

The Minnesota State Register

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Rules and Official Notices Edition

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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. 21 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
# 42	Monday 14 April	Monday 31 March	Monday 7 April
# 43	Monday 21 April	Monday 7 April	Monday 14 April
# 44	Monday 28 April	Monday 14 April	Monday 21 April
# 45	Monday 5 May	Monday 21 April	Monday 28 April

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FOR LEGISLATIVE NEWS

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

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

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

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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 80 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. The current 1995 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a 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 most current edition of 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 issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

Volume 21, issues #41-42 (issues #1-40 cumulative appeared in issue #40)

Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design Board

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Proposed Rules

Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. 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*.

Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design

Proposed Permanent Rules Relating to Continuing Education

Notice of Hearing

Proposed Amendment to Rules Governing the Requirements for Continuing Professional Competency for the professions regulated by the Board, *Minnesota Rules*, 1810.0100-1810.1200.

Public Hearing. The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design intends to adopt rules after a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-entitled rules in conference room 230, Judicial Center, 25 Constitution Avenue, St. Paul, Minnesota 55155, starting at 9:00 a.m. on Tuesday, June 3, 1997, and continuing until the hearing is completed. Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Administrative Law Judge. The hearing will be conducted by Administrative Law Judge Bruce H. Johnson, who can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7666, and fax (612) 349-2665. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

Subject of Rules, Statutory Authority, and Agency Contact Person. The subject of the hearing will be the proposed rules governing the Requirements for Continuing Professional Competency for the professions regulated by the Board, *Minnesota Rules*, 1810.0100-1810.1200. The proposed rules are authorized by *Minnesota Statutes*, section 326.06. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. The agency contact person is: George Iwan at The Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, 85 E 7th Place, Suite 160, St. Paul, MN 55101, phone (612) 296-2388, and fax (612) 297-5310. TDD users may call the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design at TDD phone # 800-627-3529. Janet Skowronek may be contacted at the Board numbers listed above for copies of the rules and Statement of Need and Reasonableness.

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

Statement of Need and Reasonableness. A Statement of Need and Reasonableness is now available for review at the agency offices and at the Office of Administrative Hearings. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

Public Comment. You and all interested or affected persons, including representatives of associations and 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 before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit 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. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment period also submit a copy of the written views or data to the agency contact person at the address stated above.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified as a result of the rule hearing process. Modifications must be supported by data and views presented during the rule hearing process, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate.

Adoption Procedure After the Hearing. After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings, and can make these requests at the hearing or in writing to the agency contact person stated above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 612/296-5148 or 1-800-657-3889.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 31 March 1997

R. Richard Gauger
Chair and member of the Board

1810.0100 PURPOSE AND SCOPE.

This chapter for continuing education is adopted to build upon the basic knowledge of the practices of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design to increase protection of public health, safety, and welfare. Each individual licensed or certified by this board must meet the continuing education requirements for professional development described in parts 1810.0300 to 1810.0900 as a condition for license or certification renewal, as provided in Minnesota Statutes, section 326.10, subdivision 1, paragraph (a), clause (1). Continuing education shall maintain, improve, or expand skills and knowledge obtained prior to initial licensure or certification or shall develop new and relevant skills and knowledge.

1810.0200 DEFINITIONS.

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

Subp. 2. Biennial renewal. "Biennial renewal" means a period of time consisting of two consecutive, 12-month periods ending on June 30 of each even-numbered year.

Subp. 3. Continuing education unit or CEU. "Continuing education unit" or "CEU" means a unit of credit used for continuing education courses. One continuing education unit equals ten contact hours of instruction or presentation.

Subp. 4. Dual license or certificate holder. "Dual license or certificate holder" means a person who is licensed or certified in two professions regulated by the board.

Subp. 5. Inactive licensee or inactive certificate holder. "Inactive licensee or inactive certificate holder" means a person who has allowed Minnesota licensure or certification in architecture, engineering, land surveying, landscape architecture, geoscience, or interior design to lapse.

Subp. 6. Professional development hours. "Professional development hours" means contact hours consisting of not less than 50 minutes each of instruction or presentation and which meet the requirements of this chapter.

Subp. 7. Provider. "Provider" means the person or organization offering services or materials for an education activity for the purpose of fulfilling the continuing educational requirements of this chapter.

Subp. 8. University quarter hour of credit. "University quarter hour of credit" means a unit of credit equal to 30 professional development hours.

Subp. 9. University semester hour of credit. "University semester hour of credit" means a unit of credit equal to 45 professional development hours.

1810.0300 CONTINUING EDUCATION REQUIREMENTS.

Architects, professional engineers, land surveyors, landscape architects, geoscientists, and interior designers licensed or certified by this board must obtain the number of professional development hours described in items A to C during each two-year period of licensure or certification identified in part 1800.0500, subpart 3. This requirement must be satisfied during the two-year period prior to biennial renewal except for a carryover permitted from the previous renewal period, which must not exceed 50 percent of the biennial requirement of professional development hours.

A. Licensed professional engineers, land surveyors, landscape architects, geoscientists, and certified interior designers must earn a minimum of 30 professional development hours per biennial renewal except for the carryover permitted.

B. Licensed architects must earn a minimum of 24 professional development hours per biennial renewal except for the carryover permitted.

C. Dual license or certificate holders who have obtained a license or certificate for two professions must earn professional development hours required by the license or certificate requiring the greatest number of professional development hours and must obtain in each profession a minimum of one-third of the total professional development hours required. The remaining one-third requirement may be obtained in either profession at the sole discretion of the licensee or certificate holder.

1810.0400 PROGRAMS AND ACTIVITIES.

Continuing education must consist of learning experiences which enhance and expand the skills, knowledge, and abilities of practicing professionals to remain current and render competent professional services to the public. Practitioners may pursue technical, nontechnical, ethical, and business practice needs for a well-rounded education provided the education directly benefits the health, safety, or welfare of the public. A minimum of 75 percent of the professional development hours required shall be obtained from courses or activities with a clear technical purpose and objective which will improve or expand the skills and knowledge obtained prior to initial licensure or certification or to develop new and relevant technical skills and knowledge related to one's profession. These courses must contain content relative to the health and safety of the public. The remaining percentage of professional development hours, if any, shall be obtained from courses or activities such as ethics, business practice, and human relations, with the purpose and objective of providing, maintaining, improving, or expanding the necessary business, personal, or relevant skills and knowledge related to one's profession that demonstrate benefit to the public welfare. Continuing educational activities which satisfy the professional development requirement include, but are not limited to, those described in items A to I.

A. Successfully completing college or university sponsored courses including correspondence courses. A maximum of one-half of the professional development hours required for a biennial renewal may be applied from one course.

B. Auditing college or university sponsored courses shall result in the credit of professional development hours equal to one-quarter of the equivalent semester or quarter credits as defined in part 1810.0200. A maximum of one-half of the required credits for a biennial renewal may be applied from one course.

C. Successfully completing nonuniversity correspondence courses ending with examination. A maximum of one-half of the professional development hours required for a biennial renewal may be applied per course.

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

D. Participation in seminars, tutorials, short courses, televised courses, videotaped courses, and related technical presentations and courses. A maximum of one-half of the professional development hours required for a biennial renewal may be applied from one activity.

E. Attending self-sponsored and prepared in-house educational programs. A maximum of one-sixth of the professional development hours required per biennial renewal may be applied from this source.

F. Successfully completing a study tour with a structured program resulting in a written or visual presentation by the attendee. The program should be sponsored by a qualified recognized organization. A maximum of one-third of the professional development hours required for a biennial renewal may be applied from this source.

G. Presenting or instructing qualifying courses, seminars, or technical meetings. Professional development hours may be earned for preparation time for initial presentations and must not exceed one-third of the professional development hours required for a biennial renewal based on the amount of actual time. Courses must be outside of normal duties for full-time teachers, instructors, and professors.

H. Authoring published papers, articles, or books. Professional development hours earned may equal preparation time spent not to exceed one-third of the professional development hours required per biennial renewal per publication, only following actual publication. Professional development hours shall be given for authorship or presentation, but not for both. Co-authorship shall have professional development hours awarded proportional to authoring time, with the restriction that the total accumulation of the authoring time must not exceed 100 percent.

I. Participating in professional examination grading and writing. A maximum of one-sixth of the professional development hours required for a biennial renewal may be applied from this source.

J. Providing professional service to the public which draws upon the licensee's or certificate holder's professional expertise on boards, commissions, and committees such as serving on planning commissions, building code advisory boards, urban renewal boards, code study committees, or non-work-related volunteer service. A maximum of one-sixth of the professional development hours required per biennial renewal may be applied from this source.

1810.0500 CRITERIA.

Continuing educational courses and activities must meet the criteria in items A to E.

A. There must be a clear purpose and objective for each activity which will maintain, improve, or expand skills and knowledge obtained prior to initial licensure or certification or develop new and relevant skills and knowledge.

B. The content of each presentation must be well organized and presented in a sequential manner.

C. There must be evidence of preplanning which must include the opportunity for input by the target group to be served.

D. The presentation must be made by persons who are well qualified by education or experience.

E. There must be a provision for documentation of the individual's participation in the activity, including information required for recordkeeping and reporting.

1810.0600 EXEMPTIONS.

A licensee or certificate holder shall be exempt from the professional development educational requirements for one of the following reasons:

A. New licensees or certificate holders shall be exempt for their first biennial renewal.

B. A licensee or certificate holder who has experienced during the biennial renewal a serious illness, injury, or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the board.

C. A licensee or certificate holder who for a period of time exceeding 120 consecutive days serves honorably on active duty in the military services where such activity restricts participation in a continuing educational program.

1810.0700 COMITY.

Continuing educational requirements may be met without completing the entire renewal form if an individual is licensed or certified in another state, province, or district which is listed by the Minnesota board as having continuing educational requirements acceptable to the Minnesota board and the licensee or certificate holder certifies in the appropriate section that all continuing educational and licensing or certification requirements for that state, province, or district have been met. The licensee or certificate holder must still maintain complete records as described in part 1810.0900.

1810.0800 FORMS.

A renewal application must include a completed continuing education form as specified by the board outlining professional development hours claimed. The licensee or certificate holder must supply sufficient detail on the form to permit audit verification, must sign the continuing education form certifying completion of the requirements, and must submit the form with the renewal application and fee in part 1800.0500, subpart 3.

