

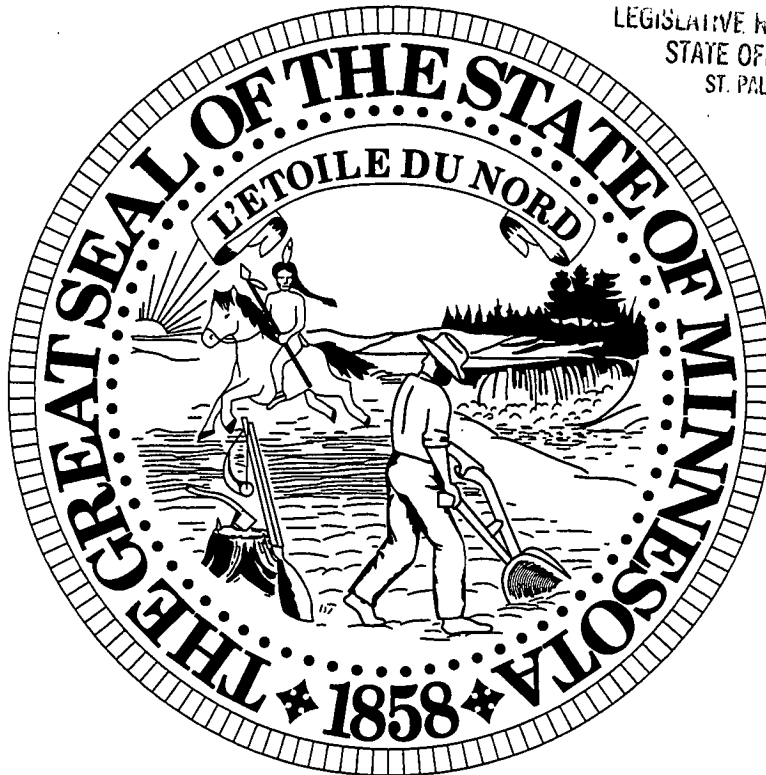
The Minnesota
**State
Register**

Department of Administration—Print Communications Division

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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, professional-technical-consulting contracts, non-state bids and public contracts and grants.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals for commodities, including printing bids.

Printing Schedule and Submission Deadlines

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33	Monday 13 February	Monday 30 January	Monday 6 February
34	Tuesday 21 February	Monday 6 February	Monday 13 February
35	Monday 27 February	Monday 13 February	Friday 17 February

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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 (612) 296-0504
Room 231 State Capitol, St. Paul, MN 55155

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

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Individual awards can be obtained from the **Materials Management Helpline** 612/296-2600.

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 1-800-657-3757.

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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.

Secretary of State

Proposed Permanent Rules Relating to Agricultural Production Inputs

Notice of Intent to Adopt a Rule without a Public Hearing

The Office of the Secretary of State intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, section 14.22 to 14.28. You have 30 days to submit written comment on the proposed rule and may also request that a hearing be held on the rule.

Agency Contact Person. Comment or questions on the rule and written requests for a public hearing on the rule must be submitted to:

Katherine A. Engler
Staff Attorney
Office of the Secretary of State
180 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1299
Phone: 612/297-5163
Fax: 612/296-9073

Subject of Rule and Statutory Authority. The proposed rule is about agricultural production input liens. The statutory authority to adopt this rule is *Minnesota Statutes*, section 514.956, subdivision 4. A copy of the proposed rule is published in the *State Register* and specifies the manner in which agricultural production input liens will be filed, amended, terminated and removed. A free copy of the rule is available on request from the agency contact person listed above.

Comments. You have until 4:30 p.m., Friday, March 10, 1995 to submit written comment in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Friday, March 10, 1995. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want make to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rule may be modified as a result of public comment. The modifications must be supported by data

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

and views submitted to the agency and may not result in a substantial change in the proposed rule as printed in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement 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.

Small Business Considerations. Small businesses who use agricultural production input liens may be impacted by these rules. Small businesses, as all members of the public, are encouraged to participate in this rulemaking proceeding.

Agricultural production input liens provide a method for establishing priority between suppliers of agricultural inputs such as seed, feed, fertilizer and gasoline and other lenders. These parties generally have competing interests in the same collateral. Altering the rules to reduce filing requirements for small businesses cannot be done without affecting all who use agricultural production input liens and thus affecting the priority rights in the collateral. The Office of the Secretary of State has considered all of the issues stated in *Minnesota Statutes*, section 14.115, subdivision 2 and can find no way to change the rules to address these issues that does not adversely affect the rights of all those competing for the same collateral and so the provisions of *Minnesota Statutes*, section 14.115, subdivision 2 do not apply.

Expenditure of Public Money by Local Public Bodies. The adoption of this rule will not require the expenditures of public monies by local bodies. Therefore, *Minnesota Statutes*, section 14.11, subdivision 1 is not applicable.

Impact on Agricultural Lands. The adoption of this rule will not have any impact on agricultural land and so *Minnesota Statutes*, section 14.11, subdivision 2 is not applicable.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to agency contact person listed above.

Dated: 23 January 1995

Joan Anderson Growe
Secretary of State

Rules as Proposed (all new material)

8271.0010 APPLICABILITY.

This chapter applies to lien-notification statements filed with a filing officer for purposes of creating a public record concerning the provision of agricultural production inputs by suppliers to debtors who also have an obligation to a lender.

8271.0020 DEFINITIONS.

Subpart 1. **Scope.** As used in this chapter, the following words have the meanings given them.

Subp. 2. **County recorder.** "County recorder" means the filing officer designated in each county to accept lien-notification statements.

Subp. 3. **Filing office.** "Filing office" means either the Office of the County Recorder or the Office of the Secretary of State.

Subp. 4. **Filing officer.** "Filing officer" means the persons in the office of the County Recorder or the Secretary of State who are responsible for filing lien-notification statements.

Subp. 5. **Lender.** "Lender" means a person in the business of lending money who has been identified in a lien-notification statement.

Subp. 6. **Lien-notification statement.** "Lien-notification statement" means a document which contains all of the elements of *Minnesota Statutes*, section 514.952, subdivision 2.

Subp. 7. **Lien-notification statement amendment.** "Lien-notification statement amendment" means a document which contains a change in a lien-notification statement which has been filed.

Subp. 8. **Lien-notification statement termination.** "Lien-notification statement termination" means the document used to end the record created by the lien-notification statement and all subsequent filings.

Subp. 9. **Secretary of State.** "Secretary of State" means the Minnesota Secretary of State.

Subp. 10. **Supplier.** "Supplier" means a person who furnishes agricultural production inputs as defined in *Minnesota Statutes*, section 514.950.

Subp. 11. **UCC.** "UCC" means the Uniform Commercial Code as adopted in *Minnesota Statutes*, chapter 336.

8271.0030 PLACE OF FILING.

Nothing in this chapter changes the filing requirements of *Minnesota Statutes*, section 514.956, subdivision 1.

8271.0040 DETERMINATION OF PLACE OF FILING.

Lien-notification statements may be filed at the Office of the County Recorder or with the Secretary of State as directed in *Minnesota Statutes*, sections 336.9-401 and 514.956, subdivision 1.

8271.0050 RECORDING IN MULTIPLE FILING OFFICES.

To record a lien-notification statement in more than one filing office, multiple lien-notification statements and fees are required. If a supplier wishes to record a lien-notification statement in more than one filing office, the supplier may either file a new lien-notification statement or a copy of the previously filed lien-notification statement in each filing office. If a copy is used, it is a nonstandard filing in the new filing office and the appropriate fee is due. The date of filing in each filing office is the date the filing is made in that office, not the date of the original filing.

8271.0060 DATABASE.

Subpart 1. **Central database.** Lien-notification statements are part of the UCC centralized database which has been created in Saint Paul, Minnesota.

Subp. 2. **Changes in database.** The Secretary of State shall make appropriate programming changes in or additions to the database and screens for the central database to reflect any changes to *Minnesota Statutes*. In addition, the Secretary of State shall program the system to automatically remove lien-notification statements that are 18 months old from the active record.

Subp. 3. **Maintenance of database.** The Secretary of State shall maintain the central database and communications network between the filing offices. The Secretary of State is responsible for the cost of maintaining the computer and the equipment used in its filing office. Each county, through its recorder, is responsible for the cost of maintaining the equipment in the county recorder's filing office by providing the supplies required to operate the equipment in the filing office.

8271.0070 FILING A LIEN-NOTIFICATION STATEMENT.

Subpart 1. **Generally.** Upon receipt of an original lien-notification statement, a filing officer shall determine if the debtor name is legible and can be indexed. If the debtor name is legible and the correct filing fee has been submitted with the lien-notification statement, the filing officer shall accept the lien-notification statement for filing.

Subp. 2. **Individual debtor name.** The name of an individual debtor shall be presented on the original lien-notification statement with the last name first. The filing officer shall index the original lien-notification statement according to the name presented in the last name area.

