

95, March 6

P182

The Minnesota  
**State  
Register**

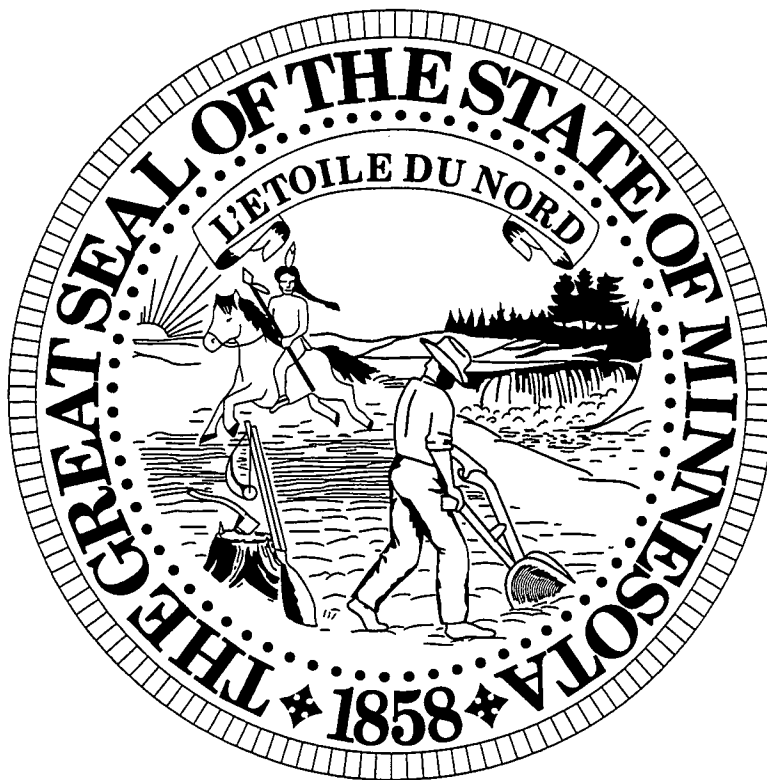
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# State Register

## 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.

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Vol. 19 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
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37	Monday 13 March	Monday 27 February	Monday 6 March
38	Monday 20 March	Monday 6 March	Monday 13 March
39	Monday 27 March	Monday 13 March	Monday 20 March

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## Minnesota Rules: Amendments & Additions

Volume 19, issues #27-36 (issues 1-26 cumulative in #26) .. 1826

### Proposed Rules

#### Gambling Control Board

Pull-tab dispensing devices..... 1828

#### Public Service Department

Weights and measures..... 1841

### Adopted Rules

#### Gambling Control Board

Distributors and manufacturers..... 1854

### Official Notices

#### Agriculture Department

Agricultural Chemical Response Compensation Board  
re-scheduled meeting for March 22,1995..... 1860

Opinion sought on rules for anhydrous ammonia fertilizer  
systems..... 1860

Opinion sought on draft pesticide management plan..... 1861

#### Ethical Practices Board

Request for advisory opinion re: lobbyist registration..... 1862

#### Executive Council

#### State Board of Investment

#### Land Exchange Board

#### Investment Advisory Council

Meetings scheduled for March 15 and March 14, 1995 ..... 1863

#### Gambling Control Board

Opinion sought on rules for gambling managers..... 1863

#### Department of Labor and Industry

Prevailing wage certifications for commercial construction  
projects..... 1864

#### Minnesota Property Insurance Placement Facility

Annual meeting of the member companies March 8, 1995 ... 1864

Meeting of the governing board March 8, 1995 ..... 1864

#### Public Employees Retirement Association

Meeting of the Board of Trustees ..... 1864

#### Secretary of State

Vacancies in multi-member agencies ..... 1865

### State Grants

#### Health Department

Fourteen consolidated grant funds for calendar year  
1996-97 and request for proposals..... 1868

#### Human Services Department

Proposals sought for child welfare services to Asian youth .. 1879

Proposals sought for family-based crime prevention and  
intervention services to Asian-American youth ..... 1879

#### Labor and Industry Department

Safety grants for employers ..... 1880

### Professional, Technical & Consulting Contracts

#### Commerce Department

Proposals sought to administer the real estate appraisers'  
license examination ..... 1881

#### Human Services Department

Proposals sought for training and promotion materials for  
immunizations for kids ..... 1883

#### Human Services Department

Proposals sought to provide negotiations skills training to  
county IV-D child support officers throughout Minnesota ... 1885

#### Trade and Economic Development Department

Urban Initiative Board seeks proposals for non-profit  
organizations to be certified to receive urban  
challenge grants ..... 1886

Proposals sought for ad sales, creative, design, typesetting  
services and pre-press services ..... 1886

#### Veterans Homes Board

Proposals sought to develop courses that promote a safe  
and healthy work environment ..... 1887

### Non-State Public Bids, Contracts & Grants

#### Metropolitan Council Wastewater Services

Proposals sought for on-site first responder training ..... 1888

### State Contracts, RFPs & Advertised Bids:

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# Minnesota Rules: Amendments and Additions

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

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

### Volume 19, issues # 27-36 (issues 1-26 cumulative in # 26)

#### Accountancy Board

1100.0100; .0600; .0650; .0700; .1000; .1100; .1200; .1300; .1500; .1900; .2110; .2115; .2120; .2150; .2200; .2500; .3200; .3250; .3300; .3400; .3550; .3600; .4000; .4100; .4200; .4300; .4400; .4500; .4650; .4700; .4800; .4900; .5100; .5800; .5850; .6100; .6400; .6500; .6700; .6800 (adopted) 1732  
1100.0100 s.5; .1500 s.1; .1600; .1902; .1905; .2000; .2100; .2300; .2600; .2700; .2750; .2800; .3000; .3100; .3500; .4200 s.2; .5000 (repealed) 1732

#### Administration Department

1300.6100 (adopted) 1735  
1302.0100; .0200; .0500; .0600; .0700; .0850; .0950 (adopted) 1735  
1302.0300; .0500 s.2,3; .0800; .0900 (repealed) 1735  
1350.0100; .0250; .0300; .0400; .0500; .0600; .0700; .0900; .1000; .1100; .1400; .2100; .2400; .2500; .2700; .2801; .3400; .3500; .6500; .6600; .6700; .6800; .8300; .8600 (proposed withdrawn) 1737  
1350.0100 s.2,5,6,7,13,18,24,27,28,30,35,45,52,55,57,58,59; .2600; .2700 s.5,6,7; .2800; .2900; .3000; .3100; .3200; .3300; .3600; .3700; .5800 (proposed repealer withdrawn) 1737

#### Agriculture Department

1505.4000-.4130 (proposed) 1758  
1510.0410; .0411; .0412; .0413; .0414; .0416; .0417; .0419; .0420; .0421; .0422 (proposed) 1692  
1510.0415; .0416 s.4,5,7,8; .0418 (proposed repealer) 1692  
1510.0430; .0431; .0432; .0433; .0434 (proposed) 1764  
1510.0432 s.2,3 (proposed repealer) 1764  
1558.0010-0090 (proposed) 1481

#### Commerce Department

2700.2460; .2470; .2480 (adopted) 1581

#### Economic Security Department

3300.5010; .5040; .5050; .5060 (proposed) 1767  
3300.5010 s.38; .5060 s.4,6,8,10 (proposed repealer) 1767

#### Electricity Board

3800.3600-.3603 (proposed) 1539

#### Health Department

#### Health Department

4617.0002; .0020; .0025; .0030; .0043; .0044; .0045; .0049;

.0050; .0056; .0058; .0171; .0172; .0173; .0174 (proposed) 1607

4617.0002 s.11; .0046; .0047; .0170; .0175; .0180

(proposed repealer) 1607

4625.2100; 4717.0150; .0250; .0275; .0310; .0375; .0450; .0650;

.0750; .0775; .0950; .1050; .1250; .1350; .1450; .1550; .1575;

.1650; .1750; .1850; .1950; .2150; .2250; .2350; .2450; .2550;

.2560; .2570; .2580; .2590; .2595; .2610; .2620; .2630; .2650;

.2750; .2850; .3050; .3150; .3250; .3350; .3450; .3475; .3550;

.3650; .3675; .3850; .3870; .3875; .3950; .3970; .3975;

.7000 (errata) 1637

4651.0100; .0110; .0120; .0130; .0140 (adopted) 1581

4652.0010-.0130 (adopted) 1515

4653.0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170

- all emergency rules - (repealed) 1582

4655.0090; 4658.0600; .0605; .0615; .0620; .0625; .0630; .0635;

.0640; .0645; .0650; .0655; .0660; .0665; .0670; .0675; .0680;

.0685 (adopted) 1803

#### Higher Education Coordinating Board

4815.0100-.0160 (adopted) 1636

4830.0100 (adopted) 1491

4830.7100; .7200; .7300; .7400; .7500; .7710; .7720; .7800;

7900 (adopted) 1636

4830.7100 s.3,4; .7400 s.8; .7500 s.1,3; .7600; .7700;

.7720 s.2 (repealed) 1636

4890.0100-.0900 (proposed) 1441

#### Labor and Industry Department

5205.0010 (adopted) 1459

5205.0010 (proposed) 1489

#### Natural Resources Department

6125.0100; .0400; .0410; .0420; .0500; .0600; .0610; .0620; .0700

(proposed) 1615

6125.0300; .1000-.4100 (proposed repealer) 1615

6200.0200; 6210.0100; 6212.1750; .1800; .2900; .3000;

6214.0500; 6230.0200; .0400; .0900; .1300; 6232.0100;

.0200; .0300; .0700; .0800; .1200; .1250; .1300; .1800;

.1950; .2000; .2100; .2450; .2500; .2900; .3000; .3700;

.3800; .4000; .4700; 6234.0200; .0400; .2600; .3000; .3100;

.3400; 6236.0100; .0900; 6240.0200; .0550; .0850; .0860;

.0900; .1700; .1950; 6242.0200; .0500; .0900; .1000; .1200;

6252.0500; 6254.0200; .0500; .0510; 6262.0100; .0200;

## Minnesota Rules: Amendments and Additions

<p>.0300; .0500; <b>6266.0100</b>; .0300; .0400; .0500 (proposed)..... 1702</p> <p><b>6234.1300</b> s.3; <b>6262.0500</b> s.3 (proposed repealer) ..... 1702</p> <p><b>6236.0600</b>; .0800; .1050 (adopted expedited emergency)..... 1518</p> <p><b>6262.0500</b> (emergency proposed)..... 1736</p> <p><b>6264.0300</b> (adopted exempt) ..... 1517</p> <p><b>Nursing Board</b></p> <p><b>6305.0500</b>; <b>6310.2600</b>; .2900; .3200; <b>6330.0350</b>; <b>6340.0050</b>;  <b>6340.0200</b>; .0300; .0400; .0500; .0600; .0700; .0800; .0900;  .0950; .1000; .1100 (proposed) ..... 1452</p> <p><b>Podiatric Medicine Board</b></p> <p><b>6900.0010</b>; .0020; .0160; .0200; .0210; .0300 (proposed)..... 1798</p> <p><b>6900.0200</b> s.8 (proposed repealer)..... 1798</p> <p><b>Pollution Control Agency</b></p> <p><b>7001.0560</b>; .0650; <b>7035.2535</b>; <b>7045.0020</b>; .0065; .0120; .0121;  .0125; .0131; .0135; .0143; .0145; .0206; .0208; .0221; .0225;  .0230; .0240; .0243; .0248; .0292; .0310; .0320; .0450; .0454;  .0456; .0478; .0518; .0528; .0541; .0552; .0556; .0558; .0562;  .0584; .0594; .0610; .0620; .0628; .0629; .0644; .0665; .0692;  .0790; .0795; .0800; .0805; .0810; .0815; .0820; .0825; .0830;  .0835; .0840; .0845; .0855; .0865; .0875; .0885; .0895; .1300;  .1339 (proposed) ..... 1542</p> <p><b>7007.0350</b> (adopted) ..... 1666</p> <p><b>7007.0800</b>; <b>7017.0100</b> (adopted) ..... 1775</p> <p><b>7007.1075</b>; <b>7011.0553</b>; <b>7017.1020</b> (adopted)..... 1666</p>	<p><b>7045.0020</b> s.102b; .0102 s.3; .0528 s.5; .0628 s.5; .0695  (proposed repealer) ..... 1542</p> <p><b>Public Safety Department</b></p> <p><b>7507.0500</b> (adopted) ..... 1637</p> <p><b>Public Service Department</b></p> <p><b>7600.0100-.9900</b> (proposed repealer withdrawn) ..... 1775</p> <p><b>7601.0100-.9900</b> (proposed withdrawn)..... 1775</p> <p><b>7600.0100-.9900</b> (proposed repealer) ..... 1841</p> <p><b>7601.0110-.9900</b> (proposed) ..... 1841</p> <p><b>7813.0100</b>; .0200; .0300; .0400; .0500; .0600; .0700; .0800;  .0900; .1000; .1100 (adopted) ..... 1518</p> <p><b>Gambling Control Board</b></p> <p><b>7861.0010</b>; .0040; .0060; .0080; .0120; <b>7863.0010</b>; .0020;  <b>7864.0010</b>; .0030 (proposed) ..... 1828</p> <p><b>7861.0010</b>; <b>7863.0010</b>; <b>7864.0010</b>; .0030; <b>7865.0020</b> (adopted)..... 1854</p> <p><b>7863.0010</b> s.5; <b>7864.0010</b> s.5; .0020 (repealed) ..... 1854</p> <p><b>7861.0080</b> (proposed) ..... 1601</p> <p><b>Secretary of State</b></p> <p><b>8271.0010-.0350</b> (proposed) ..... 1659</p> <p><b>Telecommunications Access to Communication-Impaired Persons Board</b></p> <p><b>8775.0100</b>; .0300; .0400; .0500; .0800 (adopted)..... 1666</p> <p><b>8775.0100</b> s.13 (repealed) ..... 1666</p>
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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.

## Gambling Control Board

### Proposed Permanent Rules Governing Pull-tab Dispensing Devices

**Notice of Intent to Adopt a Rule without a Public Hearing unless 25 or More Persons Request a Hearing;**

**Notice of Hearing if 25 or More Persons Request a Hearing;**

**And Notice of Cancellation of Hearing if 25 or More Persons Do Not Request a Hearing**

**Introduction.** The Minnesota Gambling Control Board intends to adopt permanent rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rule within 30 days or by March 1, 1995, a public hearing will be held on April 28, 1995. To find out whether the rule will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after April 5, 1995, the end of the 30-day comment period, and before April 28, 1995, the scheduled hearing date.

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

Sharon A. Beighley, Rules Coordinator  
Minnesota Gambling Control Board  
1711 West County Road B  
Suite 300 South  
Roseville, MN 55113  
612-639-4091

**Subject of Rule and Statutory Authority.** The proposed rules relate to the use of pull-tab dispensing devices by organizations conducting pull-tab games in Minnesota. The statutory authority of the Board to adopt the rule is *Minnesota Statutes*, § 349.151, subd. 4(b) (1994).

A copy of the proposed rule is published in the *State Register* on March 6, 1995 and attached to this notice as mailed. A copy is also available free of charge by contacting the agency contact person.

**Comments.** You have until 4:30 P.M. on Wednesday, April 5, 1995 to submit written comment in support of or in opposition to the proposed rule or 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 comments 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 Wednesday, April 5, 1995. Your written request for a public hearing must include your name, address, and telephone number. 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 made 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.

**Modifications.** The proposed rule may be modified, either as a result of public comments or as a result of the rule hearing process. Modifications must not result in a substantial change to the proposed rule as attached and printed in the *State Register*, and

must be supported by data and views submitted to the agency or presented at the hearing. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for April 28, 1995 will be canceled if the Board does not receive requests from 25 or more persons that a hearing be held on the rule. If you requested a public hearing, the Board will notify you before the scheduled hearing whether or not the hearing will be held. You may also call Sharon A. Beighley at 612-639-4091 after April 5, 1995 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.20. The hearing will be held on Friday, April 28, 1995 at the Kelly Inn, I-94 & Marion Street, St. Paul, Minnesota beginning at 9:00 A.M. and continuing until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined by the Administrative Law Judge. The Administrative Law Judge assigned to conduct the hearing is John L. Lunde. Judge Lunde can be reached at the Office of Administrative Hearings, #1700 Washington Square, 100 Washington Avenue South, Minneapolis, Minnesota 55401, telephone number 612-341-7645.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the agency may respond in writing within five working days after the submission period ends to any new information submitted. All written materials and responses submitted to the Administrative Law Judge must be received by the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day period. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.0200 to 1400.1200 and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

**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. It also includes a summary of all the evidence and argument which the Board anticipates presenting at the hearing, if one is held. The statement may also be reviewed and copies obtained at the cost of reproduction from the Office of Administrative Hearings.

**Small Business Considerations.** The Minnesota Gambling Control Board is subject to *Minnesota Statutes*, section 14.115 (1992), regarding small business considerations in rulemaking. The Board's evaluation of the applicability of the methods contained in *Minnesota Statutes*, section 14.115, subdivision 2, (1992) for reducing the impact of the proposed rules on small businesses have been considered and discussed in detail in the Statement of Need and Reasonableness.

**Expenditure of Public Money by Local Public Bodies.** This rule will not require the expenditure of public money by local public bodies, therefore *Minnesota Statutes*, section 14.11, subd. 1 is not applicable.

**Impact on Agricultural Lands.** This rule will have no impact on agricultural lands, therefore *Minnesota Statutes*, section 14.11, subd. 5 is not applicable.

**Notice to Department of Finance.** In accordance with *Minnesota Statutes*, section 16A.1285, subdivision 5, pertaining to departmental charges, the Board has notified the Commissioner of Finance of the Board's intent to adopt rules in the above-entitled matter. A copy of the Board's notice and the Commissioner of Finance's comments and recommendations are included in the Statement of Need and Reasonableness.

**Notice to Chairs of Legislative Committees.** In accordance with *Minnesota Statutes*, section 16A.1285, subdivision 4, the Board has sent a copy of this notice and a copy of the proposed rules to the Chairs of the House Ways and Means Committee and the Senate Finance Committee prior to submitting this notice to the *State Register*.

**Lobbyist Registration.** *Minnesota Statutes* chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at First Floor, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone number 612-296-5148.

**Adoption Procedure if No Hearing.** If no hearing is required, after the end of the comment period the Board may adopt the

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## Proposed Rules

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rules. 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 to be notified of the Attorney General's decision on the rule. If you want to be so notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

**Adoption Procedure after the Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rule. You may request to be notified of the date on which the Administrative Law Judge's report will be available, after which date the Board may not take any final action on the rule for a period of five working days. If you want to be notified about the report, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. You may also request notification of the date on which the rule is adopted and filed with the Secretary of State. The Board's Notice of Adoption must be mailed on the same day that the rule is filed. If you want to be notified of the adoption, you may so indicate at the hearing or send a request in writing to the agency contact person at any time prior to the filing of the rule with the Secretary of State.

Dated: 16 February 1995

Harry W. Baltzer, Executive Director  
Minnesota Gambling Control Board

### Rules as Proposed

#### 7861.0010 DEFINITIONS.

[For text of subpart 1, see M.R.]

Subp. 1a. Column. "Column" means a container in the interior of a pull-tab dispensing device that holds pull-tabs prior to dispensing.

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

Subp. 2b. E-PROM microchip. "E-PROM microchip" means an erasable programmable read only memory microchip which holds a pull-tab dispensing device's complete programming code.

Subp. 2c. Electronic currency validator. "Electronic currency validator" means an electronic device in the interior of a pull-tab dispensing device that accepts valid currency, rejects invalid currency, and transmits the value of all currency accepted to the pull-tab dispensing device which permits the vending of pull-tabs from the pull-tab dispensing device.

[For text of subs 2d to 11b, see M.R.]

Subp. 11c. Pull-tab dispensing device. "Pull-tab dispensing device" has the meaning given it in Minnesota Statutes, section 349.12.

Subp. 11d. RAM microchip. "RAM microchip" means a random access memory chip which holds a pull-tab dispensing device's accounting information.

[For text of subp 12, see M.R.]

Subp. 12a. Stacker box. "Stacker box" means a component of the electronic currency validator that holds currency that has been accepted and validated by the electronic currency validator in the interior of a pull-tab dispensing device.

Subp. 12b. Test vend. "Test vend" means the intentional accepting of currency or vending of pull-tabs through a pull-tab dispensing device in order to properly calibrate a pull-tab dispensing device's columns to accept currency and vend paper pull-tabs of varying lengths, widths, and thicknesses.

[For text of subp 13, see M.R.]

#### 7861.0040 PREMISES PERMITS.

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

Subp. 3. **Contents of premises permit application.** A premises permit application must include:

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

J. either any or both all of the following:

- (1) the amount of monthly rent;
- (2) rent per bingo occasion and the total square footage leased;
- (3) number of pull-tab dispensing devices to be located at the proposed gambling premises;



[For text of items K to Q, see M.R.]

Subp. 4. **Attachments to application.** The following must be attached to the premises permit application:

A. A copy of the lease must be submitted. A lease must be on a form prescribed by the board and must contain at a minimum the following information:

[For text of subitems (1) to (3), see M.R.]

(4) the term of the agreement, which must be concurrent with the term of the premises permit, unless terminated sooner by mutual consent of the parties or pursuant to subitem ~~(4)~~ (12);

[For text of subitems (5) to (8), see M.R.]

(9) the days and hours that each pull-tab dispensing device will be in operation, if any;

(10) all obligations between the organization, its employees or agents, and the lessor and its employees or agents;

~~(10)~~ (11) an irrevocable consent from the lessor that:

[For text of units (a) to (d), see M.R.]

~~(11)~~ (12) a clause that provides for the termination of the lease if the premises is the site where illegal gambling has occurred;

~~(12)~~ (13) a clause stating that the lessor shall not modify, terminate, or refuse to renew the lease in whole or in part because the organization reported to a state or local law enforcement authority or the board the occurrence at the site of illegal gambling activity in which the organization did not participate; and

~~(13)~~ (14) any other agreements between the organization and the lessor.

B. A copy of the sketch of the floor plan with dimensions showing what portion is being leased ~~and~~, the total square footage, ~~and the specific location of any pull-tab dispensing devices to be located at the site.~~

C. If pull-tab dispensing devices are to be installed and operated at the site, an irrevocable consent from the lessor that:

(1) the pull-tab dispensing device shall be located within the leased space, in a location other than a hallway, and where alcoholic beverages are regularly dispensed and consumed;

(2) the lessor shall prohibit persons from tampering with or interfering with the normal operation or play of the pull-tab dispensing device;

(3) the lessor/organization shall ensure that the pull-tab dispensing device is inoperable whenever an organization employee is not present to redeem a winning pull-tab; and

(4) except for the provisions in part 7861.0080, the lessor or the lessor's employees shall not access or attempt to access the interior of a pull-tab dispensing device. The lessor or the lessor's employees shall not permit any person, other than authorized employees or representatives of the organization, to access the interior of a pull-tab dispensing device.

D. A copy of the resolution from the appropriate local unit of government under *Minnesota Statutes*, section 349.213, subdivision 2, approving the premises permit.

[For text of subps 5 and 6, see M.R.]

Subp. 7. **Premises permit fees.** The fees for a premises permit are as follows:

A. A class A permit, bingo, raffles, paddlewheels, tipboards, and pull-tabs, is \$400.

B. A class B permit, raffles, paddlewheels, tipboards, and pull-tabs, is \$250.

C. A class C permit, bingo only, or a combination of bingo and pull-tabs if the gross receipts for a combination of bingo and pull-tabs does not exceed \$50,000 per year, is \$200.

D. A class D permit, raffles only, is \$150.

Premises permit fees are not prorated, refundable, or transferable.

[For text of subp 8, see M.R.]

