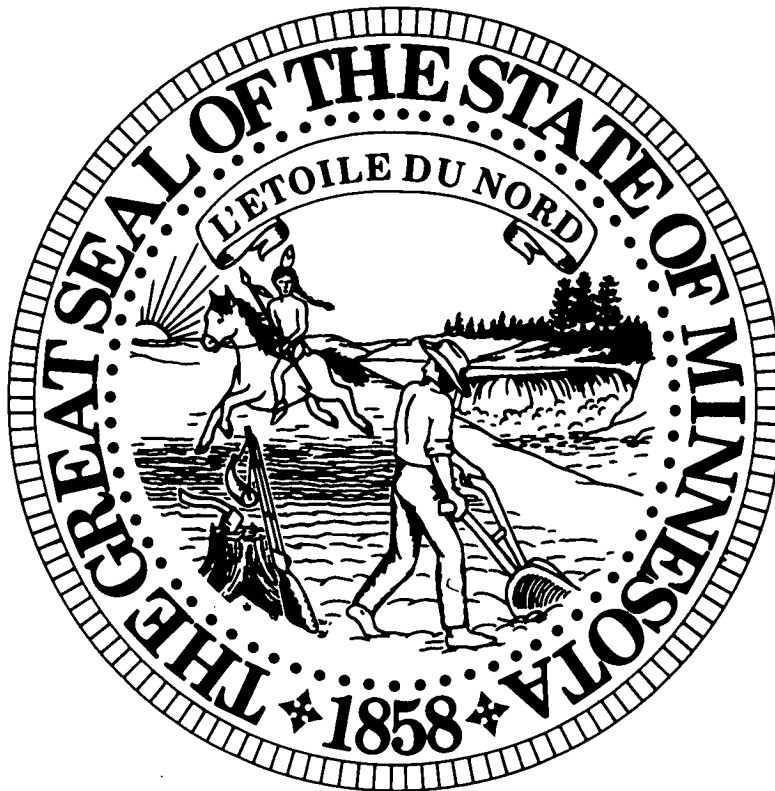


P182

The Minnesota  
**State  
Register**

Department of Administration—Print Communications Division



Rules edition  
Published every Monday  
(Tuesday if Monday is a holiday)

**Monday 6 January 1992**  
**Volume 16, Number 28**  
**Pages 1625-1676**

# 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 and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

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. 16 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
28	Friday 20 December	Friday 27 December	Monday 6 January
29	Friday 27 December	Monday 6 January	Monday 13 January
30	Monday 6 January	Monday 13 January	Tuesday 21 January
31	Monday 13 January	Friday 17 January	Monday 29 January

\*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 court; 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 \$140.00 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.

**Arne H. Carlson, Governor**

**Dana B. Badgerow, Commissioner**  
Department of Administration

**Stephen A. Ordahl, Director**  
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## FOR LEGISLATIVE NEWS

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

### SENATE

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

**Perspectives**—Publication about the Senate.

**Session Review**—Summarizes actions of the Minnesota Senate.

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

### HOUSE

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

**This Week**—weekly interim bulletin of the House.

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

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

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# 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.

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## Morel: Minnesota's mushroom

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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.

## 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 Fines for Uncorrected Deficiencies in Supervised Living Facilities

#### Notice of Intent to Adopt a Rule Without a Public Hearing, Notice of Intent to Adopt a Rule With a Public Hearing if Twenty-Five or More Persons Request a Hearing, and Notice of Intent to Cancel Hearing if Fewer Than 25 Persons Request a Hearing

##### Explanation of Alternative Notices

The Department of Health (hereinafter "Department") hereby gives notice of its intent to adopt rules without a public hearing under the procedures of *Minnesota Statutes*, sections 14.22 to 14.28. However, if 25 or more persons request a hearing, a hearing must be held under *Minnesota Statutes*, section 14.25. To expedite the rulemaking process should a hearing be required, the Department also is giving notice of the hearing on the proposed rule pursuant to *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be canceled if 25 or more people do not request that one be held. Also, the hearing will be canceled if a sufficient number of people withdraw their requests for a hearing in response to proposed revisions of the proposed rules. Because the comment period closes on February 6, 1992, interested persons may call the Department after February 6, 1992, to ask whether the hearing will be held as scheduled on February 14, 1992.

##### Notice of Intent to Adopt Rules Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Department of Health proposes to adopt the above-captioned rule without a public hearing following the procedures set forth in *Minnesota Statutes*, section 14.22 to 14.28. The specific authority to adopt the rule is *Minnesota Statutes*, section 144.653, subdivision 6. The text of the proposed rule follows this Notice.

Persons interested in this rule have 30 days from the date this notice is published in the *State Register* in which to submit comment in support of or in opposition to the proposed rule. The 30 days will expire on February 6, 1992. 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 requests in writing. Any person requesting a public hearing should state his or her name, address, and telephone number, 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 Department will proceed pursuant to *Minnesota Statutes*, section 14.131 to 14.20.

PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON FEBRUARY 14, 1992, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING PROVIDED BELOW. To verify whether a hearing will be held, please call the Department of Health between February 7 and February 13, 1992, at (612) 643-2100.

**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

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Persons who wish to submit comments or a written request for a public hearing must submit such comments or request to:

Sandra Abrams  
Minnesota Department of Health  
Central Medical Building  
393 N. Dunlap Street  
P.O. Box 64900  
St. Paul, MN 55164-0900  
Telephone: (612) 643-2157

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on February 6, 1992.

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

A free copy of this rule is available upon request from:

Elise Paulsen  
Minnesota Department of Health  
Central Medical Building  
393 N. Dunlap Street  
P.O. Box 64900  
St. Paul, MN 55164-0900  
Telephone: (612) 643-2100

The proposed rule establishes a schedule of fines for supervised living facilities for uncorrected violations of the Supervised Living Facilities Rules, the Minnesota Clean Indoor Air Act, the Patients and Residents of Health Care Facilities Bill of Rights and the Reporting of Maltreatment of Vulnerable Adults Act.

**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 Elise Paulsen at the above address.

The adoption of these rules will not result in the expenditure of public monies by local public bodies spending in excess of \$100,000 in either of the first two years following the rule's adoption, nor affect agricultural land.

It is the position of the Department that this proposed rule is not subject to *Minnesota Statutes*, section 14.115 regarding small business considerations in rulemaking. The basis for this position, and the Department's evaluation of the rule under section 14.115, should it be determined that the proposed rule is governed by section 14.115, are addressed in the **STATEMENT OF NEED AND REASONABLENESS**.

If no hearing is required, the rule and the required supporting documents will be delivered to the Attorney General for review as to form and legality. 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, should submit a written request to Elise Paulsen at the above address.

### **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 rule within the 30-day comment period pursuant to the notice given above, a hearing will be held on February 14, 1992, in accordance with the following notice of public hearing.**

**NOTICE IS HEREBY GIVEN** that a public hearing on the above-captioned matter will be held pursuant to *Minnesota Statutes*, sections 14.131 to 14.20, in the Chesley Room, First Floor, Minnesota Department of Health Building, 717 Delaware Street SE, Minneapolis, Minnesota, on February 14, 1992, commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process. The text of the proposed rule follows this Notice.

**PLEASE NOTE THAT THE HEARING WILL BE CANCELED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING WITHIN THE 30-DAY COMMENT PERIOD.**

Following the agency's presentation at the hearing, all interested or affected persons 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 the hearing which is to be included in the hearing record may be mailed to Barbara L. Neilson, Administrative Law Judge, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7604, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may order the record be kept

open for a longer period not to exceed 20 calendar days. The comments received during the comment period will be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. Any written material or responses submitted must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the final day of each response period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, sections 14.15 and 14.50. The rule hearing is governed by *Minnesota Statutes*, sections 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, section 144.653, subdivision 6. 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.

A free copy of this rule is available upon request from:

Elise Paulsen  
Minnesota Department of Health  
Central Medical Building  
393 N. Dunlap Street  
P.O. Box 64900  
St. Paul, MN 55164-0900  
(612) 643-2100

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact:

Sandra Abrams  
Minnesota Department of Health  
Central Medical Building  
393 N. Dunlap Street  
P.O. Box 64900  
St. Paul, MN 55164-0900  
Telephone: (612) 643-2157

**NOTICE:** Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be 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 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 agency at any time prior to the filing of the rules with the secretary of state.

The proposed rule establishes a schedule of fines for supervised living facilities for uncorrected violations of the Supervised Living Facilities Rules, the Minnesota Clean Indoor Air Act, the Patients and Residents of Health Care Facilities Bill of Rights and the Reporting of Maltreatment of Vulnerable Adults Act.

**NOTICE IS HEREBY GIVEN** that a **STATEMENT OF NEED AND REASONABLENESS** is available for review at the agency and at the Office of Administrative Hearings. The **STATEMENT OF NEED AND REASONABLENESS** includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the **STATEMENT OF NEED AND REASONABLENESS** may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

It is the position of the Department that this proposed rule is not subject to *Minnesota Statutes*, section 14.115 regarding small business considerations in rulemaking. The basis for this position, and the Department's evaluation of the rule under section 14.115, should it be determined that the proposed rule is governed by section 14.115, are addressed in the **STATEMENT OF NEED AND REASONABLENESS**.

The adoption of these rules will not result in the expenditure of public monies by local public bodies spending in excess of \$100,000 in either of the first two years following the rule's adoption, nor affect agricultural land.

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## Proposed Rules

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*Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Ethical Practices Board. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Marlene E. Marschall  
Commissioner of Health

### Rules as Proposed (all new material)

#### FINES

#### **4665.9000 FINES FOR UNCORRECTED DEFICIENCIES IN SUPERVISED LIVING FACILITIES AND AUTHORITY.**

Parts 4665.9000 to 4665.9100 establish the schedule of penalty assessments to be assessed against supervised living facilities for the failure to comply with correction orders under the authority of *Minnesota Statutes*, section 144.653, subdivisions 5 and 6.

#### **4665.9010 GENERAL REQUIREMENTS.**

Penalty assessments for violations of parts 4665.0200 to 4665.1300 are as follows:

- A. part 4665.0200, subpart 5, item B, \$350;
- B. parts 4665.0300 and 4665.0400, \$50;
- C. part 4665.0500, \$500;

D. that portion of part 4665.0800 that states "... there shall be at least one responsible person awake, dressed, and up and about in the facility. The responsible person shall be at least 18 years of age and capable of performing required duties in supervision of residents. This person shall be immediately accessible to all residents in the facility and shall be the person to whom residents can report injuries, symptoms of illness, and emergency situations.", \$500;

E. that portion of part 4665.0800 that states "Facilities that accept persons who are not capable of adequate judgment in taking action for self-preservation, must assure that there is, additional to the requirement above, adequate staff on duty on a 24-hour-a-day basis to provide:

- A. necessary physical services for activities of daily living;
- B. maintenance of an appropriate personal hygiene program for each resident", \$350;

F. that portion of part 4665.0800 that states "C. for appropriate movement of residents to safe harborage within the facility, or evacuation from the facility, in the case of fire or other emergency situation.", \$500;

- G. part 4665.0900, \$350;
- H. parts 4665.1000 and 4665.1100, \$50;
- I. part 4665.1200, items A to C, \$100;
- J. part 4665.1200, item D, \$50;
- K. part 4665.1300, item A, \$50;
- L. part 4665.1300, items B and C, \$100; and
- M. part 4665.1300, item D, \$50.

#### **4665.9020 PHYSICAL PLANT.**

Penalty assessments for violations of parts 4665.1400 to 4665.2700 are as follows:

- A. parts 4665.1400 to 4665.1700, \$200;
- B. part 4665.1800, subparts 1 to 10, \$150;
- C. part 4665.1800, subpart 11, \$200;
- D. part 4665.1900, \$150;
- E. parts 4665.2000 to 4665.2100, \$200;
- F. part 4665.2200, \$150;
- G. parts 4665.2300 to 4665.2600, \$200; and
- H. part 4665.2700, \$350.

#### **4665.9030 NUTRITION.**

Penalty assessments for violations of parts 4665.2800 to 4665.3200 are as follows:

- A. parts 4665.2800 to 4665.3000, \$350;



B. that portion of part 4665.3100 that states "All menus, including special diets, shall be planned, dated and available for review for a minimum of one week in advance. Notations shall be made of any substitutions in the meals actually served.", \$50;

C. that portion of part 4665.3100 that states "... these shall be of equal nutritional value. Records of menus and of foods purchased shall be filed for six months. A reasonable variety of foods shall be provided. A file of tested recipes, adjusted to a yield appropriate for the size of the facility, shall be maintained on the premises.", \$300; and

D. part 4665.3200, \$350.

#### **4665.9040 HEALTH SERVICES.**

Penalty assessments for violations of parts 4665.3300 to 4665.4100 are as follows:

A. part 4665.3300, \$300;

B. part 4665.3400, \$300;

C. parts 4665.3500 to 4665.3900, \$350;

D. part 4665.4000, \$300;

E. part 4665.4100, subpart 1, \$300;

F. part 4665.4100, subpart 2, items A to C, \$100;

G. part 4665.4100, subpart 2, item D, \$500;

H. part 4665.4100, subpart 2, items E to F, \$100;

I. part 4665.4100, subpart 2, item G, \$300;

J. part 4665.4100, subpart 2, item H, \$100;

K. that portion of part 4665.4100, subpart 3, that states "Upon request, a resident or parent or guardian shall be provided with a summary of the resident's health record within a reasonable period of time following discharge. All information contained in the resident's health records shall be considered privileged and confidential, and written consent of the resident or his parent shall be required for the release of information to persons not otherwise authorized to receive it. The resident shall have access to the health record upon request.", \$250;

L. that portion of part 4665.4100, subpart 3, that states "All entries in the resident's health record shall be legible, dated, and authenticated by the signature and other identifying designation of the individual making the entry.", \$300; and

M. part 4665.4100, subpart 4, \$300.

#### **4665.9050 MEDICATION HANDLING PROCEDURES.**

Penalty assessments for violations of parts 4665.4200 to 4665.4600 are as follows:

A. part 4665.4200, \$500;

B. part 4665.4300, \$350;

C. part 4665.4400, \$300;

D. part 4665.4500, \$350;

E. that portion of part 4665.4600 that states "If authorized by the attending physician or the resident's physician, medications belonging to residents shall be given to them when discharged or transferred. This shall be recorded in the resident's health record.", \$300;

F. that portion of part 4665.4600 that states "Unused portions of controlled substances shall be handled by contacting the Minnesota Board of Pharmacy, which will furnish the necessary instructions and appropriate forms, a copy of which shall be kept on file in the facility for two years. Any other unused portions of prescription drugs remaining in the facility after the death or discharge of the resident for whom they were prescribed, or any prescriptions discontinued permanently, shall be destroyed by the licensee or designee by flushing them into the sewer system and removing and destroying the labels from the containers.", \$100; and

G. that portion of part 4665.4600 that states "A notation of such destruction giving date, quantity, name of medication, and prescription number shall be recorded on the resident's chart. Such destruction shall be witnessed and the notation signed by both persons.", \$50.

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## Proposed Rules

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### 4665.9060 SAFETY.

Penalty assessments for violations of parts 4665.4700 to 4665.9900 are as follows:

- A. part 4665.4700, \$300;
- B. parts 4665.4800 and 4665.4900, \$200;
- C. part 4665.5000, \$250;
- D. part 4665.5100, \$100;
- E. that portion of part 4665.5200 that states "If smoking is permitted, it shall be permitted only in designated areas.", \$200;
- F. that portion of part 4665.5200 that states "Bedfast residents may be allowed to smoke only while under the direct supervision of a staff member.", \$500;
- G. part 4665.5300, \$300;
- H. that portion of part 4665.5400 that states "In the event of an emergency or unusual occurrence, such as hospitalization, serious illness, accident, imminent death, or death, the resident's parent or others who maintain a close relationship with him shall be notified. The wishes of the resident and his parent about religious matters shall be determined and followed as closely as possible.", \$250;
- I. part 4665.5400, item A, \$350;
- J. part 4665.5400, item B, \$50;
- K. part 4665.5500, subpart 1, \$300;
- L. part 4665.5500, subpart 2, \$50;
- M. part 4665.5600, \$200; and
- N. part 4665.9900, \$300.

