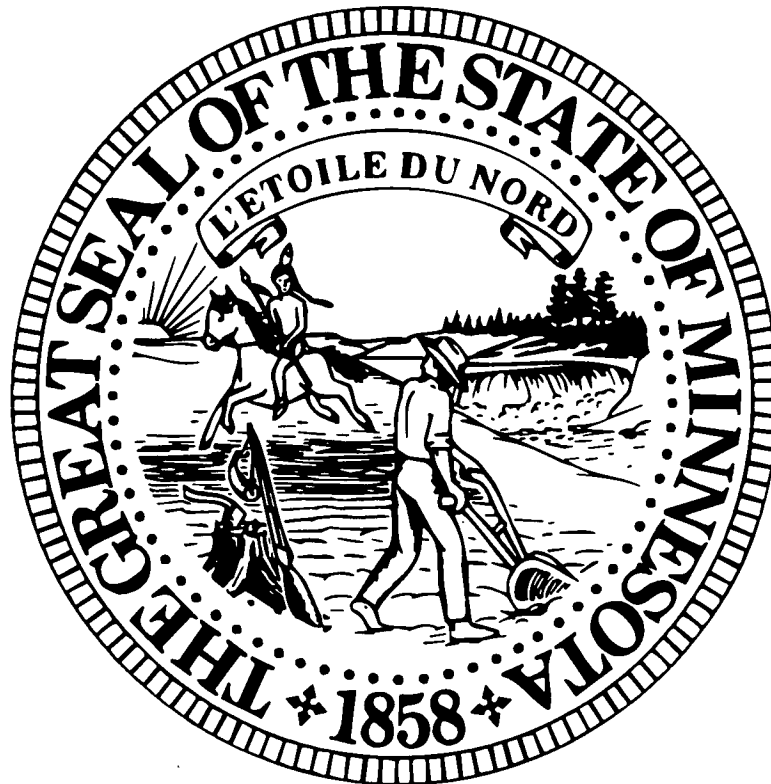


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State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

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

Printing Schedule and Submission Deadlines

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
# 8	Monday 19 August	Monday 5 August	Monday 12 August
# 9	Monday 26 August	Monday 12 August	Monday 19 August
# 10	Tuesday 3 September	Monday 19 August	Monday 26 August
# 11	Monday 9 September	Monday 26 August	Friday 30 August

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Joanne E. Benson, Lt. Governor 612/296-3391	Judi Dutcher, State Auditor 612/297-3670	Michael A. McGrath, State Treasurer 612/296-7091
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- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year subscription: \$150.00
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- "Professional-Technical-Consulting Award Reports," – monthly listing of previous month's awards of contracts and RFPs appearing in Monday's "*State Register*" magazine. Individual copies are \$15.00 per report, plus \$3.00 shipping if applicable. Order stock # 99-43. Six-month subscriptions cost \$75.00 and issues appear monthly. Order stock # 90-15. Available in hard copy format only.

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

Minnesota Rules: Amendments & Additions			
Volume 21, issues #1-8.....	232		
Proposed Rules			
Minnesota Tax Court			
Tax Court rules of procedure	234		
Adopted Rules			
Commerce Department			
Adopted exempt rules on uniform conveyancing forms.....	240		
Official Notices			
Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design Board			
Comments sought on planned amendments to rules for the requirements for continuing professional competency for the professions regulated by the board	243		
Commerce Department			
Comment sought on planned rules for bank audits.....	243		
Economic Security Department			
Comments sought on planned amendment to rules for vocational rehabilitation services	244		
Health Department			
Application for essential community provider designation ...	246		
Completed application and notice of and order for hearing before the Emergency Medical Services Regulatory Board on the license application of Ringdahl Ambulance, Fergus Falls	247		
Information and opinion sought on definitions of units for health insurance claim forms.....	248		
Labor & Industry Department			
Prevailing wage certifications for commercial construction projects.....	249		
Trade and Economic Development Department			
Public hearing by the Minnesota Agricultural and Economic Development Board on proposed projects and the issuance of bonds on behalf of The Evangelical Good Samaritan Society	249		
State Grants			
Corrections Department			
Funds available for pilot programs for college students to provide intensive monitoring for at-risk juveniles	251		
Health Department			
Proposals sought for two lead-related grants	251		
Professional, Technical & Consulting Contracts			
Natural Resources Department			
Proposals sought for department-wide revenue management system	253		
Proposals sought for production of forestry video.....	253		
Transportation Department			
Contract available for right-of-way acquisition assistance....	254		
Availability of a historic bridge	256		
Proposals sought to assist in negotiating a communications network agreement	257		
Veterans Home - Minneapolis			
Proposals sought for an assessment of the nursing department	258		
Non-State Public Bids, Contracts & Grants			
Central Ramsey Watershed Management Organization			
Notice of development of a list of interested accounting, engineering and legal firms	260		
Metropolitan Council Environmental Services			
Seeking letters of interest for professional design services or design/build services for the Empire WWTP Expansion ..	260		
The Professional-Technical-Consulting Contract Award Reports is published monthly.			
The <i>State Register Contracts Supplement</i> with commodities and price contracts advertised by the state is published every Tuesday, Wednesday and Friday. Award results are currently only available from the Materials Management Helpline.			
Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.			
Vendors interested in responding to the commodity and price contracts advertised in the Contracts Supplement should contact the Department of Administration Materials Management Division Helpline 612/296-2600.			

Minnesota Rules: Amendments and Additions

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

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

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

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

Volume 21, issues #1-8

Agriculture Department

1555.6730; .6740; .6800; .6840; .6845; .6950 (proposed).....	77
1555.6810; .6820; .6830; .6850; .6851; .6852; .6860; .6870; .6880; .6890; .6900 (proposed repealer).....	77

Arts Board

1900.0110; .0210; .0310; .0410; .0510; .0610; .0710; .0810; .0910; .1010; .1110; .1210; .1310; .1410; .1510; .1610; .1710; .1810; .1910; .2010; .2110; .2210; .2310; .2410; .2510; .2610; .2710; .2810; .3110; .3210; .3310; .3410; .3510; .3610; .3710; .3810; .3910; .4010; .4110 (adopted).....	5
1900.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900; .4000; .4100; .4200; .4300; .4400; .4500; .4600; .4700; .4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .5700; .5800; .5900 (repealed).....	5

Chiropractic Examiners Board

2500.0200; .1100; .1110; .1200; .1720; .1900; .2000; .5000 (adopted).....	196
------------------------------------------------------------------------------	-----

Commerce Department

2809.0010-.0230 (adopted).....	88
2725.0100-.0230; 2800.5100-.9905; 2808.3000-.7400; 2891.0060-.0280 (repealed).....	88

2820.3715; .4006 (adopted exempt).....	240
----------------------------------------	-----

2820.3710; .4005 (repealed).....	240
----------------------------------	-----

Health Department

4655.0090; .1084; .6500; .7000; .9200; .9210; .9337; .9339; .9342; 4658.0010; .0191; .0192; .0193; .0200; .0205; .0210; .0215; .0220; .0250; .0255; .0260; .0265; .0270; .0275; .0290; .0300; .0445; .0450; .0615; .0620; .0900; .0950; .0960; .0990; .1000; .1005; .1090; .1100; .1190; .1200; .1290; .1400; .1410; .1415; .1420; .1425; .1490; .1600; .1605; .1610; .1690; .2000; .2010; .2020; .2030; .2090; .3000; .3005; .3090; .3500; .3590; .4000; .4005; .4010; .4015; .4020; .4025; .4030; .4035; .4040; .4090; .4100; .4105; .4141; .4115; .4120; .4125; .4130; .4135; .4140; .4145; .4150; .4155; .4160; .4165; .4170; .4175; .4180; .4190; .4200; .4205; .4210; .4215; .4290; .4300; .4305; .4310; .4315; .4320; .4325; .4330; .4335; .4340; .4345; .4350; .4355; .4360; .4365; .4370; .4375; .4390; .4400; .4405; .4410; .4415; .4420; .4425; .4430; .4435; .4440; .4445; .4450; .4455; .4460; .4490; .4500; .4505; .4510; .4515; .4520; .4525; .4530; .4535; .4540; .4545; .4550; .4590; .4600; .4605; .4610; .4615; .4620; .4625; .4630; .4635; .4640; .4690; .5000; .5005; .5010; .5015; .5020; .5025; .5030; .5035; .5040; .5090; .5100; .5190; .5200; .5205; .5210; .5215; .5220; .5225; .5230; .5235; .5240; .5245; .5290; .5300; .5305; .5310; .5315; .5390; .5400; .5405; .5410; .5415; .5490; .5500; .5505; .5510; .5515; .5520; .5590; 4660.0090; .3900; .7800; .8000; .8310; 4665.0900; 9050.0040; .1070 (adopted).....	196
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