1810.0900 REPORTS AND RECORDS.

The licensee or certificate holder shall maintain a file in which records of courses and activities are kept, including dates, subjects, duration of programs, sponsoring organization, professional development hours earned, registration receipts where appropriate, and other pertinent documentation for a period of four years after submission to the board. This information may be required by licensees or certificate holders for a random audit conducted by the board.

1810.1000 NONCOMPLIANCE.

A licensee or certificate holder who does not satisfy the continuing education requirements for licensure or certification renewal shall be placed on probationary status and shall be notified of the fact. The licensee or certificate holder has 180 days after notification to substantiate the original claim or to earn other professional development hours to meet the minimum requirement. If the deficiencies are not made up within the specified period of time, the individual's licensure or certification shall be suspended. Professional development hours earned within the probation period and applied to current renewal cannot be applied to the requirements for the following biennial renewal.

An individual who applies for license or certification renewal after the biennial renewal period has lapsed and has not satisfied the continuing education requirements will be notified of the fact. The licensee or certificate holder shall have 180 days after notification to substantiate the original claim or to earn other professional development hours to meet the minimum requirement. If the deficiencies are not made up within the specified period of time, the individual's licensure or certification shall be suspended.

1810.1100 REINSTATEMENT.

A person who wishes to reinstate a lapsed or inactive license or certificate of one year or more must satisfy one-half the biennium requirement, multiplied by the number of years of lapsed or inactive status. The minimum continuing education requirement shall be one-half the biennium requirement. The maximum continuing education requirement shall be 1-1/2 the biennium requirement. The requirement shall be satisfied with continuing education acquired within the period of the lapse, not to exceed four years, prior to reinstatement.

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Proposed Rules

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Loans and Grants

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendment to Rules Governing the Definition of Capital Contributions of Investors for the Redefined Equity Program, *Minnesota Rules*, Section 4900.0010 Subp. 7. A.(2) (d) (e).

Introduction. The Minnesota Housing Finance Agency intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the Agency contact person. The Agency contact person is: Robert J. VandenHoek, Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, MN 55101, (612) 296-9826, and fax (612) 296-8139. TDD users may call the Minnesota Housing Finance Agency at (612) 296-7608.

Subject of Rules and Statutory Authority. The Agency is considering rule amendments that provide incentives for owners of federally subsidized multi-family rental housing to remain in the housing program and preserve the housing as decent, affordable housing for very low income persons and families. *Minnesota Statutes*, section 462A.06, subdivision 11 (1994) authorizes the Agency to adopt rules pursuant to *Minnesota Statutes*, Chapter 14, *Minnesota Statutes* Section 462A.03, Subdivision 13, which requires the Agency to determine the return to a limited dividend entity on capital contributions of its investors pursuant to rules. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on May 14, 1997, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. 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 rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. 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 May 14, 1997. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the Agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Agency must give written notice of this to all persons who requested a hearing, explain the actions the Agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the Agency contact person at the address or telephone number listed above.

Robert J. VandenHoek
Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
Phone: (612) 296-9826
FAX: (612) 296-9545

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the Agency, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the Agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at the cost of reproduction from the Agency.

Proposed Rules

Adoption and Review of Rules. If no hearing is required, the Agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the Agency to receive notice of future rule proceedings, submit your request to the Agency contact person listed above.

Dated: 27 March 1997

Katherine G. Hadley, Commissioner
Minnesota Housing Finance Agency

4900.0010 DEFINITIONS.

[For text of subs 1 to 6, see M.R.]

Subp. 7. Capital contribution of the investors.

A. "Capital contribution of the investors" means the excess of the value of the project at the times and in the manner determined by the agency, whether or not paid in cash, over the then current principal amount of the agency's loan:

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

(2) for those developments that:

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

(d) the owner agrees to maintain the development as Section 8 or Section 236 assisted housing for the maximum terms of the ~~Housing Assistance Payments Contract or Agreement for Interest Reduction Payments, if one exists;~~ according to the following:

i. as to Section 8 assisted housing, to the date which is the later of: (i) ten years from the date of execution of legal documents which meet the requirements of this subitem, or (ii) the date of the end of the five-year optional renewal term of any Section 8 Housing Assistance Payments Contract benefiting the development existent at the date of expiration of the ten-year term identified in clause (i); and

ii. as to Section 236 assisted housing, the owner agrees to maintain the development as Section 236 assisted housing until the date which is ten years after the date of execution of legal documents for developments which meet the requirements of this subitem.

(e) the owner agrees not to prepay its mortgage with the agency as to both Section 8 and Section 236 assisted housing, the owner agrees not to prepay its mortgage with the agency for ten years from the date of execution of legal documents for developments which meet the requirements of this subitem; and

(f) the owner agrees to execute any documents that the agency deems necessary and appropriate to effectuate the intent of ~~this~~ subitem (2), which shall include an agreement by the agency that the owner shall be entitled to cumulative dividends.

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

[For text of subs 7a to 23, see M.R.]

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Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Environmental Quality Board

Adopted Permanent Rules Relating to Environmental Review

The rules proposed and published at *State Register*, Volume 21, Number 10, pages 310-326, September 3, 1996 (21 SR 310), are adopted with the following modifications:

4410.0200 DEFINITIONS AND ABBREVIATIONS.

Subp. 51. **Mitigation.** "Mitigation" means:

F. reducing or avoiding impacts by ~~development and implementation of pollution prevention plans~~ measures.

4410.1400 PREPARATION OF AN EAW.

The EAW shall be prepared as early as practicable in the development of the proposed project. The EAW shall be prepared by the RGU or its agents.

When an EAW is to be prepared, the proposer shall submit the completed data portions of the EAW to the RGU. The RGU shall promptly determine whether the proposer's submittal is complete ~~and, if complete,~~ If the RGU determines that the submittal is incomplete, the RGU shall return the submittal to the proposer for completion of the missing data. If the RGU determines that the submittal is complete, the RGU shall notify the proposer of the acceptance of the submittal within five days. The RGU shall have 30 days from notification to add supplementary material to the EAW, if necessary, and to approve the EAW for distribution. The RGU shall be responsible for the completeness and accuracy of all information.

4410.1700 DECISION ON NEED FOR EIS.

Subp. 7. **Criteria.** In deciding whether a project has the potential for significant environmental effects, the following factors shall be considered:

D. the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, ~~or of including other EISs previously prepared on similar projects or generic EISs previously prepared pursuant to part 4410.3800.~~

4410.2100 EIS SCOPING PROCESS.

Subpart 1. **Purpose.** The scoping process shall be used before the preparation of an EIS to reduce the scope and bulk of an EIS, identify only those potentially significant issues relevant to the proposed project, define the form, level of detail, content, alternatives, time table for preparation, and preparers of the EIS, and to determine the permits for which information will be developed concurrently with the EIS.

Subp. 12. **Amendment of scope by order of EQB pursuant to resolution of a cost dispute.** If in resolving an EIS cost disagreement pursuant to part 4410.6410, the EQB finds that the scope of the EIS is not in conformance with parts 4410.2100 to 4410.2500, the EQB may order the RGU to amend the scope of the EIS to the extent necessary to resolve the cost disagreement conform to the requirements of those parts, and the new scope of the EIS shall be considered in resolving the cost dispute.

4410.2300 CONTENT OF EIS.

An EIS shall be written in plain and objective language. An RGU shall use a format for an EIS that will encourage good analysis and clear presentation of the proposed action including alternatives to the project. The standard format shall be:

G. Alternatives: the EIS shall compare the potentially significant impacts of the proposal with those of other reasonable alternatives to the proposed project. The EIS must address one or more alternatives of each of the following types of alternatives or provide a ~~succinct but thorough~~ concise explanation of why ~~there is no potentially environmentally superior alternative of that a particular type that would meet the underlying need for or purpose of the project is included in the EIS:~~ alternative sites, alternative technologies, modified designs or layouts, modified scale or magnitude, and alternatives incorporating reasonable mitigation measures identified through comments received during the comment periods for EIS scoping or for the draft EIS. An alternative may be excluded from analysis in the EIS if it would not meet the underlying need for or purpose of the project, it would likely not have any significant environmental benefit compared to the project as proposed, or another alternative, of any type, that will be analyzed in the EIS would likely have similar environmental benefits but substantially less adverse economic, employment, or sociological impacts. Alternatives included in the scope of the EIS as established under part 4410.2100 that were considered but eliminated based on information developed through the EIS analysis shall be discussed briefly and the reasons for their elimination shall be stated. The alternative of no action shall be addressed.

4410.2800 DETERMINATION OF ADEQUACY.

Subp. 4. **Conditions.** The final EIS shall be determined adequate if it:

A. addresses the potentially significant issues and alternatives raised in scoping so that all significant issues for which information can be reasonably obtained have been analyzed at a level of detail commensurate with their significance and their relevance to a reasoned choice among alternatives in conformance with part 4410.2300, items G and H;

4410.3610 ALTERNATIVE URBAN AREA WIDE REVIEW PROCESS.

Subpart 1. **Applicability.** A local unit of government may use the procedures of this part instead of the procedures of parts 4410.1100 to 4410.1700 and 4410.2100 to 4410.3000 to review anticipated residential, commercial, warehousing, and light industrial development and associated infrastructure in a particular geographic area within its jurisdiction, if the local unit has adopted a comprehensive plan that includes at least the elements in items A to C. For purposes of this part, "light industrial development, facility, or project" includes a development, facility, or project engaged in the assembly of products from components that are not produced at the site, but does not include any development, facility, or project, including an assembly development, facility, or project, meeting the requirements for a mandatory EAW in part 4410.4300, subparts 2 to 13, 15 to 18, or 24, or a mandatory EIS in part 4410.4400, subparts 2 to 10, 12, 13, or 25. The local unit of government is the RGU for any review conducted under this part.

4410.4000 TIERED EIS.

An RGU may use a series of tiered EISs to fulfill environmental review requirements for an action where decisions on which alternative to select must be made in stages, progressing from the general to the specific. Prior to each decision which would eliminate from further consideration any alternatives under consideration, a tiered EIS must be completed which addresses the issues and alternatives relevant to the decisions to be made in that tier, at a level of detail appropriate to that tier. The level of detail in earlier tiers need not be as great as that in later tiers, provided that it is sufficient to reasonably inform decision makers of the significant environmental and other significant consequences, economic, employment, and sociological impacts of the choices made in that tier.