Subp. 3. **Business debtor name.** If the debtor name is a business name, it shall be shown on the original lien-notification statement as it appears on the registration papers filed with the Office of the Secretary of State.

8271.0080 MODIFYING A LIEN-NOTIFICATION STATEMENT.

Subpart 1. **Generally.** Upon the filing of a lien-notification statement amendment or lien-notification statement termination, the filing officer shall modify the data in the central database so that it matches the information presented on the filing. The code that represents the type of filing made must be entered by the filing officer into the central database.

Subp. 2. **Amendment.** To file an amendment, the lien-notification statement amendment form must be completed to show:

- A. the original lien-notification statement file number;
- B. the original date of filing;
- C. all the debtor, supplier, and lender information of record and an address for the debtor, supplier, and lender; and
- D. the amended information clearly identified in the appropriate area. The correct filing fee must accompany the amendment.

Subp. 3. **Termination.** To file a termination, the form must be completed to show:

- A. the termination box checked;

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- B. the original lien-notification statement file number;
- C. the original date of filing;
- D. all the debtor, supplier, and lender information of record and an address for the debtor, supplier, and lender; and
- E. the signature of every supplier of record.

If the termination is presented in a nonstandard form or format, the correct filing fee must accompany the filing.

8271.0090 REMOVAL AND DESTRUCTION OF LIEN-NOTIFICATION STATEMENTS.

Subpart 1. **Removal.** A filing officer may remove lien-notification statements from the officer's records 18 months after the date of filing.

Subp. 2. **Destruction.** Lien-notification statements may be destroyed 30 months after the date of filing.

Subp. 3. **Retention schedules.** Each filing officer has the ability, unless otherwise directed by statute, to adopt procedures for the retention of lien-notification statements according to *Minnesota Statutes*, section 138.17. The procedures may include the storage of lien-notification statements on microfilm, microfiche, or other media as permitted by law and may establish a schedule for the retention of paper copies of lien-notification statements.

8271.0100 APPLICABILITY OF UCC RULES.

Subpart 1. **Generally.** Lien-notification statements are indexed as part of the UCC centralized database. The rule parts referred to in subparts 2 to 8 apply to lien-notification statements.

Subp. 2. **Unauthorized entry.** Unauthorized entry into the UCC centralized database is prohibited. The provisions of part 8270.0205 apply.

Subp. 3. **Data entry.** Data entry will be done as required by part 8270.0210.

Subp. 4. **Entry deadline.** The data entry deadline for lien-notification statements is as provided in part 8270.0215.

Subp. 5. **Certification date.** The certification date provisions of part 8270.0220 apply to lien-notification statements.

Subp. 6. **Procedures manual.** Data entry standards and procedures and search procedures are found in the manual described in part 8270.0235.

Subp. 7. **Information retrieval.** Information about lien-notification statements is retrieved as provided in part 8270.0240.

Subp. 8. **Index.** Lien-notification statements are indexed as provided in part 8270.0245.

8271.0200 VERIFIABLE METHOD OF DELIVERY.

Subpart 1. **Generally.** A method of delivery is verifiable if it results in a written receipt from the recipient or a third-party certification that delivery was effected.

Subp. 2. **Response of lender.** When a lender responds to a lien-notification statement as provided in *Minnesota Statutes*, section 514.952, subdivision 3, the response must be delivered by certified mail or another verifiable method.

Subp. 3. **Timely response.** A lender's response to a lien-notification statement is timely if it is delivered or postmarked within the ten calendar days provided in *Minnesota Statutes*, section 514.952, subdivision 3.

8271.0300 AGRICULTURAL PRODUCTION INPUT LIEN FORM.

Subpart 1. **Permitted use.** This form must be used to file an agricultural production input lien form pursuant to *Minnesota Statutes*, section 514.956. The use of any other form not described in this part results in a nonstandard fee charge.

Subp. 2. **Standard form.** To be considered a standard Minnesota agricultural production input lien form, the following specifications must be met:

- A. the size must be 8-1/2 inches by 11 inches, excluding the top perforated tab;
- B. the form must be five carbon or carbonless snap-out; and
- C. the type size must be legible.

Subp. 3. **Report format for multipart form.** A standard agricultural production input lien must be in substantially the following form:



STATE OF MINNESOTA
 AGRICULTURAL PRODUCTION INPUT LIEN
 NOTIFICATION STATEMENT
 STANDARD FORM

For
 Filing
 Officer

This statement is presented for filing pursuant to *Minnesota Statutes Section 514.956.*
 (Type in Black Ink)

1. Individual Debtor - Last Name		First Name	Middle I.
Residential Address			
City		State	Zip Code
2. Individual Debtor - Last Name		First Name	Middle I.
Residential Address			
City		State	Zip Code
3. Business Debtor - Name			
Mailing Address			City State Zip Code
4. Supplier (Secured Party) Name		5. Lender Name	
Mailing Address		Mailing Address	
City	State	Zip Code	City State Zip Code
6. Date or anticipated dates of the transaction		7. Retail cost or anticipated costs of the agricultural production input \$	
8. The name and residential address of the owner and a description of the real estate where the crops to which the lien attaches are growing or are to be grown (if applicable):			
9. The name and residential address of the owner of the livestock, the location where the livestock will be raised, and a description of the livestock (if applicable):			
10. This lien notification statement covers all products or proceeds of the crops or livestock covered by the agricultural input lien. The transactions covered by this agricultural input lien are described as follows:			

RETURN ACKNOWLEDGMENT COPY TO: (name and address)

Please do not type outside the bracketed area.

 Signature(s) of Person(s) to whom the Agricultural
 Production Input was provided

 Signature(s) of Person(s) to whom the Agricultural
 Production Input was provided

(1) Filing Officer Copy -Alphabetical (10941370 Rev 1/95) Standard Form Approved by Secretary of State

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

Proposed Rules

Subp. 4. **Carbon pages.** The remaining three pages will be identical to the first, except as described in items A to C.

- A. The second page must be green and the language "(2) Filing Officer Copy - Numerical" must appear at the bottom left.
- B. The third page must be white and the language "(3) Supplier Copy" must appear at the bottom left.
- C. The fourth page must be white and the language "(4) Debtor Copy" must appear at the bottom left.

Subp. 5. **Instructions.** On the back of the fourth page, instructions must appear in the form and text described by the Secretary of State.

8271.0350 LIEN-NOTIFICATION STATEMENT AMENDMENT AND TERMINATION.

Subpart 1. **Permitted use.** This form may be used to amend or terminate a lien-notification statement. The use of any other form not described in this part results in a nonstandard fee charge. Only one transaction may be accomplished per form.

Subp. 2. **Standard form.** To be considered a standard Minnesota agricultural production input lien form, the following specifications must be met:

- A. the size must be 8-1/2 inches by 11 inches, excluding the top perforated tab;
- B. the form must be five carbon or carbonless snap-out; and
- C. the type size must be legible.

Subp. 3. **Report format for multipart form.** A standard agricultural production lien-notification statement amendment and termination must be in substantially the following form:



STANDARD FORM
STATE OF MINNESOTA
AGRICULTURAL PRODUCTION INPUT LIEN
NOTIFICATION STATEMENT AMENDMENT AND TERMINATION

For
Filing
Officer

This statement is presented for filing pursuant to Minnesota Statutes Section 514.956
(Type in Black Ink)

1. Original Agricultural Production Input Lien-Notification Statement No.

Original Filing Date

2. **DEBTOR**
(Name and Address)

3. **SUPPLIER (Secured Party)**
(Name and Address)

The lien-notification statement described above is changed to show a(n): (One function per form with the exception of several changes per amendment)

4. **AMENDMENT.** The original Agricultural Production Input Lien-Notification Statement bearing the file number shown above is amended as described in BOX 6. See instructions on the reverse side for additional information.

5. **TERMINATION.** The secured party of record no longer claims a lien under the lien-notification statement bearing the file number shown above.

6.

RETURN ACKNOWLEDGMENT COPY TO: (name and address)

Empty box for return acknowledgment copy to.

Please do not type outside the bracketed area.

(1) Filing Officer Copy-Alphabetical 01951701 1/95

Signature(s) of Person(s) to whom the Agricultural Production Input was provided

Signature(s) of Person(s) to whom the Agricultural Production Input was provided

Approved by Secretary of State of Minnesota

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

Adopted Rules

Subp. 4. **Carbon pages.** The remaining three pages will be identical to the first, except as described in items A to C.

A. The second page must be green and the language "(2) Filing Officer Copy - Numerical" must appear at the bottom left.

B. The third page must be white and the language "(3) Supplier Copy" must appear at the bottom left.

C. The fourth page must be white and the language "(4) Debtor Copy" must appear at the bottom left.

Subp. 5. **Instructions.** On the back of the fourth page, instructions must appear in the form and text described by the Secretary of State.