### 4665.9070 DEPARTMENT OF HEALTH STATUTES.

Penalty assessments for violations of *Minnesota Statutes*, section 144.651, are as follows:

- A. subdivision 4, \$100;
- B. subdivision 5, \$250;
- C. subdivision 6, \$250;
- D. subdivision 7, \$100;
- E. subdivision 8, \$100;
- F. subdivision 9, \$250;
- G. subdivision 10, \$250;
- H. subdivision 11, \$100;
- I. subdivision 12, \$250;
- J. subdivision 13, \$500;
- K. subdivision 14, \$500;
- L. subdivision 15, \$250;
- M. subdivision 16:
  - (1) except as noted in subitem (2), \$100; and
  - (2) that portion of this subdivision that states "Patients and residents shall be assured confidential treatment of their personal and medical records, and may approve or refuse their release to any individual outside the facility.", \$250;
- N. subdivision 17, \$100;
- O. subdivision 18, \$250;
- P. subdivision 19, \$250;
- Q. subdivision 20, \$250;
- R. subdivision 21:

(1) that portion of this subdivision that states "Patients and residents may associate and communicate privately with persons of their choice and enter and, except as provided by the Minnesota Commitment Act, leave the facility as they choose...Personal mail shall be sent without interference and received unopened unless medically or programmatically contraindicated and documented by the physician in the medical record.", \$250; and

(2) that portion of this subdivision that states "Patients and residents shall have access, at their expense, to writing instruments, stationery, and postage...There shall be access to a telephone where patients and residents can make and receive calls as well as speak privately. Facilities which are unable to provide a private area shall make reasonable arrangements to accommodate the privacy of patients' or residents' calls.", \$250;

- S. subdivision 22, \$250;
- T. subdivision 23, \$250;
- U. subdivision 24, \$100;
- V. subdivision 25, \$250;
- W. subdivision 26, \$250;
- X. subdivision 27, \$250;
- Y. subdivision 28, \$250;
- Z. subdivision 29, \$250;
- AA. subdivision 30, \$250;
- BB. subdivision 31, \$500; and
- CC. subdivision 32, \$250.

#### **4665.9080 REPORTING OF MALTREATMENT OF VULNERABLE ADULTS.**

Penalty assessments for violations of *Minnesota Statutes*, section 626.557, are as follows:

- A. subdivision 3, \$250;
- B. subdivision 3a, \$100;
- C. subdivision 4, \$250;
- D. subdivision 9, \$250;
- E. subdivision 14, \$350;
- F. subdivision 15, \$350; and
- G. subdivision 17, \$250.

#### **4665.9090 MINNESOTA CLEAN INDOOR AIR ACT.**

Except as noted in items A and B, a \$200 penalty assessment shall be issued for any violation of *Minnesota Statutes*, sections 144.411 to 144.417, the Minnesota Clean Indoor Air Act, or any rules adopted under this act:

A. that portion of section 144.414, subdivision 3, paragraph (b), that states "... pursuant to a policy established by the administrator of the program that identifies circumstances in which prohibiting smoking would interfere with the treatment of persons recovering from chemical dependency or mental illness.", \$100; and

B. section 144.414, subdivision 3, paragraph (c), \$100.

#### **4665.9100 FAILURE TO CORRECT DEFICIENCY AFTER A FINE HAS BEEN IMPOSED.**

If, upon subsequent reinspection after a fine has been imposed under parts 4665.9000 to 4665.9090, the deficiency has still not been corrected, another fine shall be assessed. This fine shall be double the amount of the previous fine.

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## Proposed Rules

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### Department of Public Service

#### Proposed Permanent Rules Relating to Energy Code Revisions

##### Notice of Intent to Adopt a Rule Without a Public Hearing and Notice of Intent to Adopt a Rule With a Public Hearing if Twenty-Five or More Persons Request a Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Public Service intends to adopt amendments to *Minnesota Rules* Chapter 7670, without a public hearing following the procedures set forth in the *Minnesota Statutes*, sections 14.22 to 14.28. Authority for the adoption of these rules is contained in *Minnesota Statutes*, section 216C.19, subdivision 8.

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

All persons may make a written request for a public hearing on the proposed amendments 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 requests in writing. Any person requesting a public hearing must state his or her name and address and is encouraged to identify the portion of the proposed amendment 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 requests for a public hearing must be received no later than 4:00 p.m., February 7, 1992.

**PLEASE NOTE:** that if twenty-five or more persons submit written requests for a public hearing within the 30 day comment period, a public hearing will be held on February 11, 1992 unless a sufficient number withdraw their requests in accordance with the notice of hearing on these rules published in the *State Register* and mailed to persons registered with the Department of Public Service. To verify whether a hearing will be held, please call the Department of Public Service, Energy Information Center on February 10, 1992 between the hours on 8:00 a.m. and 4:15 p.m. at 296-5175 or Minnesota toll free 800-652-9747 (ask for "Energy").

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

Bruce Nelson, Senior Engineer  
Department of Public Service, Energy Division  
150 East Kellogg Boulevard, Room 790  
St. Paul, MN 55101  
phone (612) 297-2313 fax (612) 297-1959.

The proposed amendments 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 amendments as noticed.

A Copy of the proposed rule amendment is attached to this notice.

**A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed amendments and identifies the data and information relied upon to support the proposed amendments has been prepared and is available by requesting a copy from Mr. Nelson at the address listed above. The **STATEMENT OF NEED AND REASONABLENESS** includes an evaluation of the effect of the proposed rule on small businesses.

The adoption of these rules will not result in additional spending by local bodies of government in excess of \$100,000 per year in either of the first two years following their adoption.

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 that 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 rules, must submit a written request for such to Mr. Nelson at the address listed above.

Dated: 23 December 1991

Krista L. Sanda, Commissioner  
Department of Public Service

##### Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer than Twenty-Five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that a public hearing on the above-entitled matter will be held on February 11, 1992 in the Large Hearing Room, 7th floor, American Center Building, 150 East Kellogg Boulevard, St. Paul, Minnesota commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result

of the hearing process. Therefore, if you are affected in any manner by the proposed rule, you are urged to participate in the rule hearing process.

Comments or requests for a public hearing must be received no later than 4:00 p.m., February 7, 1992.

**PLEASE NOTE, HOWEVER that the hearing will be cancelled if fewer than twenty-five persons request a hearing in response to the notice of intent to adopt these same rules without a public hearing published in this *State Register* and mailed to persons registered with the Department of Public Service.** To verify whether a hearing will be held, please call the Department of Public Service, Energy Information Center on February 10, 1992 between the hours of 8:00 a.m. and 4:15 p.m. at 296-5175 or Minnesota toll free 800-652-9747 (ask for "Energy").

Following the agency's presentation at the hearing, all interested or affected persons 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. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing may be mailed to Phillis Reha, Administrative Law Judge, Office of Administrative Hearings, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone 612/341-7611, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record to be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three day period, the agency may indicate, in writing, whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be admitted during the three day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, Sections 14.15 to 14.50. The rule hearing is governed by *Minnesota Statutes*, section 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

Authority for the adoption of these rules is contained in *Minnesota Statutes*, section 216C.19, subdivision 8.

The adoption of these rules will not result in additional spending by local bodies of government in excess of \$100,000 per year in either of the first two years following their adoption.

A Copy of the proposed rule amendment is attached to this notice.

**NOTICE:** Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take final action on the rules for a period of five working days. If you desire to be 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 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 agency at any time prior to filing the rules with the secretary of state.

**NOTICE IS HEREBY GIVEN** that a **STATEMENT OF NEED AND REASONABLENESS** is now available for review at the Agency and at the Office of Administrative Hearings. The **STATEMENT OF NEED AND REASONABLENESS** includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. The **STATEMENT OF NEED AND REASONABLENESS** includes an evaluation of the effect of the proposed rule on small businesses. Copies of the **STATEMENT OF NEED AND REASONABLENESS** may be reviewed at the agency or the Office of Administrative Hearings and may be obtained from the Office of Administrative Hearings at the cost of reproduction. Copies of the **STATEMENT OF NEED AND REASONABLENESS** are also available by submitting a request to:

Bruce Nelson, Senior Engineer  
Department of Public Service, Energy Division  
150 East Kellogg Boulevard, Room 790  
St. Paul, MN 55101  
phone (612) 297-2313 fax (612) 297-1959.

*Minnesota Statutes*, Chapter 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, subdivision 11 as any individual:

(a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends

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## Proposed Rules

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more than five hours in any month or more than \$250.00, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communication or urging others to communicate with public officials;

(b) who spends more than \$250.00, not including his 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.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, telephone 612-296-5148.

Dated: 23 December 1991

Krista L. Sanda, Commissioner  
Department of Public Service

### Rules as Proposed

#### 7670.0100 AUTHORITY; SCOPE; APPLICABILITY.

[For text of subs 1 and 2, see M.R.]

Subp. 3. **Applicability.** Buildings covered by this chapter must comply with the Model Energy Code as amended by parts 7670.0260 to 7670.1000. For purposes of this part, "buildings" includes driveways, walkways, entrances, parking lots, and grounds.

**EXCEPTION:** Relocated residential buildings need not comply with this chapter, except that, where available, an energy audit must be conducted on the relocated building.

#### 7670.0130 INCORPORATIONS BY REFERENCE.

Subpart 1. **Incorporated items.** The following standards and references are incorporated by reference:

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

1. WINDOW, a computer program developed by the Windows and Daylighting Group at Lawrence Berkeley Laboratory NFR 100-91: Procedure for Determining Fenestration Product Thermal Properties (Currently Limited to U-values).

[For text of subp 2, see M.R.]

#### 7670.0260 MATERIALS AND EQUIPMENT.

Section 102 of the Model Energy Code is amended by adding a paragraph to read:

102.3 Thermal Insulation. Thermal insulation used in residential buildings three stories or less in height must conform to chapter 7640, Minnesota Thermal Insulation Standards, adopted by the Department of Public Service. All thermal insulation must achieve stated performance at 75 degrees Fahrenheit mean temperature and no less than stated performance at winter design conditions.

**EXCEPTION:** Thermal insulation designed to reduce summer cooling load only is not required to achieve stated performance at winter design conditions.

#### 7670.0325 AMENDMENTS TO SECTION 201: DEFINITIONS.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Window area.** Section 201 of the Model Energy Code is amended by adding a new definition to read:

**WINDOW AREA.** Window area, or glazing area, is either the area of glazing and sash, or the area used by the manufacturer to determine the window thermal transmittance equal to the rough opening less installation clearances.

Subp. 5. **Advanced framing.** Section 201 of the Model Energy Code is amended by adding a new definition to read:

**ADVANCED FRAMING.** Advanced area framing means framing techniques used to minimize the amount of uninsulated area that is required for proper structural support. Advanced wall framing means stud spacing of 24" on center, insulated headers, two-stud corners, full insulation wherever possible between partition wall intersections with exterior walls, and, when foam insulated sheathing is used, replacement of cripples with hangers whenever possible. Advanced ceiling framing means achieving full insulating value to the outside of exterior walls.

#### 7670.0470 AMENDMENTS TO SECTION 502: ENVELOPE THERMAL TRANSMITTANCE.

Subpart 1. **Opaque wall components and roof/ceiling components.** Section 502.2.1 of the Model Energy Code is amended by adding a paragraph to read:

502.1.4 Thermal transmittance of opaque wall components and roof/ceiling components. Thermal transmittance of opaque wall components ( $U_w$ ) and roof/ceiling components ( $U_r$ ) must be calculated using the following methods:

(1) Wood frame: Parallel heat flow method.

(2) Masonry blocks with insulation inserts or filled cores and other envelope assemblies containing nonmetal framing: Series-parallel method.

(3) Metal framing bonded on one or both sides to a metal skin or covering: Thermal bridges in sheet metal construction method.

(4) Nonmetal surface with metal framing:

(a) For elements identified in Standard RS-24 listed in chapter 7, the parallel path correction factor method.

(b) For elements not identified in Standard RS-24 listed in chapter 7, the zone method.

Subp. 2. **Window area and skylight elements.** Section 502.1 of the Model Energy Code is amended by adding a paragraph to read:

502.1.5 Thermal transmittance of window area and skylight elements. Thermal transmittance of window area ( $U_g$ ) and skylight elements ( $U_s$ ) must be determined in accordance with one of the following methods:

(1) Representative U-values for fenestration products, pages 27.16 to 27.18 of Standard RS-1 listed in chapter 7;

(2) Standard RS-26 listed in chapter 7;

(3) Standard RS-27 or RS-28 listed in chapter 7 using design conditions specified in footnote (a) of table 13, chapter 27 of Standard RS-1; or

(4) Standard ~~RS-29~~ RS-20 listed in chapter 7 ~~using design conditions specified in footnote (a) of table 13, chapter 27 of Standard RS-1.~~

Subp. 3. **Alternative compliance.** Section 502.2.1 of the Model Energy Code is amended by adding a new section to read:

502.2.1.7 Alternative compliance. Alternative methods of compliance with sections 502.2.1.1, 502.2.1.2, and 502.2.1.3 for one- and two-family residential buildings.

Minimum performance for components of Type A-1 (one- and two-family) buildings:

Ceilings	Walls	Floors	Windows	Doors
R-38	R-20 <sup>1</sup>	R-20 <sup>1</sup>	Maximum U-0.49 <sup>2</sup>	R-3

(1) For the insulated cavity of opaque walls, floors, and rim joists.

(2) Maximum window area must not exceed 12 percent of the area of exterior walls, not including foundation walls.

Site-built fixed glazing must be installed in either an aluminum or steel frame having a minimum 0.25 inch low conductance thermal break or in wood or vinyl framing. The glazing must be either double-glazed with a dead air space between panes of nominal one-half inch spacing or triple-glazed with a dead air space between panes of not less than one-fourth inch.

Minimum thermal resistance of the insulation in the roof/ceilings: R-38.

Minimum thermal resistance of the insulation in floors not over conditioned space: R-21.

Minimum thermal resistance of the insulation in rim joists: R-19.

Maximum window and door area as a percentage of overall exposed wall area with the combination of framing technique, R-value of insulation within the insulated cavity, sheathing, R-value, insulation on exposed foundation wall, and window overall U-value as indicated below:

MAXIMUM WINDOW AND DOOR AREA AS A PERCENT OF OVERALL EXPOSED WALL

<u>Framing</u>	<u>Cavity Insulation</u>	<u>Sheathing</u>	<u>R-5 Foundation Wall Insulation</u>			
			<u>0.49</u>	<u>0.36</u>	<u>0.31</u>	<u>0.27</u>
<u>STANDARD</u>	<u>R-15</u>	<u>≥R-5</u>	<u>11.2%</u>	<u>15.7%</u>	<u>18.6%</u>	<u>21.9%</u>
<u>STANDARD</u>	<u>R-21</u>	<u>&lt;R-5</u>	<u>11.1%</u>	<u>15.5%</u>	<u>18.4%</u>	<u>21.7%</u>
<u>STANDARD</u>	<u>R-21</u>	<u>≥R-5</u>	<u>12.9%</u>	<u>17.8%</u>	<u>21.1%</u>	<u>24.7%</u>
<u>ADVANCED</u>	<u>R-21</u>	<u>&lt;R-5</u>	<u>12.0%</u>	<u>16.7%</u>	<u>19.7%</u>	<u>23.2%</u>
<u>ADVANCED</u>	<u>R-21</u>	<u>≥R-5</u>	<u>13.4%</u>	<u>18.5%</u>	<u>21.8%</u>	<u>25.5%</u>

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# Proposed Rules

## MAXIMUM WINDOW AND DOOR AREA AS A PERCENT OF OVERALL EXPOSED WALL

			R-10 Foundation Wall Insulation			
			Window U-Value			
			0.49	0.36	0.31	0.27
STANDARD	R-15	≥R-5	12.5%	17.6%	20.9%	24.6%
STANDARD	R-21	<R-5	12.4%	17.4%	20.6%	24.3%
STANDARD	R-21	≥R-5	14.1%	19.7%	23.2%	27.2%
ADVANCED	R-21	<R-5	13.3%	18.5%	21.9%	25.8%
ADVANCED	R-21	≥R-5	14.7%	20.3%	24.0%	28.0%

**Notes:**

- 1) Maximum of 12 inches foundation wall exposed, excluding window wells.
- 2) Foundation windows must be insulated glass, 1/2-inch between panes and wood or vinyl frame, or equivalent.
- 3) Standard framing is wall framing that is not advanced as defined in section 201 of the Model Energy Code.

**7670.0480 AMENDMENT TO SECTION 502: EFFECTIVENESS OF REQUIRED THERMAL INSULATION.**

Section ~~502.2~~ 502.1 of the Model Energy Code is amended by adding paragraphs to read:

~~502.2.1.8~~ 502.1.4 Cold weather vapor condensation. Building assemblies are required to maintain the thermal performance of required insulation and the integrity of building materials against cold weather water vapor condensation.

~~502.2.1.8.1~~ 502.1.4.1 Vapor retarder. A vapor retarder must be installed between the interior surface and the winter design condition dew point location within each building envelope surface. ~~The vapor retarder must be continuous and~~ Joints in the vapor retarder must be sealed between solid blocking.

**EXCEPTION:** A vapor barrier need not be installed on the rim joist insulation.

~~502.2.1.8.2~~ 502.1.4.2 Air leakage barrier. A barrier against air leakage must be installed to prevent the leakage of moisture-laden air from the ~~house~~ conditioned space into the building envelope. An air barrier must be continuous at all plumbing and heating penetrations of interior surface of the building exterior envelope. If a tub or shower is located on an exterior wall, an air barrier must be provided at the interior surface of the building exterior envelope behind the tub or shower.

~~502.2.1.9~~ 502.1.5 Preventing wind wash. A barrier must be provided at the following locations to mitigate wind wash:

- A- (1) the exterior edge of attic insulation; and
- B- (2) cantilevered floors and bay windows, including corners with adjoining vertical walls above and below.

**7670.0510 AMENDMENT TO SECTION 502: FOUNDATION WALLS.**

Section 502.2.1.6 of the Model Energy Code is combined with section 502.2.1.5 and is amended to read:

~~502.2.1.6~~ 502.2.1.5 Foundation walls. Foundation walls enclosing heated or conditioned spaces must be insulated.

