submitted must be valid for the length of the project.

### VIII. DEPARTMENT CONTACTS:

Prospective responders who have any questions about this request for proposal may call Brian Relay at (612) 296-2496.

**Please note:** Other DHS personnel are not allowed to discuss the project with responders before the submission of the proposal deadline.

## Department of Natural Resources

### Notice of Availability of Contracts for Technical Assistance

The Minnesota Department of Natural Resources, Division of Forestry, desires to retain a contractor to do hardwood stand analysis as part of an oak regeneration project on State administered lands in Southeastern Minnesota. The contractor's duties will include inventory, analysis and the preparation of management prescriptions for hardwood stands. Work will also include developing bid specifications and supervision under the direction of Division of Forestry personnel. Contract terms include, 1) effective dates from approximately June 15, 1990, to June 30, 1991, with the possibility of a one-year extension, 2) compensation will include an hourly rate that will be determined by the contractor's qualifications, plus mileage expenses, 3) total compensation will not exceed \$20,000. Please submit qualifications in the form of resumes, cover letters and other supporting information by 4:30 p.m. on Friday, May 24, 1990, to:

Doug Rau  
DNR, Division of Forestry  
Box 6247  
Rochester, MN 55903  
(507) 285-7428

## Department of Natural Resources

### Fish & Wildlife Division

### Request For Proposals for Consultant Services to Develop Specifications for Use in Designing a Centralized Data Base

The Department (Section of Fisheries) is requesting proposals to develop specifications that will be used to design a centralized data base to store and retrieve lake and stream survey data, management plans and stocking information. This data base will interact with the Department's AS400 mini-computer and allow retrieval of data by local and remote sites using PC based systems.

This Request for Proposal does not obligate the state to complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

---

---

## Professional, Technical & Consulting Contracts

### A) Scope of Project

This project will provide the Section of Fisheries with detailed system design specifications for a centralized data base that will improve data storage capabilities and allow data retrieval by local and remote sites. The project will also improve efficiency by developing specifications for menu driven programs that will standardize data entry and storage.

### B) Goals and Objectives

Develop specifications that will serve as a blueprint for data base design and describe software and hardware requirements.

### C) Project Tasks

- 1) Provide specifications for using off the shelf software for developing field access to stored data from 28 Areas, 6 Regions and 6 Hatcheries.
- 2) Provide specifications for menu-driven programs for data entry and report preparation that are standardized and user-friendly.
- 3) Develop specifications to provide query capabilities to retrieve summary statistics for various time area strata.
- 4) Develop specifications to allow transfer of data to the Department's AS400 mini-computer.
- 5) Develop specifications that ensure a secure and virus protected data base.
- 6) Provide specifications to allow adequate storage of archive data.
- 7) Provide specifications to incorporate historical survey data into the centralized data base.
- 8) Provide specifications for a modular system that will accept additional data base information and expansion.

Responder may propose additional tasks or activities if they will substantially improve the results of the project.

### D) Department Contacts

Prospective responders who have any questions regarding the Request for Proposal may call or write:

Tim Schlagenhaft  
Survey and Systems Coordinator  
Box 12  
500 Lafayette Road  
St. Paul, MN 55155  
(612) 297-3287

Tom Narum  
EDP Programmer  
Box 12  
500 Lafayette Road  
St. Paul, MN 55155  
(612) 297-4915

**Please Note:** Other Department personnel are not allowed to discuss the project with responders prior to the deadline for submitting proposals.

### E) Submission of Proposal

All proposals must be received by:

Tim Schlagenhaft  
Section of Fisheries, Box 12  
500 Lafayette Road  
St. Paul, MN 55155

No later than 3:30 p.m., May 30, 1990.

Late proposals will not be accepted. Submit three (3) copies of the proposal sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

### F) Project Costs

The Department has estimated that the cost of this project should not exceed \$25,000.00.

### G) Project Completion Date

The project will be completed by September 1, 1990 or within two (2) months from the date of project authorization.

### H) Proposal Contents

- 1) A restatement of the objectives, goals, and tasks to demonstrate the responder's interpretation of the nature of the project.
- 2) Identify and describe what services will be provided by the responder.
- 3) Outline the responder's background and experience with particular emphasis on local, state, and federal government work.