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 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

Adopted Permanent Rules Relating to Incorporation of Federal Acid Rain Program Requirements

The rules proposed and published at *State Register*, Volume 19, Number 11, pages 585-587, September 12, 1994 (19 SR 585), are adopted as proposed.

Pollution Control Agency

Adopted Permanent Rules Relating to Standard Industrial Classification (SIC) Code Range

The rules proposed and published at *State Register*, Volume 19, Number 11, pages 588-590, September 12, 1994 (19 SR 588), are adopted as proposed.

Telecommunications Access to Communication-Impaired Persons Board

Adopted Permanent Rules Relating to Eligibility for Telecommunications Services

The rules proposed and published at *State Register*, Volume 18, Number 48, pages 2479-2482, May 31, 1994 (18 SR 2479), are adopted with the following modifications:

Rules as Adopted

8775.0100 DEFINITIONS.

Subp. 6. **Communication device.** "Communication device" means a device that when used in conjunction with the connected to a telephone system enables a communication-impaired person to communicate with another person using the telephone system. A communication device includes a ring signaler, an amplification device, a telecommunications device for the deaf (TDD), braille device for use with the telephone system, and any other device the board considers necessary.

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.

Board of Animal Health

Meeting of the Board

The Board of Animal Health meeting will be held on March 16, 1995 starting at 9:30 a.m. It will be held in conference room 2 in the Department of Agriculture building, 90 W. Plato Blvd., St. Paul, MN 55107.

Minnesota Health Care Commission

Health Technology Advisory Committee

Notice of: 1) Availability of Preliminary Prostate-Specific Antigen Technology Evaluation Report; 2) Solicitation of Written Comments; and 3) Public Hearing Date

The Health Technology Advisory Committee (HTAC) of the Minnesota Health Care Commission has completed its preliminary report on the evaluation of prostate-specific antigen (PSA) as a routine screening test for prostate cancer in asymptomatic men.

Any interested individuals or organizations may submit written comments regarding the technology evaluation report within 30 days from the publication of this notice to Mary Fahey at:

121 East 7th Place, Suite 400
P.O. Box 64975
St. Paul, MN 55164-0975
Fax: 612.282.5628

Any questions regarding the technology evaluation *process* should be directed to Mary Fahey at 612.282.6355. A copy of the full preliminary report may be obtained by contacting Laurisa Sonsalla at 612.282.6374.

Public testimony on HTAC's evaluation of prostate-specific antigen will be accepted by the Minnesota Health Care Commission on Wednesday, March 15, 1995, from 1:00 PM to 2:00 PM at:

Capitol View Conference Center
70 West County Road B-2
Little Canada, MN 55117

A brief presentation will precede public testimony.

Individuals interested in providing public testimony are asked to provide prior written or verbal notice to Mary Fahey by Wednesday, March 1, 1995, and to limit testimony to five minutes.

Any written material received by the Minnesota Health Care Commission shall be subject to the requirements of the Minnesota Data Practices Act (*Minnesota Statutes*, Section 13).

PROSTATE SPECIFIC ANTIGEN AS A ROUTINE SCREENING TEST FOR PROSTATE CANCER IN ASYMPTOMATIC MEN

EXECUTIVE SUMMARY

Description

Prostate specific antigen (PSA), a substance produced by the prostate gland, is found in all males. Elevations in serum PSA levels may result from conditions that disrupt the prostate gland including: prostate cancer, benign prostatic hyperplasia (BPH) or enlargement, acute and chronic prostatitis, after rectal examination and prostate biopsies. PSA levels also increase with age. The prostate specific antigen (PSA) test measures PSA levels in the blood.

Issues

PSA's benefit as a screening test for prostate cancer among asymptomatic men is being evaluated. Two critical questions are being addressed within the context of this health technology assessment:

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- What effect do PSA screening and the treatments that follow have on prostate cancer disability, deaths, years of life lost and quality of life?
- Are PSA screening and the treatments that follow worth the associated financial costs and the potential morbidity associated with prostate cancer diagnosis, staging and treatment?

The ill health (morbidity) that may occur as a result of prostate cancer includes urinary blockage, bone pain and fracture, other effects of distant cancer spread (colon, liver, etc.), general debilitation and degradation in the quality of life. Morbidity may also occur as a result of cancer screening and treatment and include urinary and fecal incontinence (leakage), impotence, discomfort, degradation of the quality of life, and unnecessary anxiety.

Conclusions

- The effectiveness of PSA screening of asymptomatic, older (40s or 50s and above) men as the initial step in reducing prostate cancer illness and deaths has not been determined.
- Detection of prostate cancer through routine screening creates a cascade of care. The effectiveness of that cascade of care is in question.
- Controversy surrounds early treatment of prostate cancer, with difficulties in distinguishing which men have latent, medically unimportant cancer from those who have active disease. However, this report did not address the benefit of various prostate cancer treatment options.

Recommendation

- Given the significant financial costs to Minnesota citizens and potential negative impact on quality of life associated with aggressive treatment (surgery and radiation therapy) of prostate cancer, widespread population-based screening with PSA of men without symptoms or signs is not recommended.

Integrated Service Networks, public health agencies, and individual physicians may wish to use PSA primarily as a diagnostic and monitoring test rather than as a standard screening test among older, asymptomatic males. Physicians will need to consider each patient's unique needs and characteristics including disease risk factors such as race (black) and positive family history, in making decisions regarding PSA use for individual patients. Additionally, both the potential benefits and negative consequences of treating versus carefully following ("watchful waiting") early stage prostate cancer will have to be considered within the context of the patient's age, 10 year survival probability, general health status, and personal factors in making decisions regarding treatment. Of equal importance, Minnesota males would benefit from educational information on the incidence of both latent and clinically-significant prostate cancer, disease risk factors, signs and symptoms and other characteristics, prognosis and treatment options for prostate cancer, the potential consequences of treating and not treating prostate cancer, and the issues surrounding PSA screening.

Minnesota Health Care Commission

Health Technology Advisory Committee

Notice of: 1) Availability of Preliminary Stereotactic Radio-Neurosurgery Technology Evaluation Report; 2) Solicitation of Written Comments; and 3) Public Hearing Date

The Health Technology Advisory Committee (HTAC) of the Minnesota Health Care Commission has completed its preliminary report on the evaluation of stereotactic radio-neurosurgery.

Any interested individuals or organizations may submit written comments regarding the technology evaluation report within 30 days from the publication of this notice to Mary Fahey at:

121 East 7th Place, Suite 400
P.O. Box 64975
St. Paul, MN 55164-0975
Fax: 612.282.5628

Any questions regarding the technology evaluation *process* should be directed to Mary Fahey at 612.282.6355. A copy of the full preliminary report may be obtained by contacting Laurisa Sonsalla at 612.282.6374.

Public testimony on HTAC's evaluation of stereotactic radio-neurosurgery will be accepted by the Minnesota Health Care Commission on Wednesday, March 15, 1995, from 10:30 AM to 11:30 AM at:

Capitol View Conference Center
70 West County Road B-2
Little Canada, MN 55117

A brief presentation will precede public testimony.

Individuals interested in providing public testimony are asked to provide prior written or verbal notice to Mary Fahey by March 1, 1995, and to limit testimony to five minutes.

Any written material received by the Minnesota Health Care Commission shall be subject to the requirements of the Minnesota Data Practices Act (*Minnesota Statutes*, Section 13).

STEREOTACTIC RADIO-NEUROSURGERY EXECUTIVE SUMMARY

Description

Stereotaxis is a method of precisely locating areas in the brain. Stereotactically-guided irradiation produces a predictable radiation effect at an accurately defined intracranial target within the brain (intracerebral) without delivering a significant proportion of the prescribed dose to the surrounding brain tissue. The term **stereotactic radiosurgery** is used because the highly focused radiation eradicates the targeted tissue, simulating the destructive capacity of surgery. Because the radiation is precisely and narrowly focused, higher doses can be delivered during a session. In general, stereotactic radiosurgery can:

- Define a small three-dimensional intracranial target volume
- Deliver a significant dose of radiation to the target volume
- Avoid delivering a significant dose to the surrounding tissue.

Issues

For the purposes of this report, seven specific issues with regard to radiosurgery were explored:

- Is stereotactic radiosurgery a safe and effective procedure in the treatment of arteriovenous malformation, metastatic brain tumors, primary malignant brain tumors, and benign brain tumors?
- How does stereotactic radiosurgery compare with conventional therapy, specifically microneurosurgery and conventional fractionated radiation therapy (delivered over multiple treatment sessions)?
- What are the specific indications and contraindications to stereotactic radiosurgery?
- How do gamma knife and LINAC-based stereotactic radiosurgery systems compare in safety and effectiveness by clinical application with each other? Is one stereotactic radiosurgery system superior to the other?
- How do the various methods compare in terms of cost?
- Can a valid cost-effectiveness comparison of gamma versus LINAC versus conventional therapy be performed and, if so, what conclusions can be drawn?
- Does Minnesota's current stereotactic radiosurgery capacity meet its citizens needs?