The procedures for preparing tiered EISs shall be the same as those for a regular EIS, as specified in parts 4410.2100 to 4410.3000.

A tiered EIS may incorporate by reference material developed in an earlier tier.

4410.4300 MANDATORY EAW CATEGORIES.

Subpart 1. **Threshold test.** An EAW must be prepared for projects that meet or exceed the threshold of any of subparts 2 to 37, unless the project meets or exceeds any thresholds of part 4410.4400, in which case an EIS must be prepared.

If the proposed project is an expansion or additional stage of an existing project, the cumulative total of the proposed project and any existing stages or components of the existing project must be included when determining if a threshold is met or exceeded if construction was begun within three years before the date of the determination application for a permit or approval from a governmental unit for the expansion or additional stage but after the effective date of this amendment, except that any existing stage or component that was reviewed under a previously completed EAW or EIS need not be included.

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Adopted Rules

Multiple projects and multiple stages of a single project that are connected actions or phased actions must be considered in total when comparing the project or projects to the thresholds of this part and part 4410.4400.

Subp. 18. **Wastewater systems.** Items A to C designate the RGU for the type of project listed:

B. For expansion or reconstruction of an existing municipal or domestic wastewater treatment facility which results in an increase by 50 percent or more and by at least 50,000 gallons per day of its average wet weather design flow capacity, or construction of a new municipal or domestic wastewater treatment facility with an average wet weather design flow capacity of 50,000 gallons per day or more, the PCA shall be the RGU.

C. For expansion or reconstruction of an existing industrial process wastewater treatment facility which increases its design flow capacity by 50 percent or more and by at least 200,000 gallons per day or more, or construction of a new industrial process wastewater treatment facility with a design flow capacity of 200,000 gallons per day or more, 5,000,000 gallons per month or more, or 20,000,000 gallons per year or more, the PCA shall be the RGU. This category does not apply to industrial process wastewater treatment facilities that discharge to a publicly owned treatment works or to a tailings basin reviewed pursuant to subpart 11, item B.

Subp. 21. **Airport projects.** Items A and B designate the RGU for the type of project listed:

B. For construction of a runway extension that would upgrade an existing airport runway to permit usage by aircraft over 12,500 pounds that are at least three decibels louder than aircraft currently using the runway, the DOT, local government unit, or the Metropolitan Airports Commission shall be the RGU. The RGU shall be selected according to part 4410.0500, subpart 5.

Subp. 26. **Stream diversion.** For a diversion, realignment, or channelization of any designated trout stream, or affecting greater than 500 feet of natural watercourse with a total drainage area of ten or more square miles unless exempted by part 4410.4600, subpart 14, item E, or 17, the local government unit shall be the RGU.

Subp. 33. **Communications towers.** For construction of a communications tower equal to or in excess of 500 feet in height, or 300 feet in height within 1,000 feet of any protected water or protected wetland or within two miles of the Mississippi, Minnesota, Red, or St. Croix rivers or the north shore of Lake Superior, the local governmental unit is the RGU.

4410.6100 DETERMINING EIS ASSESSED COST.

Subpart 1. **Proposer and RGU agreement.** Within 30 days after the EIS preparation notice has been published, the RGU shall submit to the EQB a written agreement signed by the proposer and the RGU. The agreement shall include the EIS estimated cost and a brief description of the tasks and the cost of each task to be performed by each party in preparing and distributing the EIS. Those items identified in part 4410.6200 may be used as a guideline in determining the EIS estimated cost. If an agreement cannot be reached, the RGU or the proposer shall so notify the EQB.

4410.6410 DISAGREEMENTS REGARDING EIS ASSESSED COST.

Subp. 2. **Issuance of determination.** The EQB shall determine the appropriate cost in dispute at its first meeting held 15 or more days after receipt of complete information from both parties. The EQB may order a contested case hearing if it determines that a hearing is necessary to obtain the information necessary to make a decision. If the EQB orders a hearing it shall determine the appropriate cost at its first meeting held 15 or more days after receipt of the report from the administrative law judge.

Subp. 3. **Half cash payment.** Nothing in subparts 1 and 2 shall prevent the proposer from making one-half of the cash payment as recommended by the RGU's proposed EIS cost for the purpose of commencing preparation of the draft EIS. If the proposer makes the above cash payment, preparation of the draft EIS shall immediately begin. If the required cash payment is altered by the EQB's determination, the remaining cash payments shall be adjusted accordingly.

4410.6500 PAYMENT OF EIS COST.

Subpart 1. **Schedule of payments.** The proposer shall make all cash payments to the RGU according to the following schedule:

C. At least 90 percent ~~The remainder~~ of the proposer's cash payment shall be paid prior to the distribution by the RGU of the draft EIS on a schedule agreed to by the RGU and the proposer.

D. The final cash payment shall be paid within 30 days after the EIS has been determined adequate and the RGU has submitted a detailed accounting of its EIS actual cost to the proposer. If there is a disagreement over the EIS cost, such payment shall be made within 30 days after the EQB has determined the EIS cost pursuant to part 4410.6410.

If the cash payments made by the proposer exceed the RGU's actual EIS costs, the RGU shall refund the overpayment. The refund shall be paid as expeditiously as possible within 30 days of completion of the RGU of the accounting of the EIS costs.

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* §§ 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

Department of Labor and Industry

Proposed Exempt Rules Relating to OSHA Safety and Health Standards; Standards for Construction

Proposed Revisions to the Occupational Safety and Health Standards and Request for Comments

NOTICE IS HEREBY GIVEN that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA), proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* § 182.655 (1996).

Any person may file with the Commissioner written objections to the proposed amendments stating the grounds for those objections, and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person submitting the request, define the reasons for the request, and discuss any proposed changes. If a public hearing is required, the Department will proceed according to the provisions of *Minnesota Statutes* § 182.655 and *Minnesota Rules* 5210.0010 to 5210.0100.

Written comments or requests for a public hearing should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307. Questions regarding the proposed amendments should be directed to Pat Lorentz (297- 3254) or Shelly Techar (282-5806). A complete listing of the proposed revised standards follows.

Gary W. Bastian
Commissioner

5205.0100 SUBMISSION OF ENVIRONMENTAL CONTROL MEASURES.

Submission of plans for engineering control of dust, fumes, gas, vapor, or mist generating operations is not required except as noted in part 5205.0110, subpart 4. Tests shall be conducted after the installation of engineering controls to determine whether the control measure is effective in maintaining the exposure concentrations of toxic materials below ~~these limits specified herein~~ air contaminant limits.

5205.0110 INDOOR WORKROOM VENTILATION AND TEMPERATURE.

Subpart 1. Air. Air shall be provided and distributed in all indoor workrooms as required in this code, unless prohibited by process requirements.

Outside air shall be provided to all indoor workrooms at the rate of 15 cubic feet per minute per person.

Air circulated in any indoor workroom shall be supplied through air inlets arranged, located, and equipped so that the workers shall not be subjected to air velocities exceeding 200 feet per minute except under special circumstances specified in this code or where approved by the Department of Labor and Industry.

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.

Exempt Rules

Subp. 2. [See repealer.]

Subp. 2a. Heat stress. The requirements of this subpart cover employee exposure to environmental heat conditions indoors.

A. The following definitions apply when assessing and controlling health hazards associated with extremes in temperature and humidity indoors.

(1) "Wet bulb globe temperature index" or "WBGT" means a measure of the combined effect of air temperature, air speed, humidity, and radiation. $WBGT = 0.7 T_{wgb} + 0.3 T_g$.

(2) "Natural wet-bulb temperature" or " T_{wgb} " means temperature measured by a thermometer which has its sensor covered by a wetted cotton wick, exposed to natural air movement.

(3) "Globe temperature" or " T_g " means temperature measured by a thermometer with its sensor inside a matte black globe, exposed to radiant heat, Vernon Globe or equivalent.

(4) "Heavy work" means 350 to 500 kcal/hr (kilocalories per hour), for example: heavy lifting and pushing, shovel work.

(5) "Moderate work" means 200 to 350 kcal/hr, for example: walking about with moderate lifting and pushing.

(6) "Light work" means up to 200 kcal/hr, for example: sitting or standing performing light hand or arm work.

B. Employees shall not be exposed to indoor environmental heat conditions in excess of the values listed in Table 1. The values in Table 1 apply to fully clothed acclimatized workers.

TABLE 1. Two-hour time-weighted average permissible heat exposure limits.

<u>Work Activity</u>	<u>WBGT, °F</u>
<u>Heavy work</u>	<u>77</u>
<u>Moderate work</u>	<u>80</u>
<u>Light work</u>	<u>86</u>

C. Employees with exposure to heat shall be provided training according to part 5206.0700, subparts 1 and 3.

Subp. 3. Minimum air temperature. Indoor workroom temperatures shall be maintained as follows:

A. The minimum air temperature of 60 degrees Fahrenheit shall be maintained in all rooms indoor workrooms where work of a strenuous nature is performed, unless prohibited by process requirements.

B. The minimum air temperature of 65 degrees Fahrenheit shall be maintained in all other indoor workrooms unless prohibited by process requirements.

[For text of subp 4, see M.R.]

5205.0116 CARBON MONOXIDE MONITORING.

Subpart 1. Internal combustion engine powered industrial trucks. The employer shall monitor environmental exposure of employees to carbon monoxide whenever internal combustion engine powered industrial trucks as defined in *Code of Federal Regulations*, title 29, section 1910.178(a)(1), are operated indoors to ensure that carbon monoxide levels do not exceed those given in *Code of Federal Regulations*, title 29, section 1910.1000, Table Z-1-A. The air monitoring shall be done at least quarterly and represent exposures during a day of highest usage in the areas where employee carbon monoxide exposure is most likely.

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

5205.0660 MAINTENANCE GOALS.

Subpart 1. Building maintenance. Buildings shall be maintained to assure that no loose parts or equipment including, but not limited to, bricks, mortar, glass, wood, or cement parts can fall in passage or work areas occupied by employees.

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

Subp. 3. Asbestos. Exposed friable asbestos containing materials on ceilings, beams, pipes, boilers, tanks, and similar areas shall be repaired, replaced, removed, enclosed, or encapsulated. Precautions shall be taken to protect employees as required by *Code of Federal Regulations*, title 29, section 1910.1001 or ~~1926.58~~ 1926.1101.