## Professional, Technical & Consulting Contracts

---

---

Identify personnel to conduct the project and detail their training and work experience. Changes in personnel assigned to the project will not be permitted without the approval of the State Project Director/Manager.

4) Responder will prepare a detailed cost and work plan that will identify major tasks and can be used for scheduling, managing and invoicing purposes.

5) Identify the level of the Department's participation in the project as well as any other services to be provided by the Department.

### I) Evaluation

All proposals received by the deadline will be evaluated by representatives of the Department of Natural Resources. In some instances, an interview will be part of the evaluation process. Factors upon which proposals will be judged include, but are not limited to, the following:

1) Expressed understanding of project objectives.

2) Project work plan.

3) Project detail cost.

4) Qualifications of both the company and its personnel. Experience of project personnel will receive greater consideration than that of the company.

Evaluation and selection will be completed by June 30, 1990. Results will be sent immediately by mail to all responders.

Dated: 26 April 1990

## Minnesota Department of Trade and Economic Development

### Notice of Request for Proposals for Participation in the CANDO Pilot Project

**NOTICE IS HEREBY GIVEN** that the Department of Trade and Economic Development (DTED) is requesting proposals from community and neighborhood development organizations interested in participating in the Community and Neighborhood Development Organization (CANDO) Pilot Project. From these proposals, up to twelve organizations will be selected as pilot groups to receive training and become certified and, thus, eligible grantees.

**CANDO Pilot Project.** CANDO was created by *Minnesota Laws 1989*, Chapter 328, Article 5, Sections 1 and 2, and is authorized through June 30, 1991. CANDO provides leadership and organizational capacity building training to community and neighborhood development organizations to assist them in meeting the administrative, fiscal accountability, and planning requirements established for certification and developing the CANDO plan that must be submitted with a CANDO grant application. Eligible grantees for community and neighborhood development grants include *only* eligible organizations that have been certified; that is, completed the CANDO training and the other requirements for certification.

**Submission of Proposals.** All proposals must be submitted on the forms provided by DTED or they will not be considered. All proposals must be received by 4:30 p.m. on Friday, June 29, 1990. Late proposals will not be accepted.

**Copies of the Request for Proposals** and the necessary forms may be obtained by calling or writing Ann Leviton, Director CANDO Program, Department of Trade and Economic Development, Community Development Division, 900 American Center, 150 East Kellogg Boulevard, St. Paul, MN 55101, Telephone (612) 297-7257.

The Request for Proposals (RFP) includes a description of the CANDO Pilot Project and the CANDO training, the certification requirements, the selection process, the selection criteria, and the submission requirements. Prospective responders who have any questions regarding this request or the CANDO Pilot Project are encouraged to call the CANDO staff: Signe Masterson, Telephone (612) 297-7258; or Audrey Anderson, Telephone (612) 296-7481.

## Department of Trade and Economic Development

### Request for Proposals to Research and Produce a Resource Guide for Community and Neighborhood Development Organizations

The Department of Trade and Economic Development (DTED) is requesting proposals from a consultant to develop a Resource Guide for the Department's Community and Neighborhood Development Organization (CANDO) Pilot Program.

---

---

## Professional, Technical & Consulting Contracts

**Project Scope.** The purpose of this contract is to research and produce a Resource Guide to public and private financial, technical assistance and information resources which can be of help to community and neighborhood development organizations across the state that wish to organize and launch self-help projects or activities designed to improve or revitalize their communities and neighborhoods. A computerized database system for maintaining and updating the information in-house is to be developed as part of this contract.

The Guide is intended to be resource that promotes grass roots empowerment, capacity building, and linkages to other organizations or institutions capable of providing support. The Guide shall be coordinated with other similar published resource guides or directories to avoid unnecessary duplication.

This project will be under the direction of the CANDO Program Director who will be responsible for supervision and ensuring that the desired products are satisfactorily produced.

**Project Schedule.** A project start date of May 28 is expected. This project should be completed by November 1, 1990. This request for proposals does not obligate the State to complete the project and the State reserved the right to cancel this solicitation if necessary.

**Project Tasks.** The following tasks are the minimum required for successful completion of the project:

1. Identify public and private financial, technical assistance and information resources for inclusion in the Resource Guide. "Resources" means organizations that provide financial assistance, technical assistance, and/or information and referral services. "Resources" also means useful publications (i.e. newsletters, books, reports, other guides or directories). National as well as Minnesota resources should be identified and evaluated for inclusion.