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## Proposed Rules

Subp. 9. **Issuance and denial.** The following items apply to the issuance or denial of premises permits:

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

D. When the board, or director, if authorized to act on behalf of the board, determines that a license or premises permit application or renewal should be denied under Minnesota Statutes, section 349.155, subdivision 4, the board or director shall promptly give a written notice to the licensee or applicant stating the grounds for the action and giving reasonable notice of the rights of the licensee or applicant to request a hearing. A hearing must be held no later than 30 days after the board receives the request for the hearing, unless the licensee or applicant and the board agree on a later date. If no hearing is requested within 30 days of the service of the notice, the denial becomes final. Hearings under this item must be conducted in accordance with Minnesota Statutes, chapter 14. After the hearing, the board may enter an order making the disposition the facts require. If the applicant fails to appear at the hearing after having been notified of it under this item, the applicant is considered in default and the proceeding may be determined against the person on consideration of the written notice of denial, the allegations of which may be considered to be true. All fees accompanying the license or renewal application are considered earned and are not refundable.

[For text of subp 10, see M.R.]

### 7861.0060 CONDUCT OF LAWFUL GAMBLING.

Subpart 1. **General restrictions.** The following items are general restrictions on the conduct of lawful gambling:

A. No person under the age of 18 may conduct or participate in playing the games of pull-tabs, tipboards, or paddlewheels and no person under the age of 18 may purchase a raffle ticket or purchase a chance to participate in a bingo game unless the organization conducting the bingo occasion is exempt or excluded from licensing.

[For text of items B and C, see M.R.]

D. At each permitted premises, the organization shall have:

- (1) a current inventory list of gambling equipment;
- (2) a sketch with dimensions of the leased premises, including the specific locations of pull-tab dispensing devices, available for review;
- (3) a clear, physical separation or a tangible divider between the organization's gambling equipment and the lessor's business equipment; and
- (4) the invoices or true and correct copies of the invoices for the purchase of all gambling equipment at the premises.

Subp. 2. **Restrictions for gambling on leased premises.** The following items are restrictions for gambling on leased premises:

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

I. No more than three pull-tab dispensing devices shall be installed or operated at any permitted premises. For purposes of this part, "permitted premises" means an establishment where lawful gambling is conducted.

J. Pull-tab dispensing devices shall not be installed or operated at a permitted premises that does not have a valid license for on-premises sales of intoxicating liquor or 3.2 percent malt beverages.

K. Pull-tab dispensing devices shall not be installed or operated at licensed bingo halls that lease their premises to exempt or excluded organizations for the conduct of lawful gambling.

L. Pull-tab dispensing devices shall not be installed or operated at any permitted premises where lessors or employees of lessors sell pull-tabs as employees of an organization.

M. If the organization is a sublessee, the restrictions also apply to the sublessee.

[For text of subs 3 to 6, see M.R.]

Subp. 7. **Exchange or transfer of gambling equipment prohibited.** A licensed organization may not exchange, sell, or otherwise provide gambling equipment, with the exception of a bingo ball selection device, to any other organization. An organization shall not transfer a pull-tab dispensing device from site to site without prior written notification to the board.

### 7861.0080 PULL-TABS.

Subpart 1. **Restrictions.** The following items are restrictions on pull-tabs:

A. Pull-tabs must not be dispensed from any coin-operated or mechanical dispensing device.

B. A gambling employee of an organization shall not purchase pull-tabs at the site of the employee's place of employment. For purposes of this subpart, the term "employee" includes a volunteer.

C. B. An organization may not change the flare or use a flare that it receives in an altered or defaced condition. A pull-tab deal may not be placed out for play when the value of the prizes or the cost of the pull-tabs differs from the flare.

~~D. C.~~ The pull-tab seller shall not assist players in the opening of purchased pull-tabs.

D. An organization using cash registers shall not commingle pull-tab games unless the games are commingled in a pull-tab dispensing device.

E. An organization shall not store any unplayed or closed games of pull-tabs in a storage compartment inside a pull-tab dispensing device.

F. An organization shall not modify the assembly or operational functions of a pull-tab dispensing device or its electronic currency validator, E-PROM microchip, RAM microchip, or resettable or nonresettable accounting meters.

G. Pull-tab games offering free plays or pull-tab games with a last sale feature shall not be dispensed through pull-tab dispensing devices.

Subp. 2. **Operation of pull-tab game.** The following rules apply to the game of pull-tabs:

[For text of items A and B, see M.R.]

C. No deal of pull-tabs may be placed out for play in the original package, box, or other container in which it was received. When a deal of pull-tabs is received in two or more packages, boxes, or other containers, all of the pull-tabs from the respective packages, boxes, or other containers must be placed out for play at the same time. The entire deal of pull-tabs must be dumped into the container and mixed, except for pull-tabs dispensed through a pull-tab dispensing device.

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

N. When a pull-tab dispensing device is used, the following shall apply:

(1) The pull-tab dispensing device shall be located within the organization's leased space and within view of an organization employee.

(2) An organization shall assign a unique identification code to every person authorized to access a pull-tab dispensing device.

(3) An organization allowing a lessor to redeem winning pull-tabs dispensed through a pull-tab dispensing device shall enter into a formal agreement with the lessor regarding the operation of the pull-tab dispensing device. The agreement must be on a form prescribed by the board and conform to the requirements of part 7861.0040.

(4) An organization shall identify for players the pull-tab games that are placed in the individual columns of each pull-tab dispensing device.

(5) When adding games to a pull-tab dispensing device, an organization shall place the pull-tabs for each game into a minimum of two columns within the pull-tab dispensing device. When adding games to a pull-tab dispensing device, the pull-tabs being added shall be divided equally among the columns to which the game is being added.

(6) When adding games to a pull-tab dispensing device, the entire deal shall be placed out for play at one time.

(7) An organization shall maintain complete control of its pull-tab dispensing devices, including maintaining control of all keys to each pull-tab dispensing device as follows:

(a) the organization's gambling manager shall be responsible for all keys to each pull-tab dispensing device operated by the organization;

(b) the organization shall maintain a key log on a form prescribed by the board. The key log shall contain, at a minimum, the following information:

(i) the names, complete home addresses, and home telephone numbers of any organization employees who are assigned custody of a key, or keys, to a pull-tab dispensing device;

(ii) the dates that the keys were assigned to the organization employees; and

(iii) any instance in which the custody of a key or keys to a pull-tab dispensing device changes from one

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## Proposed Rules

organization employee to another, including the date of the change of custody, and the complete home address and telephone number of the organization employee accepting custody of the key or keys to a pull-tab dispensing device;

(c) if one or more keys to a pull-tab dispensing device is lost, misplaced, or stolen, the organization shall have the entire lockset replaced by a licensed distributor or the licensed manufacturer of the pull-tab dispensing device;

(d) no key or keys to any compartment of a pull-tab dispensing device shall be assigned to more than one organization employee at a time;

(e) an organization shall not make, or cause to have made, duplicate keys to any exterior door or interior compartment of a pull-tab dispensing device.

(8) In the event of a catastrophic failure of a pull-tab dispensing device, the organization shall notify and receive approval from the board prior to clearing, erasing, or replacing the pull-tab dispensing device's RAM microchip, or nonresettable accounting meters required by part 7864.0030, subpart 1, item I, subitems (21) to (26).

(9) The organization shall clearly post the Minnesota compulsive gambling hotline telephone number on the front of each pull-tab dispensing device.

(10) An organization employee entering the cash compartment of a pull-tab dispensing device shall remove all the cash from the dispenser and enter the currency meter readings in the access log required by subpart 6, item F.

Subp. 3. **Single deals.** The following items apply to single deals of pull-tabs:

A. The flare, with the ~~state registration stamp bar code~~ affixed, for the deal of pull-tabs in play shall be affixed to the receptacle containing the entire deal of pull-tabs, or pull-tab dispensing device, or posted in close proximity to the pull-tab dispensing device so that the information contained on the flare can be clearly identified with the pull-tab tickets in the dispenser.

B. Separate cash banks must be maintained for each deal, or unless the deal is dispensed through a pull-tab dispensing device.

Subp. 4. **Commingled deals.** The following items apply to commingled deals of pull-tabs:

A. Two or more single deals of pull-tabs may be commingled in one receptacle, or pull-tab dispensing device, subject to the following:

[For text of subitems (1) to (3), see M.R.]

B. The flares of all the deals in play must be affixed to the receptacle containing the pull-tabs, attached to the pull-tab dispenser containing the pull-tabs, or posted in close proximity to the pull-tab dispensing device so that the information contained on the flare can be clearly identified with the pull-tabs in the dispenser.

[For text of items C and D, see M.R.]

[For text of subp 5, see M.R.]

Subp. 6. **Records.** An organization shall maintain the following information for a period of 3-1/2 years.

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

E. An organization shall maintain an access log, on a form provided by the board, for each pull-tab dispensing device that it operates. The access log shall be kept in an interior compartment of the pull-tab dispensing device.

[For text of subp 7, see M.R.]

### 7861.0120 ORGANIZATION OPERATIONS, ACCOUNTS, AND REPORTS.

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

Subp. 3. **Records and reports required.** The following items apply to records and reports:

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

E. When an organization has a fund loss by questionable means of its inventory or cash, the organization may apply to the board, on a form prescribed by the board, for an adjustment of its profit carryover. The organization shall file a fund loss report with the Department of Revenue, which will make a recommendation to the board. The fund loss report must include the following:

(1) a local law enforcement report which was filed within ten days of the discovery of the loss. When using a pull-tab dispensing device, the local law enforcement report must have been filed within 24 hours of the discovery of the loss. If a report was not filed with the local law enforcement agency within ten days, or in the case of pull-tab dispensing devices within 24 hours of the discovery of the loss, the request for adjustment will not be considered;

[For text of subitems (2) and (3), see M.R.]

[For text of item F, see M.R.]

[For text of subps 4 to 6, see M.R.]

**7863.0010 DISTRIBUTORS.**

[For text of subpart 1, see M.R.]

Subp. 2. **License required.** No person may sell, offer for sale, or otherwise furnish gambling equipment for use in Minnesota to any licensed, exempt, or excluded organization without a valid distributor's license. Annual application must be made for a distributor's license. No person may enter into a service contract to perform repair or maintenance services on pull-tab dispensing devices, or no person may otherwise perform repair or maintenance services on a pull-tab dispensing device without one of the following:

- A. a valid distributor's license;
- B. a valid manufacturer's license; or
- C. a valid license or authorization to conduct lawful gambling.

[For text of subps 3 to 17, see M.R.]

**7863.0020 DISTRIBUTOR OPERATIONS, ACCOUNTS, AND REPORTS.**

[For text of subpart 1, see M.R.]

Subp. 2. **Sale of gambling equipment.** The following items apply to sales of gambling equipment:

[For text of item A, see M.R.]

B. The following items apply to a lease or sale of pull-tab dispensing devices by distributors to lawful gambling organizations.

(1) The terms of a lease or sale of a pull-tab dispensing device shall be completely set forth in a form or forms provided by the board.

(2) The minimum monthly lease cost of the pull-tab dispensing device shall be five percent of the purchase price of the pull-tab dispensing device that is reported on the distributor's monthly pricing report required by subpart 6, item C.

(3) A distributor shall not enter into a lease agreement for a pull-tab dispensing device with a lawful gambling organization unless the distributor owns or has a valid lease agreement with a licensed manufacturer for that pull-tab dispensing device.

(4) If a default in the lease agreement occurs on the part of the lawful gambling organization, the credit provisions contained in subpart 4, item F, shall apply.

(5) If an organization's license or authorization is suspended, revoked, not renewed, or otherwise terminated, the lease agreement shall be canceled pursuant to the terms of the lease agreement required by subitem (1).

C. Rebates of purchase prices or discounts offered by a distributor must be separately stated on the original purchase invoice or separately invoiced on a credit memo referencing the original sales invoice.

D. Gambling equipment sold for in-state use must be delivered only to the licensed, exempt, or excluded organization that ordered the equipment.

E. All gambling equipment designated for sale by a licensed distributor to an Indian tribe must be stored in a separate area of the distributor's warehouse, and cannot bear the symbol required by *Minnesota Statutes*, section 349.163, subdivision 5.

F. No mechanical or coin-operated pull-tab dispensing device shall be sold or otherwise furnished to any organization in this state except as otherwise permitted by law or rule.

G. No distributor may provide any merchandise prize, as part of the sale of any game, either through a gift or sale to any licensed, exempt, or excluded organization, or employee of a licensed, exempt, or excluded organization, conducting lawful gambling.

H. No distributor shall provide any additional keys for pull-tab dispensing devices to organizations after the pull-tab dispensing device has been leased or sold to the organization.

Subp. 3. **Registration of gambling equipment.** The following items apply to the registration of gambling equipment:

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## Proposed Rules

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[For text of items A and B, see M.R.]

### C. Permanent gambling equipment.

[For text of subitem (1), see M.R.]

(2) A distributor shall place a state permanent registration stamp on the front of each paddlewheel, on the front of each paddlewheel table, ~~and~~ on each device for selecting bingo numbers, and on the front of each pull-tab dispensing device. A distributor may not sell or lease to a licensed, exempt, or excluded organization any permanent gambling equipment that does not have a permanent state registration stamp affixed to it.

[For text of subitem (3), see M.R.]

[For text of subps 3a and 3b, see M.R.]

Subp. 4. **Records and reports required.** The following items apply to records and reports of distributors:

#### A. Sales invoice.

[For text of subitem (1), see M.R.]

(2) A sales invoice must contain, at a minimum, the following information as prescribed by the commissioner of revenue:

[For text of units (a) to (d), see M.R.]

(e) the organization's premises permit number;

(f) the invoice number;

~~(g)~~ (g) the identification of the distributor's salesperson making the sale;

~~(g)~~ (h) the date of shipment of the gambling equipment;

~~(h)~~ (i) the identification of the person who ordered the gambling equipment;

~~(i)~~ (j) the local sales tax and the state sales tax;

~~(j)~~ (k) unit price or monthly lease cost; and

~~(k)~~ (l) the state disposable registration stamp number for each deal of pull-tabs, jar tickets, tipboards, tipboard tickets, paddletickets, or paddleticket cards which are required to have a state disposable registration stamp.

[For text of subitems (3) to (5), see M.R.]

(6) For permanent gambling equipment, such as bingo ball selection devices, paddlewheels, ~~and~~ paddlewheel tables, and pull-tab dispensing devices, the following information must appear on the sales invoice:

(a) a complete description of the equipment being sold or leased, including the make, model number, and serial number of the permanent gambling equipment; and

(b) the permanent state registration stamp number affixed to the permanent gambling equipment.

[For text of subitem (7), see M.R.]

[For text of item B, see M.R.]

#### C. Monthly pricing reports.

(1) A licensed distributor must submit a monthly pricing report to the board in a format approved by the board and at a minimum must include:

[For text of units (a) to (h), see M.R.]

(i) for paddlewheel tables the price per table, exclusive of transportation costs; ~~and~~

(j) for paddletickets the price per sealed grouping, whether the equipment is subject to rebate, and volume discounted price, exclusive of transportation costs; and

(k) for pull-tab dispensing devices the purchase price per device or monthly lease cost per device and the cost for replacement parts exclusive of transportation costs, and the cost of service agreements to lawful gambling organizations.

[For text of subitems (2) and (3), see M.R.]

D. For each item of permanent gambling equipment such as bingo ball selection devices, paddlewheels, ~~and~~ paddlewheel tables, and pull-tab dispensing devices sold or leased in Minnesota to a licensed, exempt, or excluded organization, the distributor must provide the following information to the board by the 20th of the month following the month in which the sale was made:

(1) the name, address, and license number of the distributor;

(2) the name, address, and license number of the manufacturer that the distributor purchased or leased the equipment from;

[For text of subitems (3) to (6), see M.R.]

E. Returned gambling equipment report.

(1) A distributor who accepts returns from licensed, exempt, or excluded organizations of gambling equipment not manufactured in compliance with the standards in part 7864.0030, subpart 1, shall file a monthly report with the board. The report must be in a format approved by the board, and include the following information:

[For text of units (a) to (e), see M.R.]

(f) for permanent gambling equipment such as bingo ball selection devices, paddlewheels, ~~and~~ paddlewheel tables, and pull-tab dispensing devices, the quantity of equipment returned, the make, model, and serial number of the permanent gambling equipment, the manufacturer's name, and the permanent state registration stamp number affixed to the equipment.

[For text of subitem (2), see M.R.]

[For text of items F to I, see M.R.]

**7864.0010 LICENSED MANUFACTURERS.**

[For text of subpart 1, see M.R.]

Subp. 2. **License required.** A manufacturer of gambling equipment may not sell or otherwise furnish any gambling equipment for use in Minnesota to any licensed distributor without a valid manufacturer's license. Annual application must be made for a manufacturer's license. No manufacturer may enter into a service contract to perform repair or maintenance services on pull-tab dispensing devices, or no person may otherwise perform repair or maintenance services on a pull-tab dispensing device without one of the following:

- A. a valid manufacturer's license;
- B. a valid distributor's license; or
- C. a valid license or authorization to conduct lawful gambling.

[For text of subps 3 to 14, see M.R.]

**7864.0030 MANUFACTURER OPERATIONS, ACCOUNTS, AND RECORDS.**

Subpart 1. **Standards for manufacture of gambling equipment.** The following items apply to lawful gambling equipment manufactured for sale in Minnesota:

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

I. No manufacturer or distributor may sell, offer for sale, or furnish a pull-tab dispensing device within Minnesota and no organization may purchase a pull-tab dispensing device in Minnesota unless it conforms to the following standards.

- (1) The pull-tab dispensing device shall have a three-prong ground at the male end of the cord. The pull-tab dispensing device shall be protected by a surge protector. The pull-tab dispensing device must safely withstand static electricity.
- (2) The pull-tab dispensing device's columns shall accommodate pull-tabs of varying lengths, widths, and thicknesses.
- (3) A shatterproof covering shall be placed directly in front of the columns and shall enable a player to see a majority of the pull-tabs in the pull-tab dispensing device.
- (4) The pull-tab dispensing device shall contain a pull-tab dispensing outlet or tray to catch dispensed pull-tabs.
- (5) The pull-tab dispensing device shall accommodate pricing of up to two dollars and accurately dispense the correct number of pull-tabs based on the amount of currency played.
- (6) There shall be one or more player buttons located on the front of the pull-tab dispensing device that, when pressed, activate the dispensing of a pull-tab.
- (7) The pull-tab dispensing device shall have a minimum of two and a maximum of eight columns. The columns must be located in a separately locking compartment of the pull-tab dispensing device.

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## Proposed Rules

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- (8) The pull-tab dispensing device shall not exceed a maximum of 48 inches in width.
- (9) The pull-tab dispensing device shall ensure that the pull-tabs in each game are randomly dispensed. Each game shall be placed into a minimum of two columns.
- (10) The pull-tab dispensing device shall have a luminated electronic display (LED) which shall display the value of currency available as a monetary value only. The luminated electronic display (LED) shall not be able to display advertising messages or graphics.
- (11) If a malfunction occurs in the pull-tab dispensing device or electrical power is temporarily interrupted after currency has been validated but prior to pull-tabs being fully dispensed, the remaining credit shall be accurately redisplayed immediately after the malfunction is cleared or electrical power is restored.
- (12) The pull-tab dispensing device shall not dispense credits in the form of cash or pull-tabs to redeem a winning pull-tab.
- (13) The pull-tab dispensing device shall be capable of being securely attached to a floor, wall, or counter.
- (14) The pull-tab dispensing device shall not have a video display screen, other than the luminated digital display (LED) for displaying the value of currency validated and the accounting information required in subitems (21) to (23) and the luminated digital display (LED) for displaying the door access information required in subitem (30).
- (15) The pull-tab dispensing device shall not produce audio sounds other than sounds associated with security alarms.
- (16) The appearance or design of the pull-tab dispensing device shall not resemble a slot machine or other gambling device.
- (17) The manufacturer's name or board-registered logo, the pull-tab dispensing device's serial number, model number, and the date of manufacture of the pull-tab dispensing device shall be permanently affixed to the top right-hand side of the pull-tab dispensing device's exterior side panel.
- (18) The pull-tab dispensing device shall have an on/off switch located in an inconspicuous place on the exterior of the device.
- (19) The exterior door of the pull-tab dispensing device shall have no more than four keys to the exterior locking door of the device, and no more than four keys to each separate locking compartment of the device.
- (20) When in a test-vend or audit mode, test-vends of pull-tabs or currency acceptances shall not be recorded on the pull-tab dispensing device's accounting meters. The pull-tab dispensing device shall not perform test-vends of pull-tabs or currency acceptances unless the pull-tab dispensing device is placed in a test-vend or audit mode. The pull-tab dispensing device shall not perform test-vends of pull-tabs or currency acceptances when the exterior door of the pull-tab dispensing device is closed.
- (21) The pull-tab dispensing device shall have a nonresettable electronic accounting meter and a nonresettable mechanical accounting meter which shall track the total currency validated by the currency validator. The nonresettable electronic accounting meter shall maintain accounting information of at least six digits in length and retain the information for at least six months after electrical power to the pull-tab dispensing device has been disconnected, or the electrical current used to operate the pull-tab dispensing device is turned off. The nonresettable electronic accounting meter must not be cleared, erased, or replaced unless the board is notified and approval has been given pursuant to part 7861.0080, subpart 2, item N, subitem (8).
- (22) The pull-tab dispensing device shall have a nonresettable electronic accounting meter and a nonresettable mechanical accounting meter which shall track the total number of pull-tabs dispensed from the pull-tab dispensing device. The nonresettable electronic accounting meter shall maintain accounting information of at least six digits in length and retain the information for at least six months after electrical power to the pull-tab dispensing device has been disconnected, or the electrical current used to operate the pull-tab dispensing device is turned off. The nonresettable electronic accounting meter must not be cleared, erased, or replaced unless the board is notified and approval has been given pursuant to part 7861.0080, subpart 2, item N, subitem (8).
- (23) The pull-tab dispensing device shall have one nonresettable electronic accounting meter per column which tracks the number of pull-tabs dispensed from that column. The nonresettable electronic accounting meter shall maintain accounting information of at least six digits in length and retain the information for at least six months after electrical power to the pull-tab dispensing device has been disconnected, or the electrical current used to operate the pull-tab dispensing device is turned off. The nonresettable electronic accounting meter must not be cleared, erased, or replaced unless the board is notified and approval has been given pursuant to part 7861.0080, subpart 2, item N, subitem (8).
- (24) The pull-tab dispensing device shall be equipped with an Erasable Programmable Read Only Memory (E-PROM) microchip which holds the pull-tab dispensing device's programming code.
- (25) The manufacturer shall ensure that the E-PROM microchip installed in pull-tab dispensing devices manufactured for



sale in Minnesota is identical in all respects to the manufacturer's E-PROM microchip approved for use in Minnesota by an independent testing laboratory.

(26) The pull-tab dispensing device shall be equipped with a Random Access Memory (RAM) microchip, or E-PROM microchip equipped with a RAM microchip. The RAM microchip shall maintain accounting information of at least six digits in length, and retain the information for at least six months after electrical power to the pull-tab dispensing device has been disconnected, or the electrical current used to operate the pull-tab dispensing device is turned off.

(27) The RAM microchip shall permanently record the same information as required in subitems (21) to (23).

(28) The manufacturer shall ensure the integrity of the E-PROM microchip and RAM microchip by means of a tamper proof seal, and by placing the E-PROM microchip and RAM microchip in a compartment within the interior of the pull-tab dispensing device.

(29) The pull-tab dispensing device shall automatically discontinue operation when any nonresettable accounting meter, RAM microchip, or E-PROM microchip is disconnected.

(30) The pull-tab dispensing device shall have a time and date generator which will record and maintain, at a minimum, the last 25 instances in which the ticket door or cash door to the pull-tab dispenser was accessed. The information recorded on the time and date generator must be capable of being displayed on an LED.

