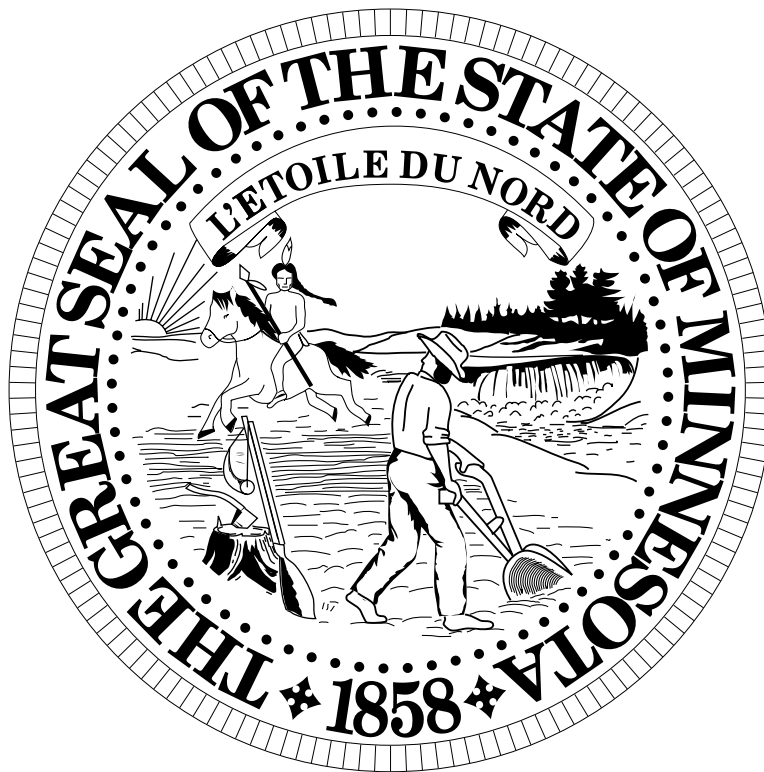


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State Register

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The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

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The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1997 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issue 52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (651) 297-3000, or toll-free 1-800-657-3757.

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4900.0010 (adopted)	1332	6260.1900 ; 6262.0200 ; .0500; .0575; .0800; .0900; .3250;	
4900.0010 s.17 ; .0370; .0380; .0381; .0550; .0560; .0570; .0580;		6264.0300 ; .0400; 6266.0300 ; .0400; .0500 (adopted).....	1849
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.1120; .1130; .1140; .1150; .1160; .1170; .1180; .1600; .1610;		6254.0200 s.1, 2, 3 ; 6262.0500 s.2a ; .0500 s.2a, items E and F;	
.1620; .1630; .1640; .1650; .2200; .2210; .2220; .2230; .2240;		6264.0300 s.59 ; .0400 s. 4, 10, 11, 12, 13, 14;	
.2250; .2260; .2270; .2300; .2310; .2320; .2330; .2340		6266.0300 s.2 ; .0400 s.2, 13, 14; .0500 s.1, 3, 4	
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.0581; .0582; .0583; .0584; .0710; .0720; .0730; .0740; .1110;		6254.0200 ; s.1,2,3; 6262.0500 s.2a ; .0500 s.2a, items E and F;	
.1120; .1130; .1140; .1150; .1160; .1170; .1180; .1600; .1610;		6264.0300 s.59 ; .0400 s.4, 10, 11, 12, 13, 14;	
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.0780; .1315; .1331; .1345; .1375; .3220; .3230; .3250;		6216.0350 s. 1 (expedited emergency repealed)	740
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4900.0010 ; .0510; .0592; .0620; .0630; .0640; .0650; .0770;		6230.0200 ; .0400; .0600; 6232.0900 ; 6234.0800 ; 6236.0900 ;	
.0780; .1315; .1331; .1345; .1375; .3220; .3230; .3250;		6240.0300 ; .0700; .1200; .1500; .1600; .1700; .1750; .1850	
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.3290; .3310; s.4, 5, 7, 8, 10, 12; .3330; .3340; .3350; .3360		.1800; .1900; .1950; .2100; .2450; .2500; .4700; 6240.0610	
(proposed repealer)	705	(adopted expedited emergency)	345
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7039.0010 ; .0050; .0070; .0080; .0090; .0110 (adopted).....	179	.3500; .3700; .5100; .5400; .5500; .5700; .6400; .9120;	
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.0221; .0222; .0224; .0227; .0420; .0470 (proposed).....	5	.0580; .0650; .1850; .3950; .4050; .4360; .4365; .4390; 8250.0200 ;	
7050.0185 ; .0200; .0210; .0211; .0213; .0214; .0218; .0220;		.0300; .0365; .0370; .0385; .0390; .0395; .0397; .0398; .0500;	
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.1500; .1800; .1900; .2400; .2500; .2600; .2700; .2750; .2770;		Water and Soil Resources Board	
.2800 (proposed).....	977	8400.0300 ; .1300 (proposed).....	760-Dec.6,1999
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.1500; .1800; .1900; .2400; .2500; .2600; .2700; .2750; .2770;		Teaching Board	
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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Department of Labor and Industry

Proposed Permanent Rules Relating to Labor and Industry; Fees for Boilers; Fees for High-Pressure Pipefitting

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

Proposed Amendment to Rules Governing Boilers and Powerboats/Fees and High Pressure Piping/Fees, *Minnesota Rules*, Parts 5225.0010 to 5225.8700 and 5230.0010 to 5230.6200.

Introduction. The Department of Labor and Industry, by its Workplaces Services Division, Code Administration and Inspection Services Unit intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on July 26, 2000 a public hearing will be held in the Basement Hearing Room, State Office Building, 100 Constitution Avenue, St. Paul, Minnesota, 55155, starting at 9:00 AM on Monday, August 7, 2000. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after July 26, 2000 and before August 7, 2000.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is:

Kevin Wilkins, Director
Code Administration and Inspection Services Unit
Minnesota Department of Labor and Industry
443 Lafayette Road North
St. Paul, MN 55155
Phone: (651) 296-4531
FAX: (651) 215-1140
E-mail: kevin.wilkins@state.mn.us
TTY users may call the Department of Labor and Industry at (651) 297-5213.

Subject of Rules and Statutory Authority. The proposed rules relate to and increase Boiler fees for boiler engineer licenses, boiler inspections, exemption certificates, boat inspections, shop inspections, hobby boiler inspections and other boiler fees. In conjunction with the boiler fee changes, the proposed rules alter how the fees are named, what the fees cover, how the fees are collected and other changes to the boiler fee related rules to improve the service and efficiency of boiler, pressure vessel and boat-for-hire regulation. The last boiler fee increases occurred in 1987.

The proposed rule amendments also relate to and increase fees for the high pressure piping (HPP) inspection permit fee; establish a separate fee for filing an application for an HPP permit after the work has commenced; adopt and clarify the requirements of the three categories of HPP permits currently in use; clarify the consequences of failure to pay the HPP permit fee; establish "inactive" journeyman contracting pipefitter fee and status, establish a trainee fee, and replace an enjoined journeyman/trainee ratio with a direct supervision requirement. *Minnesota Rules* part 5230.0110 is proposed to be repealed. In conjunction with the HPP fee changes, the proposed rule amendments alter how the fees are collected, what the fees cover, and make other changes to the HPP fee related rules to improve the service and efficiency of high pressure piping regulation.

The Department of Labor and Industry has statutory authority to amend rules to regulate and adopt fees regarding boilers, pressure vessels and certain boats for hire under *Minnesota Statutes*, section 175.171, and chapter 183 generally and specifically sections 183.001, 183.375, 183.41, 183.411, 183.42, 183.44, 183.54, and 183.545. The Department of Labor and Industry has statutory authority to amend rules to regulate and adopt fees regarding high pressure piping licenses and permits under *Minnesota Statutes*, sections 175.171, and 326.46 to 326.521 generally and 326.47, 326.48, 326.50 and 326.52 specifically. Also, *Minnesota Statutes*, section 16A.1285, the general statute regarding agency fees, applies to some of these planned rule amendments.

A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday July 26, 2000, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday July 26, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

<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>
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Proposed Rules

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing 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.

Cancellation of Hearing. The hearing scheduled for August 7, 2000, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 296-4531 after July 26, 2000, to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge George A. Beck is assigned to conduct the hearing. Judge Beck can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7601, and FAX 612-349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

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

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

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

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

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

Dated: 12 June 2000

Gretchen B. Maglich
Commissioner of Labor and Industry

5225.0300 EXPIRATION AND RENEWALS.

Subpart 1. **Timing.** Licenses for operating engineers, unless revoked, are valid for one year from the date of issuance, with privilege of renewal without examination, upon application to the division and payment of a renewal fee within ~~ten~~ 30 calendar days of the expiration date. The renewal license must be given an issue number and the same monthly date as the original issue. An application for renewal may not be presented before ~~30~~ 60 days preceding the expiration date of the license. Engineers who fail to renew their licenses before the ~~ten-day~~ 30-day grace period has expired are subject to subparts 2 and 3.

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

5225.2200 ITEMS REQUIRING IN-SERVICE INSPECTION.

[For text of subps 1 to 4, see M.R.]

Subp. 5. Removing objects from inspection. No object subject to inspection may be removed from the division's records and inspection requirements unless a commissioned inspector has reported on forms prescribed by the division that the object is permanently removed from service and the reason for its removal from service. Boilers and pressure vessels must be isolated from the common header or discharge piping by a means other than a valve, and the electrical and fuel supply must be disconnected from the object. An object may not be placed back into service without first being inspected and reported by a commissioned inspector.

5225.6140 INSPECTION OF BOATS.

Subpart 1. **Inspections required.** ~~Annual inspection by the department is required of any boat that is not under the jurisdiction of the Coast Guard.~~ Boats as defined by part 5225.6100, subpart 2, are required to have an annual safety inspection and boat hull inspection to carry passengers for hire. It is the boat owner's or lessee's responsibility to schedule and obtain the annual safety inspection or boat hull inspection as required in this part.

Subp. 1a. Safety inspection. An annual safety inspection by the department is required of any boat carrying passengers for hire. The owner or lessee of the boat shall affix a sticker provided by the department in a conspicuous place that is visible to other water craft that indicates the boat was inspected.

Subp. 1b. Dry dock inspection. A boat's hull shall be inspected in dry dock, separate from the annual safety inspection, by the department or by a certified marine surveyor. The dry dock inspection shall be a comprehensive inspection according to part 5225.6050, subpart 2. Boats with wooden hulls shall have an annual dry dock inspection. Boats with metal or composite hulls shall be subject to a dry dock inspection once every three years. The boat owner is responsible for obtaining an inspection of the boat hull required under this subpart, including its cost. Dry dock inspections conducted by the department constitute a separate fee and shall be at the rates given in part 5225.8600, subpart 7.

Subp. 1c. Coast Guard exemption. A boat with a safety inspection conducted by the United States Coast Guard and authorized to carry passengers on waters under the jurisdiction of the United States Coast Guard is exempt from the annual safety inspection required under this part. A comprehensive boat inspection by the United States Coast Guard within the specified time frames is exempt from inspections. The boat owner shall provide the department written documentation or evidence that the boat passed the requisite inspections.

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

Subp. 3. **Inspection standards.** The division shall conduct the inspection ~~according to~~ based on the *Code of Federal Regulations*, title 46, ~~sections 175.20, 176.05-5, 176.05-10, and 176.25~~ as applicable to fresh water and inland waters, and the requirements in parts 5225.6000 to 5225.8600.

5225.6975 ISSUANCE OF CERTIFICATE OPERATING PERMIT.

~~A certificate of inspection shall be issued to a boat owner upon the boat passing the yearly inspection required by part 5225.6140, and the payment of the fee described in part 5225.8600, subpart 7. The certificate of inspection is valid for one year beginning on the day of issuance. A person operating a boat without a certificate of inspection is guilty of a misdemeanor and is subject to a penalty in the amount of the cost of inspection up to a maximum of \$1,000.~~

Subpart 1. Requirement. A boat owner shall obtain an annual permit for each boat to carry passengers for hire. The permit must be obtained prior to carrying any passengers for hire each calendar year.

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Subp. 2. Permit application. The boat owner shall apply for an operating permit on a form approved by the commissioner with payment of the fee as prescribed in part 5225.8600, subpart 7.

The application shall be submitted at least 60 calendar days immediately preceding the boat owner's projected start date of operations.

Subp. 3. Operating permit. The commissioner shall issue the boat owner or lessee a permit upon receipt of a properly completed application and payment of the appropriate fee prescribed in part 5225.8600, subpart 7. The permit may include any limitations or information tailored to the individual boat determined to be appropriate by the chief boiler inspector.

The commissioner shall not issue a permit to a boat owner or lessee without the fee first being paid. A person operating a boat without an operating permit is guilty of a misdemeanor and is subject to a penalty in the amount of the cost of inspection up to a maximum of \$1,000.

5225.6980 REVOCATION OF ~~CERTIFICATE PERMIT~~; PENALTIES.

Any violation of parts 5225.6000 to 5225.8600 shall be grounds to revoke the ~~certificate of inspection~~ operating permit. A person in charge of operating the boat who willfully, or from ignorance or gross neglect, creates or allows to be created any condition endangering human life is subject to the disciplinary procedures in part 5225.0880, and a boat owner who has knowledge of the condition, or of circumstances that would cause such a condition, is guilty of a gross misdemeanor under *Minnesota Statutes*, section 183.62.