2. Inventory or survey the resource organizations identified under task 1 in a manner which provides the following information at a minimum: name, address, phone, and contact person; a general description of the organization, including its corporate status, years in existence, types of support available and to whom (geographic focus, constituency focus), areas of special interest or expertise; fees; eligibility requirements and restrictions for funding; and available publications (name, summary of contents, cost, and other ordering information).

3. Inventory the resource publications identified under task 1 in a manner which provides the following information at a minimum: title; author(s); publisher's name, address, phone; cost per copy; subject category; a brief description of contents or subject matter (i.e. why useful); and if available through the public library system.

4. Design the format of the Guide and the computerized database information system, including the specific information categories for each entry and index categories. Alphabetical listings of resource organizations with user friendly indexes are preferred by DTED. The Guide should also include the following: a table of contents, an explanation of how to use the Guide; an evaluation form; a new entries form; and an order form. The database information system must be compatible with DTED's hardware and software.

5. Computerize collected data and deliver automated data files to DTED in the format established under task 4.

6. Produce and deliver a camera ready type set copy of the Resource Guide in the format established under task 4 to the Department. DTED will be responsible for printing and distribution.

7. Consult regularly with CANDO staff to review contract progress and obtain feedback, particularly under tasks 1 and 4. Prepare monthly progress reports.

Respondents may propose alternative approaches, additional tasks or activities if they will substantially improve the results of the project.

**Project Costs.** It is estimated that the cost of this project will not exceed \$25,000.

**Submission of Proposals.** All proposals should be submitted by 4:30 p.m., May 14, 1990 to Ann Leviton, Community Development Division, Department of Trade and Economic Development, 900 American Center, 150 East Kellogg Boulevard, St. Paul, MN 55101, FAX 612/296-5287. Please provide (1) original and (3) photocopies of the proposal. Any questions regarding this project should be directed to Ms. Leviton at 612/297-7257.

**Review of Proposals.** Proposals will be reviewed for:

1. Research methodology.
2. Qualifications of personnel and company.
3. Presence of sufficient budget detail to review and understand proposed expenditures.
4. Demonstrate ability to initiate service immediately following selection and awarding of the contract, and complete significant work on the project by June 30.

All proposals received by the above deadline will reviewed and evaluated by staff. An interview may be part of this process.

## Professional, Technical & Consulting Contracts

---

---

**Proposal Content.** Proposals should include:

1. A description of the research methodology; a work plan; and anticipated timeframe for completion of the project.
2. A description of the consultant's background and experience in similar activities; the resume of the person(s) who will be responsible for the project; samples of previously produced materials that relate to the product being solicited; and references. Samples will be returned to the respondent upon request.
3. A project budget which includes labor and other project expenses; and billing rates.
4. The name, title, address and phone number of the person empowered to negotiate a contract as a result of the proposal.

## State Board of Vocational Technical Education

### Request for Proposals for Enhancement of Hazardous Materials Curriculum

The State Board of Vocational Technical Education is requesting proposals from any qualified firm for the enhancement of its Hazardous Materials Level I (45 hours) Curriculum. This curriculum provides instruction to public safety personnel at the First Responder—Operational level in accordance with the requirements outlined in 29 CFR 1910.120 as adopted by the Minnesota Occupational Safety and Health Division (MN-OSHA).

The contractor will provide the following services as a minimum for proposal contents:

1. Review and analyze the existing state curriculum and explain how the key points of instruction will be identified. A sample overhead transparency representative of the production method to be used will be furnished.
2. Explain how commercial slide, slide/sound and VHS video programs at the appropriate level of training will be identified.
3. Explain the format that will be used to provide appropriate remarks placement in the instructor's guide.
4. Provide a five question sample written multiple choice examination appropriate to the curriculum.
5. Because of the technical nature of the curriculum and the life hazard to persons engaged in response to hazardous materials the State Board has determined that the vendor receiving the contract must have a person trained to the Hazardous Materials—Technician Level (as defined in 29 CFR 1910.120) on their development team.