Conclusions

1. A review of the safety and effectiveness of stereotactic radiosurgery (SRS), performed by both gamma knife and LINAC systems, is limited by the lack of controlled clinical studies. However, available data would support radiosurgery as a reasonably safe and effective treatment for arteriovenous malformations, metastatic brain tumors, and benign and primary malignant brain tumors when conventional surgery is contraindicated due to the location of the lesion or patient status/preference or when conventional therapy has failed.
2. Controlled, clinical trials designed to compare SRS to conventional therapies (surgery and radiation therapy) will need to be performed in order to draw firm conclusions about the superiority of one approach over the other for various clinical applications. However, in general, if neurosurgery can be performed, it is generally considered to be the more definitive, preferred treatment.
3. Guidelines are emerging regarding the clinical indications and contraindications for SRS. Questions remain as to optimum treatment parameters and patient selection criteria for use of stereotactic radiosurgery, with the greatest potential for inappropriate use among patients with metastatic brain tumors. The professional community (neurosurgeons, radiation oncologists, neurologists, oncologists) will need to clearly define indications and contraindications for use, based on measurable improvement in functional capacity, quality of life, and improvement in survival.
4. Available data do not permit a valid comparison of gamma knife versus LINAC systems for various clinical applications. Conclusions are not possible regarding the superiority of one system over another. Well-controlled clinical trials com-

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paring the safety and efficacy of stereotactic radiosurgery with conventional therapy and of gamma knife versus LINAC systems for various clinical applications should be encouraged and supported.

5. Considerable start-up and maintenance costs are associated with both gamma knife and LINAC systems, with gamma knife equipment costs being the highest. A high level of skill, ongoing experience (adequate number of patients), and training are necessary among those physicians providing stereotactic radiosurgery to assure proficiency, efficiency, and cost-effectiveness.
6. A cost-effectiveness evaluation of SRS versus conventional therapy and gamma knife versus LINAC systems is not currently possible, due to the lack of valid clinical effectiveness comparison data.
7. Minnesota currently has the equipment capacity to meet the needs of its residents for stereotactic radiosurgery now and in the foreseeable future. The volume of out of state referrals will influence equipment capacity and will need to be monitored.

Recommendations

1. Any plans to add another stereotactic radiosurgery system within Minnesota during the next five years should be reviewed within the context of current equipment capacity, capital and operating costs and professional requirements to achieve procedure performance proficiency, efficiency, and cost-effectiveness.
2. Stereotactic radiosurgery is rapidly evolving and clinical trials are underway. This technology should be reassessed as new data becomes available.

Department of Human Services

Providers List of Services No Longer Requiring Prior Authorization

The prior authorization area is undergoing a number of changes effective February 6, 1995, for recipients of Minnesota Health Care Programs (Medical Assistance, General Assistance Medical Care, and MinnesotaCare).

DELETED from Prior Authorization February 6, 1995

I. DENTAL SERVICES

- D4910 Periodontal maintenance procedures (following active therapy when two or fewer procedures provided per calendar year)
- X7216 Removal and/or excision supernumerary tooth, impacted
- D7240 Removal of impacted tooth - completely bone

II. VISION SERVICES

- 92004 Ophthalmological services; comprehensive, new patient
- 92014 Ophthalmological services; comprehensive, established patient
- 92340 Fitting of spectacles, except for aphakia; monofocal
- 92341 bifocal
- 92342 multifocal, other than bifocal
- 92352 Fitting of spectacle prosthesis for aphakia; monofocal
- 92353 multifocal
- 92358 Prosthesis service for aphakia; temporary
- 92354 Fitting of spectacle mounted low vision aid; single-element system
- 92355 telescopic or other compound lens system
- 92285 External ocular photography with medical diagnostic evaluation for documentation of Medical progress
- 92287 Anterior seg photo with fluorescein angiography
- 92390 Supply of spectacles, except prosthesis for aphakia and low vision aids
- 92392 Supply of low vision aids

V2600	Hand held low vision aids and other nonspectacle mounted aids
V2610	Single lens spectacle mounted low vision aids
V2615	Telescopic and other compound lens system, including distance vision telescopic, near vision telescopes and compound microscopic lens system
V2629	Not otherwise classified, prosthetic eye
V2743	Tint other than rose 1 or 2

III. MEDICAL SUPPLIES AND EQUIPMENT; PROSTHESES AND ORTHOSES

Medical Equipment/Supplies

Providers no longer need prior authorization for procedure codes listed below and the following general areas.

1. Equipment repairs when the charge exceeds \$300. This includes labor and parts charges combined.

K0054	Seat width of 10", 11", 12", 15", 17", or 20" for a high strength, lightweight or ultralightweight wheelchair
K0055	Seat depth of 15", 17", or 18" for a high strength, lightweight or ultralightweight wheelchair
K0056	Seat height less than 17", <i>or</i> equal to or greater than 21" for a high strength, lightweight or ultralightweight wheelchair
K0057	Seat with 19" or 20" for heavy duty or extra heavy duty wheelchair
K0058	Seat depth 17" or 18" for motorized/power wheelchair
K0020	Fixed, adjustable height armrest, pair
E0205	Heat lamp, with stand, includes bulb or infrared element
E0550	Humidifiers, durable for extensive supplemental humidification during IPPB treatments or oxygen delivery
E0601	Continuous airway pressure (CPAP) device
E0650	Pneumatic compressor, non-segmental home model, lymphedema pump
E0651	Pneumatic compressor, segmental home model (lymphedema pump) without calibrated gradient pressure
E0655	Non-segmental pneumatic appliance for use pneumatic compressor, half arm
E0660	Non-segmental pneumatic appliance for use pneumatic compressor, full leg
E0665	Non-segmental pneumatic appliance for use pneumatic compressor, full arm
E0666	Non-segmental pneumatic appliance for use pneumatic compressor, half leg
E0667	Segmental pneumatic appliance for use pneumatic compressor, leg
E0668	Segmental pneumatic appliance for use pneumatic compressor, arm
E0669	Segmental pneumatic appliance for use with pneumatic compressor, half leg
E0670	Segmental pneumatic appliance for use with pneumatic compressor, half arm
E0720	TENS, two lead, localized stimulation
E0730	TENS, four lead, larger area/multiple nerve stimulation
E0967	Wheelchair hand rims with eight vertical rubber-tipped projections, pair
E0968	Commode seat, wheelchair
E0969	Narrowing device, wheelchair
E0980	Safety vest, wheelchair
E1510	Kidney dialysate delivery system, kidney machine, pump recirculating, air removal system, flowrate meter, power off, heater and temperature control with alarm, i.v. poles, pressure gauge, conc. container
E1520	Heparin infusion pump for dialysis
E1530	Air bubble detector for dialysis
E1540	Pressure alarm for dialysis
E1550	Bath conductivity meter for dialysis
E1560	Blood leak detector for dialysis

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- E1570 Adjustable chair, for ESRD patients
- E1575 Transducer protectors/fluids barriers, any size, each
- E1580 Unipuncture control system for dialysis
- E1590 Hemodialysis machine
- E1592 Automatic intermittent peritoneal dialysis system
- E1594 Cyclor dialysis machine for peritoneal dialysis
- E1600 Delivery and/or installation charges for renal dialysis equipment
- E1610 Reverse osmosis water purification system
- E1615 Deionizer water purification system
- E1620 Blood pump for dialysis
- E1625 Water softening system
- E1630 Reciprocating peritoneal dialysis system
- E1632 Wearable artificial kidney
- E1635 Compact portable travel hemodialyzer system
- E1636 Sorbent cartridges, per case
- E1640 Replacement components for hemodialysis and/or peritoneal dialysis machines that are owned or being purchased by the patient
- E1699 Dialysis equipment, unspecified (by report)
- Z0430 Two channel pneumogram recording equipment (other than apnea monitor, used to obtain a pneumogram recording up to 24 hours in length)(not for Medicare use)
- Z0431 Four, or more channel pneumogram recording equipment (other than apnea monitor, used to obtain a pneumogram recording up to 24 hours in length). Includes oximetry, if used. (not for Medicare use)
- Z0612 Postural Drainage Table (not for Medicare Part B use)

Nutritional Products (enteral)

1. Enteral nutrition products are covered the first 30 days without prior authorization. Nutritional products in a long-term care facility are not covered. Submit a prior authorization by using the I.T.S. or Pharmacy/Supply Invoice (DHS 3065). Phone-in requests are no longer available.