Minnesota Rules: Amendments and Additions

<p>4655.0100 s.4,8,10; .7500; .8000; .9070; .9300; .9320; .9321; .9322; .9323; .9324; .9325; .9326; .9327; .9328; .9329; .9330; .9331; .9332; .9333; .9334; .9335; .9336; .9337; .9338; .9339; .9341; 4660.1300; .1400; .1410; .1420; .1430; .1440; .1450; .1460; .1470; .1480; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2610; .2620; .2630; .2640; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .5700; .5800; .5810; .7600; .8010; .8300; .8380; .8410; .8500; .8510; .8520; .8530; .8540; .8550; .8560; .8700; .9910; .9920; .9930 (repealed) 196</p> <p>4688.0005; .0010; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160 (adopted)..... 6</p> <p>Labor & Industry Department</p> <p>5205.0010 (adopted) 202</p> <p>5229.0010-.0060 (proposed)..... 139</p> <p>Natural Resources Department</p> <p>6232.0900; 4300 (adoped expedited emergency) 89</p> <p>6240.1200; .1500; .1600; .1700; .1800; .1850 (adopted expedited emergency) 209</p> <p>Peace Officer Standards and Training Board</p> <p>6700.0100; .0300; .0601; .0700; .0701; .1101 (proposed)..... 144</p> <p>Health Licensing Boards</p> <p>6950.1000-.1090 (proposed)..... 43</p> <p>Pollution Control Agency</p> <p>7002.0015; .0025; .0035; .0045; .0055; .0065; .0075; .0085; .0100; 7007.0150; .0300; .0500; .1110; .1115; .1120; .1125; .1130; .1300; 7019.1000; .3000; .3020; .3030; .3040; .3050; .3060; .3070; .3080; .3090; .3100 (adopted) 165</p>	<p>7002.0015 s.2,4; .0025 s.2; .0095; 7005.0100 s.10c,10d; .0300 s.2; 7019.3010 (repealed) 165</p> <p>7025.0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290; .0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380 (adopted) 202</p> <p>Psychology Board</p> <p>7200.6100; .6170 (proposed) 86</p> <p>7200.6105 (proposed) 113</p> <p>7200.6150; .6160 (proposed repealer) 86</p> <p>Minnesota State Lottery</p> <p>7856.2010; .2020; .3010; .3011; .3020; .4020; .4050; .6010 (adopted) 147</p> <p>Tax Court</p> <p>8610.0010-.0150 (proposed)..... 234</p> <p>8600.0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .9910; .9920; .9930; .9940; .9950; .9960 (proposed repealer) 234</p> <p>Human Services Department</p> <p>9505.0175; .0395 (proposed) 163</p> <p>9505.0326; .0327 (proposed) 48</p>
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Proposed Rules

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

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

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

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

Minnesota Tax Court

Proposed Permanent Rules Relating to Tax Court Rules of Procedure

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendment to Rules Governing Tax Court Procedures, *Minnesota Rules* parts 8610.0010 to 8610.0150.

Introduction. The Minnesota Tax Court intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedures 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 Tax Court's contact person. The Tax Court's contact person is:

Susan Wozniak
Tax Court Administrator
Minnesota Tax Court
Minnesota Judicial Center
25 Constitution Avenue
St. Paul, Minnesota 55155
(612) 296-2806

Subject of Rules and Statutory Authority. The proposed rules are about Minnesota Tax Court procedures. The statutory authority to adopt these rules is contained in *Minnesota Statutes* § 271.06, subd. 7. A copy of the proposed rules is published in the *State Register*.

Comments. You have until 4:30 p.m. on September 20, 1996 to submit written comments 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 Tax Court contact person by the due date. Comment is encouraged. Your comment 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 Tax Court contact person by 4:30 p.m. on September 20, 1996. 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 Tax Court 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 Tax Court must give written notice of this to all persons who requested a hearing, explain the actions the Tax Court took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Tax Court will follow the procedures in *Minnesota Statutes*, Section 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 Tax Court contact person at the address or telephone number listed above.

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 Tax Court, 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 Tax Court 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. The Minnesota Tax Court will send a copy of the Statement of Need and Reasonableness to anyone who requests a copy.

Adoption and Review of Rules. If no hearing is required, the Tax Court 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 Tax Court to receive notice of future rule proceedings, submit your request to the Tax Court contact person listed above.

Dated this 2nd day of August, 1996 to be published in the August 19, 1996 issue of the *State Register*.

Diane L. Kroupa, Judge
Minnesota Tax Court

Rules as Proposed (all new material)

TAX COURT RULES OF PROCEDURE

8610.0010 REPRESENTATION.

The following persons may practice before the tax court in a regular division matter:

- A. a lawyer licensed to practice law in Minnesota;
- B. a lawyer licensed to practice law in a jurisdiction other than Minnesota who complies with part 8610.0020;
- C. an individual, when representing the individual or a partnership in which the individual is a general partner; and
- D. the sole shareholder of a corporation or sole member of a limited liability company, when representing the corporation or limited liability company. Except as provided in this item, a lawyer must represent a corporation or limited liability company.

8610.0020 PRACTICE BEFORE TAX COURT BY NONRESIDENT LAWYERS.

Subpart 1. **Affidavit required.** A lawyer licensed to practice in the trial courts of a jurisdiction other than Minnesota may, in the discretion of the tax court, appear before the tax court if:

- A. the nonresident lawyer files an affidavit with the tax court and serves the affidavit on opposing counsel at the time an appeal is filed under *Minnesota Statutes*, chapter 271, or at the time a petition is filed under *Minnesota Statutes*, chapter 278;
- B. the affidavit establishes that the nonresident lawyer is familiar with and prepared and willing to follow Minnesota's:
 - (1) Rules of Civil Procedure;
 - (2) Rules of Evidence;
 - (3) Rules of Professional Conduct;
 - (4) Rules on Lawyers Professional Responsibility; and
 - (5) Tax Court Rules of Procedure; and
- C. the nonresident lawyer includes with the affidavit a certificate of good standing from the jurisdiction issuing the nonresident lawyer's license to practice law.

Subp. 2. **Motion to oppose; denial of privilege.** No later than 30 days before the first scheduled hearing on the matter, opposing counsel may move the tax court for a hearing to oppose the practice of the nonresident lawyer before the tax court. The opposing counsel has the burden of establishing cause to deny the nonresident lawyer the privilege of practicing before the tax court. This

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>

Proposed Rules

hearing may be conducted by telephone. Failure of opposing counsel to respond within the specified time period waives opposing counsel's right to contest the nonresident lawyer's practice before the tax court. The tax court may, for cause, deny the nonresident lawyer the privilege of practicing before the tax court.

Subp. 3. **Subject to discipline; jurisdiction of courts.** A lawyer appearing pursuant to this part is subject to the disciplinary rules and regulations governing Minnesota lawyers and is subject to the jurisdiction of the Minnesota courts.

8610.0030 EXTENSION OF TIME TO APPEAL FROM AN ORDER OF COMMISSIONER OF REVENUE.

A request for an extension of time to appeal from an order of the commissioner of revenue should be made to the tax court either by telephone or by mail to the main office of the tax court in St. Paul, Minnesota.

If the request for an extension of time is received within 60 days of the making and filing of the order, the tax court will extend the time to appeal for an additional 30 days. If the request for an extension is made more than 60 days after the making and filing of the order, the tax court may, for cause shown, extend the time for appeal to a date not more than 90 days from the date of the making and filing of the order of the commissioner. A request for an extension made more than 60 days after the making and filing of the order must explain why the extension was not requested within the original 60-day period.

8610.0040 FORM FOR APPEAL FROM ORDER OF COMMISSIONER.

Subpart 1. **Caption.** A notice of appeal from an order of the commissioner of revenue and all other papers filed with the tax court in its St. Paul office or in district court must contain a caption in the following form:

**STATE OF MINNESOTA
TAX COURT**

In The Matter of the Appeal from
the Commissioner's Order dated
_____ relating to
_____ type of tax of
_____ for the
_____ year ending.

Subp. 2. **Notice of appeal.** A notice of appeal must refer to the order appealed from, state specifically the points of law and fact questioned by the appellant, and provide an address where service of notice and other papers in the matter may be made upon the appellant.

Subp. 3. **Parties.** In all appeals under this part the appellee is the commissioner of revenue, who shall be designated by the official title without naming the individual holding the office. If a change occurs in the individual holding the office while an appeal is pending, the appeal does not abate and no substitution of parties is necessary.

The appellant is the taxpayer or the person or agency authorized by *Minnesota Statutes*, chapter 271, to appeal from an order of the commissioner.

Subp. 4. **Small claims.** If the appellant elects to file the appeal in the small claims division, the appeal must contain the following statement:

THE APPELLANT(S) IS (ARE) AWARE OF THE FACT THAT NO APPEAL MAY BE HAD FROM A SMALL CLAIMS DECISION AND AGREE(S) THAT THE DECISION OF THE TAX COURT SHALL BE CONCLUSIVE.

8610.0050 FORM FOR PETITION RELATING TO PROPERTY TAXES.

Subpart 1. **Caption.** A petition and all other papers in matters arising under Minnesota property tax laws must contain a caption in the following form:

STATE OF MINNESOTA

COURT
(DISTRICT OR TAX)

COUNTY OF _____

JUDICIAL DISTRICT
_____ DIVISION
(REGULAR or SMALL CLAIMS)

_____,
Petitioner(s),

vs.

County of _____,

Respondent.

Court File No. _____

Subp. 2. **Petition relating to real property tax.** A petition under this part must be in substantially the following form:

1. Petitioner(s) has/have an interest pursuant to *Minnesota Statutes*, section 278.01, in that tract of land situated in the city/township of, county of, State of Minnesota, described as follows:

[insert here official description of land]

2. The assessment date at issue is January 2,, for taxes payable in year

3. Petitioner(s) claim(s) that

[insert here claim and relief requested]

[Examples of claims include the estimated market value is greater than the property's actual market value as of the assessment date at issue; the subject property is unequally assessed when compared with other property; the classification of the property is incorrect; the subject property is exempt from taxation; and other claims over which the court has jurisdiction.]

WHEREFORE, petitioner(s) pray(s) for a determination of the claim before the tax court.

Subp. 3. **Small claims.** If the petitioner elects to file the petition in the small claims division, it must contain the following statement:

THE PETITIONER(S) IS (ARE) AWARE OF THE FACT THAT NO APPEAL MAY BE HAD FROM A SMALL CLAIMS DECISION AND AGREE(S) THAT THE DECISION OF THE TAX COURT SHALL BE CONCLUSIVE.

8610.0060 CONTINUANCES.

The tax court reserves the right to order continuances or postponements on its own motion.

8610.0070 MOTION PRACTICE.

Subpart 1. **Scope and application.** Except as otherwise provided in *Minnesota Statutes*, chapters 271 and 278, this part governs pretrial motion practice before the tax court, other than motions to continue or motions to consolidate.

Subp. 2. **Definitions.** Motions are either dispositive or nondispositive, as defined in items A and B.