5225.8600 FEES.

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

Subp. 2. Engineer licenses.

A. The fees for a new boiler operating engineer or pilot license, application, and examination are as follows:

- (1) chief engineer, ~~\$50~~ \$55;
- (2) first class engineer, ~~\$30~~ \$55;
- (3) second class engineer, ~~\$25~~ \$55;
- (4) special engineer, ~~\$20~~ \$25;
- (5) hobby engineer, ~~\$50~~ \$55;
- (6) ~~steamboat engineer, \$55~~;
- ~~(6)~~ (7) pilot, ~~\$30~~ \$55; and
- ~~(7)~~ (8) pilot who possesses a valid, unlimited, current United States Coast Guard pilot's license, ~~\$15~~ \$25.

Payment of examination and license fees must accompany the application. There will be no refund of fees paid.

B. The ~~fees fee~~ for license renewal under parts 5225.0300 and 5225.6160 ~~are as follows:~~ shall be \$15.

- ~~(1) chief engineer, \$25;~~
- ~~(2) first class engineer, \$20;~~
- ~~(3) second class engineer, \$15;~~
- ~~(4) special engineer, \$10; and~~
- ~~(5) pilot, \$10.~~

C. The ~~fees fee~~ for expired renewals under part 5225.0300, subpart 2, and 5225.6160, subpart 2, ~~are as follows:~~ \$30.

- ~~(1) chief engineer, \$50;~~
- ~~(2) first class engineer, \$30;~~
- ~~(3) second class engineer, \$25;~~
- ~~(4) special engineer, \$20; and~~
- ~~(5) pilot, \$30.~~

D. The fee for replacement of a lost license of any class is \$15.

Subp. 3. Boiler and pressure vessel inspection. The department may issue an annual operating permit for a boiler or pressure vessel inspected by the department pursuant to *Minnesota Statutes*, section 183.54, subdivision 2, that shall serve as the department's billing and inspection certificate that the boiler or pressure vessel has or will be inspected by the department. The fee for an

operating permit under *Minnesota Statutes*, section 183.54, subdivision 2, is \$10 for each object inspected. The fees for the annual inspections of boilers and the biennial inspections of pressure vessels under *Minnesota Statutes*, section 183.545, subdivision 3, are as follows:

- A. boiler inaccessible for internal inspection, ~~\$30~~ \$50;
- B. boiler accessible for internal inspection, ~~\$45~~ \$50;
- C. boiler internal inspection over 2,000 square feet, ~~\$60~~ is at the hourly rate provided in subpart 4;
- D. boiler internal inspection over 4,000 square feet, ~~\$75~~ is at the hourly rate provided in subpart 4;
- E. boiler internal inspection over 10,000 square feet, ~~\$100~~ is at the hourly rate provided in subpart 4;
- F. boiler requiring internal inspection up to one-half day, ~~\$170~~ is at the hourly rate provided in subpart 4;
- G. pressure vessel for internal inspection, ~~\$30~~ \$25; and
- H. pressure vessel inaccessible for internal inspection, ~~\$20~~ \$25.

Subp. 4. **Shop inspections.** The ~~fees~~ fee for shop inspections under *Minnesota Statutes*, section 183.545, subdivision 3, ~~are as follows:~~ is \$75 per hour, plus travel expenses.

- ~~A. inspection of two hours or less, \$90; supervisor, \$115;~~
- ~~B. one-half day, four hours or less, \$170; supervisor, \$220;~~
- ~~C. eight hours or less, \$300; supervisor, \$350; and~~
- ~~D. each hour over eight hours, per hour, \$50; supervisor, \$75.~~

Subp. 5. **Inspectors.** The fees for inspector's examinations, certificates, and endorsements under *Minnesota Statutes*, section 183.545, subdivisions 6, 7, and 8, are as follows:

- A. national board inspector's exam, ~~\$75~~ \$100;
- B. endorsement, ~~\$30~~ \$45;
- C. Minnesota certificate of competency, original, ~~\$30~~ \$45; and
- D. Minnesota certificate of competency, renewal, ~~\$20~~ \$30.

Subp. 6. ~~Exemption certificates~~ **Operating permit fee.** The department may issue an annual operating permit for a boiler or pressure vessel inspected by an insurance company pursuant to *Minnesota Statutes*, section 183.57, subdivision 2, that shall serve as the department's billing and exemption certificate that the boiler or pressure vessel has or will be inspected by the insurance company. The fee for an ~~exemption certificate~~ operating permit under *Minnesota Statutes*, section 183.57, subdivision 2, is \$10 for each object inspected.

Subp. 7. **Boat inspections.** The fees for boat inspections under *Minnesota Statutes*, section 183.545, subdivision 1, are as follows:

- A. ~~boat under 30 feet, \$50 annual operating permit and safety inspection, \$200;~~
- B. ~~boat from 30 to no more than 40 feet, \$60 boat hull inspections required under part 5225.6140, subpart 1b, shall be at the hourly rate, plus travel expenses, as provided in subpart 4; and~~
- C. ~~boat over 40 to no more than 50 feet, \$70; and~~
- D. ~~boat over 50 feet, \$80 boat stability tests required under part 5225.6940, subpart 2, and conducted by or witnessed by the department shall be at the hourly rates, plus travel expenses, as provided in subpart 4.~~

Subp. 8. **Hobby boilers.** The inspection fee for hobby boilers or traction boilers, not previously certified in Minnesota is ~~\$75~~ the hourly rate provided in subpart 4. The inspection fee for a subsequent inspection of a hobby or traction boiler is ~~\$45~~ \$75.

Subp. 9. **Date due.** As provided in *Minnesota Statutes*, section 183.54, subdivision 2, fees for inspection are payable at the time of the delivery of the certificate or operating permit.

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Subp. 10. **Failure to pay fee.** If the fee is not paid within 30 days from the date of the inspection under *Minnesota Statutes*, section 183.54, subdivision 3, completion of delivery of the certificate will not occur. If the fee is not paid within 60 days from the date of the inspection, the commissioner may assess a penalty under *Minnesota Statutes*, section 183.001, or seal the object inspected. If a fee for inspection under *Minnesota Statutes*, sections 183.41, 183.411, 183.42, 183.45, 183.48, or set pursuant to *Minnesota Statutes*, section 183.545, is not paid within 60 days of the invoice date, the commissioner may assess a penalty under *Minnesota Statutes*, section 183.001, or seal the object inspected. If the fee under *Minnesota Statutes*, section 183.57, subdivision 2, is not paid within 60 days of the invoice date, the commissioner may assess a penalty under *Minnesota Statutes*, section 183.001, or seal the object.

5230.0050 LICENSING AND REGISTRATION REQUIREMENT.

No person, firm, corporation, or association shall engage in the business or work at the occupation of high pressure piping in ~~the state of~~ Minnesota without first obtaining a license and being registered as a contracting or journeyman pipefitter, as the case may be, and no licensed contractor shall employ a journeyman pipefitter, to install high pressure piping unless ~~such the~~ journeyman is a licensed pipefitter; and no person shall work as a pipefitter trainee ~~for more than 30 days~~ without being registered as such, nor longer than four years without making application for examination and license as a journeyman pipefitter.

Licenses shall be granted as contracting or journeyman pipefitters upon proof of qualifications therefor as hereinafter provided; ~~and no pipefitter trainee shall be registered as such who is not at least 16 years of age.~~

An applicant for a contractor's license to do business in the name of a firm or partnership shall be a bona fide member or employee of ~~such the~~ firm or partnership. An applicant for a contractor's license to do business in the name of a corporation shall be a regular employee or member in ~~such the~~ corporation.

5230.0100 FEES.

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

Subp. 2. **Application for renewal.** A license that has expired within one year of application for renewal may be renewed without an examination on filing an application for renewal with the department, accompanied by the fee required in this part. An application for renewal received by the department more than 30 days after the expiration date of the license must be accompanied by the late fee in subpart 3, item ~~F~~ G.

If a license holder has failed to submit an application for renewal within one year of the date of the expiration of the license, renewal is not allowed unless the applicant files the application, pays the fee required by this part, and passes the examination required by this chapter.

A license holder may obtain an inactive license by filing the renewal application, paying the fee required by this part, and not engaging in the business or work at the occupation of high pressure piping in Minnesota without first activating a license and being registered as a contracting or journeyman pipefitter. A license holder with an inactive license must pay the renewal fee required by this part to activate a license.

Subp. 3. **Examination and license.** The fees for examination and license are as follows:

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

- E. high pressure pipefitting business license, ~~\$250~~ \$350; ~~and~~
- F. inactive contracting pipefitter and journeyman pipefitter individual competency license, \$30; and
- G. late fees:
 - (1) contracting pipefitter individual competency license, \$250;
 - (2) journeyman pipefitter individual competency license, ~~\$100~~ \$90; ~~and~~
 - (3) high pressure pipefitting business license, ~~\$290~~ \$380; ~~and~~
 - (4) inactive journeyman or contracting pipefitter individual competency license, \$60.

Payment of examination and license fees must accompany the application. There will be no refund of fees paid.

[For text of subp 3a, see M.R.]

Subp. 4. **Permit to construct or install power piping, ammonia refrigeration systems, or anhydrous ammonia piping which form a part of a refrigeration, liquification, process, or manufacturing system.** A person, firm, or corporation that constructs or installs power piping, anhydrous ammonia, or ammonia refrigeration systems must file an application for a permit with the Department of Labor and Industry, or with a municipality that is authorized by law to issue that type of permit, before beginning construction or installation. The department's fees for a permit to construct or install power piping, anhydrous ammonia, or ammonia refrigeration systems are:

A. filing fee (application for permit), \$50; and

B. when filed prior to the start of construction or installation, an inspection fee of \$100, plus 0.020 of the first \$1,000,000, plus 0.010 of the next \$2,000,000, plus 0.0005 of the amount over \$3,000,000 of the cost of constructing or installing the power piping, anhydrous ammonia, or ammonia refrigeration systems as defined under part 5230.0260 and *Minnesota Statutes*, section 326.461, subdivision 2; or

C. when filed after the start of construction or installation, an inspection fee of \$100 plus 0.030 of the first \$1,000,000, plus 0.015 of the next \$2,000,000, plus 0.000725 of the amount over \$3,000,000 of the cost of constructing or installing the power piping, anhydrous ammonia, or ammonia refrigeration systems as defined under part 5230.0260 and *Minnesota Statutes*, section 326.461, subdivision 2, or \$1,000, whichever is greater. The department shall consider any extenuating circumstances that may cause a permit application to be filed after the start of construction before requiring payment of the higher permit fee.

Subp. 5. Permit payment alternatives. The department shall make the following alternatives available for payment of permit applications:

A. a lump-sum payment at the time the permit application is submitted to the department;

B. quarterly payments based on the actual cost of labor and materials incurred that quarter to construct or install the power piping, anhydrous ammonia, or ammonia refrigeration systems; and

C. an annual payment based on the actual cost of labor and materials incurred to construct or install the power piping, anhydrous ammonia, or ammonia refrigeration systems. This payment method is only available under those circumstances where a licensed high pressure piping business does continuous high pressure piping work at a single work site. A log of work completed, with the cost of labor and materials, shall be maintained and provided to the department at inspection and with final payment. A nonrefundable \$300 payment shall be made, in addition to the application filing fee, to the department when requesting this permit payment alternative.

The department shall not accept any applications for permits from any parties that are in arrears on their permit payments. The department shall revoke any approved permit where payments are 60 days in arrears.

Subp. 6. Pipefitter trainee registration fee. The annual fee for registration of a pipefitter trainee is \$50. An application for renewal received by the department more than 30 days after the expiration date must be accompanied by the annual fee and a \$30 late fee. The pipefitter trainee's registration shall become immediately inactive and suspended the day after the expiration date of the license if the pipefitter trainee's registration is not renewed, and shall remain inactive and suspended until the registration is renewed.

5230.0115 PIPEFITTER TRAINEES.

Subpart 1. Trainee qualifications. A person learning the trade of pipefitting shall be registered with the department and meet the following criteria:

A. be at least 18 years of age;

B. possess sufficient education to learn how to read and comprehend blueprints and specifications for the installation of high pressure piping;

C. be employed by a licensed high pressure pipefitting business;

D. learn the trade of pipefitting pursuant to a training program on file with the department; and

E. pay the registration fee.

Subp. 2. Registration. A licensed high pressure piping business shall register pipefitting trainees with and pay the registration fee to the department before the pipefitter trainee may participate in the construction or installation of high pressure piping. The pipefitter trainee shall be registered on a form prescribed by the commissioner. The pipefitter trainee must sign the registration form. Registration of a pipefitter trainee shall be renewed annually, provided the registration renewal fee is paid and the pipefitter trainee is making progress toward becoming a licensed journeyman pipefitter.

Subp. 3. Training program. A registered pipefitter trainee shall learn the trade of pipefitting pursuant to a training program established and maintained by the high pressure piping business. The high pressure piping business shall submit an outline of the

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training program to the department and must include information on the supervision of a trainee and the work processes to be learned by the pipefitter trainee. The training program must describe how the pipefitter trainee will be supervised consistent with subpart 4, and shall document the hours of work or training in the work processes participated in by the pipefitter trainee on the job and in the classroom. The training program must be signed by the licensed high pressure piping business contracting pipefitter and the pipefitter trainee. An apprenticeship program registered with the department meets this requirement.

