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STATE REGISTER

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

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, official notices to the public, state and non-state public contracts, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

Printing Schedule and Submission Deadlines

Vol. 13 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
12	Monday 5 September	Monday 12 September	Monday 19 September
13	Monday 12 September	Monday 19 September	Monday 26 September
14	Monday 19 September	Monday 26 September	Monday 3 October
15	Monday 26 September	Monday 3 October	Monday 10 October

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders; or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the State Register editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

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Contact: Senate Public Information Office
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Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
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NOTICE: How to Follow State Agency Rulemaking in the *State Register*

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

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

The ***State Register*** features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the ***State Register,*** a subscription, the annual index, the ***Minnesota Rules*** or the ***Minnesota Guidebook to State Agency Services,*** contact the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-652-9747 and ask for "Documents."

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Proposed Rules

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

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

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

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

Board of Barber Examiners

Proposed Permanent Rules Relating to Barber Licensing

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Board of Barber Examiners intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes,* sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 154.24.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes,* sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Maureen Tibbetts
Board of Barber Examiners
5th Floor Metro Square Building
Seventh and Robert Streets
St. Paul, Minnesota 55101
612-296-2364

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

The rules proposed for adoption relate to the following matters: qualifications for apprentice examinations, qualifications for registered barber examinations, qualifications to temporary or emergency teacher permits, elimination of population and enrollment requirements for barber schools, elimination of toilet facilities in barber shops, addition of a dispensary requirement if hot and cold running water is not present at the working chair. A free copy of the rule is available upon request from the Board of Barber Examiners, 5th Floor Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota 55101.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules have been prepared and is available from the Board of Barber Examiners, at the above address and telephone number, upon request.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to the Board of Barber Examiners at the above address.

Dated: 1 August 1988

Maureen Tibbetts, Secretary
Board of Barber Examiners

Rules as Proposed

2100.0100 DEFINITIONS.

Subpart 1. **Scope.** ~~The following phrases contained in Minnesota Statutes, section 154.11 have the following meanings~~ For the purpose of parts 2100.0100 to 2100.9300, the terms defined in this part have the meanings given them.

Subp. 1a. **Barbering.** The practice of barbering as defined in Minnesota Statutes, section 154.02, means the services described in that section when performed on a living person and includes those services when performed in conjunction with the selling of hair pieces, wigs, or an artificial hair application.

Subp. 2. **A license or certificate of registration as practicing barber.** The phrase "a license or certificate of registration as practicing barber" contained in Minnesota Statutes, section 154.11, means a current certificate of registration as a certified barber ~~and not just as an apprentice~~.

Subp. 3. **Has practiced as a barber.** The phrase "has practiced as a barber" contained in Minnesota Statutes, section 154.11, means that a person has performed the acts of barbering under a certificate of registration as either a registered barber or a registered apprentice.

2100.0200 APPLICATION FOR EXAMINATION.

~~An applicant for examination as a registered apprentice shall file his application with the board not later than the 20th day of the month preceding the month in which the examination is to be given; provided, however, that the board shall, upon the showing of a hardship, accept applications at a later date~~ Upon completion of the required 1,500 hour course of training, the school shall issue each graduate a certificate of completion.

Upon issuance of the certificate of completion, the graduate is eligible to be scheduled for the apprentice examination under part 2100.0500.

In an emergency or in a situation beyond a student's control in which the 1,500 hours of training course cannot be completed before the apprentice examination schedule, the board may make an exception from the requirement of course completion if:

A. the course can be completed within the following week after the apprentice examination and before the registered barber examination; and

B. the student has less than 48 hours to complete after the examination schedule in part 2100.0500.

Results of examinations must not be issued until the certificate of completion is filed.

2100.0300 ~~FOREIGN APPLICANTS'~~ NONRESIDENT APPRENTICE QUALIFICATIONS.

The board must find the following to determine that another state or country has substantially the same requirements for registration of an apprentice as provided under Minnesota Statutes, chapter 154:

A. the same educational requirements as Minnesota Statutes, section 154.06, clause (1); ~~and~~

B. graduation from a barber school that requires:

(1) approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota ~~does~~; and

(2) ~~instructors to have the same qualifications as Minnesota Statutes, section 154.065, subdivision 2, except the examination referred to in Minnesota Statutes, section 154.065, subdivision 2, clause (e) shall be prescribed and conducted by the barber board of the state in which an instructor is teaching; and~~ a curriculum that is equivalent to Minnesota Statutes, section 154.07, and parts 2100.0100 to 2100.9300; and

~~(3)~~ C. ~~a curriculum that is equivalent to Minnesota Statutes, section 154.07 and rules of the board adopted pursuant thereto~~ must meet the requirements of Minnesota Statutes, section 154.11.

Applicants unable to comply with items A and B shall make up the difference in a Minnesota accredited barber school. Barbering experience may be considered equivalent to or substantially the same as hours in school training.

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.

2100.0500 EXAMINATION DATES.

Examinations for a certificate as a registered apprentice shall be held the first week in February, May, August, and November of each year. Notice of the examination shall be given during the first week of the month preceding the month in which the examination is to be held. Two additional examinations may be held when the board determines it is cost efficient.

2100.0600 CONTENTS OF EXAMINATION.

Each examination ~~shall have~~ consists of six parts~~, consisting of four practical performances including a haircut, shave, and two other practical performances, an oral part, and a written part~~: oral, written, and four practical services. The type of haircut, shave, or beard trim and the two other practical services will be determined at the discretion of the board.

2100.0900 REVIEW OF EXAMINATION RESULTS.

An applicant~~, upon written request,~~ may review his or her examination results at the office of the Board of Barber Examiners during usual business hours.

2100.1000 FAILURE OF EXAMINATION; ADDITIONAL FEE.

~~An applicant for a certificate of registration to practice as an apprentice who is required to complete a further course of study of not less than 500 hours pursuant to Minnesota Statutes, section 154.06 shall not be required to pay an additional student permit fee; provided, however, that there is no interruption in his course of study~~ A student who fails the apprentice examination shall complete an additional 500 hours to be eligible to retake the apprentice examination, as many times as necessary to pass.

2100.1100 APPRENTICE PRACTICE.

The requirement of Minnesota Statutes, section 154.05, clause (4) regarding the practicing as a registered apprentice for a period of ~~15~~ 12 months shall mean licensure for not less than ~~450 days and not less than 2,500~~ 1,500 hours of work time.

2100.1200 ~~QUARTERLY~~ TIME REPORT.

The registered barber who supervises the practice of a registered apprentice ~~will~~ shall file ~~a quarterly report during the 15-month apprenticeship period. See quarterly report~~ an affidavit as to the number of hours the apprentice accumulated under the registered barber's supervision.

2100.1300 HOME STUDY COURSE.

The ~~15~~ 12 months practice of a registered apprentice ~~pursuant to~~ under Minnesota Statutes, section 154.05 shall include completion of the program entitled "Related Home Study Course for Apprentice Barbers" prepared or approved by the ~~Minnesota Department of Education, Vocational-Technical Education Division, and such~~ Board of Barber Examiners. The course must be ~~passed~~ successfully completed before the examination may be taken.

2100.1400 PRACTICE COMPLETION BEFORE BARBER EXAMINATION.

A registered apprentice meets the requirements of Minnesota Statutes, section 154.05, clause (4) if ~~he completes his 15 months practice~~ 1,500 hours and 12 months of practice are completed at any time ~~prior to~~ before or within the week in which the examination is given pursuant to Minnesota Statutes, section 154.05, clause (5).

2100.1500 REPORTING PRACTICE UNDER SUPERVISION.

A registered apprentice who practices under the immediate personal supervision of a registered barber must file ~~the following form with the board to receive credit for the practice. This form must be filed within 30 days after the registered apprentice begins his practice. See Form I~~ with the annual license renewal, a statement of the number of hours completed and under whose supervision.

2100.2500 ~~NOTICE OF~~ EXAMINATION DATES.

Examinations for a certificate as a registered barber shall be held in the second week of February, May, August, and November of each year. Notice of the examination shall be given during the first week of the month preceding the month in which the examination is to be held. Two additional examinations may be held when the board determines it is cost efficient.

2100.2600 APPLICATION FOR EXAMINATION.

An applicant for examination as a registered barber shall file ~~his~~ an application for examination and a sworn affidavit of completing 12 months and 1,500 hours of supervision on forms furnished by the board. This application must be filed with the board ~~not~~ no later than the 20th day of the month preceding the month in which the examination is to be given; provided, however, that the board shall, upon the showing of a hardship, accept applications at a later date.

2100.2700 ~~FOREIGN~~ NONRESIDENT BARBERS; QUALIFICATIONS.