- B4150 Enteral formulae; Category I: Semi-synthetic intact protein/protein isolates (e.g., Enrich, Ensure, Ensure HN, Ensure Powder, Isocal, Lonalac powder, Meritene, Meritene powder, Osmolite, Osmolite HN, Portagen powder, Sustacal, Renu, Sustagen powder, Travasorb) 100 calories = 1 unit
- B4151 Enteral formulae; Category I: Natural intact protein/protein isolates (e.g., Complete B, Vitaneed, Compleat B modified) 100 calories = 1 unit
- B4152 Enteral formulae; Category II: Intact protein/protein isolates (calorically dense)(e.g., Magnacal, Isocal HCN, Sustacal HC, Ensure Plus, Ensure Plus HN) 100 calories = 1 unit
- B4153 Enteral formulae; Category III: Hydrolyzed protein/amino acids (e.g., Criticare HN, Vivonex, T.E.N. (total enteral nutrition) Vivonex HN, Vital (Vital HN), Travasorb HN, Isotein HN, Precision HN, Precision Isotonic) 100 calories = 1 unit
- B4154 Enteral formulae; Category IV: Defined formula for special metabolic need, (e.g., Advera, Hepatic-acid, Travasorb Hepatic, Travasorb MCT, Travasorb Renal, Traum-aid, Tramacal, Aminaid) 100 calories = 1 unit
- B4155 Enteral formulae; Category V: Modular components (protein, carbohydrates, fat)(e.g., Propac, Gerval Protein, Promix, Casec, Moducal, Controlyte, Polycose liquid or powder, Sumacal, Microlipids, MCT oil, Nutri-source) 100 calories = 1 unit
- B4156 Enteral formulae; Category VI: Standardized nutrients (Vivonex STD., Travasorb STD., Precision LR, and Tolerex) 100 calories = 1 unit

Prostheses and Orthoses

Prior authorization is no longer required for the following.

1. Repairs and adaptations to a prosthesis or orthosis when the charge exceeds \$300.

IV. HEARING AIDS

Services in the following categories no longer require prior authorization:

1. Repairs to hearing aids when the cost of parts and labor exceeds \$100, or if a repair was made in the preceding 12 months.

X5249 Hearing instruments parts and accessories - other (specify)
X5299 Hearing services, misc.
X5246 Hearing instrument accessories, ear molds

V. DRUGS

The following drugs no longer require prior authorization effective February 6, 1995.

Agoral (OTC laxative) liquid
Lactulose
Maltsupex (OTC laxative) liquid/powder/tabs: only for children 6 and under
Papaverine and Phentolamine; compound injectables
Tretinoin (Retin-A): for patients who are 30 or older

The following drugs require prior authorization through fax (612-282-9919) or on paper following the first 30 days of service. Phone-in requests are no longer available.

Alferon N (Interferon Alfa-3)
Antihemophilic Factor VIII
Antihemophilic Factor IX
Cataflam
Ceredase (Alglucerase)
Declomycin
Diclofenac Potassium (Cataflam); effective July 1, 1994
Epoetin Alfa/Erythropoietin (Epogen and Procrit)
Filgrastim (Neupogen)
Interferon Gamma-1b (Actimmune)
Omeprazole (Prilosec): for >8 week consecutive daily treatment
Ondansetron (Zofran): for >4 week consecutive daily treatment
Sargramostim (Leukine and Prokine)
Thorazine spansule
Vancomycin oral formula

Prior authorization requests will not be accepted by the Department for drugs which do not appear on the above list.

See the pharmacy chapter for coverage standards.

VIII. ALL OTHER SERVICES

The following health services no longer require prior authorization:

1. Treatment or removal of a hemangioma.

In addition, the following specific procedures no longer require prior authorization.

X2393-22*³ Nutritional consultation, evaluation by R.D.
X2393*³ Nutritional consultation, follow-up visit
X2395*¹² Individual diabetes education session, per hour - Type I - insulin dependent
X2396*¹³ Individual diabetes education session, per hour - Type II - non-insulin dependent
X5355*¹⁰ Cardiac rehabilitation program; including physician services, per session
X5356*¹⁰ Cardiac rehabilitation program; excluding physician services, per session
95805 Multiple sleep latency testing (MSLT), recording, analysis and interpretation of physiological measurements of sleep during multiple nap opportunities

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- 95807 Sleep study, 3 or more parameters of sleep other than sleep staging, attended by a technologist
95808 Polysomnography; sleep staging with 1-3 additional parameters of sleep, attended by a technologist
95810 Sleep staging with 4 or more additional parameters of sleep, attended by a technologist

Department of Labor and Industry

Labor Standards Division

Notice of Correction to Prevailing Wage Rates

Prevailing wage rates determined and certified July 5, 1994, for 409 - Glazier, Field Crest Nursing Home Addition & Remodeling-Hayfield commercial construction has been corrected.

Copies of the corrected certification may be obtained by contacting the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or calling (612) 296-6452.

John B. Lennes, Jr.
Commissioner

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective February 6, 1995 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Dodge: Kasson-Mantorville High School Gym Floor Removal-Kasson.

Hennepin: Energy Management Center Boiler Addition & Building Modification-Mpls/Stp Airport; Adult Correctional Facility Main Building Environmental Improvements-Plymouth.

Isanti: Cambridge Community College.

Itasca: Greenway High School Condensate Piping Replacement-Coleraine.

McLeod: Hutchinson Area Transportation Services Building (HATS)-Hutchinson.

Mower: Southland High School Remodeling-Adams.

Nicollet: St. Peter Correctional Facility Dishwash Room Remodeling-St. Peter.

St. Louis: Hibbing High School Fire Marshal Exiting Renovation-Hibbing; Duluth Heating Plant Asbestos Abatement Work-Duluth; U of M/Duluth Window Replacements Student Housing.

Washington: Cottage Grove WWTP Railing Improvements-Cottage Grove; NE Metro TC Truck Driver Support Facility-White Bear Lake; Metro East Headquarters Building-Oakdale.

Wright: River Street Interceptor/Main Lift Station-Delano.

Copies of the certified wage rate for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.
Commissioner

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, 100 Constitution Ave., St. Paul 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. In accordance with the Minnesota Open Appointments Law, the Secretary of State acts as an administrator in publishing vacancies, receiving applications, and recording appointments. Applications will be reviewed and appointments made by the Appointing Authorities for these various agencies. Completed applications are to be submitted to the Secretary of State by February 28, 1995. Appointing Authorities for these agencies may also choose to review applications received by the Secretary of State after that date. Applications are kept on file for a one year period.

The 1994 Annual Compilation and Statistical Report is now available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the 1994 fiscal year. The 1994 Annual Compilation also indicates members with terms that ended in January 1995 as open for application; many of these positions may still be open. To order copies of the 1994 Annual Compilation please call the Minnesota Bookstore at 297-3000 or 1-800-657-3757.

ADVISORY SEED POTATO CERTIFICATION TASK FORCE % Department of Agriculture, 90 West Plato Blvd., St. Paul, MN 55107-2094. 612-296-8328. *Minnesota Statutes* 21.112.

APPOINTING AUTHORITY: Commissioner of Agriculture.

COMPENSATION: Reimbursed for expenses.

VACANCY: Eight positions: Please refer to the description of this re-established task force.

The task force reviews quality control, research, and market development in the certified seed potato industry. The task force consists of eight members, growers in Minnesota of certified seed potatoes. Meetings take place four times a year, are approximately four hours in length, and are held in East Grand Forks.

BOARD OF WATER AND SOIL RESOURCES One West Water St., Suite 200, St. Paul, MN 55107. 612-296-3767. *Minnesota Statutes* 103B.101.

APPOINTING AUTHORITY: Governor. Senate confirmation.

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: County Commissioner position.

The board coordinates the water and soil resources management activities of local units (counties, SWCD's, WD's, WMO's) of government through educational activities, approval of local plans, administration of state grants and cost-sharing contracts. Programs include RIM reserve, local water planning and implementation, Wetlands Conservation Act, soil conservation, water quality enhancement. Mission: To provide leadership enabling local governments to properly manage water and soil resources and to help all citizens be stewards of our irreplaceable natural resources. Twelve members include three county commissioners, three soil and water conservation district (SWCD) supervisors, three watershed district (WD) or watershed management organization (WMO) representatives, and three unaffiliated citizens. One member must come from each of the current soil and water conservation administrative regions throughout the state. At least three but no more than five members must come from the seven-county metropolitan area. All members must be knowledgeable of soil and water problems. Members must file with the Ethical Practices Board. Monthly meetings. The board does not expire.

CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD 204 Administration, 50 Sherburne Ave., St. Paul, MN 55155. 612-296-7138. *Minnesota Statutes* 15.50.

APPOINTING AUTHORITY: Governor.

COMPENSATION: \$55 per diem.

VACANCY: One vacancy: Member appointed by the Governor.