Subp. 4. **Direct supervision.** A pipefitter trainee learning and assisting in the construction, replacement, and installation of high pressure piping shall be under the direct supervision of a licensed journeyman or contracting pipefitter. "Direct supervision" means the pipefitter trainee and the licensed pipefitter are on the same job site and working in close proximity and according to the training program filed with the department.

Subp. 5. **Completion of training.** The pipefitter trainee shall make application for examination and license as a journeyman pipefitter upon completion of four years of employment and training in the construction and installation of high pressure piping. Renewal of a pipefitter trainee registration shall be denied after five years unless the high pressure piping business can present good cause for renewing the pipefitter trainee registration.

Subp. 6. **Changes in address.** The licensed high pressure piping business or contracting pipefitter shall immediately notify the department of a change in address of the registered pipefitter trainee.

Subp. 7. **Trainee registration fee.** The licensed high pressure piping business shall pay the pipefitter trainee registration fee to the department.

Subp. 8. **Registration card.** The department shall issue to each registered pipefitter trainee a wallet card that shall at all times be in the possession of the registered pipefitter trainee during business hours and shall be displayed when required by a representative of the Division of Pipefitting Standards or the department. The registration card shall include, at a minimum, the pipefitter trainee's name, registration number, and employer's name. The registration card shall at no time be in the possession of any person other than the registered pipefitter trainee to whom it was issued. Registration cards are not transferable.

REPEALER. Minnesota Rules, part 5230.0110, is repealed.

Adopted Rules

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

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

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

Exempt Rules

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

Emergency Expedited Rules

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

Board of Nursing

Adopted Permanent Rules Relating to Licensure and Repeal of Obsolete Rules

The rules proposed and published at *State Register*, Volume 24, Number 40, pages 1399-1403, April 3, 2000 (24 SR 1399), are adopted with the following modifications:

6310.2810 FETAL ALCOHOL EDUCATION.

Subpart 1. **Announcement and request form.** On ~~February~~ August 1, 2000, and thereafter, the board shall include an announcement regarding *Minnesota Statutes*, section 214.12, subdivision 3, with every registered nurse application for renewal of

registration. The announcement shall indicate that the board will provide educational materials at no cost to licensees who have primary responsibility for diagnosing and treating pregnant women who may be abusing alcohol and/or diagnosing and treating individuals with fetal alcohol syndrome. A request form for the material shall be included with the announcement. Each licensee who has primary responsibility for diagnosing and treating these individuals shall complete and return the request form with the renewal of registration application.

Subp. 3. **Expiration.** This part expires ~~February~~ August 1, 2003.

Department of Transportation

Adopted Permanent Rules Relating to English Measurement for State-Aid Roads

The rules proposed and published at *State Register*, Volume 24, Number 40, pages 1404-1420, April 3, 2000 (24 SR 1404), and Volume 24, Number 41, page 1451, April 10, 2000 (24 SR 1451), are adopted with the following modifications:

8820.9926 GEOMETRIC DESIGN STANDARDS: RURAL AND SUBURBAN UNDIVIDED; RECONDITIONING PROJECTS.

Reconditioning projects for rural or suburban undivided roadways must meet or exceed the minimum dimensions indicated in the following design chart. See part 8820.0100, subpart 13b, for the description of activities allowed.

Existing ADT	Statutory or Regulatory Posted Speed	Lane Width (Paved)	Combined Lane (Paved) and Shoulder Width
Below 750	Under 50 mph	10 feet	11 feet
Below 750	50 mph or over	10 feet	12 feet
Over 749	Under 50 mph 10 feet	3-0 12 feet	3-6
Over 749	50 mph & over	11 feet	14 feet

Engineering judgment may be used to choose a lane or shoulder width dimension other than the widths indicated in the chart for roadways. Factors to consider include safety, speed, population/land use, benefit/cost analysis, traffic mix, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, other nonmotorized uses, functional classification, or other factors. Widths less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

Widths of bridges to remain in place must equal roadway pavement width. Bridges narrower than these widths may remain in place provided that the bridge does not qualify for federal-aid bridge funds. H 15 inventory rating is required.

Any highway that was previously built to state-aid or state standards, that was granted a variance to standards in effect at the time of construction or reconstruction, or that is a trunk highway turnback, may be reconditioned.

The proposed structural design strength must be a minimum of seven tons.

8820.9946 GEOMETRIC DESIGN STANDARDS, URBAN; RECONDITIONING PROJECTS.

Subpart 1. **Two-way streets.** In the following design chart, total width is from face-to-face of curbs.

Reconditioning projects for two-way urban roadways must meet or exceed the minimum dimensions indicated in the chart.

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

Number of Through Lanes, Functional Class, and Present Traffic Volume	Total Width with No Parking	Total Width with Parking on One Side	Total Width with Parking on Both Sides	Proposed Structural Design Strength
	feet	feet	feet	tons
2-Lane Collector or Local with ADT < 10000	26	32	38	(b) 9
4-Lane Collector or Local with ADT < 10000	44	52	60	(b) 9
2-Lane Collector or Local with ADT ≥ 10000 or 2-Lane Arterial (a)	26	32	42	9
4-Lane Collector or Local with ADT ≥ 10000 or 4-Lane Arterial	44	54	64	9
6-Lane Collectors or Arterials	66 65	(c)	(c)	9

(a) Permissible for present traffic volumes less than 15,000 ADT.

(b) When ADT is less than 5,000, seven tons is allowable.

(c) No parking is allowed.

When a median is included in the design of the two-way roadway, a one-foot reaction distance to the median is required on either side of the median. Minimum median width is four feet.

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the widths of bridges to remain must be at least the sum of the lanes plus half the sum of the shoulders, parking lane, and curb reaction distance.

Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Administration

State Designer Selection Board (SDSB)

Meeting Dates, Times and Agenda Items for July 2000

Pursuant to SDSB *Minnesota Rule* 3200.0400, below is the schedule of State Designer Selection Board meeting dates, times and agenda items as of June 19, 2000:

- **July 11, 2000**

1. Shortlisting Project 00-12 MnSCU Rochester Community and Technical College for the Design and Construction of a Horticulture Technology Center Addition.
2. Shortlisting Project 00-13 MnSCU Alexandria Technical College for the Design of a New Classroom Building.
3. Shortlisting Project 00-14 Winona State University for a New Science Building Addition and Renovation

- **July 25, 2000**

1. Shortlisting Project 00-15 MnSCU Itasca Community College for the Construction of an Engineering Technology Center.
2. Interview/Selection Project 00-12 MnSCU Rochester Community and Technical College for the Design and Construction of a Horticulture Technology Center Addition.
3. Interview/Selection Project 00-13 MnSCU Alexandria Technical College for the Design of a New Classroom Building.

Unless otherwise stated, all meetings are held in the Administration Building, 50 Sherburne Avenue, St. Paul, Room G-10/Conference Room A. Other matters may come before the Board and be added to the agenda as needed. For additional information, including meeting start times, contact Lisa Blue at 651-297-5526.

Minnesota State Arts Board

REQUEST FOR COMMENTS on Planned Amendment to Rules Governing Receiving and Reviewing Requests for Grants, *Minnesota Rules*, 1900

Subject of Rules. The Minnesota State Arts Board requests comments on its planned amendment to rules governing commercial activities of grant applicants when receiving and reviewing grants for arts organizations and arts institutions. The State Arts Board is considering rule amendments that remove commerciality as an eligibility issue and provide greater guidance to the review process by providing multiple factors when reviewing, evaluating, and considering applications from arts institutions and arts organizations.

Brief Summary of Findings

- The lines between for profit and not for profit are and will become increasingly blurred. To a greater degree than previously seen, nonprofit groups are initiating earned income activity to strengthen their financial health. Conversely, for profit groups are adapting activities that have previously been exclusive to nonprofits.
- Commercial activity is best evaluated by reviewing multiple factors. These factors include artistic content, financial considerations, mission, outcomes such as accessibility and education, and legal status. Geography is also a factor—a performance in one venue may be wildly popular and profitable, yet in another the same performance may be challenging to the audience artistically and have marginal attendance.
- Formulaic and general operating funding structures continue to be valued for the relatively predictable and sustained support that they provide to grantees. Arts Board grants fund the overall operations of an organization which currently may include limited commercial activity. Our priority is for funding to remain broadly applicable by grantees. The trade off for this, relative to the commerciality rule, is that we are not able to target funding toward specific nonprofit activity within an organization.

Official Notices

Relative to funding activities or organizations seen as commercial, we are unique in the country. Public and private funders are engaged with these issues but have not had to face this funding question as directly as the Arts Board. Generally speaking, public funders want to encourage a very broad spectrum of arts activity by both producers and presenters. The Arts Board values the role presenting organizations play in developing communities across the state through the arts.

Persons Affected. The amendment to the rules would likely affect arts organizations and institutions applying for grants with the state arts board.

Statutory Authority. *Minnesota Statutes*, section 129D.04, Subdivision 1, requires the State Arts Board to promulgate by rule procedures to be followed by the board when receiving and reviewing requests for grants, loans, and other forms of assistance.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on July 26, 2000 **OR** until further notice is published in the *State Register* that the State Arts Board intends to adopt or to withdraw the rules. The State Arts Board plans to refer all comments to the proposed rules to the governor's formally appointed State Arts Board members for further deliberation.

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

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 directed to: Cheryl Peterson-DeGeer at Minnesota State Arts Board, 400 Sibley Street, Suite 200, St. Paul, MN 55101-1928, (651) 215-1614 or (800) 866-8727, (651) 215-1602, and E-mail: *cheryl.peterson-degeer@arts.state.mn.us*. TTY users may call the State Arts Board at (651) 215-6235.

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.

NOTE: Comments received 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: 25 May 2000

Lois West Duffy, Chair
Minnesota State Arts Board
Robert C. Booker, Executive Director
Minnesota State Arts Board

Department of Children, Families and Learning Special Education Advisory Council

Positions Available on Advisory Committees for Minnesota Resource Centers: Blind/Visually Impaired and Deaf/Hard of Hearing

The Special Education Advisory Council and the Minnesota Department of Children, Families and Learning are seeking applications for the Advisory Committees for the MN Resource Centers: Blind/Visually Impaired and Deaf/Hard of Hearing. The purpose of the Advisory Committees is to assist and advise the Directors of the Resource Centers in developing policies, plans, and practices that will assure effective and efficient special education programs for learners with disabilities. Each Committee consists of twelve to fifteen members who represent parents, advocates, consumers, general and special education teachers and administrators, students, institutes of higher education. Selection of members is also based on geographical representation.

The Committees generally meet two times during the fiscal year in the metro area. Reimbursement is provided for travel costs, lodging, meals, childcare reimbursement for parent representatives and substitute teacher pay.

There are 4 to 6 three-year vacancies. To ensure appropriate representation, special consideration will be given to the following: parents of children with disabilities, consumers, teachers of Deaf/HH, teachers of Blind/VI, teachers or administrators to represent the MN State Academy for the Deaf and MN State Academy for the Blind. Special consideration will be given to maintain a geographical balance.

For an application, contact:

Mary McDevitt Kraljic
MN Department of Children, Families & Learning
1500 Highway 36 West
Roseville, MN 55113-4266
651/582-8589
E-mail: mary.mcdevitt-kraljic@state.mn.us

Minnesota Comprehensive Health Association

Notice of Meeting of Executive Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) **Executive Committee** will be held on Monday, June 26, 2000, at MCHA's executive office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN, at 9:30 a.m.

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

Minnesota Department of Health

Membership of Rulemaking Advisory Committees

This publication contains the membership of rulemaking advisory committees that commented on rules under active consideration within the Department of Health during the last year. This publication refers to those committees where the membership list has not been published in the *State Register* during the past year. This is being published in the *State Register* to comply with *Minnesota Statutes*, section 14.101, subdivision 2. If you have any questions about this publication, contact Dave Orren by mail at the Minnesota Department of Health, Health Policy and Systems Compliance Division, P.O. Box 64975, 121 East Seventh Place, Suite 400, St. Paul, Minnesota 55164-0975, by telephone at 651-282-6310, or by E-mail: david.orren@state.health.mn.us TTY users may call the Minnesota Department of Health at 651-215-8980.

For the Department's **Medical Education Assistance Programs Rules**, chapter 4763, the following organizations and persons are members of the rule advisory committee: University of Minnesota Duluth School of Medicine; Minnesota Hospital and Healthcare Partnership; Minnesota Center for Rural Health; Minnesota Academy of Family Physicians; Collaborative Rural Nurse Practitioner Project; Tri-County Hospital; Minnesota Academy of Physician Assistants; Minnesota Medical Association; Minnesota Nurses Association; Dr. Michael Bateman, DO; Ms. Carol Caso, RN; Ms. Char Granite, PA-C; Dr. Aaron Larson, MD; and Ms. Melissa Andreotti-Revenig, PA.