(31) The pull-tab dispensing device shall be equipped with at least one electronic currency validator. The electronic currency validator shall:

(a) only validate United States currency;

(b) not validate United States currency in denominations in excess of \$20;

(c) transmit the value of currency validated to the pull-tab dispenser;

(d) be equipped with mechanisms to ensure that pull-tabs will not be dispensed unless the validator has accepted and retained currency;

(e) be capable of preventing acceptance of known manipulations of United States currency;

(f) return any invalid currency to a player;

(g) have at least one removable stacker box, that is capable of stacking at least 600 United States currency bills, or a removable drop box. The stacker box or removable drop box must be located in a separately locking compartment in the pull-tab dispensing device; and

(h) automatically discontinue accepting or validating currency if a malfunction should occur or if electrical power to the pull-tab dispensing device or currency validator is interrupted.

Subp. 2. **Prior approval of gambling equipment required.** The following items apply to the approval of gambling equipment prior to sale in Minnesota. Before the sale of any gambling equipment in Minnesota, the manufacturer must submit to the board a sample of such equipment. All gambling equipment submitted for consideration must be received in the board's office on or before the 15th day of the month in order to ensure consideration at the board's meeting the following month. The board shall notify the manufacturer in writing no later than five days after a board meeting of the board's decision on whether the product is approved for sale in Minnesota. Board approval for sale of gambling equipment in Minnesota does not constitute approval of the bar code required by the commissioner of revenue.

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

**I. Pull-tab dispensing devices being submitted for approval shall consist of the following:**

(1) a catalog or brochure illustrating the pull-tab dispensing device;

(2) a description of the pull-tab dispensing device which lists all the features of the device and provides evidence that the minimum technical standards required in subpart 1, item I, have been met;

(3) a notarized certificate from an independent testing laboratory which has entered into a contract with the state of Minnesota to perform testing services stating that the E-PROM microchip installed in the pull-tab dispensing device has been tested, analyzed, and recommended for approval for use in Minnesota; and

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## Proposed Rules

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(4) any other information that may be required by the board.

Any changes to previously approved pull-tab dispensing devices must be submitted to the board for review and, if deemed appropriate by the board, submitted for approval pursuant to subitems (1) to (4). The manufacturer shall make available to the board upon demand any pull-tab dispensing device for inspection by the board or its agents.

I. A licensed manufacturer shall reimburse the board for all costs incurred in testing pull-tab dispensing devices that it submits for approval in Minnesota. Reimbursement shall be made within 30 days of receiving written notification from the board that the manufacturer's pull-tab dispensing devices have been approved or not approved for sale in Minnesota. The board shall submit an invoice to the manufacturer for the testing costs along with the written notification that the manufacturer's pull-tab dispensing devices have been approved or not approved for sale in Minnesota.

Subp. 3. **Sale of approved gambling equipment.** The following items pertain to the sale of approved gambling equipment in Minnesota:

[For text of items A and B, see M.R.]

C. a manufacturer may not sell, offer for sale, or otherwise provide a coin-operated or mechanical pull-tab dispensing device to any distributor in Minnesota unless otherwise permitted by law or rule; the following items apply to leases or sales of pull-tab dispensing devices by licensed manufacturers to licensed distributors:

(1) the terms of a lease or sale of a pull-tab dispensing device shall be completely set forth in a form or forms provided by the board;

(2) the minimum monthly lease cost of the pull-tab dispensing device shall be five percent of the purchase price of the pull-tab dispensing device that is reported on the manufacturer's monthly pricing report required by subpart 7, item A;

(3) if a default in the lease agreement occurs on the part of the licensed distributor, the credit provisions contained in subpart 7, item D, shall apply; and

(4) if a distributor's license is suspended, revoked, not renewed, or otherwise terminated, the lease agreement shall be canceled pursuant to the terms of the lease agreement required by subitem (1).

[For text of items D to F, see M.R.]

G. Any pull-tab dispensing devices provided by a licensed manufacturer to a licensed distributor for demonstration purposes must be clearly and permanently marked for use as a demonstration device only.

H. A manufacturer shall not provide more than four keys to any door or interior compartment of a pull-tab dispensing device. After the manufacturer has leased or sold a pull-tab dispensing device to a licensed distributor, no additional keys to that pull-tab dispensing device shall be provided.

[For text of subps 4 to 6, see M.R.]

Subp. 7. **Records and reports.** The following items apply to manufacture records and reports:

A. Pricing reports.

(1) A licensed manufacturer must submit a monthly pricing report to the board. The report must be in a format approved by the board and, at a minimum, include:

[For text of units (a) to (g), see M.R.]

(h) for paddlewheel tables the price per table; ~~and~~

(i) for paddleticket cards the serial number, price per individual paddleticket, whether the equipment is subject to a rebate, and volume discounted price; ~~and~~

(j) for pull-tab dispensing devices the purchase price per pull-tab dispensing device, and/or the monthly lease cost of the pull-tab dispensing device, and the cost of service agreements to licensed distributors and/or lawful gambling organizations.

[For text of subitems (2) and (3), see M.R.]

B. Sales invoice.

[For text of subitem (1), see M.R.]

(2) A sales invoice must contain at a minimum the following information as prescribed by the commissioner of revenue:

[For text of units (a) to (h), see M.R.]

(i) the unit price or monthly lease price;

[For text of units (j) and (k), see M.R.]

[For text of subitems (3) to (6), see M.R.]

(7) For permanent gambling equipment such as bingo ball selection devices, paddlewheels, ~~and~~ paddlewheel tables, and pull-tab dispensing devices, the sales invoice must include a complete description of the equipment being sold or leased, including the make, model number, and serial number of the permanent gambling equipment.

[For text of subitem (8), see M.R.]

C. Returned gambling equipment report.

(1) A manufacturer who accepts returns from a distributor of gambling equipment not manufactured in accordance with the standards in subpart 1, shall file a monthly report with the board. The report must be in a format approved by the board, and include the following information:

[For text of units (a) to (d), see M.R.]

(e) for bingo ball selection devices, paddlewheels, ~~and~~ paddlewheel tables, and pull-tab dispensing devices, the make, model, and serial number of the equipment, the state permanent registration stamp number affixed to the equipment, the standards in subpart 1, which were not met, the actions taken by the manufacturer to bring the equipment into compliance with the standards in subpart 1 or a statement that the equipment was destroyed, and the name and license number of the distributor returning the equipment; and

[For text of unit (f), see M.R.]

[For text of subitem (2), see M.R.]

[For text of items D to F, see M.R.]

## Department of Public Service

### Proposed Permanent Rules Governing Weights and Measures

#### DUAL NOTICE:

**Notice of Intent to Adopt a Rule without a Public Hearing unless 25 or More Persons Request a Hearing,  
And**

**Notice of Hearing if 25 or More Requests for Hearing are Received**

**Introduction.** The Department of Public Service intends to adopt permanent rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rule within 30 days or by April 5, 1995, a public hearing will be held on Wednesday, April 26, 1995 at 9:00 a.m. at the Minnesota Department of Public Service, 200 Metro Square, 121 Seventh Place East, St. Paul, Minnesota. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after April 5, 1995 and before April 26, 1995.

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

Michael Blacik, Director  
Weights and Measures Division  
2277 Highway 36  
Roseville, Minnesota 55113  
Telephone: (612) 639-4010  
Fax: (612) 639-4014

This notice, the proposed rule, the statement of need and reasonableness and other documents relevant to this proposed rule can be made available in other formats upon request, including Braille, large print and audio tape.

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

## Proposed Rules

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**Subject of Rule and Statutory Authority.** The proposed rules cover definition of terms, variances, the incorporation of NIST handbooks 44 and 133 specifications, tolerances and other technical requirements for commercial weighing and measuring equipment, packaged commodities, and voluntary registration in the placing-in-service program, *Minnesota Rules* Parts 7601.0100 through 7601.9900. The proposed rules repeal the current rules concerning this subject matter, *Minnesota Rules* 7600.0100 through 7600.9900. The statutory authority to adopt the rules is *Minnesota Statutes* § 239.06 (1994). A copy of the proposed rules is published immediately after this notice.

**Comments.** You have until 4:30 p.m. on April 5, 1995 to submit written comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Your comment must be in writing and received by Michael Blacik, the agency contact person, by the due date. Comment is encouraged. Your comments 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 April 5, 1995. Your written request for a public hearing must include your name, address, and telephone number. 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 made 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.

**Modifications.** The proposed rule may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must not result in a substantial change in the proposed rule as printed immediately after this notice and must be supported by data and views submitted to the agency or presented at the hearing. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for April 26, 1995, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rule. If the hearing is canceled, the agency will notify all persons who submitted written comments or written requests for public hearing. You may also call Michael Blacik at (612) 639-4010 after April 5, 1995 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.20. The hearing will be held on April 26, 1995 at the Minnesota Department of Public Service, 200 Metro Square, 121 Seventh Place East, St. Paul, Minnesota beginning at 9:00 a.m. and will continue until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the administrative law judge. The administrative law judge assigned to conduct the hearing is Bruce D. Campbell. Judge Campbell can be reached at the Office of Administrative Hearings, Suite 1700, 100 Washington Square, Minneapolis, Minnesota 55401-2138, (612) 341-7602.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the agency may respond in writing within five working days after the submission period ends to any new information submitted. All written materials and responses submitted to the administrative law judge must be received by the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day period. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.0200 to 1400.1200 and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the administrative law judge.

**Statement of Need and Reasonableness.** A free copy of the statement of need and reasonableness is now available upon request from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule. It also includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing, if one is held. The statement may also be reviewed at the agency or at the Office of Administrative Hearings and copies may be obtained at the cost of reproduction from the Office of Administrative Hearings.

**Small Business Considerations.** *Minnesota Statutes*, section 14.115 requires that an agency consider five factors for reducing the impact of proposed rules on small business. A discussion of the impact on small businesses is contained in the Statement of Need and Reasonableness.

**Expenditure of Public Money by Local Public Bodies.** *Minnesota Statutes*, section 14.11, subdivision 1, requires the agency to include a statement of the rule's estimated costs to local public bodies in this notice if the rule would have a total cost of over \$100,000 to all local public bodies in the state in either of the two years following adoption of the rule. The Commissioner of the

Department of Public Service has determined that the proposed rules will not require expenditure of public money by local public bodies.

**Impact on Agricultural Lands.** *Minnesota Statutes*, section 14.11, subdivision 2, requires that if the rule would have a direct and substantial adverse impact upon agricultural lands in the state, the Agency shall comply with specified additional requirements. The Commissioner of the Department of Public Service has determined that the proposed rules will not have a direct or substantial impact on agricultural lands in Minnesota.

**Withdrawal of Previously Proposed Rules.** The Department of Public Service has withdrawn proposed rules 7601.0100 through 7601.9900, as published on November 8, 1993 at pages 1210-1222 (18 S.R. 1210). The withdrawn rules have been modified and are proposed for adoption as noticed herein.

**Lobbyist Registration.** *Minnesota Statutes* chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at First Floor, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, (612) 296-5148.

**Adoption Procedure if No Hearing.** 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 want to be so notified, or wish to receive a copy of the adopted rule, submit your request to Michael Blacik listed above.

**Adoption Procedure After the Hearing.** If a hearing is held, after the close of the hearing record, the administrative law judge will issue a report on the proposed rule. You may request to be notified of the date on which the administrative law judge's report will be available, after which date the agency may not take any final action on the rule for a period of five working days. If you want to be notified about the report, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the administrative law judge. You may also request notification of the date on which the rule is adopted and filed with the Secretary of State. The agency's notice of adoption must be mailed on the same day that the rule is filed. If you want to be notified of the adoption, you may so indicate at the hearing or send a request in writing to the agency contact person at any time prior to the filing of the rule with the Secretary of State.

Dated: 10 February 1995

Krista L. Sanda  
Commissioner

### Rules as Proposed (all new material)

#### 7601.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Animal scale and livestock scale.** "Animal scale" and "livestock scale" mean platform scales designed and used to weigh livestock. An animal scale is used to weigh a single animal. A livestock scale is used to weigh several animals. Both have an enclosure and gates built on the scale platform.

Subp. 3. **Commercial; commercial use; commercial purpose.** "Commercial," "commercial use," and "commercial purpose" refer to weights and measures used or located on premises where they could be used to:

A. determine the weight, measure, or count of commodities or things sold, offered, or exposed for sale, on the basis of weight, measure, or count; and

B. compute the basic charge or payment for services rendered on the basis of weight, measure, or count.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Department of Public Service.

Subp. 5. **Department.** "Department" means the Department of Public Service.

Subp. 6. **Director.** "Director" means the director of the Weights and Measures Division of the Department of Public Service.

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## Proposed Rules

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Subp. 7. **Division.** "Division" means the Weights and Measures Division of the Department of Public Service, and employees of the Weights and Measures Division having statutory authority delegated by the director.

Subp. 8. **Hopper scale.** "Hopper scale" means a scale designed and used to weigh bulk commodities in a container, hopper, box, or tank mounted on the scale.

Subp. 9. **Minimum division.** "Minimum division" means the value of the smallest subdivision or unit that a scale, meter, or other weighing or measuring device is designed to indicate or display.

Subp. 10. **Minnesota seal.** "Minnesota seal" means a security seal placed on commercial weighing and measuring equipment by the division to prevent unauthorized adjustment of the equipment.

Subp. 11. **National Institute of Standards and Technology (NIST).** "National Institute of Standards and Technology" and "NIST" mean the United States Department of Commerce, National Institute of Standards and Technology.

Subp. 12. **National Type Evaluation Program (NTEP).** "National Type Evaluation Program" and "NTEP" mean a program of weighing and measuring device evaluation and certification operated by the United States Department of Commerce, National Institute of Standards and Technology.

Subp. 13. **Place in service.** "Place in service" means to authorize commercial use of newly installed or repaired weighing and measuring equipment pending an inspection by the division. This type of authorization may only be performed by a registered person.

Subp. 14. **Railroad track scale.** "Railroad track scale" means a scale of appropriate capacity and design that is used to weigh a rail car.

Subp. 15. **Registered person, registrant.** "Registered person" and "registrant" mean a person who has voluntarily registered with the division and who installs, services, repairs, or reconditions weighing and measuring equipment.

Subp. 16. **Registration certificate.** "Registration certificate" means an annual certificate issued by the division to a person who voluntarily registers with the division and who installs, adjusts, services, repairs, or reconditions commercial weighing and measuring equipment.

Subp. 17. **Scale division.** "Scale division" means the value, in units of mass, of the smallest subdivision or unit that can be indicated by a scale.

Subp. 18. **Sensitivity requirement.** "Sensitivity requirement" means a performance requirement for a scale equipped with a nonautomatic indicator. It is a prescribed change in the rest position of the indicator, caused by a prescribed change in load on the scale. The requirement is stated in terms of scale divisions. For example, a load equivalent to two divisions must cause the prescribed change in the rest position of the indicator.

Subp. 19. **Soil bearing.** "Soil bearing" refers to the load, in units of mass per area, that can be placed upon soil without causing deformation, settling, or soil failure.

Subp. 20. **Vehicle scale.** "Vehicle scale" means a platform scale designed and used to weigh trucks, farm equipment, or other large industrial or highway vehicles in one draft or weighing operation.

Subp. 21. **Weighing and measuring equipment.** "Weighing and measuring equipment" means all weights and measures of every kind, all instruments and devices for weighing and measuring, and any appliances and accessories associated with those instruments and devices, which are used to:

A. determine the weight, measure, or count of commodities or things sold, offered, or exposed for sale on the basis of weight, measure, or count; or

B. compute the basic service charge or payment for services rendered on the basis of weight, measure, or count.

### 7601.0200 VARIANCES.

Subpart 1. **Director to grant.** If a variance is requested in a manner prescribed by subpart 2 and if the approval criteria in subpart 3 are met, the director shall grant a variance to any part of this chapter, except a rule that specifies a tolerance or the value of a minimum division.

Subp. 2. **Request.** An owner or operator of commercial weighing and measuring equipment may apply to the director for a variance to any part of this chapter. The request must be in writing and must:

A. explain why a variance is needed;

B. explain the proposed alternative to the rule; and

C. include drawings if the request is for a railroad track, vehicle, or livestock scale. The drawings must illustrate the design, construction, and location of the scale.

Subp. 3. **Approval criteria.** The director shall grant a variance when appropriate to maintain good commercial practices or when enforcement of the rules would cause undue hardship. The director shall consider the following criteria in evaluating a request for a variance:

A. good commercial practices are maintained when the director is able to determine that under normal operating conditions the weighing and measuring equipment will remain accurate and reliable and the variance will not harm the owner or operator or their customers; and

B. undue hardship exists when the applicant demonstrates that:

(1) it is impossible or economically unfeasible for the applicant to comply with the rule; and

(2) the burden of compliance to the applicant outweighs any adverse effect on the applicant's customers or others affected by the rule.

Subp. 4. **Refusal to grant.** The director shall refuse to grant a variance if the request does not meet the requirements of subpart 2, or if the director determines that the criteria for approval in subpart 3 have not been met.

Subp. 5. **Response by division to request.** All requests will be answered by the division in writing, setting forth the reasons for granting or refusing to grant the requested variance.

#### UNIFORM NATIONAL CODES

##### 7601.1000 NIST HANDBOOK 44 INCORPORATED BY REFERENCE.

Subpart 1. **NIST Handbook 44 (1994).** Weighing and measuring equipment manufactured, offered, or exposed for sale or sold or given away for use in trade or commerce in Minnesota must conform to the requirements and specifications of NIST Handbook 44. NIST Handbook 44 (1994), "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices," as adopted by the 77th National Conference on Weights and Measures and published by the United States Department of Commerce, National Institute of Standards and Technology, (Washington, D.C., October 1993), is incorporated by reference subject to the following exceptions:

A. If NIST Handbook 44 (1994) contains any provisions contrary to the *Laws of Minnesota*, or contrary to any rule, except part 7601.1000, of the Minnesota Department of Public Service, *Minnesota law* and department rules govern and supersede contrary provisions of NIST Handbook 44.

B. The final sentence of NIST Handbook 44 (1994), section 2 (scale code), specification S.1.8.3., is deleted.

C. The director shall not enforce specifications and user requirements in NIST Handbook 44 (1994) that would require owners of motor fuel dispensers to install equipment capable of allowing the customer to select the unit price. These requirements are contained in section 3.30 (liquid measuring devices), specification S.1.6.4.1., specification S.1.6.5., specification S.1.6.5.4., and user requirement UR.3.3.

Subp. 2. **Location.** NIST Handbook 44 is available to the public at the Minnesota State Law Library, Minnesota Judicial Center, 25 Constitution Avenue, Saint Paul, Minnesota, 55155, and is not subject to frequent change.

##### 7601.1010 NIST HANDBOOK 44; COMPLIANCE REQUIRED.

Subpart 1. **Compliance.** A person who owns or operates weighing or measuring equipment for commercial purposes in Minnesota must use weighing and measuring equipment that meets all applicable requirements in NIST Handbook 44 as adopted under part 7601.1000. Only the director, or a department employee delegated by the director, shall determine the applicability of, and compliance with, the requirements of NIST Handbook 44.

Subp. 2. **NTEP Certification.** A person who sells, installs, owns, or operates commercial weighing or measuring equipment manufactured after January 1, 1996, must sell, install, or use only weighing or measuring equipment of a make, model, and type for which a "Certificate of Conformance" has been issued by the United States Department of Commerce, National Institute of Standards and Technology, Office of Weights and Measures.

##### 7601.1020 NIST HANDBOOK 133 INCORPORATED BY REFERENCE.

Subpart 1. **NIST Handbook 133.** NIST Handbook 133 (September, 1988), "Checking the Net Contents of Packaged Goods," with additions and amendments to it published in supplements issued through October, 1992, as adopted by the 77th National

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## Proposed Rules

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Conference on Weights and Measures and published by the United States Department of Commerce, National Institute of Standards and Technology, (Washington, D.C., October 1992), is incorporated by reference. If NIST Handbook 133 and its supplements contain any provision contrary to the *Laws of Minnesota*, the rules of the Minnesota Department of Public Service, or the packaging or labeling rules of the Minnesota Department of Agriculture, *Minnesota laws* and rules govern and supersede contrary provisions of NIST Handbook 133 and its supplements.

Subp. 2. **Location.** NIST Handbook 133 and supplements are available to the public at the Minnesota State Law Library, Minnesota Judicial Center, 25 Constitution Avenue, Saint Paul, Minnesota, 55155, and are not subject to frequent change.

### REQUIREMENTS FOR SCALES, GENERALLY

#### 7601.2000 PROTECTION FROM ENVIRONMENT.

Subpart 1. **Outdoor scales.** The director shall require special protection from the environment for an outdoor scale if the division finds that the scale is adversely affected by weather or other environmental factors. Environmental protection includes:

- A. belting or other suitable material to cover the clearance around a scale platform;
- B. wind skirts, wind walls, or effective foundation heating for above-ground scales;
- C. an improved drainage system or sump pump for pit-type scales;
- D. special shielding or weatherproofing of a scale indicator;
- E. a complete building to protect a scale from the weather; and
- F. modifications, shielding, and other special measures to protect an electronic scale from radio frequency interference and electromagnetic interference.

Subp. 2. **Fertilizer scales.** A hopper, tank, or mixer scale used for weighing dry or liquid bulk fertilizer must be completely enclosed in a building.

#### 7601.2010 SENSITIVITY REQUIREMENT.

For a scale not equipped with a balance indicator, but with a minimum graduated interval less than ten pounds, the sensitivity requirement is three times the value of the minimum graduated interval or 15 pounds, whichever is less.

### RAILROAD TRACK SCALES

#### 7601.3000 RAILROAD TRACK SCALES; PLANS.

Subpart 1. **Manufacturer's plans.** Before installing a railroad track scale, the scale manufacturer shall furnish complete design, assembly, and construction plans to the purchaser.

Subp. 2. **Installer's plans.** The scale purchaser shall furnish installation plans to the director. The plans must show the scale location, the foundation drawings, and all commodity-handling equipment that could affect the operation of the scale. The plans must also include the information on soil bearing required by part 7601.3020, subpart 1.

#### 7601.3010 RAILROAD TRACK SCALE PERMITS.

The director shall issue a permit to install a railroad track scale if plans for installing the scale are submitted according to part 7601.3000, and if the planned scale installation meets the requirements of parts 7601.3020 and 7601.3030. The director shall review and approve the plans before issuing a permit. A railroad track scale must not be installed without a permit.

#### 7601.3020 RAILROAD TRACK SCALE FOUNDATION.

Subpart 1. **Soil bearing.** The owner, operator, or installer of a railroad track scale shall complete a soil bearing test, performed by a registered engineer, before constructing the scale foundation. The soil bearing test must determine the load-bearing capacity of the soil that will lie under the completed scale foundation. The engineer's report, including a statement that the soil bearing is suitable for the scale to be installed, must be submitted to the director before constructing the scale foundation. The director shall review and approve the report before issuing a permit for a scale installation.

Subp. 2. **Materials and construction.** Foundation walls, floors, footings, and weighing element support piers must be constructed of reinforced, poured concrete that conforms to the scale manufacturer's design requirements and drawings. The concrete must be uniform and continuous. Reinforcing material in the piers and walls must be securely tied to the reinforcing material in the adjacent walls and floor.

Subp. 3. **Dimensions.** The foundation must be deep enough to provide a finished pit seven feet deep, measured from the top of the finished foundation wall to the top surface of the finished pit floor.

Subp. 4. **Length.** For a railroad track scale installed after January 1, 1995, the length or combination of lengths of the weighing element or elements must be sufficient to allow single draft weighing.



**7601.3030 APPROACH RAILS AND PIERS.**

Subpart 1. **Approach rails.** A railroad track scale must be installed with approach rails at the end of the scale. The approach rails must be at least 50 feet long and must be parallel to the scale rails in both the horizontal and vertical planes.

Subp. 2. **Approach panels.** A reinforced concrete approach panel must be installed at each end of the scale. The panels must:

- A. be level;
- B. extend 25 feet from the scale foundation end walls;
- C. be formed independently of the end walls, and rest on extensions of the end walls or on the scale foundation footings; and
- D. be designed to maintain a permanent and level approach to the scale.