The board is responsible for architecture, urban design, and comprehensive land-use planning in the capitol area of St. Paul, exercises zoning and design review authority, and oversees redevelopment of the north capitol area. The Governor appoints four members. The Mayor of St. Paul appoints three members with confirmation by the City Council. The legislature appoints one senator and one representative. The Lieutenant Governor serves as chair. The full board meets six times a year, committees meet more often. Members must file with the Ethical Practices Board. The board does not expire.

Official Notices

CHEMICAL ABUSE & VIOLENCE PREVENTION COUNCIL Department of Public Safety, Office of Drug Policy and Violence Prevention 444 Cedar St., Suite 100-D, Town Square, St. Paul 55101. *Minnesota Statute 299A.31.*

APPOINTING AUTHORITY: Governor.

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Expertise in violence prevention; persons of color encouraged to apply.

The council is to serve as an advisory body to the Governor and legislature in the area of chemical abuse and violence prevention policy, programs, and services. The council consists of nineteen members: the Commissioners of Public Safety, Education, Health, Corrections, and Human Services, the director of the Office of Strategic and Long Range Planning and the Attorney General each appoint one member from their employees; the Speaker of the House and the Subcommittee for Committees of the Senate each appoint a legislative member; the Governor appoints ten members from throughout the state representing the following: public health, education including preschool, elementary and higher education; social services; financial aid services; chemical dependency treatment; law enforcement; prosecution; defense; the judiciary; corrections; treatment research professionals; drug abuse prevention professionals; the business sector; religious leaders; representatives of racial and ethnic minority communities and other community representatives. Meetings held monthly at the Capitol complex. The council expires June 30, 1997 per *Minnesota Statutes 15.0575 subd. 5 as amended by Laws of 1993.*

GENERAL CRIME ADVISORY COUNCIL MN Dept. of Corrections, 300 Bigelow Bldg., 450 N. Syndicate, St. Paul, MN 55104. 612-642-0200. *Minnesota Statutes 611A.361.*

APPOINTING AUTHORITY: Commissioner of Corrections.

COMPENSATION: Reimbursement of expenses.

VACANCY: Two vacancies: One service provider and one not a provider of services to victims of general crime; both must reside in the seven county metropolitan area.

The advisory council advises the Commissioner of Corrections on all matters related to the Department's funding of programs serving victims of general crime other than sexual assault and domestic abuse in Minnesota, other than purely administrative matters. The council advises on grants-related planning, development, data collection, rulemaking, funding and evaluation of programs. The council serves as a liaison between the Commissioner of Corrections and organizations that provide services to victims of crime other than sexual assault and domestic abuse, and serves as an advocate within the Department of Corrections for the rights of victims of general crime. The advisory council consists of twelve members. Six positions will be reserved for persons who are not service providers in community or governmental organizations (persons not affiliated with grantee or potential grantee programs) that provide services to victims of crime other than sexual assault and domestic abuse. Six members of the council shall be residents of the seven-county metro area and six members shall be residents of Greater Minnesota. The Department of Corrections seeks to ensure that the council membership reflects diversity with respect to race, age, sexual orientation, and disability. No member may serve more than two consecutive terms. Monthly meetings, approximately three hours, at the Dept. of Corrections central office. The council expires June 30, 1997 per *Minnesota Statutes 15.059 subd. 5 as amended by Laws of 1993.*

HEALTH COVERAGE REINSURANCE ASSOCIATION BOARD Department of Commerce, 133 E. 7th St., St. Paul, MN 55101. 612-297-4634. *Minnesota Statutes 62L.14.*

APPOINTING AUTHORITY: Commissioner of Commerce.

COMPENSATION: Expenses.

VACANCY: One vacancy: Public member.

The association shall provide reinsurance to health carriers providing health coverage to the small employer market. The board consists of thirteen members, including four public members, three members representing accident and health insurers, three members representing HMOs, and three members representing Blue Cross-Blue Shield. Initial members will be appointed by the Commissioner of Commerce and will serve for a two year period effective the date of the first annual meeting, which must be held by December 1, 1992. The board will be elected by association membership after this two year interim, except for public members. Meetings at the Department of Commerce. The board does not expire.

MEDICAL SERVICES REVIEW BOARD Dept. of Labor and Industry, Special Compensation Fund, 443 Lafayette Rd., St. Paul, MN 55155. 612-296-2117. *Minnesota Statutes 176.103.*

APPOINTING AUTHORITY: Commissioner of Labor and Industry.

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Hospital Administrator - Alternate.

The board advises the Department of Labor and Industry on medical matters relating to workers' compensation, makes determi-

nations on inappropriate, unnecessary or excessive treatment under *Minnesota Statutes* 176.103, subd. 2, and may issue penalties for violation of rules following a contested case procedure under chapter 14 under *Minnesota Statutes* 176.103, subd. 3. Members include two chiropractic members, one hospital administration member, six physician members, one employee member, one employer or insurer member, one physical therapist, and one public member plus alternates. The Commissioner or his designee serves as an ex-officio member. Members must file with the Ethical Practices Board. The board does not expire.

METROPOLITAN SPORTS FACILITIES COMMISSION Hubert H. Humphrey Metrodome, 900 S. 5th St., Mpls., MN 55415. 612-332-0386. *Minnesota Statutes* 473.553.

APPOINTING AUTHORITY: Governor, Minneapolis City Council.

COMPENSATION: \$50 per diem plus expenses.

VACANCY: Two new positions: One member who lives in the metropolitan area (other than the city of Minneapolis) and one person from outside the metropolitan area. The appointment of these two members is dependent upon the acquisition of the basketball & hockey arena (Target Center).

The commission is responsible for the location, design, construction, and operation of the Hubert H. Humphrey Metrodome. The commission also owns the Met Center in Bloomington, MN. The chair is appointed by the Governor, and six commissioner members are appointed by the Minneapolis city council. Members must file with the Ethical Practices Board. Regular commission meetings are held on the fourth Wednesday of the month at 9:30 A.M. in the commission office conference room. Committee meetings are scheduled on an "as needed" basis. The commission does not expire.

MISSISSIPPI RIVER PARKWAY COMMISSION 336 Robert St., Suite 1513 Pioneer Bldg., St. Paul, MN 55101. Fax: 612-224-9413, Phone: 612-224-9903. *Minnesota Statutes* 161.1419.

APPOINTING AUTHORITY: Natural Resources/Transportation/Trade & Econ. Dev.

COMPENSATION: \$55 per diem public members.

VACANCY: One vacancy: Member to be appointed by the Commissioner of Transportation.

The commission works with federal, state and local agencies and the Interstate Mississippi River Commission on planning, construction and maintenance of the Great River Road scenic parkway, promotion of tourism and economic development, and the preservation and enhancement of the natural resources along the Mississippi River. The commission consists of ten members, including three senators, three representatives, one member appointed by the Commissioner of Transportation, one member appointed by the Commissioner of Natural Resources; one member appointed by the Commissioner of Trade and Economic Development and a tenth member appointed by the Mississippi River Parkway Commission. Quarterly meetings. The commission expires June 30, 1997 per *Minnesota Statutes* 161.1419 subd. 8.

MINNESOTA BOARD OF CHIROPRACTIC EXAMINERS PEER REVIEW COMMITTEE 2700 University Ave. W., Suite 20, St. Paul, MN 55114-1089. 612-642-0591. *Minnesota Statutes* 148.01 - 148.106.

APPOINTING AUTHORITY: Executive Director, MN Board of Chiropractic Examiners.

COMPENSATION: \$55 per diem.

VACANCY: One vacancy: Professional member; must be available to attend first meeting on Tuesday, April 11, 1995 at 12:30 p.m.

The committee makes determinations of whether or not certain chiropractors properly utilized services rendered or ordered appropriate treatment or service, and if the cost of treatment was unconscionable. The committee consists of seven members, including five chiropractors and two consumer members. Terms are one year in length. Members may serve two full terms. Applications may be submitted at any time and are retained and considered for two years. The committee meets on the second Tuesday of every month at 12:30 p.m. at the MN Board of Chiropractic Examiners' office. The committee does not expire.

MINNESOTA EDUCATION IN AGRICULTURE LEADERSHIP COUNCIL 2370 410th St., Nerstrand, MN 55053. 507-789-6723. *Minnesota Statutes* 126.113.

APPOINTING AUTHORITY: Governor.

COMPENSATION: None at this time.

VACANCY: One vacancy: At-large member.

The council provides advocacy, leadership, and support for the enhancement of education in agriculture. The council consists of twelve members: one member from each of the eight congressional districts and four members at large. Meetings are held every third Wednesday of the month at various locations. The council does not expire.

Official Notices

MINNESOTA ZOOLOGICAL BOARD 13000 Zoo Boulevard, Apple Valley, MN 55124. 612-431-9200. *Minnesota Statutes 85A.01.*

APPOINTING AUTHORITY: Governor, Zoo board.

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Background or interest in zoological societies or zoo management or an ability to generate community interest in the Minnesota Zoo. To the extent possible, members will be appointed who are residents of various geographical regions of the state. Members should have the ability to raise significant funds from the private sector. This member will be appointed by the Governor.