For the Department's **Vital Statistics Rules**, chapter 4600, the following organizations participated in rule advisory committee meetings: Albin Chapel; AMICUS; Anoka County Court Administrator; Department of Human Services; Hasra-Dougherty; Hennepin County Government Center; Minnesota Department of Health, Center for Health Statistics, Vital Statistics Redesign Team; Minnesota Coroner & Medical Examiners Association; Minnesota Correctional Facility-Faribault, Lino Lakes; Minnesota Medical Association; Minnesota Hospital and Healthcare Partnership; Minnesota Nurses Association; Minnesota Historical Society, State Archives Department; Minnesota Citizen Special Interest Advocate; Minnesota Department of Health, Center for Health Statistics, Field Service Staff; Minnesota Department of Health, Center for Health Statistics, Nosologist; Minnesota Department of Public Safety; Minnesota Department of Health, Disease Prevention and Control; Minnesota Department of Health, Health Policy and Systems Compliance, Mortuary Science; Minnesota Department of Health, Center for Health Statistics, Office of the State Registrar Staff/Amendments and Replacements Unit; Minnesota Department of Health, Center for Health Statistics, Research Staff; Renville County Recorder; Steele County Court Administrator; StreetWorks; Todd County Recorder; Werness Brothers Funeral Chapel; and Willwerscheid and Peters Funeral Home.

For the Department's **Nuclear Regulatory Commission Agreement State Rule**, chapter 4730, the following organizations and persons are members of the rule advisory committee: American Engineering Testing Inc.; Reliant Med. Physics, Inc.; Twin Ports Testing; Mayo Clinic, Nuclear Medicine Department; St. Joseph's Hospital; 3M Center Health Physics Services; Methodist Hospital; MQS Inspection; North Country Regional Hospital; Macalaster College; Braun Intertech Company; Syncor International Corporation; Hibbing Taconite Company; University of Minnesota; VA Medical Center; Immanuel St. Joseph's Hospital; North Star Imaging; University of Minnesota, Boynton Health Service; Abbott-Northwestern Hospital; Consolidated Paper; Masonic Cancer Center; Imation Corporation; Hennepin County Medical Center; Lake Superior Paper Industries; Northern States Power; Nuclear Regulatory Commission; IBM; Mallenchrordt Medical; Fairview Southdale Hospital; Carleton College; Progress Casting;

Official Notices

Dr. Geoffrey Bodeau; Dr. Mary Fox; U.S. Steel Co.; Shared Medical Technology, Inc.; Midwest Testing Laboratory, Inc., MVTL Laboratories, Inc.; U.S. Food and Drug Administration; Lakehead Pipeline Co.; St. Cloud Hospital; United Hospital; TSI Inc.; University of St. Thomas; MN Dept. of Public Service; General Dynamics Computing Devices International; and Fairview Lakes Regional Medical Center.

For the Department's **Health Risk Value Rule**, chapter 4717, the following organizations are members of the rule advisory committee: Metropolitan Council; Ashland Petroleum; American Plastics Council; Minnesota Department of Agriculture; Koch Refining Co.; Minnesota Medical Association; Minnesota Public Health Association; Dakota County Environmental Health; Iron Mining Association; American Lung Association; Minnesota Environmental Coalition—Labor and Industry; Boise Cascade; Oppenheimer, Wolff, and Donnelly; Northern States Power Co.; Minnesota Pollution Control Agency; Lake Superior Paper; International Poison Center; University of Minnesota School of Public Health; Earth Tech Environmental; Braun Intertec Corporation; Minnesota Chamber of Commerce (3M); Minnesota Center for Environmental Advocacy; and Minnesota Building & Construction Trades.

For the Department's **Minnesota Clean Indoor Air Act Rule**, chapter 4620, the following organizations are members of the rule advisory committee: Minnesota Grocers Association; Laborers Union - AFL CIO; American Lung Association of Minnesota; Hospitality Minnesota; Minnesota Department of Agriculture, Dairy and Food Inspection Division; Minnesota Licensed Beverage Association; St. Louis County Department of Public Health; Minnesota Partnership for Action Against Tobacco; Parasole Restaurant Holdings, Inc.; Minnesota Retail Merchants Association; St. Paul - Ramsey County Department of Health; Philip Morris Management Corporation represented by Cook Hill Girard Associates; Brown & Williamson Tobacco; Brown-Nicollet CHS; City of Bloomington, Health Division; Minnesota Smoke-Free Coalition; Washington County, Dept. of Public Health and Environment; American Cancer Society; Isanti County, Public Health Services; Association for Nonsmokers - MN; University of Minnesota, School of Public Health; Minnesota Health and Housing Alliance; The Trane Company; American Heart Association; Minnesota Medical Association; Minnesota Planning; Barbara L. Hughes; and Richard Woellner, M.D.

For the Department's **Health Care Cost Information System Rules**, chapter 4650, the following organizations participated in rule advisory committee meetings: Minnesota Department of Health, Health Policy & Systems Compliance Division; Minnesota Department of Human Services; Minnesota Hospital and Healthcare Partnership; Mayo Clinic; Sleepy Eye Municipal Hospital; Headwaters Group; Gillette Children's Hospital; Minnesota Primary Care Association; Children's Defense Fund; Regions Hospital; Allina; and Children's Hospital.

Dated: 13 June 2000

Dave Orren, Rule Writer
Minnesota Department of Health

Department of Health

Health Policy and Systems Compliance Division

Managed Care Systems Section

Solicitation of Public Comments on Essential Community Provider (ECP) Applications

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health has received applications to be designated as Essential Community Providers (ECPs) from the following entities:

International Health Care Services (also known as Transcultural Home Health Care, Inc.)

2525 Nevada Avenue North, Suite 302
Golden Valley, Minnesota 55427

Asian Community Health Center

962 University Avenue
St. Paul, Minnesota 55104

Family and Children's Service (includes two offices in Minneapolis, and offices in Brooklyn Park and Bloomington)

414 South Eighth Street
Minneapolis, Minnesota 55404

Fraser Child and Family Center

2520 Minnehaha Avenue
Minneapolis, Minnesota 55404

West Hennepin Counseling Services, Inc. (includes Way 12 Halfway House and Pyramid Counseling Center in Minnetonka)
10520 Wayzata Boulevard
Minnetonka, Minnesota 55305

Five County Mental Health Centers (includes clinics in Braham, Cambridge, Hinckley, Center City, and Milaca)
521 Broadway Avenue North
P.O. Box 287
Braham, Minnesota 55006

Pursuant to *Minnesota Statutes*, section 62Q.19, subdivision 1 (5), the public shall have 30 days from the date of this publication to submit written comments on these applications to the commissioner of health. Please submit any written comments to:

Tom Johnson
Minnesota Department of Health
P.O. Box 64975
St. Paul, Minnesota 55164-0975

Questions may be directed to Tom Johnson at (651) 282-6333 or by E-mail: tom.johnson@health.state.mn.us

Health Technology Advisory Committee

Notice of: 1) Availability of Preliminary "Preoperative Autologous Blood Donation" Evaluation Report; and 2) Solicitation of Written Comments

The Health Technology Advisory Committee (HTAC) is charged under *Minnesota Statutes* 62J.152 with conducting evaluations of specific technologies and their specific use and application. For the purposes of evaluation, the definition of technologies in statute includes "... drugs, devices, procedures, or processes applied to human health care" As part of the evaluation process, HTAC is required to submit a report to the Legislative Oversight Commission on Health Care Access and to solicit written comments on the report. Before completing its final comments and recommendations on the HTAC technology evaluation report, HTAC solicits public comment on the report.

The Health Technology Advisory Committee (HTAC) has recently completed the preliminary evaluation report, "Preoperative Autologous Blood Donation".

Brief Summary of the Preliminary HTAC Report: Preoperative Autologous Blood Donation

The risk of acquiring blood-borne disease from allogeneic transfusion has been substantially minimized in recent years by thorough screening of blood donors and extensive testing of all allogeneic blood. The current risk of transmitting HIV through allogeneic transfusion is approximately 1 in 676,000.

Physician recommendation is the major motivating factor for autologous donation. However, studies suggest that while PABD decreases, it does not eliminate, the need for allogeneic transfusion. PABD greatly increases the likelihood of any transfusion and is not entirely without medical risks. The medical risks include vasovagal reactions, cardiac complications, anemia, possible administration of the wrong blood (that is, blood other than the autologous donor's blood) and bacterial and viral infection.

Only about one-half of autologous blood units collected are actually utilized, and the cost per life-year-saved is significantly higher than the benchmark cost of accepted medical and surgical interventions. Therefore, in view of the safety of the U.S. blood supply today, PABD has been shown not to be cost-effective.

Recommendations

PABD should be discontinued as a routine medical practice due to the current high degree of safety of the U.S. blood bank supply, as well as due to the inherent medical risks associated with PABD. This recommendation becomes of even increasing clinical importance since new blood bank testing procedures, and new means of treating and handling allogeneic blood units, are being developed and implemented on an ongoing basis.

Blood transfusion requires the informed consent of patients, and the medical risks and benefits of both autologous and allogeneic blood transfusion need to be discussed in detail by physicians prior to elective surgery. It is important during such discussions to reserve the encouragement of PABD for patients who, in the physician's professional opinion, have a real and obvious medical requirement for electing PABD.

Official Notices

Allogeneic blood units should be transfused whenever clinically appropriate, such as when a patient refuses allogeneic blood.

Physicians should discuss the medical risks and substantial costs associated with PABD in detail with their patients before encouraging the use of PABD.

Individuals or organizations requesting information or a copy of the report should contact HTAC. Written comments regarding the report are due within 30 days from the publication of this notice. Any written material received by HTAC shall be subject to the requirements of the Minnesota Data Practices Act (*Minnesota Statutes*, Section 13) and should be forwarded to:

Nancy Cusick
Health Technology Advisory Committee
121 East 7th Place, Suite 400
St. Paul, MN 55101
Phone: 651-282-6374
Fax: 651-282-5628
<http://www.health.state.mn.us/htac/index.htm>

Department of Human Services

Notice of Health Service Second Medical Opinion Requirement as a Condition of Minnesota Health Care Program Payment

The following services and Current Procedural Terminology Codes (CPT codes)* have been removed from the list of services requiring second medical opinion (SMO) as authorized under *Minnesota Rules* Part 9505.5035, Subpart 1. The services include tonsillectomy and/or adenoidectomy, and cholecystectomy.

Tonsillectomy or Adenoidectomy: 42820, 42821, 42825, 42826, 42830, 42831, 42835, 42836, and 42870.
Cholecystectomy: 47600, 47605, 47610, 47610 with 47550, 47612, 47620, 56340, 56341, and 56342.

This change in SMO requirement is effective immediately. Questions or comments should be addressed to:

Christine Reisdorf
Benefit Policy Supervisor
Purchasing and Service Delivery Division
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3853
(651) 296-8822

*Current Procedural Terminology (CPT) codes and descriptions only are copyright 1999 American Medical Association. All Rights Reserved.

9505.5035 SURGICAL PROCEDURES REQUIRING SECOND MEDICAL OPINION.

Subpart 1. **General requirements.** Second medical opinions shall be required for medical assistance, general assistance medical care, and MinnesotaCare recipients for inpatient and outpatient elective surgical procedures according to the list published in the *State Register* under *Minnesota Statutes*, section 256B.0625, subdivisions 1, 4a, and 24. Publication shall occur in the last issue of the *State Register* for the month of October if there has been a revision in the list since the last October. In addition, the department shall publish any revision of the list at least 45 days before the effective date if the revision imposes a second medical opinion requirement. The department shall send each provider a copy of the published list or a revision of the published list.

256B.0625 Covered services.

Subdivision 1. **Inpatient hospital services.** Medical assistance covers inpatient hospital services. A second medical opinion is required prior to reimbursement for elective surgeries requiring a second opinion. The commissioner shall publish in the *State Register* a list of elective surgeries that require a second medical opinion prior to reimbursement, and the criteria and standards for deciding whether an elective surgery should require a second medical opinion. The list and the criteria and standards are not subject to the requirements of sections 14.001 to 14.69. The commissioner's decision whether a second medical opinion is required, made in accordance with rules governing that decision, is not subject to administrative appeal.

Subd. 4a. **Second medical opinion for surgery.** Certain surgeries require a second medical opinion to confirm the necessity of the procedure, in order for reimbursement to be made. The commissioner shall publish in the *State Register* a list of surgeries that require a second medical opinion and the criteria and standards for deciding whether a surgery should require a second medical opinion. The list and the criteria and standards are not subject to the requirements of sections 14.01 to 14.69. The commissioner's decision about whether a second medical opinion is required, made according to rules governing that decision, is not subject to administrative appeal.

Subd. 24. **Other medical or remedial care.** Medical assistance covers any other medical or remedial care licensed and recognized under state law unless otherwise prohibited by law, except licensed chemical dependency treatment programs or primary treatment or extended care treatment units in hospitals that are covered under chapter 254B. The commissioner shall include chemical dependency services in the state medical assistance plan for federal reporting purposes, but payment must be made under chapter 254B. The commissioner shall publish in the *State Register* a list of elective surgeries that require a second medical opinion before medical assistance reimbursement, and the criteria and standards for deciding whether an elective surgery should require a second medical opinion. The list and criteria and standards are not subject to the requirements of sections 14.01 to 14.69.

Department of Human Services

Health Care Administration

Public Notice Regarding Changes in the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, the Senior Drug Program, and the MinnesotaCare Program

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of certain changes to the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, the Senior Drug Program, and the MinnesotaCare Program, enacted by the 2000 Minnesota Legislature. This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires public notice of any significant proposed change in the methods and standards for setting payment rates for noninstitutional services. This notice is also published pursuant to 42 U.S.C. section 1396a(a)(13), which requires the Department to publish proposed and final nursing facility, inpatient hospital and Intermediate Care Facilities for Persons with Mental Retardation (ICF/MR) payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. The changes to the state MA Program are expected to result in a net increase in MA Program expenditures of \$182 million for State Fiscal Year 2001.