A. "Dispositive motions" are motions that seek to dispose of all or part of the claims or parties, except motions for default judgment. They include motions to dismiss a party or claim, motions for summary judgment, and motions under *Minnesota Rules* of Civil Procedure 12.02(a)-(f).

B. "Non-dispositive motions" are all other motions, including, but not limited to, discovery, third party practice, temporary relief, intervention, and amendment of pleadings.

Subp. 3. **Time.** The time limits in this part are to provide the tax court adequate opportunity to prepare for and promptly rule on matters, and the tax court may modify the time limits. The time allowed for summary judgment motions, however, may not be less than the time established by *Minnesota Rules* of Civil Procedure 56.03. If this part requires documents to be filed with the tax court administrator within a prescribed period of time before a specific event, filing may be accomplished by mail, subject to the following:

A. three days must be added to the prescribed period; and

B. filing may not be considered timely unless the documents are deposited in the mail within the prescribed period.

Minnesota Rules of Civil Procedure, 5.02 and 6.05, apply regarding service of documents by mail.

Subp. 4. **Obtaining hearing date; notice to parties.** A hearing date and time must be obtained from the tax court administrator. A party obtaining a date and time for a hearing on a motion or for any other calendar setting, shall promptly give notice advising all other parties who have appeared in the action so that cross motions may, insofar as possible, be heard on a single hearing date. The notice to the other parties must contain a statement describing the nature of the motion and the relief sought.

Subp. 5. **Dispositive motions.**

A. No dispositive motion may be heard until the moving party serves a copy of the following documents on opposing counsel or party if that party is pro se and files the original with the tax court administrator at least 28 days prior to the hearing:

(1) notice of motion and motion;

(2) proposed order;

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

- (3) any affidavits and exhibits to be submitted in conjunction with the motion; and
- (4) memorandum of law.

B. The party responding to the motion shall serve a copy of the following documents on opposing counsel or party if that party is pro se and shall file the originals with the tax court administrator at least nine days prior to the hearing:

- (1) memorandum of law; and
- (2) any supplementary affidavits and exhibits to be submitted in conjunction with the response.

C. The moving party may submit a reply memorandum, limited to new legal or factual matters raised by an opposing party's response to a motion, by serving a copy on opposing counsel or party if that party is pro se and filing the original with the tax court administrator at least three days before the hearing.

D. For summary judgment motions, the memorandum of law must include:

- (1) A statement by the moving party of the issues involved that are the grounds for the motion for summary judgment.
- (2) A statement identifying all documents, such as depositions or excerpts of depositions, pleadings, exhibits, admissions, interrogatory answers, and affidavits, which comprise the record on which the motion is made. Opposing parties shall identify in their responding memorandum of law any additional documents on which they rely.
- (3) A recital by the moving party of the material facts that are not in genuine dispute, with a specific citation to that part of the record supporting each fact, such as deposition page and line or page and paragraph of an exhibit. A party opposing the motion shall make a similar recital of any material facts claimed to be in dispute.
- (4) The party's argument and authorities. Subitem (3) is excluded from the page limitations of subpart 7.

Subp. 6. Nondispositive motions.

A. No nondispositive motion may be heard until the moving party serves a copy of the following documents on opposing counsel or party if that party is pro se and files the original with the tax court administrator at least 14 days prior to the hearing:

- (1) notice of motion and motion;
- (2) proposed order;
- (3) any affidavits and exhibits to be submitted in conjunction with the motion; and
- (4) any memorandum of law.

B. The party responding to the nondispositive motion shall serve a copy of the following documents on opposing counsel or party if that party is pro se and shall file the original with the tax court administrator at least seven days prior to the hearing:

- (1) a memorandum of law; and
- (2) any relevant affidavits and exhibits to be submitted in conjunction with the response.

C. The moving party may submit a reply memorandum, limited to new legal or factual matters raised by an opposing party's response to a motion, by serving a copy on opposing counsel or party if that party is pro se and filing the original with the tax court administrator at least three days before the hearing.

Subp. 7. **Page limits.** No memorandum of law submitted in connection with either a dispositive or nondispositive motion may exceed 35 pages, exclusive of the recital of facts required for each motion, except with permission of the tax court. For motions involving discovery requests, the moving party's memorandum must set forth only the particular discovery requests and the response or objection to them which are the subject of the motion, and a concise recitation of why the response or objection is improper. If a reply memorandum of law is filed, the cumulative total of the original memorandum and the reply memorandum must not exceed 35 pages, except with permission of the tax court.

Subp. 8. **Failure to comply.** If the moving papers are not properly served and filed, the hearing may be canceled by the tax court. If responsive papers are not properly served and filed in a nondispositive motion, the tax court may consider the motion unopposed and may grant the relief requested without a hearing. For a dispositive motion, the tax court, in its discretion, may refuse to permit oral argument by the party not filing the required documents, may allow reasonable attorney's fees, or may take other appropriate action.

Subp. 9. **Relaxation of time limits.** If irreparable harm will result without immediate action by the court, or if the interests of justice otherwise require, the tax court may waive or modify the time limits established by this part.

Subp. 10. **Witnesses.** No testimony will be taken at motion hearings except under unusual circumstances. A party seeking to present witnesses at a motion hearing must obtain prior consent of the tax court and must notify the adverse party in the motion papers of the names and addresses of the witnesses that party intends to call at the hearing.

Subp. 11. **Telephone hearings.** If a motion is authorized by the tax court to be heard by telephone conference call, the moving party shall either initiate the conference call or comply with the court's instructions on initiation of the conference call. Dispositive motions must be recorded. Nondispositive motions may be recorded at the request of either party or on motion of the tax court. "Recorded" for this purpose means by tape recording or by a court reporter, as determined by the tax court.

8610.0100 STIPULATION OF FACTS.

The parties may stipulate in writing to any or all questions of fact involved in the appeal or petition. An original and one copy of the stipulation must be filed with the tax court.

8610.0110 SUBMISSION WITHOUT HEARING.

If all parties to an appeal or petition by written stipulation waive their right to a public hearing, the parties may submit the matter to the tax court on written stipulation of facts and briefs. After the submission the court may, in its discretion, require appearance for the taking of further testimony or for oral argument. If an appearance is required, notice must be given by mail to all parties at least ten days before the hearing.

8610.0120 HEARINGS.

Subpart 1. **Open to public.** Hearings before the tax court are open to the public. All findings and decisions of the tax court, after they have been filed with the court administrator, are a matter of public record.

Subp. 2. **Additional hearings.** If, after the holding of any hearings in any matter, the tax court finds the rights of the parties will be better served by the holding of a further hearing in the matter, the court may order a further hearing and provide notice to all parties to the proceeding.

8610.0130 DOCUMENTARY EVIDENCE.

If originals of books, documents, records, or other papers have been received in evidence, a copy of them, or of so many of them as may be material or relevant, may in the discretion of the court be substituted. Copies of documents will be admitted as evidence under the Rules of Evidence.

Originals of books, documents, records, diagrams, or other exhibits introduced in evidence before the court may be withdrawn from the custody of the court in the manner and upon the terms the court in its discretion prescribes.

An original and one copy of all exhibits must be furnished to the court, and a copy must be furnished to opposing counsel or the opposing party if the party is pro se.

8610.0140 AMICUS CURIAE BRIEFS.

A person interested in or affected by a matter pending before the tax court may petition the court for leave to file a brief amicus curiae. The tax court in its discretion may grant or deny the petition.

8610.0150 REQUEST FOR COSTS AND DISBURSEMENTS.

No later than 90 days after the date of a final order of the tax court, a party may file a motion that costs and disbursements be granted to the prevailing party in the case of a commissioner of revenue matter under *Minnesota Statutes*, chapter 271, or be included in the judgment in the case of a real estate tax appeal under *Minnesota Statutes*, chapter 278. The moving party must file an affidavit with the tax court outlining the basis for granting costs and itemizing the items and amounts to be granted. The moving party shall serve a copy of the affidavit on the other party to the action and file proof of service with the tax court. Within ten days of being served, the other party must notify the moving party and the tax court of any objection to the request for costs and disbursements and the basis of the objection. The objection to an award must clearly state the basis of the objection and copies of the objection must be served on the moving party and proof of service filed with the tax court. The tax court may order a hearing within 20 days of receiving an objection to determine whether costs and disbursements will be awarded. The hearing may be conducted by telephone. Failure to respond within the ten-day period waives the other party's right to contest awarding costs.

REPEALER. *Minnesota Rules*, parts 8600.0200; 8600.0300; 8600.0400; 8600.0500; 8600.0600; 8600.0700; 8600.0800; 8600.0900; 8600.1000; 8600.1100; 8600.1200; 8600.1300; 8600.1400; 8600.1500; 8600.1600; 8600.1700; 8600.1800; 8600.1900; 8600.2000; 8600.9910; 8600.9920; 8600.9930; 8600.9940; 8600.9950; and 8600.9960, are repealed.

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

Adopted Rules

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

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

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

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

Department of Commerce

Adopted Exempt Rules Governing Uniform Conveyancing Forms

Rules as Proposed (all new material)

2820.3715 FORM 47 1/2-M: ASSIGNMENT OF MORTGAGE BY CORPORATION OR PARTNERSHIP WITH CHANGE OF NAME OR IDENTITY.

Subpart 1. **Recommended form.** The recommended form for an assignment of a mortgage by a corporation or partnership with a change of name or identity pursuant to *Minnesota Statutes*, section 507.411 is contained in subpart 2.

Subp. 2. Contents.