Either the thermal resistance (R) of the insulation on the entire opaque foundation wall must be not less than R-5, or the thermal resistance (R) of the insulation on the opaque foundation wall must be not less than R-10 from the top of the wall down to the design frost line. If the top of the footing is at or above the design frost line, the thermal resistance (R) of the insulation on the wall must not be less than R-5 from the top of the wall to the top of the footing.

All insulation used in or on foundation walls must be approved for the intended use. The insulation must be installed in accordance with the approved manufacturer's specifications.

If the foundation wall insulation is on the exterior, the portion from the top of the foundation wall to six inches below grade must be covered by an approved protective coating finish to protect the insulation from deterioration due to sunlight and physical abuse.

**7670.0530 AMENDMENT TO ~~502.3.1.4~~ SECTION 502: SLAB ON GRADE FLOORS.**

~~On page 49 of the code,~~ Section 502.3.1.4 of the Model Energy Code is amended to read:

502.3.1.4 Slab on grade floors. For slab on grade floors, the thermal resistance of the insulation around the perimeter of the floor may not be less than the value given in Table No. ~~5-2~~ 502.3.1. The insulation must extend downward from the top of the slab to the design frost line or downward to the bottom of the slab then horizontally beneath the slab for an equivalent distance, and must be of an approved type.

**7670.0550 AMENDMENT AMENDMENTS TO SECTION 502: AIR LEAKAGE.**

[For text of subs 1 and 2, see M.R.]

Subp. 3. Air sealing. Section 502 of the Model Energy Code is amended by adding paragraphs to read:



502.4.5 Air sealing of rim joists. Rim joists, band joists, and where floor joists or trusses meet the building envelope must be sealed in an approved manner to prevent air leakage.

502.4.6 Air sealing of interior partition walls. The top of interior partition walls that join insulated ceilings must be sealed in an approved manner to block air leakage.

**7670.0610 AMENDMENTS TO SECTION 503: BUILDING MECHANICAL SYSTEMS.**

[For text of subps 1 and 2, see M.R.]

Subp. 3. Air-systems. Section 503.5.1 of the Model Energy Code is amended to read:

503.5.1 Air-systems. The power required by motors of constant air volume fan systems must not exceed 0.8 W/cfm of supply air at design conditions.

The power required by motors of variable air volume fan systems must not exceed 1.25 W/cfm of supply air at design conditions.

Subp. 4. Pumping system design criteria. Section 503.5.2 of the Model Energy Code is amended to read:

503.5.2 Piping friction loss. Piping systems must be designed at a friction pressure loss rate of no more than 4.0 ft. of water per 100 equivalent ft. of pipe where a "C-factor" of 125 is used.

Subp. 5. Variable flow pumping. Section 503.5 of the Model Energy Code is amended by adding a paragraph to read:

503.5.3 Variable flow pumping. Pumping systems serving control valves designed to modulate or step open and closed as a function of load must be designed for variable fluid flow. The system must be capable of reducing system flow to 50 percent of design flow or less.

EXCEPTIONS: Pumping loops where a minimum flow greater than 50 percent of the design flow is required for the proper operation of equipment served by the system, such as chiller loops and systems that serve no more than one control valve.

Subp. 6. Balancing. Section 503.6 of the Model Energy Code is amended to read:

503.6 Balancing. Means must be provided to balance air and water systems in accordance with this section.

503.6.1 Air system balancing. Air systems must be balanced. Fan speed must be adjusted to meet design air system flow.

EXCEPTION: Speed adjustment is not required for air system balancing with fan motors of 1 hp or less.

503.6.2 Hydronic system balancing. Hydronic systems must be balanced. Pump impellers must be trimmed or pump speed must be adjusted to meet design system flow.

EXCEPTION: Impeller trimming or speed adjustment is not required for hydronic system balancing with pump motors of 5 hp or less.

503.6.3 Systems balancing reports. Systems balancing reports must be submitted to the building official upon request.

Subp. 7. Controls. Section 503.8 of the Model Energy Code is amended by adding paragraphs to read:

503.8.4 Variable air volume (VAV) fan controls. VAV fans with motors 75 hp and larger must provide controls for the fan motor to demand no more than 50 percent of design wattage at 50 percent of design air volume, based on manufacturer's test data.

503.8.5 Supplementary heat controls. Controls on supplementary heaters must provide a means of activating the supplementary heat source on an emergency basis and an indicator must be provided to show the control status.

503.8.6 HVAC control system testing. HVAC control systems must be tested to assure that control elements are calibrated, adjusted, and in proper working condition.

Subp. 8. Air-handling duct system insulation. Section 503.9.1 of the Model Energy Code is amended by modifying the definition of delta t to read:

Where delta t = the design temperature differential between the air in the duct and the ambient temperature outside of the duct.

Subp. 9. Duct construction. Section 503.10 of the Model Energy Code is amended to read:

503.10 Duct construction. Ductwork must be constructed and erected in accordance with chapter 1346.

503.10.1 Duct leakage test. Ductwork designed to operate at static pressure in excess of 3 in. wc. must be leak tested and classified in a duct leakage class equal to or less than leakage Class 6 according to Standard RS-18 listed in chapter 7.

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## Proposed Rules

503.10.2 Additional sealing. Where supply air ducts and plenums that are designed to operate at static pressures from 0.25 in. to 3 in. wc. inclusive are located outside of conditioned space or in return plenums, joints must be sealed in accordance with Seal Class B as defined in Standards RS-17, RS-18, and RS-19 listed in chapter 7. All other ducts and plenums operating from 0.25 in. to 3 in. wc. inclusive must be sealed in accordance with Seal Class C. Pressure sensitive tape must not be used as the primary sealant where ducts are designed to operate at static pressure of 1 in. wc. or greater.

Subp. 10. Operation and maintenance manual. Section 503 of the Model Energy Code is amended by adding a paragraph to read:

503.12 Operation and maintenance manual. An operation and maintenance manual must be provided. The manual must include basic data relating to the operation and maintenance of HVAC systems and equipment. Required routine maintenance actions must be clearly identified. Where applicable, HVAC controls information such as diagrams, schematics, control sequence descriptions, and maintenance and calibration information must be included.

### 7670.0660 AMENDMENT TO SECTION 503: EQUIPMENT EFFICIENCY.

Subpart 1. Table No. 503.4.3 HVAC equipment efficiency. Table No. 503.4.3 of the Model Energy Code "HVAC System Heating Equipment - Gas- and Oil-Fired Minimum Steady State Combustion Efficiency" is amended by changing the requirement for forced-air furnaces and low-pressure steam or hot-water boilers for all other commercial or industrial furnaces and boilers to 80 percent. Section 503.4 of the Model Energy Code, with the exception of sections 503.4.2.3 and 503.4.4, is amended to read:

503.4 HVAC equipment performance requirements. HVAC equipment must meet minimum efficiency requirements specified in Standard RS-10 listed in chapter 7 with the following exceptions:

(1) Table 8.3-6 is amended to cite the reference standard for air conditioners, air cooled as ARI 360-86; to cite the reference standard for air conditioners, water/evaporatively cooled as ARI 360-86; and efficiency requirements added as follows:

<u>Air Conditioners</u> (air cooled)	$\leq 760,000$ Btu/h 8.5 EER	$> 760,000$ Btu/h 8.7 EER
<u>Heat Pumps (cooling)</u> (air cooled)	$< 760,000$ Btu/h 8.5 EER	$\geq 760,000$ Btu/h 8.7 EER

(2) Table 8.3-7 is amended to read:

<u>WATER COOLED</u>	<u>CFC</u>	<u>NON-CFC</u>
<u>Centrifugal</u>	0.63 KW/Ton	0.73 KW/Ton
<u>Screw</u>	0.75 KW/Ton	0.80 KW/Ton
<u>Reciprocating or Scroll</u>		0.93 KW/Ton
<u>AIR COOLED (any type)</u>		
$\geq 150$ Ton		1.41 KW/Ton
$< 150$ Ton		1.30 KW/Ton

503.4.1 Heat-operated water chilling packages. Double-effect, heat-operated water chilling packages must be used in lieu of single-effect equipment, except where the energy input is from low temperature waste-heat or renewable energy sources.

Subp. 2. [See repealer.]

Subp. 3. Efficiency requirements. HVAC system heating and cooling equipment regulated by the National Appliance Energy Conservation Act of 1987 must conform to the efficiency requirements of Standard RS-3+ RS-5 listed in chapter 7.

### 7670.0710 AMENDMENTS TO SECTION 504: SERVICE WATER HEATING.

Subpart 1. Efficiency requirements. Section 504.2 of the Model Energy Code is amended to read:

504.2 Efficiency requirements. Service water heating equipment must meet the minimum efficiency requirements listed in RS-6 with the following exceptions:

<u>Fuel Type</u>	<u>Input Rating</u>	<u>Input to Volume Ratio (Btuh/gal)</u>	<u>Efficiency</u>	<u>Standby Loss (%/hour)</u>
<u>Electric</u>	$\geq 12$ KW			$\frac{0.30 + 27}{V_t}$
<u>Gas/Oil</u>	$\leq 155,000$ Btuh	$> 4,000$	80 percent	$\frac{1.3 + 114}{V_t}$
<u>Gas/Oil</u>	$> 155,000$ Btuh	$> 4,000$	80 percent	$\frac{1.3 + 95}{V_t}$
<u>Gas/Oil</u>	All	$\geq 4,000$	80 percent	$\frac{2.3 + 67}{V_t}$

Where:  $V_t$  is the measured storage volume in gallons.

Test procedures for electric, gas, and oil water heaters not regulated by the National Appliance Energy Conservation Act (NAECA) of 1987 must follow procedures prescribed in ANSI Z21.10.3-1990.

Subp. 2. Time clocks. Section 504.5 ~~504.5.3~~ of the Model Energy Code is amended by deleting section 504.5.3, to read:

504.5.3 Time clocks. Time clocks must be installed on all swimming pool heaters to allow for the shutdown of heating devices during hours of peak utility demand.

Subp. 2 3. Pipe insulation. Section 504.7 of the Model Energy Code is amended by deleting the exception, and by adding a paragraph to read:

504.7.1 Nonrecirculating systems. Either the first eight feet of both inlet and outlet pipe from the storage tank must be insulated in accordance with Table No. 504.7, or heat traps must be installed on both inlet and outlet pipes with pipe insulation between the storage tank and heat traps installed in accordance with Table No. 504.7.

Subp. 3 4. Devices to limit temperature. Section 504.8.2 of the Model Energy Code is amended by deleting section 504.8.2.2.

Subp. 4 5. Efficiency requirements. Service water heating equipment regulated by the National Appliance Energy Conservation Act of 1987 must conform to the efficiency requirements of Standard ~~RS-34~~ RS-5 listed in chapter 7.

#### **7670.0800 AMENDMENTS TO SECTION 505: ELECTRIC POWER AND LIGHTING.**

Subpart 1. Electric energy determination. The exception to Section 505.2 of the Model Energy Code is amended to read:

505.2 Electrical energy consumption. In multifamily dwellings, provision must be made to determine the electrical energy consumed by each tenant by separately metering individual dwelling units.

**EXCEPTION:** Motels, hotels, college dormitories, other transient facilities, and buildings intended for occupancy primarily by persons who are 62 years of age or older or handicapped, or which contain a majority of units not equipped with complete kitchen facilities.

505.2.1 Electrical distribution monitoring. In electrical panels of buildings other than low-rise residential, all feeder wiring and the panel feeder must be capable of accepting a clamp-on ampmeter.

Subp. 2. Lighting power budget. The lighting requirements of sections 505.3 and 505.4 of the Model Energy Code are amended to read:

The lighting power budget must be the upper limit of the power to provide the lighting needs in accordance with the 1988 and 1989 1993 criteria and calculation procedure specified in Standard ~~RS-32~~ RS-29 listed in chapter 7 (~~excluding section 3-2, referencing equation 3-4-1 in section 3-1.6-2, and correcting the units of Interior Lighting Power Allowance in equation 3-5-3 to Watts~~); or using with the following exceptions:

(1) at each occurrence, the words "sections 11 and 12" are amended to read "Chapter 4 of the Model Energy Code";

(2) each time the word "shall" is used in reference to an inanimate object, "shall" is changed to "must";

(3) all recommendations identified by "may" or "should" are deleted;

(4) section 3.1.6.2 is amended to reference equation 3.4-1;

(5) section 3.2 is deleted;

(6) section 3.3.1.2.2 is amended to read:

3.3.1.2.2 Equivalent number of controls. A reduction in the minimum number of controls is permitted by using an equivalent number of controls from Table 3.3-1 where control types used in Table 3.3-1 are used. However, the minimum number of controls must not be less than one for each 20 ampere circuit;

(7) section 3.3.1.2.3(a) is amended to read:

3.3.1.2.3(a) Lighting for spaces that must be used as a whole, such as public lobbies of office buildings, hotels, and hospitals; retail and department stores; and warehouses, storerooms, and service corridors under centralized supervision may be controlled by a lesser number of controls, but not less than one for each 20 ampere circuit or a total of three controls, whichever is greater;

(8) sections 3.3.2.1 and 3.3.2.2 are amended to read:

Fluorescent lamp ballasts must comply with Standard RS-31 listed in chapter 7 of the Model Energy Code;

(9) section 3.5.5 is amended by changing the units of Interior Power Allowance in equation 3.5-3 to Watts;

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# Proposed Rules

(10) section 3.5.5 is amended to calculate "unlisted space" by subtracting the Listed Space Area (LSA) from the Gross Lighting Area (GLA);

(11) Table 3.5-2 is amended to read:

Table 3.5-2

Automatic Control Device(s)	Power Adjustment Factor
Daylight Sensing Controls (DS), continuous dimming	0.30
DS, multiple step dimming	0.20
DS, ON/OFF	0.10
DS, continuous dimming and programmable timing	0.35
DS, multiple step dimming and programmable timing	0.25
DS, ON/OFF and programmable timing	0.15
DS, continuous dimming, programmable timing, and lumen maintenance	0.40
DS, multiple step dimming, programmable timing, and lumen maintenance	0.30
DS, ON/OFF, programmable timing, and lumen maintenance	0.20
Lumen maintenance	0.10
Lumen maintenance and programmable timing control	0.15
Programmable timing control	0.15
Occupancy sensor	0.30
Occupancy sensor DS, continuous dimming	0.40
Occupancy sensor DS, multiple step dimming	0.35
Occupancy sensor DS, ON/OFF	0.35
Occupancy sensor, DS, continuous dimming, and lumen maintenance	0.45
Occupancy sensor, DS, multiple step dimming, and lumen maintenance	0.40
Occupancy sensor, DS, ON/OFF, and lumen maintenance	0.35
Occupancy sensor and lumen maintenance	0.35
Occupancy sensor and programmable timing control	0.35

Standard RS-33 RS-31 listed in chapter 7 is an acceptable method for determining compliance of the lighting system design with this subpart.

**EXCEPTION:** One- and two-family detached dwellings and the dwelling portion of multifamily buildings.

**Subp. 3. Internally illuminated exit signs.** Internally illuminated exit signs must be in accordance with the lighting requirements specified in *Minnesota Statutes*, section 16B.61, subdivision 3.

**Subp. 4. Electric motor efficiencies.** All permanently wired, single-speed, National Electric Manufacturers Association Design A and B, polyphase induction motors of 1 hp or more must have efficiencies not less than those listed in the table below.