The actual text of these changes is contained in *2000 Minnesota Session Laws* of the chapters cited below. *Minnesota Session Laws* are available by calling the House or Senate Index at 651-296-6646 or 651-296-0504. It is important to note that not all changes made to these programs by the 2000 Legislature are mentioned in this notice. For example, only eligibility changes that are considered of interest to providers are represented in the notice.

Information related to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to MA, GAMC, Senior Drug Program, and MinnesotaCare enrollees through written notice, and to health care providers through newsletters and updates to the Minnesota Health Care Programs Provider Manual.

Changes were made to the following areas:

- I. MA, GAMC, MinnesotaCare, and Prescription Drug Program (Senior Drug Program) Eligibility
- II. MA, GAMC, MinnesotaCare, and Prescription Drug Program Services
- III. MA Long Term Care Services and Payment Rates
- IV. Home and Community Based Waivers, and Other Programs Services and Payment Rates

I. MA, GAMC, MinnesotaCare, and Prescription Drug Program (Senior Drug Program) Eligibility

- Effective 8/1/00, to be eligible for the MA for employed persons with disabilities option, a person must be at least age 16 but less than age 65. Chapter 340, Section 3.
- Effective 4/1/00, earned income of a temporary census employee for the 2000 census is excluded from income for people receiving benefits under the health care programs governed by *Minnesota Statutes*, chapter 256B, chapter 256L, and Section 256D.03, subdivision 3. Chapter 429, Section 1, as amended by Chapter 499, Section 35.

Official Notices

- Effective 7/1/00, the name of the Senior Drug Program is changed to the Prescription Drug Program. Chapter 488, Article 9, Section 7.
- Effective 7/1/02, people under the age of 65 who get Medicare because they have disabilities can enroll in the Prescription Drug Program. Chapter 488, Article 9, Section 10.
- Effective 10/1/00, the asset limit for the Qualified Medicare Beneficiary (QMB), Service Limited Medicare Beneficiary (SLMB) and Qualifying Individuals (QI) programs will increase to \$10,000 for a single person and \$18,000 for a married couple or family of two or more. Chapter 488, Article 9, Section 15.
- Effective 10/1/00, the asset limit for the Prescription Drug Program (formerly the Senior Drug Program) will increase to \$10,000 for a single person and \$18,000 for a married couple or family of two or more. Chapter 488, Article 9, Section 15.
- Effective 7/1/00, the commissioner shall provide information about the availability of private health insurance and the possibility of disenrollment due to income above the MinnesotaCare income standards to families with children whose gross income is at or above 225% of the federal poverty guidelines and to adults without children whose gross income is at or above 165% of the federal poverty guidelines. Chapter 488, Article 9, Section 27.
- Effective 7/1/00, the commissioner shall include information regarding the availability of private health insurance in the notice that goes to MinnesotaCare enrollees who are disenrolled due to income above the MinnesotaCare income standards to enrollees whose income is approaching the income limits. Chapter 488, Article 9, Section 27.
- Effective 7/1/00, the commissioner shall determine requirements necessary to obtain federal matching funds for a direct employee subsidy of employer-based health care coverage for children of employees with household incomes below 200% of the federal poverty guidelines. By 1/15/01, the commissioner, in consultation with the commissioners of health and commerce, employer, and rural business purchasing alliances, shall report to the Legislature on the federal requirements and recommend how best to provide employee subsidies of employer-based coverage for children of employees with household incomes below 200% of the federal poverty guidelines in a manner that does not: (1) require changes to employer-based health care coverage; or (2) create incentives for employers to utilize publicly subsidized health care. Chapter 488, Article 9, Section 31.
- Effective 7/1/02, persons who lost Supplemental Security Income (SSI) benefits because drug or alcohol addiction was a contributing factor to their disability are ineligible for GA, GRH and GAMC. Chapter 488, Article 10, Section 28.
- Effective 7/1/00, the commissioner shall conduct a study to identify the characteristics of recipients who will lose GA, GAMC and GRH eligibility effective 7/1/02, because their SSI benefits ended due to drug or alcohol addiction. By 1/15/01, the commissioner shall report to the Legislature on the study results and the cost estimates of extending GA, GAMC and GRH eligibility to this population. Chapter 488, Article 10, Section 31.

II. MA, GAMC, MinnesotaCare, and Prescription Drug Program Services (Senior Drug Program)

- Effective 7/1/02, the Prescription Drug Rebate program will expand to include rebates for prescription drugs provided to Prescription Drug Program eligible persons under age 65. Chapter 488, Article 9, Section 6.
- Effective 7/1/00, payment for child welfare targeted case management may be made pursuant to *Minnesota Statutes* section 256B.0625, or other federally approved rate setting methodology, for services provided by Indian Health services and facilities operated by a tribe or tribal organization. Chapter 488, Article 9, Section 17.
- Until 1/1/02, the county MA and GAMC capitation case rate prior to plan specific adjustments and after the regional rate adjustments under *Minnesota Statutes*, section 256B.69, subdivision 5b, shall be reduced 6.3% for Hennepin County and two percent for the remaining metropolitan counties. There will be no reduction for nonmetropolitan Minnesota counties. Chapter 488, Article 9, Section 25.
- Effective 7/1/00, school districts must pay the nonfederal share for MA services provided under individual education plans. Chapter 488, Article 11, Section 2.
- Effective 7/1/00, the commissioner shall provide an advance of up to \$500,000 to county based purchasing sites in June of 2001 and June of 2002. These advances shall be recovered from the following month's per capita payments. Chapter 488, Article 8, Section 2.
- Effective for services rendered on or after 1/1/01, capitation payments under *Minnesota Statutes*, section 256B.69 and under *Minnesota Statutes* section 256D.03 for services provided in the month of June shall be made no earlier than the first day after the month of service. Chapter 488, Article 9, Section 26.
- Effective 7/1/00, *Minnesota Statutes* section 256B.69 subdivision 5b shall not affect the non-geographically based risk adjusted rates established under section *Minnesota Statutes* section 62Q.03, subdivision 5a, paragraph (f). Chapter 488, Article 9, Section 24

- The deadline for design and implementation recommendations for proposals required in the rehabilitation services option for adults with mental illness and other conditions and targeted case management for vulnerable adults has been extended until January 15, 2001 for implementation by January 1, 2002, with respect to the proposal for adults with mental illness and other conditions. Chapter 340, Section 16.
- Effective 7/1/00, the Legislature expanded (MA) covered marriage and family therapists services to include marriage and family therapists who are practicing independently or in other settings. Prior to this time, MA covered only marriage and family therapists when they were practicing as part of a community mental health center. Chapter 488, Article 9, Sections 4 and 16.
- Effective 7/1/00, MA covers services performed by a registered physician assistant if the service is otherwise covered under *Minnesota Statutes*, chapter 256B as a physician service and if the service is within the scope of practice of a registered physician assistant as defined in *Minnesota Statutes*, section 147A.09. Chapter 298, Section 3.
- Effective 7/1/00, MA covers audiology services and related services provided by a person who has been issued a temporary registration under *Minnesota Statutes*, section 148.5161 shall be reimbursed at the same rate as services performed by a speech language pathologist or audiologist as long as the requirements of *Minnesota Statutes*, section 148.5161, subdivision 3, are met. Chapter 347, Section 1.

III. MA Long Term Care Services and Payment Rates

Nursing Facilities

The Governor's supplemental budget did not propose changes to the nursing facility rate-setting system. During the 2000 legislative session, the Minnesota Legislature gathered information, and held public hearings at which trade associations, providers, facility employee union representatives, nursing facility residents, and the general public were invited to attend. The Legislature considered the public's input and enacted the changes described below.

- Effective 7/1/00, a 31-bed facility in St. Louis County was approved for a moratorium exception to construct a new 44 bed facility to replace the existing 31 bed facility that has an antiquated elevator, and eliminates 3 and 4 bed rooms. Chapter 488, Article 9, Section 2.
- Effective 7/1/00, a 16-bed facility in Hennepin County was approved to license and certify four additional beds that were voluntarily delicensed on or before March 31, 1992. The facility must comply with any requirements necessary to insure that it does not fall within the federal definition of an institution for mental disease. Chapter 488, Article 9, Section 2.
- Effective 7/1/00, a 80-bed facility in Mille Lacs County was approved for a moratorium exception to license and certify 72 beds in an existing 80-bed nursing facility as part of a renovation project. Chapter 488, Article 9, Section 2.
- Effective 7/1/00, a nursing facility will be allowed to lay away up to 50 percent of its licensed and certified beds by providing a 60-day notice to the commissioner of health of its intent. Beds on lay away status may be relicensed at any time after one year of the date of lay away. A nursing facility that removes beds from lay away may not place beds on lay away status for one year. Beds may remain on lay away status for up to five years. Beds on lay away status are not subject to license fees and license surcharge fees. The property rate will be recalculated based on the number of beds after lay away. For facilities reimbursed under the Alternative Payment System (APS), the property rate will also be recalculated when they delicense beds. A nursing facility may change its single-bed election at the time of lay away or delicensure. Chapter 488, Article 9, Sections 3 and 21.
- Effective 7/1/00, a nursing facility in Redwood County will be allowed to use the replacement-costs-new per-bed limits established for total replacements for its moratorium exception project. The resulting maximum allowable replacement costs will be multiplied by 1.25 to constitute the project's dollar threshold. This facility also is exempt from counting its single beds as one-and-a-half beds when computing the capacity days and can use the single-bed limit when computing its allowable appraised value. Chapter 488, Article 9, Section 18.
- Effective 7/1/01, the replacement-costs-new per-bed limits that were established for total replacements will apply to any building project that is a relocation, renovation, upgrading, or conversion authorized under the moratorium exception process. Chapter 488, Article 9, Section 18.
- Effective 7/1/00, nursing facilities paid under Rule 50 or the Alternative Payment System will have operating payment rate increases applied to each facility's June 30, 2000 operating payment rate. Chapter 488, Article 9, Section 19.
- Effective 7/1/00, a rate increase will be added for a per-hour pay rate increase for all employees except management fees, the administrator and central office staff. The funds are to be used for wage increases in equal dollar amounts and to pay for FICA, Medicare tax, workers' compensation, and federal and state unemployment insurance. This is in addition to the 3.632 percent compensation-related rate increase approved in last year's legislation for the rate year beginning 7/1/00.

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Money received by the facility for the per-hour pay rate increase shall be used only for rate increases implemented after 7/1/00. Facilities must submit an application for the compensation adjustment containing a plan for distribution for both the 3.632% and the per-hour pay rate increase. A negotiated union agreement constitutes the plan only if the agreement is finalized after the date of enactment. The plan must be posted or otherwise made available to the nursing facility's employees. Once the plan is approved the rate adjustment will be added to the facility's payment rate. Chapter 488, Article 9, Section 19 as amended by Chapter 499, Section 23.

- Effective 7/1/00, one nursing facility paid under Rule 50 will receive specified one-time operating rate increases that will become part of the base in determining future years' rates. Chapter 488, Article 9, Section 20.
- Effective 7/1/00, six nursing facilities paid under the Alternative Payment System will receive specified one-time rate increases that will become part of the base in determining rates in future years. One of the facility's increase will be provided contingent upon lay away or delicensure of 70 beds. Chapter 488, Article 9, Section 22.
- Effective 7/1/00, a nursing facility in St. Louis county that was approved for a moratorium exception project in the fall of 1998 will receive a property rate increase of \$8.16 upon completion of its moratorium project in order to access the full amount of funding allocated for this project. The approval from the Commissioner of Health was extended through July 1, 2001. Chapter 271, Sections 1 and 2.
- Effective 7/1/00, the size limit for a nursing facility in which a director of nursing may serve as an administrator was increased from 32 beds to 45 beds. Chapter 294, Section 1.
- Effective 7/1/00, a nursing facility in Goodhue county will have its employee pension benefits treated as Public Employee Retirement (PERA) contributions in the rate calculation. Chapter 294, Section 2.
- Effective on or after 7/1/01, but no later than 1/1/02, the performance-based contracting system for nursing facilities must include case-mix adjustments that are based on the federally mandated minimum data set assessment instrument. The new system must have a budget neutral financial impact on each facility at the time of implementation, relative to the current case-mix system. Chapter 315, Sections 1 and 2.
- Effective 7/1/00, interim rates for facilities that are closing and rate adjustments for facilities within the same organization that remain open will be provided based on savings generated from facilities that have closed. This language only applies to facilities within Good Samaritan Society or Benedictine Health Systems. A report is due to the legislature by January 15, 2001, on recommendations for revision and general application of the closure process. Chapter 364, Sections 1 to 5.
- Effective 7/1/00, obsolete language from nursing facility statutes was repealed and amended. Corrections and modifications in language were also made regarding the Alternative Care program in this chapter. Chapter 449, Sections 1 to 17.

The Department anticipates adding these changes to its Medical Assistance State Plan. Individual nursing facilities' payment rates are available by contacting the Audits Division, Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3836 or at (651) 296-9916.

ICFs/MR

The Governor's supplemental budget did not propose changes to the ICF/MR rate-setting system. During the 2000 legislative session, the Minnesota Legislature gathered information, and held public hearings at which trade associations, providers, ICF/MR union representatives, ICF/MR residents, and the general public were invited to attend. The legislature considered the public's input and enacted the changes described below.