ASSIGNMENT OF MORTGAGE Form No. 471/-M Minnesota Uniform Conveyancing Blanks (5/14/96)
By Corporation or Partnership with Change of Name or Identity Pursuant to Minn. Stat. § 507.411

Assignment Of Mortgage

Date

(reserved for recording data)

FOR VALUABLE CONSIDERATION, _____

a _____ under the laws of _____ Assignor, hereby sells, assigns and transfers to _____

Assignee, the Assignor's interest in the Mortgage dated _____ executed by _____

as Mortgagor, to _____ as Mortgagee, and filed for record _____ Date _____, as Document Number _____

(or in Book _____ of _____ Page _____), in the Office of the (County Recorder) (Registrar of Titles) of _____ County, Minnesota, together with all right and interest in the note and obligations therein specified and the debt thereby secured. Assignor covenants with Assignee, its successors and assigns, that there is still due and unpaid of the debt secured by the Mortgage the sum of _____

_____ DOLLARS, with interest thereon from _____ Date _____, and that Assignor has good right to sell, assign and transfer the same.

The undersigned has changed its name or identity from _____ to _____ as a result of merger, consolidation, amendment to charter or articles of incorporation, or conversion of articles of incorporation or charter from federal to state, state to federal, or from one form of entity to another.

ASSIGNOR

By _____ Its _____ By _____ Its _____

STATE OF MINNESOTA

COUNTY OF _____ }

Check here if part or all of the land is Registered (Torrens)

The foregoing instrument was acknowledged before me on _____ Date _____

by _____ and _____ the _____ and _____ of _____, a _____ under the laws of _____, on behalf of the _____

THIS INSTRUMENT WAS DRAFTED BY GRAMES & ADDRESS:

SIGNATURES OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL FOR OTHER TITLE OR BARGE

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

Adopted Rules

2820.4006 FORM 51 1/2-M: SATISFACTION OF MORTGAGE BY CORPORATION WITH CHANGE OF NAME OR IDENTITY.

Subpart 1. **Recommended form.** The recommended form for a satisfaction of mortgage by a corporation with a change of name or identity pursuant to *Minnesota Statutes*, section 507.411, is contained in subpart 2.

Subp. 2. Contents.

SATISFACTION OF MORTGAGE Form No. 51 1/2-M Minnesota Uniform Conveyancing Blanks (5/14)

By Corporation with Change of Name or Identity Pursuant to Minn. Stat. § 507.411

Satisfaction Of Mortgage

(reserved for recording data)

Date _____

THAT CERTAIN MORTGAGE owned by the undersigned, a _____ under the laws of _____, dated _____, executed by _____, as Mortgagor, to _____, as Mortgagee, and filed for record _____, as Document Number _____ (or _____) in Book _____ of _____ Page _____, in the Office of the (County Recorder) (Registrar of Titles) of _____ County, Minnesota, is, with the indebtedness thereby secured, fully paid and satisfied.

The undersigned has changed its name or identity from _____ to _____ as a result of merger, consolidation, amendment to charter or articles of incorporation, or conversion of articles of incorporation or charter from federal to state, state to federal, or from one form of entity to another.

By _____
Its _____

By _____
Its _____

STATE OF _____ }
COUNTY OF _____ } as

Check here if part or all of the land is Registered (Torrens)

The foregoing instrument was acknowledged before me on _____ Date _____ by _____ and _____ the _____ and _____ of _____, a _____ under the laws of _____, on behalf of the _____

THIS INSTRUMENT WAS DRAFTED BY (NAME & ADDRESS):

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR NAME)

REPEALER. *Minnesota Rules*, parts 2820.3710, and 2820.4005, are repealed.

Pursuant to the provisions of Minnesota Statutes §14.101, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design (AELSLAGID)

Request for Comments on Planned Amendments to Rules Governing the Requirements for Continuing Professional Competency for the Professions Regulated by the Board

Subject of Rules. The Minnesota Board of AELSLAGID (Board) requests comments on its planned amendments to rules governing requirements for continuing professional competency for the professions regulated by the Board. The Board is considering rules amendments that establish the minimum requirements, the educational opportunities which qualify, limitations on various educational opportunities, and penalties which accrue for failure to meet the proposed requirements.

Persons Affected. The amendments to the rules would likely affect all individuals licensed or holding a certificate from the Board.

Statutory Authority. *Minnesota Statutes*, section 326.06, authorizes the Board to adopt rules needed to perform its duties with regard to the licensure of the professions which it regulates.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the Board intends to adopt the rules. The Board does not contemplate appointing an advisory committee to comment on the planned rules.

Rules Drafts. The Board has prepared a draft of the planned rules amendments.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, and requests for more information on these planned rules should be addressed to: Janet Skowronek, Board of AELSLAGID, 133 - 7th., St. Paul, MN 55101, (612) 296-2388. TDD users may call the Board at (612) 297-5353.

Alternative Format. Upon request, this Request for Comments 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.

Dated: 5 August 1996

R. Richard Gauger, Chair
Board of AELSLAGID

Department of Commerce

Request for Comment on Planned Rules Regarding Bank Audits - *Minnesota Rules 2675.2600-2675.2620*

Subject of Rules. Changes in technical standards adopted and effective April 30, 1996 by the Auditing Standards Board of the American Institute of Certified Public Accountants are prompting review of these existing Minnesota Rules. Specific concern is directed at Agreed Upon Procedure engagements relating to the internal audit control aspects of the board of directors' annual examination of the books of a bank required by *Minnesota Statutes*, Section 48.10. Where such an examination is conducted by an independent accountant, SAS 75 now indicates that a CPA can no longer do special or limited purpose reports unless the engagement contains specific agreed upon procedures. Also, use of the report is limited to those having agreed to the specific procedures to be performed which may hamper use of the report for purposes of this rule. Existing rules relating to the required review by board of directors of internal audit control policies and procedures may be viewed as overly subjective to constitute an acceptable basis for conducting limited purpose or special reports under SAS 75. Best methods of implementing the purpose of the law, rule and use of the resulting report under these circumstances are being sought.

Persons Affected. The adoption of the planned audit rules would affect banks, trust companies, savings banks and those individuals or firms contracting to perform audit work for those institutions.

Official Notices

Statutory Authority. The adoption of the rule or amendments is authorized by *Minnesota Statutes*, Section 45.023, which permits the Commissioner of Commerce to adopt rules whenever necessary or proper in discharging the Commissioner's official responsibilities. An annual audit report is required by *Minnesota Statutes*, Section 48.10.

Rules Drafts. The Department has prepared a draft of the planned rules amendments which will be available before publication of the proposed rules.

Public Comment. Interested persons or groups may submit comments in writing or orally until 4:30 p.m. on September 30, 1996. The Department does not contemplate appointing an advisory committee on the planned rules.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, or for more information on the planned rules should be addressed to:

Allyn R. Long, Assistant Commissioner
Financial Examinations Division
Department of Commerce
133 East Seventh Street
St. Paul, Minnesota 55101
(612) 297-2750

Alternative Format. Upon request, this Request for Comments can be made available in alternative format, such as large print and recorded message. To make a request for large print, please contact the agency contact person at the address or telephone number listed and to listen to it on the recorded message, twenty-four hours a day, telephone (612) 297-7053.

Note: Comments submitted in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge when a proceeding to adopt rules is started.

Minnesota Department of Economic Security

Request for Comments on Planned Amendment to Rules Governing Vocational Rehabilitation Services, *Minnesota Rules* 3300.5000 to 3300.5060

Subject of Rule. The Minnesota Department of Economic Security, Rehabilitation Services (RS) Branch, requests comments on its planned amendments to the rule governing vocational rehabilitation services. RS expects that any vocational rehabilitation rule amendments would go into effect no earlier than the spring of 1997, and that amendments affecting postsecondary training would apply to the 1997-98 academic year. The Department is interested in public comments and information about the amendments under consideration, including alternatives to the approaches the Department is considering. The Department is considering rule amendments dealing with the following subjects.

- **Postsecondary Training Tuition Cap:** RS is considering amendments to the tuition cap provisions in the rules. RS is considering eliminating the cap on RS payments for tuition and fees for undergraduate programs at Minnesota public colleges and universities. The maximum RS payment would be the actual cost of tuition and mandatory fees. For undergraduate programs at all private and all out-of-state public colleges and universities, the cap would be changed to the highest cost for tuition and mandatory fees for 45 credits in three quarters at Minnesota State Universities in the Minnesota State College and University (MnSCU) system (for bachelor's degree programs) or MnSCU community colleges/technical schools (for non-bachelor's undergraduate programs).

For *all* graduate programs, including graduate programs at the University of Minnesota, the tuition cap would be the highest cost of graduate school tuition and fees at Minnesota State Universities in the MnSCU system.

Applicable tuition caps would apply to private and/or out-of state undergraduate programs and all graduate school programs. However, RS does not intend to change the current provision that the undergraduate tuition cap does not apply to Gallaudet University and National Technical Institute for the Deaf.

- **Summer School Tuition Cap:** RS is considering establishing a new summer school tuition cap. For undergraduate programs at Minnesota public colleges and universities the tuition cap would be the actual cost of tuition and mandatory fees for full time attendance at two summer school sessions. For undergraduate summer school programs at all private and all out-of-state public colleges and universities, the cap would be the highest cost for tuition and mandatory fees at MnSCU State Universities (for bachelor's degree programs) or MnSCU Community Colleges/Technical Colleges (for non-bachelor's undergraduate programs). For all graduate programs the maximum would be the highest costs of summer school graduate school tuition and fees at Minnesota State universities in the MnSCU system.