The board must find the following to determine that another state or country has substantially the same requirements for ~~licensing or registering barbers~~ registration of barbers as provided under Minnesota Statutes, chapter 154:

A. the same educational requirements as Minnesota Statutes, section 154.05, clause (1);

B. graduation from a barber school that requires:

(1) approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota ~~does~~; and

(2) ~~an instructor to have the same qualifications as Minnesota Statutes, section 154.065, subdivision 2, except the examination referred to in Minnesota Statutes, section 154.065, subdivision 2, clause (e) shall be prescribed and conducted by the barber board of the state in which the instructor is teaching; and~~ a curriculum that is equivalent to Minnesota Statutes, section 154.07, and parts 2100.0100 to 2100.9300;

~~(3)~~ C. ~~a curriculum that is equivalent to Minnesota Statutes, section 154.07 and rules of the Minnesota Barber Board adopted pursuant thereto; and~~ must meet requirements for a registered apprentice in Minnesota Statutes, section 154.05, clause (4); and

~~C.~~ D. the same practice requirements for a registered apprentice as set forth in Minnesota Statutes, section 154.05, clause (4).

Applicants unable to comply with items A and B must make up the difference in a Minnesota accredited barber school. Barbering experience may be considered equivalent to or substantially the same as hours in school training.

2100.2900 CONTENTS OF EXAMINATION.

Each examination ~~shall have~~ consists of six parts~~, consisting of four practical performances including a haircut, shave, and two other practical performances, an oral part, and a written part.~~: oral, written, and four practical services. The type of haircut, shave or beard trim, and the two other practical services will be determined at the discretion of the board.

2100.3200 FAILURE OF EXAMINATION; ADDITIONAL APPRENTICE PRACTICE.

An ~~applicant~~ apprentice who fails to satisfactorily pass an examination for a certificate of registration to practice as a registered barber, must ~~file within 30 days after he begins his practice, Form IA with the board to extend his registration for six months and enable him to continue practice as an apprentice. (See Form IA.)~~ practice an additional two months and 300 hours to be eligible to retake the examination. The additional ~~six-month~~ two months practice required by Minnesota Statutes, section 154.05, clause (5) shall include not less than ~~1,040~~ 300 hours of work time. The registered barber who supervises the additional ~~six-month~~ two months practice ~~will~~ must file ~~quarterly reports~~ an affidavit with the board ~~during~~ for the additional practice period.

2100.4500 ~~ADDITIONAL TEACHER TRAINING~~ INSTRUCTOR LICENSE QUALIFICATION.

To qualify for an instructor's ~~vocational certificate in barbering, the applicant, other than temporary teacher, must satisfactorily complete the board's recommended course sequence.~~ examination, an applicant must be a licensed registered barber with five years' experience and hold a current vocational teacher's certificate.

~~A. course sequence must contain either:~~

~~(1) VO. ED. 5300, philosophy and practice of vocational education; or~~

~~(2) IND. 5325, philosophy and practice of industrial education;~~

~~B. and each of the following:~~

~~(1) IND. 5330, industrial course instruction;~~

~~(2) IND. 5301, tests in industrial subjects;~~

~~(3) IND. 5360, industrial instruction;~~

~~C. together with at least two of the following alternate choices:~~

~~(1) IND. 3900, independent study in barbering;~~

~~(2) IND. 5314, administration of industrial education;~~

~~(3) IND. 5303, industrial aids;~~

~~(4) IND. 5306, industrial education workshop;~~

~~(5) IND. 5600, instruction materials laboratory; or~~

~~D. any other course approved in writing by the board.~~

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2100.5000 LICENSE REQUIREMENT.

No person shall operate a barber school in Minnesota without having first obtained a license from the Board of Barber Examiners. Persons holding a permit for the conduct of a barber school which was issued prior to the adoption of these rules ~~shall~~ have a period of 60 days after the adoption of these rules to file the necessary documents showing conformance with these rules with the exception of the course outline required by part 2100.5100, subpart 2. After the date of adoption of these rules all barber schools operating or requesting a license to operate will be governed by and shall proceed in accordance with these rules.

2100.5100 LICENSE APPLICATION.

Subpart 1. **Verified statement.** A person desiring to operate a barber school in Minnesota shall present to the board a verified statement showing at least the following:

A. all information required by Minnesota Statutes, chapter 154 elsewhere in these rules;

B. the name of the applicant or applicants together with their occupations and residences for the ten years immediately prior to making applications;

C. the address of the proposed school;

D. a complete financial statement ~~showing all assets and liabilities of the applicant or applicants and their plan of financing~~; and

E. a plan of operation of the school setting forth the following information:

(1) drawings showing the number of chairs to be installed and showing a minimum of five feet between barber chairs, measuring from center to center, the waiting area must be separate from work stations;

(2) drawings showing classroom space with a minimum area of 25 square feet available for each proposed student in classroom space;

(3) a statement showing that the following will be available: one desk for each student enrolled; one chart on skin and hair; one chart on blood supply to face and neck; one chart on the muscles of the face, head, and neck; one chart on the nerves of the face, head, and neck; one chart on the bones of the face, head, and neck; and one blackboard of a size not less than six feet by 3-1/2 feet;

(4) plans showing the following: separate toilet and washroom facilities for men and women; plumbing and sewer system appropriate to the size and use of the building as a barber school; a statement regarding the availability and intended use of municipal sewer and water supplies;

(5) plans for appropriate lighting and ventilating systems;

(6) plans showing use of a type of floor material such as tile or linoleum which may be easily kept clean and sanitary;

(7) plans for proper sanitization facilities including the following: one sink for each barber chair or dispensary as required in part 2100.8100, subpart 3; one closed cabinet for clean towels for each barber chair; one closed container for soiled towels for each barber chair; one time clock; and one hair dryer; ~~two mechanical hand vibrators for each 15 chairs; and two stimulator machines for scalp manipulations for each 15 chairs;~~ and

(8) plans for adequate waiting chairs and clothes racks.

Subp. 2. **Course outline.** All barber schools shall submit to the board a full course outline including each instructional unit, showing a course of instruction comprising an aggregate of not less than 1,500 hours ~~to be completed within 12 months~~, of not more than eight work instruction hours in any one working day. A copy of each school's curriculum will be filed with the board. In the case of applicants for a license to operate a barber school submitted to the board after the adoption of these rules, the application will contain the foregoing statements. Barber schools in existence at the time of adoption of these rules shall have two months from the date of adoption for submission of the outline prescribed by this ~~rule~~ part. All schools shall submit a complete student course syllabus to the board at the time of application for license and any renewal ~~thereof~~ of it.

Subp. 3. **Brochure.** Applicants for a license to operate a barber school shall submit a copy of a brochure which will be made available to students upon approval of ~~their~~ the application. This brochure shall list the fees which will be charged; together with enrollment and termination procedures for students. Any change in the tuition fee listed in this brochure must be immediately reported, in writing, to the board.

2100.5200 CONSIDERATIONS IN LICENSE ISSUANCE.

Subpart 1. **Factors.** Upon receipt of an application for establishment of a barber school, the board shall give consideration to the factors in subparts 2 to 5.

Subp. 2. **Public welfare.** The board shall give consideration to any detriment to the public welfare and the need for barber school

facilities in the community and neighborhood where the proposed barber school is to be located, giving particular consideration to:

A. the economic character of the community and neighborhood;

B. the effect on existing barber shops and barber schools in the community;

C. the availability of adequate support for the proposed barber school in the community and neighborhood with particular regard to adequate practice for students;

D. the extent to which the proposed barber school would draw patrons from adjacent communities or neighborhoods and the character thereof; and

E. the effect of the establishment of a barber school on the social and economic aspects of the community and neighborhood and adjacent communities and neighborhoods in regard to the proposed site.

Subp. 3. and 4. [See repealer.]

Subp. 5. **Student-license ratio.** ~~"License" as used in this part contemplates an enrollment of 15 students per license issued~~ There must be at least one instructor for every 17 students enrolled.

2100.5400 CORPORATIONS PROHIBITED.

~~No license shall issue to a corporation~~ No school license shall be issued to a corporation, nor shall the school indicate any affiliation with a corporation.

2100.5600 RENEWAL OF LICENSE.

Subpart 1. **Application.** Owners of barber schools shall make annual application for renewal of their licenses in accordance with the rules of the board. The board shall make a new determination annually that the school meets the requirements of Minnesota Statutes, chapter 154, ~~as amended, and the rules and regulations~~ and part 2100.5100, subpart 2, of the board before ~~renewal of the license shall issue~~ issuing the renewal license.

Subp. 2. **Nonrenewal; hearing.** In the event that a license is not renewed by the board upon application pursuant to these rules, the aggrieved applicant may by written notice to the board request a public hearing concerning the denial of his or her application in accordance with Minnesota Statutes, chapter 14, and rules ~~promulgated~~ adopted thereunder.