**VEHICLE AND LIVESTOCK SCALES****7601.4000 VEHICLE AND LIVESTOCK SCALES; PLANS.**

Subpart 1. **Scales installed by buyer.** For a vehicle or livestock scale needing assembly or foundation construction by the scale buyer, the manufacturer shall provide to the buyer complete plans, drawings, and instructions for assembling and installing the scale and for building the foundation. The director may require a scale buyer to submit plans to the division before construction.

Subp. 2. **Above-ground vehicle and livestock scales.** The owner, operator, or installer of an above-ground vehicle or livestock scale shall submit complete plans and drawings of the scale and foundation to the director before installing the scale. The drawings must show the finished grade level of the area that will surround the scale site. The director shall review and approve the drawings, and must respond in writing to the scale owner or operator.

Subp. 3. **Floating concrete slab foundation.** The owner, operator, or installer of an above-ground vehicle or livestock scale to be installed on a floating concrete slab foundation shall comply with subpart 2 and shall complete a soil bearing test, performed by a registered engineer, before constructing the scale foundation. The soil bearing test must determine the load-bearing capacity of the soil that will lie under the completed scale foundation. The engineer's report, including a statement that the soil bearing is suitable for the scale to be installed, must be submitted to the director before constructing the scale foundation. The director shall review and approve the report and respond in writing to the owner or operator.

**7601.4010 VEHICLE AND LIVESTOCK SCALE FOUNDATIONS.**

Subpart 1. **Generally.** Vehicle and livestock scales installed after December 31, 1985, must be installed on a reinforced, poured, concrete foundation. Scales may be installed in a concrete pit, according to subpart 2, or above grade level according to subpart 3 or 4. The foundation must be designed to support the weight of the scale and the anticipated maximum load on the scale without significant settling or cracking. Weighing element stands or bases must be securely bolted to the foundation. Space between a stand or base and the foundation must be filled with nonshrinking grout.

Subp. 2. **Pit-type scale foundation.** A pit-type vehicle or livestock scale foundation must meet the following requirements:

- A. the walls, floors, footings, and weighing element support piers must be reinforced, poured concrete;
- B. the clearance between the bottom of the weighbridge or other main structural member and the surface of the pit floor must be at least 48 inches;
- C. for outdoor scales, the pit floor must have an effective drain system so that the pit floor remains reasonably dry and clean;
- D. for outdoor scales, the tops of the pit walls must be above the existing grade level so that water will drain away from the scale; and
- E. for outdoor scales, the foundation must extend below the local frost line.

Subp. 3. **Above-ground scale; concrete pier foundation.** An above-ground vehicle or livestock scale foundation must meet the following requirements:

- A. the weighing elements must be supported on reinforced concrete foundation piers;
- B. concrete surface slabs must be poured independently between the main foundation piers;
- C. the end piers of the foundation must have end walls to prevent fill material from interfering with scale operation;

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## Proposed Rules

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D. where foundation construction techniques allow, the surfaces of the concrete slabs between the foundation piers must be sloped down from the longitudinal centerline to each side to prevent dirt accumulation under the platform;

E. the clearance between the bottom of the weighbridge or other main structural member and the slab surface must be at least six inches for vehicle scales and at least 12 inches for livestock scales;

F. the scale platform, structural members, foundation surfaces, and surrounding area must be designed to allow access for cleaning under the scale platform and around all weighing elements;

G. for outdoor scales, the tops of the piers and the surfaces of the slab or slabs between the piers must be above the existing grade level so that water will drain away from the scale;

H. the vertical surfaces of the end walls and the horizontal surfaces of the end piers must have hooks or other devices to allow installation of surface-mounted heating cables; and

I. the piers must extend below the local frost line.

Subp. 4. **Above-ground scale; floating concrete slab foundation.** An above-ground vehicle or livestock scale may be installed on a floating concrete slab foundation. The foundation must meet the following requirements:

A. The scale weighing element or elements must be supported on a monolithic, reinforced concrete slab. The entire slab must be at least 12 inches thick, and must conform to the scale manufacturer's installation and reinforcing requirements.

B. The foundation must be constructed on soil that has a uniform natural or engineered soil bearing of at least 1,500 pounds per square foot. See part 7601.4000, subpart 3.

C. A base of uniform, compacted, permeable aggregate, at least 24 inches deep, must be installed. The concrete slab foundation must be poured on top of this base.

D. The top surface of the foundation slab must be installed above the surrounding grade level so that water will flow away from the foundation and away from the permeable aggregate base that supports the foundation.

### 7601.4020 VEHICLE AND LIVESTOCK SCALE APPROACHES.

Subpart 1. **Before January 1, 1986.** A vehicle scale installed before January 1, 1986, must have at least 12 feet or a distance equal to one-third of the deck length, whichever is greater, of straight hard surface driveway on either end of the scale not over one-third inch per foot out of level of the platform. The first six feet on both ends must be constructed of reinforced concrete.

Subp. 2. **After December 31, 1985.** For a vehicle or livestock scale installed after December 31, 1985, each end of the scale must have a straight, paved approach that meets the following requirements:

A. Approaches must be at least as wide as the scale platform and at least ten feet long or one-third of the scale platform length, whichever is greater.

B. The first ten feet of each approach must be a reinforced concrete approach panel, one end of which rests on an extension of the scale foundation end wall. The remaining length of each approach must be paved with concrete or asphalt.

C. Approaches must be sloped down from the scale platform. Maximum slope allowed is one-third inch per foot. Approaches must not be sloped up from the scale platform.

D. For above-ground scales, the foundation end walls must have wing wall extensions, or the sides of the approach slopes must be paved, so that fill material cannot fall under the scale platform.

### 7601.4030 ANIMAL AND LIVESTOCK SCALES; PRINTER REQUIRED.

An animal or livestock scale must be equipped with a printing device. The printer must be maintained in good working condition so that a clear printed record of each transaction is available to both buyer and seller.

### 7601.4040 ANIMAL AND LIVESTOCK SCALES; TOLERANCES.

Subpart 1. **Tolerance.** For animal and livestock scales, the basic maintenance tolerance is one pound per 1000 pounds of test load (0.1 percent). The acceptance tolerance is one-half of the basic maintenance tolerance.

Subp. 2. **Shift test tolerance.** A shift test must be conducted on animal and livestock scales. The maximum test load is one-fourth of the scale capacity. A scale may be approved if the sum of the indicated errors for two load-bearing readings in the same section is within tolerance.

"Section" means a part of a vehicle, livestock, or railroad track scale that consists of a pair of main load-bearing supports arranged so that the vertical plane passing through both supports is usually transverse to the direction that the load is applied to the scale platform.

## HOPPER SCALES

**7601.5000 HOPPER SCALES.**

Subpart 1. **Capacity.** For a hopper scale, the load capacity of the hopper must be at least 80 percent of the capacity of the weight indicator. Load capacity must be determined by using the highest density material that will normally be weighed in the hopper.

Subp. 2. **Dust-control systems.** Weighing accuracy of a hopper scale system must not be affected by air flow or by a fluctuation or differential in air pressure caused by a dust-control system. If scale accuracy can be affected by adjusting dampers or flow-control devices in the dust-control system, the dampers and devices must be sealed with a Minnesota seal to prevent adjustment.

**MEASURING LIQUEFIED PETROLEUM GAS****7601.6000 TEMPERATURE CORRECTION FOR MEASURING LIQUEFIED PETROLEUM GAS.**

Subpart 1. **Requirements.** When liquefied petroleum gas is sold or delivered to a consumer as a liquid and by liquid measurement, the volume of liquid sold and delivered must be corrected to a temperature of 60 degrees Fahrenheit through the use of the volume correction table, shown in part 7601.9900, and calculated under subpart 2, or through use of an approved meter with a sealed automatic compensating mechanism. A sale ticket must show the delivered gallons, the temperature at the time of delivery, and the corrected gallonage, or must state that temperature correction was automatically made.

This part does not apply to unit sales or deliveries made directly to mobile fuel tanks with a capacity of less than 100 gallons.

Subp. 2. **Calculation.** To convert from measured volume at another temperature to net volume at 60 degrees Fahrenheit: measure the volume and temperature, determine the specific gravity at 60 degrees Fahrenheit, refer to the column in the volume conversion table, set forth in part 7601.9900, corresponding to the specific gravity, and read the volume conversion factor opposite the observed temperature. Multiply the observed volume by this factor to obtain the volume at 60 degrees Fahrenheit.

**VOLUNTARY PLACING IN SERVICE PROGRAM****7601.7000 PLACING IN SERVICE PROGRAM; PURPOSE AND POLICY.**

Subpart 1. **Registered persons.** The director shall offer a voluntary registration program for persons who install, adjust, repair, service, or test commercial weighing and measuring equipment. The purposes of the program are to:

- A. allow privately employed individuals to place newly installed or repaired weighing and measuring equipment into commercial service, pending an inspection by the division; and
- B. minimize the compliance burden on owners and operators of weighing and measuring equipment by simplifying installation and repair and by reducing the amount of time the equipment is out of service.

Subp. 2. **Nonregistered persons.** A nonregistered person is not prohibited from repairing commercial weighing and measuring equipment. However, *Minnesota Statutes*, chapter 239, prohibits commercial use of equipment that has been repaired by a nonregistered person until the equipment has been approved by the division.

**7601.7010 VOLUNTARY REGISTRATION.**

Subpart 1. **Placing in service registration.** The director will accept applications for voluntary registration in the placing in service program, and will issue annual registration certificates to qualified persons.

Subp. 2. **Application for voluntary registration.** An applicant shall provide the following information on an application form provided by the division:

- A. the applicant's name, business name, business address, and business telephone number;
- B. the applicant's social security number and Minnesota tax identification number;
- C. evidence that the applicant has the required test equipment available for use, and has met the equipment calibration requirements in part 7601.7080; and
- D. the category of weighing and measuring equipment that the applicant will service.

**7601.7020 CERTIFICATE OF REGISTRATION.**

The director shall issue a registration certificate to an applicant who meets the requirements of this part. The certificate authorizes the applicant to exercise the privileges in part 7601.7050 and to fulfill the responsibilities in part 7601.7060 for a category of commercial weighing and measuring equipment specified by the director. The certificate remains in effect for 12 months following

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## Proposed Rules

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the date of issue, or until it is returned by the registrant or revoked by the director. The director shall issue a certificate to an applicant who has:

- A. fulfilled the application requirements in part 7601.7010 or the reciprocity requirements in part 7601.7040;
- B. met the standards and test equipment requirements in part 7601.7080;
- C. attended a placing in service training seminar offered by the division to all new applicants, except that a registrant who renews a registration certificate is not required to attend annually; and
- D. completed and passed a written examination to demonstrate the applicant's understanding of the appropriate requirements in department rules, including NIST Handbook 44.

### **7601.7030 REGISTRATION FEE.**

The division shall charge an annual fee for each registration certificate issued, as set by part 7602.0100. It must include the costs of administering the placing in service program and calibrating the registrant's standards and test equipment.

### **7601.7040 RECIPROCITY.**

The director may issue a registration certificate to a person who is registered in a placing in service program in another state. The person is required to:

- A. meet the application requirements in part 7601.7010;
- B. provide evidence of registration in another state;
- C. provide evidence that the standards and test equipment requirements in part 7601.7080 have been met;
- D. attend a placing in service training seminar offered by the division to all new applicants, except that a registrant who renews a registration certificate is not required to attend annually; and
- E. complete and pass a written examination to demonstrate the applicant's understanding of the appropriate requirements in department rules, including NIST Handbook 44.

### **7601.7050 PRIVILEGES OF VOLUNTARY REGISTRANT.**

A registrant may:

- A. remove an official rejection tag placed on weighing and measuring equipment by the division;
- B. remove a Minnesota security seal installed on weighing and measuring equipment by the division;
- C. repair and place in service weighing and measuring equipment rejected by the division; and
- D. place in service new or newly installed weighing and measuring equipment.

### **7601.7060 RESPONSIBILITIES OF VOLUNTARY REGISTRANT.**

Subpart 1. **Performance.** A registrant shall:

- A. ensure that all equipment placed in service complies with this chapter, including NIST Handbook 44;
- B. personally perform or observe all installation, service, adjustment, repair, and testing of weighing and measuring equipment placed in service; and
- C. use only standards and test equipment that meet the requirements of part 7601.7080.

Subp. 2. **Placing in service required.** A registrant shall place in service all commercial weighing and measuring equipment when the registrant, or a person under the direct supervision and observation of the registrant, has:

- A. installed the equipment;
- B. repaired the equipment, following official rejection by the division; or
- C. removed a Minnesota security seal from the equipment.

Subp. 3. **Reporting.** When work authorized in part 7601.7050 is performed, a registrant shall:

- A. fill out a placed in service report form;
- B. carefully follow the instructions on the form and provide all of the required information in legible handwriting or typewriting;
- C. submit the original form to the division within five days after completing the work;
- D. submit a copy of the form to the owner or operator of the equipment when the work is completed; and

E. retain a copy of the form.

Subp. 4. **Security seals.** When a registrant removes a security seal from the adjusting or calibrating mechanism of a weighing or measuring device, the registrant shall:

A. install a new security seal in a manner that will ensure that the device cannot be adjusted without removing or defacing the security seal; and

B. imprint the seal with the registrant's placing in service registration number.

#### **7601.7070 PLACED IN SERVICE REPORT.**

Upon request from a registrant, the director shall provide a supply of placed in service report forms to the registrant.

#### **7601.7080 STANDARDS AND TESTING EQUIPMENT.**

Subpart 1. **Required equipment list.** The director shall publish a list of the standards and test equipment required for registration in each category of weighing and measuring equipment service.

Subp. 2. **Annual calibration required.** A registrant shall annually submit the required standards and test equipment for inspection, testing, and calibration by the division's metrology laboratory, by the federal government, or by a NIST-certified metrology laboratory operated by an agency of another state government.

#### **7601.7090 PROBLEM RESOLUTION SYSTEM; CERTIFICATE OF REGISTRATION.**

Subpart 1. **Director may inspect.** The director may, at any time, inspect the work performed by a registrant. The director shall use these inspections to determine whether the registrant is performing repairs in compliance with *Minnesota Statutes* and department rules.

Subp. 2. **Problem resolution system, list of violations.** Each of the following acts are considered a violation of department rules. When the director finds that a registrant has committed one or more of the following violations, the director shall impose an appropriate remedial action described in subparts 3 to 7. The conditions for determining the appropriate remedial action are included with each remedial action in subparts 3 to 7. Violations include:

A. failing to submit a placing in service report for commercial weighing or measuring equipment that the registrant has installed, adjusted, or repaired;

B. submitting a placing in service report that is incomplete or that contains inaccurate information;

C. placing in service any weighing or measuring equipment without performing a test utilizing the test equipment required by the director under part 7601.7080;

D. placing in service any weighing or measuring equipment that does not meet the specifications, tolerances, and other requirements of department rules, including the requirements of NIST Handbook 44;

E. placing in service any weighing and measuring equipment after a registrant's certificate of registration has expired;

F. removing a rejection tag after a registrant's certificate of registration has expired;

G. failing to install a security seal as required by part 7601.7060, subpart 4;

H. incorrectly installing a security seal so that it is possible to adjust the accuracy or change the calibration of weighing or measuring equipment without removing, damaging, or defacing the security seal;

I. continuing to install, adjust, or repair commercial weighing or measuring equipment after the director has suspended the registration certificate for up to 30 days;

J. continuing to install, adjust, or repair commercial weighing or measuring equipment after the director has suspended the registration certificate for up to 90 days; or

K. failing to pay a registration fee or equipment calibration fee more than 90 days after the division has issued an invoice for payment to the registered person.

Subp. 3. **Additional training.** The director shall require a registrant to attend additional training or tutoring offered by the division if the director finds that a registrant has committed any of the violations listed in subpart 2, items A to H.

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## Proposed Rules

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Subp. 4. **Warning letter.** The director shall issue a warning letter to a registrant if the director finds that the registrant has committed any of the violations listed in subpart 2, items A to H. The warning letter must state that the registrant has violated department rules, must specify the violations, and must state that the director may suspend or revoke the registration certificate for continued violations.

Subp. 5. **30-day suspension.** The director shall suspend a registration certificate for up to 30 days if the director finds that a registrant has committed, on three or more occasions within a 90-day period, any of the violations in subpart 2, items A to H. The director shall inform the registrant in writing of the suspension, the reasons for the suspension, and the privileges that must not be exercised while the certificate is under suspension.

Subp. 6. **90-day suspension.** The director shall suspend a registration certificate for up to 90 days if the director finds that a registrant has committed, on six or more occasions within a 90-day period, any of the violations in subpart 2, items A to H, or if the director finds that a registrant has committed the violation in subpart 2, item I, at any time. The director shall inform the registrant in writing of the suspension, the reasons for the suspension, and the privileges that must not be exercised while the certificate is under suspension.

Subp. 7. **Revocation.** The director shall revoke a registration certificate if the director finds that a registrant has committed either of the violations in subpart 2, items J and K. The director shall inform the registrant in writing of the revocation, the reasons for the revocation, and the activities that are prohibited by the revocation.

Subp. 8. **Reinstatement.** The director shall reinstate a registration certificate that has been revoked if the director receives an application for reinstatement from a person whose registration certificate has been revoked, if the applicant has paid all registration fees and calibration fees required in part 7602.0100, and the applicant has met all of the requirements of parts 7601.7010 to 7601.7040. The director must not reinstate a registration certificate that has been under revocation for less than 120 days.

### **7601.7100 LISTS OF REGISTERED PERSONS.**

The director shall publish, and supply upon request from any interested person, lists of registered service persons.

7601.9900 VOLUME CORRECTION FACTOR TABLE.

VOLUME CORRECTION FACTOR TABLE  
Specific Gravities at 60°/60°F

Product Temp degrees F	Volume Correction Factors											
	0.5000	Propane 0.5079	0.5100	0.5200	0.5300	0.5400	0.5500	0.5600	Iso- Butane 0.5631	0.5700	0.5800	N- Butane 0.5944
-35	1.140	1.135	1.134	1.128	1.122	1.116	1.112	1.106	1.105	1.101	1.096	1.094
-30	1.134	1.129	1.128	1.122	1.116	1.111	1.106	1.101	1.100	1.096	1.092	1.090
-25	1.127	1.122	1.121	1.115	1.110	1.105	1.100	1.095	1.094	1.091	1.087	1.085
-20	1.120	1.115	1.114	1.109	1.104	1.099	1.095	1.090	1.089	1.086	1.082	1.080
-15	1.112	1.109	1.107	1.102	1.097	1.093	1.089	1.084	1.083	1.080	1.077	1.075
-10	1.106	1.102	1.100	1.095	1.091	1.087	1.083	1.079	1.079	1.075	1.072	1.071
-5	1.098	1.094	1.094	1.089	1.085	1.081	1.077	1.074	1.073	1.070	1.067	1.066
0	1.092	1.088	1.088	1.084	1.080	1.076	1.073	1.069	1.068	1.066	1.063	1.062
2	1.089	1.086	1.085	1.081	1.077	1.074	1.070	1.067	1.066	1.064	1.061	1.060
4	1.086	1.083	1.082	1.079	1.075	1.071	1.068	1.065	1.064	1.062	1.059	1.058
6	1.084	1.080	1.080	1.076	1.072	1.069	1.065	1.062	1.061	1.059	1.057	1.055
8	1.081	1.078	1.077	1.074	1.070	1.066	1.063	1.060	1.059	1.057	1.055	1.053
10	1.078	1.075	1.074	1.071	1.067	1.064	1.061	1.058	1.057	1.055	1.053	1.051
12	1.075	1.072	1.071	1.068	1.064	1.061	1.059	1.056	1.055	1.053	1.051	1.049
14	1.072	1.070	1.069	1.066	1.062	1.059	1.056	1.053	1.053	1.051	1.049	1.047
16	1.070	1.067	1.068	1.063	1.060	1.056	1.054	1.051	1.050	1.048	1.046	1.045
18	1.067	1.065	1.064	1.061	1.057	1.054	1.051	1.049	1.048	1.046	1.044	1.043
20	1.064	1.063	1.061	1.058	1.054	1.051	1.049	1.046	1.046	1.044	1.042	1.041
22	1.061	1.059	1.058	1.055	1.052	1.049	1.046	1.044	1.044	1.042	1.040	1.039
24	1.058	1.056	1.055	1.052	1.049	1.046	1.044	1.042	1.042	1.040	1.038	1.037
26	1.055	1.053	1.052	1.049	1.047	1.044	1.042	1.039	1.039	1.037	1.036	1.035
28	1.052	1.050	1.049	1.047	1.044	1.041	1.039	1.037	1.037	1.035	1.034	1.034
30	1.049	1.047	1.046	1.044	1.041	1.039	1.037	1.035	1.035	1.033	1.032	1.032
32	1.046	1.044	1.043	1.041	1.038	1.036	1.035	1.033	1.032	1.031	1.030	1.030
34	1.043	1.041	1.040	1.038	1.036	1.034	1.032	1.031	1.030	1.029	1.028	1.028
36	1.039	1.038	1.037	1.035	1.033	1.031	1.030	1.028	1.028	1.027	1.025	1.025
38	1.036	1.036	1.034	1.032	1.031	1.029	1.027	1.026	1.025	1.025	1.023	1.023
40	1.033	1.032	1.031	1.029	1.028	1.026	1.025	1.024	1.023	1.023	1.021	1.021
42	1.030	1.029	1.028	1.027	1.025	1.024	1.023	1.022	1.021	1.021	1.019	1.019
44	1.027	1.026	1.025	1.023	1.022	1.021	1.020	1.019	1.019	1.018	1.017	1.017
46	1.023	1.022	1.022	1.021	1.020	1.018	1.018	1.017	1.016	1.016	1.015	1.015
48	1.020	1.019	1.019	1.018	1.017	1.016	1.015	1.014	1.014	1.013	1.013	1.013
50	1.017	1.016	1.016	1.015	1.014	1.013	1.013	1.012	1.012	1.011	1.011	1.011
52	1.014	1.013	1.012	1.012	1.011	1.010	1.010	1.009	1.009	1.009	1.009	1.009
54	1.010	1.010	1.009	1.009	1.008	1.008	1.007	1.007	1.007	1.007	1.006	1.006
56	1.007	1.007	1.006	1.006	1.005	1.005	1.005	1.005	1.005	1.005	1.004	1.004
58	1.003	1.003	1.003	1.003	1.003	1.003	1.002	1.002	1.002	1.002	1.002	1.002
60	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000
62	0.997	0.997	0.997	0.997	0.997	0.997	0.997	0.998	0.998	0.998	0.998	0.998
64	0.993	0.993	0.994	0.994	0.994	0.994	0.995	0.995	0.995	0.995	0.996	0.996
66	0.990	0.990	0.990	0.990	0.991	0.992	0.992	0.993	0.993	0.993	0.993	0.993
68	0.986	0.986	0.987	0.987	0.988	0.989	0.990	0.990	0.990	0.990	0.991	0.991
70	0.983	0.983	0.984	0.984	0.985	0.986	0.987	0.988	0.988	0.988	0.989	0.989
72	0.979	0.980	0.981	0.981	0.982	0.983	0.984	0.985	0.986	0.986	0.987	0.987
74	0.976	0.976	0.977	0.978	0.980	0.980	0.982	0.983	0.983	0.984	0.985	0.985
76	0.972	0.973	0.974	0.975	0.977	0.978	0.979	0.980	0.981	0.981	0.982	0.983
78	0.969	0.970	0.970	0.972	0.974	0.975	0.977	0.978	0.978	0.979	0.980	0.980
80	0.965	0.967	0.967	0.969	0.971	0.972	0.974	0.975	0.976	0.977	0.978	0.978
82	0.961	0.963	0.963	0.966	0.968	0.969	0.971	0.973	0.973	0.974	0.976	0.976
84	0.957	0.959	0.960	0.962	0.965	0.966	0.968	0.970	0.971	0.972	0.974	0.974
86	0.954	0.954	0.956	0.959	0.951	0.964	0.966	0.967	0.968	0.969	0.971	0.971
88	0.950	0.952	0.953	0.955	0.958	0.961	0.963	0.965	0.966	0.967	0.969	0.969
90	0.946	0.949	0.949	0.952	0.955	0.958	0.960	0.962	0.963	0.964	0.967	0.967
92	0.942	0.945	0.946	0.949	0.952	0.955	0.957	0.959	0.960	0.962	0.964	0.965
94	0.938	0.941	0.942	0.946	0.949	0.952	0.954	0.957	0.958	0.962	0.964	0.965
96	0.935	0.938	0.939	0.942	0.946	0.949	0.952	0.954	0.955	0.957	0.960	0.960
98	0.931	0.934	0.935	0.939	0.943	0.940	0.949	0.952	0.953	0.954	0.957	0.957
100	0.927	0.930	0.932	0.936	0.940	0.943	0.946	0.949	0.950	0.952	0.954	0.955
105	0.917	0.920	0.923	0.927	0.931	0.935	0.939	0.943	0.943	0.946	0.949	0.949
110	0.907	0.911	0.913	0.918	0.923	0.927	0.932	0.936	0.937	0.939	0.943	0.944
115	0.897	0.902	0.904	0.909	0.915	0.920	0.925	0.930	0.930	0.933	0.937	0.938

## Adopted Rules

**REPEALER.** *Minnesota Rules*, parts 7600.0100, 7600.0200, 7600.0300, 7600.0400, 7600.0500, 7600.0600, 7600.0700, 7600.0800, 7600.0900, 7600.1000, 7600.1100, 7600.1200, 7600.1300, 7600.1400, 7600.1500, 7600.1600, 7600.1700, 7600.1800, 7600.1900, 7600.2000, 7600.2100, 7600.2200, 7600.2300, 7600.2400, 7600.2500, 7600.2600, 7600.2700, 7600.2800, 7600.2900, 7600.3000, 7600.3100, 7600.3200, 7600.3300, 7600.3400, 7600.3500, 7600.3600, 7600.3700, 7600.3800, 7600.3900, 7600.4000, 7600.4100, 7600.4200, 7600.4300, 7600.4400, 7600.4500, 7600.4600, 7600.4700, 7600.4800, 7600.4900, 7600.5000, 7600.5100, 7600.5200, 7600.5300, 7600.5400, 7600.5500, 7600.5600, 7600.5700, 7600.5800, 7600.5900, 7600.6000, 7600.6100, 7600.6200, 7600.6300, 7600.6400, 7600.6500, 7600.6600, 7600.6700, 7600.6800, 7600.6900, 7600.7000, 7600.7100, 7600.7200, 7600.7210, 7600.7300, 7600.7400, 7600.7500, 7600.7600, 7600.7700, 7600.7750, 7600.7800, 7600.7900, 7600.8100, 7600.8200, 7600.8300, 7600.8400, 7600.8500, 7600.8600, 7600.8700, 7600.8800, 7600.8900, 7600.9000, 7600.9100, 7600.9200, 7600.9300, 7600.9400, 7600.9500, 7600.9600, 7600.9700, 7600.9800, and 7600.9900, are repealed.