## Rules as Proposed (all new material)

HORSE POWER	OPEN				ENCLOSED			
	3600 RPM	1800 RPM	1200 RPM	900 RPM	3600 RPM	1800 RPM	1200 RPM	900 RPM
1 to 4	82.5%	82.5%	80.0%	74.0%	75.5%	82.5%	80.0%	74.0%
5 to 9	85.5%	87.5%	87.5%	87.5%	87.5%	87.5%	87.5%	85.5%
10 to 19	88.5%	89.5%	90.2%	89.5%	89.5%	89.5%	89.5%	88.5%
20 to 49	90.2%	91.0%	91.0%	90.2%	90.2%	91.0%	90.2%	89.5%
50 to 99	92.4%	93.0%	93.0%	91.7%	92.4%	93.0%	93.0%	91.7%
100 to 124	93.0%	94.1%	94.1%	93.6%	93.6%	94.5%	94.1%	93.0%
125 and greater	93.6%	94.5%	94.1%	93.6%	94.5%	94.5%	94.1%	93.6%

## Rules as Proposed

### 7670.0850 AMENDMENT TO SECTION 600: DESIGN BY ACCEPTABLE PRACTICE.

Section 601.1 of the Model Energy Code is amended by adding a paragraph to read:

Buildings constructed in accordance with this section must also comply with parts 7670.0470 to 7670.0800 as indicated below:

Model Energy Code	Minnesota Rules Part
602.2	7670.0470, 7670.0480

Model Energy Code	Minnesota Rules Part
602.2.4	7670.0500, <u>7670.0530</u>
<u>602.2.5</u> , 602.2.6	7670.0510
<del>602.3.2</del> <u>602.3</u>	7670.0550
<del>603.1</del> <u>603</u>	7670.0610, <u>7670.0660</u>
<del>603.2.1</del>	<del>7670.0660</del>
<del>603.4</del>	<del>7670.0670</del>
604	7670.0710
605	7670.0800

**7670.1000 AMENDMENTS TO SECTION 701: STANDARDS.**

Section 701.1 of the Model Energy Code is amended by replacing and adding the following code standard numbers to read:

- A. RS-1, 1989 ASHRAE Handbook of Fundamentals.
- B. RS-3, ASHRAE Standard 62-1989, Ventilation for Acceptable Indoor Air Quality.
- C. RS-4, ASHRAE Standard 55-1981 Thermal Environment Conditions for Human Occupancy.
- D. RS-5, Code of Federal Regulations, title 10, part 430.32, Energy Conservation Standards for Consumer Products.
- E. RS-6, Code of Federal Regulations, title 10, part 435.109, Table 9.3.1, Standard Rating Conditions and Minimum Performance of Water Heating Equipment.
- F. RS-10, Code of Federal Regulations, title 10, part 435.108, HVAC Equipment.
- G. RS-11, 1991 ASHRAE HVAC Applications.
- H. ~~RS-17 and RS-18~~, SMACNA HVAC Duct Construction Standards: Metal and Flexible, First Edition, 1985.
- I. RS-18, SMACNA HVAC Duct Leakage Test Manual, First Edition, 1985.
- J. RS-20, NFRC 100-91: Procedure for Determining Fenestration Product Thermal Properties (Currently Limited to U-values).
- ~~E~~ K. RS-23, Monthly Normals of Temperature, Precipitation, and Heating and Cooling Degree Days 1951-80 Minnesota. National Oceanic and Atmospheric Administration September 1982.
- ~~F~~ L. RS-24, Code of Federal Regulations, title 10, part 435.105, section 5.3.3.2.1(b), Calculation procedures for parallel path correction factor method.
- ~~G~~ M. RS-25, Code of Federal Regulations, title 10, part 435.105, section 5.3.3.2.1(d), Calculation procedures for thermal bridges in Sheet Metal Construction.
- ~~H~~ N. RS-26, AAMA Standard 1503.1-88, Voluntary Test Method for Thermal Transmittance and Condensation of Windows, Doors and Glazed Wall Sections.
- ~~I~~ Q. RS-27, ASTM C 236-87, Standard Test Method for Steady State Performance of Building Assemblies by means of a Guarded Hot Box.
- ~~J~~ P. RS-28, ASTM C 976-82, Standard Test Method for Steady State Performance of Building Assemblies by means of a Calibrated Hot Box.
- ~~K~~ Q. RS-29, ~~WINDOW computer program~~ Code of Federal Regulations, title 10, part 435.103, lighting.
- ~~L~~ R. RS-30, ASHRAE Standard 119-1988, Air Leakage Performance for Detached Single-Family Residential Buildings.
- ~~M~~ S. RS-31, ~~Code of Federal Regulations, title 10, part 430.32, Energy Conservation Standards.~~
- ~~N~~. ~~RS-29, Code of Federal Regulations, title 10, part 435.103, lighting.~~
- ~~O~~. ~~RS-33, LTGSTD, lighting prescriptive and system performance compliance calculation program.~~

**REPEALER.** Minnesota Rules, parts 7670.0660, subpart 2; and 7670.0670 are repealed.

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# Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

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

## Pollution Control Agency

### Hazardous Waste Division

#### Adopted Permanent Rules Relating to Hazardous Waste Facility and Generator Fees

The rules proposed and published at *State Register*, Volume 16, Number 16, pages 950-957, October 14, 1991 (16 SR 950), are adopted with the following modifications:

#### Rules as Adopted

##### 7046.0020 HAZARDOUS WASTE FACILITY FEES.

Subpart 1. **Fee schedule for five-year permits.** A person applying for issuance, reissuance, or major modification under part 7001.0190, subpart 1, of a five-year permit for a hazardous waste facility shall remit the applicable fee given in item A or B. A person applying for a major modification concurrent with a permit reissuance application shall not be assessed a major modification fee.

A person who owns or operates a hazardous waste facility shall remit an annual facility fee for the fiscal year beginning on July 1 and ending on June 30, if during that year the facility was treating, storing, or disposing of hazardous waste, had not obtained closure approval, or had closed as a land disposal facility with hazardous waste remaining in place. A facility that meets the annual facility fee payment criteria for less than a full year shall be assessed a prorated facility fee.

A facility in which hazardous waste remains after closure continues to be subject to the annual facility fee until the owner or operator is exempted under subpart 8.

	Permit Application Fee	Annual Facility Fee	Permit Reissuance Fee	Major Modification Fee
<b>A. Storage</b>				
Tanks and containers indoors				
Total capacity greater than 550 gallons	\$ 2,140	\$ 3,150	\$ 1,070	\$ 710
Total capacity 550 gallons or less	1,430	1,390	720	470
Tanks and containers outdoors				
Total capacity greater than 550 gallons	4,290	6,300	2,150	1,420
Total capacity 550 gallons or less	2,860	2,510	1,430	940

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## Executive Orders

	Permit Application Fee	Annual Facility Fee	Permit Reissuance Fee	Major Modification Fee
Piles	12,880	18,040	<del>6,640</del> <u>6,440</u>	4,250
Surface impoundment	21,460	18,040	10,730	7,080

## Minnesota State Retirement System

### Adopted Permanent Rules Relating to Election of Board Members

The rules proposed and published at *State Register*, Volume 16, Number 8, pages 388-391, August 19, 1991 (16 SR 388), are adopted as proposed.

## Office of Waste Management

### Adopted Permanent Rules Relating to Recyclable Material Market Development Grant and Loan Programs

The rules proposed and published at *State Register*, Volume 16, Number 14, pages 762-764, September 30, 1991 (16 SR 762), are adopted as proposed.

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## Executive Orders

### Executive Department

#### Executive Order 91:29: Providing for a Governor's Planning Council on Developmental Disabilities and Assigning Responsibility to the Department of Administration; Rescinding Executive Order 87-9

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

**WHEREAS**, provision of services to persons with developmental disabilities is of concern and importance to the state; and

**WHEREAS**, no state agency has been designated by law to apply for, to receive, to accept, and to expend federal funds for such purposes;

**NOW, THEREFORE**, I hereby order that:

1. In accordance with Public Law 101-496 there be established the Governor's Planning Council on Developmental Disabilities, whose responsibility it shall be to supervise the development of a three-year state plan describing the quality, extent and scope of needed services being provided or to be provided to persons with

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## Executive Orders

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developmental disabilities, to monitor and evaluate the implementation of the state plan, and to review state service plans for persons with developmental disabilities.

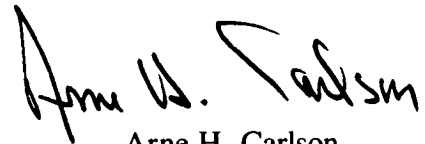
2. Pursuant to *Minnesota Statutes* 1990, Section 4.07, the Department of Administration be designated the state agency to act for the Governor in applying for, receiving, accepting and expending federal funds granted to the State of Minnesota by Public Law 101-496.

3. The Department of Administration be designated as the responsible agency to provide staff and other administrative assistance to the Governor's Planning Council on Developmental Disabilities and to carry out all other responsibilities relating to the developmental disabilities program as required under state and federal law.

This Order rescinds Executive Order 87-9.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1990, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this twenty-third day of December, 1991.



Arne H. Carlson  
Governor

Filed According to Law:

Joan Anderson Growe  
Secretary of State

## Revenue Notices

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Effective July 1, 1991, the Department of Revenue has authority to issue revenue notices. A revenue notice is a policy statement made by the department that provides interpretation, details, or supplementary information concerning the application of law or rules. This authority was provided by the Legislature in 1991 Session Laws Chapter 291, article 21, section 6 and will be codified at *Minnesota Statutes* section 270.0604.

### Department of Revenue

#### Revenue Notice #92-1: Insurance—Aggregation

Minnesota has adopted the aggregate method in applying the Minnesota retaliatory statute, *Minnesota Statute* § 60A.19, subd. 6.

In the aggregate method, the total economic burden of the foreign state is compared to the total economic burden of the taxing state to determine whether the economic burden of the foreign state is in excess of the economic burden of the taxing state.

The aggregate approach is in contrast to the item-by-item approach which has been used by Minnesota in the past. Under the item-by-item method, a tax is compared to a like tax, a fee with a similar fee, and licenses with licenses.

Under the aggregate approach, Minnesota will compare the total of the taxes, fines, deposits, penalties, licenses, and fees of foreign states to determine whether the foreign state's total is in excess of the total taxes, fines, deposits, penalties, licenses, and fees exacted by Minnesota. If the foreign state's total is in excess of the Minnesota total, Minnesota will impose the foreign states' exactions on the foreign state's insurance companies.

Minnesota does not retaliate against guaranty association assessments of foreign states or include such assessments in the foreign state's exactions.

Dated: 6 January 1992



Department of Revenue

Revenue Notice #92-2: Sales and Use Tax—Farm Machinery

Minnesota Statutes § 297A.01, subd. 15 generally defines farm machinery. The following list is farm machinery, implements, accessories and contrivances which qualify for the 2.5% tax rate when used by the purchaser directly and principally in the production for sale, but not the processing, of livestock, dairy animals, dairy products, poultry and poultry products, fruits, vegetables, forage, grains and bees and apiary products:

2.5% FARM MACHINERY

Aircraft (designed specifically for agricultural spraying purposes)  
 Augers  
 Automatic egg grader  
 Automatic feeding systems  
 Bale accumulators  
 Bale loaders  
 Balers  
 Bale stackers  
 Barn cleaners  
 Bedding chopper  
 Binders  
 Blood spot detectors  
 Brooders  
 Bulk tank washer attachment  
 Calf table  
 Cattle currying and oiling machines  
 Combine corn heads  
 Combine pickups  
 Combine headers  
 Combines  
 Corn pickers  
 Corn planters  
 Corn shellers  
 Cultivators  
 Discs  
 Drags  
 Drill Transport  
 Egg orientor  
 Egg packer  
 Elevators  
 Farm wagons (non-highway)  
 Farrowing crates  
 Farrowing houses  
 Feed carts  
 Feed grinders

Feed mills  
 Feed mixers  
 Feed treaters  
 Fertilizer spreaders  
 Fertilizer tanks  
 Forage harvestors  
 Forage hay pickups  
 Grain augers  
 Grain bin cleaners (augers)  
 Grain cleaners  
 Grain coolers (if purchased separately from the grain bin)  
 Grain drill monitor  
 Grain drills  
 Grain drill fillers  
 Grain dryers  
 Grain planters  
 Gutter cleaners  
 Hammer mill  
 Harrows  
 Harvestors  
 Hay conditioners  
 Hay crushers  
 Hay loaders  
 Hay mowers  
 Incubators  
 Land levelers  
 Lime spreaders  
 Liquid manure spreaders  
 Livestock fountains  
 Loaders  
 Manure handling systems  
 Manure pumps  
 Manure spreaders  
 Milk coolers  
 Milking machines

Milking systems  
 Milk meter  
 Milker unit washer  
 Mixer-feeder wagon  
 Pickers  
 Planters  
 Plows  
 Portable scale  
 Post drivers (power driven)  
 Post hole diggers (power driven)  
 Potato conveyors  
 Power feed wagons  
 Rakes  
 Rock pickers  
 Rod weeders  
 Rotary hoes  
 Seed cleaners  
 Seeders  
 Seed treaters  
 Silage blowers  
 Silage cutters  
 Silage feeders  
 Silage loaders  
 Silage unloaders  
 Silage wagons  
 Sprayers & dusters  
 Spreaders  
 Stacker movers  
 Stackers & hay cages  
 Stalk cutters  
 Swathers & windrowers  
 Tillage hitches  
 Tire chains  
 Tractors  
 Tractor wheel weights  
 Truck box corner cleaners (augers)

6.5% ITEMS

Air compressors  
 All terrain vehicles (A.T.Vs.)  
 Backhoe  
 Bird cannon  
 Branding irons  
 Brooder stoves  
 Building materials & supplies  
 Calf hutches  
 Chicken cages  
 Chicken & duck pluckers

Communication equipment  
 Corral panels  
 Cow stalls  
 Dehorers  
 Electronic pest controllers  
 Fans (ventilating)  
 Feed bunks (when not sold as part of an automatic feeding system)  
 Feeder panels  
 Fence posts

Fencing materials  
 Free stall partitions  
 Garden tillers  
 Garden-type tractors  
 Gasoline storage tanks  
 Gate closer  
 Grain storage bins  
 Hand rakes  
 Hand tools  
 Head squeeze gates

## Revenue Notices

Hoists, farm  
Horse trailers  
Lawn mowers (unless used in production of sod for sale)  
Loading chutes  
Paint  
Pitch forks  
Portable chute  
Portable corral  
Portable farrowing pens  
Portable feed racks  
Portable grain bins

Portable moisture testers  
Portable pens  
Power washers  
Service tanks (for transport of fuel to field)  
Service tank pumps  
Shop equipment  
Shovels & spades  
Snow blowers  
Snowmobiles  
Squeeze chutes  
Stalls

Stock tank heaters  
Stock tanks  
Tarps (canvas, plastic, etc.)  
Tires (replacement)  
Tire changers  
Tools  
Truck box  
Truck hoist  
Truck racks  
Waterers (non-automatic, gravity)  
Water well heaters  
Welding equipment

Other machinery is purchased for use on a farm which may or may not be used directly or principally in production for sale of livestock, dairy animals, dairy products, poultry and poultry products, fruits, vegetables, forage, grains, bees and apiary products. This machinery is taxed at 2.5% or 6.5% based on whether the machinery is used directly and principally in farm production. The following are examples of such machinery:

Gas powered engines  
Generators  
Sprayers (high pressure for cleaning equipment)  
Ventilating systems

Dated: 6 January 1992

## Emergency Rules

### Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

### Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

### Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

## Department of Human Services

### Adopted Emergency Rules Relating to Case Management for Children with Severe Emotional Disturbance and Their Families

The rules proposed and published at *State Register*, Volume 16, Number 16, pages 961-973, October 14, 1991 (16 SR 961), are adopted with the following modifications:

#### Emergency Rules as Adopted

**9520.0918 [Emergency] CASE MANAGER'S RESPONSIBILITIES; RELATION WITH INTERAGENCY CASE MANAGEMENT TEAM.**

Subp. 2. **Convening of interagency case management team.** The case manager may establish an interagency case management team. The case manager may convene the interagency case management team on the manager's own initiative or upon the request of the child's parent or legal representative or, as appropriate, the child, or at the request of any other member of the team. When a team is established, the case manager, the parent unless clinically inappropriate, and the members of the interagency case management team shall meet face-to-face with the child and, as appropriate, the child's parents at least once quarterly or more frequently at the request of the interagency service coordinator or the child's parent unless the child's parent or legal representative or, as appropriate, the child refuses further case management services or case management services are terminated as provided in part 9520.0924 [Emergency]. The interagency case management team shall carry out the duties specified in subpart 4.

Subp. 8. **Referral for neurological examination, psychological testing, and chemical evaluation.** Upon the request of the child's parent or legal representative or, as appropriate, the child, the case manager shall assist the child and the child's family, ~~if recommended by a mental health professional,~~ to obtain a neurological examination, psychological testing, or a chemical dependency evaluation as specified in part 9530.6615 when the examination, testing, or evaluation is recommended by a mental health professional as necessary to complete the child's diagnostic assessment.

## Department of Human Services

### Adopted Emergency Amendments to Permanent Rules Relating to Case Management for Persons with Serious and Persistent Mental Illness or Severe Emotional Disturbance

The rules proposed and published at *State Register*, Volume 16, Number 16, pages 973-983, October 14, 1991 (16 SR 973), are adopted with the following modifications:

#### Rules as Adopted

##### 9505.0477 DEFINITIONS.

Subp. 13. **Individual community support plan or individual family community support plan.** "Individual community support plan" or "individual family community support plan" means a written plan developed by a case manager together with the client and, if the client is a child, the client's parent or legal representative unless clinically inappropriate that is based on a diagnostic assessment and the client's needs and that is coordinated with the client's individual treatment plan or plans as defined in subpart 14. The plan identifies the specific services to be provided that are appropriate to the age of the person with serious and persistent mental illness or with a severe emotional disturbance and that the person needs to develop independence or improved functioning in daily living, health and medication management, social functioning, interpersonal relationships including family relationships, financial management, housing, transportation, employment, and education. A child's individual family community support plan also identifies activities related to involving the child's family or primary caregiver if the specific services to be provided including, as appropriate, services specified in *Minnesota Statutes*, sections 256F.07, subdivision 3, and 257.071, subdivision 1.

Subp. 14. **Individual treatment plan.** "Individual treatment plan" means a written plan of intervention, treatment, and services for a person with mental illness or emotional disturbance that is developed by the client and, if the client is a child, in conjunction with the client's parent or legal representative unless clinically inappropriate and a mental health professional which is based on a diagnostic assessment and the client's needs. The plan identifies goals and objectives of treatment, treatment strategy, a schedule for accomplishing treatment, goals and objectives, and the individual or individuals responsible for providing treatment to the person with serious and persistent mental illness or a severe emotional disturbance. A child's individual treatment plan also identifies activities related to involving the child's family or primary caregiver in the treatment of the child and, if the child is placed or being considered for placement outside the home, includes the individual placement plan as required under *Minnesota Statutes*, section 257.071, subdivision 1.