- **Prorating Tuition & Fee Payment:** RS is considering prorating summer school tuition and fee payments when a vocational rehabilitation consumer is attending fewer than two summer school sessions. RS is also considering changing the way it prorates payments of tuition and fees for vocational rehabilitation consumers attending postsecondary training less than full-time. RS is considering accepting the postsecondary institution's determination of full-time or part-time status instead of basing prorating on the number of credit hours.
- **College Financial Aid Disregard:** RS is examining the potential financial impact of disregarding a small portion of the consumer's Pell Grant or Minnesota entitlement grant when calculating the RS contribution toward tuition and fees, when a vocational rehabilitation consumer's gross family income is no more than 187.5% of the federal poverty level, as long as this disregard does not reduce the amount of financial aid available to the consumer from the postsecondary institution.
- **Books, Supplies, Tools and Equipment for Postsecondary Training:** RS is considering an amendment to clarify that any "excess" gift aid over and above tuition and fees must be applied to the cost of books, supplies, tools and equipment. RS will pay only for the books, supplies, tools & equipment required of all students in the program.
- **Postsecondary Training Programs Offered Jointly by Community Rehabilitation Programs and Colleges or Universities:** RS is considering changing the definition of postsecondary training to specifically include postsecondary training programs offered jointly by community rehabilitation programs and postsecondary institutions where financial aid is available through the postsecondary institution.
- **Maintenance (Payments for Added Living Costs Due to Participation in Vocational Rehabilitation Services):** RS is considering amendments dealing with maintenance for added living costs due to relocation necessary to participate in postsecondary training, relocation necessary to receive other vocational rehabilitation services, and loss of subsidized housing due to relocation necessary to participate in other vocational rehabilitation services.
- **Consumer Financial Participation Income Levels:** RS is considering a change in the income level at which consumer financial participation is required for certain vocational rehabilitation services. The dollar amount at which consumer financial participation begins would be lowered from the present Minnesota median income as adjusted for family size. The new dollar amount that RS is considering is the average of the state median income and 187.5% of the federal poverty level, as adjusted for family size. There would be no change in the services to which the consumer financial participation requirement applies.
- **Consumer Financial Participation Automatic Exemptions:** RS is considering amending the rules so that vocational rehabilitation consumers receiving Supplemental Security Income (SSI) or Medical Assistance (MA) must also meet the following requirements in order to be automatically exempt from the consumer financial participation requirement: the consumer is not living with his or her parents, and the consumer has not been determined to be a "dependent student" for financial aid purposes by a postsecondary institution.
- **Consumer Financial Participation — Definition of "Family" for Purposes of Determining Gross Family Income:** RS is considering amending the rules so that the vocational rehabilitation consumer's parents are included in "family" if a postsecondary institution has determined that the consumer is a dependent student for financial aid purposes.
- **Waiver for Used Vehicle Adaptive Equipment:** RS is considering amending the rules to allow RS to purchase used vehicle adaptive equipment under specified conditions.
- **Comparable Benefit Search for Medical Services & Durable Medical Equipment:** RS is considering amendments to the "comparable benefits" provisions in the rules. The amendments would clarify that vocational rehabilitation consumers needing medical services or durable medical equipment must apply for Medical Assistance if they do not have medical insurance and if RS determines that they are likely to be eligible for Medical Assistance.
- **Order of Selection — "Continuation of Services"** Because of requirements in new federal regulations on Order of Selection (Title 34, *Code of Federal Regulations*, section 361.36(d)(3), RS is considering amending the continuation of services provision in the rules on Order of Selection. The amendment would provide that, when Order of Selection priority categories change, continuation of vocational rehabilitation services will apply to consumers who have actually begun to receive services under an Individualized Written Rehabilitation Program (IWRP). The continuation of services provision would not, however, apply to vocational rehabilitation consumers who have developed an IWRP, but who have not begun receiving services.

Persons Affected. The amendment to the rule would likely affect the following groups of vocational rehabilitation consumers: 1) consumers receiving postsecondary training, 2) consumers receiving maintenance, 3) consumers and their families whose gross family income is above the average of the Minnesota median income and 187.5% of the federal poverty level (currently \$ 20,776 for a family of one, \$ 27,391 for a family of two, and \$ 40,623 for a family of four), 4) consumers receiving SSI or Medical Assistance who are living with their parents or who are dependent students for purposes of financial aid for postsecondary training.

Official Notices

5) consumers who require vehicle adaptations, 6) consumers who require medical services or durable medical equipment and who are not covered by medical insurance or Medical Assistance, and 7) consumers who have been determined eligible for vocational rehabilitation services, but who have not begun to receive services under an IWRP. The amendment to the rule would also likely affect: financial aid officers at Minnesota postsecondary institutions and vendors of adaptive driving equipment.

The Department does not contemplate appointing an advisory committee to comment on the planned rule.

Statutory Authority. *Minnesota Statutes*, section 268A.03(m) requires the Department to adopt, amend, suspend, or repeal rules for the vocational rehabilitation program.

Public Comment. Interested persons or groups may submit comments or information on this planned rule in writing or orally until further notice is published in the *State Register* that the department intends to adopt or withdraw the rules.

Rules Drafts. The department has prepared a draft of the planned rule amendment.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rule, and requests for more information on this planned rule should be addressed to:

Andrew Beisner, Rehabilitation Specialist, Department of Economic Security, Rehabilitation Services Branch, First Floor, 390 North Robert Street, St. Paul MN 55101.

Telephone: (612) 296-9152 (TTY), (612) 296-5616 (voice message), (800) 328- 8095 (voice message toll free). FAX: (612) 297-5159. Internet: abeisner@ngwmail.des.state.mn.us

Telephone Calls to Agency Contact Person. The agency contact person uses a TTY. Persons who have access to TTYs may contact him directly via TTY. Persons who use voice telephones should use the Minnesota Relay Service, 1-800-627-3529, to contact him by telephone. Voice messages may be left at (612) 296-5616 or 1-800- 328-8095

Alternative Format. Upon request, this Request for Comments 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, telephone number or FAX number listed above.

Note: Comments submitted in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 24 July 1996

R. Jane Brown
Commissioner
Department of Economic Security

Minnesota Department of Health

Health Policy and Systems Compliance Division

Notice of Application for Essential Community Provider Designation

NOTICE IS HEREBY GIVEN that an application for Essential Community Provider designation has been received from the applicant listed below. Pursuant to *Minnesota Statutes* section 62Q.19, subdivision 1, the public has 30 days from the date of this publication to submit written comments regarding this application. Written comments should be submitted to: Tom Johnson, Minnesota Department of Health, Health Policy and Systems Compliance Division, 121 East Seventh Place, P.O. Box 64975, St. Paul, Minnesota 55164-0975. Telephone inquiries may be directed to Mr. Johnson at (612) 282-6333.

Barnesville Area Clinic
209 Second Street Southeast
P.O. Box 279
Barnesville, Minnesota 56514

Date application was received: July 30, 1996

Dated: 6 August 1996

Anne M. Barry, Commissioner
Minnesota Department of Health

Department of Health

Notice of Completed Application and Notice of and Order for Hearing Before the Emergency Medical Services Regulatory Board in the Matter of the License Application of Ringdahl Ambulance Fergus Falls, Minnesota

PLEASE TAKE NOTICE THAT the Emergency Medical Services Regulatory Board (hereinafter "board") has received a completed application from Ringdahl Ambulance, 212 East Junius, Box 462, Fergus Falls, Minnesota, to upgrade their current license from a basic ambulance service to an advanced ambulance service.

IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes* §§ 14.57-14.62 and *Minnesota Statutes* § 144.802 a public hearing will be held on September 24, 1996 at Lake Region Hospital, Lower Level Conference Rooms A & B, 712 South Cascade, Fergus Falls, Minnesota commencing at 7:00 p.m. If you have an interest in this matter you are hereby urged to attend the public hearing. Failure to do so may prejudice your rights in this and any subsequent proceedings in this matter.

1. The purpose of the hearing is to determine whether the application whether the application from this ambulance service should be granted based upon the criteria set forth in *Minnesota Statutes* § 144.802, subd. 3(h). Any interested person may be heard at the hearing. You do not need to be a party to the case to speak.
2. This proceeding has been initiated pursuant to and will be controlled in all aspects by *Minnesota Statutes* §§ 144.801-144.8091, *Minnesota Statutes* §§ 14.57-14.62, and Rules for Contested Cases of the Office of Administrative Hearings, *Minnesota Rules* 1400.5100-1400.8401. Copies of the rules and statutes may be obtained for a fee from the Department of Administration, Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, telephone (612) 297-3000. *Minnesota Statutes* Ch. 14 and *Minnesota Rules* Ch. 1400 are also available on the Internet at <http://www.state.mn.us/ebranch/oah>.
3. James P. Fossum, Office of Administrative Hearings, 100 Washington Square, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone: (612) 341-7600, fax: (612) 349-2665, will preside as administrative law judge at the hearing, and will make a decision and order as to is disposition to the board within ninety (90) days of receiving notice of the application.
4. Any person wishing to intervene as a *party* must submit a petition to do so in accordance with the provisions of *Minnesota Rules* 1400.6200 on or before September 9, 1996. This petition must be *submitted* to the administrative law judge and at the same time shall be *served* upon all existing parties and the board. The petition must (1) show how the contested case affects the petitioner's legal rights, duties or privileges; (2) show how the petitioner may be directly affected by the outcome or that the petitioner's participation is authorized by statute, rule, or court decision; (3) state the grounds and purposes for which intervention is sought; and (4) indicate petitioner's statutory right to intervene, if one exist.
5. In addition to or in place of participating at the hearing, any person may also submit written recommendations for the disposition of the application. These recommendations must be received by the administrative law judge by September 18, 1996. (See *Minnesota Statutes* §144.802 subd. 3(f)).
6. Any subpoena needed to compel the attendance of witnesses or the production of documents may be obtained pursuant to *Minnesota Rules* 1400.7000.
7. At the hearing, the applicant must present its evidence showing that the ambulance service for which it is seeking a license is needed based upon the factors specified in *Minnesota Statutes* §144.802 subd. 3(h). All persons will be given an opportunity to present and cross-examine witness, to be heard orally, and to submit written data or statements. All persons are encouraged to participate in the hearing and are requested to bring to the hearing all documents, records, and witnesses needed to support their position. It is not necessary to intervene as a party in order to participate in the hearing.
8. Please be advised that if nonpublic data is admitted into evidence, it may become public data unless an objection is made and relief is requested under *Minnesota Statutes* § 14.60, subd. 2.
9. You are hereby informed that you may choose to be represented by an attorney in these proceedings, may represent yourself, or be represented by a person of your choice if not otherwise prohibited as the unauthorized practice of law.
10. A Notice of Appearance must be filed with the administrative law judge identified above and other known parties within 20 days following receipt of the Notice of Hearing by any person intending to appear at the hearing as a *party* under *Minnesota Rules* 1400.5700.
11. In accordance with *Minnesota Statutes* §144.802, subd. 5, the administrative law judges decision shall be the final administrative decision. Any person aggrieved by the decision or action shall be entitled to judicial review in the manner provided in *Minnesota Statutes* §§ 14.63 to 14.69.