#### Major objectives to be met include:

- a. Providing 30 sets of professionally generated, single color, overhead transparencies using presentation computergraphic software, that will assist the instructor in the presentation of key/major points. Proof copies will be submitted prior to production. One master paper copy of each transparency will be furnished as part of the contract.
- b. Conduct research to provide a list of existing 35mm slide; slide/sound; and VHS video productions that will provide (1) a summary of the contents, (2) ordering and price information.
- c. To provide directions to the instructor in the use of portions of existing slide; slide/sound; and VHS video products that provide information at the First Responder—Operational level. These directions will be inserted into the instructors' guide.
- d. Provide a multiple choice examination which as a minimum, verifies the student's mastery of the competencies required of a person at the First Responder—Operational level as required by 29 CFR 1910.120.

#### Funding and Timelines

The State Board has allocated up to \$12,000 to perform this contract. The State Board reserves the right to allocate less than the total amount of funds identified and/or reject any and all proposals. The final product becomes the property of the State Board with the right to distribute as it deems appropriate.

Further information, including copies of current curriculum may be obtained from the Project Manager listed below.

Copies of 29 CFR 1910.120 can be obtained by contacting MN-OSHA, at 612-296-2116.

The project must be completed by August 31, 1990.

All proposals must be received in the State Board offices by June 15, 1990 at 4:00 p.m. Respond to:

Bill Bruen, Fire Service Manager  
State Board of Vocational Technical Education  
100 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
612-296-6516

**Proposal Review Process**

All proposals will be reviewed by a panel selected by the State Board. Each proposal will be evaluated based on the criteria contained in the objectives above.

**Minnesota Workers' Compensation Assigned Risk Plan****Notice of Request for Proposals for Services to be Provided to the Minnesota Workers' Compensation Assigned Risk Plan ("Plan") by a Qualified Actuary**

The Plan intends to contract with an actuary to perform an audit of its reserves. The contract period will be from July 1, 1990 through June 1, 1991. Interested parties should obtain the formal Request for Proposals from:

Minnesota Assigned Risk Plan  
Administrative Office  
4500 Park Glen Road, Suite 230  
Minneapolis, Minnesota 55416  
(612) 924-0125

Proposals must be submitted by June 15, 1990.

---

---

**State Grants**

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

---

**Housing Finance Agency****Request for Proposals for Capacity Building Grant Program**

The Minnesota Housing Finance Agency (MHFA) announces the availability of \$100,000 in grant funds from the Capacity Building Grant Program. The 1989 Legislature authorized the program to assist nonprofit organizations, local units of government, Indian Tribes, and Indian Tribal Organizations to expand their capacity to provide affordable housing and housing related services (*Minnesota Statutes*, Section 462A.21, subd. 3b). The program's purpose is to fund projects which will enable an organization to more effectively address the housing needs of low income persons and families within the organization's service area.

**Eligible Applicants:** Eligible applicants are nonprofit organizations, housing and redevelopment authorities, regional development commissions, Minnesota cities and towns, and Indian tribes, bands, or communities or Indian tribal organizations.

**Eligible Uses of Grant Funds:** Eligible uses of grant funds include: (1) Studies and analyses of housing needs within the applicant's service area and the development of plans and strategies to meet those needs. (2) Staff training related to the management of the organization, real estate development, housing management, or other housing related activities. (3) Legal and other professional services associated with the establishment or incorporation of an organization as a provider of housing or housing related services. (4) Other activities that expand the capacity of the applicant to meet housing needs in the applicant's service area.

**Funding Priorities:** Funding priority will be given to applicants that include low income persons in their membership, have provided housing or housing related services to low income persons, and demonstrate a commitment of local resources, including in-kind contributions.

**Application Process:** Applicants should request an application form from MHFA staff:

Minnesota Housing Finance Agency  
400 Sibley Street, Suite 300  
St. Paul, MN 55101  
Attention: Steve Peacock (612) 296-9822

# State Grants

Applications must be received at the Minnesota Housing Finance Agency by 5:00 p.m. on Friday, June 29, 1990.

Any questions concerning the Capacity Building Grant Program or the application process should be directed to Steve Peacock (612) 296-9822 at MHFA.

This Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and will not reimburse any applicant for costs incurred in the preparation or submittal of applications.

## Housing Finance Agency

### Applications Accepted for the Federal Low Income Housing Tax Credit Program

#### Introduction

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting first competition applications for reservation and allocation of the Low Income Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986 as revised. Applications for the low income housing tax credits, administered by the MHFA, for the first competition must be received no later than 5:00 p.m. Friday June 1, 1990. Refer to application package for additional requirements.