2100.5700 REGISTERED INSTRUCTORS, TEMPORARY TEACHER, OR EMERGENCY TEACHER.

Subpart 1. **Number of registered instructors.** The provisions of Minnesota Statutes, section 154.07 requiring one registered instructor for every ~~15~~ 17 students or minor fraction in excess thereof applies to classroom instruction as well as practical instruction. "Minor fraction in excess thereof" means a maximum of 20 students per instructor for a period of no more than three months. An applicant shall name in ~~his~~ the application the names of all instructors and teachers. The board will not issue a temporary ~~instructor's certificate~~ teacher's permit for a new school. To assure barber school students adequate uninterrupted training, a temporary teacher's permit can be issued upon approval of the board.

Subp. 2. **Temporary permits.** This subpart applies to temporary teacher's permits.

A. To be granted a temporary teacher's permit, a permit applicant must:

(1) hold a current Minnesota registered barber's license;

(2) have practiced for at least two years as a registered barber; and

(3) show proof of a temporary vocational teaching permit and continuous enrollment taking courses as required by part 2100.4500.

B. Application forms will be prepared and furnished by the board. Applications must be signed and sworn to by the applicant and contain proof of the minimum qualifications and qualifications for a teacher's vocational certificate and the barber instructor examination. The applicant shall furnish to the board two photographs, three inches by five inches in size, signed by the applicant. One photograph must be returned with the permit and one must be kept on file with the application.

C. The applicant shall pay the required application fee.

D. Permits must be annually renewed on or before December 31 of each year.

E. The permit must be posted in the school.

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F. A barber school may only have a temporary teacher for each licensed instructor or for each 17 students at any given time.

G. Persons holding a temporary teacher's permit shall immediately inform the board of any change in location of the teacher's work place.

H. The board will not issue a temporary teacher's permit for a new school or for expansion of a school.

I. A temporary teacher's permit is valid for four years from the date it is issued if continued educational courses are being pursued.

J. Any request for a temporary teacher's permit must be made by the applicant and verified by the school of barbering.

K. The Board of Barber Examiners shall keep an active list of all instructors and temporary teacher's permits.

L. All temporary teacher permit holders shall notify the board of any change in the permitee's work place, address, or phone number.

Subp. 3. **Emergency teacher permit.**

A. To assure barber school students adequate uninterrupted training, an emergency teacher permit may be issued in an emergency if:

(1) a sudden unexpected happening of an unforeseen occurrence or condition demanding sudden or unexpected actions, exigency, or pressing necessity occurs;

(2) the board is notified by the school immediately after an emergency arises and is informed as to the nature of the emergency and who is being considered as the emergency teacher;

(3) the board verifies that no licensed instructor or temporary teacher is available; and

(4) an applicant holds a current registered barber license.

B. Upon the fulfillment of the conditions provided in item A, an emergency teacher's permit shall be issued without delay. The maximum duration of an emergency teacher permit is 30 days.

2100.6000 HOURS OF INSTRUCTION.

~~The course of instruction required by Minnesota Statutes, section 154.07 shall include a training day including both classroom and practical instruction. Practical instruction shall not be given for more than 6-1/2 hours per day. Classroom instruction shall be given for 1-1/2 hours each day for each eight hour day and one hour for each 6-1/2 hour day.~~ Each student, including each part-time student, must complete at least 281 classroom hours and 1,219 practical hours in the required 1,500-hour course.

2100.6100 STUDENT WORK COMPLETION.

~~A barber school student must complete all services given to the patron of a barber school. Under no circumstances will the barber school owner or instructor finish the services on patrons~~ An instructor may help a beginning student finish a service on a patron upon request by the student.

2100.7700 OTHER USE OF PREMISES.

Subpart 1. **Prohibited uses.** No person shall use any room or part of a place which is also used for residential purposes, or any business purpose other than barbering, unless ~~such~~ the areas are separated by substantial partition, extending from the floor to the ceiling. Further, any door or other entrance leading into the residential or other business portion of the building must be used only for the passage of barbers or other employees.

Subp. 2. **Exception: barber shop with beauty shop.** Subpart 1 notwithstanding, a beauty shop and a barber shop may be operated in conjunction, without ~~the same~~ being separated by a partition of ceiling height. ~~When a barber shop is operated in conjunction with a beauty shop, the barber shop area must be designated as such by a prominently displayed sign stating "Barber Shop" with letters at least two inches high.~~

2100.8100 SANITIZATION.

Subpart 1. **Instruments.** Razors, shears, combs, clipper blades, hairbrush, and all other instruments or appliances that come in contact with the head, neck, or face must be thoroughly cleaned and sanitized by submersion for a minimum of two minutes after use on each patron. As an alternative to submersion, clipper blades and shears may be treated by spraying them with a commercial spray containing active ingredients not less than 0.25 percent o-phenyl phenol, 11.00 percent isopropyl alcohol, and 88.75 percent inert ingredients. As an extra measure, instruments may be wiped or sprayed with a solution of 10:1 household bleach before being used. When not in use, they must be kept in a clean closed compartment provided for and used only for storage of ~~such equipment~~ instruments. Styptic pencil and lump alum are positively prohibited. Contact with raw blood or body fluids should be avoided. If accidentally exposed, immediate washing with soap and running water is required.

Subp. 2. **Sanitizer.** All barber shops and barber schools shall have in use at all times at each chair a wet or dip sanitizer which is adequate in size to accommodate all instruments to be used on each patron. The wet sanitizer shall contain a suitable chemical bactericide solution which shall be bacteriologically effective, such as 0.1 percent suitable quaternary ammonium compound, or by other means having a solution equivalent to five percent phenol, or other chemical sanitizing agent having equivalent bactericidal effect. The chemical solution shall be changed daily or more often, as needed.

One dip disinfectant solution container will be kept for each barber chair in operation. Instruments immersed in the dip disinfectant solution container will be carefully rinsed in warm running water before use. Failure to provide a sink or dip disinfectant solution container constitutes prima facie evidence that instruments are not properly sanitized.

At least one sink or lavatory must be provided in each room, booth, stall, compartment, or the immediate area in which barbers work. If more than two barber chairs are in any room, booth, stall, or compartment, at least one sink or lavatory must be provided for each two barber chairs at which the barbers work. Each barber must have free access to the sink or lavatory without obstruction from other chairs, partitions, wall dividers, or other barriers.

Subp. 3. **Dispensary.** A dispensary must be located in each barber shop and each barber school where hot and cold running water is not present within five feet of the working chair. A dispensary is a room, booth, or area where implements will be cleansed, disinfected, and stored. A dispensary must contain the following furnishings:

A. A container large enough to accommodate all soiled implements in which those instruments, such as combs and brushes, can be totally immersed for washing. All nonimmersive or electrical implements such as clippers, clipper blades, and shears must be sprayed according to subpart 1.

B. One sink with hot and cold running water to cleanse implements mentioned in item A to be used for washing of hands before serving each patron.

C. A container with suitable chemical bactericide solution to accommodate and immerse all immersible implements after being washed for at least two minutes before being used or stored.

D. A container large enough for storage of clean disinfected implements.

E. A container filled with fresh disinfectant solution in which razors will be stored or dipped at least two minutes before being used.

Subp. 4. **Hand washing.** Hands shall be washed with soap and running water immediately before serving each and every patron.

Subp. 5. **Implement storage.** Implements that require washing and disinfecting by total immersion must not be stored at the work station unless running water is present at the working chair.

Subp. 6. **Shampoo sinks.** The shampoo area shall have one shampoo sink for each six chairs.

Subp. 7. **Minimum implements.** Each barber shall have at least 15 combs and ten brushes.

2100.9300 FEES.

Subpart 1. **Fee schedule.** The Board of Barber Examiners shall charge the following fees:

A. examination and certificate, registered barber, $55;

B. examination and certificate, apprentice, $50;

C. examination, instructor, $150;

D. certificate, instructor, $35;

E. temporary teacher permit, $25;

~~E.~~ F. renewal of license, registered barber, $25;

~~F.~~ G. renewal of license, apprentice, $20;

~~G.~~ H. renewal of license, instructor, $35;

I. renewal of temporary teacher permit, $25;

~~H.~~ J. student permit, $10;

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~~I.~~ K. initial shop registration, $50;

~~J.~~ L. initial school registration, $1,000;

~~K.~~ M. renewal shop registration, $35;

~~L.~~ N. renewal school registration, $200;

~~M.~~ O. restoration of registered barber license, $50;

~~N.~~ P. restoration of apprentice license, $45;

~~O.~~ Q. restoration of shop registration, $60;

~~P.~~ R. change of ownership or location, $25; and

~~Q.~~ S. duplicate license, $10.

Subp. 2. **Duplicate license.** Any photocopy of a license made by the board for an official purpose shall be stamped with the office state seal.

Subp. 3. **Restoration fee.** A restoration fee is a fee charged a licensee to restore a license that has not been renewed in a timely manner. The fee is comprised of the license fee plus a late penalty fee.

Subp. 4. **Renewals; schedule.** This subpart governs renewals of licenses and registrations.

A. Apprentices, barbers, instructors, temporary teacher permits, and school licenses shall renew their licenses by no later than December 31 of each year for the ensuing year to avoid a late penalty fee.