The board operates and maintains the Minnesota Zoological Garden. The board consists of thirty members who must have a background or interest in zoological societies, zoo management, or an ability to generate community interest in the Minnesota Zoological Garden. Fifteen of the members are appointed by the Governor, one of whom must be a Dakota county resident appointed after consideration of a list supplied by the Dakota County Board; and fifteen of the members are appointed by the Minnesota Zoological Board. To the extent possible, members will be appointed who are residents of the various geographical regions of the state. Members should have the ability to raise significant funds from the private sector. Meetings at the Minnesota Zoological Garden, four times a year. The board does not expire.

REHABILITATION REVIEW PANEL Dept. of Labor and Industry, Special Compensation Fund, 443 Lafayette Rd., St. Paul, MN 55101. 612-296-2117. *Minnesota Statutes 176.102, Subdivision 3.*

APPOINTING AUTHORITY: Commissioner of Labor and Industry.

COMPENSATION: \$55 per diem and reimbursed for expenses.

VACANCY: One vacancy: Medical Practitioner.

The panel advises the Department of Labor & Industry on rehabilitation matters relating to workers compensation and may issue penalties for violation of rules following a contested case hearing under Chapter 14 under *Minnesota Statutes 176.103, subd. 3.* Members include two representatives each from employers, insurers, rehabilitation and medicine, one representative of chiropractors, four representing labor plus three alternates. The Commissioner of Labor and Industry, or designee, is an ex-officio member. Members must file with the Ethical Practices Board. The panel does not expire.

SEXUAL ASSAULT ADVISORY COUNCIL MN Dept. of Corrections, 300 Bigelow Bldg., 450 N. Syndicate, St. Paul, MN 55104. 612-642-0200. *Minnesota Statutes 611A.25, Sec. 7.*

APPOINTING AUTHORITY: Commissioner of Corrections.

COMPENSATION: Reimbursement of expenses.

VACANCY: One vacancy: Service Provider position, must reside in the seven county metropolitan area.

The advisory council advises the Commissioner of Corrections on all planning, development, data collection, rulemaking, funding and evaluation of programs and services to sexual assault victims other than matters of a purely administrative nature. The council consists of twelve members. No more than six of the members of the council shall be representative of community or governmental organizations (persons not affiliated with grantee or potential grantee) that provide services to sexual assault victims. One-half of the members shall be from the metro area and one-half of the members from the non-metro, including all non-metro areas of the state. Special consideration to comprising the council of diverse populations. No member may serve more than two consecutive terms. Monthly meetings, approximately five hours, at the Dept. of Corrections central office. The council expires June 30, 1997 per *Minnesota Statutes 15.059 subd. 5* as amended by *Laws of 1993.*

SOLID WASTE MANAGEMENT ADVISORY COUNCIL Minnesota Office of Environmental Assistance, 520 Lafayette Rd, Second Fl, St. Paul, MN 55155. 612-296-3417. *Minnesota Statutes 115A.12.*

APPOINTING AUTHORITY: Minnesota Office of Environmental Assistance.

COMPENSATION: Reimbursed for expenses.

VACANCY: One vacancy: Representative from a local unit of government that is involved with solid waste management issues.

The council makes recommendations on solid waste management activities. The council may have nine to twenty-one members, with equal numbers of citizen members, representatives of local government units, and representatives of the solid waste industry; at least three members experienced in the private recycling industry and at least one member experienced in each of the following areas: state and municipal finance, solid waste collection, processing and disposal, and solid waste reduction and resource recovery. Meetings held the first Friday of each month, from 11:30am to 3:00pm at the Minnesota Office of Environmental Assistance, 1350 Energy Lane, Suite 201, St. Paul. The council expires June 30, 1997 per *Laws of 1994, Chpt. 480, Sec. 8.*

STATE BOARD OF EDUCATION 550 Cedar St., 714 Capitol Square Bldg., St. Paul, MN 55101. 612-297-1925. *Minnesota Statutes 121.02.*

APPOINTING AUTHORITY: Governor. Senate confirmation.

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Must reside in the Fifth Congressional District.

The board sets statewide education policies for the Department of Education and elementary and secondary schools. The board consists of nine members, including one from each congressional district, one at-large member, and three who have previously served as school board members. Monthly meetings. Members must file with the Ethical Practices Board. The board does not expire.

STATE DESIGNER SELECTION BOARD G-10 Administration Bldg., St. Paul, MN 55155. 612-296-4656. *Minnesota Statutes 16B.33.*

APPOINTING AUTHORITY: Commissioner of Administration.

COMPENSATION: \$55 per diem.

VACANCY: One vacancy: This position is to be filled by a public member (as defined by *Minnesota Statutes 16B.33*, subdivision 2a).

The board selects designers for state projects where construction costs exceed \$750,000 or professional fees exceed \$60,000. The Commissioner appoints five members which include one member each nominated by Consulting Engineers Council, State Arts Council and Minnesota Society of Architects. No member may serve more than two consecutive terms. Members must file with the Ethical Practices Board. The board does not expire.

SUBCOMMITTEE ON CHILDREN'S MENTAL HEALTH 444 Lafayette Rd., St. Paul, MN 55155-3828. 612-297-4163. *Minnesota Statutes 245.697, subd. 2a.*

APPOINTING AUTHORITY: Chairman, State Advisory Council on Mental Health.

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Parent of a child with emotional disturbance.

The subcommittee must make recommendations to the Advisory Council on policies, law, regulations, and services relating to children's mental health. Members include: Commissioners or designees of Department of Commerce, Corrections, Education, Health, Human Services, Finance, and State Planning; one member of a children's mental health advocacy group, three service providers (preadolescent, adolescent, and hospital-based), parents of emotionally disturbed children; a consumer of adolescent mental health services; educators currently serving emotionally disturbed children; people who worked with emotionally disturbed minority children, or with emotionally disturbed juvenile status offenders; social service representatives; county commissioners; legislators; advisory council members; one representative of the local corrections system; and one representative from the Minnesota District Judges Association Juvenile Committee. The subcommittee meets once a month. The subcommittee expires with the expiration of the State Advisory Council on Mental Health.

Department of Trade and Economic Development

Public Facilities Authority

Department of Health

Division of Environmental Health

Notice of Solicitation of Outside Information or Opinions Relating to Proposed Rules Governing the Administration of the Drinking Water Revolving Fund

NOTICE IS HEREBY GIVEN that the Minnesota Department of Trade and Economic Development and the Minnesota Department of Health are jointly seeking information or opinions from sources outside these departments in preparing to revise existing *Minnesota Rules*, Chapter 7380 and Chapter 4720 to include rules governing the administration of the Drinking Water Revolving Fund (DWRF).

The Minnesota Department of Trade and Economic Development and the Minnesota Department of Health are jointly considering the revision of these existing rules in light of the anticipated reauthorization of the federal Safe Drinking Water Act (SDWA) by the United States Congress. The reauthorized federal SDWA is expected to establish a State Revolving Fund for Drinking Water (hereinafter referred to as the Drinking Water Revolving Fund or DWRF). The DWRF will provide financial assistance, primarily in the form of loans, to eligible public drinking water suppliers for construction of facilities to ensure safe drinking water for the citizens of Minnesota. The Minnesota Legislature has authorized joint administration of the DWRF by the Minnesota Public Facilities Authority and the Minnesota Department of Health.

Staff of the departments will be reviewing information about the proposed DWRF and discussing it with members of the public and persons on an advisory group. Subjects that may be included in the revised rules are: project priority system, planning requirements, system viability review, intended use plan, plans and specification requirements, application process, project evaluation and approval process, interest rate determination, terms and conditions, release of funds, inspections and records, reports and audits, project completion and performance repayment requirements, sanctions, disputes, procedural rules and appeals, variances and any other related subjects.

Authority for the commissioner of trade and economic development to adopt rules for the Public Facilities Authority governing the DWRF is contained in *Laws of Minnesota*, Chapter 632, article 2, section 50 to be codified as *Minnesota Statutes*, section 446A.081, subdivision 11. Authority for the commissioner of health to adopt rules governing the DWRF is contained in *Laws of Minnesota*, Chapter 632, article 2, section 50 to be codified as *Minnesota Statutes*, section 446A.081, subdivision 12.

The Minnesota Department of Trade and Economic Development and the Minnesota Department of Health anticipate adoption of the revised rules by November of 1995, but the schedule is dependent upon the action of Congress. A copy of this notice will be mailed to all parties who have registered their names with the department of trade and economic development and the department of health for the purposes of notice of rulemaking activity; and a copy of the notice will be mailed to public drinking water suppliers, consulting engineers working in the drinking water field, and any other interested parties.