The Omnibus Budget Reconciliation Act of 1989 (1989 Act) extended the tax credit program for one more year with a reduced tax credit volume cap. The 1989 Act also requires states to develop allocation plans which dictate that tax credits only be allocated to projects that serve stated housing priorities. The MHFA has developed such an allocation plan and it is part of the application package available from the MHFA.

The Low Income Housing Tax Credits offer a ten year reduction in tax liability to owners and investors in eligible low income, new construction, rehabilitation or existing rental housing with rehabilitation.

The total amount of the tax credit available for 1990 for Minnesota will be \$4,080,937 based on \$.9375 per capita. Ten percent of the total, or \$408,094 is reserved for qualified nonprofit organizations.

#### Credit Formula

The Minnesota Legislature designated the MHFA as the primary apportionment agency for low income housing tax credits for the state and also authorized eligible cities and counties to administer the tax credits in their respective jurisdictions based on the *Minnesota Statutes* Section 462A.222 Subd. 1a, 2.

#### Local Administration of Tax Credit

The following eligible cities and counties have the authority to administer the tax credits locally:

City/County	Amount of Tax Credit for 1990
<b>GREATER MINNESOTA-TOTAL</b>	\$1,816,588
Duluth (82,899-3.9%)	\$88,559
St. Cloud (45,332-2.13%)	\$48,366
Rochester (64,797-3.05%)	\$69,261
FmHA Set-Aside	\$726,635
MHFA Administered	<u>\$883,767</u>
Subtotal	\$1,816,588
<b>METRO TWIN CITY AREA-TOTAL</b>	\$1,856,255
Minneapolis (355,800-16.3%)	\$378,213
St. Paul (265,100-12.15%)	\$281,919
Bloomington (85,299-3.91%)	\$90,725
Washington County (136,880-6.27%)	\$145,483
Dakota County (252,690-11.58%)	\$268,693
MHFA Administered	<u>\$691,222</u>
Subtotal	\$1,856,255
<b>SUBTOTAL</b>	\$3,672,843
<b>NONPROFIT SET ASIDE ADMINISTERED BY MHFA</b>	\$408,094
Metro Twin Cities Area	\$206,251
Greater Minnesota Area	<u>\$201,843</u>
Subtotal	\$408,094
<b>TOTAL TAX CREDITS FOR STATE</b>	\$4,080,937



---

---

## Supreme Court Decisions, Opinions & Rules

Applicants with eligible buildings located within the jurisdiction of the above local governments must apply to the local administrators for allocation of the low income housing tax credit. Any suballocation to local governments that is not committed by the end of the first competition must be returned to the MHFA for statewide allocation. The MHFA will not make an allocation for projects located within the jurisdiction of the cities or counties that have elected to administer the credits until the amounts reserved have been allocated or returned to the MHFA for allocation, except for the nonprofit set-aside.

### State Ceiling, State Demographer Population for Tax Credits in 1990

The ceiling for the State of Minnesota for calendar year 1990 is \$4,080,937—Minnesota's population estimate of 4,353,000 times \$.9375.

The Minnesota population estimate of 4,353,000 is based on the annual estimates of population of states: from U.S. Census Bureau release of December, 1989 Estimates of the Resident Population of States, July 1, 1989.

Greater Minnesota population 2,124,369; Twin Cities Metro population 2,182,181.

Population estimates of individual cities and counties by State Demographer published August, 1989, in parentheses above.

### MHFA Administration Tax Credits

Applicants with eligible buildings in the balance of the state, not within the jurisdiction of eligible local credit administrators, may apply to the MHFA for an allocation of low income housing tax credits.

In addition, the MHFA has been designated as the credit agency to provide low income housing credits for projects involving qualified 501(c)(3) and 501(c)(4) nonprofit organizations statewide. Ten percent of the state ceiling has been set aside for qualified nonprofits as required by Section 42 of the Internal Revenue Code of 1986. Qualified nonprofits can apply to the MHFA for the low income housing tax credit set-aside, regardless of the geographic location of the proposed low income housing building, as specified in the allocation plan.

For additional information or an application packet for buildings located in the MHFA jurisdiction, please write to MHFA at:

Minnesota Housing Finance Agency  
Multi-Family Underwriting  
Low Income Housing Tax Credit Program  
400 Sibley Street, Suite 300  
St. Paul, MN 55101-1998

or call (612) 297-3294.