##### 9505.0485 CASE MANAGER RESPONSIBILITIES.

Subp. 3. **Referral, coordination, and monitoring.** The case manager shall refer the client to appropriate mental health or other service providers and offer to help the client gain access to needed services. In referring the client to appropriate mental health providers, the case manager shall also consider the client's needs for referral for a neurological examination, psychological testing, and a chemical dependency assessment as specified in part 9530.6615. If necessary, the case manager shall arrange for a standardized assessment by a physician of the client's choice of the side effects related to the administration of the client's psychotropic medication. The case manager shall coordinate the provision of services to the client and monitor the client's progress to determine whether the goals of the individual community support plan are being met or progress toward the goals is taking place. If the client is enrolled in a medical assistance prepaid health plan, the case manager shall coordinate the client's referral for mental health services with the prepaid health plan. If the case manager determines the goals, or progress toward the goals is not being met, the case manager together with the client and, in the case of a child, the client's parent or legal representative unless clinically inappropriate shall modify the client's individual community support plan. The determination shall be made through regularly scheduled meetings and discussions with the client, the client's service providers, mental health providers, and the client's parents or legal representative if the client is a

## Emergency Rules

child. The coordination must include regularly scheduled meetings or contact with the client, the client's providers, and the case manager. If the client has coverage through a third-party payer, the case manager shall help the client obtain payment for covered services. The case manager shall meet face-to-face with the client at least once every calendar month, unless the client receives case management services under subpart 6, refuses further case management services, or case management services are terminated as provided in part 9505.0489. In meeting with the client to carry out the purposes of this subject, the case manager shall meet with the client at places other than the case manager's office building as necessary or appropriate to the client's needs.

Subp. 4. **Emergency services.** If a case manager has reason to believe that a client may need or use emergency services under *Minnesota Statutes*, section 245.469 or 245.4879, the case manager shall provide the client the information necessary for the client to access the emergency services. If the client has authorized a release of information as specified in part 9505.0482, the case manager shall inform providers of the emergency services and other mental health services of the client's possible need for and use of emergency services. Additionally, the case manager shall ask the emergency service to inform the case manager if the client or, in the case of a child, the client's parent or legal representative requests emergency services and also to inform the case manager of the nature of an action taken in response to the client's request. The case manager is responsible for assuring that all persons needing to know about the client's use of emergency services are informed and for taking the lead in coordinating the use of emergency services and other mental health services. The case manager also is responsible for revising the client's individual community support plan as necessary to minimize the client's need for emergency services. If a client receives emergency mental health services, the mental health provider shall, with the client's consent, notify the case manager; however, the client's consent is not necessary if the emergency situation falls within the provisions of *Minnesota Statutes*, section 148.976, subdivision 1.

Subp. 6. **Case management services for clients outside the county of financial responsibility.** When a client is residing in or admitted to a residential treatment facility, regional treatment center, or inpatient hospital, or other excluded time facility, in a county other than the county of financial responsibility, case management services shall be provided either through telephone calls from the client's case manager to the client and to a representative of the facility, center, or hospital, or through face-to-face contact between the client and the case manager at least once every calendar month. Regardless of the frequency of telephone contact between the case manager and the client, the case manager shall meet with the client face-to-face at least once quarterly. The case manager shall actively participate in the discharge planning process for the client and, in the case of a child and if feasible, the client's parent or legal representative. Before or on the date of a planned discharge, the case manager shall meet face-to-face with the client. The case manager shall ask that a representative of the facility, center, or hospital notify the case manager of a planned discharge or if the client leaves against medical advice. Upon receiving notice that the client has left the facility, center, or hospital against medical advice, the case manager shall immediately attempt to locate the client. If the client returns to the county of financial responsibility, the case manager must have face-to-face contact with the client at least once every calendar month, with the client's consent.

### 9505.0491 MEDICAL ASSISTANCE PAYMENT FOR CASE MANAGEMENT SERVICES.

Subp. 2. **Case management services eligible for medical assistance payment.** Case management services provided to a recipient that are eligible for medical assistance payment are:

E. development, review, and revision of the client's individual community support plan; or individual family community support plan including the case manager's functional assessment of the client;

F. time spent by the case manager traveling to meet face-to-face with a client who is a resident of an excluded time facility that is located resides outside of the county of financial responsibility; and

G. time spent by the case manager traveling within the county of financial responsibility to meet face-to-face with the client or the client's family, legal representative, or primary caregiver.

For purposes of items F and G, if a case manager arrives on time for a scheduled appointment to meet face-to-face with a client, the client's family, legal representative, or primary caregiver and the person fails to keep the appointment, the time spent by the case manager in traveling to and from the site of the scheduled appointment is eligible for medical assistance payment.

Subp. 3. **Limitation on payments for services.** Payment for case management services shall be limited according to items A to E.

E. ~~Except as provided in part 9505.0324 [Emergency], proposed in Volume --, Number --, pages --, --, --, 19.. (S.R. --.)~~ Payment for case management services to a client is limited to the services of one case manager per minute per client.

## Department of Human Services

### Adopted Emergency Amendments to Permanent Rules and Emergency Rules Relating to Professional Home-Based Mental Health Services

The rules proposed and published at *State Register*, Volume 16, Number 16, pages 988-991, October 14, 1991 (16 SR 988), are adopted with the following modifications:

**Rules as Adopted****9505.0175 DEFINITIONS.**

Subp. 43. **Residence.** "Residence" means the place a person uses as a primary dwelling place, and intends to continue to use indefinitely for that purpose. Residence is not a group home as defined by part 9560.0520, subpart 4, a residential treatment facility licensed under parts 9549.0900 to 9545.1090, an acute care hospital licensed under *Minnesota Statutes*, chapter 144, a regional treatment center or other institutional group setting, or a foster family home in which-

~~A. the child is being provided therapeutic support of foster care as defined in *Minnesota Statutes*, section 245.4871, subdivision 34; or~~

~~B. the foster parent is not the primary caregiver and does not reside with the child.~~

**9505.0324 [Emergency] HOME-BASED MENTAL HEALTH SERVICES.**

Subp. 6. **Excluded services.** The services specified in items A to L are not eligible for medical assistance payment.

K. Home-based mental health services provided to a child with severe emotional disturbance who is not living in the child's residence. However, up to 35 hours of home-based mental health services provided to a child with severe emotional disturbance who is residing in a hospital group home as defined in part 9560.0520, subpart 4, residential treatment facility licensed under parts 9545.0900 to 9545.1090, regional treatment center, or other institutional group setting are eligible for medical assistance payment if the services are provided under an individual treatment plan for the child developed by the provider working with the child's discharge planning team and the services are needed to assure the child's smooth transition to living in the child's residence.

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**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.

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**City of Elk River****Notice of Availability of a Historic Bridge Pursuant to the Surface Transportation and Uniform Assistance Act of 1987, Section 123(f)**

The City of Elk River is seeking a Donee to accept the existing Concrete Arch Bridge No. 3093, known as the Main Street Bridge, on Main Street over the Elk River in the City of Elk River, Minnesota. Bridge No. 3093 consists of six concrete spans with a concrete bridge deck and is 297.5 feet long. The Bridge was constructed in the late 1920's. The City of Elk River, in cooperation with the Minnesota Department of Transportation State Aid Office, is requesting any State, local government agency, or responsible private entity to submit a statement of interest to the City of Elk River who might be interested in moving and rehabilitating, in its entirety, the Main Street Bridge for preservation purposes.

**Scope of Work**

The Bridge will require repair and complete rehabilitation of the bridge deck and piers. The City of Elk River commissioned a structural analysis of the Bridge in 1990. This analysis is available for review upon request. The City of Elk River is currently planning construction of a new bridge to begin in 1992.

**Expression of Interest**

The Donees who wish to be considered for accepting the Bridge, shall furnish specific information regarding the proposed new site, intended use, scheduling and any additional information which will demonstrate that the recipient will proceed in a responsible and timely manner. In addition, the Donee must enter into an agreement to:

1. Accept title to the Bridge.
2. Maintain the Bridge and the features that give it a historic significance.
3. Assume all future legal and financial responsibility for the Bridge, including an agreement to hold the City of Elk River and State of Minnesota harmless in any liability action.
4. Provide a performance bond in an amount equal to the cost of salvaging, rehabilitating and re-erecting the Bridge.

## Official Notices

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The Bridge must be removed at such time as to coincide with construction of the new bridge. Construction of the new bridge is anticipated in Fall 1992. A specific deadline for removal of the existing bridge shall be established when the timeline for construction of the new bridge is known.

If more information concerning the Bridge is desired, the Donee should contact Mark Graham, Maier Stewart and Associates, Inc. at (612) 774-6021.

Statements of Interest should be submitted to:

Terry Maurer, City Engineer  
City of Elk River  
720 Dodge Avenue N.W.  
Elk River, MN 55330

by 4:30 p.m. on February 17, 1992.

### Selection Procedure

Selection of the Donee will be based on the ability to complete the rehabilitation, financial resources for maintaining the Bridge and the proposed use and location of the Bridge. The City of Elk River and Minnesota Department of Transportation State Aid Office will prepare an agreement with the Donee for approval by all necessary parties.

## Comprehensive Health Association

### Notice of Meeting of the Finance Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association (MCHA), Finance Committee will be held at 9:00 a.m. on Thursday, January 16, 1992 at North American Life & Casualty Company, 1750 Hennepin Avenue S., Minneapolis, Minnesota, in the Board Room.

For additional information please call Lynn Gruber at (612) 593-9609.

## Higher Education Facilities Authority

### Notice of Public Hearing on Proposal to Issue Revenue Bonds

**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 University of St. Thomas, a Minnesota institution of higher education (the "University"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on January 22, 1992 at 2 o'clock p.m. Under the proposal, the Authority would issue its revenue bonds in an original aggregate principal amount of up to approximately \$11,100,000 to finance costs of a Project generally described as (i) the acquisition and installation of a telecommunications system on the Minneapolis, Seminary and St. Paul campuses of the University, including certain University-owned residential properties located in the area South of the St. Paul campus and bounded by Summit Avenue, Cleveland Avenue, Grand Avenue and Cretin Avenue, (ii) the replacement and renovation of two boilers and related equipment on the St. Paul campus and (iii) the construction, furnishing and equipping of an approximately 15,000 square foot addition to the physical plant headquarters on the St. Paul campus to include trade shops, a recycling center and warehouse and storage space, each including appurtenant site improvements, and to be owned and operated by the University and located on the Minneapolis, Seminary and St. Paul campuses of the University as set forth above. The street address of the Minneapolis campus is University of St. Thomas, 1000 LaSalle Avenue, Minneapolis, Minnesota 55403. The street address of the Seminary campus is 2260 Summit Avenue, St. Paul, Minnesota 55105. The street address of the St. Paul campus is University of St. Thomas, 2115 Summit Avenue, St. Paul, Minnesota 55105.

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: 6 January 1992

By Order of the Minnesota Higher  
Education Facilities Authority  
Joseph E. LaBelle  
Executive Director

**Department of Human Services**

**Notice of Changes in Rates to Providers of Audiology, Physical Therapy, Occupational Therapy and Speech Therapy Services to MA/GAMC/CHP Recipients Resulting from the Procedure Code Conversion, Effective January 1, 1992**

NOTICE IS HEREBY GIVEN to providers of services to recipients of Medical Assistance, General Assistance Medical Care, and Childrens Health Plan, regarding changes in the reimbursement rates for audiology, physical therapy, occupational therapy and speech therapy services. These changes will be effective January 1, 1992.

The methodology for determining these reimbursement rates is based on legislative authority, which establishes reimbursement rates at the lower of the provider's submitted charge or the 50th percentile (median) of 1982 usual and customary charges. (1989 Minnesota Session Laws, Chapter 282, Article 1, Section 2, Subd. 7 (a)).

The January 1 rate change is not the result of changes in the above payment methodology. It is due to a change in the required procedure coding structure which providers must use to bill these services. The new coding structure will put all providers types of these services on the same coding and payment schedule, and update the codes to accurately reflect current community standards. As a result of the changes in the procedure codes, the median of 1982 was translated to the new procedure codes and recalculated, using a consumer price index conversion factor. (1990 Minnesota Session Laws, Chapter 568, Article 1, Section 2, subd. 7 (a)).

Services provided by a physical or occupational therapy assistant will be reimbursed at 65% of the rate paid for services performed by a physical or occupational therapist. (1991 Minnesota Session Laws, Chapter 292, Article 1, Section 2, Subd. 9).

Providers must submit their usual and customary charge when billing the department for services. (Minnesota Rules, Part 9595.0450 BILLING PROCEDURES; GENERAL, Subpart 1).

**AUDIOLOGY**

<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>TIME UNIT</u>	<u>PROCEDURE CODE DESCRIPTION</u>
92506	\$19.07	15 MIN	Medical evaluation speech, language and/or hearing problems
V5000	\$16.57	15 MIN	Basic audiologic assessment—hearing assessment including the measuring of hearing acuity and tests related to air conduction, bone conduction, reception threshold, speech discrimination, and acoustic immittance tests
V5001	\$18.45	15 MIN	Comprehensive audiologic assessment—hearing assessment including a basic audiologic assessment and assessment of vestibular and/or audiologic function by specialized electrophysiologic and/or behavioral tests
V5002	\$19.07	15 MIN	Assessment of vestibular and/or audiologic function by specialized electrophysiologic test(s)
V5003	\$19.07	15 MIN	Assessment of vestibular and/or audiologic function by specialized behavioral test(s)
X4611	\$18.45	15 MIN	Consultation, basic
X4612	\$23.37	15 MIN	Consultation, comprehensive
V5008	\$7.50		Hearing screening
92507	\$10.45	15 MIN	Speech, language or hearing therapy, with continuing medical supervision; individual
92594	\$11.07		Electroacoustic evaluation for hearing aid; monaural
92595	\$15.06		Electroacoustic evaluation for hearing aid; binaural
V5010	manual price		Assessment for hearing aid
V5011	\$13.53	15 MIN	Fitting/orientation/checking of a hearing aid
92590	\$36.90		Hearing aid examination and selection; monaural
92591	\$54.72		Hearing aid examination and selection; binaural
92596	manual price		Ear protector attenuation measurements
V5014	manual price		Repair/modification of a hearing aid

## Official Notices

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<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>PROCEDURE CODE DESCRIPTION</u>
V5012	manual price	Complete cochlear implant rehabilitation including adjusting and testing of equipment and auditory training
92599	manual price	Unlisted otorhinolaryngological service or procedure
V5016	manual price	Unlisted audiologic procedure
92508	not covered	Speech, language or hearing therapy, with continuing medical supervision; group
92559	not covered	Audiometric testing of groups
X6000	delete	Initial Audiological evaluation

### AUDIOLOGICAL TESTS

<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>PROCEDURE CODE DESCRIPTION</u>
92551	\$7.50	Screening test, pure tone, air only
92552	\$12.30	Pure tone audiometry (threshold); air only
92553	\$21.52	air and bone
92555	\$9.22	Speech audiometry; threshold only
92556	\$15.99	threshold and discrimination
92557	\$35.67	Basic comprehensive audiometry
92559	not covered	Audiometric testing of groups
92560	manual price	Bekesy audiometry; screening
92561	manual price	diagnostic
92562	\$12.30	Loudness balance test
92563	\$8.76	Tone decay test
92564	manual price	Short increment sensitivity index
92565	\$9.84	Stenger test, pure tone
92567	\$11.07	Tympanometry
92568	\$11.37	Acoustic reflex testing
92569	\$12.30	Acoustic reflex decay test
92571	manual price	Filtered speech test
92572	\$10.45	Staggered spondaic word test
92573	manual price	Lombard test
92574	manual price	Swinging story test
92575	\$7.07	Sensorineural acuity level test
92576	manual price	Synthetic sentence identification test
92578	manual price	Delayed auditory feedback test
92580	\$10.45	Electrodermal audiometry
92582	\$21.52	Conditioning play audiometry
92583	\$12.30	Select picture audiometry
92584	\$11.68	Electrocochleography
92585	\$110.70	Brainstem evoked response recording
92589	\$10.45	Central auditory function test(s)
92531	manual price	Spontaneous nystagmus, including gaze
92532	\$14.14	Positional nystagmus
92533	\$20.29	Caloric vestibular test, each irrigation



<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>TIME UNIT</u>	<u>PROCEDURE CODE DESCRIPTION</u>
92534	manual price		Optokinetic nystagmus
92541	\$28.90		Spontaneous nystagmus test, including gaze and fixation nystagmus, with recording
92542	\$25.21		Positional nystagmus test, minimum of 4 positions, with recording
92543	\$21.52		Caloric vestibular test, each irrigation with recording
92544	\$18.45		Optokinetic nystagmus, test, bidirectional, foveal or peripheral stimulation, with recording
92545	\$18.45		Oscillating tracking test, with recording
92546	\$67.65		Torsion swing test, with recording
92547	\$20.29		Use of vertical electrodes in any or all of above tests counts as one