5205.0675 COVERS AND OVERHEAD DOORS.

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

Subp. 2. Overhead doors. All overhead or sliding doors with sufficient weight or closing force to cause crushing injury to employees shall be provided with a constant pressure closing switch, safety edge, pressure relief mechanism, or three button control

station meeting the specifications of Underwriters' Laboratories Standard UL 325 (1987) "Standard for Door, Drapery, Gate, Louver, and Window Operators and Systems," paragraph 29.1C. ~~This subpart is effective January 1, 1989.~~

5205.1030 PREENTRY PROCEDURES.

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

Subp. 2. **Disconnection of lines.** Lines that may convey flammable, explosive, toxic, or otherwise injurious or incapacitating substances into the space shall be disconnected, blinded, locked out, or blocked off by other positive means to prevent the development of dangerous air contamination, oxygen deficiency, or oxygen enrichment within the space. The disconnection or blind shall be so located or done in such a manner that inadvertent reconnection of the line or removal of the blind is effectively prevented. ~~Part 5205.0680~~ Code of Federal Regulations, title 29, section 1910.147, applies where lockout devices are required.

This subpart does not apply to public utility gas distribution or gas transmission systems.

This subpart does not require blocking of all laterals to sewers or storm drains. Where experience or knowledge of industrial use indicates materials resulting in dangerous air contamination may be dumped into an occupied sewer or storm drain, all such laterals shall be blocked.

[For text of subps 3 to 12, see M.R.]

5207.0035 DEMOLITION, RESTORATION, REMODELING ASBESTOS SURVEY.

Before permitting employees to start any demolition, restoration, or remodeling project where an employer has, or should have, reason to believe there are asbestos containing materials, a survey by a qualified person shall be made to determine if there are asbestos containing materials present in the structure. The project controlling employer shall have written evidence that an evaluation has been performed. If asbestos containing material is to be disturbed, removed, replaced, or repaired, the provisions of Code of Federal Regulations, title 29, section 1926.58 1926.1101, apply.

5207.0040 SPRAY PAINTING OF BUILDING INTERIORS.

Subpart 1. **Nonflammable paints.** Where spray painters are applying nonflammable paint on walls, ceilings, or fixtures, at times when employees other than painters are employed in or near such areas, safeguarding measures shall be taken to protect the lives and health of spray painters and others as per code:

A. Where required, respiratory ~~mouth and nose masks~~ protection and/or fresh air hoods shall be provided for spray painters by employers at no cost to spray painters.

B. Personal respiratory protective equipment shall ~~meet the requirements of ANSI Z88.2-1969, Practices for Respiratory Protection~~ be selected and used according to Code of Federal Regulations, title 29, section 1926.103.

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

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

5207.0310 CARBON MONOXIDE MONITORING.

The employer shall monitor environmental exposure of employees to carbon monoxide whenever internal combustion engines discharge engine exhaust gases indoors or unvented space heaters are operated indoors to ensure that carbon monoxide levels do not exceed those given in Code of Federal Regulations, title 29, section 1910.1000, Table Z-1 1926.55, Appendix A. The air monitoring shall be done during initial operation and at least quarterly thereafter and during a period representing highest usage in areas where carbon monoxide exposure is most likely.

5207.0600 LOCKOUT DEVICES.

Subpart 1. **Electrical power disconnect.** Any main electrical power disconnect means which controls a source of power or material flow shall be locked out with a lockout device whenever employees are maintaining, cleaning, adjusting, or servicing machinery or equipment, if the disconnect is not in clear sight of the employee. A "Do Not Start" tag as described in Code of Federal Regulations, title 29, section 1910.145(f)(3)(4), shall be affixed to ~~any~~ and all operating controls.

[For text of subps 2 and 3, see M.R.]

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.

Exempt Rules

Subp. 4. **Suspended mechanisms.** Suspended mechanisms or parts that normally cycle through a lower position shall be lowered to the lowest position, and shall be clamped, blocked, or otherwise secured in position before being worked on by an employee.

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

5207.0800 PRIVIES AT CONSTRUCTION AND ENGINEERING PROJECTS.

Privies shall be provided on all construction and engineering projects ~~as provided for in the sanitation laws of Minnesota.~~ Privies shall be placed inside of heated buildings wherever possible to do so. Where privies are not placed inside of heated buildings, provisions shall be made for heating privies to a minimum of heat that can be emitted from the installation of a 1,300 watt heater or other type equivalent heater.

5207.0850 MOTORIZED SELF-PROPELLED VEHICLES.

Subpart 1. Scope. This part applies to all motorized, self-propelled vehicles used off the highway including industrial type trucks, crawler equipment, and rubber-tired vehicles. This part shall not apply to vehicles with less than a 20 horsepower motor.

Subp. 2. General requirements. Motorized, self-propelled vehicles shall meet the requirements of Code of Federal Regulations, title 29, sections 1926.600, 1926.601, and 1926.602.

Subp. 3. Transportation of employees. Vehicles being used to transport employees shall be equipped with a seating arrangement securely anchored, a rear-end gate, a guardrail and steps or a ladder for mounting and dismounting.

A. Under no circumstances shall any employee be allowed to ride in a standing position or with arms or legs outside of the truck body, or seated on the side fenders, cabs, cabshields, rear of truck, or on the load unless such a position is dictated by a job assignment.

B. No explosives, flammable materials, excepting normal fuel supply, or toxic substances shall be transported in the passenger carrying area of vehicles carrying employees.

C. No vehicle transporting employees shall be moved until the driver has ascertained that all employees are seated and required guardrails and end gates are in place and doors closed.

D. No employee shall be allowed to get on or off any vehicle while it is in motion.

Subp. 4. Vehicle inspection. Code of Federal Regulations, title 29, section 1926.601(b)(14), shall apply to all vehicles covered in Code of Federal Regulations, title 29, section 1926.602.

5207.0900 POWERED INDUSTRIAL TRUCK OPERATIONS.

Subpart 1. Restricted use. All industrial trucks designed and constructed solely for use on solid hard level surfaces shall be restricted to such operations.

Subp. 2. Surface condition. All solid hard level surfaces must be free of cracks, irregularities, or holes that could upset the balance of the industrial truck.

Subp. 3. Load positioning. When a fork truck operator is positioning a load in an area that is not fully visible to the fork truck operator, the operator shall be assisted by a designated person who shall direct the safe placing of the load by using predetermined signals.

REPEALER. Minnesota Rules, part 5205.0110, subpart 2, is repealed.

Office of the Governor**Emergency Executive Order #97-8: Providing for Assistance to the Division of Emergency Management and Local Units of Government**

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

WHEREAS, the Division of Emergency Management is preparing to respond to imminent flooding throughout the State; and

WHEREAS, the Division of Emergency Management is concurrently preparing for possible civil disturbance over the 1837 Treaty rights; and

WHEREAS, civil authorities may not have the personnel and emergency equipment capable of responding to multiple missions, and

WHEREAS, the Division of Emergency Management has requested National Guard assistance;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to active duty on or about March 25, 1997, in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to assist and support the Division of Emergency Management.
2. The cost of subsistence, transportation, fuel, pay, and allowances of said individuals shall be defrayed from the general fund of the State as provided for in *Minnesota Statutes* 1996, sections 192.49, subd. 1; 192.51, and 192.52.

Pursuant to *Minnesota Statutes* 1996, section 4.035, subd. 2, this Order shall be effective immediately, and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this first day of April, 1997.

Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Office of the Governor**Emergency Executive Order #97-9: Declaring a State of Emergency in the State of Minnesota**

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

WHEREAS, since January 5, 1997, four safety rest areas located along Interstate Highway 35 south of the Twin Cities have been severely damaged or destroyed by fire as a result of acts of arson; and

WHEREAS, damage to these four safety rest areas has been of such extent that immediate repairs have been necessary. Such conditions constitute an emergency as contemplated by the terms of Sections 125 and 120(c) of Title 23, U.S.C;

NOW, THEREFORE, I hereby order that a State of Emergency exists in Minnesota as a result of the destruction of these safety rest areas. The immediate repair and reconstruction of the damaged highway rest areas is vital to the security, well-being, and health of the citizens of the State of Minnesota. The Federal Highway Administrator is hereby requested to concur in the declaration of this emergency.

Pursuant to *Minnesota Statutes* 1996, section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1996, section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this second day of April, 1997.

Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* §270.0604.

Department of Revenue

Revenue Notice #97-04: Sales and Use Tax: Special Purpose Buildings

Introduction

Minnesota Statutes, section 297A.01, subdivision 20, defines replacement capital equipment to include "materials used for ... special purpose buildings used in the production process." However, *Minnesota Statutes*, section 297A.15, subdivision 5, requires that the sales or use tax must first be paid on purchases of replacement capital equipment and the purchaser must apply for a refund of the tax paid.

General Requirements

For purposes of the replacement capital equipment refund a special purpose building is a structure that because of its size or method of installation is considered real property under *Minnesota Statutes*, section 297A, rather than tangible personal property. To be considered a special purpose building, the structure must serve or perform a function essential to the production process, and must be used in producing tangible personal property to be sold ultimately at retail. Purchases of building materials and supplies that become part of a special purpose building qualify for the replacement capital equipment refund.

Examples of special purpose buildings:

- Clean-room facilities, independent flash-freeze tunnels, or self-enclosed paint booths.
- Research facilities such as wind tunnels or test stands used primarily for product development or testing.
- Tanks, bins or silos used primarily for temporary storage of work in process. Facilities used to receive or store raw materials prior to the production process or to store raw materials on the production floor do not qualify as special purpose buildings.

Building materials qualify for the replacement capital equipment refund if at least 67 percent of the total floor area of an addition, modification, or new building qualifies as a special purpose building.

To qualify for the replacement capital equipment refund, the building materials must be purchased by the owner. Building materials purchased by construction contractors for special purpose buildings qualify for the replacement capital equipment refund only if there is a valid purchasing agent relationship between the owner and the contractor. (Refer to Revenue Notice #96-08 for further information.) Equipment or machinery used to construct special purpose buildings do not qualify for the refund.

General purpose manufacturing, industrial, or commercial buildings are not special purpose buildings. Buildings designed to protect equipment from the elements, provide space heating or cooling, or that allow qualifying machinery or equipment to perform at optimal levels are not special purpose buildings. The installation of an assembly line or conveyance system does not convert a general purpose building into a special purpose building.