---

---

## Supreme Court Decisions, Opinions & Rules

### Decisions Filed 4 May 1990

**C7-89-671 Carol Benson v. Northern Gopher Enterprises, Inc., and Kleinman Realty Company, Appellants. Court of Appeals.**

The trial court, when it excluded a proffered expert opinion relating to the alleged causation of carbon monoxide contamination of a residential apartment, did not abuse its discretion.

Reversed; judgment of trial court reinstated. Kelley, J.

**C6-89-1830 In the Matter of: DeWayne Colbert. Court of Appeals.**

Trial court at hearing to continue an MID Commitment did not clearly err in determining that subject of commitment, while still mentally ill, no longer was dangerous.

Reversed and decision of district court reinstated. Kelley, J.

**C0-89-1497 Empire State Bank, Relator, v. Lyon County. Tax Court.**

Where the taxpayer has failed to sustain its burden of demonstrating that the assessment of its property was discriminatory or that the findings of the Tax Court were clearly erroneous, the determination of estimated fair market value is affirmed.

Affirmed. Coyne, J.

### Order

**C9-81-1206 Order In Regards the Amendment to Rules of the Supreme Court for Registration of Attorneys.**

The rules of the Supreme Court for Registration of Attorneys are hereby amended as follows:

## Supreme Court Decisions, Opinions & Rules

---

### RULE 5. REINSTATEMENT

The right to practice law may be reinstated by the court after suspension upon application and upon the payment of all delinquent registration fees and additional late penalty sum of ~~Five (\$5.00)~~ Fifty (\$50.00). This court may, in hardship cases, waive payment of delinquent fees- and late penalties. All late penalty payments shall be allocated to an attorney registration account to defray the registration costs.

Dated: 12 April 1990

BY THE COURT:  
Peter S. Popovich, Chief Justice

## Announcements

---

**Environmental Quality Board (EQB):** Comments are due May 30 on the EAWs (environment assessment worksheets) for the following projects at their listed regional governing unit: **White Bear Hills Shopping Center**, City of White Bear Lake (612) 429-8562; **Maple Lake Project Phase I**, Red Lake Watershed District. Lowell Enerson, administrator, 102 North Main, P.O. Box 803, Thief River Falls, MN 56701; **Trunk Highway 12 in Willmar**, Minn. Dept. of Transportation (MnDOT) (612) 296-1251; **Lake Prairie Egg No. 10, 11 & 12**; Minn. Pollution Control Agency (MPCA) Paul Schmiechen, environmental planner, 520 Lafayette Road, St. Paul, MN 55155; **Sherburne Wastewater Treatment Facility**; MPCA (612) 297-1766; **Birches of Wabana**, Itasca County, Terry Greenside, zoning administrator, Itasca County Courthouse, Grand Rapids, MN 55744. • A MinDOT Alternative Review will be conducted for **Trunk Highway 14 Reconstruction-Dodge Center**. Contact Dale Grove, project manager, MnDOT District 6, P.O. Box 6177, Highway 52 North, Rochester, MN 55903. • Petitions for environmental review have been received for the following projects: **Lysdale Subdivision**, Blue Earth County, Rick Hanna, Blue Earth County Planning and Zoning, Box 3368, Mankato, MN 56001; **Sustane Corporation Manure Composting-Holden Township**, MPCA, Debra McGovern, Office of Environmental Analysis, MPCA, 500 Lafayette Rd., St. Paul, MN 55155; **Marcus Plat-Wright County**, Wright County Office of Planning and Zoning, Tom Salkowski, Wright County Courthouse, Buffalo, MN 55313; **Prieve Property Gravel Mine**, McLeod County, Brenda Ewing, assistant zoning administrator, 831 - 11th St. E., Glencoe, MN 55336; **Willmar Poultry Farms-Fahlun Township**, MPCA Debra McGovern, Office of Environmental Analysis, MPCA, 599 Lafayette Rd., St. Paul, MN 55155. • A DEIS (draft environmental impact statement) is available for **Trunk Highway 36 and County Road 15** from MnDOT with public meetings and hearings set. Call (612) 779-1208 for information. • An FEIS (Final environment impact statement) has been prepared for the **Dakota County Reserve Recovery Project**. Copies are available from the Metropolitan Council and the Dakota County Library System. • A Special Need Registration is under consideration for the use of Stampede CM Herbicide, EPA Reg. No. 707-182, manufactured by Rohm and Haas Co., for the control of green and yellow foxtail and specific broadleaf weeds in oats in Minnesota for use anywhere in Minnesota where oats are grown. Applicant is Rohm and Haas Co. Interested persons may submit written comment to Calvin Blanchard, Minn. Dept. of Agriculture, Agronomy Services Division, 90 West Plato Blvd., St. Paul, MN 55107.