**OCCUPATIONAL THERAPY**

<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>TIME UNIT</u>	<u>PROCEDURE CODE DESCRIPTION</u>
X4510	\$18.45	15 MIN	Evaluation/reevaluation
X5510	\$18.45	15 MIN	Consultation
X5511	\$30.00		supplies
X4515	\$10.45	15 MIN	Motor skills
X4517	\$10.45	15 MIN	Sensory integrative skills
X4522	\$13.41	15 MIN	Cognitive skills
X4524	manual price	15 MIN	Preventive skills
X4526	\$10.76	15 MIN	Therapeutic adaptations
97540	\$20.90	30 MIN	Training in activities of daily living; initial 30 minutes, each visit each additional 15 minutes
97541	\$10.45	15 MIN	Group session
X4520	manual price		Occupational therapeutic services
X4511	manual price		Individual social and psychological interpersonal skills
X4512	not covered		Group social and psychological interpersonal skills
X4513	not covered		Occupational therapy evaluation
X6004	delete		Restorative occupational therapy
X6005	delete		

**PHYSICAL THERAPY**

<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>TIME UNIT</u>	<u>PROCEDURE CODE DESCRIPTION</u>
X4600	\$17.22	15 MIN	Evaluation/reevaluation
97010	\$12.91		Physical medicine treatment to one area: hot or cold packs
97012	\$13.53		traction, mechanical
97014	\$12.30		electrical stimulation (unattended)
97016	\$13.29		vasopneumatic devices
97018	\$17.22		paraffin bath
97020	\$16.72		microwave
97022	\$16.60		whirlpool
97024	\$12.30		diathermy
97026	\$12.14		infrared
97028	\$5.84		ultraviolet
97039	\$15.68		unlisted modality (specify)

## Official Notices

<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>TIME UNIT</u>	<u>PROCEDURE CODE DESCRIPTION</u>
97110	\$23.36	30 MIN	Physical medicine treatment to one area, initial 30 minutes, each visit; therapeutic exercises
97112	\$24.75	30 MIN	neuromuscular reeducation
97114	\$28.31	30 MIN	functional activities
97116	\$23.36	30 MIN	gait training
97118	\$24.04	30 MIN	electrical stimulation (manual)
97120	\$26.44	30 MIN	iontophoresis
97122	\$19.67	30 MIN	traction, manual
97124	\$23.98	30 MIN	massage
97126	\$27.05	30 MIN	contrast baths
97128	\$24.67	30 MIN	ultrasound
97139	manual price		unlisted procedure (specify)
97145	\$11.68	15 MIN	Physical medicine treatment to one area, each additional 15 minutes
97220	\$31.28	30 MIN	Hubbard tank; initial 30 minutes, each visit
97221	\$11.68	15 MIN	each additional 15 minutes
97240	\$18.08	30 MIN	Pool therapy or Hubbard tank with therapeutic exercises; initial 30 minutes, each visit
97241	\$5.71	15 MIN	each additional 15 minutes
97500	\$28.13	30 MIN	Orthotics training, upper extremities; initial 30 minutes, each visit
97501	\$13.53	15 MIN	each additional 15 minutes
97520	\$20.90	30 MIN	Prosthetic training; initial 30 minutes, each visit
97521	\$10.45	15 MIN	each additional 15 minutes
97530	\$37.45	30 MIN	Kinetic activities to increase coordination, strength and/or range of motion, one area; initial 30 minutes, each visit
97531	\$19.00	15 MIN	each additional 15 minutes
97700	\$39.35	30 MIN	Office visit; initial 30 minutes, each visit
97701	\$20.29	15 MIN	each additional 15 minutes
90900	\$27.75		Biofeedback training; by electromyogram application
97145	\$11.68	15 MIN	each additional 15 minutes
97720	\$34.96	30 MIN	Extremity testing for strength, dexterity, or stamina; initial 30 minutes, each visit
97221	\$14.36	15 MIN	each additional 15 minutes
95831	\$14.60		Muscle testing, manual; extremity (exc hand) or trunk, with report
95832	\$19.06		hand
95833	\$34.44		total evaluation of body, excluding hands
95834	\$19.06		total evaluation of body, including hands
97752	\$17.46		Muscle testing with torque curves during isometric and isokinetic exercise, mechanized or computerized evaluations with printout
95842	manual price		Muscle testing, electrical; reaction of degeneration, chronaxie, galvanic/tetanus ratio, one or more extremities, one or more methods
95851	manual price		Range of motion measurements and report; each extremity, excluding hand
95852	manual price		hand, with or without comparison with normal side
X4521	manual price		Group physical therapy
97799	manual price		Unlisted physical medicine service or procedure

<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>TIME UNIT</u>	<u>PROCEDURE CODE DESCRIPTION</u>
X6006	delete		Physical therapy evaluation
X6007	delete		Restorative physical therapy
X6008	delete		Maintenance physical therapy
97200	delete		Physical therapy office visit
97201	delete		each additional 15 minutes

**COVERED ONLY ON MEDICARE CROSSOVER CLAIMS**

<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>TIME UNIT</u>	<u>PROCEDURE CODE DESCRIPTION</u>
H5220			Rehabilitation evaluation 0-20 minutes
H5230			21-40 minutes
H5240			41-60 minutes

**SPEECH-LANGUAGE**

<u>PROCEDURE CODE</u>	<u>RATE</u>	<u>TIME UNIT</u>	<u>PROCEDURE CODE DESCRIPTION</u>
92506	\$19.07	15 MIN	Medical evaluation speech, language and/or hearing problems
V5301	\$16.57	15 MIN	Basic assessment of specific single speech, voice, language cognitive/communication or oral/pharyngeal
V5310	\$18.45	15 MIN	Comprehensive assessment of speech, voice, language systems, oral/phyaryngeal sensorimotor competencies and/or communication abilities of a hearing impaired individual
X4611	\$18.45	15 MIN	Consultation, basic
X4612	\$23.37	15 MIN	Consultation, extended
V5362	\$6.76	15 MIN	Speech screening
V5363	\$6.76	15 MIN	Language screening
V5364	\$6.76	15 MIN	Dysphagia screening
92507	\$10.45	15 MIN	Speech, language or hearing therapy, with continuing medical supervision; individual
92508	manual price	15 MIN	Speech, language or hearing therapy, with continuing medical supervision; group
V5321	\$16.57	15 MIN	Assessment for oral or laryngeal prosthesis or artificial larynx
V5322	\$16.57	15 MIN	Assessment for augmentative communicative system or device
X4614	manual price	15 MIN	Construction/programming/adaption of augmentative communication devices, materials outside of therapy session, each 15 minute segment
V5336	manual price	15 MIN	Repair, modification of augmentative communicative system of device
V5335	manual price	15 MIN	Repair, modification of oral or laryngeal prosthesis or artificial larynx
X4610	\$12.45	15 MIN	Speech therapeutic services
V5360	manual price		Unlisted speech—language service
X4613	not covered		Programmed independent practice
V5330	not covered		Treatment for speech, language oral/pharyngeal or communication

**Department of Natural Resources**

**Notice of Intent to Hold State Metallic Minerals Lease Sale State Lands to be Offered for Metallic Minerals Exploration**

The Minnesota Department of Natural Resources announces that plans are being developed to hold the state's sixteenth sale of

## Official Notices

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metallic minerals exploration and mining leases. The sale is tentatively scheduled for April 1992. The lease sale plans are being announced at this time in order to give mining companies, public interest groups and all other interested parties additional time to review the areas under consideration.

The purpose of Minnesota's metallic minerals rules *Minnesota Rules*, parts 6125.0100-.0700) is to promote and regulate the prospecting for, mining and removal of metallic minerals on state-owned and state-administered lands. These rules, and the leases issued under these rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of rentals that increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports, and the addressing of environmental considerations. In addition, the state lessee must comply with all applicable regulatory laws.

The areas under consideration for the lease sale cover portions of Aitkin, Beltrami, Itasca, Koochiching, Lake of the Woods, Morrison, Saint Louis and Todd Counties. Some of the lands being considered have been offered in previous metallic minerals lease sales, but based upon the interest shown by industry, new geologic data, and exploration techniques developed during the past few years, it is felt that within these lands there is significant potential for the discovery of mineral resources. Certain new lands of interest are also being considered for the lease sale.

The exact time and place of the lease sale will be announced by legal notice at least thirty (30) days prior to the sale. Mining unit books, listing the state lands to be offered at the lease sale, will be available for inspection or purchase at that time.

A map showing the general areas under consideration may be obtained from the Division of Minerals, Box 45, 500 Lafayette Road, Saint Paul, MN 55155-4045, telephone (612) 296-4807.

Dated: 6 January 1992

Rodney W. Sando  
Commissioner of Natural Resources

## Pollution Control Agency

### Division of Hazardous Waste

### Notice of Intent to Solicit Outside Information Regarding Development of Rules Relating to Land Treatment of Petroleum Contaminated Soil

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (MPCA) is seeking information or opinions from outside sources in preparing rules relating to the treatment of petroleum contaminated soil removed from leaking petroleum storage tank sites and spill cleanup sites. Specifically, the MPCA is considering rules which include, but are not limited to, criteria for approval of land treatment sites, land treatment procedures, contaminated soil storage procedures, soil treatment monitoring, and land treatment administrative and reporting procedures.

The development of MPCA rules is authorized by *Minnesota Statute* § 116.07, subd. 4 (1990).

The MPCA requests information and opinions concerning the subject matter of these rules. Interested persons or groups may submit data or views in writing or orally. Written or oral statements or comments should be directed to:

Minnesota Pollution Control Agency  
Hazardous Waste Division  
Christopher G. Zadak  
520 Lafayette Road North  
St. Paul, Minnesota 55155  
Telephone: 612/297-8318

Oral statements will be received from 7:30 a.m. to 5:00 p.m., Monday through Thursday. All statements of information and opinion will be accepted until February 5, 1992. Any written materials received by the MPCA shall become part of the rulemaking record in the event that the rule is adopted.

Dated: 27 December 1991

Charles W. Williams  
Commissioner

## Public Employees Retirement Association

### Notice of Meetings of the Board of Trustees

The next regular monthly meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be on Thursday, January 9, 1992, at 9:30 a.m. in the Association offices, 514 St. Peter Street, Suite 200—Skyway Level, St. Paul, Minnesota.

An Information Forum/Public Safety Officers' meeting will be held Wednesday, January 15, at 1:00 p.m. in the Association offices.

## Board of Social Work

### 1992 Board Meeting Schedule

January 10, 1992  
February 21, 1992, 1:00 p.m.  
March 20, 1992  
April 10, 1992  
May 15, 1992  
June 12, 1992  
July 10, 1992  
August 14, 1992  
September 18, 1992  
October 16, 1992  
November 13, 1992  
December 11, 1992

All meetings are at 12:00 p.m., except as noted.

## Board of Social Work

### Notice of Solicitation of Outside Information and Opinions Regarding Proposed Rules Governing Licensed Social Workers

**NOTICE IS HEREBY GIVEN** that the Minnesota Board of Social Work is seeking information and opinions from sources outside the agency in preparing to propose the adoption of and amendments to the rules governing licensed social workers. The Board's rules are located at *Minnesota Rules*, chapter 8740.

The adoption of these rules is authorized by *Minnesota Statutes*, section 148B.20, subdivision 1.

The Minnesota Board of Social Work requests information and opinions concerning both the Board's current rules and any additional issues which should be addressed by rule. Interested persons or groups may submit opinions in writing. Written statements should be addressed to:

Thomas M. McSteen  
Executive Director  
Minnesota Board of Social Work  
2700 University Avenue West, Suite 225  
St. Paul, Minnesota 55114

All statements of information and opinions shall be accepted until February 14, 1992. Any written material received by the Minnesota Board of Social Work 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.

Dated: 27 December 1991

Thomas M. McSteen  
Executive Director

## Teachers Retirement Association

### Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Friday, January 24, 1992, at 9:30 a.m., in Suite 500, Gallery Building, 17 W. Exchange St., St. Paul, MN to consider matters which may properly come before the Board.

# State Grants

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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.

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## Housing Finance Agency

### Request for Proposals for the Housing Trust Fund Housing Program

The Minnesota Housing Finance Agency (MHFA) and the Housing Trust Fund Advisory Committee (HTFAC) announce the availability of \$500,000 in loan funds to eligible sponsors to assist them in the development, construction, acquisition, preservation and rehabilitation of affordable rental housing, limited equity cooperative housing, and homes for ownership by low income persons. These funds were generated by interest earnings on real estate brokers' trust accounts; interest accrued on revenue bond application fees and forfeited fees; and state appropriated funds.

**FORM OF AWARDS:** Funds are awarded to projects in the form of a zero interest deferred loan. To encourage the long term affordability of the housing provided under this program, a thirty year repayment schedule is used. The loan must be repaid in full if the project fails to operate as affordable housing for low income persons during the first ten years of the loan. During the next twenty years, five percent of the loan is forgiven each year provided that the housing remains affordable for low income persons and families.

**SET ASIDE:** Up to twenty percent (approximately \$100,000) of the total funds available may be used for projects that are not compatible with the 30 year repayment schedule. Within the twenty percent set aside, up to \$50,000 will be available for home ownership projects. The MHFA's and the HTFAC's intent is to use this set aside of funds to encourage innovative proposals which would otherwise not be possible to fund given the 30 year use commitment. All other requirements of the Housing Trust Fund program will apply to these projects.

Applications submitted under the set aside will be evaluated with all applications received in response to the Request for Proposals.

**ELIGIBLE APPLICANTS:** Eligible applicants are individuals, for-profit entities, nonprofit entities, Minnesota Cities, joint power boards established by two or more cities, and Minnesota Housing and Redevelopment Authorities.

**ELIGIBLE PROJECTS:** The legislation requires that the funds from the trust fund account be used "to provide loans or grants for projects for the development, construction, acquisition, preservation, and rehabilitation of low income rental and limited equity cooperative housing units and homes for ownership. At least 75 percent of the rental and cooperative units, and 100 percent of the homes for ownership, must be rented to or cooperatively owned, or owned by persons and families whose income does not exceed 30 percent of the median family income for the metropolitan area." (*Minnesota Statutes* Sect. 462A.201 Subd. 2.) As of February 1991, 30 percent of the Minneapolis/St. Paul area median income was \$14,400.

It is the desire of the MHFA and the HTFAC to use the Housing Trust Fund Housing Program to encourage and support innovative approaches to housing problems which provide affordable housing with strong local support. It is expected that these funds will be used to leverage other funds or to provide the final piece of a financing package. They can be used in conjunction with other MHFA, State, or Federal programs as appropriate.

**APPLICATION PROCESS:** Applicants should request application packets from MHFA staff:

Minnesota Housing Finance Agency  
400 Sibley Street, Suite 300  
St. Paul, MN 55101  
(612) 296-9844

If after reviewing the application materials there are any questions concerning the Housing Trust Fund Housing Program or the application process they should be directed to Denise Holter (612) 297-4294. Samples of successful applications are available for review at the MHFA offices. Applicants are encouraged to discuss the feasibility of their project proposal with MHFA staff prior to submitting an application for funds.

**The original and two (2) copies of the application are due by 4:30 p.m. on Friday, March 6, 1992.** The Housing Trust Fund Advisory Committee will review the applications and should make funding recommendations to the MHFA Board by April 23, 1992.

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 is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

## Housing Finance Agency

### Request for Proposals for the New Construction Tax Credit Mortgage/Bridge Loan Program

The Minnesota Housing Finance Agency announces the availability of mortgage funds for the New Construction or Substantial Rehabilitation of multi-family rental housing for low and moderate income Minnesota households.

**Location:** Statewide

**Sponsor:** Limited Profit, Non-Profit and Cooperative Entities are eligible.

**Amount of Funds Available:** \$12 million, for First and Bridge Mortgage Loans.

**Allocation of Funds:** Minneapolis, \$3,000,000; St. Paul, \$3,000,000; Balance of Hennepin and Ramsey Counties, Dakota, Washington, Anoka, Scott and Carver Counties, \$4,800,000; and Greater Minnesota \$1,200,000.

**Financing Terms:** Market rate 8½%, 25 year amortization and 17 year term mortgage; 7% and 8% shorter term bridge loans secured by Federal Low Income Housing Tax Credit syndications.

**Eligible Uses:** The New Construction or Substantial Rehabilitation of rental housing which is eligible to receive federal subsidies in the form of Federal Low Income Housing Tax Credits. Bridge loans must be in conjunction with Agency first mortgage loan financing.

**Eligible Developments:** Minimum of five housing units.

**Other Requirements:** Developments must meet Federal Low Income Housing Tax Credit income and rent limits as modified by the MHFA; developments to be selected during the initial selection process must be eligible for selection under the initial competition criteria as included in the applicable State and Local Federal Low Income Tax Credit Allocation Plans.

**Procedures:** Applicants should request application packets from the Agency, write or call the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, Attn: Multi-Family Division, (612) 297-3294.

Applications will be accepted on an open pipeline basis; however, to be eligible for the initial selection round, **APPLICATIONS MUST BE RECEIVED BY THE AGENCY BY 4:30 P.M. ON FEBRUARY 18, 1992.**

The Minnesota Housing Finance Agency is an Equal Housing Opportunity and Equal Opportunity Employment Agency.