## 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.

## Gambling Control Board

### Adopted Permanent Rules Relating to Distributors and Manufacturers

The rules proposed and published at *State Register*, Volume 19, Number 20, pages 1092-1124, November 14, 1994 (19 SR 1092), are adopted with the following modifications:

#### Rules as Adopted

##### 7861.0010 DEFINITIONS.

Subp. ~~2b.~~ 2d. **Family.** "Family" means a group of pull-tab, tipboard, or jar ticket games with the same name.

Subp. ~~2e.~~ 2e. **Family member.** "Family member" means a pull-tab, tipboard, or jar ticket game with the same name as another family member but with a different form number.

Subp. ~~2d.~~ 2f. **Form number or part number.** "Form number" or "part number" means an alphanumeric code assigned by the manufacturer which serves to uniquely identify those characteristics of a game as required by the commissioner of revenue.

Subp. 3e. **Jar ticket.** "Jar ticket" means a ~~single-folded or banded pull-tab ticket~~ single pull-tab ticket which is folded and banded.

##### 7863.0010 DISTRIBUTORS.

Subp. 15. **License renewal.** To renew a license at the end of the term a licensee must submit a complete renewal application on a form prescribed by the board at least 75 days before the expiration of the licensee's existing distributor's license. A renewal application is not complete until it contains the information required in subparts 6, 7, and 8, and the fee required by *Minnesota Statutes*, section 349.161, subdivision 4. If a distributor's existing license expires on any day of a month other than the last day of a month, the distributor's license renewal shall be effective on the first day of the month preceding the date ~~of~~ of expiration of its existing license.

##### 7863.0020 DISTRIBUTOR OPERATIONS, ACCOUNTS, AND REPORTS.

Subp. 2. **Sale of gambling equipment.** The following items apply to sales of gambling equipment:

D. All gambling equipment ~~sold~~ designated for sale by a licensed distributor to an Indian tribe must be stored in a separate area of the distributor's warehouse, and cannot bear the symbol required by *Minnesota Statutes*, section 349.163, subdivision 5.



Subp. 3. **Registration of gambling equipment.** The following items apply to the registration of gambling equipment:

A. Pull-tabs, jar tickets, tipboards, tipboard tickets, paddletickets, and paddleticket cards.

(1) A distributor may not sell, transfer, furnish, or otherwise provide any pull-tabs, jar tickets, tipboards, tipboard tickets, paddletickets, or paddleticket cards to a licensed, exempt, or excluded organization unless the pull-tabs, jar tickets, tipboards, tipboard tickets, paddletickets, or paddleticket cards have been approved for sale in Minnesota by the board; and

(a) have a state disposable registration stamp and bar code affixed to each flare; or

(b) have a Minnesota geographic symbol, as required by *Minnesota Statutes*, section 349.163, subdivision 5, paragraph (h), and bar code affixed to each flare.

After February 1, 1996, a distributor may only have in inventory and sell pull-tabs, jar tickets, tipboards, tipboard tickets, paddletickets, or paddleticket cards with the Minnesota geographic symbol and bar code affixed.

(4) A distributor shall return to the board any and all unused state disposable registration stamps in its possession by the date of termination of the distributor's license or by February 1, 1996, whichever date occurs first.

B. One year from the effective date of this rule, ~~a distributor may only have in inventory and sell bingo paper sheet packets with the top sheet colored blue, except for bingo paper sheet packets designated for sale to an Indian tribe. The rest of the sheets in the packet may be of any color except blue.~~ all bingo paper sheet packets in any distributor's inventory, and all bingo paper sheets sold by any distributor, except that designated for sale to an Indian tribe, must have solid blue colored top sheets. The rest of the sheets in the packet may be any color except the solid blue that is used on the top sheet.

Subp. 3a. **Return of gambling equipment.** The following items pertain to the return of gambling equipment not manufactured in accordance with the standards in part 7864.0030, subpart 1.

B. Gambling equipment returned during play or after being removed from play.

(1) Gambling equipment not manufactured in accordance with the standards in part 7864.0030, subpart 1, must be immediately removed from play and, within seven business days of discovering that the gambling equipment does not meet the standards in part 7864.0030, subpart 1, returned by the organization to the distributor along with written proof that the gambling equipment does not meet the standards in part 7864.0030, subpart 1. Within seven business days of receipt of the returned gambling equipment from an organization, the distributor shall return the gambling equipment to the manufacturer for a determination as to whether the gambling equipment was manufactured in accordance with the standards in part 7864.0030, subpart 1. After a determination by the manufacturer, the game shall be returned through the distributor to the organization and retained as a played game.

C. Within 30 business days of receipt of returned gambling equipment, the distributor shall file with the board a returned equipment report, in accordance with the requirements in ~~part 7863.0020, subpart 6 4,~~ item E.

Subp. 4. **Records and reports required.** The following items apply to records and reports of distributors:

A. Sales invoice.

(5) For bingo paper sheets, hard cards, and breakopen bingo paper sheets, the following information must appear on the sales invoice:

(c) for bingo hard cards the price per ~~100 cards~~ face.

B. Registration stamp number log.

(4) A registration stamp number log in which the state disposable registration stamp numbers and the manufacturer's game serial numbers are recorded must be maintained by the distributor until February 1, 1996, on a standard form prescribed by the board, retained by the distributor for 3-1/2 years thereafter, and furnished to the board upon demand. After February 1, 1996, this item pertains only to permanent gambling equipment stamped by the distributor.

C. Monthly pricing reports.

(1) A licensed distributor must submit a monthly pricing report to the board in a format approved by the board and at a minimum must include:

(e) for bingo paper sheets and breakopen bingo paper sheets the price per thousand faces, whether the paper sheets

**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

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are collated or uncollated, whether the equipment is subject to rebate, and volume discounted price, exclusive of transportation costs;

(f) for bingo hard cards the price per 100 faces;

### 7864.0010 LICENSED MANUFACTURERS.

Subp. 4. **Restrictions.** For purposes of this subpart, the restrictions apply to the licensee's activities within Minnesota, or while conducting business with distributors authorized to sell lawful gambling equipment in Minnesota. No manufacturer, or any representative, agent, affiliate, or employee of a manufacturer may:

B. sell gambling equipment to a distributor in this state that has the same ~~unique~~ serial number, which must be a minimum of five and a maximum of eight characters, as another item of gambling equipment of the same type sold by the manufacturer for use in this state for a period of 3-1/2 years;

K. directly or indirectly give gifts, trips, prizes, loans of money, premiums, or other gratuities to gambling organizations or their employees, other than nominal gifts not exceeding a value of \$25 per organization in a calendar year. Value means actual market value or suggested market value, whichever is less. Nothing in this part prohibits a manufacturer, or a representative, agent, affiliate, or employee ~~of~~ of a manufacturer from making a contribution of \$250 or less in any calendar year to an organization, or participating in a fundraising event for an organization, provided that the contribution or fundraising event is unrelated to the organization's conduct of lawful gambling; or

Subp. 7. **Attachments to application.** The following items apply to attachments to manufacturer's license applications:

B. The form, prescribed by the board, must include the following information:

(2) individual's full name, full address, date of birth, place of birth, social security number, and telephone number, ~~and full name of the spouse~~;

(11) name, address, and license number, or ~~exemption~~ exempt permit number of any organization conducting lawful gambling in Minnesota of which the person is a member and/or the name and address of any excluded organization conducting lawful gambling in Minnesota of which the person is a member;

Subp. 11. **Issuance and denial.** The following items apply to issuance and denial of a manufacturer's license.

B. The board shall deny the application of a manufacturer ineligible to hold a license pursuant to subpart 3, or *Minnesota Statutes*, section ~~349.164~~ 349.163.

### 7864.0030 MANUFACTURER OPERATIONS, ACCOUNTS, AND RECORDS.

Subpart 1. **Standards for manufacture of gambling equipment.** The following items apply to lawful gambling equipment manufactured for sale in Minnesota:

A. All pull-tab tickets and deals manufactured for sale in Minnesota must conform to subitems (1) to ~~(3)~~ (10):

(3) the minimum information printed on a pull-tab must include:

(e) the ~~unique~~ game serial number, which must be a minimum of five and a maximum of eight characters, printed on the game information side of the pull-tab, which must not be repeated on gambling equipment of the same type for 3-1/2 years from the date of the manufacturer's invoice to the distributor; and

(10) all pull-tabs manufactured for sale in Minnesota must be packaged as follows:

(f) manufacturers must print on the outside of the package, box, or other container of pull-tabs, or affix a label or sticker to the outside of the package, box, or other container, a message in bold print, of sufficient size to be easily read, indicating that the pull-tabs or tickets in the container must be removed and thoroughly mixed prior to sale to the public; and

B. All jar tickets manufactured for sale in Minnesota must conform to the following standards:

(3) the minimum information printed on a jar ticket must include:

(b) the ~~unique~~ game serial number, which must be a minimum of five and a maximum of eight characters, which must not be repeated on gambling equipment of the same type for 3-1/2 years from the date of the manufacturer's invoice to the distributor;

(8) the front of the flare for each jar ticket deal must include:

(g) the manufacturer must, for each deal of jar tickets which is shipped, sold, furnished, or provided for use in Minnesota, affix a bar code as required by the commissioner of revenue on the bottom front of the flare providing all information required by the commissioner of revenue pursuant to *Minnesota Statutes*, section 297E.04, subdivision 2, and imprint the Minnesota geographic boundary symbol required by *Minnesota Statutes*, section 349.163, subdivision 5. The symbol must be at least one inch

high and one inch wide consisting of an outline of the geographic boundaries of Minnesota with the letters "MN" inside the outline. The flare for each deal of ~~pull-tabs~~ jar tickets which is sold to a licensed distributor for use by an Indian tribe must bear the bar code required by *Minnesota Statutes*, section 297E.04, subdivision 2, but must not bear the Minnesota geographic boundary symbol;

(9) all jar tickets manufactured for sale in Minnesota must be packaged as follows:

(f) manufacturers must place on the outside of the package, box, or other container of jar tickets, or affix a label or sticker to the outside of the package, box, or other container, a message in bold print, of sufficient size to be easily read, indicating that the tickets in the container must be removed and thoroughly mixed prior to sale to the public; and

(g) the manufacturer must affix to the outside of the package, box, or other container a bar code that contains the information as required by the commissioner of revenue.

C. All tipboards and tipboard tickets manufactured for sale in Minnesota must conform to the following standards:

(3) the minimum information imprinted on the front of a tipboard flare must include:

(b) the ~~manufacturer's~~ serial number, which must be identical to the serial number of each tipboard ticket in the deal;

(4) deals of tipboard tickets must be manufactured, assembled, and packaged so that none of the winning tipboard tickets, or the location ~~on~~ or approximate location of any of the winning tipboard tickets, can be determined in advance of opening the tipboard tickets in any manner or by any device, including but not limited to any pattern in manufacture, assembly, packaging, markings, or by the use of a light;

D. All bingo hard cards, paper sheets, and breakopen bingo paper sheets manufactured for sale in Minnesota must conform to the following standards:

(1) except as provided in item D, subitem (4), ~~all each bingo hard cards, paper sheets, and breakopen bingo paper sheets~~ face must have 25 squares arranged in five vertical and five horizontal rows. The letters "B, I, N, G, O" must be preprinted above the five vertical columns, with one letter appearing above each column. The center space must be marked "free." The printed numbers on the card must correspond with the numbers and letters of the bingo balls, as follows:

(5) for packets of bingo paper sheets, the top sheet must be solid blue. The rest of the sheets in the packet may be of any color except the solid blue that is used on the top sheet. This item does not apply to packets of bingo paper sheets designated for an Indian tribe; and

F. All paddlewheels intended for use without a paddlewheel table must be manufactured according to the following standards:

(2) each paddlewheel must be marked off into equally spaced sections which contain a different number, ~~of~~ or number/symbol combination;

G. Paddlewheels intended to be used with the paddlewheel tables and paddlewheel chips must be manufactured according to the following standards:

(1) each paddlewheel must be a mechanically-operated ~~vehicle~~ vertical wheel which does not utilize any device or mechanism, other than the free spinning bearing system and the natural contact of the paddle with pegs, to aid in the acceleration or breaking of the spin once initiated by the operator's hand;

Subp. 2. **Prior approval of gambling equipment required.** The following items apply to the approval of gambling equipment prior to sale in Minnesota. Before the sale of any gambling equipment in Minnesota, the manufacturer must submit to the board a sample of such equipment. All gambling equipment submitted for consideration must be received in the board's office on or before the 15th day of the month in order to ensure consideration at the board's meeting the following month. The board shall notify the manufacturer in writing no later than five days after a board meeting of the board's decision on whether the product is approved for sale in Minnesota. Board approval for sale of gambling equipment in Minnesota does not constitute approval of the bar code required by the commissioner of revenue.

D. Bingo hard cards, paper sheets, and breakopen bingo paper sheets submitted for approval must consist of the following:

(1) a copy of the manufacturer's catalog ~~of~~ or brochure illustrating that the product meets the standards in subpart ~~2~~ 1, item D;

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## Adopted Rules

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Subp. 7. **Records and reports.** The following items apply to ~~manufacture~~ manufacturer records and reports:

A. Pricing reports.

(1) A licensed manufacturer must submit a monthly pricing report to the board. The report must be in a format approved by the board and, at a minimum, include:

(e) for bingo hard cards, paper sheets, and breakopen bingo paper sheets, the price per thousand faces, whether the equipment is subject to a rebate, and volume discounted price;

B. Sales invoice.

(2) A sales invoice must contain at a minimum the following information as prescribed by the commissioner of revenue:

(j) the state disposable registration stamp number for each deal of pull-tabs, jar tickets, tipboards, tipboard tickets, paddletickets, or paddleticket cards which have a state disposable registration stamp; and

(6) For bingo hard cards, the price per ~~100~~ face.

C. Returned gambling equipment report.

(2) ~~The~~ A report ~~covering~~ of returned gambling equipment transactions completed during the preceding month must be filed with the board by no later than the tenth day of the following month.

### 7865.0020 SUSPENSIONS OR REVOCATIONS.

Subp. 1a. **Grounds for suspension.** The board may, by order, suspend or refuse to renew any license or premises permit issued pursuant to *Minnesota Statutes*, chapter 349, impose a civil fine, or censure a licensee or applicant, if it finds that the order is in the public interest and that the licensee or applicant, or a director, officer, partner, governor, person in a supervisory or management position of the applicant or licensee, an employee eligible to make sales on behalf of the applicant or licensee, or direct or indirect holder of more than a five percent financial interest in the applicant or licensee after a contested case hearing under *Minnesota Statutes*, chapter 14, if the licensee has:

A. violated or failed to comply with any provision of *Minnesota Statutes*, chapter 297E, ~~299~~ 299L, or 349 or any rule adopted or order issued thereunder;

B. ~~has~~ filed an application for a license that is incomplete in any material respect, or contains a statement that, in light of the circumstances under which it was made, is false, misleading, fraudulent, or a misrepresentation;

E. ~~is~~ been permanently or temporarily enjoined by any gambling regulatory agency from engaging in or continuing any conduct or practice involving any aspect of gambling;

G. ~~has~~ been the subject of any of the following actions by the director of gambling enforcement or commissioner of public safety:

(3) ~~has~~ been the subject of any other discipline by the director or commissioner;

H. ~~has~~ engaged in conduct that is contrary to the public health, welfare, or safety, or to the integrity of gambling; or

I. based on past activities or criminal record poses a threat to the public interest or the effective regulation and control of gambling, or creates or enhances the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of gambling or the carrying on of the business and financial arrangements incidental to the conduct of gambling.

The civil fines referred to in this subpart do not include citations issued by the board.

Subp. 3. **Grounds for revocation.** The board may revoke the license of any organization, distributor, manufacturer, or bingo hall owner after a hearing pursuant to *Minnesota Statutes*, chapter 14, or impose a civil fine, for what it determines to be a willful violation of laws or rules related to lawful gambling.

The board may revoke the license of any gambling manager after a hearing pursuant to *Minnesota Statutes*, chapter 14, or impose a civil fine, for any violation of laws or rules related to lawful gambling after considering the factors identified in subpart 2.

The civil fines referred to in this subpart do not include citations issued by the board.

The board may, by order, revoke the license of an organization, distributor, manufacturer, or bingo hall owner if it finds that the order is in the public interest and that the applicant or licensee, or a director, officer, partner, governor, person in a supervisory or management position of the applicant or licensee, an employee eligible to make sales on behalf of the applicant or licensee, or direct or indirect holder of more than a five percent financial interest in the applicant or licensee has:

D. ~~has~~ been convicted of a crime in another jurisdiction that would be a felony if committed in Minnesota;

E. ~~is~~ been permanently or temporarily enjoined by any gambling regulatory agency from engaging in or in continuing any conduct or practice involving any aspect of gambling;

G. been the subject of any of the following actions by the director of gambling enforcement or commissioner of public safety:

(3) ~~has~~ been the subject of any other discipline by the director or commissioner;

I. based on past activities or criminal record poses a threat to the public interest or to the effective regulation and control of gambling, or creates or enhances the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of gambling or the carrying on of the business and financial arrangements incidental to the conduct of gambling.

In the case of licenses for manufacturers, distributors, bingo hall owners, and gambling managers, the board shall revoke a license under this chapter, if the applicant or licensee, or a director, officer, partner, governor, person in a supervisory or management position of the applicant or licensee, or an employee eligible to make sales on behalf of the applicant or licensee has:

(3) ~~is or has~~ ever been connected with or engaged in an illegal business;

(6) after demand ~~has~~, not filed tax returns required by the commissioner of revenue.

The board may revoke a license under this chapter, if any of the conditions in this subpart are applicable to an affiliate or direct or indirect holder of more than a five percent financial interest in the applicant or licensee.

# Official Notices

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

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

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## Department of Agriculture

### Agronomy Services Division

#### Notice of *Re-schedule* of Minnesota Agricultural Chemical Response Compensation Board

NOTICE IS HEREBY GIVEN of re-schedule of the Agricultural Chemical Response Compensation Board (ACRRA Board) meeting scheduled for March 15, 1995. The next regularly scheduled ACRRA Board meeting will be Wednesday, March 22, 1995; to be held at the Minnesota Department of Agriculture offices, 90 West Plato Boulevard, St. Paul, Minnesota, Conference Room One, at 9:00 a.m. Call the ACRRA Program, 297-3490, should you require additional information.

## Department of Agriculture

### Agronomy Services Division

#### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Anhydrous Ammonia Fertilizer Systems

NOTICE IS HEREBY GIVEN that the State Department of Agriculture is seeking information or opinions from sources outside the department in preparing to repeal existing rules and propose new rules governing anhydrous ammonia fertilizer systems. The adoption is authorized by *Minnesota Statutes*, section 18C.121, subd. 1, which allows the department to adopt rules to implement and enforce *Minnesota Statutes* Chapter 18C.

The purpose of the proposed rules would be to improve the safety features of anhydrous ammonia fertilizer systems. There is also a need to update the rules regarding design, construction, repair, installation and operation of anhydrous ammonia fertilizer systems by incorporating the most recent national standards.

The department does not intend to form an advisory task force on the rule. The rulemaking process should take approximately six months.

The State Department of Agriculture requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Carol Milligan, Agriculture Planning Division, Minnesota Department of Agriculture, 90 West Plato Blvd., St. Paul, MN 55107; fax number 612/297-7678. Oral statements will be received during regular business hours over the telephone by Gregg Regimbal at 612/297-4871 and in person at the above address.

All statements of information and opinions shall be accepted until a Notice of Intent to Adopt a Rule Without a Public Hearing or a Notice of Hearing for this rule is published in the *State Register*. Any written material received by the department shall become part of the rulemaking record to be submitted to the attorney general in the event that the rules are adopted.

Dated: 8 February 1995

Elton Redalen  
Commissioner

## Department of Agriculture

### Agronomy Services Division

#### Notice of Solicitation of Outside Information or Opinions Regarding the Draft Pesticide Management Plan

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Agriculture (MDA) is seeking information or opinions from sources outside the department in reviewing the draft Minnesota Pesticide Management Plan.

*Minnesota Statutes* section 18B.045 requires that the Commissioner of Agriculture develop a Pesticide Management Plan (PMP) for the prevention, evaluation, and mitigation of occurrences of pesticides or pesticide breakdown products in ground waters and surface waters of the state.

Interested persons or groups are encouraged to request copies of the draft PMP from:

Jerry Spetzman  
Minnesota Department of Agriculture  
90 West Plato Boulevard  
St. Paul, MN 55107  
Telephone: (612) 297-7269

**Comments in support of or in opposition to the draft PMP or any part or subpart thereof should be directed to Jerry Spetzman at the above address by March 24, 1995.** All comments should identify the portion of the draft PMP addressed, the reason for comment, and any changes proposed.

All comments received will be considered by the MDA and the draft PMP may be modified accordingly. Comments and proposed modifications will be especially valuable if supported by data or research.