Official Notices

12. IF YOU NEED A REASONABLE ACCOMMODATION FOR A DISABILITY in order to participate in this hearing process, please call voice: (612) 341-7610; or TDD (612) 341-7346.

Dated: 12 August 1996

Gary Wingrove
Acting Executive Director

Department of Health

Health Policy and Systems Compliance Division
The Administrative Uniformity Committee
And The Minnesota Uniform Billing Committee

Notice of Solicitation of Outside Information or Opinions Regarding "Definitions of Units for the UB-92 (HCFA 1450) and HCFA 1500 Claim Forms"

Introduction. Notice is hereby given that the Administrative Uniformity Committee (AUC), the Minnesota Department of Health (MDH) and the Minnesota Uniform Billing Committee (MUBC) are seeking information or opinions from outside sources on definitions of units for the UB-92 (also called the HCFA 1450) and HCFA 1500 health insurance claim forms to be used for payers other than Medicare and Medicaid; as developed by the AUC, its Data Definitions work group, and the Units Action sub-group. These work groups consist of representatives of payers, providers, software vendors and state agencies, and met from May 1995 to June 1996 to develop these definitions.

The draft document is a description of the conventions for the "units" data element used in completing the UB-92 claim form. Units are reported in form locator 46 on the UB-92 form or box 24g on the HCFA 1500 form. They are a quantitative measure of services rendered, such as number of accommodation days, pints of blood or renal dialysis treatments. The revised units definitions will be available for comment by interested parties, including hospitals, other providers who use this billing form, and payers.

Contact Person. AUC, MDH and MUBC request information and opinions concerning the applicability and functionality of the definitions of units. Interested persons or groups may submit data or views in writing or orally. Written statements should be addressed to Kathleen Kuha at MDH, 121 East 7th Place, Suite 400, St. Paul, MN 55101, fax 612/2828-5628, and Internet at Kathleen.Kuha@Health.State.MN.US. Oral statements will be received during regular business hours over the telephone at 612/282-3822 and in person at the above address.

Summary of Issues. *Minnesota Statutes 62J* outlines the advantages of uniform billing formats to participants in the health care system. Further, the statute requires participants in the health care system to use the UB-92 form, for hospital and institutional claims, and the HCFA 1500 form for physicians and allied health claims. A manual is available for standard completion of the UB-92 form; the units definitions for which opinions are now solicited are a part of that manual. The manual may be obtained through the Minnesota Hospital and Health Care Partnership. Some of the units definitions are also pertinent to the HCFA 1500 form, which is used for physicians and allied health claims. The manuals as a whole are not under public review with this solicitation, only the units definitions. The manuals are used for payers other than Medicare and Medicaid.

Public Review Process. MDH will provide copies of the draft definitions on paper to persons and organizations interested in reviewing them against their current data requirements. The draft definitions will be available as of August 12, 1996. Comments and suggestions or improvements on these definitions will be accepted at the above address until Friday, September 27, 1996. On or before November 5, 1996, persons or organizations commenting on the draft manual will be invited to a meeting, or a conference call if necessary, to address substantive issues raised. If a functional business requirement has been overlooked, the document may be amended to support that functional need. If no substantive comments are made, there will be no meeting.

How to Obtain the "Definitions of Units for the UB-92 and HCFA 1500 Forms" Document. Persons who wish to obtain a paper copy should call Denine Casserly at MDH, 12/282-5650, or fax a request to 612/282-5628 or write at the address above.

Dated: 12 August 1996

Karen W. Cain
Chair, Administrative Uniformity Committee

Patricia L. Conrad
Chair, Minnesota Uniform Billing Committee

Anne M. Barry
Commissioner of Health

David Moertel
Chair, Data Definitions Technical
Advisory Group

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective August 19, 1996 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Cass: Early Childhood, District Office Addition & Remodeling to the Pine River School-Pine River.

Clay: Reroofing of Barnesville Truck Station-Barnesville.

Dakota: Minnesota Valley Transit Authority Parking Deck-Burnsville.

Douglas: Performance Contract for Douglas County Government Buildings-Alexandria.

Hennepin: University of Minnesota-CSOM Network Cabling-Minneapolis; University of Minnesota - CSOM Food Service Procurement-Minneapolis.

Itasca: Construction of 18 Unit Apartment Building-Cohasset.

Morrison: Construct Equipment Cleaning Facility, Alterations to Bldg. 2-223, Alterations to Dining Area Bldg. 7-131, Replacement of Roofing & Alterations to Electrical System Bldg. 6-97. Camp Ripley-Little Falls; Stucco Repair at WWTP Bldgs. & Bldg. 2-270-Camp Ripley; Construction of Ammunition Surveillance Facility, Unit Storage Areas in Bldg. 2-216, Alterations to Bldg. 2-219, Camp Ripley-Little Falls; Roof and Siding Replacement, Various Bldgs.-Camp Ripley; Replace Cabling at the ARF, AFF, & Combat Pistol Ranges. Camp Ripley-Little Falls; Replace Cabling at TT VII & Subcaliber Ranges. Camp Ripley-Little Falls; Boiler Stack Repair in Bldg. U-53. Little Falls; Energy Retrofit of 18 Bldgs. Camp Ripley-Little Falls.

Olmsted: Repair Exterior Surfaces, OMS #2-Rochester.

Nicollet: ADA Site & Energy Upgrades for St. Peter Regional Treatment Center-St. Peter.

Ramsey: Roof Replacement & Miscellaneous Alterations at Bldgs. 1, 2& 3. New Brighton Comf.-New Brighton; Office Renovation at the National Guard Armory-Roseville.

St. Louis: Lake Superior College 1996 Roof Repairs-Duluth.

Scott: Savage Public Library-Savage.

Sherburne: 1996 Reroofing of Public Library & Utility Bldg.-Elk River.

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

Department of Trade and Economic Development

Minnesota Agricultural and Economic Development Board

Notice of Public Hearing By the Minnesota Agricultural and Economic Development Board on Proposed Projects and the Issuance of Bonds Under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A on Behalf of The Evangelical Lutheran Good Samaritan Society

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on August 27, 1996, at 9:00 a.m. o'clock, at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of one or more series of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf of The Evangelical Lutheran Good Samaritan Society, a North Dakota nonprofit corporation (the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

Official Notices

The project to be financed consists of the refinancing of existing debt, debt incurred or assumed in connection with the purchase of nursing homes, senior housing, assisted living and related facilities (the "Project") at the following locations and in amounts not to exceed the following: (i) Waconia Good Samaritan Center, 333 Fifth Street West, Waconia, Minnesota; \$2,000,000; (ii) Maplewood Good Samaritan Center, 550 East Roselawn Avenue, St. Paul, Minnesota; \$3,000,000; (iii) Howard Lake Good Samaritan Center, 413 13th Avenue, Howard Lake, Minnesota; \$1,200,000; (iv) Stillwater Good Samaritan Center, 1119 Owens Street North, Stillwater, Minnesota; \$2,300,000; (v) Crystal Lake Good Samaritan Center, 3815 West Broadway Avenue, Robbinsdale, Minnesota; \$2,700,000; (vi) Golden Valley Good Samaritan Center, 5411 Circle Drive, Golden Valley, Minnesota; \$2,000,000; (vii) Sunwood Good Samaritan Center, 200 DeKalb Street, Redwood Falls, Minnesota; \$1,600,000; (viii) Inver Grove Good Samaritan Center, 1301 50th Street East, Inver Grove Heights, Minnesota; \$1,400,000; and (ix) Ambassador Good Samaritan Center, 8100 Medicine Lake Road, New Hope, Minnesota; \$2,300,000.

The initial owner of the Project is the Applicant and the Project will be owned, operated and managed by the Applicant. It is contemplated that the Project will be used as nursing homes, senior housing, assisted living or related facilities. The total estimated amount of the Board's proposed bond issues is an amount not to exceed \$18,500,000. The Bonds shall be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and a mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

This Notice of Public Hearing is being given pursuant to Section 147(f) of the *Internal Revenue Code of 1986*, as amended.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

Dated: 1 August 1996

BY ORDER OF THE MEMBERS OF THE
MINNESOTA AGRICULTURAL AND
ECONOMIC DEVELOPMENT BOARD

Paul Moe
Executive Director
Minnesota Agricultural and Economic
Development Board

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

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

Department of Corrections

Notice of Availability of Funds for Pilot Programs for College Students to Provide Intensive Monitoring for At-Risk Juveniles

The Minnesota Department of Corrections, Community Services Division, announces the availability of funds for at least four pilot programs for upper division college students to provide intensive monitoring in the community for juveniles who have committed or who are at risk to commit status offenses or delinquent acts.

Funds are available to colleges/universities, public human services agencies, community corrections agencies, for profit organizations, or non-profit organizations to provide the above programming. The grant program will provide funding of \$213,000 from November 1, 1996, through June 30, 1998. The department intends to award at least four (4) grants, statewide, for intensive juvenile monitoring.

There is no assurance of continued funding for following years.

The deadline for proposal submission is September 27, 1996, 4:30 p.m. To receive a request for proposal which describes in detail how to apply for this funding, contact Nancy Montemurro, Minnesota Department of Corrections, Community Services Division, 1450 Energy Park Drive, Suite 200, St. Paul, Minnesota 55108-5219. Telephone (612) 642-0235.