## Housing Finance Agency

### Request for Proposals for the Low Income Large Family Rental/Housing Program

The Minnesota Housing Finance Agency announces the availability of mortgage funds for the New Construction or Substantial Rehabilitation of multi-family rental housing for low and moderate income Minnesota households.

**Location:** Statewide

**Sponsor:** Limited Profit, Non-Profit and Cooperative Entities are eligible.

**Amount of Funds Available:** \$2.76 million in second mortgage funds. This program may be jointly processed with the MHFA New Construction Tax Credit Mortgage/Bridge Loan Program, under which \$12 million in mortgage funds have been reserved.

**Allocation of Funds:** Minneapolis/St. Paul, \$960,000; Balance of Hennepin and Ramsey Counties; Dakota, Washington, Anoka, Scott and Carver Counties, \$960,000; and Greater Minnesota \$480,000 plus an additional \$360,000 from unallocated FY '91 funds totalling \$840,000.

**Financing Terms:** 0%, 30 year fixed rate subordinated mortgages.

**Eligible Uses:** New Construction or Substantially Rehabilitated family oriented design, e.g. townhouses, 1 and 2 story apartments with a minimum of 5 units. In Greater Minnesota the Agency is also willing to finance single family, duplexes, tri-plexes and four-plexes provided the minimum number of units in the development is five.

80% of the assisted units must be 3 bedroom units or larger. Units smaller than 2 bedroom are not eligible.

**Other Requirements:** All assisted units must be occupied by families with incomes less than 60% of the County or State of Minnesota Non-Metro Median average, whichever is greater, as defined by the U.S. Department of Housing and Urban Development (HUD).

75% of the assisted units must be rented to families with children. The remaining 25% of the assisted units must be rented with preference to families with children.

## State Grants

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**Rents:** The maximum rents that may be charged is 30% of the applicable monthly income limit.

**MHFA Mortgage Limits:** \$24,000 per unit and \$360,000 per development for Hennepin, Ramsey, Dakota, Washington, Anoka, Scott and Carver Counties; \$30,000 per unit and \$450,000 per development for Greater Minnesota.

**Procedures:** Applicants should request application packets from the Agency, write or call the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, Attn: Multi-Family Division, (612) 297-3294.

Applications will be accepted on an open pipeline basis; however, to be eligible for the initial selection round, **APPLICATIONS MUST BE RECEIVED BY THE AGENCY BY 4:30 P.M. ON FEBRUARY 18, 1992.**

The Minnesota Housing Finance Agency is an Equal Housing Opportunity and Equal Opportunity Employment Agency.

## Department of Human Services

### Request for Proposals for Public Education and Awareness about Compulsive Gambling

The Department of Human Services, Mental Health Division, is seeking proposals for a public education and information campaign to increase public awareness about compulsive gambling. The campaign is to be carried out statewide but with a special emphasis on counties having no gambling specific treatment services. The overall purpose is to promote recognition of compulsive gambling and help make people more aware of available treatment resources.

The deadline for submitting a proposal is 4:30 p.m., February 28, 1992. The Commissioner of the Department of Human Services reserves the right to reject all proposals submitted.

Copies of The Request For Proposals may be obtained by contacting Alan Mathiason, Mental Health Division, DHS Building, 444 Lafayette Road, St. Paul, MN 55155-3828, phone (612) 296-2220.

## Department of Human Services

### Request for Proposals for Training of Providers of Compulsive Gambling Treatment Services

The Department of Human Services, Mental Health Division, is seeking proposals for a training program to provide compulsive gambling treatment specific training for agency personnel who are currently licensed or certified to provide mental health or chemical dependency treatment services. Proposals must include plans for 60 hours of training for 35 community mental health and addiction counselors. The purpose of the program is to provide the special knowledge and skills that are important for staff to have before they begin providing treatment services for persons who are compulsive gamblers.

The deadline for submitting a proposal is February 21, 1992. The Commissioner of the Department of Human Services reserves the right to reject all proposals submitted.

Copies of the Request For Proposals may be obtained by contacting Alan Mathiason, Mental Health Division, DHS Building, 444 Lafayette Road, St. Paul, MN 55155-3828, phone (612) 296-2220.

## Professional, Technical & Consulting Contracts

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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.

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## Department of Corrections

### Health Services Unit

### Notice of Request for Proposal for Primary Care Physicians' Services

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Corrections is seeking the services of a primary care physician at the Minnesota Correctional Facility-Lino Lakes. The primary care physician would be on-site at the Lino Lakes Correctional Facility three hours per week. The scope of services include primary care and follow-up services, secondary and tertiary referrals, physical



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## Professional, Technical & Consulting Contracts

examinations, health education, and health maintenance information to the inmate population. Proposals should cover the period from February 15, 1992 through June 30, 1993.

Individuals interested in submitting proposals for Primary Care Physician should contact:

Dana Baumgartner  
Corrections Health Care Administrator  
(612) 642-0248

Proposals must be submitted to the Department no later than 4:30 p.m., January 20, 1992.

## Historical Society

### Notice of Request for Proposals for Theatrical Construction and Scenic Painting Services for the Exhibit "Minnesota From A to Z"

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to provide theatrical construction and scenic painting services for the exhibit "Minnesota From A to Z" at the Minnesota History Center. To be qualified, the individual or firm representative responsible for the work must have at least five years related theatrical, museum or similar experience.

The Request for Proposals is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 690 Cedar Street, St. Paul, MN 55101. Telephone (612) 296-2155.

Proposals received under this request will be used to award projects through October, 1992. There is no closing date for this request, however, in order to be considered for projects to be awarded in January, proposals must be received not later than January 13, 1992.

Details concerning submission requirements are included in the Request for Proposals.

## Historical Society

### Notice of Request for Proposals for Railroad Car Moving and Additional Specialized Moving Jobs

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to provide specialized moving services, including the moving of a railroad boxcar into the Minnesota History Center. To be qualified, the individual or firm must have experience at specialized moving sufficient to demonstrate the ability to successfully complete the project.

The Request for Proposals is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 690 Cedar Street, St. Paul, MN 55101. Telephone (612) 296-2155.

Proposals must be received not later than January 31, 1992.

Details concerning submission requirements are included in the Request for Proposals.

## Department of Human Services

### The Children's Trust Fund (CTF)

### Request for Proposals to Write Copy for a Quarterly Newsletter and Other Related Material

The Children's Trust Fund is seeking proposals from experienced individuals or agencies to write copy and assist in production of the CTF's quarterly newsletter, *The Children's Fire*. The recipient of this grant award will be expected to: research the literature, interview subjects, write and edit articles in accord with the thematic direction set forth by the CTF; provide draft copy in rough layout format and final copy on diskette to the executive director of the CTF; be responsible for the final mailsort of each issue, delivery to the designated post office and the cost of bulk mailing up to 4,000 copies. (Final desktop creation and printing of the newsletter is not included in this proposal.) Each publication usually consists of 8 pages, 8½" x 11". The recipient will be required to write additional copy for CTF reports and brochures as directed and as the budget allows. Priority consideration will be given to applicants who provide demonstrated experience/expertise in writing material directly related to the primary and secondary prevention of child maltreatment.

# Professional, Technical & Consulting Contracts

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## Submission of Proposals

Proposals must be submitted no later than 4:30 p.m., January 28, 1992, to Maureen Cannon, Executive Director, The Children's Trust Fund, 444 Lafayette Road, St. Paul, MN 55155-3839, Telephone: 612/296-KIDS.

Proposals are to include the résumé of the person(s) who will be responsible for writing copy, samples of their published material and a per issue line item budget. Please provide an original and five (5) photocopies of the proposal. Samples of materials submitted will be returned to the applicant upon request.

## Review of Proposals

All proposals received by the above deadline will be reviewed and evaluated by a committee selected for this purpose by the CTF. An interview/presentation with the committee will be part of the process.

This Request for Proposals does not obligate the State of Minnesota, Department of Human Services nor the Children's Trust Fund to accept any of the proposals submitted.

## Tentative Proposal/Grant Contract Timelines

**Publication in the *State Register*:** Monday, January 6, 1992.

**Response Period:** Tuesday, January 7, 1992 to 4:30 p.m., January 28, 1992.

**Respondent Interviews (Tentative Date):** February 5-6, 1992.

**Anticipated Beginning Date of Grant Contract:** March 1, 1992.

**Term of Grant Contract:** Twenty-four (24) months.

**Amount of Grant Award:** Not to exceed \$30,000.00.

## Department of Public Safety

### Bureau of Criminal Apprehension

#### Request for Proposal for Baseline Audit

This request is for a baseline audit to be conducted which will examine the flow of data to the central repository from all reporting agencies. It will develop an audit approach, test that approach and revise that approach. It will design all audit forms and reports. It will make recommendations for improvements in the flow of data and report on the current state of CCH relative to accuracy and completeness of records. It will conduct a need assessment and a requirements analysis which will be used by the Bureau to develop and prioritize future record improvement efforts. The end result should be an audit plan which will be used by Minnesota as a method to measure and monitor the improvements in accuracy, quality, completeness and timeliness of the criminal history records in Minnesota.

A complete copy of the RFP can be obtained by contacting Neil Johnson at (612) 642-0670.

## State Designer Selection Board

### Request for Proposal for Three Projects for the Department of Transportation

#### To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select a designer for three projects for the Department of Transportation. Design firms who wish to be considered for these projects should deliver proposals on or before 4:00 p.m., January 28, 1992, to:

George Iwan, Executive Secretary  
State Designer Selection Board  
Room G-10, Administration Building  
St. Paul, Minnesota 55155-3000

#### The proposal must conform to the following:

- 1) Six copies of the proposal will be required.
- 2) All data must be on 8½" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.

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## Professional, Technical & Consulting Contracts

### 4) Mandatory Proposal contents in sequence:

a) Identity of firm and an identification 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 projects and studies 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 and studies 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 project and studies listed pursuant to the above.

**NOTE:** Please call for a copy of the acceptable format for providing this information.

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 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, their schedule for the project herein described or the fee format form may be referred to George Iwan at (612) 296-4656.

### 7a) PROJECT—01-92

Virginia Maintenance Headquarters

Department of Transportation

Virginia, Minnesota

Project Estimate: \$710,000.00

Estimated Fee: \$48,300.00

**General Description:** This project consists of preparing design development drawing, construction documents, bidding, construction supervision and final construction cost estimates for additions to the building to house the State Patrol and to expand the Shop Areas that house the Welding Shop, Radio Shop, Building Maintenance and Vehicle Storage.

**Consultant Contract:** This project has not had any previous architectural consultant involvement. The schematic design for the

## Professional, Technical & Consulting Contracts

project has been done by the MN-DOT Building Section. The successful consultant should have previous experience in vehicle storage facilities, welding shops and office design. Project should be ready for MN-DOT review by May 15th and Bidding by June 1, 1992.

Questions concerning the project may be referred to Ron Lagerquist (612) 297-4742.

### 7b) PROJECT—02-92

Owatonna Maintenance Headquarters  
Department of Transportation  
Virginia, Minnesota  
Project Estimate: \$495,000.00  
Estimated Fee: \$33,600.00

**General Description:** This project consists of preparing design development drawing, construction documents, bidding, construction supervision and final construction cost estimate for addition to the building to expand the Welding Shop and Vehicle Maintenance Shop and an addition to house the Radio Shop and Bridge Maintenance Crew.

**Consultant Contract:** This project has not had any previous architectural consultant involvement. The schematic design for the project has been done by the MN-DOT Building Section. The successful consultant should have previous experience in vehicle storage garages and welding shops design. Projects should be ready for MN-DOT review by May 15th and Bidding by June 1, 1992.

Questions concerning the project may be referred to Ron Lagerquist (612) 297-4742.

### 7c) PROJECT—03-92

Winona Maintenance Headquarters & Resident Construction Office  
Department of Transportation, Winona, Minnesota  
Project Estimate: \$450,000.00  
Estimated Fee: \$30,600.00

**General Description:** This project consists of preparing design development drawings, construction documents, bidding, construction supervision and final construction cost estimates for additions to the building to house the Resident Construction Office, Maintenance Crew Facilities and Additional Maintenance Equipment Storage.

**Consultant Contract:** This project has not had any previous architectural consultant involvement. The schematic design for the project has been done by the MN-DOT Building Section. The successful consultant should have previous experience in office and vehicle storage facilities design. Document should be ready for MN-DOT review by May 15, and Bidding by June 1, 1992.

Questions concerning the project may be referred to Ron Lagerquist (612) 297-4742.

James Tillitt, Chairman  
State Designer Selection Board

## Department of Transportation

### Technical Services Division

#### Notice of Availability of Consultant Contract

The Minnesota Department of Transportation is seeking the services of Consultants for a 0.52 mile reconstruction project located on T.H. 210 in Staples (R.P. 93.12 to R.P. 93.64). The reconstruction project encompasses preliminary design, final design, and construction contract administration. S.P. 7701-29 (T.H. 210).

This project includes, among other things, regrading, bituminous surfacing, curb & gutter, storm sewer, sidewalk and turf establishment of the present roadway. Also included is the reconstruction of a railroad signal system for BN, Inc. crossing.

**A Small Targeted Business goal of 10% applies to the design phase.**

Work is proposed to start after March 1, 1992 and continue through December 1, 1993.

A Request for Proposal can be obtained from the Mn/DOT Consultant Agreements Engineer.

Mr. Gabriel S. Bodoczy, P.E.  
Consultant Agreements Engineer  
395 John Ireland Boulevard  
St. Paul, Minnesota 55155  
Attn: Todd Clarkowski (612) 297-1197

**Request for Proposals will be available by mail from this office through January 21, 1992. A written request is required to**

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## Professional, Technical & Consulting Contracts

receive the Request for Proposal. Indicate whether your firm is a Small Business, Small Targeted Business, or a Disadvantaged Business Enterprise in your written request. After January 21, 1992, the Request for Proposals must be picked up in person.

No time extensions will be granted.

Proposals must be received at the above address no later than 2:00 p.m. on January 28, 1992.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

## Department of Transportation

### Technical Services Division

#### Notice of Availability of Contract Administration Consultant Contract

The Minnesota Department of Transportation is seeking the services of Consultants for contract administration of the following State Construction contract except those services which by law remain with the State:

On T.H. 220 from Jct. C.S.A.H. 21 to Jct. T.H. 1 in Alvarado and on T.H. 1 in Alvarado. S.P. 4511-12 (TH220)

This project includes, among other things, grading, gravel base, bituminous surfacing, and drainage.

Work is proposed to start after May 26, 1992 and continue through November, 1992.

A Request for Proposal can be obtained from the Mn/DOT Consultant Agreements Engineer.

Mr. Gabriel S. Bodoczy, P.E.  
Consultant Agreements Engineer  
395 John Ireland Boulevard  
St. Paul, Minnesota 55155  
Attn: Todd Clarkowski (612) 297-1197

Request for Proposals will be available by mail from this office through January 21, 1992. A written request is required to receive the Request for Proposal. Indicate whether your firm is a Small Business, Small Targeted Business, or a Disadvantaged Business Enterprise in your written request. After January 21, 1992, the Request for Proposals must be picked up in person.

No time extensions will be granted.

Proposals must be received at the above address no later than 2:00 p.m. on January 28, 1992.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

## Office of the State Treasurer

#### Correction to Request for Proposals for Electronic Remittance Service

The above request for proposals, appearing in the *State Register*, Monday 23 December 1991, Vol. 16 #28, page 1571, incorrectly listed the due date as February 19, 1991. The correct date is **January 15, 1992**. Questions may be addressed to Jerry Engbretson, (612) 296-7091.

# 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.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management 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.