**Fish Consumption Guidelines:** As fishing season approaches, health officials are again offering advice to the public about eating fish from Minnesota lakes and rivers. The Minnesota Department of Health (MDH) is encouraging anglers to consult a copy of the Minnesota Fish Consumption Advisory before consuming their catch. The 42-page advisory is designed to help anglers avoid possible health risks associated with environmental contaminants in fish. It was prepared by MDH, in cooperation with the Minnesota Pollution Control Agency (PCA) and the Minnesota Department of Natural Resources (DNR). An abbreviated version of the advisory is included in the 1990 Minnesota Fishing Regulations manual, which is provided by DNR to all licensed anglers in the state. Copies of the complete advisory are available from MDH at (612) 627-5046, PCA at (612) 296-6300 or DNR at (612) 296-2835.

**Governor's Appointments:** Governor Rudy Perpich announced the appointment of John Chesterman of Albert Lea to the Third Judicial District Court seat in Albert Lea. Chesterman, 47, succeeds Judge William R. Sturtz who retired April 30.

**Minority Issues Advisory Committee:** The Metropolitan Council Thursday appointed 10 members to its Minority Issues Advisory Committee (MIAC): **Xia Thao** of St. Paul and **John Lee**, North Oaks (Asian-Pacific Islander); **RoseAnn Zimbardo**, Larry McKenzie and **Charlotte Anderson**, Minneapolis, and **Stephen Tatum**, Inver Grove Heights (African-American); **Rene Whiterabbit**, Coon Rapids, and **Melvin Rasmussen**, Shoreview (American Indian); and **Liz Sandoval**, St. Louis Park, and **Magda Fowlston**, Chaska (Hispanic). Lee, Zimbardo, McKenzie and Fowlston are current members whom the Council reappointed; the others are new members. The appointments fill all the vacancies on the committee. Gloria Kumagai of Minneapolis was reappointed as MIAC chair. The 25-member committee identifies and studies major issues and trends affecting minority communities in the Twin Cities Metropolitan Area. It also reviews Council policies and plans to determine their impact on minority communities and recommends ways that the Council can be more responsive to those communities.

# Minnesota's Bookstore

---

## Publications, Services, Subscriptions

Order Form on Back—For Information, Call 297-3000

### NEW PUBLICATIONS:

**Minnesota Rules 1989.** An 11-volume set of rules from the approximately 75 agencies empowered to promulgate rules by the Administrative Procedure Act. Stock #18-200, \$160.00 + tax, or \$15 for individual volumes. **NOTE:** This is a subscription service for the set, entitling subscriber to updates as they are produced.

**Chemical Dependency Programs Directory 1989.** Features comprehensive listings for programs ranging from Prevention/Intervention Services to a wide range of Treatment Services. Each type of program includes an alphabetical listing of facilities and brief narrative description of programming provided. Stock No. 1-12, \$15.00 plus tax.

**Process Parenting—Breaking the Addictive Cycle.** A training manual that provides parent education and treatment techniques for professionals who work with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 plus tax.

**It's Never Okay: A Handbook for Professionals on Sexual Exploitation by Counselors and Therapists.** Therapeutic and prevention issues and employer responsibilities are discussed in this task force report, as well as recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16, \$19.95

**Hazardous Waste Rules 1989.** Governs the storage, treatment, utilization, processing, transfer, and disposal of hazardous waste. Contains the complete requirements for application for permits for discharge of hazardous waste on construction and operation of a treatment facility. Stock No. 3-71, \$16.95 plus tax.

**Environmental Quality Board Rules 1989.** Essential for long-term planning. Details the scope, purpose and objectives of the rules. Explains the need for environmental impact statements and the review process. Includes a special section on large energy facilities and high voltage transmission lines. Stock No. 3-54, \$5.00 plus tax.