Materials used for foundations that are specifically designed and constructed to support equipment qualify for the replacement capital equipment refund. However, the fact that foundation materials qualify does not mean the building itself qualifies as a special purpose building. The building must meet the criteria outlined in this notice to qualify as a special purpose building.

Examples

A 10,000 square foot addition for a clean room is added to an existing production facility. About 2,000 square feet of the addition is used for an office and bathrooms. The building materials to construct the entire addition qualify for the replacement capital equipment refund since at least 67 percent of the total floor area of the addition qualifies as a special purpose building.

An asphalt mixing plant builds a new facility in Minnesota. A roof is built over the mixing plant equipment to protect it from the elements. The roof is not a special purpose building since it has no direct affect on the tangible personal property being produced.

A brewery builds a new plant in Minnesota. Large silos are needed for storage of the raw hops and barley and other silos are used to maintain constant temperatures of work in process during fermentation. The silos used for fermentation are special purpose buildings and qualify for the replacement capital equipment refund. The silos used to hold raw materials do not qualify since they are used for storage prior to the beginning of the production process.

Effective Date

This notice is effective for purchases or leases of replacement capital equipment made on or after July 1, 1994.

Dated: 14 April 1997

Jennifer L. Engh
Assistant Commissioner for Tax Policy

Department of Revenue

Revenue Notice #97-05: Sales and Use Tax: Integrated Production Process for Tangible Personal Property

Introduction

Minnesota Statutes, section 297A.25, subdivision 42, provides an exemption from sales and use tax for sales of capital equipment. Procedures for obtaining a refund of taxes paid on capital equipment and replacement capital equipment are found in *Minnesota Statutes*, section 297A.15, subdivision 5. *Minnesota Statutes*, section 297A.01, subdivision 16(a) and (b), define capital equipment to include all machinery and equipment that is *essential* to the *integrated production process*. However, not all activities in the integrated production process qualify under the capital equipment provisions because of statutory restrictions.

The purpose of this revenue notice is to differentiate between qualifying and non-qualifying activities within the integrated production process as they relate to capital equipment and replacement capital equipment refunds used to produce tangible personal property to be sold ultimately at retail. This revenue notice does not apply to the generation of electricity or steam, or to electronically transmitting results retrieved by a customer of an on-line computerized data retrieval system.

General Requirements

“**Essential**” means that the machinery or equipment must perform a necessary or indispensable step in the production process.

“**Integrated production process**” means the series of activities that result in the production of tangible personal property to be sold ultimately at retail, including the actual production process. The production process begins with the removal of raw materials from inventory and ends when the last process prior to loading for shipment has been completed, and also includes research and development and design of the tangible personal property.

Qualifying Activities. Equipment and machinery used primarily (50 percent or more of its operating time) in the following activities qualify for the capital equipment or replacement capital equipment refund:

1. Research, development and design of tangible personal property intended to be sold ultimately at retail, whether or not such activities actually result in the production of property. (Refer to Revenue Notice #96-14, “Research, Development, and Design”, for more information.)
2. Constructing, cleaning, maintaining, and repairing equipment, tools, or repair parts for equipment to be used in a qualifying activity.
3. Removal of materials from beginning inventory or temporary storage to begin the actual production process.
4. Direct production of the tangible personal property. This includes machinery and equipment that operate, control, or regulate production equipment.
5. Outside fabrication services contracted for by a manufacturer if those services are essential to the production of tangible personal property to be sold ultimately at retail.
6. Maintaining conditions such as temperature, humidity, light, or air pressure when those conditions are essential to and a special requirement of the production process. This also includes maintaining finished goods inventory, but does not include general space heating or lighting.
7. Temporary storage of work-in-process, but not including temporary storage of raw materials on the production floor.
8. Quality control and testing activities done on the tangible personal property.
9. Packaging of the completed tangible personal property. This includes all packaging done prior to loading the completed tangible personal property for shipping, but does not include returnable items such as pallets used in shipping. Equipment used in activities such as addressing, applying postage, invoicing, etc., does not qualify as capital equipment.

Non-qualifying activities. *Minnesota Statutes*, section 297A.01, subdivision 16(c), provides that equipment and machinery used in the following activities does *not* qualify for the capital equipment or replacement capital equipment refund:

1. Receiving or storing raw materials.
2. Plant security, fire prevention, first aid, and hospital stations.
3. Pollution control, prevention, or abatement.
4. Plant cleaning, disposal of scrap and waste, plant communications, space heating, lighting, or safety.
5. Any other activity that is not essential to the integrated production process of manufacturing, fabricating, mining, or refining.

Revenue Notices

6. Support operations or administrative purposes. "Support operations and administrative purposes" mean activities used to keep up or maintain the integrated production process including management, direction, and overseeing of a business. These activities, although essential to the business, are not actual production activities. Examples are:
- Cleaning, repair, or maintenance of the plant facilities
 - General janitorial activities
 - Inventory management, warehousing, internal product tracking, and sales and distribution activities
 - Construction, maintenance, or alteration of real property
 - Providing a safe work environment for employees
 - General office administration including clerical, personnel, and accounting activities
 - Customer service activities
 - Managerial functions such as business and production analysis, and supervision

Examples

A newspaper publisher purchases a computer system to permanently store completed news stories for future reference. The publisher also adds a number of devices that it considers to be used in quality control. Some of the devices are used to measure the quality of the ink flow and its color, while other devices are used for employee and job scheduling. The computer system and the devices used to measure the quality of the actual product qualify as capital equipment. The other devices used for employee and job scheduling do not qualify because they do not control or regulate the production equipment and do not have an affect on the product being produced.

A wood products fabricator uses equipment to package their wood products prior to placing them into finished goods inventory. The company also has boxing, shrink-wrapping, and palletizing equipment used by the shipping department to prepare products taken out of finished goods inventory. All of the equipment used to package the products qualifies as capital equipment.

A meat packer builds a new plant. Environmental control systems are installed throughout the plant, including beginning and finished goods inventory areas. These systems are used to maintain very cold temperatures to ensure that the meat products are not contaminated by bacteria. The system used for storage of the raw meat product does not qualify since capital equipment does not include machinery and equipment used to receive or store raw materials. However, the environmental control systems for actual production areas and for storage of the completed meat products qualify as capital equipment. The systems for support and administrative areas do not qualify.

A paper producer adds a lubrication system to existing production equipment. Previously, the lubrication was done manually. The lubrication systems qualifies for the replacement capital equipment reduction because it is an accessory to the production equipment added after the equipment was placed into production.

A bakery installs a washing system to clean and sterilize baking pans and the production equipment. They also purchase pressure washers used to clean the floors and walls. The washing system to clean and sterilize baking pans qualifies as capital equipment because it affects the quality of the baked product. The pressure washers do not qualify since they are used in support operations for general plant maintenance and cleaning.

A foundry adds equipment used to construct and maintain special tooling. The equipment is used to assemble and maintain the production equipment, non-production equipment and general building repairs. Equipment used primarily (50 percent or more of its operating time) to create and maintain special tooling and production equipment qualifies as capital equipment. However, if the equipment is used more that 50 percent of its operating time for work on non-production equipment or in other non-qualifying activities, it does not qualify as capital equipment.

A plastics manufacturer adds heaters to the molding equipment on a production line currently in service. The primary function of the heaters is to maintain constant temperatures in the molding equipment; a function that will extend the life of the molding equipment. The heaters are accessories to the manufacturing equipment and qualify as replacement capital equipment since they are used to maintain the molds.

An industrial machinery manufacturer adds several pieces of equipment to its research and development shop. The equipment includes additional computer aided design (CAD) and computer aided manufacturing (CAM) systems, a blueprint machine, and an integrated communication system. The blueprint machine prepares blueprints for use by employees during the assembly process. The integrated communication system keeps track of costs and labor hours for each piece of machinery during the assembly process. The CAD system and the blueprint machine qualifies as capital equipment. The CAM system qualifies as replacement capital equipment, unless it was placed into service to operate and control new production equipment. The communication system does not qualify as capital equipment since it is used for plant communications.

A candy wholesaler buys bulk candies from manufacturers, blends various candies together, and packages the assortment into individual bags. The equipment used to package the candy into individual bags qualifies for the capital equipment exemption.

A wood products manufacturer expands operations by adding collection systems for wood waste, conveyors, a boiler, and equipment to generate electricity. This equipment is used collectively to generate electricity that powers the facility and the production equipment. The equipment qualifies for the capital equipment exemption.

An equipment manufacturer out-sources portions of their production process. The manufacturer contracts with separate companies to heat treat parts that become a part of the equipment and to paint the final product. While the outside companies do not produce a tangible product for sale at retail, the activities they perform are essential to the integrated production process for the manufacturer. Equipment and machinery used 50 percent or more of its operating time by the outside companies to fabricate tangible personal property for manufacturers is eligible for a refund. (Refer to Revenue Notice #96-15, "Capital Equipment and Replacement Capital Equipment - What Activities Qualify".)

Effective Date

This notice is effective for all periods open under the statute of limitations for purchases or leases of equipment that qualify as capital equipment under laws in effect prior to July 1, 1994. For purchases or leases of replacement capital equipment and certain capital equipment, this notice is effective July 1, 1994.

Dated: 14 April 1997

Jennifer L. Engh
Assistant Commissioner for Tax Policy

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rule-making proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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

Departments of Children, Families and Learning; Health; and Human Services

Interagency Early Childhood Intervention Project

Notice of Public Comment on the 1997-99 State Plan for Part H, IDEA for Infants and Toddlers Birth through Age Two with Disabilities and Their Families

NOTICE IS HEREBY GIVEN that the three state agencies, the Minnesota Departments of Children, Families and Learning; Health; and Human Services seek public comment through public hearings on the 1997-99 State Plan for Part H, IDEA for Infants and Toddlers Birth through Age Two with Disabilities and their Families. Representatives from the State Agency Committee (composed of representatives from the Departments of Children, Families and Learning; Health; and Human Services) and the Governor's Interagency Coordinating Council on Early Childhood Intervention will be present to receive oral or written testimony at the public hearing listed below:

Monday June 9, 1997

9:00 - 11:00 AM

Radisson Hotel

404 W. St. Germain

St. Cloud, MN

(320) 654-1661

There will be time for oral or written testimony at the end of the IEIC Annual Plan regional meetings listed below. The 5 IEIC Annual Plan regional meetings are being held from 9:00 AM to 1:00 PM.