MDA in cooperation with the Minnesota Extension Service will be conducting a series of public meetings with the purpose of providing an overview of the PMP and soliciting comment and feedback. All interested persons are invited to attend one of the following meetings:

March 6, 1995  
7:00 - 9:00 PM  
Anoka County Extension Office  
550 Bunker Lake Boulevard NW  
Andover, MN 55304  
(612) 755-1280

March 7, 1995  
7:00 - 9:00 PM  
Grand Rapids Experiment Station  
1862 Highway 169 East  
Grand Rapids, MN 55744  
(218) 327-2849

March 8, 1995  
1:00 - 3:00 PM  
Otter Tail Power Company  
South Dakota Room  
216 South Cascade Avenue  
Fergus Falls, MN 56537  
(218) 739-2271

March 13, 1995  
1:00 - 3:00 PM  
Best Western Marshall Inn  
1500 East College Drive  
Marshall, MN 56258  
(612) 669-4471

March 14, 1995  
1:00 - 3:00 PM  
Ramada Inn, Patio Room  
1625 South Broadway  
Rochester, MN 55904  
(507) 374-6435

## Ethical Practices Board

### Request for Advisory Opinion Re: Lobbyist Registration

The Ethical Practices Board solicits comments regarding the following request for an advisory opinion. The requester filed Consent for a Release of Information form under *Minnesota Statutes* §§ 10A.02, subd. 12, and 13.03. Written comments should arrive at the Board office, 1st Floor South, Centennial Building, 658 Cedar Street, St. Paul, MN 55155-1603, prior to March 20, 1995, for consideration at the Board's meeting of March 24, 1995.

**February 14, 1995, Katherine E. Sasseville** - The statutory requirement for registration as a lobbyist is that a person employed by an organization such as Otter Tail Power Company (or the Sierra Club) be authorized to spend money and devote five hours or more in a month for the purpose of attempting to influence legislative or administrative action . . . "by communicating or urging others to communicate with public or local officials . . ."

1. The meaning of "communicating" in this context is not clear. Therefore Otter Tail Power seeks clarification by the Board as to whether persons who would otherwise qualify under the statute as lobbyists, are required to do so in the absence of any direct written or spoken contact with a legislator or administrative or local official. One example is the person who observes and merely "monitors," whether on-site at the capitol, or via telecommunications or written media, from a remote office, who never speaks to a legislator or official.

A related example is the monitor who monitors for 40 hours a week, but communicates, orally or in written form only twice, totaling one hour of his time. Based on a recent meeting with Board staff to learn about the new laws, confusion about this matter is widespread, and there is either intensive under-reporting, or extensive over-reporting by employees of organizations which have a general concern about legislation. The example which most concerns us and which applies to most citizen lobbying organizations and many corporations or partnerships, is the person who prepares materials or educates others for the ultimate purpose of influencing legislation, but has little or no personal contact with officials. Nor is there an explicit request, e.g. "Call or write your legislator today." Instead, there is an unarticulated hope or expectation that once alerted to the situation, those "educated" will naturally want to influence legislation and will be more likely to make a contact than if they had not received the "educational" materials.

2. A closely related question on which we request an advisory opinion is whether communications with the general public, such as advertising, brochures, forums, or seminars, which are designed to educate the public about a general legislative matter, (e.g., health care), and which are entered into in the hope that the educated public will contact the legislature, but without overt efforts to bring about such contact, constitute an exemption from the lobbyist reporting statute as an exercise of first amendment free speech rights, or other such first amendment protection, or whether they have no such exemption.

Please advise me as to the reporting requirements under the following conditions: For purposes of answering these questions, please consider the following hypothetical situation: Anne is a professional media specialist for a grassroots environmental organization. She is a mid-level manager with a professional specialty in environmental economics; and in the organization's mind, she was hired because her work will be effective in persuading the legislature to adopt positions the organization supports. She is authorized to spend funds, and she spends more than five hours a month preparing materials which her boss, one of the executives of her organization, will use to "educate" groups of citizens about issues which are expected to be before the legislature. The organization sets up "consumer group" meetings, "neighborhood group" meetings, and uses the press and other media as possible to present its information and "educational" materials. The organization has as its goal to inform and proselytize the public to support its general public policies and legislative agendas. When legislative hearings are later convened, the group will call upon the public citizens it has "educated," to come to the legislative hearings and testify, as well as to contact legislators they know, both by phone, mail, and in person, to influence the legislative action.

Anne never personally contacts legislators directly, nor does she directly contact citizens. Her boss, Steve, is also authorized to spend funds, spends over five hours a month in this effort, but seldom seeks direct legislative contact. For ten months his contact is only educational, but after the legislature convenes, he contacts specific citizens and asks them to directly lobby. Neither Anne nor Steve are considered to doing "clerical" work. The materials they prepare are sophisticated and professional. Steve's boss, John, is the official registered "lobbyist" for the organization and directly contacts legislators, using the materials that Anne and Steve have prepared.

Query: 1) Must Anne register as a lobbyist? If so, when? 2) Must Steve register as a lobbyist? If so, when? 3) Should all Anne and Steve's expenditures be reported on John's regular reports? On their own lobbyist reports? 4) Should all their (proportional) salaries be reported by the principal (organization) annually? 5) During the "quiescent" ten month period of public education, should the costs of preparing materials, and/or meetings with citizens, be collected? Collected and reported as lobbyist expenses? Reported by whom? 6) Would your advice be different if the organization in question was an insurance company, a utility, or a farm organization? 7) At what point do the rigorous reporting requirements of Minnesota law as to contacts with the general public for the purpose of advocating a policy position, including a solicitation that the public members contact the legislature, have such a chilling effect that they become unconstitutional infringements on free speech?



**Executive Council  
State Board of Investment  
Land Exchange Board  
Investment Advisory Council**

**Official Notice of Meetings of the Executive Council, State Board of Investment, Land Exchange Board, and the Investment Advisory Council**

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, March 15, 1995 at 8:30 A.M. in Room 125, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Tuesday, March 14, 1995 at 2:00 P.M. in Suite 105, 55 Sherburne Avenue, St. Paul, MN.

**Gambling Control Board**

**Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Gambling Managers (*Minnesota Rules 7861.0030*)**

**NOTICE IS HEREBY GIVEN** that the Minnesota Gambling Control Board (Board) is seeking information or opinions from outside sources in preparing to propose the adoption of rules governing the regulation of Gambling Managers. The adoption of the rule is authorized by *Minnesota Statutes*, section 349.151, subdivision 4(a), clause (1), which authorizes the Board to regulate lawful gambling to ensure it is conducted in the public interest; clause (5), which authorizes the Board to make rules authorized by chapter 349; and clause (17) which authorizes the Board to take all necessary steps to ensure the integrity of and public confidence in lawful gambling. *Minnesota Rules 349.167*, subd. 4(2) authorizes the Board to adopt rules governing continuing education training for Gambling Managers.

The Board requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Sharon Beighley  
Minnesota Gambling Control Board  
1711 West County Road B, Suite 300 South  
Roseville, MN 55113

Oral statements will be received during regular business hours over the telephone at 612-639-4091, and in person at the above address.

All statements of information and opinions shall be accepted until further notice is given or the Notice of Hearing or Notice of Intent to Adopt a Rule Without a Hearing is published in the *State Register*. Any written material received by the Board shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

Dated: 21 February 1995

Harry W. Baltzer, Executive Director  
Minnesota Gambling Control Board

## Official Notices

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### Department of Labor and Industry

#### Labor Standards Division

#### Notice of Prevailing Wage Certifications for Commercial Construction Projects

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

**Aitkin:** Expansion of 40 Club Inn-Aitkin.

**Blue Earth:** Mankato State University Gage Hall Shower Remodel Phase 4.

**Cook:** Cook County Recycling Center-Grand Marais.

**Itasca:** MN State Correctional Facility Thistledeew Camp New Education Building-Near Togo.

**Meeker:** Atwater-Cosmo/Grove City Jr./Sr. High School-Grove City.

**Pipestone:** Jasper Waste Water Treatment-Jasper.

**Polk:** Crookston High School-Crookston.

**Ramsey:** Como Park Elementary & Dayton's Bluff Elementary Sprinkler Installation, Humboldt Jr. High School Emergency Lighting System, U of M Bailey Hall Shower Renovation, Jefferson Open School Renovation-St. Paul.

**Rock:** Jasper Waste Water Treatment-Jasper.

**St. Louis:** U of M School of Medicine Environmental Chamber-Duluth; Hoyt Lakes Ice Arena Dasher System Replacement-Hoyt Lakes; Duluth Technical College 1995 Asbestos Abatement, U of M/Duluth Boiler Replacement & Plant Upgrades-Duluth.

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.

Gary W. Bastian  
Acting Commissioner

### Minnesota Property Insurance Placement Facility

#### Notice of Annual Meeting of the Member Companies

**NOTICE IS HEREBY GIVEN** that a meeting of the Member Companies of the Minnesota Property Insurance Placement Facility will be held at 8:00 A.M. on Wednesday, March 8, 1995 at the office of the St. Paul Insurance Companies located at 385 Washington Street, St. Paul, MN. For additional information call 338-7584.

### Minnesota Property Insurance Placement Facility

#### Notice of Meeting of the Governing Board

**NOTICE IS HEREBY GIVEN** that a meeting of the Governing Board of the Minnesota Property Insurance Placement Facility will be held at 8:30 A.M. on Wednesday, March 8, 1995 at the office of the St. Paul Insurance Companies located at 385 Washington Street in St. Paul. For additional information call 338-7584.

### Public Employees Retirement Association

#### Board of Trustees, Notice of Meeting

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, March 9, 1995, at 9:30 A.M. in the offices of the association, 514 St. Peter Street, Suite 200 - Skyway Level, St. Paul, Minnesota.

## 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, MN 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 March 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.

**ALCOHOL AND OTHER DRUG ABUSE ADVISORY COUNCIL** Chemical Dependency Program Division, 444 Lafayette Rd., St. Paul, MN 55155-3823. 612-296-3991. *Minnesota Statutes* 254A.04.

**APPOINTING AUTHORITY:** Commissioners of Health/Human Services.

**COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** One vacancy: Interest or training in the field of alcohol dependency and abuse, or interest or training in the field of dependency and abuse of drugs other than alcohol.

The council advises the Commissioner concerning problems of alcohol and other drug dependency and abuse. The council consists of ten members including five members appointed by the Commissioner of Human Services with terms ending in even-numbered years and five members appointed by the Commissioner of Health with terms ending in odd-numbered years. This includes five with interest in alcohol dependency and abuse, and five interested in abuse of drugs other than alcohol. One member must be over 60 years of age. Monthly meetings. The council shall expire June 30, 1997 per *Minnesota Statutes* 254A.04.

**BOARD OF INVENTION** % Dan Ferber, 49 Inner Drive, St. Paul, MN 55116-1819. 612-698-6318. *Minnesota Statutes* 116J.987.

**APPOINTING AUTHORITY:** Governor, subject to advice and consent of the Senate.

**COMPENSATION:** None.

**VACANCY:** One vacancy: Resident of the Eighth Congressional District.

The board shall encourage the creation, performance, and appreciation of invention in the state. The board shall investigate and evaluate new methods to enhance invention. The board consists of eleven members, including one member to be appointed from each congressional district and three at-large members. Monthly meetings, for approximately two hours, at various locations statewide. The board does not expire.

**CHILDREN'S TRUST FUND ADVISORY COUNCIL** 444 Lafayette Rd., St. Paul, MN 55155-3839. 612-296-5437. *Minnesota Statutes* 257.803.

**APPOINTING AUTHORITY:** Governor.

**COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** One vacancy: Knowledgeable about and committed to the primary prevention of child neglect and abuse. Preferable: a male parent residing in greater Minnesota.

The council recommends strategies to promote education, programs and services that support parents and families and thereby prevent child abuse and neglect; and makes recommendations regarding grants to be awarded to fund child maltreatment prevention programs. The council consists of nineteen members. The Governor appoints ten members who have a demonstrated knowledge in the area of child abuse and represent the demographic and geographic composition of the state, local government, parents, racial and ethnic minority communities, religious community, professionals and volunteers. The Commissioners of Human Services, Health, Education, Corrections and Public Safety each appoint one member. The legislature appoints two senators and two representatives, each with one member from both caucuses. Attendance is expected at four hour bimonthly meetings and occasional par-

## Official Notices

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ticipation on ad hoc committees. In odd-numbered years, members are expected to contribute approximately 80 additional hours when engaged in preparing recommendations for biennial grant awards. Meetings are at 444 Lafayette Rd., St. Paul unless notified otherwise. The council does not expire per *Minnesota Statutes 257.801*.

**ENVIRONMENTAL EDUCATION ADVISORY BOARD** Room 712, Capitol Square, 550 Cedar St., St. Paul, MN 55101. 612-296-2358. *Minnesota Statutes 126A.02*.

APPOINTING AUTHORITY: Governor.

COMPENSATION: \$55 per diem.

VACANCY: One vacancy: Classroom teacher from the Second Congressional District.

The Board implements the *Greenprint for Minnesota, A State Plan for Environmental Education*. Seventeen members including the Commissioners of the Office of Strategic and Long Range Planning, Department of Natural Resources, Pollution Control Agency, Department of Agriculture, Department of Education, the chair of the Board of Water and Soil Resources, the executive directors of the Higher Education Coordinating Board, Board of Teaching and the extension service; and eight citizen members appointed by the Governor, one from each congressional district. Two of the citizen members must be licensed teachers currently teaching in the K-12 system. Quarterly meetings required. The board expires with the 1996 fiscal year with the repeal of the 1990 Environmental Education Act.

**ETHICAL PRACTICES BOARD** First Floor South, Centennial Bldg., 658 Cedar St. St. Paul, MN 55155. 612-296-5148. *Minnesota Statutes 10A.02*.

APPOINTING AUTHORITY: Governor. House and Senate confirmation.

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Public member who is not a Republican.

The board administers campaign finance disclosure for state candidates, economic interest disclosure for state, metropolitan public officials, and local officials in metropolitan governmental units, lobbyist registration, and public subsidy of state candidates and political party committees. The board consists of six members, including one former state legislator from a major political party different from the Governor, one former state legislator from the same political party as the Governor, two members who have not been public officials and have not held party office within three years prior to appointment. No more than three members may support the same political party. No member may currently serve as a lobbyist. Monthly meetings in the Capitol complex, St. Paul. Members must file with the Ethical Practices Board. The board does not expire.

**JUVENILE JUSTICE ADVISORY COMMITTEE** Dept. of Economic Security, Community Based Services, 390 N. Robert St., Rm 125, St. Paul, MN 55101. 612-296-8601. *Minnesota Statutes 268.29*.

APPOINTING AUTHORITY: Governor.

COMPENSATION: Reimbursed for travel expenses, per diem for non-public employees.

VACANCY: One vacancy: Must have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice. Persons of color are encouraged to apply.

The committee is the supervisory board for the Department of Economic Security with respect to preparation and administration of the state plan and award of grants. The committee consists of eighteen members: must have training, experience or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice. At least one-fifth of the membership must be under the age of twenty-four at the time of initial appointment and at least three must have been or will currently be under the jurisdiction of the juvenile justice system. The majority of members including the chair, must not be full time employees of the federal, state or local governments. Meetings on the third Friday of each month, usually from 9:00 AM to 12:00 AM, at various locations. The committee is a supervisory board and does not expire.

**MARKET DEVELOPMENT COORDINATING COUNCIL** Minnesota Office of Environmental Assistance, 1350 Energy Lane, St. Paul, MN 55108. 612-643-3499. *Minnesota Statutes 115A.12(1)*.

APPOINTING AUTHORITY: MN Office of Environmental Assistance.

COMPENSATION: Expenses.

VACANCY: One vacancy: Persons representing private recyclers, recycling markets or local governments are encouraged to apply. Qualified applicants should have knowledge of recycling, market development. Experience in recycling, knowledge of marketing, and/or financial analysis and related technical expertise is desired.

The council develops and coordinates statewide strategy for developing markets for recyclable materials and advises the Office of Environmental Assistance on expenditure of Market Development funds. The council consists of not less than nine nor more than eighteen members: one representative each from the Department of Trade and Economic Development, Department of

Administration, Pollution Control Agency, MN Technology, Inc., Legislative Commission on Waste Management; also representation from local government, private recycling markets and collectors. Monthly meetings at the Office of Environmental Assistance in St. Paul. The council expires June 30, 1997 per *Laws of 1994*, Chpt. 480, Sec. 8.

**MINNESOTA INDIAN SCHOLARSHIP COMMITTEE** 740 Capitol Square Bldg., St. Paul, MN 55101. 612-296-6458. *Minnesota Statutes 124.48*.

APPOINTING AUTHORITY: State Board of Education.

COMPENSATION: Reimbursed for expenses.

VACANCY: Fifteen vacancies: Representatives of the population of American Indians in the state of Minnesota including: one member appointed by each of the following communities and endorsed by the Indian Affairs Council: Lower Sioux Community, Upper Sioux Community, Shakopee Sioux Community, Prairie Island Sioux Community, Fond du Lac Reservation, Belle Forte Reservation, Leech Lake Reservation, Grand Portage Reservation, Mille Lacs Band of Chippewa, Red Lake Band of Chippewa, Minnesota Chippewa Tribe, White Earth Tribal Council; plus three urban, at-large representatives endorsed by the Indian Affairs Council.

The committee advises the State Board of Education on amounts and types of scholarships granted to American Indian post-secondary students, and in the State Board's duties in allocating monies for Indian post-secondary programs and Indian Teacher Training Programs. The committee consists of fifteen members as selected by the State Board of Education in consultation with the Minnesota Indian Affairs Council. The committee has up to six regularly scheduled meetings each year, at various statewide locations. The duration of the committee is determined by the State Board of Education per *Minnesota Statutes 124.48* subd. 3.

**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: Chiropractic/Medical/Rehabilitation alternate.

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.

**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 and one new position: Parent of a child with emotional disturbance (vacancy); Representative of an advocacy group for children with emotional disturbances (new position).

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.

# State Grants

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

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

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## Department Of Health

### Notice of Consolidated Grant Funds and Request for Proposals

Grant Funds are available for the following programs for calendar years 1996-1997:

- ASSIST Tobacco Use Prevention
- Commodity Supplemental Food Program (CSFP)
- Dental Health Program
- Family Planning Hotline
- Family Planning Special Projects (FPSP)
- Fetal and Infant Mortality Review Projects
- Home Visiting Projects to Prevent Child Abuse and Neglect
- Indian Health
- Maternal and Child Health Special Projects (MCHSP)
- Migrant Health
- Minnesota Breast and Cervical Cancer Control Program (MBCCCP)
- Minnesota Healthy Communities Program
- Refugee Health Program
- Special Supplemental Nutrition Program for Women, Infants, and Children

#### Description of Available Grants - Purpose, Scope and Eligibility

Please see pages 1868 - 1879.

#### ASSIST Tobacco Use Prevention

- |   |   |
|---|---|
| <b>Eligible Applicants:</b>             | Community Health Boards, Non-Profit Organizations, Private Organizations, Community Based Organizations |
| <b>Amount of Available Funds:</b>       | \$400,000 (approximately, dependent on federal funding)   |
| <b>Duration of Grants:</b>              | 10/01/95 - 09/30/96   |
| <b>Application Materials Available:</b> | 04/10/95  |
| <b>Application Deadline:</b>            | 06/01/95  |
| <b>Award Decision:</b>                  | Within 60 days of application due date but no sooner than 07/10/95.                                     |
| <b>Beginning Contract Date:</b>         | 10/01/95  |

#### Description of Grant:

The Minnesota ASSIST Project seeks to fund community coalitions and special projects focused on tobacco control policy change. The four objectives of MN ASSIST are: (1) to eliminate environmental tobacco smoke; (2) to reduce youth access to tobacco; (3) to reduce tobacco advertising and promotion; and (4) to create economic disincentive related to tobacco/increase costs related to tobacco. MN ASSIST approaches its objectives through policy advocacy and media advocacy strategies. MN ASSIST focuses on change at the community or statewide level, rather than the individual level.

The primary intervention area for MN ASSIST, the region where the majority of funds will be distributed to local coalitions, includes the following 20 counties: Anoka, Benton, Carver, Chisago, Dakota, Dodge, Goodhue, Hennepin, Isanti, Olmsted,

Ramsey, Rice, Scott, Sherburne, Stearns, Steele, Wabasha, Washington, Winona, and Wright. Funding will also be available for special projects - larger collaborative efforts within the primary intervention area, projects involving communities of color, and/or statewide activities. A smaller portion of funds will be available for local coalitions outside of the primary intervention region.

**Contact Person:** Carolyn Link Carlson  
Division of Family Health  
Minnesota Department of Health  
717 Delaware Street Southeast  
P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5281 FAX: (612) 623-5775

### **Commodity Supplemental Food Program (CSFP)**

**Eligible Applicants:** See Below: "Description of Potential Grant"  
**Amount of Available Funds:** Determined by Federal Appropriation  
**Duration of Potential Grants:** Starting date contingent upon receipt of caseload expansion, but no later than 09/30/97.  
**Application Materials Available:** Mailed Out Upon Receipt of Notice  
**Application Deadline:** 05/26/95 Award Decision: Within 30 days of receipt of completed application, but no sooner than 06/30/95.  
**Beginning Contract Date:** Contingent upon receipt of expansion of caseload.  
**Description of Potential Grant:**

The purpose of this notice is to inform interested parties that the state is creating a list of agencies interested in administering the Commodity Supplemental Food Program (CSFP). These potential agencies are being solicited to administer the program in the event that the state receives expansion caseload or a replacement agency is needed. The SCF Program is currently being administered by two food banks: Channel One Incorporated in Rochester, Minnesota, and Second Harvest St. Paul Food Bank in Maplewood, Minnesota.

The CSF Program is a federally-funded grant program administered through the Minnesota Department of Health; grants are made available to qualified local agencies to deliver program services. CSFP provides direct distribution of commodity food supplements and nutrition education to these groups: pregnant, postpartum, breastfeeding women, infants and children up to six years of age who have family incomes at or below 185 percent of federal poverty income guidelines and elderly men and women over age 60 with an income at or below 130 percent of federal poverty income guidelines. CSFP was developed to distribute government acquired commodities purchased under various farm price support programs. The food package was designed to prevent the onset and alleviate the effects of nutritional deficiencies in the target groups.

#### **FOOD DISTRIBUTION**

Agencies interested in administering the SCF Program must follow established food warehousing procedures, have refrigeration available for perishable commodities and be able to store up to six months of food packages. This includes a buffer of food packages equal to three months distribution (minimum of 35,000 pounds).

#### **NUTRITION EDUCATION**

Local agencies shall make nutrition education available to all adult participants and to parents or guardians of infant and child participants. Local agencies shall direct program funds for nutrition education to the benefit of participants and local agency staff members involved in nutrition education.

#### **SELECTION OF LOCAL AGENCIES**

Local agencies selected shall provide SCF Program benefits to participants in the most effective and efficient manner. If a local agency applies in an area already served by the program, documentation is required to demonstrate that a new local agency is necessary to serve the full extent of need in that area or population.

If additional information or revisions are needed to the application after it is submitted, a request will be made within 15 days of receipt. A complete, correct application must be received within 15 days of the date of the request if two or more agencies applied to serve the same geographic area or special population; if only one agency has applied, a complete, correct application must be received within 30 days of the date of the request. Applications which are not complete and correct at the specified deadline will not be considered.

## State Grants

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**Contact Person:** Linda Dorsey, MPH, Health Program Supervisor  
Division of Family Health  
Commodity Supplement Food Program  
Minnesota Department of Health  
717 Delaware Street Southeast  
P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5071 FAX: (612) 623-5442

### Dental Health Program

**Eligible Applicants:** Community Health Boards  
Schools/School Boards/School Districts  
Any public or private (not-for-profit) agency that can demonstrate the administrative, organizational, programmatic, and fiscal capability to deliver a proposed activity.