The departments will jointly form a rule advisory group with representatives from public drinking water suppliers, consulting engineers working in the public drinking water field, and any other interested parties. It is anticipated that the group will meet approximately four to six times over the next six to eight months.

The Minnesota Department of Trade and Economic Development and the Minnesota Department of Health request information and opinion on the subject matter of these rules at this time. Interested or affected persons or groups may submit data or views on the subject matter of the rules in writing or orally. Written statements should be submitted to the Minnesota Department of Health to:

Linda D. Prail
Minnesota Department of Health
Division of Environmental Health
P.O. Box 59040
Minneapolis, Minnesota 55459-0040

Oral statements will be received during regular business hours over the telephone by Ms. Prail at 612/627-5483.

All statements of information will be accepted until a notice of proposed rule adoption is published in the *State Register*. Any written material received by the department in response to this notice becomes part of the rulemaking record to be submitted to the attorney general or the administrative law judge in the event the rule is adopted.

Patricia A. Bloomgren, Director
Division of Environmental Health

E. Peter Gillette, Jr.
Commissioner of Trade and
Economic Development

This notice can be made available in alternative formats.

Professional, Technical & Consulting Contracts

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.

In accordance with *Minnesota Rules Part 1230.1910*, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612)296-2600 or [TDD (612)297-5353 and ask for 296-2600].

Department of Administration

InterTechnologies Group

Notice of Availability of Contract for Telephone Bill Auditing

The InterTechnologies Group (InterTech), Department of Administration, for the State of Minnesota, is requesting proposals from qualified firms to provide auditing of American Telephone and Telegraph Company (AT&T) telephone equipment bills. The purpose of the audit is to determine if there have been past overpayments to AT&T and to obtain refunds for any overpayments. The selected auditing vendor will be compensated based on a percentage of the refunds received by the State.

The full text of the Request For Proposal is available on request from Barbara Clark at (612) 296-5862. Responses must be directed to:

Gerald Joyce, Contract Administrator
Materials Management Division
Department of Administration
112 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Phone: 296-9080

Responses must be received no later than 3 p.m. on Friday, March 3, 1995. Responses must be in sealed envelopes and marked "Proposal Response" on the outside of the envelope.

Minnesota Historical Society

Notice of Request for Bids for Electrical Contractor Services

The Minnesota Historical Society is seeking bids from qualified firms to provide electrical contractor materials and services for various projects.

The work will consist of miscellaneous commercial electrical wiring projects at the Minnesota History Center in St. Paul, and at metro area Historic Sites.

Minnesota prevailing wage laws will apply to the work done under any contract issued as a result of this solicitation.

The Request for Bids is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Bids must be received not later than 2:00 P.M. Central Time February 23, 1995.

Complete Specifications and details concerning submission requirements are included in the Request for Bids.

Professional, Technical & Consulting Contracts

Minnesota Historical Society

Notice of Request for Bids for Manufacture of a book: *John Dillinger Slept Here*

The Minnesota Historical Society is seeking bids from qualified firms to provide all materials, supplies, labor, and equipment to manufacture, bind and deliver a book, tentatively titled *John Dillinger Slept Here*.

The work will generally consist of the manufacture of approximately 5000 paper and 500 cloth bound copies of a 456 page book.

The Request for Bids is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Bids must be received not later than 2:00 P.M. Central Time February 23, 1995.

Complete Specifications and details concerning submission requirements are included in the Request for Bids.

Department of Transportation

Transportation Research and Investment Management

Notice of Availability of Contract for Professional and Technical Services for Toll Road Legislation Implementation

Contractor's duties do not include providing legal services to the State within the meaning of *Minnesota Statutes*, Section 8.06.

The Minnesota Department of Transportation is requesting proposals for professional and technical expertise in the development and implementation of a system for private funding of toll road projects, in accordance with *Minnesota Statutes*, Sections 160.84 thru 160.92. This work will involve performing an assessment of the current knowledge base for toll roads and the development of public-private partnerships, development of a toll road Request for Proposal, and a draft model agreement which is consistent with the state's authorizing statute. The agency has estimated that the cost of this project need not approach but shall not exceed \$125,000. It is anticipated that the contract period will begin April 3, 1995 and continue through December 31, 1996. To obtain a copy of the completed Request for Proposal, send or fax a request to Ken Buckeye, Minnesota Department of Transportation, Phone (612) 296-1606, Fax (612) 282-2535, Room 211, MS 440, 395 John Ireland Blvd., St. Paul, Minnesota 55155. Requests for RFP's will be received until 2 PM, February 24, 1995. Consultant proposals must be received at the above address no later than 12:00 noon on March 7, 1995.

In accordance with the provision of *Minnesota Statutes*, Section 363.073, all contracts estimated to be in excess of \$50,000, 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. Your proposal will not be accepted unless it includes one of the following:

- A. A copy of your current certificate of compliance with the State of Minnesota; or,
- B. A notarized letter of affidavit certifying that your firm has not had more than 20 full-time employees at any time during the previous 12 months.

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

Engineering Services Division

Availability of a Contract for Underwater Inspections of Bridge Foundations

The Minnesota Department of Transportation (Mn/DOT) is seeking the services of Consultant Engineering firms to perform underwater foundation inspections of various trunk highway bridges located throughout the state.

Total program is estimated at \$350,000.00. Approximately 125 bridges are involved.

Work is proposed to start after July 1, 1995.

To obtain a copy of the completed Request for Proposal containing a Scope of Services together with a description of minimum qualifications and other required submittals contact:

Robert J. Miller, P.E.
Mn/DOT Bridge Agreements Engineer
Waters Edge Building, Suite 200
1500 West County Road B2
Roseville, Mn 55113

Consultant's application must be received in writing at the above address. Respondents shall indicate if your firm is qualified as a Targeted Group Business (TGB).

Applicants must meet Affirmative Action qualifications attached to the RFP to be considered.

Response deadline is March 3, 1995.

Additional technical information may be obtained by contacting Paul Kivisto, Bridge Management Engineer, (612) 582-1194.

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

Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Hennepin County

Notice of Solicitation of Interest for Outside Legal Counsel

Hennepin County Board Resolution No. 93-5-408R1 requires the County Attorney at least annually to advertise for attorneys/firms who are interested in providing legal services to Hennepin County. Although nearly all legal work performed by the County is done by the staff attorneys in the County Attorney's Office, the office does enter into a limited number of special attorney contracts each year. Recent examples include: bond counsel, bond litigation, construction litigation, health law, real estate, and title work.

Responses to this solicitation will be retained for one year and will serve as a starting point for retaining outside legal counsel. The County Attorney is not precluded from soliciting proposals from law firms or individuals which have not responded to this initial solicitation of interest or from seeking requests for proposals for specific legal work. The selection of outside counsel is not subject to the Minnesota competitive bidding laws and any recommendation of the County Attorney's Office is subject to approval by the County Administrator and/or County Board.

Firms who are interested in the inclusion of their name on an outside counsel selection list should obtain and complete an Outside Counsel Selection Questionnaire. This questionnaire may be obtained by contacting Patrick Diamond, Deputy County Attorney, C-2000 Government Center, Minneapolis, Minnesota 55487, telephone - (612) 348-8406.

Metropolitan Council

Transit Operations

Advertisement for Bids to Obtain Services for Conducting a Comprehensive Non-User Survey

NOTICE IS HEREBY GIVEN that the Metropolitan Transit Operations will receive sealed bids **TO OBTAIN SERVICES TO CONDUCT A COMPREHENSIVE NON-USER SURVEY** at the office of the Metropolitan Council Transit Operations, 560-6th Avenue North, Minneapolis, MN 55411-4398, until 2:00 p.m., Wednesday, February 24, 1995, central standard time.

Bids shall be on the forms provided for that purpose and according to the contract documents prepared by the Metropolitan Council Transit Operations, 560 6th Ave. North, Minneapolis, MN 55411 (Phone: 612-349-7682).

Bid forms and contract documents including scope of services may be obtained at the office of the Metropolitan Council Transit Operations on or after February 10, 1995.

Bids will be reviewed by representatives of the Metropolitan Council Transit Operations in the Marketing Department of the Metropolitan Council Transit Operations.

Contractor will be required to comply with all applicable Equal Employment Opportunity laws and requirements.

All bidders will be required to certify that they are not on the Comptroller General's list of ineligible contractors.

The Metropolitan Council Transit Operations hereby notifies all bidders that in regard to any contract entered into pursuant to this notification for bids, disadvantaged (minority) and women businesses will be afforded full opportunity to submit bids in response, and will not be subject to discrimination on the basis of race, color, sex or national origin in consideration for an award.



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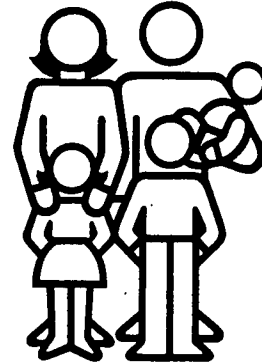
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