B. Shop registration shall be renewed by no later than June 30 of each year for the ensuing year to avoid a late penalty fee.

C. Change of location and change of ownership shall be filed within 30 days of the action.

Subp. 5. **License requirements.** An active barber must hold a current license and must post it at the work station.

REPEALER. Minnesota Rules, parts 2100.0400; 2100.1600; 2100.2800; 2100.4300; 2100.4400; 2100.5200, subparts 3 and 4; 2100.6500; 2100.7200; 2100.7300; 2100.7400; 2100.7500; and 2100.8300 are repealed.

Board of Electricity

Proposed Permanent Rules Relating to Supervision of Unlicensed Personnel

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Board of Electricity ("board") proposes to adopt the above-entitled rule without a public hearing. The Board has determined that the proposed adoption of this rule will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes* § 14.22 to 142.8. Authority for the adopting of this rule is contained in *Minnesota Statutes* § 326.241, subd. 6. Additionally, a statement of need and reasonableness that describes the need for and identifies the data and information relied upon to support the proposed rule, has been prepared and is available from Mr. Quinn upon request.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdrew their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes,* sections 14.13 to 14.20. If no hearing is requested, the agency will adopt the proposed rule effective five working days after final publication in the *State Register.*

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Mr. John Quinn	
Executive Secretary	1821 University Avenue
State Board of Electricity	St. Paul, Minnesota 55104
S-173, Griggs-Midway Building	Telephone: 612/642-0800

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule noticed.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Mr. Quinn.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available form the agency upon request.

You are hereby advised, pursuant to *Minnesota Statutes* § 14.115 (1986), "Small business considerations in rulemaking," that the proposed rule amendments will have no adverse effect on small businesses.

Minnesota Statutes, Chapter 10A, requires each lobbyist to register with the Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes,* section 10A.10, Subdivision 11, as an individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislation or administrative action by communicating or urging others to communicate with public officials; or,

(b) Who spends more than $250.00, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, (612) 296-5148.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General's Office for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit a written request to the State Board of Electricity.

John Quinn, Executive Secretary
State Board of Electricity

Rules as Proposed

3800.0900 ~~DEFINITION OF ON-THE-JOB~~ SUPERVISION ~~FOR~~ OF UNLICENSED PERSONNEL.

Subpart 1. **Definition of personal on-the-job supervision.** For the purpose of Minnesota Statutes, section 326.242, subdivision 5, "personal on-the-job supervision" shall require that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day. A licensed person shall supervise no more than two unlicensed persons.

Subp. 2. **Definition of job.** For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "job" means each separate building or structure where electrical work is being performed.

Pollution Control Agency

Proposed Permanent Rules Relating to Water Pollution Control Revolving Fund

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* §§ 14.22 to 14.28 (1986). The Agency's authority to adopt the rule is set forth in *Minnesota Statutes* § 446A.07, Subd. 11 (Supp. 1987).

All persons have until 4:30 p.m. on October 19, 1988 to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, the reason for the request, and any change proposed. If a public hearing is required, the Agency will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1986).

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Comments or written requests for a public hearing must be submitted to:

Jeff Freeman
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
(612) 296-7312

The proposed rules may be modified if the modifications are supported by data and views submitted to the Agency and do not result in a substantial change in the proposed rules as noticed.

The proposed rules, if adopted, will provide for the Agency's responsibilities for administration of the water pollution control revolving fund program. The program will provide loans and other financial assistance, but not grants, to municipalities for wastewater treatment facilities. The proposed rules are published below. One free copy of the rules is available upon request from Mr. Freeman at the address and telephone number stated above.

The water pollution control revolving fund program will be jointly administered by the Agency and the Minnesota Public Facilities Authority (Authority). Proposed rules for the Authority's responsibilities for administration of the program are being published separately.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from Mr. Freeman upon request.

You are hereby advised, pursuant to *Minnesota Statutes* §14.115 (1986), "Small business considerations in rulemaking," that the proposed rules will have no direct effect on small businesses.

In addition, you are hereby advised, pursuant to *Minnesota Statutes* § 14.11 (1986), that none of the cost to local public bodies to construct wastewater treatment facilities is directly attributable to these rules.

Finally, you are hereby advised, pursuant to *Minnesota Statutes* § 17.83 (1986), that the MPCA has determined that these rules will not have an adverse effect on agricultural land.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the rules as adopted, must submit a written request to Mr. Freeman.

Gerald L. Willet
Commissioner

Rules as Proposed (all new material)

WATER POLLUTION CONTROL REVOLVING FUND PROGRAM

7075.2505 PURPOSE.

The water pollution control revolving fund program provides loans and other forms of financial assistance to municipalities for the construction of publicly owned wastewater treatment facilities. The program is jointly administered by the Minnesota Pollution Control Agency and the Minnesota Public Facilities Authority. Parts 7075.2505 to 7075.2550 provide for the agency's responsibilities for the administration of the program.

7075.2510 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of parts 7075.2505 to 7075.2550, the following terms have the meanings given them. Other terms defined in part 7075.0200 have the meanings given in that part.

Subp. 2. **Act.** "Act" means Title VI of the Federal Water Pollution Control Act, United States Code, title 33, sections 1381-1387.

Subp. 3. **Agency.** "Agency" means the Minnesota Pollution Control Agency.

Subp. 4. **Authority.** "Authority" means the Minnesota Public Facilities Authority.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

Subp. 6. **Intended use plan.** "Intended use plan" means the document that lists eligible projects proposed to be funded in a particular federal fiscal year from funds available in the water pollution control revolving fund.

Subp. 7. **Municipal needs list.** "Municipal needs list" means the list developed and maintained by the agency according to part 7075.0402 that lists in priority order municipalities that have a need for new or upgraded wastewater disposal systems.

Subp. 8. **Municipality.** "Municipality" means any county, city, or town, the Metropolitan Waste Control Commission established in Minnesota Statutes, chapter 473, the Metropolitan Council when acting under that chapter or an Indian tribe or an authorized Indian tribal organization, and any other governmental subdivision of the state responsible by law for the prevention, control, and abatement of water pollution in any area of the state.

7075.2515 INTENDED USE PLAN.

Subpart 1. **Adoption of intended use plan.** The agency shall annually adopt an intended use plan based upon the requests received under subpart 3. The agency will amend the intended use plan to add additional eligible projects as necessary.

Subp. 2. **Eligibility.** To be eligible for placement on the intended use plan, a municipality's project must be listed on the current municipal needs list or, if the municipality is seeking refinancing, the project must have been listed on the municipal needs list before the beginning of construction and meet the requirements of Minnesota Statutes, section 446A.07, subdivision 8, clause (1).

Subp. 3. **Requirements for placement on the intended use plan.** To be placed on the intended use plan, a municipality must meet the requirements of items A and B.

A. The municipality must submit to the commissioner a written request for placement on the intended use plan that includes:

(1) a brief description of the project for which financial assistance is sought;

(2) a project cost estimate; and

(3) a proposed project schedule, including the date for submittal of a complete financial assistance application in conformance with the requirements of part 7075.2520.

B. For a Step 3 project, a municipality must first receive the commissioner's approval of its facilities plan before it will be placed on the intended use plan. If the municipality is proposing to change the selected treatment method or any other major element of a previously approved facilities plan, the municipality must receive the commissioner's approval of a facilities plan addendum.

7075.2520 APPLICATIONS.

Subpart 1. **Timing and form of application.** A municipality identified on the intended use plan may submit an application for financial assistance according to the municipality's schedule submitted under part 7075.2515, subpart 3, item A, subitem (3). Applications must be submitted to the executive director of the authority on forms provided by the authority.

Subp. 2. **Step 1 financial assistance.** In addition to any other information required by the authority, a municipality applying for Step 1 financial assistance shall include the following items for the commissioner's review and approval as part of its application:

A. a plan of study outlining the scope of work that will lead to an approvable facilities plan;

B. a schedule for completion of the facilities plan;

C. an engineer's certificate of adequate errors and omissions insurance; and

D. if more than one municipality is involved in the application, the municipalities shall submit an agreement indicating their intent to participate in joint treatment, outlining each municipality's responsibilities during planning and setting forth the cost-sharing methodology.

Subp. 3. **Step 2 financial assistance.** In addition to any other information required by the authority, a municipality applying for Step 2 financial assistance shall include the following items for the commissioner's review and approval as part of its application:

A. a schedule for completion of all Step 2 work;

B. an engineer's certificate of adequate errors and omissions insurance;

C. a treatment agreement for each major contributing industry that will discharge wastewater to the new or upgraded system; and

D. if more than one municipality is involved in the application, the requirements of items A to C must be submitted for each municipality involved in the project. In addition, the municipalities shall submit an unexecuted intermunicipal agreement that sets forth the terms and conditions of joint treatment and the cost-sharing methodology.