April 24, 1997

Arden Hills

• Holiday Inn

Lexington & Co. Rd. E

Phone: 612/636-4123

May 6, 1997

Bloomington

• Doubletree Guest Suites (formerly Embassy Suites)

2800 W. 80th St.

Phone: 612/884-4811

May 9, 1997

Duluth

• Radisson Hotel

505 W. Superior St.

Phone: 218/727-8981

April 25, 1997

Brainerd

• Brainerd Public Library

416 So. 5th St.

Phone: 218/829-5574

May 7, 1997

Marshall

• Best Western Hotel

1500 E. College Drive

Phone: 507/532-3221

Copies of the draft State Plan are available from Yolanda Sallis, Interagency Early Childhood Intervention Project, 987 Capitol Square Building, 550 Cedar St., St. Paul, MN 55101 or (612) 297-7366. If you are unable to attend the public hearing or the regional meetings, written comments may be faxed to Jan Rubenstein, Interagency Early Childhood Intervention Project, Fax No.: (612) 296-5076.

Minnesota Comprehensive Health Association

Notice of Meeting of the Writing Carrier RFP/Contract Ad Hoc Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Writing Carrier RFP/Contract Committee will be held at 8:00 a.m. on Tuesday, April 22, 1997. The meeting will be at the Minnesota Comprehensive Health Association executive office, 5775 Wayzata Boulevard, St. Louis Park, in suite 910. For additional information, please call Lynn Gruber at (612) 593-9609.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective April 14, 1997 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Anoka: 1997 Partial Reroofing Fridley Middle School-Fridley; 1997 Partial Reroofing Fridley Senior High School-Fridley; 1997 Masonry Wall Repair Hayes Elementary/Stevenson Elementary & Fridley Community Education Center-Fridley; 1997 Masonry Wall Repair Fridley Middle & Senior High School-Fridley

Clay: Ventilation Modifications Phase I MSU Comstock Memorial Union-Moorhead

Crow Wing: Franklin School Locker Room Remodeling Phase 2-Brainerd

Goodhue: K W Middle School Tunnels Asbestos Removal-Wanamingo

Hennepin: Elementary School Remodeling St Bridget Site-Minneapolis; MN/DOT Building Removals-Crystal; MN/DOT Eden Prairie Unheated Storage Building-Eden Prairie; Edison High School Asbestos Abatement & Lead Paint Stabilization Phase 3-Minneapolis

Isanti: MN/DOT Building Removal-Cambridge

Lake: Campground Registration Station Gooseberry State Park-Two Harbors

McLeod: Independent School District #2859 Accessibility Projects-Glencoe

Meeker: Litchfield High School Reroofing-Litchfield

Ottertail: Masonry Restoration Fergus Falls Regional Treatment Center Administration Building-Fergus Falls

Pennington: 1997 Partial Reroofing Northland Community & Technical College-Thief River Falls

Ramsey: Reroofing at Como Park Elementary School-St Paul; Elevator Addition at Roosevelt Elementary School-St Paul; Island Lake Elementary School Addition & Remodeling-Shoreview; Roof Replacement Commonwealth Terrace-St Paul

St. Louis: Asbestos Abatement Central High School-Duluth; Hibbing School Cabinet & Electrical Upgrade-Hibbing

Washington: MN/DOT Building Removal-Oak Park Heights; MN/DOT Building Removal-Oak Park Heights

Wright: Wastewater Treatment Plant Improvements-Rockford

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,
Commissioner

Metropolitan Council

Notice of Public Hearings on the Transit Redesign Service Plan for Northern Dakota County

The Metropolitan Council, in coordination with Dakota Area Resources and Transportation for Seniors (DARTS), will hold two public hearings to receive comments on an alternative transit service delivery proposal being developed to better meet the needs of residents of northern Dakota County.

The proposal recommends a mix of service delivery strategies for the cities of Inver Grove Heights, Mendota Heights, South St. Paul and West St. Paul. During peak periods, express service would be improved to downtown Minneapolis and St. Paul. Also during peak and off-peak periods, some routes would meet at a proposed transit hub in the area of South Robert Street and Marie Avenue. At these facilities, large buses would meet small bus fixed-route and paratransit feeders providing service to the local communities.

The public hearings will be held:

Tuesday, May 13, 1997	Wednesday, May 14, 1997
12 Noon	6 p.m.
Metropolitan Council Chambers	Dakota County Public Library
Mears Park Centre	Wentworth Branch
230 East Fifth Street	199 Wentworth Avenue East
St. Paul	West St. Paul

All interested persons are encouraged to attend the hearings and provide comments. Upon request, the Council will provide reasonable accommodations to persons with disabilities. Special accommodations should be requested by Tuesday, May 6, 1997.

Comments, which must be received by Thursday, May 29, 1997, may also be submitted as follows:

- Send written comments to: Scott Thompson, Metropolitan Council Transit Operations, 560 Sixth Ave. N., Minneapolis, MN 55411
- FAX comments to Mr. Thompson at 349-7675
- Record comments on the Council's Public Comment Line at 602-1500
- E-mail comments to: data.center@metc.state.mn.us
- Send TTY comments to Mr. Thompson's attention at 349-7439

Copies of the public hearing draft of the proposed Transit Redesign Service Plan for Northern Dakota County will be available at the public hearing. In the meantime, if you have questions, please call Scott Thompson at 349-7774.

Department of Natural Resources (DNR)

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

The Minnesota Department of Natural Resources announces that plans are being developed to hold the state's twenty-second sale of metallic minerals exploration and mining leases. The sale is tentatively scheduled for July 1997. The lease sale plans are being announced at this time in order to give mining companies, public interest groups and all other interested parties additional time to review the areas under consideration.

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

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

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

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

Dated: 14 April 1997

Rodney W. Sando
Commissioner of Natural Resources

Department of Natural Resources

Bureau of Real Estate Management

Notice of Proposed Conveyance for the Purpose of Correcting Legal Descriptions of Boundaries Affecting the Ownership Interests of the State and Adjacent Landowners

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources intends to correct a boundary discrepancy which affects land presently owned by the State and land owned by Adam T. Thorp IV and Kay M. Thorp (*Minnesota Statutes* 84.0273, 1993). The State originally acquired its property by Warranty Deed recorded in the Office of the Becker County Recorder May 29, 1969, in Book 222 of Deeds page 147. The State will exchange quit claim deeds with the adjacent owner in order to resolve the boundary discrepancy. The deed from the State to Adam T. Thorp IV and Kay M. Thorp will contain the following legal description:

Lot 3, Block One, MEADOW OAKS, according to the certified Plat thereof on file and of record in the office of the County Recorder in and for Becker County, Minnesota.

For further information, contact Stephanie Warne at the Bureau of Real Estate Management, DNR, 500 Lafayette Road, St. Paul, MN 55155, (612) 296-0639.

Minnesota Pollution Control Agency

Water Quality Division

Request for Comments for Planned Amendment to Rule Governing Water Quality Permit Fees, Minnesota Rules parts 7002.0210 to 7002.0310

Subject of Rule. The Minnesota Pollution Control Agency (MPCA) requests comments on its planned amendments to rules governing water quality permit fees. The MPCA is considering rule amendments that will change the process for determining permit fees for National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) permits. These permits are issued to regulate pollutants discharged into state waters and activities that have the potential to pollute state waters. Planned rule revisions will change the fee calculation process by using actual performance information from permitted facilities to determine fees. Additional changes are being made in response to the implementation of a computer program that will change agency permitting procedures.

Persons Affected. The amendment to the rules would affect persons issued NPDES and SDS permits, which include municipalities and industries with wastewater treatment facilities and storm water runoff and feedlot operations. Work groups comprised of affected persons discussed options for fee rule revision from December 1993 to November 1994. The MPCA also worked with the Governor-appointed Blue Ribbon Task Force from July 1995 to December 1995. The Task Force evaluated the existing Point Source Permitting Program and provided rule revision recommendations. One of these recommendations is to use the amount of wastewater annually discharged from a treatment facility to help determine permit fees.

Statutory Authority. *Minnesota Statutes* Section 116.07, subdivision 4d (a) authorizes the MPCA to collect permit fees to cover the costs of reviewing and acting upon applications for agency permits and implementing and enforcing the conditions of the permits pursuant to agency rules. The statute further requires that, if the MPCA chooses to collect permit fees, it must adopt rules establishing a system for charging those fees which must reflect the MPCA's permitting, implementation, and enforcement costs.

Public Comment. Interested persons or groups may submit comments or information on these planned rule amendments in writing or orally until 4:00 p.m. on May 14, 1997. The MPCA has not yet prepared a draft of the planned rule amendments, but does anticipate that a preliminary draft of the amendments will be available before the publication of the proposed rule. Written or oral comments, questions, requests to receive a draft of the rule when it has been prepared, and requests for more information on this planned rule should be addressed to:

Charlotte Morrison
Point Source Section/Water Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
(612) 296-7229

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Peder A. Larson
Commissioner

Department of Revenue

Notice of Presumed Legal Cigarette Prices for Wholesalers and Retailers

The presumed prices for wholesalers and retailers as provided for by *Minnesota Statutes 325D* are shown in this schedule. The computations are based on manufacturer's list prices available as of March 28, 1997. A wholesaler or retailer may sell for less if they can show that their actual costs of doing business is lower than the presumed minimum.