- Effective 10/1/00, when there is a documented increase in the resource needs of a current ICF/MR resident, or a person is admitted to an ICF/MR who requires additional resources, the county of financial responsibility may recommend approval of a variable rate to enable the facility to meet the needs based on the recipient's screening. Resource needs directly attributable to an individual that may be considered under the variable rate adjustment include increased direct staff hours and other specialized services, equipment, and human resources. Chapter 474, Section 14.
- Before 10/1/00, and annually thereafter, all persons must be screened according to *Minnesota Statutes*, section 256B.092, subdivisions 7 and 8. A recipient must also be screened when a variable rate is being requested due to changes in the recipient's needs. Screening data shall be analyzed to develop broad profiles of the functional characteristics of recipients. Criteria to be used to develop these profiles will include, but not be limited to: (1) the functional ability of a recipient to care for and maintain the recipient's own basic needs; (2) the intensity of any aggressive or destructive behavior; (3) any history of obstructive behavior in combination with a diagnosis of psychosis or neurosis; (4) a need for resources due to a change in resident day program participation because the resident: (i) has reached the age of 65 or has a change in health condition that makes it difficult for the person to participate in day training and habilitation services over an extended period of time because it is medically contraindicated; and (ii) has expressed a desire for change through the developmental disabilities screening process under *Minnesota Statutes*, section 256B.092; and (5) a need for additional resources for

intensive short-term training that is necessary prior to a recipient's discharge to a less restrictive, more integrated setting. The recipients' screenings will be used to link resource needs to funding. The resource profile will determine the level of funding. The variable rate must be applied to expenses related to increased direct staff hours and other specialized services, equipment, and human resources. A recipient must be screened by the county of financial responsibility. Rate adjustments projected to exceed the authorized funding level associated with the person's profile must be submitted to the Department. The county of financial responsibility must indicate the projected length of time that the additional funding may be needed for the individual. The need to continue an individual variable rate must be reviewed at the end of the anticipated duration of need but at least annually through the completion of the developmental disabilities screening document. Chapter 474, Section 14.

- An ICF/MR must maintain and submit monthly bed use data in the form of resident days and variable rate information. When an ICR/MR reports a variable rate, monthly bed use data must be used to track the amount and time span of the rate adjustment. The total payments made to an ICR/MR may be adjusted based on concurrent changes in the needs of recipients that are covered by a variable rate adjustment. Any adjustment for multiple resident changes must not result in a decrease to the ICF/MR base rate. Chapter 474, Section 15.
- During the initial contracting period, the Department must review the process of variable rate adjustments to determine if the variable rate process is being effectively implemented and whether the variable rate process minimizes unnecessary detailed recordkeeping and meets recipient needs. Chapter 474, Section 16.
- Effective 10/1/00, an ICF/MR paid pursuant to Rule 53 or a service contract will receive a 6.6 percent rate increase based on compensation-related costs, 45 percent of which must be used to increase the per-hour pay rate of all employees except administrative and central office employees by an equal dollar amount and to pay associated costs for FICA, the Medicare tax, workers' compensation premiums, and federal and state unemployment insurance. This portion of the compensation-related increase must be used only for wage increases implemented on or after 10/1/00. Also effective 10/1/00, an ICFs/MR will receive a two percent rate increase for all other operating costs. To determine the rate increase, the Department will use the most recent cost report that has been subject to desk audit. An ICF/MR with payment rates governed by closure agreements, receivership agreements, or *Minnesota Rules*, part 9553.0075, is not eligible for an increase otherwise granted. Chapter 488, Article 9, Section 23.
- An ICF/MR that applies for a rate increase must submit an application by 12/31/00 containing a plan for distribution. An ICF/MR that submitted a plan last year may amend its plan by 12/31/00. An agreement negotiated and agreed to by the employer and its employees' exclusive bargaining representative constitutes the plan, but only if the agreement is finalized after May 15, 2000. Chapter 488, Article 9, Section 23.
- An ICF/MR may apply for the compensation-related payment rate adjustment calculated under this subdivision. The application must be made to the commissioner and contain a plan by which the facility will distribute the compensation-related portion of the payment rate adjustment to employees of the facility. For facilities in which the employees are represented by an exclusive bargaining representative, an agreement negotiated and agreed to by the employer and the exclusive bargaining representative constitutes the plan. For the rate year beginning 10/1/00, a negotiated agreement may constitute the plan only if the agreement is finalized after the date of enactment of all rate increases for that year. The commissioner shall review the plan to ensure that the payment rate adjustment per diem is used as provided in this subdivision. To be eligible, a facility must submit its plan for the compensation distribution by December 31. A facility may amend its plan for the second rate year by submitting a revised plan by December 31, 2000. If a facility's plan for compensation distribution is effective for its employees after October 1 of the year that the funds are available, the payment rate adjustment per diem shall be effective the same date as its plan.
- A copy of the approved distribution plan must be made available to all employees. This must be done by giving each employee a copy or by posting it in an area of the facility to which all employees have access. If an employee does not receive the compensation adjustment described in their facility's approved plan and is unable to resolve the problem with the facility's management or through the employee's union representative, the employee may contact the Department of Human Services at (651) 282-6700 (metro area) or (888) 234-5520 (outside the metro area). Providers should include this information in the approved distribution plans they make available to all employees.

The Department anticipates adding these changes to its Medical Assistance State plan. Facility-specific ICF/MR rates will available on or after 7/1/00 by contacting John Fillbrandt, Minnesota Department of Human Services, 444 Lafayette Road North, St. Paul, MN 55155-3836 or at (651) 582-1910

IV. MA Home and Community Based Waivers, and Other Programs Services and Payment Rates

Continuing Care Provider Rate Increases. Effective 7/1/00, continuing care provider rates shall be increased by six percent for the following providers: home and community-based waived services for persons with mental retardation or related conditions under *Minnesota Statutes*, section 256B.501; home and community-based waived services for the elderly under *Minnesota*

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Statutes, section 256B.0915; waived services under community alternatives for disabled individuals under *Minnesota Statutes*, section 256B.49; community alternative care waived services under *Minnesota Statutes*, section 256B.49; traumatic brain injury waived services under *Minnesota Statutes*, section 256B.49; nursing services and home health services under *Minnesota Statutes*, section 256B.0625, subdivision 6a; personal care services and nursing supervision of personal care services under *Minnesota Statutes*, section 256B.0625, subdivision 19a; private-duty nursing services under *Minnesota Statutes*, section 256B.0625, subdivision 7; day training and habilitation services for adults with mental retardation or related conditions under *Minnesota Statutes*, sections 252.40 to 252.46; alternative care services under *Minnesota Statutes*, section 256B.0913; adult residential program grants under *Minnesota Rules*, parts 9535.2000 to 9535.3000; adult and family community support grants under *Minnesota Rules*, parts 9535.1700 to 9535.1760; semi-independent living services under *Minnesota Statutes*, section 252.275, including SILS funding under county social services grants formerly funded under *Minnesota Statutes*, chapter 256I; and community support services for deaf and hard-of-hearing adults with mental illness who use or wish to use sign language as their primary means of communication.

Providers must use the additional revenue as follows: (1) at least 40 percent to increase the compensation paid to employees other than the administrator and central office staff; (2) at least 50 percent to increase the per-hour pay rate of all employees other than the administrator and central office staff by an equal dollar amount and to pay associated costs for FICA, the Medicare tax, workers' compensation premiums, and federal and state unemployment insurance. For public employees, the portion of this increase reserved to increase the per-hour pay rate for certain staff by an equal dollar amount shall be available and pay rates shall be increased only to the extent that they comply with laws governing public employees collective bargaining. Money received by a provider as a result of the additional rate increase described in this clause shall be used only for wage increases implemented on or after July 1, 2000, and shall not be used for wage increases implemented prior to that date; and (3) up to ten percent for other purposes.

A copy of the provider's plan for complying with the above requirements must be made available to all employees. This must be done by giving each employee a copy or by posting it in an area of the provider's operation to which all employees have access. If an employee does not receive the salary adjustment described in the plan and is unable to resolve the problem with the provider, the employee may contact the employee's union representative. If the employee is not covered by a collective bargaining agreement, the employee may contact the Department of Human Services at (651) 282-6700 (metro area) or (888) 234-5520 (outside the metro area). Providers should include this information in the approved distribution plans they make available to all employees. Chapter 488, Article 9, Section 29, as amended by Chapter 499, Section 25.

OTHER PROVIDER RATE INCREASES

- Effective 7/1/00, the mileage reimbursement rate for special transportation under *Minnesota Statutes*, 256B.0625, subdivision 17 shall be increased by 10 cents per mile from 7/1/00 through 6/30/01. Chapter 488, Article 8, Section 2.

Department of Human Services

Health Care Administration-Maternal and Child Health Assurance

Public Notice Regarding a Medical Assistance Child Welfare-Targeted Case Management Rate

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of a new proposed rate under the Medical Assistance Program for child welfare-targeted case management services provided by: (1) Indian Health Service (IHS) facilities, and (2) facilities operated by a tribe or a tribal organization funded by Title I or III of the Indian Self-Determination and Education Assistance Act (P.L. 93-638) and known as "638" facilities.

Effective July 1, 2000 or upon federal approval, when IHS and 638 facilities provide child welfare-targeted case management services, Medical Assistance will pay them by one of two methods: (1) the current IHS encounter rate, which is a rate negotiated between the IHS and the Health Care Financing Administration, published by the IHS in the *Federal Register*, or (2) another federally approved rate setting methodology. The authority for this payment rate is at *Minnesota Statutes*, section 256B.094, subdivision 6, clause (c).

Because the IHS encounter rate is 100 percent federally funded, use of that option will not result in any state expenditures. The use of the second option may result in undetermined state expenditures. At this time, the Department is negotiating with the Health Care Financing Administration in order to receive approval to pay providers using the first option.

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

For further information, contact:

Susan Castellano
Minnesota Department of Human Services
Performance Measurement and Quality Improvement
Maternal and Child Health Assurance
444 Lafayette Road North
St. Paul, MN 55155-3865
(651) 282-5960

Department of Human Services

Health Care Administration-Maternal and Child Health Assurance

Public Notice Regarding a Medical Assistance Special Transportation Rate Effective July 1, 2000

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of a new rate for specific Medical Assistance special transportation.

Effective July 1, 2000, the Department will pay eligible school districts a rate for furnishing special transportation to Medical Assistance-enrolled children receiving certain Medical Assistance services listed in their Individualized Family Service Plans (IFSPs) or in their Individualized Education Plans (IEPs).

The rate will be determined by multiplying the number of miles each child is transported to or from school on a day that IFSP or IEP services are provided by the per mile rate of \$2.21.

The Medical Assistance services and the need for special transportation must be included in each IFSP or IEP.

The new rate is expected to result in an increase in Medical Assistance expenditures of \$1.9 million for State Fiscal Year 2001 and \$1.9 million for State Fiscal Year 2002.

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for MA services.

For further information, contact:

Genie Potoksy
Minnesota Department of Human Services
Performance Measurement and Quality Improvement
Maternal and Child Health Assurance
444 Lafayette Road North
St. Paul, MN 55155-3865
(651) 215-1075

Department of Labor and Industry

Labor Standards Unit

Notice of Corrections to Commercial Prevailing Wage Rates

Corrections have been made to the Commercial Prevailing Wage Rates certified 12/06/99, for **Labor Code 406, Cement Masons, in Itasca County and St. Louis County.**

Copies of the corrected certifications may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306 or by calling (612) 296-6452. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich
Commissioner

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Minnesota State Law Library

Notice of County Law Library Filing Fees

Pursuant to *Minnesota Statutes* 134A.09 and 134A.10, the following law library fees are in effect as of July 1, 2000. Civil fees include probate matters except as noted. Criminal conviction includes felonies, gross misdemeanors, and misdemeanors except as noted.

<u>COUNTY</u>	<u>CIVIL</u>	<u>CONCILIATION</u>	<u>CRIMINAL CONVICTION</u>	<u>PETTY MISDEMEANORS</u>
Pipestone	\$10	\$10	\$10	\$10
Murray	\$10	\$10	\$10	\$10

Metropolitan Airports Commission

Notice of Adoption of Ordinance No. 94

Please take notice that on the 19th of June, 2000, at a regularly scheduled meeting, the Metropolitan Airports Commission adopted Ordinance No. 94.

Ordinance No. 94:

An ordinance to promote and conserve the public safety, health, peace, convenience, and welfare by adopting the Minnesota State Building Code as the building code for the Minneapolis-St. Paul International Airport and providing for the application, administration, enforcement of that building code.

Copies of Ordinance No. 94 as adopted will be on file with the Secretary of State and may be obtained from the Metropolitan Airports Commission offices.

Jeffrey W. Hamiel
Executive Director
Metropolitan Airports Commission
6040 – 28th Avenue South
Minneapolis, MN 55450

Metropolitan Council

Public Hearing on Proposed 2001-2004 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area

The Transportation Advisory Board (TAB) of the Metropolitan Council will hold a public hearing to receive public reaction to the proposed 2001-2004 Transportation Improvement Program (TIP) for the Twin Cities metropolitan area. The program will include highway, transit, bikeway and pedestrian enhancements and air quality projects that are proposed for federal funding in the seven-county metropolitan area in the next four years. The program is prepared annually in accordance with federal requirements and must contain all projects that are to be implemented with federal funding assistance.

The proposed public hearing will be held at the Metropolitan Council offices, Mears Park Centre, 230 E. Fifth St., St. Paul, Wednesday, August 2, 2000, 4 p.m., Metropolitan Council Chambers.