Department of Health

Requests for Proposals for Two Lead-Related Grants

1. The Minnesota Department of Health intends to award grants of up to \$25,000 to one or more applicants for purchase and maintenance of lead cleanup equipment for loan to the public and related training.
2. The Minnesota Department of Health intends to award grants of up to \$35,000 to one or more applicants for provision of lead-safe housing and relocation costs for families displaced by lead abatement of their primary residence.

Key Dates

- Proposals must be postmarked by October 15, 1996.
- Awards will be made by November 29, 1996.
- Funding must be used by June 30, 1998.

Submit three copies of proposals to:

Douglas M. Benson
Minnesota Department of Health
P.O. Box 64975
St. Paul, MN 55164-0975

Grant 1. Lead Cleanup Equipment and Material Grants

Proposals must identify lead cleanup equipment to be purchased, its cost, and how it will be made available to the public. Lead cleanup equipment includes high efficiency particle accumulator and wet vacuum cleaners, drop cloths, secure containers, respirators, scrapers, dust and particle containment material, and other cleanup and containment materials to remove loose paint and plaster, patch plaster, control household dust, wax floors, clean carpets and sidewalks, and cover bare soil. Lead cleanup equipment may include other items if the applicant justifies it as being effective at removal or disposal of lead waste.

Eligible Applicants

Grant applicants must be nonprofit community-based organizations in areas at high risk for toxic lead exposure. Applicants must include copies of their letters from the IRS confirming their status as "501(c)(3)" organizations.

State Grants

Applicants must demonstrate ability to provide services to people who are at risk for lead exposure. Areas at high risk for toxic lead exposure include census tracts that meet one or more of the following criteria:

1. elevated blood lead levels have been diagnosed in a population of children or pregnant women;
2. many residential structures are known to have or are suspected of having deteriorated lead-based paint; or
3. median soil lead levels greater than 100 parts per million.

Eligible Costs

Eligible costs include:

1. purchase of the equipment identified in the proposal;
2. provision of a location for storage and loan to people for cleanup of residential property;
3. training of grantee's staff and of people borrowing equipment;
4. routine cleaning and maintenance of the equipment by grantee's staff; and
5. proper disposal of any waste materials on or in the equipment when it is returned.

Grant 2. Safe Housing Grants

Safe housing includes lead-safe temporary shelter for families displaced by lead abatement or lead hazard reduction that was ordered by an inspecting agency.

Eligible Applicants

Applicants must be boards of health.

Eligible Costs

Eligible costs include:

1. inspection of housing prior to purchase or rent;
2. purchase or rent of temporary housing found by inspection to be free of sources of immediate lead exposure, i.e., free of deteriorating lead-based paint, free of bare lead-contaminated soil and dust, and free of lead-contaminated drinking water;
3. moving expenses up to \$250 per family; and
4. staff training costs related to provision of lead-related health education to families using lead-safe, temporary housing.

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

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

Department of Natural Resources

Request for Proposals for Department-wide Revenue Management System

The Department of Natural Resources is seeking proposals for the development of conceptual and logical modeling for the design of an integrated department-wide Revenue Management System.

Details are contained in a Request for Proposals which may be obtained by contacting:

John Helmberger
Project Coordinator
DNR - Bureau of Real Estate Management
Box 30 500 Lafayette Road
St. Paul, MN 55155
612/296-7946 (Voice)
612/297-3517 (FAX)
e-mail: john.helmberger@dnr.state.mn.us

Department of Natural Resources

Division of Forestry

Notice of Request for Proposals for Production of Forestry Video

NOTICE IS HEREBY GIVEN that the Department of Natural Resources through its Division of Forestry is requesting proposals to help in the development of a 10- to 15-minute forestry video. This video is to briefly explain Minnesota's Sustainable Forest Resources Act of 1995, show what the forest ecosystem includes, and tell viewers what's available to help them learn about the forest environment.

Services needed by the Division of Forestry include, but are not limited to: script and storyboard development; video design and production including all filming, narration, music, sound effects, editing, and all other technical aspects required in the production.

To obtain a copy of the Request for Proposal, contact:

Meg Hanisch
Public Affairs Specialist
DNR Forestry
500 Lafayette Road
St. Paul, Minnesota 55155-4044
(612) 296-5958

Professional, Technical & Consulting Contracts

Department of Transportation

Engineering Services Division

Notice of Availability of Contract for Right of Way Acquisition Assistance

Responses to this advertisement become public information under the Freedom of Information Act.

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

In compliance with *Minnesota Statutes* 16B.167, the availability of the contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to the Request for Proposal.

NOTE: Your proposal will not be considered if you have not met the affirmative action requirement at the time of this submittal.

The Minnesota Department of Transportation (Mn/DOT) is soliciting proposals for Right of Way acquisition assistance. Current projects are located in Mn/DOT's district 3, the office for which is in Baxter, MN. Potential future projects to be identified. Mn/DOT reserves the right for supplemental contracts for future project is acceptable performance is exhibited. First contract anticipated for one year. Additional contracts for no more than a three year period. Mn/DOT May Make Multiple awards under this Request for Proposals.

Typical duties will include:

Field title investigations

Interview and document concerns of property owners affected by proposed construction projects. Verify condition of title and search for conditions or circumstances that might not appear of record. Inform the property owners of both the engineering and financial details of the proposed acquisition including the owner's legal rights for negotiation or possible litigation.

Obtain full and true (market data) valuations from courthouse records.

Consultation and coordination with district staff.

Direct Purchase

Contact all property owners and perform all the functions necessary to acquire the needed right of way by means of direct negotiation. Explain the appraisal process and damages.

Provide customer service required to complete the direct purchase transactions and fulfill all statutory and Department policy requirements.

Complete all written documentation and execute all other documents needed.

Minimum qualifications - Field Title Investigations

Minimum of one year experience in real estate title issues.

Familiar with and experience in courthouse real property records, tract index, grantor/grantee records, and taxation records.

Experience in acquisition of property needed for street/highway public use.

Minimum qualifications - Direct Purchase

Minimum one year experience performing direct purchase (acquisition) of real estate needed for street/highway use.

Experience in assisting landowners with resolution of title problems.

Thorough knowledge of real property law, R/W acquisition procedures, appraisal requirement, and relocation benefits.

Knowledge and ability to explain and communicate general highway design and construction practices.

Additional desirable qualifications

Knowledge of Mn/DOT R/W policy and procedures.

Knowledge of general Mn/DOT policy and procedures.

Professional, Technical & Consulting Contracts

Qualifications will be rated on the basis of:

Project team

- Project Manager.
- Key people.

Location

- Which office location will perform the work.

Management plan

- Organization of team and Key personnel and work load projections.

Experience

- Past projects or other related types of work.
- Familiarity with Mn/DOT procedures and standards.

Those consultants who wish to be considered for this project, must furnish the following information, in the order listed:

1. Affirmative Action

Indicate if your firm is certified by the Department of Human Rights for Affirmative Action as stated in *Minnesota Statute* 363.073. Any questions, call (612) 296-5683. Send:

- A copy of your firm's current Certificate of Compliance issued by the Commissioner of Human Rights or;
- A notarized letter certifying that your firm has not had more than twenty full-time employees at any time during the previous twelve months.

2. For information purposes, indicate if your firm is certified by the Department of Transportation as a Disadvantaged Business Enterprise (DBE). Any questions, call the EEO Contract Management at (612) 297-1376.

For informational purposes, indicate if your firm is certified by the Department of Administration as a Small Targeted Business, *Minnesota Statute* 16B.19. Any questions, call (612) 296-2600.

3. Provide company name, business address, the contact person's name, telephone number, fax number, Federal tax I.D. number, and Minnesota tax I.D. number (if applicable).

4. A brief statement of your understanding of the work to be performed under this project.

5. Detail the project team organization and key personnel you anticipate using on this project. Indicate in which fields your key personnel hold Minnesota Professional Registration or have related certification. List special training for key personnel.

6. Provide a listing of present work load and personnel commitments you anticipate during the period this work is to be performed.

7. Location of where the work is to be performed for both the prime and subconsultants.

8. Your company brochure, or general information about your company, detail Minnesota office separately. Summarize or highlight information on personnel whom you are proposing for this project.

9. Detail your current billing rates and format.

10. Detail your experience in the land acquisition process for governmental agencies.

The successful responder will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

The successful responder will be required to submit pre-award audit information within one week of notification of selection.

Five copies of the proposals, signed in ink, by an authorized member of the firm, shall be delivered or mailed to the address indicated below, not later than two o'clock in the afternoon (2:00 PM) on Monday, September 9, 1996. Late submittals will not be accepted.

Send responses to:

Linda Moline
Associate Agreement Administrator
Transportation Building
Seventh Floor, Mail Stop 680
395 John Ireland Boulevard
St. Paul, MN 55155

Professional, Technical & Consulting Contracts

Department of Transportation

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

The Minnesota Department of Transportation does hereby offer the following structure:

Bridge No. 4666, a 290 foot long bridge completed in 1928 consisting of a riveted high parker truss and two riveted low warren trusses, spanning the Minnesota River on Minnesota Trunk Highway 19 approximately one-half mile southwest of Morton, Minnesota.

to any state or local government agency, or responsible private entity, who might be interested in moving and rehabilitating the above listed historic bridge for preservation purposes. If the bridge cannot be sold, a donee will be sought to accept the bridge. In either case, the recipient can be reimbursed for costs incurred in such activities as relocation, site preparation, reassembly, rehabilitation, etc. The recipient must agree to rehabilitate and maintain the structure according to the Secretary of Interior's "Standards for Rehabilitation" in order to preserve the historic integrity of the structure. Costs eligible for reimbursement to preserve a historic bridge cannot exceed the estimated costs of demolition of the bridge, as determined by the Minnesota Department of Transportation. (Estimated demolition costs are \$47,000.)

In addition, the new owner(s) must enter into agreement to:

1. Accept title to the bridge,
2. Maintain the bridge and the features that gave it its historical significance; and
3. Assume all future legal and financial responsibility for the bridge, including an agreement to hold the Minnesota Department of Transportation harmless in any liability action.