**Amount of Available Funds:** Approximately \$100,000

**Duration of Grants:** 10/01/95 - 09/30/97 Dental Sealant Grant  
01/01/96 - 12/31/97 All Others

**Application Materials Available:** 04/28/95

**Application Deadline:** 07/14/95

**Award Decision:** 08/25/95 Dental Sealant Grant  
10/06/95 All Others

**Beginning Contract Date:** 10/01/95 Dental Sealant Grant  
01/01/96 All Others

#### Description of Grant:

Dental Health Program Grant funds and technical assistance area available for the implementation of oral disease prevention activities/training for individuals in low income rural areas. These activities are Baby Bottle Tooth Decay Prevention Demonstration Project, Dental Sealant Demonstration Project, Innovative Agency Designed Oral Disease Prevention Demonstration Project, Oral Health Care Access Demonstration Project, Oral Home Health Care Demonstration Project, Oral Injury Prevention Demonstration Project, Pre-school Home-based Dietary Fluoride Supplement Program, Smokeless Tobacco Use Prevention Demonstration Project, and Well Water Fluoride Identification Program.

The goal of the Minnesota Department of Health (MDH) Dental Health Program Grants is to improve the oral health of individuals from rural low income areas who are at great risk of developing oral diseases by increasing the capacity of local agencies to provide needed dental public health services. Priority consideration will be given to grant applications that: (1) serve individuals in primarily rural low income counties (as indicated by the county per capita personal income); (2) serve children who attend school buildings in primarily rural areas where a high percentage of students are from low income families (as indicated by the percentage of children on free and reduced lunch); and, (3) serve individuals in areas that have not been previously targeted for the requested category of dental health program grant activity.

Dental Health Program Grant funding will be available for a majority of reasonable and necessary personnel and administrative costs and materials needed to implement grant activities. Grantees will be expected to contribute sufficient in-kind match support to demonstrate a significant commitment to the proposed grant activity.

It is not expected that an agency will develop a comprehensive detailed grant proposal when submitting a grant application. A simple informational application is all that is required. This application form and detailed information about the Dental Health Program Grants will be sent to each agency that checks Dental Health on the Notice of Intent to Apply for Grant Funds Checklist form.

**Contact Person:** Mildred Hottmann Roesch, RDH, MPH  
Dental Health Section  
Minnesota Department of Health  
717 Delaware Street Southeast  
P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5529 FAX: (612) 623-5775



**Family Planning Hotline**

<b>Eligible Applicants:</b>	Local government agencies, non-profit corporations.
<b>Amount of Available Funds:</b>	To be Determined
<b>Duration of Grants:</b>	01/01/96 - 12/31/97
<b>Application Materials Available:</b>	05/30/95
<b>Application Deadline:</b>	08/11/95
<b>Award Decision:</b>	11/30/95
<b>Beginning Contract Date:</b>	01/01/96

**Description of Grant:**

Subject to favorable legislative action, funds will be available, specifically designated for a statewide family planning hotline. The total annual funds available for this purpose will be five percent of the total annual Family Planning Special Projects funds appropriated or \$100,000 per year, whichever is less.

Local government agencies and non-profit corporations may apply for the grant to provide hotline services in accordance with the Family Planning Act (*Minnesota Statutes* 145.925) and the Family Planning Rule (*Minnesota Rule* Parts 4700.1900 - 4700.2500). The application must contain identifiable plans and budget allocations for both the operation of the hotline and its promotion statewide.

Applications will be reviewed and scored, and award recommendations made according to the Criteria for Award in part 4700.2300.

**Contact Person:** Family Planning Special Projects Consultant  
Division of Family Health  
Minnesota Department of Health  
717 Delaware Street Southeast, P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5713 FAX: (612) 623-5442

**Family Planning Special Projects (FPSP)**

<b>Eligible Applicants:</b>	Local government agencies, non-profit corporations.
<b>Amount of Available Funds:</b>	To be Determined
<b>Duration of Grants:</b>	01/01/96 - 12/31/97
<b>Application Materials Available:</b>	05/30/95
<b>Application Deadline:</b>	08/11/95
<b>Award Decision:</b>	11/30/95
<b>Beginning Contract Date:</b>	01/01/96

**Description of Grant:**

Family planning is voluntary planning and action by individuals to attain or prevent pregnancy. Family Planning Special Projects (FPSP) grants will be made to continue, expand, or develop pre-pregnancy family planning services in accordance with the Family Planning Act (*Minnesota Statutes* 145.925) and the Family Planning Rule (*Minnesota Rule* Parts 4700.1900 - 4700.2500).

The level of funding available for FPSP is yet to be determined by the legislature. The amount appropriated by the legislature for the two-year period 1994-95 was \$7,610,000.

Applications will be reviewed and scored, and award recommendations made according to the Criteria for Award in part 4700.2300. Funds will be allocated on a regional basis according to a needs-based distribution formula. Applications will be funded within each region in rank order from highest to lowest, as funds are available.

To assist interested parties in developing applications, workshops on the FPSP grant application process will be conducted. Agencies submitting a Notice of Intent will receive a packet of application materials and information regarding workshops and the availability of technical assistance.

## State Grants

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**Contact Person:** Family Planning Special Projects Consultant  
Division of Family Health  
Minnesota Department of Health  
717 Delaware Street Southeast, P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5713 FAX: (612) 623-5442

### Fetal and Infant Mortality Review Projects

**Eligible Applicants:** Community Health Boards and Other Agencies  
**Amount of Available Funds:** To be Determined  
**Duration of Grants:** 01/01/96 - 12/31/97  
**Application Materials Available:** Request for Proposals to be published in *State Register* and available for distribution in mid-1995.  
**Application Deadline:** As appropriate after publication of above RFP.  
**Award Decision:** Within 45 days of receipt of completed applications.  
**Beginning Contract Date:** 01/01/96

#### Description of Grant:

The Infant Mortality Reduction Initiative (IMRI) will be awarding contracts to Community Health Boards and other agencies to support the planning and implementation of local regional, and/or statewide fetal and infant (defined here as from birth up to age two) death studies, also called mortality review projects, pursuant to *Minnesota Statutes* Section 145.90. The goal of these projects will be to develop recommendations and strategies to reduce the numbers of preventable deaths through systems change. Funded projects will be notified when a death occurs to a resident of its respective community. The project will then offer, and if accepted, provide public health nursing assessment, grief support, and referral services to the family which experienced the death, and collect and abstract the medical, health, autopsy, and related information relevant to the death. Projects may also choose to seek family consent to obtain additional social and environmental information relative to the family through a family interview. Projects will establish interagency, interdisciplinary death review teams, and/or collaborate with local child protection death review teams already established in their respective counties. Project death review teams will review the information obtained on a case-by-case basis in order to: (1) identify causal and contributory factors associated with death; (2) validate the information reported to The Minnesota Department of Health on birth and death certificates; (3) make an assessment about the preventability of the death; and, (4) develop recommendations aimed at systems changes which may be instituted to prevent future preventable deaths.

**Contact Person:** Junie Svenson, MPH, Infant Mortality Consultant  
Division of Family Health  
Minnesota Department of Health  
717 Delaware Street Southeast, P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5411 FAX: (612) 623-5442

### Home Visiting Projects to Prevent Child Abuse and Neglect

**Eligible Applicants:** Community Health Boards (CHB's)  
(Priority will be given to CHB's that received 1994-95 grants and are successfully meeting the project objectives; however, applications from other CHB's will also be accepted in the event that additional funds become available for grant funding.)  
**Amount of Available Funds:** To be Determined  
**Duration of Grants:** 01/01/96 - 12/31/97  
**Application Materials Available:** 06/01/95  
**Application Deadline:** 08/31/95  
**Award Decision:** 10/01/95  
**Beginning Contract Date:** 01/01/96

**Description of Grant:**

The Minnesota Department of Health (MDH) is seeking proposals from community health boards for public health nursing home visiting services designed to provide early intervention to families at-risk for child abuse and neglect. These services may be provided from the second trimester of pregnancy and continued, based upon need, until the child reaches age six. Such services must be an *expansion* of current public health nurse and family aide home visiting activities.

Additionally, applicants must distribute educational materials and offer presentations on the prevention of child abuse and neglect for use in hospitals, well-baby clinics, obstetrical clinics and community clinics. Applicants must also coordinate with other local home visiting programs, particularly those offered by school districts, so as to avoid duplication of services. Successful applicants will be required to participate in and complete a training program provided by MDH, and to cooperate fully with the MDH evaluation program for these projects.

**Contact Person:** Barbara Palmer  
Division of Family Health  
Minnesota Department of Health  
717 Delaware Street Southeast, P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5339 FAX: (612) 623-5775

**Indian Health**

**Eligible Applicants:** Community Health Boards  
**Amount of Available Funds:** \$177,000 per year  
**Duration of Grants:** 01/01/96 - 12/31/97  
**Application Materials Available:** 04/28/95  
**Application Deadline:** 10/31/95  
Application is to be included as part of the Community Health Service Plan - with a copy of the Indian Health Grant part sent to the Minnesota Department of Health Grant Manager  
**Award Decision:** 12/01/95  
**Beginning Contract Date:** 01/01/96

**Description of Grant:**

The purpose of this program is to provide assistance to community health boards to establish, operate, or subsidize clinic facilities and services to furnish health services for American Indians who reside off reservations.

**Contact Person:** Wayne Carlson, Assistant Director  
Division of Community Health Services  
Minnesota Department of Health  
Metro Square Building  
P.O. Box 64975  
St. Paul, MN 55164-0975  
Telephone: (612) 296-9725 FAX: (612) 296-9362

**Maternal and Child Health Special Projects (MCHSP)**

**Eligible Applicants:** Community Health Boards  
**Amount of Available Funds:** To be Determined  
**Duration of Grants:** 01/01/96 - 12/31/97  
**Application Materials Available:** 04/10/95  
**Application Deadline:** 09/15/95  
**Award Decision:** 11/30/95  
**Beginning Contract Date:** Not Applicable

## State Grants

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### Description of Grant:

Eligible applicants are Community Health Boards as defined in *Minnesota Statutes* 145A.01, subdivisions 5. Other local public and private providers *may not* apply directly to the department for funding through this category.

Each community health board is required by statute to establish a process for its service area by which proposals may be solicited and considered from all qualified programs that have interest in financial participation in the Maternal and Child Health Special Projects (MCHSP), including those of non-profit and other public agencies and Indian reservations.

State law targets MCHSP funds to serve high-risk and low-income persons and establishes four statewide program priorities: (1) Improved Pregnancy Outcome Program, (2) Family Planning Program, (3) Handicapped/Chronically Ill Children's Program, and (4) Childhood Injury Control Program. State law also requires that maternal and child health (MCH) projects established prior to the statewide formula MCHSP program be continued. The affected Community Health Boards, (North Country, Carlton-Cook-Lake-St. Louis, Minneapolis, St. Paul, and Goodhue-Wabasha) are required as part of their formula MCHSP grant programs to maintain the same kinds of services to the same populations as previously served unless they can provide equivalent alternative funding or demonstrate that the need for the specific services provided by the project has significantly decreased.

### Description of Grant:

The level of funding available for the MCH Special Projects for the two-year period, calendar years (CY) 1996-97, is yet to be determined through congressional and legislative actions. For CY 1994-95, a total of \$14,786,233 was available in base grant funding. For CY 1996-97 and future years, the amount of non-recurring funds available is expected to be negligible. As soon as appropriation amounts can be determined, a table of agency-specific allocations will be distributed.

**Contact Person:** David Stroud, Management Analyst  
Division of Family Health  
Minnesota Department of Health  
717 Delaware Street Southeast  
P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5329 FAX: (612) 623-5442

## Migrant Health

**Eligible Applicants:** Cities, counties, groups of cities or counties, or nonprofit corporations.  
**Amount of Available Funds:** \$104,000 per Year  
**Duration of Grants:** 01/01/96 - 12/31/97  
**Application Materials Available:** 04/28/95  
**Application Deadline:** 07/28/95  
**Award Decision:** 08/31/95  
**Beginning Contract Date:** 01/01/96

### Description of Grant:

The purpose of this program is to fund the establishment, operations, or subsidization of clinic facilities and services, including mobile clinics, to furnish health services for migrant agricultural workers and their families in areas of the state in which significant numbers of migrant workers are located. A "Migrant Agricultural Worker" means any individual whose principal employment is in agriculture on a seasonal basis who has been so employed within the last 24 months, and who established a temporary residence for the purposes of such employment. First consideration for funding will be given to organizations that can provide services on a statewide basis.

**Contact Person:** Wayne Carlson, Assistant Director  
Division of Community Health Services  
Minnesota Department of Health  
Metro Square Building  
P.O. Box 64975  
St. Paul, MN 55164-0975  
Telephone: (612) 296-9725 FAX: (612) 296-9362

**Minnesota Breast and Cervical Cancer Control Program (MBCCCP)**

- Eligible Applicants:** Community Health Boards  
Public, Non-Profit, and Private For-Profit Medical Care Providers and Hospitals
- Amount of Available Funds:** Determined by Federal Appropriation
- Duration of Grants:** Funds will be awarded for a one-year period and may be renewable through 07/14/96.
- Application Materials Available:** Spring 1995
- Application Deadline:** To be Announced
- Award Decision:** To be Announced
- Beginning Contract Date:** 10/01/95

**Description of Grant:**

The Minnesota Department of Health Breast and Cervical Cancer Control Program (MBCCCP) is a federally funded program whose purpose is to increase the number of women screened for breast and cervical cancer in Minnesota so that cancer is detected and treated at the earliest possible stage. MBCCCP provides no-cost breast and cervical cancer screening to women below 250% of federal poverty income guidelines who are uninsured or underinsured and age eligible. Funds are available for:

**1. Provision of Screening Services**

Successful applicants will be expected to (1) enroll and determine eligibility of participants in the program; (2) provide breast and cervical cancer screening to eligible women; (3) record and notify patients of their test results; (4) establish and maintain a tracking and follow-up system in conjunction with the MBCCCP; (5) assist enrolled patients to obtain access to appropriate follow-up diagnosis or treatment; (6) cooperate and where appropriate participate in the program's public and professional education activities; and (7) comply with the program's quality assurance standards for breast and cervical cancer screening.

Funds provide reimbursement for actual screening services and are awarded up to a total dollar limit for each provider. Awards are made through a reapplication process for existing providers with additional providers added in targeted regions as need is determined and funds become available.

**2. Outreach/Recruitment/Partnership**

Community Health Boards are also eligible for a limited number of small grants (\$5,000 range) for conducting outreach, recruitment, and partnership coordination for MBCCCP services in their areas. The purpose of these grants is to increase the number of women 50 years of age and older screened for breast and cervical cancer in Minnesota so that cancer is detected and treated at the earliest possible stage. Boards must be MBCCCP providers or have an MBCCCP provider serving their service area.

**Contact Person:** Russ Varnado, Grants Coordinator  
Cancer Control Section  
Division of Disease Prevention and Control  
Minnesota Department of Health  
717 Delaware Street Southeast  
P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 627-5144 FAX: (612) 627-5458

## State Grants

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### Minnesota Healthy Communities Program

<b>Eligible Applicants:</b>	Community Health Boards
<b>Amount of Available Funds:</b>	Determined by Federal Appropriation (\$160,000 available 01/01/93 - 12/31/95)
<b>Duration of Grants:</b>	01/01/96 - 12/31/97
<b>Application Materials Available:</b>	To be Announced
<b>Application Deadline:</b>	To be Announced
<b>Award Decision:</b>	To be Announced
<b>Beginning Contract Date:</b>	01/01/96

**Description of Grant:**

The Minnesota Healthy Communities Program (MHCP) will provide monies and technical assistance to community health services (CHS) agencies to work with their communities to promote health by affecting conditions or behaviors that affect health.

The objectives of this program are to: (1) demonstrate an effective model for facilitating and sustaining broad-based community involvement in health promotion; (2) disseminate state-of-the-art strategies for community-wide health promotion which are tested in research settings and are feasible in small communities; and, (3) build on emerging bodies of knowledge in areas of community organization, coalition-building, integration of primary prevention strategies, environmental approaches to community change, use of mass media in health promotion and community-wide approaches to health behavior change.

The proposed community can be defined in one of three ways: (1) a county with a population of less than 15,000; (2) a small municipality; or, (3) a geographic cluster of small municipalities that share services. However the community is defined, the proposed site must meet the requirement of a population size that is less than 15,000.

**Contact Person:** Gail Gentling  
Division of Family Health  
Minnesota Department of Health  
717 Delaware Street Southeast, P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5329 FAX: (612) 623-5775

### Refugee Health Program

<b>Eligible Applicants:</b>	Community Health Boards which are experienced in providing or facilitating health assessments and follow-up care to refugees and are located in a county which has become home to more than 500 refugees whose primary resettlement was to Minnesota in federal fiscal year (FFY) 1994.
<b>Amount of Available Funds:</b>	Determined by federal appropriations. Each grant is not expected to exceed \$20,000 annually.
<b>Duration of Grants:</b>	10/01/95 - 09/30/97
<b>Application Materials Available:</b>	Mailed upon receipt of notice (anytime after 04/28/95).
<b>Application Deadline:</b>	07/28/95
<b>Award Decision:</b>	Within 30 days of receipt of completed application.
<b>Beginning Contract Date:</b>	10/01/95

**Description of Grant:**

The purpose of this program is to assist local health agencies in providing health assessments and follow-up activities to refugees for problems of public health concern. The target population is refugees as defined in Section 101(a)(42) of the Immigration and Nationality Act. Any such persons receiving this alien classification, regardless of national origin, are eligible for services under this program. Exceptions are immigrants who are legally classified as "entrants", and certain other refugees (e.g., Tibetans) whose medical care and other resettlement needs are to be privately provided. Not more than one grant will be issued for each eligible county. Funds will be awarded on a formula basis based on the number of refugees resettled in FFY 1994 in the county.

**Contact Person:** Carol Berg, Refugee Health Coordinator  
Division of Disease Prevention and Control  
Minnesota Department of Health  
717 Delaware Street Southeast  
P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5693 FAX: (612) 623-5689

### **Special Supplemental Nutrition Program for Women, Infants and Children (WIC)**

**Eligible Applicants:** See Below: "Description of Grant"  
**Amount of Available Funds:** Determined by Federal Appropriation  
**Duration of Grants:** 10/01/95 - 09/30/97  
**Application Materials Available:** Mailed Out Upon Receipt of Notice  
**Application Deadline:** 05/26/95  
**Award Decision:** Within 30 days of receipt of completed application, but no sooner than June 30, 1995.  
**Beginning Contract Date:** 10/01/95

#### **Description of Grant:**

The WIC Program is a state and federally-funded grant program administered through the Minnesota Department of Health; grants are made available to qualified local agencies to deliver program services. WIC provides nutrition education services and vouchers for the purchase of specified nutritious food supplements to pregnant, postpartum, and nursing women, and to infants and children up to five years of age who are judged by health professionals to be at nutritional risk and who have family incomes at or below 185 percent of poverty income guidelines prescribed by the United States Department of Agriculture. The WIC Program serves as an adjunct to good health care during critical times of growth and development, in order to prevent the occurrence of health problems and to improve the health status of those persons. All current WIC agreements will terminate on 09/30/95.

The types of local agencies which may apply for the WIC Grant are listed as follows in order of their priority for application approval:

- First priority is given to a community health board.
- Second priority is given to a public or private nonprofit health service agency.
- Third priority is given to a public human service agency.
- Fourth priority is given to a private nonprofit human service agency.

An agency will be classified as either a health service agency or a human service agency, based on the type of services it primarily provides during its current fiscal year. The priority system applies to agencies that are applying for the first time, that have applied before, and that have previously administered the WIC Program.

Only one application will be approved for each geographic area or special population. If two or more competing applicants have the same priority, a subpriority will be assigned as follows;

- First subpriority will be given to an agency whose employee can provide ongoing routine pediatric and obstetric care, and administrative services.
- Second subpriority will be given to an agency that must enter into a written agreement with another agency for either ongoing, routine pediatric and obstetric care, or administrative services.
- Third subpriority will be given to an agency that must enter into a written agreement with private physicians to provide ongoing, routine pediatric and obstetric care for women, infants, or children, or for participants not eligible for health services at the agency.
- Fourth subpriority will be given to an agency that must enter into a written agreement with private physicians to provide ongoing, routine pediatric and obstetric care for all participants.
- Fifth subpriority will be given to an agency that must provide ongoing, routine pediatric and obstetric care through referral to a health care provider.

The performance record, if any, of each competing agency will be taken into consideration. If all of the competing agencies have a poor performance record, the grant will be awarded to the agency with the least poor performance record. If only one of the competing agencies does not have a poor performance record, the grant will be awarded to that agency. If two or more competing agencies do not have a poor performance record, the grant will be awarded to the agency with the highest priority, or subpriority if appropriate, as described above. Factors which will be taken into consideration in judging a performance record include whether the agency has failed to:

## State Grants

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- Maintain a participation level within two percent of the authorized participation level.
- Maintain or increase the rate of participation by pregnant women.
- Respond to the written findings of the Financial Review or Management Evaluation within 30 days.
- Take corrective action in the areas identified by the Financial Review or Management Evaluation within six months from the date of the approval of the corrective action plan.
- Submit a nutrition education plan or required revisions to the plan within the established time frame.

If additional information or revisions are needed to the application after it is submitted, a request will be made within 15 days of receipts. A complete, correct application must be received within 15 days of the date of the request, if two or more agencies have applied to serve the same geographic area or special population; if only one agency has applied, a complete, correct application must be received within 30 days of the date of the request. Applications which are not complete and correct at the specified deadlines will not be considered.

**Contact Person:** Linda Dorsey, MPH, Health Program Supervisor  
Division of Family Health  
WIC Program  
Minnesota Department of Health  
717 Delaware Street Southeast  
P.O. Box 9441  
Minneapolis, MN 55440-9441  
Telephone: (612) 623-5071      FAX: (612) 623-5442

### Procedures and Information for Applying for Grants

#### Step 1: Applicants Must Provide Notice of Intent to Apply for Funds

Any organization interested in applying for funds should complete the "Notice of Intent to Apply for Grant Funds Checklist".

The "Notice of Intent to Apply for Grant Funds Checklist" must be received by the Department of Health no later than 4:30 p.m., Friday, April 7, 1995. In addition, agencies who are not community health boards must submit a copy of the "Notice of Intent to Apply for Grant Funds Checklist" to the community health board in their geographical service area.

**NOTE: IF INTERESTED PARTIES INTEND TO SUBMIT A PROPOSAL THAT THE DEPARTMENT OF HEALTH JUDGES IS OF STATEWIDE SIGNIFICANCE, THE DEPARTMENT WILL PROVIDE ONE COPY OF THE "NOTICE OF INTENT TO APPLY FOR GRANT FUNDS CHECKLIST" TO EACH COMMUNITY HEALTH BOARD IN THE STATE. ANY COMMUNITY HEALTH BOARD MAY SUBSEQUENTLY REQUEST ONE COPY OF THE COMPLETED APPLICATION FROM THE APPLICANT FOR REVIEW AND COMMENT.**

#### Step 2: The Department Will Provide Application Materials

An organization expressing an intent to apply will be provided with pertinent application materials, information on the review and award process, and the names and telephone numbers of Minnesota Department of Health consultants available to provide technical assistance concerning preparation of the grant application.

#### Step 3: Submission of Completed Applications

Completed applications must be received by the Minnesota Department of Health office listed in the application materials you receive (Step 2 above) no later than 4:30 p.m. on the date identified for each grant. Agencies who are not community health boards must also submit the completed application to the community health board in the applicant's proposed geographic service area no later than the deadline of receipt of the application at the Minnesota Department of Health.

WIC applications not received by the deadline will not be considered. Other applications not received by the deadline will be reviewed and considered for funding only after all other applications are reviewed and funded (in accordance with available funds).

#### Step 4: Awarding of Funds

Applications will be reviewed as submitted except that, at its discretion, the department may request further clarification. Grants will be awarded in accordance with priority areas and criteria identified in the application materials. Applicant organizations will be notified in writing of the grant award decisions and contracts will be completed to begin according to the schedule for each grant.

#### Duration of Funding

Funding for the full award period of all grants will be dependent upon federal and state appropriations.

#### Consultant

For further information, please contact the Minnesota Department of Health staff person identified for each grant.