The Transportation Advisory Board will also hold an Open House to allow discussion of the proposed program with Metropolitan Council staff and TAB members. The Open House will be held in July. The time and place will be announced in the News media and on the Metropolitan Council website (www.metrocouncil.org) as soon as the meeting is scheduled.

The TIP is prepared jointly by the Metropolitan Council and the Minnesota Department of Transportation. Projects contained in the TIP reflect the region's priorities and help implement the region's transportation plan. Projects will be analyzed to determine impact on regional air quality. The program will be adopted by the Transportation Advisory Board and approved by the Metropolitan Council. In the TIP and at the public hearing, the progress made on implementing the region's transportation plan will be reported.

Upon request, the Council will provide reasonable accommodations to persons with disabilities. In addition to providing oral or written comments at the public hearing, comments may be made several ways:

- Written comments to: Kevin Roggenbuck, Metropolitan Council, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101
- Fax comments to Mr. Roggenbuck, 651-602-1728
- Record comments on the Council's Public Information Line: 651-602-1500
- Send comments electronically to: data.center@metc.state.mn.us

Comments must be received by Friday, Aug. 11, 2000. Free copies of the draft 2001-2004 Transportation Improvement Program will be available on June 30, 2000, at the Council's Regional Data Center. Call 651-602-1140 or 651-291-0904 (TTY) to request a copy. Other background materials describing the Council's transportation planning and programming efforts also are available. Questions about the hearings or transportation assumption and technical materials may be directed to Kevin Roggenbuck, 651-602-1728, or Carol Ohm, 651-602-1719, Metropolitan Council, 230 E. Fifth St., St. Paul, MN 55101.

Minnesota Board of Psychology

REQUEST FOR COMMENTS on Planned Amendments to Rule Governing Fees, *Minnesota Rules* part 7200.6100; Planned Amendment to Rule Governing Continuing Education Sponsor Fee, *Minnesota Rules* part 7200.6105, Planned Repeal of Rule Governing Special Fees, *Minnesota Rules* part 7200.6170, and Planned Adoption of New Rule Governing Special Fee

Subject of Rules. The Minnesota Board of Psychology requests comments on its planned amendments to rules governing fees, repeal of rules governing special fees, and adoption of a new rule governing a special fee. The board is considering rule amendments that increase application and renewal fees, increase the continuing education sponsor fee, repeal the obsolete special fee, and assess a new special fee.

Persons Affected. The amendments to the rules would affect licensed psychologists, applicants for examinations, licensure, licensure conversion, and continuing education sponsors. The adoption of the special fee would affect licensed psychologists.

Statutory Authority. *Minnesota Statutes*, section 148.905, subdivision 1 (7) requires the board to adopt rules which establish reasonable fees for the issuance and renewal of licenses and other services by the board. Fees shall be set to defray the cost of administering the provisions of Sections 148.88 to 148.98, including the costs for applications, examinations, enforcement, materials and operations of the Board.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on August 31, 2000.

Rules Draft. The board has prepared a draft of the planned rule amendments.

Agency Contact Person. Written comments and questions, requests to receive a draft of the rules, and requests for more information on these planned rules should be directed to: Deborah Sellin-Beckerleg, Office Administrator, Minnesota Board of Psychology, 2829 University Avenue Southeast #320, Minneapolis, MN 55414; Telephone: (612) 617-2230; TTY: (800) 627-3529; FAX: (612) 617-2240; E-Mail: Psychology.Board@state.mn.us

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.

NOTE. Comments received in response to this notice will not necessarily be included in the formal rulemaking record when a proceeding to adopt a rule 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: 26 June 2000

Pauline Walker-Singleton
Executive Director

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 \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 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. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

Department of Administration

State Designer Selection Board

To Minnesota Registered Design Professionals: Request for Proposals for MnSCU/Itasca Community College (Project 00-15) For the Construction of an Engineering Technology Center

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, July 10, 2000, to:

Lisa Blue, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155-3000
651-297-5526

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

NOTE TO RESPONDERS: Proposals that do not conform to the following content, order and format requirements as outlined in items 1 through 5 below may be disqualified.

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8-1/2" x 11" sheets**, soft bound. No more than 20 printed faces should be included (see the following for clarification):
 - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
 - b. Blank dividers (with printed tab headings only) will not be counted as faces.
 - c. Front and back covers of proposals will not be counted as faces.
 - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
 - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

3. BRIEF PROPOSAL SUMMARY:

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also

Professional, Technical & Consulting Contracts

include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer, identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

5. Ten (10) copies of the proposal should be submitted.

6. Design firms wishing to have their proposals returned after the Board's review shall follow one of the following procedures:

- a. Enclose a *self-addressed, stamped* postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
- b. Enclose a *self-addressed, stamped* mailing envelope with the proposals. When the Board has completed its selection, proposals will be returned using this envelope.

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7. BOARD SELECTION CRITERIA:

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- d. Capacity to accomplish the work and services within the required constraints;
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

8. PROJECT 00-15

MnSCU/Itasca Community College
1851 East Highway 169
Grand Rapids, MN 55744

a. PROJECT DESCRIPTION:

Minnesota State College and Universities (MnSCU) intends to retain architectural and engineering consulting services for the construction of an Engineering Technology Center at Itasca Community College in Grand Rapids, MN.

The scope of the new construction includes approximately 25,000 square feet of a single complex, which would be connected to the existing campus. It would include two classrooms with attached lab space, approximately eight faculty offices, two restrooms, one computer lab, one multipurpose area, one ITV studio, one student lounge, and space for an Engineering Industry and Project Construction area. Housed in this area would be the college's engineering, physics, and chemistry programs. The total square feet for the education space is estimated at 16,900 square feet.

The project also includes an estimated 8,100 square feet for residence hall space for 30 students and a residential life director. It is anticipated there will be 15 living suites composed of one room and one bath; 2 large kitchen and living areas; 2 laundry areas; and 1 suite for the residential life director.

Utility Systems

A new fully integrated HVAC system will be added

Separate chiller will need to be added for air-conditioning

Existing campus electrical service has sufficient capacity

Existing campus wood boilers would be used as heating source

New energy-efficient lighting fixtures

Sprinkler Fire Protection

New areas will require Horn/Strobe Fire Alarm devices to comply with ADA requirements.

Storm and sanitary sewers are connected to the city's sewer system

Existing campus hot water boilers have excess capacity - no expansion planned.

b. REQUIRED CONSULTANT SERVICES:

The selected design team shall provide a comprehensive scope of services, including completion of Schematic Design (SD), Design Development (DD), Construction Documents (CD), and Construction Administration. Prepare all SD, DD, and CD documents using CADD technology and provide quality mylars to the owner.

The Design Team will demonstrate experience in ADA compliance and the design of college level classrooms, computer lab facilities and college housing using the latest technologies. The Design Team will provide all architecture,

Professional, Technical & Consulting Contracts

engineering, cost estimating, construction administration, project scheduling, electronic communication consultation, as well as all electrical, mechanical, structural, fire protection, and civil engineering services as required. The Design Team will provide coordination of all services with services provide by others.

Note: A roof design consultant designated by MnSCU will be assigned to and become an integral part of the consultant's design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

c. SERVICES PROVIDED BY OTHERS:

Asbestos abatement

d. SPECIAL CONSIDERATIONS:

None

d. PROJECT BUDGET/FEES:

Total project cost will be at \$4,600,000, which includes design and reimbursables, site investigations and surveys, testing and inspection services, construction, furniture, fixtures, equipment, and contingencies. The State has funded \$3,600,000 for this project with the remaining \$1,000,000 to be financed through revenue bonds and/or private grants. Construction cost was estimated at \$3,297,000 in the predesign.

f. PROJECT SCHEDULE:

Design Complete: June 2001

The following preliminary schedule durations are suggested:

Schematic Design	1 Month
Design Development	3 Months
Construction Documents	3 Months
Reviews	<u>2 Months</u>
Total Project Duration	9 Months

g. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):

An informational meeting is scheduled for Thursday, July 6, 2000, at 10:30 a.m. in the Administrative Conference Room at Itasca Community College. All firms interested in this meeting should contact Bill Maki at (218) 327-4207 or e-mail at wmaki@it.cc.mn.us to sign up for the meeting.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

Project Information Meeting and/or Site Visit: Thursday, July 6, 2000

Project Proposals Due: July 10, 2000, by 12 p.m. (Noon)

Project Shortlist: July 25, 2000

Project Interviews and Award: August 15, 2000

i. PROJECT CONTACT(S):

Questions concerning the project should be referred to:

Bill Maki, Dean of Student and Administrative Affairs: Itasca Community College; phone 218-327-4207; fax 218-327-4350; e-mail wmaki@it.cc.mn.us, mail address Itasca Community College, 1851 East Highway 169, Grand Rapids, MN 55744.

9. CONTRACT REQUIREMENTS:

- a. The amended Minnesota Human Rights Act (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

Professional, Technical & Consulting Contracts

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. Costs incurred in responding to this RFP shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. This RFP does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Campaign Finance and Public Disclosure Board

Notice of Request for Proposals (RFP) for Professional Services to Develop Computer Software for Political Campaign Finance Management, Electronic Filing of Reports, and Agency Support

The Campaign Finance and Public Disclosure Board (the Board) is soliciting proposals from qualified vendors of professional and technical services in the area of software development. The application to be developed will be a PC based program that will provide Board clients with a method to (1) record campaign financial transactions; (2) check the transactions for compliance with statutory requirements; and (3) generate an electronic report of transactions for submission to the Board. Additionally the application will provide the user with functionality related to the administration of a political campaign.

The programming and testing required to complete the contract must be accomplished in a period of approximately 13 months with costs not to exceed \$234,000. Selection of the vendor will be based on proposals submitted in response to the agency's RFP. To obtain a complete copy of the RFP and to be added to the list of RFP holders, contact:

LuAnn Swanson or Joyce Larson
Campaign Finance and Public Disclosure Board
1st Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155
Phone: (651) 297-7352
E-mail: luann.swanson@state.mn.us

Proposals must be submitted in accordance with the terms of the RFP. All proposals must be received not later than 2:30 P.M. Central Daylight Savings Time, August 18th, 2000.

Minnesota State Colleges and Universities

Winona State University

Request for RFP for Laptop Computer Lease and Service Program

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed proposals for laptop leases and a service program. Proposal specifications will be available June 26, 2000 from Sandra Schmitt, Purchasing Director, P.O. Box 5838, 205 Somsen Hall, Winona State University, Winona, MN 55987 or by calling 507-457-5067.

Sealed proposals must be received by Sandra Schmitt, P.O. Box 5838 or Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 p.m., July 10, 2000.

Winona State University reserves the right to reject any or all proposals or portions thereof, or to waive any irregularities or informalities in proposals received.

Minnesota State Colleges and Universities

Winona State University

Request for RFP for Contracted Services to Write, Design, Produce and Place Advertising

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed proposals for contracted services to write, design, produce and place advertising.

Proposal specifications will be available June 26, 2000 from Sandra Schmitt, Purchasing Director, P.O. Box 5838, 205 Somsen Hall, Winona State University, Winona, MN 55987 or by calling 507-457-5067.

Sealed proposals must be received by Sandra Schmitt, P.O. Box 5838 or Somsen 205G, Business Office, Winona State University, Winona, MN, 55987 by 3:00 p.m., July 10, 2000.

Winona State University reserves the right to reject any or all proposals or portions thereof, or to waive any irregularities or informalities in proposals received.

Department of Corrections

Community/Juvenile Services Division

Notice of Availability of Request for Proposals (RFP) to Conduct a Study of the State's Juvenile Corrections System as It Relates to the Serious and Chronic Juvenile Offenders

The Community/Juvenile Services Division is soliciting proposals to conduct a study of the state's juvenile corrections system as it relates to the serious and chronic juvenile offenders. The study must analyze and make proposals regarding:

- The role of the state and counties in providing services to the serious and chronic juvenile offenders;
- The funding of these services;
- The extent to which research-based best practices exist and are accessible to the counties for these offenders;
- The method and process used to administer the juvenile commitment and parole systems; and
- The degree to which existing practice reflects the legislature's intent in enacting juvenile justice laws.

The contract period is estimated to begin August 7, 2000, with the final report due December 23, 2000. Approximately \$60,000 is available for this study. This study is mandated by the Minnesota Legislature and must be submitted to DOC by December 23, 2000, and to the legislature by January 15, 2001.

The Department of Corrections recognizes the breadth and scope of this study in such a limited time period and subsequently it requires that the department provide staff assistance to the contractor to achieve the desired outcomes. Furthermore, the contractor awarded the project grant must work closely with DOC staff to set priorities based on cost and to revise the scope of the study if funds are insufficient.

The RFP can be obtained by contacting:

David A. Johnson, Corrections Program Director
MN Department of Corrections
Juvenile Services Unit
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
Telephone: (651) 642-0334
Facsimile: (651) 642-0314
TTY: (651) 643-3589
E-mail: djohnson@co.doc.state.mn.us

The deadline for submission of completed proposals is 4:00 P.M. (EST), July 17, 2000.