Subp. 4. **Step 3 financial assistance.** In addition to any other information required by the authority, a municipality applying for Step 3 financial assistance shall include the following items for the commissioner's review and approval as part of its application.

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A. Project plans and specifications including documents that contain the requirements under which a bidder submits a bid for performing the work and the contractual requirements and detailed requirements. The documents that comprise the plans and specifications must conform to generally accepted engineering practices, applicable state statutes and rules, and applicable requirements of the act.

B. A sewer service charge system comprised of a user charge system and a system providing for dedicated sources of revenue to pay for the municipality's costs of construction and to retire the municipality's debt costs attributable to the wastewater treatment works to be constructed. The user charge system must ensure the sufficient generation of revenue to offset the annual costs of operation, maintenance, and replacement of the treatment works and must charge each user class a fee proportional to the contribution of each user class to the total wastewater loading. The user classes include residential, commercial, industrial, institutional, and governmental classes. The system providing for dedicated sources of revenue to pay for the municipality's costs of construction and to retire the municipality's debt costs need not be proportionally assessed against each user class, but the manner in which the charge will be distributed must be described.

C. Documentation of how the public has been informed of the proposed sewer service charge system.

D. A sewer use ordinance to control discharges to the disposal system throughout the jurisdiction of the municipality.

E. A schedule for completion of all Step 3 work.

F. A signature and registration number of the consulting engineer accompanying the following certification statement:

"The treatment works described in this application have been designed with full knowledge of the effluent limitations required by the Minnesota Pollution Control Agency as set forth in NPDES Permit No. ..... dated ..... It is my judgment and carefully considered opinion that these treatment works are capable of consistently producing the required effluent quality, provided that the facility is operated in conformance with the approved operation and maintenance manual and that the volume and characteristics of raw wastewater are within the limits of "Design Data" stated on page ... of the plans as follows."

G. An engineer's certificate of adequate errors and omissions insurance.

H. An unexecuted engineering contract for all Step 3 work.

I. A certification from the municipality that its consulting engineer or the engineer's agent will be present on site during the hours of construction for purposes of inspection and will submit written reports to the agency upon request describing the type of construction inspected and the time involved in inspection after construction commences.

J. A certification from the municipality that its consulting engineer will provide the following services during the first year following initiation of operation:

(1) direct the operation of the project and revise the operation and maintenance manual as necessary to accommodate actual operating experience;

(2) train or provide for training of operating personnel and prepare curricula and training material for operating personnel;

(3) revise the operation and maintenance manual based on actual operating experience obtained during the one-year start-up period; and

(4) advise the municipality whether the project is meeting the project performance standards.

K. A certification from the municipality that it will comply with the performance certification requirements in part 7075.2545.

L. A treatment agreement with each major contributing industry that will discharge wastewater to the new or upgraded system.

M. A cost breakdown of all project work to be funded under the revolving fund program.

N. If more than one municipality is involved in the application, an executed intermunicipal agreement that sets forth the terms and conditions of joint treatment and the cost-sharing methodology.

7075.2525 APPLICATION CERTIFICATION.

Subpart 1. **Step 1 projects.** Upon review and approval of the documents required by part 7075.2520, subpart 2, the commissioner shall certify to the authority that the project meets the applicable requirements of the act, federal regulations, state statutes, and this chapter.

Subp. 2. **Step 2 projects.** Upon review and approval of the documents required by part 7075.2520, subpart 3, the commissioner shall certify to the authority that the project meets the applicable requirements of the act, federal regulations, state statutes, and this chapter.

Subp. 3. **Step 3 projects.** Upon review and approval of the documents required by part 7075.2520, subpart 4, and completion

of items A and B, the commissioner shall certify to the authority that the project meets the applicable requirements of the act, federal regulations, state statutes, and this chapter.

A. The environmental review process in chapter 4410 and Minnesota Statutes, chapter 116D has been satisfactorily completed.

B. The municipality has obtained a state disposal system permit and, if necessary, a national pollutant discharge elimination system permit from the agency for the project.

7075.2530 CHANGE ORDERS.

A municipality proposing to make changes in a project that substantially alters the type or reliability of the treatment process shall submit to the commissioner such information as the commissioner requires to determine the impact of the proposed change on the environment. Changes in the project that substantially alter the type or reliability of the treatment process must be approved by the commissioner before the change is made. The commissioner shall review the proposed change in the same manner as the original project was reviewed for compliance with applicable pollution control requirements. A substantial change in the type or reliability of the treatment process implemented without prior approval from the commissioner constitutes grounds for the commissioner to request that the authority terminate the loan agreement.

Change orders for changes that do not substantially alter the type or reliability of the treatment process do not require prior approval of the commissioner, but must be submitted to the commissioner as soon as possible.

7075.2535 INSPECTIONS.

The commissioner may conduct inspections of the municipality's project under Minnesota Statutes, section 115.03, subdivision 1, paragraph (f).

7075.2540 STEP 3 REPORTING REQUIREMENTS.

Subpart 1. **Sixty days before completion of construction.** At least 60 days before the scheduled contract date for completion of construction, the municipality shall submit to the commissioner:

A. evidence that the municipality has hired a wastewater treatment works operator having a valid state certificate; and

B. an operation and maintenance manual for the commissioner's approval.

Subp. 2. **Within 45 days following completion of construction.** No later than 45 days after the completion of construction, the municipality shall submit to the commissioner:

A. a certification by the contractor that the project was built according to the approved plans and specifications and change orders;

B. evidence that the agency approved sewer use ordinance and the sewer service charge system with updated cost revisions have been adopted; and

C. two copies of the as-built plans and specifications on microfiche.

7075.2545 PERFORMANCE CERTIFICATION.

Subpart 1. **Notification of initiation of operation.** The municipality shall notify the commissioner, in writing, of the project's initiation of operation date within ten days following initiation of operation.

Subp. 2. **One year after initiation of operation.** One year after the initiation of operation of the project, the municipality shall submit to the commissioner the following items:

A. a certification stating whether the project meets the performance standards identified in the permit;

B. a start-up evaluation report describing the performance of the project; and

C. a revised operation and maintenance manual based on actual operating experience obtained during the one-year start-up period.

Subp. 3. **Corrective action report.** If the commissioner or the municipality determines that the project does not meet the project performance standards identified in the permit, the municipality shall submit a corrective action report that includes:

A. an analysis of the project's failure to meet the performance standards;

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B. an estimate of the nature, scope, and cost of the corrective action necessary to bring the project into compliance; and

C. a schedule for undertaking, in a timely manner, the corrective action necessary to bring the project into compliance.

7075.2550 REQUEST TO WITHHOLD FINANCIAL ASSISTANCE PAYMENTS.

Failure of a municipality's project to conform substantially to approved plans and specifications or failure of a municipality to comply with the requirements of part 7075.2540 or 7075.2545 constitutes grounds for the commissioner to request that the authority withhold payments to the municipality. Once an agreement for correcting the condition leading to the withholding of funds is reached between the commissioner and the municipality, the commissioner will recommend to the authority that the retained funds be released according to the provisions in the agreement.

Department of Trade and Economic Development

Proposed Permanent Rules Relating to the Water Pollution Control Revolving Fund

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Commissioner of Trade and Economic Development proposes to adopt the above entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in *Minnesota Statutes,* sections 14.22 to 14.28. Authority for the adoption of these rules is contained in *Minnesota Statutes,* section 446A.06, subd. 2.

All persons have 30 days to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the Department will proceed pursuant to *Minnesota Statutes,* sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Terry Kuhlman
Acting Executive Director
Public Facilities Authority
800 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from Terry Kuhlman upon request.

This program is designed to provide loans to local public bodies, which loans may include financing fees and will be at interest rates that may vary from time to time. The Authority estimates that the total fees and interest costs that would be collected by the revolving fund in the first two years immediately following adoption of the rule will be approximately $5,300,000. Fees and interest paid to the fund for local public bodies is anticipated to be in lieu of similar payments made to other financing sources.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Terry Kuhlman.

Dated: 1 September 1988

David Speer
Commissioner of Trade and Economic Development

Rules as Proposed (all new material)

7380.0400 PURPOSE.

The Water Pollution Control Revolving Fund administered by the Minnesota Public Facilities Authority provides loans and other forms of financial assistance for construction of municipal wastewater treatment plants to assure maintenance of progress toward municipal compliance, or implementation of nonpoint source management controls, as required by the Federal Water Pollution Control Act, to municipalities for projects that have been certified by the Minnesota Pollution Control Agency. The United States Environmental Protection Agency provides a capitalization grant to the state of Minnesota to provide loans through the authority to ensure that the Revolving Fund is available to finance water pollution control projects in perpetuity. The terms and conditions of the loan agreement for financial assistance provided by the authority must be in conformance with the Federal Water Pollution Control Act, United State Code, title 33, particularly sections 1381 to 1387, the rules of the agency, and this part.