## Materials Management Division—Department of Administration:

### Contracts and Requisitions Open for Bid

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

#### COMMODITY CODE KEY

<b>A = Sealed Bid</b>	<b>G = \$5,000-\$15,000 Estimated Dollar Value</b>	<b>J = Targeted Vendors Only</b>
<b>B = Write for Price</b>	<b>H = \$15,000-\$50,000 Sealed Bid</b>	<b>K = Local Service Needed</b>
<b>C = Request for Proposal</b>	<b>I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required</b>	<b>L = No Substitute</b>
<b>D = Request for Information</b>		<b>M = Installation Needed</b>
<b>E = \$0-\$1,500 Estimated Dollar Value</b>		<b>N = Pre-Bid Conference</b>
<b>F = \$1,500-\$5,000 Estimated Dollar Value</b>		

**Commodity:** B F-Ohaus balance  
**Contact:** Bernadette Vogel 612-296-3778  
**Bid due date at 4:30pm:** January 8  
**Agency:** Hibbing Extension Duluth Center  
**Deliver to:** Duluth  
**Requisition #:** B 27163-65048

**Commodity:** B F-PC-VCR  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 4:30pm:** January 8  
**Agency:** St. Cloud State University  
**Deliver to:** St. Cloud  
**Requisition #:** B 26073-23262-1

**Commodity:** B G-Mycobacteria  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 4:30pm:** January 10  
**Agency:** Minnesota Department of Health  
**Deliver to:** Minneapolis  
**Requisition #:** B 12400-84418

**Commodity:** H M-Library furnishings  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 10  
**Agency:** Mankato State University  
**Deliver to:** Mankato  
**Requisition #:** B 26071-48179-1

**Commodity:** A H-386/25 computers  
**Contact:** Bernadette Vogel 612-296-3778  
**Bid due date at 2pm:** January 10  
**Agency:** Minnesota Correctional Facility—Faribault  
**Deliver to:** Faribault  
**Requisition #:** B 78790-20456

**Commodity:** A H-Traffic signal pedestal bases  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 2pm:** January 8  
**Agency:** Minnesota Department of Transportation  
**Deliver to:** Fort Snelling  
**Requisition #:** B 79000-22541-1

**Commodity:** B F L-SEP-PAK cartridges  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 4:30pm:** January 8  
**Agency:** Minnesota Pollution Control Agency  
**Deliver to:** St. Paul  
**Requisition #:** B 32200-30955

**Commodity:** A I M-386 computer network  
**Contact:** Bernadette Vogel 612-296-3778  
**Bid due date at 2pm:** January 13  
**Agency:** Brainerd Community College  
**Deliver to:** Brainerd  
**Requisition #:** B 27140-20023

**Commodity:** B E-Gas detector/alarm  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 4:30pm:** January 9  
**Agency:** St. Cloud State University  
**Deliver to:** St. Cloud  
**Requisition #:** B 26073-23279

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## State Contracts and Advertised Bids

**Commodity:** B F-Scientific supplies  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 4:30pm:** January 9  
**Agency:** North Hennepin Community College  
**Deliver to:** Brooklyn Park  
**Requisition #:** B 27153-21386

**Commodity:** B G M-Light modification  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 13  
**Agency:** Energy Conservation Division  
**Deliver to:** Willmar  
**Requisition #:** B 02310-24882

**Commodity:** B G—"Arrowstik" as 10  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 13  
**Agency:** Department of Public Safety/  
Finance  
**Deliver to:** St. Paul  
**Requisition #:** B 07500-27138

**Commodity:** B F K M-Micro fiche read/  
printer  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 13  
**Agency:** Community College Board  
**Deliver to:** St. Paul  
**Requisition #:** B 27138-53124

**Commodity:** B G K M-Copier rental  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 9  
**Agency:** Minnesota Pollution Control  
Agency  
**Deliver to:** St. Paul  
**Requisition #:** B 32600-30962

**Commodity:** B E-Dosimeter  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 4:30pm:** January 9  
**Agency:** St. Cloud State University  
**Deliver to:** St. Cloud  
**Requisition #:** B 26073-23278

**Commodity:** B G-CCD Camera  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 4:30pm:** January 9  
**Agency:** Minnesota Department of  
Transportation  
**Deliver to:** Fort Snelling  
**Requisition #:** B 79000-22580

**Commodity:** B G M N-Carpeting and  
install  
**Contact:** Linda Parkos 612-296-3725  
**Bid due date at 4:30pm:** January 13  
**Agency:** Northland Community College  
**Deliver to:** Thief River Falls  
**Requisition #:** B 27000-48259

**Commodity:** B G-Halogen lamps  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 13  
**Agency:** Department of Public Safety/  
Finance  
**Deliver to:** Various places  
**Requisition #:** B 07500-27137

**Commodity:** B E-Blades  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 9  
**Agency:** St. Cloud State University  
**Deliver to:** St. Cloud  
**Requisition #:** B 26073-23283

**Commodity:** B F K M-Reader/printer  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 13  
**Agency:** Brainerd Community College  
**Deliver to:** Brainerd  
**Requisition #:** B 27140-20025

**Commodity:** B F-Word chips  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 9  
**Agency:** Minnesota Correctional Facility  
**Deliver to:** Shakopee  
**Requisition #:** B 78640-02346

**Commodity:** B F-Xerox Supplies  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 9  
**Agency:** Minnesota Office of Waste  
Management  
**Deliver to:** St. Paul  
**Requisition #:** B 99650-90509

**Commodity:** B F-Joerns hospital bed  
**Contact:** Teresa Manzella 612-296-7556  
**Bid due date at 4:30pm:** January 13  
**Agency:** North Hennepin Community  
College  
**Deliver to:** Brooklyn Park  
**Requisition #:** B 27153-10387

**Commodity:** B F L-Gateway 2000  
**Contact:** Bernadette Vogel 612-296-  
3778  
**Bid due date at 4:30pm:** January 9  
**Agency:** St. Cloud State University  
**Deliver to:** St. Cloud  
**Requisition #:** B 26073-23280

**Commodity:** B E-Galvanometer  
**Contact:** Bernadette Vogel 612-296-  
3778  
**Bid due date at 4:30pm:** January 9  
**Agency:** North Hennepin Community  
College  
**Deliver to:** Brooklyn Park  
**Requisition #:** B 27153-21384

**Commodity:** B F-Panasonic printers  
**Contact:** Bernadette Vogel 612-296-  
3778  
**Bid due date at 4:30pm:** January 9  
**Agency:** Minnesota Department of  
Transportation  
**Deliver to:** Rochester  
**Requisition #:** B 79000-22370

**Commodity:** B G M-Light modification  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 13  
**Agency:** Energy Conservation Division  
**Deliver to:** St. Peter  
**Requisition #:** B 02310-24882-1

**Commodity:** B G K M-Copier  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 13  
**Agency:** Department of Natural  
Resources—Regional Headquarters  
**Deliver to:** Various places  
**Requisition #:** B 29002-21927-1

**Commodity:** B E-Scale  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 9  
**Agency:** Minnesota Correctional Facility  
**Deliver to:** Shakopee  
**Requisition #:** B 78640-02347

**Commodity:** B E-Miscellaneous  
Macintosh supplies  
**Contact:** Bernadette Vogel 612-296-  
3778  
**Bid due date at 4:30pm:** January 9  
**Agency:** St. Cloud State University  
**Deliver to:** St. Cloud  
**Requisition #:** B 26073-23274

## State Contracts and Advertised Bids

**Commodity:** A H-386/40 computers  
**Contact:** Bernadette Vogel 612-296-3778

**Bid due date at 2pm:** January 13  
**Agency:** Minnesota Department of Transportation  
**Deliver to:** Rochester  
**Requisition #:** B 79000-22369

**Commodity:** B F-Heated trailer (rental)  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 4:30pm:** January 8  
**Agency:** Minnesota Pollution Control Agency  
**Deliver to:** St. Paul  
**Requisition #:** B 32300-30945

**Commodity:** B G-Olympus microscope  
**Contact:** Bernadette Vogel 612-296-3778

**Bid due date at 4:30pm:** January 9  
**Agency:** Fergus Falls Community College  
**Deliver to:** Fergus Falls  
**Requisition #:** B 27142-49190

**Commodity:** B F M-Folder  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 14  
**Agency:** Building Construction Division  
**Deliver to:** Fergus Falls  
**Requisition #:** B 02310-24889

**Commodity:** B E-Miscellaneous survey supplies  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** January 14  
**Agency:** Department of Natural Resources—Northern Service Center  
**Deliver to:** Grand Rapids  
**Requisition #:** B 29007-10427

## 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:** Game farm sales slips, set type, 1-sided, 20M sets, 5 $\frac{3}{4}$ " x 3", perf at left stub, carbon interleave, 4 parts, preprinted numbering, band 100 per pkg.

**Contact:** Printing Buyer's Office  
**Bids are due:** January 8  
**Agency:** Department of Natural Resources—License Bureau  
**Deliver to:** St. Paul  
**Requisition #:** 20350

**Commodity:** Notice of change in your tax, minor type to set, camera ready copy, 20M sets, 9 $\frac{1}{2}$ " x 11" inc.  $\frac{1}{2}$ " pinfeed strips, fanfold 1 up, crimp both pinfeed strips, carbonless, marginal feed, perf.

**Contact:** Printing Buyer's Office  
**Bids are due:** January 9  
**Agency:** Department of Revenue  
**Deliver to:** St. Paul  
**Requisition #:** 20551

## Announcements

**Environmental Quality Board (EQB):** Comments are due January 22 on the EAWs (Environmental assessment worksheets) on the following projects at their listed regional governing units: **Diamond Ridge General Development Plan**, City of Rochester Department of Planning and Housing, Jeff Ellerbusch, 2122 Campus Drive SE, Rochester, MN 55904, (507) 285-8322; **Fishtrap Lake KOA Campground Expansion**, Morrison County Planning and Zoning, Roger Kuklok, Zoning Administrator, Courthouse Administration Building, Little Falls, MN 56345, (612) 632-2941; **Jefferson Highway Improvement Project**, City of Brooklyn Park, Gary E. Brown, 5200 85th Avenue North, Brooklyn Park, MN 55443, (612) 424-8000.

**Ethical Practices Board Schedules Information Meeting for 1992 State Elections:** Prospective candidates for state offices, treasurers and chairs of political committees and political funds which contribute to state candidates, political party workers, and the public are invited to participate in a campaign finance information meeting to be conducted by the Ethical Practices Board staff on **Friday, January 10, 1992.**

The two-hour meeting is designed to acquaint candidates and officers of committees and funds with the requirements of Minnesota's campaign finance disclosure law, the Ethics in Government Act. Topics for discussion include laws and rules governing committee



and fund registration, recordkeeping, campaign contributions and expenditures, candidate economic interest disclosure, public subsidy for campaigns, and preparation of periodic reports of receipts and expenditures.

The meeting, including a question and answer forum, will be held in Room 10 of the State Office Building, St. Paul, in the capitol complex area, 9:30 to 11:30 a.m. **Individuals planning to attend are invited to call the Board office, (612) 296-5148, for specific information.**

### **Murder: Minnesota style**

**Murder in Minnesota:** A treasury of vintage crimes in which famous and obscure characters come to life in all their cleverness or murderous madness. Minnesota cases from 1858-1917. 253 pp. photos, index. Code 17-35, \$6.95.

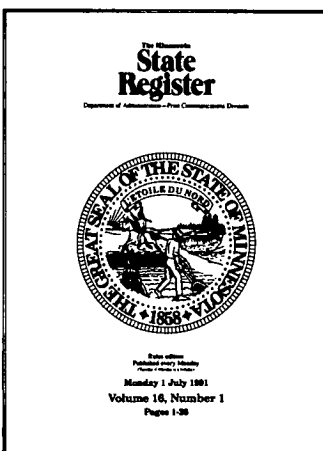
**Robber and Hero:** On September 7, 1876 six members of the James-Younger gang blasted their way out of Northfield, Minnesota. George Huntington's classic account of the Northfield Bank raid is as fascinating today as it was when first published 19 years after the attempted robbery. 125 pp., charts, maps, photos, with index. Code 17-40, \$5.95.

**Secrets of the Congdon Mansion:** The prosecutor called it a crime of greed. A complex, intriguing murder case, set in one of Minnesota's most spectacular mansions, and now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball, 64 pp., drawings. Code 19-56, \$5.95.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover 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.

### **The "inside scoop" on OVER \$1 BILLION in annual business contracts.**



Each year over \$1 billion in state contracts are awarded. About \$20 million in state contracts per week are advertised in the **STATE REGISTER**, the most complete listing of state contracts available. Just a *sampling* of contracts includes: professional, technical and consulting services, commodities, printing, equipment, supplies, food items, and a wide variety of special services.

For less than \$2 a week you can have delivered to your office the most effective and economical means of tracking state contracts. The smart way to stay in the know, and land the business of state government, is with the **STATE REGISTER**, now appearing **TWICE A WEEK**.

You will also have the *most comprehensive listing* of contract awards. And you'll receive the source of state agency rulemaking governing business, the professions and regulated occupations. You'll also get official notices, executive orders of the governor, a calendar of supreme court cases, state grants, and other special announcements.

An annual subscription is \$195 for both the Monday and Thursday editions, or \$140 for just the Monday edition if you're only interested in state agency rulemaking information. A 13-week trial subscription for \$60 includes both the Monday and Thursday editions. MasterCard/VISA, American Express and Discover orders can be taken over the phone, otherwise prepayment is required. Send, or FAX (612/296-2265), your orders to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Let us bring you the business of state government. Subscribe to the **STATE REGISTER** today, or call (612) 296-0931, or 1-800-657-3757 for more information.

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.

## Subscription Services

Minnesota's Bookstore offers several subscription services of activities, awards, decisions and special bulletins of various Minnesota state agencies.

Use the handy order form on the back of the *State Register* to order. Simply fill in the subscription code number, include your name, address and zip and your check made out to the State of Minnesota (PREPAYMENT IS REQUIRED) and send it in. We'll start your subscription as soon as we receive your order, or whenever you like.

SUBSCRIPTION	COST	CODE NO.	SUBSCRIPTION	COST	CODE NO.
Career Opportunity Bulletin, 1 year	\$ 30.00	90-3	State Register, Monday edition only, 1 year	\$140.00	90-1
Career Opportunity Bulletin, 6 mos.	\$ 24.00	90-4	State Register, Monday and Thursday editions, 1 year	\$195.00	90-1
Human Services Informational and Instructional Bulletin	\$110.00	90-6	Trial State Register, 3-months, Monday and Thursday	\$ 60.00	90-2
Human Services Bulletin List	\$115.00	90-7	Tax Court/Property Decisions	\$325.00	90-11
PERB (Public Employee Relations Board) Awards and Decisions, 1 year	\$350.00	90-9	Workers Compensation Decisions, unpublished subs run Jan-Dec 1991; can be prorated	\$400.00	90-12
Minnesota Statutes 1990 Set + Supplement	\$165.00	18-7			
Minnesota Rules 1991 Set + Supplement	\$200.00	18-100			
Workers Compensation Decisions Vol. 45	\$160.00	90-13			

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 296-0931, or toll-free in Minnesota: 1-800-657-3757. Prepayment is required. Please include daytime phone. *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.

## Catching criminals is only one part of law enforcement.

**Police Report Writing Style Manual 1989**—A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms, and introduces the Data Practices Law. Code No. 14-13. \$15.00.

**Motor Vehicle Traffic Laws 1990**—Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code No. 2-85. \$16.95.

**Criminal Code & Selected Statutes 1990**—Governs the conduct of peace officers. Includes continuing education requirements, sentencing standards, and more. Code No. 2-68. \$17.95.

**Blue Binder**—3 ring, 2" capacity. Criminal Code and Motor Vehicle Traffic Laws require 1 binder each. Code No. 10-21. \$4.95.



**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover 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.

## Human Services Laws and Rules

### Human Services Laws 1990

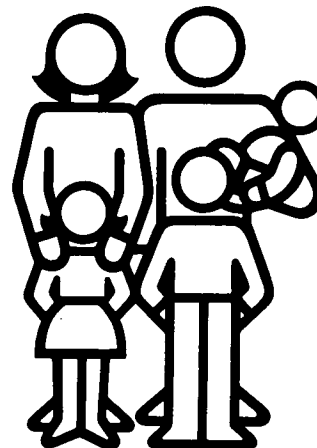
An extract from the statutes. Includes legislative amendments and additions from the most recent session. Code No. 2-56. \$31.95.

### Human Services Rules 1989

Rules governing assistance programs, eligibility grant amounts, AFDC and residence requirements. MN Rules Chapter 9500-9580. Code No. 3-95. \$34.95.

**3 ring binder.** 2" capacity. 1 required for each of above listed publications. Code No. 10-21. \$4.95.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. *Prices are subject to change.* FAX: (612) 296-2265.



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# Minnesota's Bookstore

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## Publications, Services, Subscriptions

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

**1991 Minnesota Rules.** Eleven volume set includes 1992 Supplement as a subscription service. Stock #18-100, \$200 + tax (Minnesota residents only). Individual volumes can be purchased at \$20.00 + tax.

**1991 Minnesota Session Laws.** Two volume set includes laws passed during the 1991 session. Stock #18-1, \$32.00 + tax.

**101 Ways to Promote Academic Excellence.** A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting the public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

**1989 Pollution Control Laws.** Laws dealing with water pollution, disposal facilities, solid waste management, the Minnesota Environmental Rights Act, recycling, and more. Code #2-21, \$24.95.

**1991 Hazardous Waste Rules.** Governs the production, storage, transportation and disposal of hazardous waste. *Minnesota Rules* Chapter 7045 and 7046. Code #3-71, \$17.95.

**Real Estate Rules 1991.** Chapters 2800, 2805 and 2810 from the *Minnesota Rules. Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code #3-99, \$6.00.

**Police Report Writing Style Manual 1989.** A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms and introduces the Data Practices Law. Code #14-13, \$15.00.

### OTHER PUBLICATIONS

**Voices of the Loon.** Includes introduction, loon call identification, distant chorus, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during thunderstorm and coyotes calling with loons. Cassette tape. Code #19-73, \$12.00.

**Secrets of the Congdon Mansion.** A complex, intriguing murder case set in one of Minnesota's most spectacular mansions. Now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball. Code #19-56, \$5.95.

**A Paddler's Guide to the Boundary Waters Canoe Area.** Advice on what to bring along on canoe trips, regulations, canoe tips and detailed information for self-guided tours. Includes detailed maps and descriptions of 31 wilderness canoe routes in the Superior National Forest of Northern Minnesota. Stock #19-17, \$4.95.

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