Interested parties should contact:

Jon Henslin
Preletting Engineer
Minnesota Department of Transportation
PO Box 768
Willmar, MN 56201
Tel: (320) 231-5195

A written proposal must be submitted no later than 4:00 p.m. Monday, September 9, 1996.

Department of Transportation (Mn/DOT)

Transportation Research and Investment Management

Notice of Availability of a Request for Proposal to Assist in Negotiating a Communications Network Agreement

Purpose

The State of Minnesota (the State) requests proposals from firms with expertise in technical and institutional issues associated with the construction and maintenance of communications infrastructure (fiber optics and towers for wireless) networks. The objective of this RFP is to select a consultant to provide on call services during 1996 to assist the State in developing a public-private partnership agreement with the communications infrastructure responder selected.

Background

The State issued an RFP in February for the development of a communications infrastructure network in Minnesota, offering exclusive use of our 1000 mile freeway right of way as the incentive. Three proposals were received and evaluated. One of the proposers (International Communication Services, Inc. & Stone and Webster) has been selected to develop a public-private partnership with the State. The State now wishes to retain a consultant (preferably by the end of September) to assist in preparing for and conducting contract negotiations. The State anticipates having an approved public-private partnership agreement by November 1996.

Consultant proposals must be received by September 3, 1996.

To request a copy of the full RFP, please contact:

Jerry Skelton
Office of Alternative Transportation Financing
MS 445, Room 214
Minnesota Department of Transportation
395 John Ireland Blvd.
St. Paul, MN 55155
Phone: (612) 297-5205
Fax: (612) 296-3311

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

In compliance with *Minnesota Statutes* § 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this Request for Proposal.

Professional, Technical & Consulting Contracts

Minnesota Veterans Home - Minneapolis

Request for Proposals (RFP) for an Assessment of the Nursing Department

The Minnesota Veterans Home-Minneapolis provides skilled nursing care and domiciliary care (boarding care). The facility is licensed for 346 nursing care beds and 194 boarding care beds.

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

Scope of Project: A need exists at the Minnesota Veterans Home - Minneapolis for an assessment of the Nursing Department. The Director of Nursing has recently resigned after nearly ten years of service to the facility. This project will examine the current status of overall departmental functioning. Particular attention will be paid to organizational structure, supervisory job roles, nursing care delivery systems and other support systems. This report will be used to determine the need for amending the organizational process and as a tool in the selection of a new Director of Nursing.

Goals and Objectives:

1. Review the role, responsibility, and relationship of the following positions as they relate to each other, staff within the nursing department, and the organization as a whole.
 - Director of Nurses
 - Assistant Director of Nurses
 - Registered Nurse Managers
 - Shift Supervisors
 - Registered Nurse Coordinators
 - Scheduling Coordinator
 - Staff Development Coordinator
2. Review and evaluate the present nursing organization structure and its effectiveness in the delivery of care and service.
3. Assess and identify the factors that impact the ability of staff to effectively / efficiently provide care / services (i.e. OHFC / vulnerable adult investigations, staffing / scheduling protocols, recruitment process, resident admission protocols, etc.).
4. Examine other organization models as options to emulate from both the public and private sector.
5. Develop a written report which will include options and recommendations for modifying the organization, the process, position descriptions, and recommendations for modifying position responsibilities where appropriate.
6. Recommend priorities in terms of administrative change strategies that will have maximum immediate effect as well as long-term benefits.

Project Tasks:

1. Interview Veterans Home Administrator and other appropriate members of the Veterans Home Management Team on such issues as facility orientation, philosophy, mission, goals, and expectations regarding scope and impact of contract.
2. Interview nursing managers, RN coordinators, shift supervisors and support staff regarding areas of strength, concerns, and effectiveness.
3. Interview and conduct focus groups with members of the nursing team and representatives of other disciplines, i.e. rehabilitation, social services, mental health services, nurse practitioners, physicians, recreation staff, indirect care staff, representatives of collective bargaining groups, etc. to solicit input and make suggestions.
4. Review existing position responsibilities of nursing managers, RN coordinators, shift supervisors and support staff.
5. Interview human resource staff regarding the state personnel system, contract issues, and options in terms of flexible approaches to organization and positions.
6. Research and review other nursing organization structures that are comparable. This will include private long term care facilities and hospitals and public facilities which will include other veterans homes and state regional treatment centers.
7. Present preliminary findings and recommendations to Minnesota Veterans Home - Minneapolis Interim Administrator.
8. Present final report which will list strengths, areas of concerns, recommendations for improving effectiveness, outcomes, and improving management systems.

Professional, Technical & Consulting Contracts

Veterans Home Contact: Prospective responders with questions may contact:

Larry Clausen
Interim Administrator
Minnesota Veteran Home-Minneapolis
5101 Minnehaha Avenue
Minneapolis, Minnesota 55417
(612) 721-0600

Please note that other department personnel are not allowed to discuss the request for proposal with anyone, including responders, before the proposal submission deadline.

Submission of Proposal: All proposals must be sent to:

William Trcka
Purchasing Agent
Minnesota Veteran Home-Minneapolis
5101 Minnehaha Avenue
Minneapolis, Minnesota 55417

Proposals must be received by 2:00 pm September 10, 1996

Late proposals shall not be considered. Submit three copies of proposal. Proposals are to be sealed in mailing envelopes or packages with responders name and address clearly written on the outside. Each copy of the proposal must be signed in ink by an authorized member of responder agency. Prices and terms of the proposal stated must be valid for the length of the project.

Project Costs: The project is estimated not to exceed \$12,500.00 including the cost of travel and miscellaneous expenses.

Project Completion Date: The project will be completed by December 2, 1996.

Proposal Contents: The following will be considered minimum contents for proposals:

1. A restatement of the objectives to demonstrate the responder's understanding of the project.
2. Identify and describe the deliverables to be provided by the responder.
3. Outline the responder's background and experience with particular emphasis on local, state, and federal government work.
4. Detailed cost and work plan.
5. Anticipated level of the Veterans Homes' participation in the project as well as any services to be provided by the Veterans Home.

Evaluation Criteria:

All proposals received by the designated deadline will be evaluated by representatives of the Minnesota Veterans Home. In some instances an interview may be part of the evaluation process. Factors used in evaluation of the proposals shall include but are not necessarily limited to the following:

1. Expressed understanding of the Project.
2. Project cost detail.
3. Qualification of responder. Preference will go to teams, individuals, which include a registered nurse with supervisory experience and experience which has included:
 - Managing large, long term care facilities
 - Organizational design and development, group process, total quality management (including statistical process, control, and statistical analysis)
 - Conducting similar studies in both the private and public sector
 - Delivering quality products and services

Worker's Compensation: The successful responder will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

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.

Central Ramsey Watershed Management Organization

Notice of Development of a List of Interested Accounting, Engineering and Legal Firms

Central Ramsey Watershed Management Organization (WMO) is developing a list of interested accounting, engineering and legal firms. Central Ramsey WMO is charged with: overseeing compliance of local water management plans with the watershed management plan and amending the plans as needed; providing a forum for settling intercommunity disputes; and establishing capital improvement programs as needed. The annual budget is under \$20,000 per year. Please submit a letter of interest by September 6, 1996, including a brief background of your firm and a list of billing rates. Submit letters to Anne Weber, Central Ramsey WMO, 1000 City Hall Annex, 25 West Fourth Street, St. Paul, MN 55102.

Metropolitan Council Environmental Services (MCES)

Public Notice for Letters of Interest for Professional Design Services or Design/Build Services Empire WWTP Expansion - MCES Project No. 940100

The MCES is soliciting qualifications from parties interested in providing professional design or design/build services for the Empire Wastewater Treatment Plant Expansion project.

The project will be a modular 3 million gallons per day (mgd) expansion to the advanced secondary treatment plant facilities.

The project Facility Plan is being completed. The plant expansion schedule is to have some facilities operational as early as 1997 and to be fully completed in 1999. A tentative schedule for consultant selection is:

Receive Letters Of Interest	August 1996
Issue Request For Qualifications	September 1996
Receive Statement Of Qualification	September 1996
Shortlist Consultants	September 1996
Issue Request For Proposals	October 1996
Informational meeting	October 1996
Receive Proposals	November, 1996
Evaluate and Rank Proposals	December, 1996
Metropolitan Council authorization	January, 1997
Contract Negotiated, executed, NTP	January, 1997

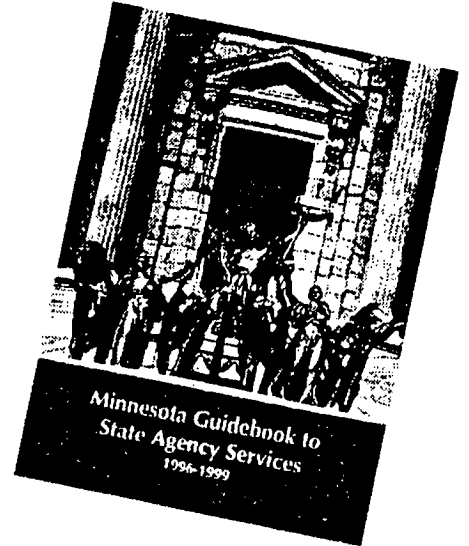
All firms interested in being considered for this project and wishing to receive a Request For Qualifications (RFQ) package are invited to submit a Letter Of Interest (LOI) to:

Administrative Assistant, Contracts & Documents
Metropolitan Council Environmental Services
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101

Your letter of interest should indicate the alternative(s) (design services or design/build services) that you are interested in. All inquiries regarding the LOI and the RFQ are to be addressed to Rick Biddle at (612) 229-5012.

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**Minnesota Guidebook
to State Agency Services
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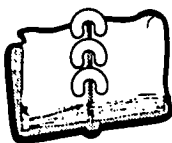
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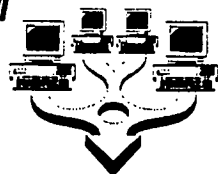
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