7380.0410 DEFINITIONS.

Subpart 1. **Scope.** The terms defined in this part, in Minnesota Statutes, section 446A.02, and in the Federal Water Pollution Control Act, apply to parts 7380.0400 to 7380.0480.

Subp. 2. **Act.** "Act" means the Federal Water Pollution Control Act, as defined in Minnesota Statutes, section 446A.02, subdivision 4.

Subp. 3. **Agency.** "Agency" means the Minnesota Pollution Control Agency.

Subp. 4. **Applicant.** "Applicant" means:

A. a governmental unit as defined in Minnesota Statutes, section 446A.02, subdivision 5; or

B. a municipality as defined in this part.

Subp. 5. **Average coupon rate.** "Average coupon rate" means the weighted average of bonds at the various maturity dates as provided in the bond.

Subp. 6. **Dedicated sources of revenue for repayment.** "Dedicated sources of revenue for repayment" means one or more dedicated sources of revenue established by the municipality to ensure repayment of the loan from the authority. Dedicated sources of revenue may be: special assessments; general taxes or general obligation bonds; sewer service charges; or other sources acceptable to the authority.

Subp. 7. **Allowable costs.** Allowable costs that may be financed by the authority, provided the allowable cost item is reasonable or necessary, include those provided in the list of costs given below. The listing is only representative of allowable costs that may be financed by a loan from the authority. Other allowable costs may also fall within the language of the Act, United States Code, title 33, sections 1381-1387.

A. acquisition costs of land, building, or both;

B. site preparation;

C. construction costs;

D. engineering costs;

E. costs of equipment, machinery, or both;

F. bond issuance costs;

G. underwriting or placement fees;

H. trustee fees;

I. fees of guarantor, insurer, or financial institution, other than the authority, which provide letters of credit, surety bonds, or equivalent security;

J. authority fees, including application and guaranty fees of the authority and administrative costs and expenses;

K. certain contingency costs;

L. interest costs during construction;

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M. legal fees, including those of the authority; and

N. a debt service reserve fund.

Subp. 8. **Executive director.** "Executive director" means the executive director of the Public Facilities Authority.

Subp. 9. **Fund.** "Fund" means the Minnesota Water Pollution Control Revolving Fund created by Minnesota Statutes, section 446A.07, as amended.

Subp. 10. **Intended use plan.** "Intended use plan" means the document prepared annually by the agency and submitted to the United States Environmental Protection Agency that identifies the intended uses of the amounts available to the fund, including a list of wastewater treatment projects and other eligible activities scheduled to be funded during the fiscal year.

Subp. 11. **Loan agreement.** "Loan agreement" means the loan agreement or financing agreement between the authority and the municipality that provides all the terms and conditions of the loan.

Subp. 12. **Municipal bond index.** "Municipal bond index" means the index based on the yield that about 500 major issuers, mainly of investment grade, would pay on new long-term (20 years) general obligation, tax exempt bonds. The index is published each Friday in the Wall Street Journal.

Subp. 13. **Municipality.** "Municipality" means any county, city, and town, the Metropolitan Waste Control Commission established in Minnesota Statutes, chapter 473 and the Metropolitan Council when acting under the provisions of that chapter or an Indian tribe or an authorized Indian tribal organization, and any other governmental subdivision of the state responsible by law for the prevention, control, and abatement of water pollution in any area of the state.

Subp. 14. **Poverty level.** "Poverty level" means the level of income identified as the poverty level by the United States Census Bureau; or by another federal or state agency; or by an accredited independent survey, which most accurately measures the level of poverty within a project service area.

Subp. 15. **Project completion.** "Project completion" means the date on which the operation of the treatment works is initiated or is capable of being initiated.

Subp. 16. **Project service area.** "Project service area" means the sewer service area directly served by the project being constructed.

Subp. 17. **Quarterly set rate.** "Quarterly set rate" means the maximum rate of interest set for a calendar quarter and shall be determined by the authority using as guidance the average of the municipal bond index for the four weeks prior to the beginning of the quarter minus 100 basis points for 20-year term loans. For loans of less than 20 years, the quarterly set rate will be determined by the authority using as guidance an index of investment grade bond issues having a maturity equal to the term of the loan being requested by the municipality minus a discount of five basis points for each year less than 20 years.

Subp. 18. **Sewer service area.** "Sewer service area" means the sewer service area that utilizes the individual sewage treatment plant.

Subp. 19. **Sewer service charge.** "Sewer service charge" means a charge levied upon the users of the sewer service system to pay for the use of the system. Service charges include tax assessment, special assessments, user fees, or other charges identified by any other name.

FINANCIAL ASSISTANCE APPLICATIONS

7380.0420 PROCEDURES FOR FINANCIAL ASSISTANCE APPLICATIONS PROCESSING.

Subpart 1. **In general.** To apply for financial assistance from the authority, eligible applicants identified in the annual intended use plan prepared by the agency may submit an application at any time to the executive director of the authority.

Prior to the submission of an application to the authority, the municipality shall contact the authority to receive the authority's advice under Minnesota Statutes, section 446A.051.

The authority shall forward the application to the agency within ten day after receipt of the application by the authority. The agency will accept and review the application as provided in its rules.

Subp. 2. **Deadline for submission.** When an application that has been certified by the commissioner of the agency is returned to and received by the authority on or before the first business day of the month, the authority shall consider the application at the authority meeting that month. If the certified application is received after the first business day of the month and can be reviewed by the executive director prior to the authority agenda deadline, the authority may consider the application at the meeting in that month.

Subp. 3. **Completed application.** An application certified by the commissioner of the agency is considered complete when the executive director of the authority determines that the exhibits and documentation which have been received provide a full and accurate account of the project financing to the extent that the authority is able to make an informed determination on the application.

Subp. 4. **Incomplete application.** If an incomplete application is received, the executive director shall notify the applicant in

writing of specific deficiencies in the application. The applicant has 60 days from the date of mailing of the executive director's notification to complete the application. If the application is not completed and received by the executive director within those 60 days, the application is deemed to be rejected and the applicant, subject to agency rules, must reapply to be further considered.

Subp. 5. **Applications not receiving certification.** An application not receiving certification by the commissioner of the agency will not receive consideration for financial assistance by the authority. The executive director of the authority shall notify the applicant of the rejection of the application by the authority within ten days of the rejection determination.

Subp. 6. **Rejection of loan applications by the authority.** The authority may reject an application for financial assistance for the following reasons:

A. failure to obtain certification from the commissioner of the agency for the project;

B. failure to develop and document dedicated sources of revenue sufficient in the judgment of the authority to ensure repayment of the loan to the authority;

C. failure to submit a completed application using the procedure provided in part 7380.0420, subpart 4; and

D. failure to demonstrate the legal, managerial, institutional, and financial capacity to provide for adequate operation, maintenance, and replacement cost of the municipal facility for the term of the loan.

7380.0430 AUTHORITY EVALUATION PROCEDURE.

Subpart 1. **In general.** The authority shall evaluate applications certified by the commissioner of the agency to determine the applicant's capacity to comply with the terms and conditions of the Act and the rules of the authority as provided in this part.

The applicant's project must have been identified in the agency's intended use plan for the year in which the applicant is applying.

The authority will only provide financial aid for the allowable costs provided in part 7380.0410, subpart 7.

Subp. 2. **Loan terms and conditions.** The terms and conditions for loans and other forms of financial assistance provided by the authority to eligible applicants for certified projects are as provided by the Act; Minnesota Statutes, chapter 446A; this part; and as provided by the authority in the loan agreement for the project financing.

Subp. 3. **Repayment.** The repayment of loans to the authority by the recipient must be sufficient to fully amortize the loan for a period of not more than 20 years after project completion. If treatment works have been segmented or phased, the repayment requirements of this subpart and the payment requirements of subpart 6 apply to each phase or segment of the project.

Subp. 4. **Project completion.** The repayment of loans to the authority by the recipients must begin no later than one year after project completion.

Subp. 5. **Dedicated sources of revenue.** Loan recipients shall establish, and identify in the application, dedicated sources of revenue sufficient to operate and maintain the new facility, and fully amortize the loan for a term of not more than 20 years. The authority shall examine the identified dedicated sources of revenue to ensure that they are a sufficient amount and of sufficient certainty to fully repay the loan.

Subp. 6. **Payments.** The first principal and interest payment is due and payable not later than one year after project completion, or 24 months from the beginning of construction, whichever is earlier. Subsequent principal and interest payments by the loan recipient must be made at the times agreed upon by the loan recipient and the authority in the loan agreement. In general, semiannual loan payments will be required, unless a different payment schedule is agreed upon and provided in the loan agreement. However, in no case shall payments be less frequent than annual principal and interest payments sufficient to amortize the debt within the contracted period.

7380.0440 INTEREST RATE DETERMINATIONS.

Subpart 1. **In general.** The interest rate charged by the authority to a loan recipient must be determined as provided in this part.