Professional, Technical & Consulting Contracts

Department of Public Safety Office of Traffic Safety

Notice of Request for Proposals for Law Enforcement Liaisons

The Minnesota Department of Public Safety is seeking proposals for several peace officers (may be retired) to act as liaisons between the Office of Traffic Safety and the law enforcement community in Minnesota on federally funded traffic safety programs. Details are contained in a Request for proposals which may be obtained free of charge by calling or writing:

Contact: Susan J. Palmer
Telephone: (651) 296-8512
TTY: (651) 297-2100
Address: Department of Public Safety
Office of Traffic Safety
444 Cedar Street, Suite 150
St. Paul, Minnesota 55101-5150

This is the only person designated to answer questions regarding this request for proposals. Estimated annual costs of the contracts are approximately \$60,000 to \$85,000. Final date for submitting proposals is Monday, July 10, 2000 by 2:00 p.m. The Department of Public Safety will retain an option to extend the contracts for two additional one-year periods.

Susan J. Palmer
Office of Traffic Safety
Department of Public Safety
651-296-8512

Office of the Secretary of State

Request for Proposal for Image Conversion Project Manager

The Office of the Secretary of State (OSS) is seeking a project manager to assist with the conversion of all active Uniform Commercial Code (UCC) documents on file within the State of Minnesota at both the state office and 87 county offices from their current legacy media to a uniform digital imaging format. Legacy media includes paper, microfilm, microfiche, and digital images. Some offices may have multiple media that must be converted. OSS requires this conversion to be done on July 2, 2001.

For a copy of the Image Conversion Project Manager Request for Proposal, please contact:

Sue Swanson
State Office Building
100 Constitution Ave.
St. Paul, MN. 55155
Voice: 651-297-8250
FAX: 651-296-0127
Email: susan.k.swanson@state.mn.us

Minnesota Department of Transportation

Program Support Division/Office of Bridges and Structures

Request for Proposal for Development of Installation Guidelines for High Density Polyethylene Pipe

The Minnesota Department of Transportation (Mn/DOT) is requesting proposals from qualified firms to develop design guidelines for installation of large diameter High Density Polyethylene (HDPE) pipe in shallow fill situations. Mn/DOT has undertaken a research project to quantify the performance of HDPE pipe, installed in shallow fill, and subject to controlled highway loadings. The total research project will be conducted in two phases. Phase I is currently in progress and involves installation of test pipe,

Professional, Technical & Consulting Contracts

instrumentation, and an initial test load. Work addressed under this Request for Proposal is for Phase II which includes data collection, data quantification, and guideline development.

To receive a copy of the complete Request for Proposal, prospective responders will be required to submit a written request either by direct mail or fax, to the address indicated below through July 14, 2000. After July 14, 2000, prospective responders will be required to pick up the Request for Proposal in person from our offices. This document is available in alternative formats for persons with disabilities. Complete Requests for Proposal may be obtained from:

David B. Baker
Agreement Administrator
Minnesota Department of Transportation
Seventh Floor North
395 John Ireland Boulevard, Mail Stop 680
St. Paul, MN 55155-1899
Fax (651) 282-5127

The responses to the Request for Proposals must be received by 2:00 PM CST July 21, 2000, according to the time and date stamp on the Consultant Services Unit receptionist's desk, 7th floor north - Transportation Building.

Late Submittals will not be considered.

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

This request does not obligate the Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation at any time.

All expenses incurred by submitting contractors responding to this notice will be borne by the responder. All proposals will become public information after contract is awarded, under the Minnesota Data Practices Act, and will remain the property of the Minnesota Department of Transportation.

Department of Transportation

Request for Proposal (RFP) to Establish a Contract for an Electronic Document Management System for the Minnesota Department of Transportation

There will be a pre-proposal vendor conference on Thursday, June 29, 2000, from 1:00 - 3:00 p.m. cdt. This is NOT a mandatory conference.

Questions concerning the RFP terms and conditions or technical requirements must be sent to the Acquisition Management Specialist listed in the RFP by July 7, 2000.

Proposals will be due on July 26, 2000, at 3:00 p.m. CDT

Contact the Materials Management Division

50 Sherburne Ave.
St. Paul, MN 55155
651-296-2600 - Phone
651-297-3996 - Fax

to request a copy of the complete Request for Proposal.

Professional, Technical & Consulting Contracts

Minnesota Veterans Homes Board of Directors

Notice of Request for Proposals for Recruitment and Immigration Support Services for Professional Nurses Who Are Foreign Nationals

The Minnesota Veterans Homes Board of Directors is soliciting proposals for contracts to provide recruitment and immigration support services for professional nurses who are foreign nationals.

The 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.

This contract will be let for a period of up to two years beginning August 1, 2000, with the possibility of extending the contract up to three years, in one-year increments. For details and a copy of the Request for Proposals, contact Karen McCarty, Human Resources Director, Minnesota Veterans Homes Board at 651-297-5252, or write to Minnesota Veterans Homes Board, Attn: Karen McCarty, Human Resources Director, 122 Veterans Services Building, St. Paul, Minnesota 55155.

All proposals must be received no later than 2:00 p.m. on July 14, 2000.

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 *State 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.

Bassett Creek Water Management Commission

Request for Interest Proposals—Professional Services for Legal, Engineering and Technical Consulting Services

Pursuant to *Minnesota Statutes Annotated* 103B.227, Subd. 5, the Bassett Creek Water Management Commission hereby solicits LETTERS OF INTEREST for legal, engineering and technical consulting services for fiscal years 2001 and 2002. The 2001 budget for all services of the organization is \$341,500.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the commission. The Commission will review the letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest shall be submitted on or before July 28, 2000 to:

Lee Gustafson, Chairman
City of Minnetonka
14600 Minnetonka Boulevard
Minnetonka, MN 55345
(NO CALLS)

Metropolitan Airports Commission

Notice of Call for Bids for 60-Month Lease/Rental of One (1) Motor Grader Without Operator

Sealed bids will be received by the Metropolitan Airports Commission at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until 10:00 a.m., Local Time, FRIDAY, JULY 7, 2000, for the procurement of **ONE (1) MOTOR GRADER WITHOUT OPERATOR**.

At that time and place the bids will be publicly opened and the names and address of those responding read aloud. If mailed the Commission's mailing address is 6040 28th Avenue South, Minneapolis, MN 55450-2799, **and bids to be considered must be received by the Commission by the date and hour set for opening for bids.**

Bids shall be according to the specifications. The Commission reserves the right to reject any or all bids or portions thereof, and to waive any minor irregularities or informalities therein. Copies of the Specifications may be obtained at the office of the Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450, phone: 612-726-8146.

Dated: 19 June 2000

METROPOLITAN AIRPORTS COMMISSION
JoAnn Brown/Buyer-Administrator

Metropolitan Airports Commission

Notice of Call for Bids for 48-Month Lease of Two (2) 54,000 lb. Wheel Loaders

Sealed bids will be received by the Metropolitan Airports Commission at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until 10:00 a.m., Local Time, FRIDAY, JULY 7, 2000, for the procurement of **TWO (2) 54,000 LB. WHEEL LOADERS**.

At that time and place the bids will be publicly opened and the names and address of those responding read aloud. If mailed, the Commission's mailing address is 6040 28th Avenue South, Minneapolis, MN 55450-2799, **and bids to be considered must be received by the Commission by the date and hour set for opening of bids.**

Bids shall be according to the specifications. The Commission reserves the right to reject any or all bids or portions thereof, and to waive any minor irregularities or informalities therein. Copies of the Specifications may be obtained at the office of the Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450, phone: 612-726-8146

Dated: 19 June 2000

METROPOLITAN AIRPORTS COMMISSION
JoAnn Brown/Buyer-Administrator

Metropolitan Airports Commission

Notice of Call for Bids for Seasonal Rental of Two (2) Rubber-Tired Wheel Loaders

Sealed bids will be received by the Metropolitan Airports Commission at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until 10:00 a.m., Local Time, FRIDAY, JULY 7, 2000, for the procurement of **TWO (2) RUBBER TIRED WHEEL LOADERS**.

At that time and place the bids will be publicly opened and the names and address of those responding read aloud. If mailed, the Commission's mailing address is 6040 28th Avenue South, Minneapolis, MN 55450-2799, **and bids to be considered must be received by the Commission by the date and hour set for opening of bids.**

Bids shall be according to the specifications. The Commission reserves the right to reject any or all bids or portions thereof, and to waive any minor irregularities or informalities therein. Copies of the Specifications may be obtained at the office of the Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450, phone: 612-726-8146.

Dated: 19 June 2000

METROPOLITAN AIRPORTS COMMISSION
JoAnn Brown/Buyer-Administrator

Non-State Public Bids, Contracts & Grants

Metropolitan Council

Notice of Request for Proposals for Consultant Services for a Fuel Management System for Metro Transit Project Number 65990, Contract Number 00P0023

The Metropolitan Council is requesting proposals for Consultant Services for a fuel management system including the design, build, installation and training that will control and record the individual dispensing of fuel and other dispensed fluids.

Installation will be at five local bus service areas and into approximately 1,000 buses.

A tentative schedule for the project is as follows:

Issue Request for Proposals	June 28, 2000
Receive Proposals	August 15, 2000
Notice to Proceed	September 15, 2000
Complete Project	September 1, 2001

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Jan Bevins, Contract Specialist, Contracts and Procurement Unit
Metropolitan Council Environmental Service
230 East Fifth Street
St. Paul, MN 55101

Inquiries should be directed to Gordon Backlund at 651-602-1801.

Minnesota Statutes, Section 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

Metropolitan Council

Notice of Request for Proposals (RFP) for Consulting Engineering Services

Interceptor System Master Plan Study MCES Project Number 980100 MCES Contract Number 00P0071

The Metropolitan Council is requesting consulting engineering services proposals for the Interceptor System Master Plan. The project includes identifying needed improvements to the interceptor system itemized within their treatment plant sewer shed in order of priority; assess condition of existing interceptor system; assess odor problems or corrosion problems; develop dynamic non-proprietary "tools" that provide information useful to staff for all future improvements that can be easily maintained and expanded to include other future needed improvements; estimated costs and realistic implementation schedule; recommendations that improve Operation and Maintenance Business Practices and provide management tools as appropriate; recommendations for improvements to Interceptor Engineering Processes and Procedures; compile, evaluate and document MCES standards for its metering system; efficient interchange of ideas between Consultant and MCES via workshops and other methods to facilitate a successful project.

Optional work includes completion of a facility plan on Lake Minnetonka area forcemains and the Hopkins Forcemain in accordance with Minnesota Public Facilities Authority funding requirements.

The project schedule is shown below.

Issue Request for Proposals	June, July 2000
Pre-Submittal Conference	June 29, 2000
Receive Proposals	July 20, 2000
Interviews	July 27, 2000
Environment Committee	August 8, 2000
Metropolitan Council authorization	August 9, 2000
Notice to Proceed	August 25, 2000
Project Completion	June, 2002

Non-State Public Bids, Contracts & Grants

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Jan Bevins, Contracts Specialist, Contracts and Procurement Unit
Metropolitan Council Environmental Services
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101

Inquiries regarding technical aspects of the project should be directed to Bill Moeller at 651-602-4504.

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

Metropolitan Radio Board

Notice of Request for Proposals (RFP) for Development of Procedures, Protocols and Manual for Interoperations of Public Safety Radio Systems

The Metropolitan Radio Board is requesting management consultant services to:

Facilitate the development of a set of interoperability standards, procedures and protocols and to draft standards and procedures document for adoption and implementation by the Metropolitan Radio Board.

The consultant will work closely with the Technical Operations Committee of the Metropolitan Radio Board and with the following agencies participating in the initial network of the regional 800 MHz digital trunked radio system: MnDOT, Hennepin County, The City of Minneapolis, Metro Transit, Carver County and North Memorial Health Care.

The consultant will also organize informational meetings and set up work groups to solicit input from public safety entities in the Twin Cities Metropolitan Area and surrounding counties not subscribing to the regional 800 MHz trunked radio system.

All firms and individuals interested in being considered for this project and wishing to receive a copy of the RFP are invited to send a letter of interest to:

Bill Dean, Executive Director
Metropolitan Radio Board
230 East 5th Street
St. Paul, MN 55101-1626
FAX: 651-602-1863 E-mail: bill.dean@metc.state.mn.us

Proposals must be received no later than 3 p.m., on Tuesday, July 25, 2000.

Proposals will be evaluated by a consultant selection team made up of Radio Board and Technical Operations Committee and Board staff. The Metropolitan Radio Board will approve the selection of a consultant on August 4, 2000.

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at 612-625-5534.

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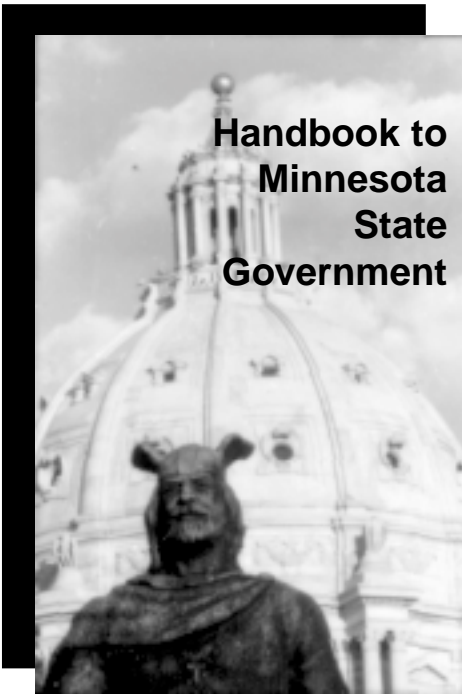
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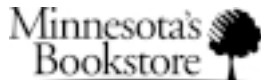
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Department of Administration