## Department of Human Services

### Self-Sufficiency Programs Division

#### Refugee and Immigrant Services Section

#### Request for Proposals for Child Welfare Services to Asian Youth

**NOTICE IS HEREBY GIVEN** that the Refugee and Immigrant Services Section, Self-Sufficiency Programs Division, Minnesota Department of Human Services, is seeking proposals to child welfare services to Asian youth.

We are seeking proposals for two-year projects that begin July 1, 1995. We anticipate issuing one-year contracts that can be renewed for one additional year depending on contract performance and the availability of funds.

Funding will be from the State appropriations for child welfare services to Asian youth. The amount of funds available is \$80,000.

To be considered for funding, proposals must be post-marked or hand-delivered to the Refugee and Immigrant Services Section by 4:20 P.M., CDT, March 31, 1995. We reserve the right not to act on this Request for Proposals.

Please direct all questions and requests for copies of the full Request for Proposals to:

Minnesota Department of Human Services  
Self-Sufficiency Programs Division  
Refugee and Immigrant Services Section  
Human Services Building  
444 Lafayette Road  
Saint Paul, Minnesota 55155-3837  
Phone: 612-296-1383

## Department of Human Services

### Self-Sufficiency Programs Division

#### Refugee and Immigrant Services Section

#### Request for Proposals for Family-Based Crime Prevention and Intervention Services to Asian-American Youth

**NOTICE IS HEREBY GIVEN** that the Refugee and Immigrant Services Section, Self-Sufficiency Programs Division, Minnesota Department of Human Services, is seeking proposals to provide family-based crime prevention and intervention services to Asian-American youth in Minnesota.

We are seeking proposals for two-year projects that begin July 1, 1995. We anticipate issuing one-year contracts that can be renewed for one additional year depending on contract performance and the availability of funds.

Funding will be from the State appropriations for crime prevention and intervention services to Asian-American youth. The amount of funds available is \$500,000.

To be considered for funding, proposals must be post-marked or hand-delivered to the Refugee and Immigrant Services Section by 4:20 P.M., CDT, March 31, 1995. We reserve the right not to act on this Request for Proposals.

Please direct all questions and requests for copies of the full Request for Proposals to:

Minnesota Department of Human Services  
Self-Sufficiency Programs Division  
Refugee and Immigrant Services Section  
Human Services Building  
444 Lafayette Road  
Saint Paul, Minnesota 55155-3837  
Phone: 612-296-1383

## Department of Labor and Industry

### Workplace Safety Consultation Division

#### Notice of Safety Grants for Employers

The Department of Labor and Industry announces another funding round of its safety grants program under *Minnesota Statutes*, Section 79.253. Employers covered by workers' compensation insurance, including self-insured employers, are eligible to apply for matching grants to abate safety hazards in their workplace. The hazards should have been identified in a safety survey done by a qualified person which resulted in specifically recommended safety equipment. Eligible costs will be costs of purchasing and installing recommended safety equipment, the cost of operating or maintaining equipment, or the cost of purchasing or renting real property, if necessary to meet criteria established by the on-site inspection. Program development, training and education, and employee costs will not be covered by this grant.

For this funding round, grants up to \$10,000 are available. The employer must provide at least \$1.00 in project costs for every dollar awarded. Applications will be accepted from March 6, 1995 to December 31, 1995 or until the allocated funds are committed and will be processed on a continuous basis. A total of \$300,000 will be available during each quarter of 1995: March 1 - June 30, 1995; July 1 - September 30, 1995; and October 1 - December 31, 1995. If the funds are expended for one quarter, applications will be held over for consideration the following quarter. Proposals will be reviewed by the department and awards made on an ongoing basis. Qualified projects having the greatest impact and feasibility will be given priority.

For further information or to request a grant application, please call James Collins, Workplace Safety Consultation, at 612-296-5433.

# 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 Commerce

### Licensing Division

#### Request for Proposals to Administer the Real Estate Appraisers' License Examination

##### INTRODUCTION AND BACKGROUND

The Minnesota Department of Commerce (hereinafter the "Department") is soliciting proposals from individuals or organizations qualified to administer the real estate appraisers' license examination established pursuant to *Minnesota Statute 82B*. The individuals or organizations (hereinafter, the "testing service") will provide services to develop and administer the license examination. A person (hereinafter, the "candidate") who wishes to obtain a real estate appraisers' license must complete a license examination.

Selection of a testing service will be made in the best interest of the Department based upon the proposals submitted and the quality of service indicated. Follow-up information may be requested from any responder after the deadline to clarify any portion of the proposal. The Department intends to select a testing service as soon as reasonably possible.

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

##### II. TESTING SERVICE RESPONSIBILITIES

###### A. Provide test development services including but not limited to the following:

1. To meet and cooperate with Department staff and any other persons designated by the Commissioner of Commerce to assist in the development of the test questions; provide instruction on question-writing techniques, including sample questions and other information to assist in test question development.
2. Receive, edit and proofread newly written questions.
3. Prepare the test form for production, including professional editing and proofreading.
4. Conduct a test sensitivity review to eliminate content which is considered potentially offensive or inappropriate to either racial or gender groups.
5. Conduct a cut-score meeting for the purpose of assisting the client in establishing a minimum passing score.
6. Provide for annual review of test questions with Department personnel and/or persons selected by the Department to review examinations. Delete questions which are outdated.
7. Provide tests for 3 levels of licensure - residential appraisers, certified residential appraisers and certified general appraisers, according to Appraisal Subcommittee guidelines.
8. Tests must have been approved by the Appraiser Qualification Board of the Appraisal Foundation.

###### B. Provide test administration services, including but not limited to the following:

1. Establish a minimum of 6 test centers, at least 4 which would be located outside the metropolitan area of Minneapolis/St. Paul, in areas which will allow for geographically balanced test sites with the State of Minnesota, and at least 2 located in the metropolitan area; provide all test center personnel and physical facilities adequate for testing; the testing service will be responsible for all personnel and facility expenses. The test will be administered at least twice monthly.
2. Train test site administrators in security procedures, test administration, irregularity handling, and other processes related to test administration; provide site administrators adequate test materials for administration of the examination.
3. Provide walk-in registration of candidates on the day of the test administration, if there are vacant chairs available after pre-registration candidates have been seated.
4. Score and report test results to applicant no later than 10 working days after the administration.
5. Be responsible for the total license test pre-registration admission cards for all prepaid candidates and mail them in advance of the test administration; notify the Department four working days in advance as to the numbers of pre-registered candidates.
6. Develop, edit, print and provide to the Department and pre-registered candidates a candidate handbook containing information regarding test sites, dates, times, license information, test preparation guides and exam pre-registration forms.

## Professional, Technical & Consulting Contracts

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7. Include accommodations for the handicapped and provide special arrangements for a reader upon a candidate's request and for a candidate that has a religious conflict with a test date.
8. Provide for security at test sites and with regard to the examination and test questions.
9. Vigorously pursue any security violations.
10. Provide for a mechanism whereby a candidate can have addressed their concerns about their examination or the examination process.
11. Provide score reports with specific areas of strength and weaknesses of the candidate.
12. Provide Department with pass/fail statistics within 15 days of each examination, and annually.
13. Responders may propose additional tasks or activities if they will substantially improve the service to the Department or candidates for the examination.

### III. INFORMATION REQUIRED IN PROPOSAL

In addition to agreeing to and detailing how it intends to fulfill the preceding itemized responsibilities, and prospective testing service must provide the following information:

- A. **Qualifications and Background.** The testing service should possess management and organizational skills and experience, oral and written communication skills, a familiarity with administering other licensing examinations, problem-solving skills.
- B. **References and Current Operations.** A list of other states for which the prospective testing service has provided or is now providing services similar to those sought by the request for proposal, and the nature of the services provided to each. Entities listed as references may be contacted by the Department as part of the evaluation of proposal.

### IV. EVALUATION CRITERIA

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

- A. Expresses understanding of objectives.
- B. Work plan.
- C. Cost detail.
- D. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

### V. FORM OF COMPENSATION

Proposals to act as the testing service for real estate appraisers' license examination are to include a proposed fee schedule. The fee schedule should include all fees to be charged to candidates, for standard and optional services.

There is to be no cost to the Department for any portion of the program.

### VI. DURATION OF CONTRACT

The proposed contract period for the testing service will be for a two-year period commencing on or about July 1, 1995 and expiring on June 30, 1997 with a possible renewal for three additional one-year periods.

### VII. ADDITIONAL PROPOSAL AND CONTRACT REQUIREMENTS

- A. **Duration of offer:** All proposals must indicate that they are valid for a minimum of 90 days. This period may be extended by mutual agreement between the testing service and the Department.
- B. **Public status of proposals submitted.** All proposals submitted in response to this Request for Proposals will become the property of the Department. Such proposals shall also constitute public records and shall be available for view and reproduction by any person after the choice of a testing service has been made.
- C. **Submission of proposals:** Submit five copies of proposal. Proposals are to be sealed in mailing envelopes or packages with the responders name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of any resulting contract.
- D. The commissioner of commerce reserves the right to request clarification or elaboration of any segment of any proposal and to negotiate in the best interest of the department.

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### VIII. AFFIRMATIVE ACTION

In accordance with the provisions of *Minnesota Statutes*, 1992 supplement, section 363.073, for 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.

### IX. WORKERS COMPENSATION

The successful responder will be required to submit acceptable evidence of compliance with workers compensation insurance coverage requirement prior to execution of the contract.

### X. SCHEDULE FOR PROPOSALS

All proposals must be received in the Commerce Department by April 1, 1995 at 4:00 p.m. The Department of Commerce will make its decision on which testing service proposal to accept as soon as reasonably possible. Late proposals will not be accepted.

### XI. CONTACT INFORMATION

For purposes of inquiry and delivery of contract, contact:

Barbara M. Lessard  
Department of Commerce  
133 East 7th Street  
St. Paul, MN 55101

This is the only employee authorized to answer questions regarding this request for proposal.

## Department of Human Services

### Health Care Administration

### Notice of Request for Proposals for Training and Promotion Materials for Immunizations for Kids

The Minnesota Department of Human Services (DHS) is requesting proposals from qualified parties for training and outreach materials designed to promote on-time immunizations for children. Minnesota's goal is to increase the percent of all children who have had their routine immunizations by age two years to 90%. DHS is committed to ensuring that children from low income families receive effective outreach to promote up-to-date immunizations.

This request is for proposals pertaining to a package of immunization materials with three target audiences. One audience is the professional service outreach provider who works with Minnesota's low income families with young children. The second audience is health care providers who serve young children. The third audience is Minnesota's families with young children in general. The proposal must address the development and delivery of the following materials:

**1. Training Video Tape** for outreach and intake professionals in local communities who serve low income families with young children. The training video will show how to:

- a. Support and motivate parents and guardians to get initial immunizations and subsequent doses to their children on time, and;
- b. Provide next-step guidance to parents and guardians about programs and services available to help the child get immunizations. Guidance will include, but not be limited to, information about the statewide Child and Teen Checkups Program (C&TC).

The professional service outreach provider target audience will include county human service intake and outreach staff, STRIDE program case managers, Women, Infants, and Children Supplemental Food Program (WIC) staff, and C&TC administrative staff. The proposal must include focus groups representing this audience in the development of the materials. The proposal must also

## Professional, Technical & Consulting Contracts

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include the methods to be used with the focus groups to determine the communication strategies and needs of professional service outreach providers to motivate parents and guardians.

**Specifications:** 3-4 focus groups  
**Training Video:** Length: 15-20 minutes  
4-color  
All script, music, and visuals  
professional actresses and actors  
4 master copies  
**Delivery date:** June 23, 1995

**2. User's Guide** for the training video. The user's guide will detail on paper the instructions provided in the training video.

**Specifications:** 2-color or 4-color: submit proposals for both  
Length: 25-50 pages  
All copy and graphics  
4 master copies: camera-ready  
**Delivery date:** June 23, 1995

**3. Promotional Flyer** for the training video and user's guide. Target audience: county human service and public health nursing agencies, STRIDE, WIC, and C&TC Programs, and others as appropriate.

**Specifications:** Self-mailer  
4-color or 2-color: submit proposals for both  
All art and copy  
Final copy: camera-ready  
**Delivery date:** June 23, 1995

**4. Informational materials** about childhood immunizations for the general public, particularly targeting families with young children. Materials include a pamphlet, a poster, and an ad slick. Due to several changes, the materials that currently exist require updating.

**Specifications:** Pamphlet: 2-color bi-fold  
Poster: 4-color  
Ad slick: 2-color

**5. Pamphlet** about childhood immunizations targeting health care providers. Due to several changes, the materials that currently exist require updating.

**Specifications:** Pamphlet: 2-color bi-fold.

**Important Note:** All materials must support and model appropriate communication for professionals who serve the full range of racial and ethnic Minnesota populations. This means including in all of the materials, culturally appropriate language, copy, music, actresses and actors who are representative of all Minnesota ethnic and racial populations.

In accordance with the provisions of *Minnesota Statutes*, Section 363.073, for all contracts estimated to be in excess of \$50,000, all responders having 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:

1. a copy of your current certificate of compliance;
2. a notarized letter certifying that your firm has not had more than 20 full-time employees at any time during the previous 12 months.

This request for proposals does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest. All materials produced under this contract will become the property of the Minnesota Department of Human Services.

The department has estimated that the cost of this contract should not exceed \$70,000. **The deadline to submit proposals is 4:00 p.m., March 31, 1995.** Late proposals will not be accepted.

Submit three copies of the proposal and one set of work samples. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address written on the outside. Each copy of the proposal must be signed in ink by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of any resulting contract.

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## Professional, Technical & Consulting Contracts

### Send proposals to:

Kathleen M. Murphy  
Minnesota Department of Human Services  
Health Care Administration  
444 Lafayette Road  
St. Paul, Minnesota 55101-3853

For further information, please contact Jeana Hamm, Minnesota Department of Human Services, at (612) 282-6648.

Other department personnel are NOT allowed to discuss the request for proposal with anyone, including responders, before the proposal submission deadline.

All responses received by the deadline will be evaluated by representatives of the Department of Regulatory Services. In some instances, an interview may be a part of the evaluation process. A 100-point scale will be used to create the final evaluation recommendation. The factors weighing on which proposals will be judged are:

- |  |     |
|--|-----|
| 1. Expressed understanding of project objectives                 | 30% |
| 2. Work plan   | 20% |
| 3. Cost detail   | 15% |
| 4. Qualification/experience of company                           | 20% |
| 5. Qualifications/experience of personnel working on the project | 15% |

It is anticipated that the evaluation and selection will be completed by April 14, 1995.

The successful responder will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and Individuals submitting proposals as prime contractors shall receive equivalent of a 6% preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 4% preference in the evaluation of their proposal.

## Department of Human Services

### Child Support Enforcement Division

### Request for Proposals to Provide Negotiation Skills Training to County IV-D Child Support Officers Throughout Minnesota

The State of Minnesota Department of Human Services-Child Support Enforcement Division is soliciting proposals from qualified vendors to provide negotiating, interviewing and conflict resolution skills training to county IV-D child support officers throughout Minnesota. The outcome of this project will be a contract to provide training sessions at various locations throughout the state during June and July 1995. The training sessions will be attended by county IV-D child support officers. The child support officers will use the negotiation skills to better conduct in-office administrative hearings on child support matters.

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

A copy of the Request for Proposal can be obtained from the Department of Human Services-Child-Support Enforcement Division, telephone: (612) 296-8066; fax: (612) 296-4450. All proposals must be submitted (no faxed proposals will be accepted) no later than 4:30 P.M. on Tuesday, April 4, 1995 to:

Louis Thayer, Contract Analyst  
Minnesota Department of Human Services  
Child Support Enforcement Division  
444 Lafayette Road  
St. Paul, Minnesota 55155-3846

## Professional, Technical & Consulting Contracts

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### Department of Trade and Economic Development

#### Urban Initiative Board

#### Notice of Request for Proposals for Non Profit Organizations to Be Certified to Receive Urban Challenge Grants

The Urban Initiative Board is again accepting applications from non profit organizations in the Twin Cities area who are seeking to be selected to receive funds under the "Urban Challenge Grant Program." The Board received a \$6 million state appropriation to provide funds to non profit corporations, who will use the funds for loans to racial and ethnic minorities and others creating jobs in low income areas (*Minnesota Statutes* 116M).

Applicants have until 2:30 P.M. on April 7, 1995 to submit applications to the Board at the address below. If mailed, applications must be received by that date.

A full copy of the Request for Proposals can be obtained by writing or calling the contact person identified below. Copies of the statute are also available, as are copies of the administrative rules promulgated pursuant to the statute (*Minnesota Rules* parts 4355.0100-4355.0500).

For additional information, please contact:

Mark Lofthus  
Urban Initiative Board  
c/o Department of Trade and Economic Development  
500 Metro Square  
121 7th Place East  
St. Paul, MN 55101-2146  
Telephone: (612) 296-9090

### Department of Trade and Economic Development

#### Tourism Division-Northeast Region

#### Request for Proposal for Ad Sales, Creative, Design, Typesetting Services and Pre-Press Services

The Minnesota Office of Tourism is seeking professionals for ad sales, creative, design, typesetting services and pre-press services through composite films for future issues of three regional travel directories: Explore Minnesota Northeast, Explore Minnesota NorthCentral/West, and Explore Minnesota Southern. The services will be provided under a contract for a period of one year, with one-year renewal options that can be exercised by mutual consent of both parties.

The directories will contain from 64-112 pages.

The firms selected will be free to recommend design changes to the directories. Costs must be broken down by ad sales, ad prep, per page design/creative/typesetting, and per page for pre-press services to composite film.

The Office of Tourism reserves the right to select a single vendor for all three directories or individual vendors for each.

Publication print runs are about 150,000 for the Southern and NorthCentral/West and 175,000 for the Northeast. Many of these directories are distributed at sport shows, travel information centers and by direct mail in response to advertising-generated inquiries.

Editorial and advertising content of each publication is an approximate 40/60 editorial/advertising ratio.

To receive a copy of the full RFP, including a listing of key elements of the publication, specific contractor duties and a copy of the 1995 issues, contact Tim Campbell at 218-723-4692.



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## Professional, Technical & Consulting Contracts

### Proposal Submissions

Those interested must request a complete Request for Proposal. All proposals must include a summary of experience, work plan, a completed fee schedule on the form provided, a portfolio, and the name, title, address and phone number of the person empowered to negotiate a contract as a result of the proposal. Proposals must be sent to:

Tim Campbell, Northeast Regional Manager  
Minnesota Office of Tourism  
320 West Second Street, Suite 707  
Duluth, MN 55802

Potential vendors are cautioned that only Tim Campbell is empowered to discuss and provide information on this project.

**Deadline for submissions:** 4:00 P.M. - March 27, 1995.

## The Veterans Homes Board

### The Minnesota Veterans Home - Minneapolis

#### Notice of Request for Proposal to Develop Courses that Promote a Safe and Healthy Work Environment

To contract with outside consultants to develop and deliver educational courses designed to promote a safe and healthy work environment.

**GOAL** – to provide training in diversity, conflict management, empowerment, team work, interpersonal skills, customer relations and safety in the workplace. The consultant contracts will include a partnership clause to provide selected MVH staff with training the trainer experience and materials to support on going training.

#### PROJECT TASKS

1. Training is to be provided on the campus of the Minnesota Veterans Home - Mpls.
2. The training will include sessions on the following:
  - a. Diversity
  - b. Conflict Management
  - c. Empowerment
  - d. Team work
  - e. Interpersonal skills
  - f. Customer relations
  - g. Safety in the workplace.
3. Training will be provided in 8 hour classes.
4. Class size is to be a minimum of 25.
5. Handouts and/or curriculum are required for each session and will remain the property of the Home.
6. Training will take place between April 24, 1995 and June 30, 1995.

**Department Contact** – Prospective responders who have any questions regarding this request for proposal may call or write:

**Name:** Macey Wheeler  
**Title:** Acting Personnel Director  
**Address:** Minnesota Veterans Home - Minneapolis  
5101 Minnehaha Avenue South  
Mpls., MN 55417  
**Phone:** (612) 721-0619

Proposals must be received by no later than 2:00 PM on March 28, 1995.

**Project Costs** – Should not exceed \$50,000.00

**Project Completion Date** – June 30, 1995

# Non-State Public Bids, Contracts & Grants

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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.

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## Metropolitan Council

### Wastewater Services

#### Request for Proposals for On-Site First Responder Training

The Metropolitan Council Wastewater Services (MCWS) is requesting proposals for an On-Site First Responder Training. This request gives background information on the agency's ongoing Industrial First Responder Program and describes items which should be specifically addressed in the proposals submitted.

Copies of the Request for Proposal can be obtained by calling Lynn Breitbarth at (612) 229-2074.

Proposals will be accepted by the Metropolitan Council until 4:30 PM, Thursday, March 16, 1995.

Copies of your proposal shall be sent to:

Metropolitan Council Wastewater Services  
Attn: Lynn Breitbarth  
Mears Park Centre  
230 East 5th Street  
St. Paul, Minnesota 55101

The Metropolitan Council reserves the right to reject all or any proposal and to waive any minor irregularities, and deviations from the requirements outlined in the RFP.

BY ORDER OF THE METROPOLITAN COUNCIL  
WASTEWATER SERVICES  
HELEN A BOYER, GENERAL MANAGER



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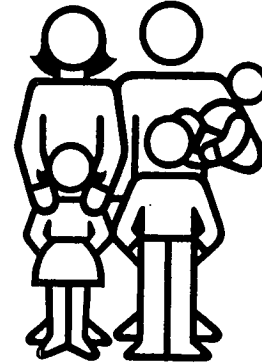
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### Human Services Laws

Selected Chapters from the 1993 Minnesota Statutes related to human services delivery. Among the many topics covered are: government data practices, human service licensing, MN Commitment Act of 1982, medical assistance, MN Family Preservation Act, and chemical dependency. Looseleaf, 1,551pp. Requires 2 binders. Stock No. 2-56 \$34.95

### Health Care Program Manual

(...formerly known as the MA/GAMC Medical Care Provider Manual) This MinnesotaCare Programs Provider Manual provides up-to-date information for providers and agency personnel regarding services to Medicaid patients. Covers GAMC and MinnesotaCare services, provider enrollment, claims processing and program compliance. 336pp. (DHS, 1994)  
Stock No. 10-12 \$20.00

### Home Health Care/Hospice Rules 1993

MN Statutes Chapter 144A and MN Rules Chapters 4668 and 4669. 61pp. Stock No. 3-82 \$6.95

### Nursing & Boarding Care Home Rules

Chapters 4620.1200, 4638, 4655, and 4660. Licensing requirements for facilities where nursing, personal or custodial care is provided. 215pp. (1993)  
Stock No. 3-12 \$14.00

### Nursing Board Laws

MN Statutes Chapter 148 governs practice of professional nursing in Minnesota. 20pp. (1993)  
Stock No. 2-91 \$5.00

### Nursing Board Rules

Rules governing preparation programs and licensing and registration of nurses. MN Chapters 6301, 6305, 6310, 6316, 6321, 6330 and 6340. Includes '94 rule changes as an insert. 70pp. (1993) Stock No. 3-94 \$7.00

### Social Work Practice Act

Laws and rules relating to social work licenses. MN Statutes Chapter 148B and MN Rules Chapter 8740. 70pp. (1993) Stock No. 3-39 \$7.95

### Supervised Living Facilities Laws & Rules

Statutes Chapters 144.56 and 144.651-.653 and Rules Chapter 4665. Standards for construction, equipment, maintenance, and operation of supervised living facilities. 42pp. (1992) Stock No. 3-15 \$4.50

### Pharmacy Laws

MN Statutes Chapter 151-152, 214, 319A and sections of other chapters. 122pp. (1993)  
Stock No. 2-78 \$8.00

### Pharmacy Rules

MN Rules Chapter 6800. 100pp. (1993)  
Stock No. 3-67 \$8.95

STATE OF MINNESOTA  
Department of  
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# Print Communications Division

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