Subp. 2. **Setting of interest rates.** The interest rate charged to a loan recipient must be determined by the authority using as guidance the quarterly set rate in effect at either the time of the municipality's application to the authority, or at the time of the signing of the loan agreement by the authority and the municipality, as determined by the municipality. The applicant is, however, eligible for the cumulative interest rate adjustments provided in this part, or the applicant may request in its loan application a specified basis point reduction from the average coupon rate of bonds to be sold by the authority. If the loan applicant applies for the specified basis point reduction, the following requirements must be met:

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A. the payment schedule agreed to will follow the payment schedule of the bonds sold by the authority;

B. acceptable agreement on fund accountability is reached;

C. the municipality can demonstrate its credit worthiness; and

D. the integrity of the fund is maintained.

The authority shall annually provide in its application material the specific basis point reduction it will allow under this option.

Subp. 3. **Suspension of loans at the quarterly set rate.** The authority may suspend offering loans at the quarterly set rate if it determines that market conditions impacting the municipal bond index are unsettled or impair the viability of the fund. At the time of that determination, the authority may by resolution adopt a revised quarterly set rate, based upon generally accepted practices of interest rate forecasting, for a period of time determined by the authority. The authority may, based upon market conditions, extend the offering of loans at the revised quarterly set rate and continue to do so until the time the authority considers it prudent to again use the municipal bond index as guidance for the quarterly set rate.

Subp. 4. **Demographic considerations.**

A. A loan application will be considered for an interest rate reduction based upon the population of the project service area, and be eligible for a reduction as follows:

(1) Applicants with a project service area population of less than 150,000 and larger than 100,000 are eligible to receive the quarterly set rate minus 25 basis points, subject to the interest rate adjustments given in this part.

(2) Applicants with a project service area population of 100,000 or less and larger than 25,000 are eligible to receive the quarterly set rate minus 50 basis points, subject to the interest rate adjustments given in this part.

(3) Applicants with a project service area population of 25,000 or less and larger than 5,000 are eligible to receive the quarterly set rate minus 75 basis points, subject to the interest rate adjustments in this part.

(4) Applicants with a project service area population of 5,000 or less and larger than 2,500 are eligible to receive the quarterly set rate minus 100 basis points, subject to the interest rate adjustments in this part.

(5) Applicants with a project service area population of 2,500 or less but larger than 1,000 are eligible to receive the quarterly set rate minus 125 basis points, subject to the interest rate adjustments in this part.

(6) Applicants with a project service population of 1,000 or less are eligible to receive the quarterly set rate minus 150 basis points, subject to the interest rate adjustments in this part.

B. The data used to determine the population and the median household income of the project service area should be that which most accurately measures the population and median household income of the area. The authority shall determine if the data submitted by the municipality is an appropriate and accurate measurement of the population and household income of the project service area.

C. The metropolitan and nonmetropolitan median household income levels of the state must be determined from income data from the most recent census of the United States or from data from the state demographer. The data provided must be applied as the criteria to determine if the applicants' project service area household income is at, below, or above the median household level for the metropolitan or nonmetropolitan area as applicable.

D. If there is reason to believe that the United States census data or the data from the state demographer is not a currently accurate representation of the median household income or population within the project service area, the applicant may document the reasons why the data is not an accurate representation, and obtain additional information regarding median household income or population for the project service area. The information must consist of reliable data from local, regional, state or federal sources, or from a survey conducted by a reliable impartial source.

Subp. 5. **Interest rate adjustment.** Any applicant is eligible to receive consideration for interest rate adjustments to the interest rate to be charged by the authority as provided in this part.

A. The median household income is the income level for the project service area of the facility being financed by the authority. If the median household income level for the area is below the median household income level for a metropolitan or nonmetropolitan area, as applicable, the applicant is eligible for a 50 basis point reduction in the rate; or

B. If the percentage of poverty level households in the project service area is at or above the national average, the applicant is eligible for a 100 basis points reduction in the interest rate charged by the authority.

C. If the current annual sewer service charge of the project service area, coupled with the financing, operation, maintenance, and replacement costs of the new facility results in an annual sewer service charge in excess of one percent of the median household income level of the project service area, the municipality is eligible for a 100 basis points reduction in the interest rate.

Subp. 6. **Interest-free loans.** The authority may offer interest-free loans as provided in this part to municipalities demonstrating in their application that they are financially unable to pay any interest charge on the loan. The authority shall not offer interest-free loans if the offering of an interest-free loan results in the combined rate of interest on the authority's portfolio to yield less than the rate of inflation as determined by the consumer price index.

Interest-free loans for any applicant are limited to $500,000, or the eligible cost of the project, whichever is less. The authority shall not provide interest-free loans, in total, exceeding up to ten percent of the total capitalization grant funds scheduled to be received by the authority.

To be eligible for consideration for an interest-free loan, an applicant must meet each of the following conditions:

A. the population of the project service area has declined over the past ten years;

B. the percent of people in poverty in the project service area of the project is at or exceeds the poverty level; and

C. the current annual sewer service charge of the project service area, coupled with the financing, operation, maintenance, and replacement costs of the new facility results in an annual sewer service charge in excess of one and one-half percent of the median household income level of the project service area.

7380.0450 OTHER FINANCIAL ASSISTANCE.

In addition to the loans provided in parts 7380.0430 to 7380.0440, the authority may use any forms of financial aids provided in United States Code, title 33, section 1383(d). The use of specific financing tools will be determined by the authority based on existing financial market conditions at the time the financing of the project takes place.

The revolving loan fund authorized by the act may be used:

A. to buy or refinance the debt obligation of municipalities for treatment works incurred after March 7, 1985, at or below market rate;

B. to guarantee or purchase insurance for local obligations to improve credit market access or reduce interest rates;

C. to provide a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the authority if bond proceeds are deposited in the fund; and

D. to provide loan guarantees for similar revolving funds established by a governmental unit other than state agencies.

7380.0460 FEES.

If the authority charges a loan recipient a loan origination fee, the fee must be based on a schedule established by the authority and must not exceed one and one-half percent of funds borrowed from the authority. The fees, if any, will be charged to all loan recipients and must be as provided in the loan application form. These fees may be included as an eligible project activity or category in the municipality's application to the authority, and are due and payable as provided in the loan agreement.

7380.0470 RELEASE OF FUNDS.

Subpart 1. **In general.** Subject to the availability of funds, payments to the governmental unit for an approved project will be made in accordance with applicable state and federal law governing payments, but payments will not be made until the authority has determined the total estimated cost of the project, and ascertained that the total final financing of the project is assured by the following:

A. a loan authorized by state law or the appropriation proceeds of bonds or other money of the municipality to a fund for construction of a project; and

B. an irrevocable undertaking, by resolution of the applicant, to use the loan proceeds exclusively for the project, and to pay any additional amount by which the cost of the project exceeds the final estimate by the appropriation to the construction fund of additional money or proceeds of additional bonds to be issued by the governmental unit.

Subp. 2. **Adverse change.** The authority shall not release funds to a municipality for an approved project until the authority has determined that there have been no adverse changes in the financial capacity of the municipality since the day of the completion of the application.

The authority reserves the right to suspend or terminate funding to the municipality if the authority determines that there has been an adverse change.

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.

Subp. 3. **Conformance with plans and reporting requirements.** The authority shall withhold, suspend, or terminate either total or partial payments if the authority determines that a project does not substantially conform to approved plans and specifications, or there has been substantial noncompliance with reporting requirements.

The executive director shall give a municipality written notice of the deficiencies the authority has determined exist, and the time in which the municipality must demonstrate to the authority's satisfaction that the condition has or will be corrected. The time for demonstration must not exceed 90 days.

7380.0480 REPORTS AND AUDITS.

Subpart 1. **Reports.** During the term of the loan, the municipality shall make written reports to the executive director on forms provided by the authority and on a schedule determined by the executive director.

Subp. 2. **Audits.** Financial assistance recipients must arrange and pay for independent audits, acceptable to the authority and prepared in compliance with the Office of Management and Budget, Circular A-128, published in the Federal Register, volume 50, number 188, page 39083, on September 27, 1985, and in compliance with the Single Audit Act of 1984, United States Code, title 31, sections 7501-7507. Costs incurred in preparation of the audit are an eligible activity or category under part 7380.0410, subpart 7.

Adopted Rules

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

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and 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.

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

Department of Labor and Industry

Adopted Permanent Rule Relating to Prevailing Wages

The rule proposed and published at *State Register*, Volume 12, Number 43, pages 2340-2342, April 25, 1988 (12 S.R. 2340) is adopted with the following modifications:

Rule as Adopted

5200.1105 RENTAL RATES FOR TRUCKS ON HIGHWAY PROJECTS.

Drivers who own and operate trucks on contract work shall be compensated for their equipment according to the following formula: Truck Rental Rates Equals Labor Cost Plus Operating Cost.

Labor cost shall be the rate determined to be prevailing by the Department of Labor and Industry using existing survey methods under parts 5200.1000 to 5200.1120.