	Presumed Minimum Wholesale Price Per Carton	Presumed Minimum Retail Price Per Carton	Presumed Minimum Retail Price Per Pack
Major Brands (Kings, Regulars 100's, 120's) Examples of major brands: Marlboro, Winston, Merits, Virginia Slims, Kools, Capri, Kent, Newport, Carlton	\$17.96	\$19.40	\$1.94
Players Lights 25's (Kings, 100's)	\$18.05	\$19.49	\$1.95
Marlboro 25's (Kings)	\$17.96	\$19.40	\$2.43
Old Gold, Richland 20's, Best Value, GPC'S, Basics, Mistys, Raliegh Extra, Viceroy, Doral, Riviera, Magna, Sterling, Cambridge, Am Light, Montclair, Pyramid, Bristol, Alpine, Bucks, Stars & Bars, Quality Lights, Class A, Black and Yellow (Kings, Regulars 100's, 120's)	\$15.14	\$16.35	\$1.64
Ligget Private Label (Kings, Regulars, 100's)	\$15.14	\$16.35	\$1.64

Department of Transportation

Petition of the Division of State Aid For Local Transportation for a Variance from State Aid Requirements for EXTENDING THE DATE FOR THE REQUEST OF MAINTENANCE REQUESTS

NOTICE IS HEREBY GIVEN that the Division of State Aid For Local Transportation has made a request to the Commissioner of Transportation pursuant to *Minnesota Rules 8820.3300* for a variance from rules as they apply to the allocation of maintenance of urban municipalities.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.1400 Subp. 3 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit the extension of the date maintenance funds may be requested to December 31, 1997, in lieu of the required date of submittal of December 16, 1996, adopted November 11, 1995.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 3 April 1997

Patrick B. Murphy
Division Director
State Aid for Local Transportation

State Grants and Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan 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 and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Administration

Governor's Council on Developmental Disabilities

Request for Proposal for a Contract Relating to Leadership Development and Cultural Diversity

The Governor's Council on Developmental Disabilities is pleased to announce that it is seeking proposals from nonstate agencies or organizations that have an established and credible community presence, understand the significance and effects of cultural diversity and disability, and are committed to developing community leaders among family members of individuals from diverse racial and ethnic backgrounds. Applicants must have experience in leadership training, community organizing, and direct experience with racial and ethnic communities.

Federal funds are available under provisions of the Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1996 (P.L. 104-183). One award of \$37,500 will be made to the successful applicant.

Each project is for approximately a one year period beginning as soon as possible after July 1, 1997. Funds must be used to implement a leadership training program for parents of young children with developmental disabilities who are also members of a racial or ethnic minority population.

For further information or to request a copy of the Request for Proposal, please contact:

Colleen Wieck, Executive Director
Governor's Council on Developmental Disabilities
300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
(612) 296-4018 voice (612) 296-9962 (TDD)

Department of Human Services

Family and Children's Services Division

Request for Proposals for Safe House/Emergency Shelter for Homeless Youth

The Minnesota Department of Human Services, Family and Children's Services Division is soliciting proposals from qualified agencies to provide shelter and related supportive services to homeless youth, ages 16-21, in Ramsey County. Qualified agencies must have 1) direct contact with the target population; 2) the capacity to provide or arrange for a continuum of services designed to assist youth in making a successful transition to adult economic independence; 3) the capacity to be fully operational by July 1, 1997; and be active participants in street outreach to the target population. Shelter must be licensed by the Department of Human Services.

Target population is defined as youth who have been "on run" or have not lived in the family home for at least 3 months; have failed existing runaway services or such services are deemed inappropriate; and for whom returning home is not a viable option. Youth must be referred to shelter by a community agency.

Program design must include the following components: 1) an environment that values and acknowledges cultural and gender differences; 2) lodging, food and services that include intake and assessment, case management, referral, security and supervision; 3) appropriate staff to provide case management and supervision; 4) Twenty-four hour phone coverage; 5) referral and transportation, if necessary, to appropriate community resources such as runaway programs or emergency social services; 6) coordination with community agencies to assure the provision of outreach, health care, counseling and housing resources to assist in establishing a plan for the ongoing needs of each youth entering and exiting the program.

Professional, Technical & Consulting Contracts

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.

One hundred sixty-five thousand dollars is available per year for a two year grant contact for services. All proposals must be submitted no later than May 9, 1997.

For a copy of the application please contact:

Suzanne Guttsen
Department of Human Services
Family and Children's Services Division
444 Lafayette Road
Saint Paul, Minnesota 55155-3832
(612) 297-1864

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, and final submission date of completed contract proposal.

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

Department of Administration

Building Codes and Standards Division

Request for Proposals to Contract for Inspection Services

NOTICE IS HEREBY GIVEN that proposals are being solicited to provide Contract Inspection Services for public and state licensed building projects in jurisdictions that do not have inspection agreements with the Department of Administration, Building Codes and Standards Division for the 70 counties who have not adopted the Minnesota State Building Code. Inspections are to be conducted in accordance with the Minnesota State Building Code. (*Minnesota Statutes* 16B.61 Subd. 1A and 16B.62 Subd. 1.) Contracts will be awarded only in those areas where there is a need for the services. Contracts will be extremely limited in the seven county Twin City metropolitan area. This Request for Proposals does not obligate the state to complete the contracts. Multiple contracts will be awarded. **This will be a two (2) year contract.** Individual work orders will be awarded to the contract inspector who is geographically closest to the job site. A contract is not a guarantee that work orders will be issued to every individual.

- A. Proposals are intended for individuals only. Any firm or corporation submitting a proposal must stipulate a specific person to perform service(s) and his/her specific experience.
- B. Public building project for this contract means a building and its grounds the cost of which is paid for by the state or a state agency regardless of its cost, and a school district building project the cost of which is \$100,000 or more. (*Minnesota Statute* 16B.60 Subd. 6)
- C. State licensed facilities. "State licensed facilities" means a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free-standing outpatient surgical center, or correctional facility.

Professional, Technical & Consulting Contracts

For complete details and application information contact this Division at the address listed below.

Margaret White
Building Codes and Standards Division
408 Metro Square Building
121 E. 7th Place
St. Paul, Minnesota 55101
(612)296-4626 (Voice) or 297-5353 (TDD-Minnesota Relay Service)
800-657-3944 (TDD-Greater Minnesota Relay Service)

PLEASE NOTE ONLY MS. WHITE IS AUTHORIZED TO ANSWER QUESTIONS. Responses to this request are due in the Building Codes and Standards Division offices by 3:30 on May 16, 1997.

Dated: 14 April 1997

Thomas R. Joachim
State Building Official

Department of Human Services

Notice of Availability of Contract for Assistance in Developing an Assessment Product for Use in Functional Assessment and in Identifying Health Care, Social Services and Support Needs of Persons With Disabilities (Physical/Developmental/Mental Health) in Project Sites in Minnesota

The Minnesota Department of Human Services is seeking application for professional services from recognized experts to assist the Minnesota Department of Human Services in developing an assessment product for the Demonstration Project for People with Disabilities (DPPD).

The Minnesota Department of Human Services, through the Demonstration Project in conjunction with counties, will develop and implement innovative models for providing acute and continuing care services and supports to people with disabilities. As part of developing these models, the State is interested in creating an assessment product which could provide DPPD Managed Care Organizations (MCOs) with enrollee-specific information. The assessment product will be designed for use in clinical and functional assessment and identifying health care, social services and support needs of people with disabilities (physical/developmental/mental health) in the Project sites. This product would address aspects of independent living skills, community integration, vocational interests, challenging behavior, health, environment, lifestyle interests and communication. The product may include tools and processes for implementation. Organizations with experience and expertise in the development of assessment tools and products are invited to submit proposals.

A contract will be awarded for a specified scope of work to be completed within the next year.

Proposals are due May 5, no later than 4:00 pm.

For a copy of the complete Request for Proposals, please contact:

Linda Webster, Assessment Contract Coordinator
Demonstration Project for People with Disabilities
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3857
Telephone: 612/296-5892

Board of Medical Practice

Call for Consultants to Provide Independent Opinion on Physician Care in Complaints

The Minnesota Board of Medical Practice regularly retains physicians as consultants to provide independent opinion regarding the care rendered by physicians who are the subject of complaints.

The bulk of the work of consulting physicians consists of a review of patient records and other records pertaining to the matter reported to the Board. The consulting physician is expected to provide the Board a written report of the review within four to six weeks of receipt of the materials.

The written report consists of:

- A summary of the care provided
- A statement of the expected or appropriate care
- An opinion as to whether the care provided met the minimum standard of care

The consultants may expect to attend one meeting of the Board's Complaint Review Committee, with the subject physician present. The consultant may be requested to testify at an administrative disciplinary hearing on behalf of the Complaint Review Committee.

The Board is currently expanding its consultant resource base. If you are interested in acting as a consultant for the Board, please send name, area(s) of practice and expertise, curriculum vitae, address, telephone number, and hourly rate to:

Board of Medical Practice
Attn: Mary Leinberger
2829 University Avenue SE, Suite 400
Minneapolis, MN 55414-3246

Department of Trade and Economic Development

Notice of Request for Proposals for Office of Tourism Database Architecture Analysis and Design

The Department of Trade and Economic Development (DTED) is requesting proposals for analysis and design work to complete a database architecture for the Minnesota Office of Tourism. Actual implementation of the design (developing the production version of the database application) will be done in a later contract.

A detailed Request for Proposals has been prepared by DTED. It describes the purpose, provides the background information on Tourism operations, describes the current database application, objectives for the new database application, deliverables, project activities, deadlines and the desired proposal format.

Vendors interested in submitting a proposal on this project should request the detailed RFP through the contact person listed at the end of this Notice. Proposals should be also submitted to this person. Proposals must be received by DTED no later than 5:00 P.M., Monday, May 12, 1997.

Contact Person: Dan Quillin
DTED
500 Metro Square Building
121 East 7th Place
St. Paul, MN 55101-2146
Telephone: (612) 296-8282
FAX: (612) 296-8833
E-Mail: dan.quillin@dted.state.mn.us

Non-State Public Bids, Contracts & Grants

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

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

Metropolitan Airports Commission

Requests for Qualifications for Architectural Consulting Services for the Lindbergh Terminal Complex

The Metropolitan Airports Commission (Minnesota) is soliciting Requests for Qualifications for architectural consulting services for the Lindbergh Terminal Complex at the Minneapolis-St. Paul International Airport.

One Preliminary Design Team and up to three Project Design Teams will be retained to provide a full range of design services. Submittals for the Preliminary Design consultant are due on May 9, 1997, and for the Project Design consultants June 6, 1997.

To obtain a copy of the RFQ, contact: Robert Vorpahl, Program Development Engineer, 6040 28th Avenue South, Minneapolis, MN 55450, (612) 726-8127.

Metropolitan Council

Notice of Request for Projects Under the Twin Cities Water Quality Initiative Grant Program

Purpose: The Twin Cities Water Quality Initiative Grant Program focuses on abating, controlling, and preventing nonpoint sources of pollution to the Mississippi, St. Croix, and Minnesota River systems. Projects that reduce phosphorus and Biochemical Oxygen Demand (BOD) substances will be given priority. It is anticipated that 1997 will be the final year of this grant program.

Eligible Project Sponsors: Public entities including state, federal, county, and city government; soil and water conservation districts; watershed management organizations; public schools; nonprofit organizations, or trade and professional organizations are eligible. The project must be located in whole or in part within the seven-county metropolitan area. The sponsor of a project located only partly in the metro area must be a state agency, or a governmental entity with jurisdiction in the metro area.