### OTHER PUBLICATIONS

**Our Minnesota.** More than 100 full-color photos by Les and Craig Blacklock portray Minnesota in her seasonal beauty, with text from the personal journal of Fran Blacklock's thirty years of traveling the state. Stock #9-23. \$13.95 plus tax.

**Historic Sites and Place Names of Minnesota's North Shore.** John Fritzen, long time employee of the Minnesota DNR draws upon his almost 40 years as a forester, mostly spent on Minnesota's colorful and legendary North Shore, to regale readers with tales of timbermen, pioneer settlers, miners, commercial fishermen and others. Black and white photos. Stock #9-11. \$3.50 plus tax.

**Landscaping for Wildlife.** Attract songbirds, deer, butterflies, hummingbirds, pheasants, and other wildlife to your property by using the tips in this 144-page, 4-color book. Stock #9-15, \$8.95 plus tax. See "Special Set Offer" below.

**Woodworking for Wildlife.** Carefully illustrated with a variety of game bird and mammal box designs, including maintenance requirements and important tips on placement of nests in proper habitat areas. 47 pages with diagrams. Stock #9-14, \$3.95 plus tax. See "Special Set Offer" below.

**"Special Set Offer."** Save 15% by purchasing the two books together on wildlife mentioned above. Stock #9-20, \$10.95 plus tax.

**Minnesota Manufacturer's Directory, 1990.** More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchasing managers, and four manufactured products. Stock #40-2. \$78.50 + \$4.71 sales tax.

### SUBSCRIPTIONS:

**State Register.** Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court Calendar, Supreme Court and Tax Court Decisions. Annual subscription: Monday edition only \$130; Monday and Thursday's State Contract Supplement \$195; 13-week trial (includes both Monday and Thursday editions) \$60.00.

**Workers Compensation Decisions.** Volume 40. Selected landmark decisions of the Worker's Compensation Court of Appeals. Annual subscription. \$105.00.

### SERVICES:

**Mailing Lists.** Lists of Minnesota licensed professionals and permit holders. Write or call (612) 297-2552 for a free mailing list catalog which contains available lists, selections, formats, pricing and ordering information.

**American Flag.** Perfect for home or office. 3' x 5' with embroidered stars. Heavy nylon bunting. Code No. 6-1. \$21.00, plus tax.

**1989 Lake Map Index.** Listing over 4,000 lake maps. Free.

**1989 Publication Catalog of Minnesota's Bookstore.** Lists publications available through Minnesota's Bookstore. Free.

**State Register Binder.** Durable 3½ inches, forest green binders imprinted with the *State Register* logo. \$6.50 plus 39¢ tax.



Department of Administration

# Print Communications Division

117 University Avenue • St. Paul, Minnesota 55155

Metro Area 612-297-3000 (FAX: 612-296-2265)  
 In Minnesota, toll free 1-800-652-9747

Second Class  
 U.S. Postage  
 Paid  
 Permit No.  
 326630  
 St. Paul, MN

Please notify us of any address changes so that we can continue to give you our best service. Include your old mailing label to speed your service.



Legislative Reference Library  
 Zona DeWitt 7950  
 645 State Office Bldg  
 INTEROFFICE

**TO ORDER:**

Complete attached order blank. Include either your VISA/MasterCard or American Express credit card number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order.

Please include 6% sales tax and \$2.00 postage and handling.

**PREPAYMENT REQUIRED.**

Merchandise may be returned if it is in resalable condition with a \$2.00 restocking charge.

**NOTE:**

**STATE REGISTER** and other subscriptions do not require sales tax or postage and handling fees.



Metro area (612) 297-3000  
 In Minnesota toll-free 1-800-652-9747  
 Facsimilie (FAX) (612) 296-2265

**Prices subject to change without notice.**

Please allow about 6 weeks for delivery. In a hurry?  
 Stop by our Bookstore. Bookstore Hours  
 8 a.m.-4:30 p.m., Monday through Friday.

**For Your Convenience, photocopy this order blank**

Code No.	Quantity	Description	Item Price	Total
Name or Company			<b>Subtotal</b>	
Attention		Plus 6% tax MN Residents Only		
Address				
City	State	Zip	Postage/Handling (per order)	<b>\$2.00</b>
American Express/VISA/MasterCard No.			<b>TOTAL</b>	
Signature		Expiration Date	Telephone (During Day)	