Proposal Submission Dates: Completed grant applications must be received by 4 p.m., Friday May 30, 1997, in the offices of the Metropolitan Council.

Grant Matching Funds: A match of 25 percent cash or in-kind matching funds is required for these grants.

To Receive an Application: Call the Metropolitan Council Data Center at 612/602-1140 or TDD 612/291-0904.

For More Information: Call Jack Frost, Project Manager, 612/602-1078, Joe Mulcahy, 612/602-1104, or TDD 612/291-0904.

Metropolitan Council Environmental Services

Notice of Request for Meter Prequalification Comments for Metropolitan Wastewater Treatment Plant (MWWTP)/Minneapolis Meter Improvements and MCES Project Number 920700/920720

NOTICE IS GIVEN that the Metropolitan Council Environmental Services (MCES) will receive comments on a draft Prequalification Document and related meter testing and evaluation program from meter manufacturers (Meter Vendors) or their authorized representatives, for the purpose of prequalifying and procuring magnetic flow meters (Goods), and special services (Services) for the Metropolitan Wastewater Treatment Plant (MWWTP) and interceptor system. Comments will be received until 3:00 P.M. on April 11, 1997.

The Meter Vendors are expected to participate in a procurement process for evaluation and testing of magnetic flow meters for flow measurement of raw wastewater. The process is expected to result in the procurement of four 72-inch meters, two 42-inch meters, two 30-inch meters, and two 20-inch meters. The process will include, but not be limited to:

- A. Submittal of data for Prequalification;
- B. Submittal of bids from prequalified Meter Vendors;
- C. Submittal of test meters from prequalified Meter Vendors;
- D. Performance testing and evaluation of submitted meters;
- E. Procurement of ten magnetic flow meters under two separate contracts.

Goods will be installed by others under separate construction contracts with the MCES for the MWWTP/Minneapolis Meter Improvements Project.

The estimated range for the work of the MWWTP/Minneapolis Meter Procurement is \$350,000 to \$400,000.

Copies of the Draft Prequalification Requirements and Documents may be obtained from MCES, Mears Park Centre, 230 E. 5th Street, St. Paul, MN 55101, Attn: Jan Bevins.

A Pre-submittal Informational Meeting is scheduled to be held in the auditorium of the St. Anthony Falls Hydraulics Laboratory, Mississippi River at 3rd Ave. SE, Minneapolis, MN on April 8, 1997 at 2:00 P.M. All Meter Vendors are encouraged to attend.

Direct inquiries to the MCES's Project Manager, Harold P. Voth at (612) 602-8728.

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Prequalification Requirements and Documents, or any modifications to them. If a contract for this Project is awarded in excess of \$50,000, the requirements of *Minnesota Rules*, Part 5000.3530 "Notice of Requirements for Affirmative Action to Ensure Equal Employment Opportunity" will be applicable. Copies of the above statutes and rules are available upon request from the MCES. Additional information is contained in the Prequalification Requirements and Documents.

The geographical area for this notice and contract is in the County of Ramsey, State of Minnesota.

Non-State Public Bids, Contracts & Grants

Minnesota Historical Society

Notice of Request for Proposals for the Provision and Installation of a Point of Sale (POS) and Retail Management System

The Minnesota Historical Society is seeking proposals for qualified firms and individuals to provide and install a Point of Sale and Retail Management System in the Society's History Center Museum Stores.

The Request for Proposals is available by calling or writing Deane M. Roe, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Proposals must be received not later than 2:00 p.m., May 2, 1997.

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

Ramsey County Public Works

Notice of Request for Prequalification Statements for Preliminary Engineering, Design and Other Services for Small Construction Projects

Ramsey County Public Works Department has requirements to provide engineering, design and other services for a variety of small projects. The projects may require the services of qualified consultants.

The services required are the preparation of feasibility reports, project memorandums, design study reports, field surveys, soil analysis, preliminary and detailed design plans, specifications for County State Aid Highway, Federal and State contracts, specifications for materials used in small projects, water quality pond design, hydrologic modeling for small storm water drainage estimates and preparation of environmental impact assessments and environmental site assessments (related to identification of soil contamination), and compost site plans, design and specifications. In some cases, the consultant will also be required to conduct public meetings and secure approval from the municipality, Minnesota Department of Transportation and other agencies as required for specific projects. The total contract will not exceed \$30,000.

Consultants who wish to be considered for any potential projects under this program should submit six copies of their prequalification brochure and/or resume, including federal forms 254 and 255, by Friday, May 9, 1997. The brochure and/or resume shall be limited to 20 pages. This is not a request for proposal. The prequalification will be used by the County as a mechanism for selecting which firms will be invited to an oral interview. It is expected a qualified list will be developed from the interview process which will remain in effect for the next five years.

Please send your response to Jim Tolaas, Project Engineer, Ramsey County Department of Public Works, 3377 North Rice Street, Shoreview, MN 55126 or Fax 612-482-5232.

Dated: 7 April 1997

Business

Recruitment Tools

VIDEO: Profile Minnesota

Great recruiting tool for businesses or educational institutions attempting to attract clients/students/employees to locate in Minnesota. Full-color video provides an overview of the state's quality of life and highlights Minnesota's outstanding industries and innovations. VHS, 12 minutes. (MN Dept. of Trade & Economic Development, 1989) Stock No. 4-3 \$28.95

New!

Positively Minnesota

New, full-color book highlights the "best of Minnesota" for presentation to prospective employees, students, businesses, and others. Presents information on Minnesota's economy, business climate, education and training opportunities, and the many features of the state that help create the "Minnesota lifestyle." (MN Dept. of Trade & Economic Development, 1996)

Package of 5	Stock No. 10-27	\$19.95
Package of 25	Stock No. 10-28	\$67.95
Package of 100	Stock No. 10-29	\$245.95

Minnesota Living

Designed to help any business, institution or individual present a picture of the attractive lifestyle and natural wonders of Minnesota to out-of-state business prospects, or potential new employees. *Minnesota Living* is packed with spectacular color photographs and inviting descriptions of our excellent educational system, healthy economy, and wide-ranging cultural and recreational opportunities. 28 pp. (MN Dept. of Economic Development, 1991)

Single copy—	Stock No. 10-36	\$4.00/ea.
Pkg. of 5—	Stock No. 10-37	\$18.95/pkg.
Pkg. of 25—	Stock No. 10-38	\$65.95/pkg.
Pkg. of 100—	Stock No. 10-39	\$239.95/pkg.

Planning

Tommorrow's Labor Force

Summarizes and maps future labor force trends for the state and counties. Statewide labor force projections are provided by age, sex and race. County projections are broken down by age and sex. (MN Planning, 1994) Stock No. 7-22 \$5.00

A Changing Population

Benefit from the research conducted by Minnesota Planning regarding the changing demographics of our state. Learn about projected growth of the state's minority population, the dramatic effect of the aging of the baby boom generation and the anticipated milestone Minnesota will pass in 2020 when the state's population should reach 5 million. 18pp. (MN Planning, 1993) Stock No. 7-19 \$5.00

Minnesota's Changing Counties

New county population projections, based upon a 10 year study by the State Demographer's Office, are presented in this publication. This report contains a description of population trends with 15 maps and 106 tables projecting populations for Minnesota's 87 counties, its regions, metropolitan and non-metropolitan areas. Learn which counties will be most affected by aging trends, which are projected to have the largest gain, and much more. 124pp. (MN Planning, 1993) Stock No. 7-20 \$19.95

Statistical Abstract of the New! United States - 1996

The "National Data Book" covers statistics on everything from population to national defense, from education to parks and recreation, from labor force to agriculture... 1011pp. (U.S. Commerce, 1996) Stock No. 16-38 \$40.00

Population, Household & Employment Forecasts 2000-2020

Provides data on present 1990 and future projections for population, household and employment for the Twin Cities Metro area. Includes forecast methodology. 16pp. (Metro Council, 1995) Stock No. 7-11 \$3.95

How Does the Twin Cities Area Compare?

Uses 1990 census results including a table with Twin Cities area ranking among the 25 largest metropolitan areas. Comparisons include population, households, persons per household, median age and more. 14pp. (Metro Council, 1992) Stock No. 7-10 \$3.95

Summary of Demographic Information for the Twin Cities Metropolitan Area

Provides a demographic description of the seven county metro area. Includes population and housing data covering race, age and household composition. Also data on income, poverty, labor force and educational attainment. 14pp. (Metro Council, 1995) Stock No. 7-9 \$3.95

Minnesota Milestones:

A Report Card for the Future

Documents long range goals for Minnesota developed following state-wide community meetings. Outlines a vision for the future with 20 broad goals and 79 milestones to measure our progress toward reaching these goals. 69pp. (MN Planning, 1992) Stock No. 10-22 \$6.95

Historical Retail Sales Data 1986-90

Check out retail activity to help identify the best location to open for business. Charts total gross sales for each of the four years and the number of businesses operated for each major retail category according to SIC code and by city. 275pp. (Revenue, 1992) Stock No. 10-44 \$23.95

Building Construction

Directory of Residential Building Contractors

Complete listing of residential contractors in Minnesota. Alphabetically organized by business name, directory provides contact person, address and license type: individual, partnership, corporation, builder, remodeler, specialty or transitional license. 215pp. (Commerce, 1996) Stock No. 99-39 \$49.95

ASHRAE Standard: Ventilation for Acceptable Indoor Air Quality

Details the minimum ventilation rates required to meet indoor air quality standards. 26pp. plus attachment - '93 interpretations. (ASHRAE, 1990) Stock No. 19-103 \$42.00

Handbook for Municipal Officials

Manual for understanding the application of MN Statutes and Rules governing the design profession in the State of Minnesota. Reviews exemptions to regulation and includes common questions and answers. Also includes listing of expected documentation for code submissions. 19pp. (AELSLAID, 1993) Stock No. 10-2 \$4.50

Accessible/Usable Buildings & Facilities

CABO/ANSI-A-117.1. In response to the Americans with Disabilities Act, this manual provides recommended standards for accessible buildings and spaces. Extensive tables and figures illustrate design elements. 95pp. (Amer. National Standards Inst., 1992) Stock No. 19-2 \$35.00

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also offers the UBC,
State Building Code,
and several other building
construction code books.**

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