Operating cost shall be determined by averaging the itemized costs of operating a vehicle as submitted ~~from not less than four~~ by at least five trucking firms of various size and five independent truck owner-operators, all selected by the commissioner as representative of the industry.

The following items shall be considered as operating costs of a vehicle: the average cost of the vehicle depreciated over seven years, insurance, fuel, oil, tires, taxes, licenses, maintenance, repair, and any administrative expense associated with the vehicle's operation.

Pollution Control Agency

Water Quality Division

Adopted Permanent Rules Relating to Clean Water Partnership

The rules proposed and published at *State Register*, Volume 12, Number 42, pages 2296-2309, April 1, 1988 (12 S.R. 2296) are adopted with the following modifications:

Rules as Adopted

7076.0160 REJECTION OF GRANT APPLICATION.

Subpart 1. **Grounds.** An application for a project development grant or a project implementation grant ~~may~~ shall be rejected by the commissioner for the following reasons:

7076.0170 PROJECT RANKING.

Subp. 2. **Priority points for project development grant applications.** The following criteria must be used to determine the number of priority points ~~a project for which a project development grant application has been submitted is entitled~~ to be awarded in the evaluation of each project development grant application. The agency shall award each project between zero and ten points under each of the following criteria, depending on how well the project satisfies the criterion. The number of points awarded under each criterion must be added together to determine the project's total point value. This total number must be used to determine the project's overall ranking and priority. The criteria are as follows:

Subp. 3. **Priority points for project implementation grant applications.** The following criteria must be used to determine the number of priority points ~~a project for which a project implementation grant application has been submitted is entitled~~ to be awarded in the evaluation of each project implementation grant application. The agency shall award each project between zero and ten points under each of the following criteria, depending on how well the project satisfies the criterion. The number of points under each criterion must be added together to determine the project's total point value. This total number must be used to determine the project's overall ranking and priority. The criteria are as follows:

7076.0250 IMPLEMENTATION PLAN.

The implementation plan required to be submitted by a project sponsor under part 7076.0210, subpart 9, must include:

H. a list of any federal ~~or~~, state, or local permits and approvals required to complete the project; and

7076.0280 GRANT PAYMENTS.

Subp. 3. **Withholding of reimbursement.** The agency ~~may~~ shall withhold reimbursement if the project sponsor has failed to comply with any requirements of the grant contract or parts 7076.0100 to 7076.0290. The funds will not be released until the agency determines that the project sponsor has corrected the deficiencies causing noncompliance.

Department of Public Safety

Crime Victims Reparation Board

Adopted Permanent Rules Relating to Claim Procedures

The rules proposed and published at *State Register*, Volume 12, Number 41, pages 2238-2241, April 11, 1988 (12 S.R. 2238) are adopted as proposed.

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.

Emergency Rules

Proposed Emergency Rules
According to Minn. Stat. of 1984, §§ 14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

1) that a free copy of the proposed emergency rule is available upon request from the agency;
2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules
Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§ 14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules
Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Charitable Gambling Control Board

Proposed Emergency Amendments to Permanent Rules Relating to Lease Payments

Notice of Intent to Adopt an Emergency Rule

NOTICE IS HEREBY GIVEN that the State Charitable Gambling Control Board intends to adopt the above-entitled emergency rule. The statutory authority to adopt the emergency rule is contained in *Laws of Minnesota*, Chapter 684, Article 1, sec. 7. (1988). The agency, in adopting the rule, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules in *Minnesota Statutes*, sections 14.29 to 14.36.

All persons have 25 days after publication to submit data and views on the proposed emergency rule or any part or subpart of the rule in writing. Any comments must be submitted to:

Roger Franke, Executive Secretary
200 Centennial Building
St. Paul, MN 55155
(612) 296-0937

A copy of the proposed rule is attached to this notice.

A free copy of the proposed emergency rule is available by contacting the Charitable Gambling Control Board Office at 642-0555.

The proposed emergency rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed emergency rule as noticed.

Upon adoption of the emergency rule by the agency, the emergency rule as adopted and its supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Roger Franke. The emergency rule will take effect five working days after approval by the Attorney General and be effective for 180 days. The emergency rule will be continued in effect for an additional 180 days if the agency gives notice of continuation in accordance with *Minnesota Statutes*, section 14.35.

Dated: 7 September 1988

Roger Franke
Executive Secretary

Rules as Proposed

7860.0090 [Emergency] LEASE AGREEMENTS.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Payments.**

A. The amount of the lease payment that an organization shall pay to a lessor for premises leased for lawful gambling, with the exception of bingo, may not exceed $24 per square foot per month. In no instance may rent payments for the leased premises exceed $600 per month.

B. The amount of the lease payment that an organization shall pay to a lessor for premises leased for the conduct of bingo and all other gambling activities during that bingo occasion shall not exceed $200 for leased premises of not more than 6,000 square feet, $300 for leased premises of not more than 12,000 square feet, and $400 for leased premises of more than 12,000 square feet.

C. The storage of the inventory of gambling equipment may be on that leased premises.

Official Notices

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

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

Department of Education

District Financial Management and Transportation Section

Notice of State Registration Requirements for EPA-Certified Asbestos Abatement Project Designers

The Asbestos Management Program of the Department of Education has been officially designated to administer the registration of qualified Abatement Project Designers for asbestos-related work in Minnesota schools.

Persons who have successfully completed an Environmental Protection Agency (EPA)-approved course of training for Abatement Project Designer may register with the State of Minnesota to be included on the eligibility list supplied to Minnesota public and nonpublic schools.

Applicants may receive instructions and an application form by calling (612) 296-9786, or by writing to:

Asbestos Management Program
936 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

Department of Health

Office of Health Systems Development

Notice of Intent to Solicit Outside Opinions Concerning a Request for a Waiver of HMO Statutes and Rules by Physicians Health Plan (PHP)

NOTICE IS HEREBY GIVEN that the Department of Health is seeking opinions and comments pertaining to a Application for Approval of Demonstration Projects and Waiver of HMO Requirements–Individual Contract for Supplemental Medicare Benefits #601. Such waivers are authorized for demonstration projects by *Minnesota Statutes* 62D.30.

The request submitted by PHP is available for inspection during normal business hours at the following location:

Alternative Delivery Systems
Room 456
Minnesota Department of Health
Minneapolis, MN 55440
(612) 623-5365

Comments on the request must be received by September 23, 1988.

Department of Labor and Industry

Notice of Informal Conference Concerning Prevailing Wage Truck Rental Rate Determinations

An informal conference will be held to review data used to determine truck rental rates for state highway projects under *Minnesota Rule,* part 5200.1105. Interested parties may at that time provide further input prior to certification.

The conference will be held Friday, October 7, 1988 at 10:00 a.m., room 339, Labor and Industry Building, 443 Lafayette Road, St. Paul, Minnesota.

Ray Bohn, Commissioner
Department of Labor and Industry

Metropolitan Council

1989 Disadvantaged Business Enterprise Goal

The Metropolitan Council announces a 10 percent goal for federal fiscal year 1989 for participation by firms owned and controlled by socially and economically disadvantaged individuals in Urban Mass Transportation (UMTA) assisted projects. The goals and a description of how they were set are available for inspection during normal business hours at the Council offices for 30 days following the date of this notice. Comments, which are for informational purposes only, may be sent to the Equal Opportunity Coordinator, Metropolitan Council, Mears Park Centre, 230 E. 5th St., St. Paul, MN 55101; or the U.S. Department of Transportation, 400 7th St. SW., Washington, DC 20590, within 45 days from the date of this notice.

Pollution Control Agency

Applications Accepted for Municipal Litigation Loan Program

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is accepting applications for the Municipal Litigation Loan Program. This program, pursuant to *Minnesota Laws 1988*, ch. 686, art. 1, sec. 13 and 69, was created to provide loans to municipalities under 1500 population which are in litigation involving wastewater treatment projects funded by state or federal money. The Legislature appropriated $100,000 for this pilot program. The procedures that will govern the program follow this notice.

Applications will be accepted for a 30 day period ending at 4:30 p.m. on October 18, 1988. Application forms may be requested from:

Joan deMeurisse
Municipal Wastewater Treatment Section
Division of Water Quality
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155
Telephone: (612) 296-7211

Gerald L. Willet
Commissioner

Municipal Litigation Loan Program Procedures

Part 1. PURPOSE

The purpose of the litigation loan program is to provide loans to municipalities to assist them in bringing or defending against litigation involving wastewater treatment projects funded with state or federal construction grants.

Part 2. ELIGIBILITY

A municipality is eligible to receive a loan if it meets the following conditions:

A. The population of the municipality is under 1500.

B. The municipality is currently in litigation involving a wastewater treatment project funded by state or federal construction grants money.

C. The municipality is unable to pay the reasonable costs of litigation.

D. The municipality has not received a Corrective Action Grant under *Minnesota Statutes*, sec. 116.181 (supp. 1987).

Part 3. LOAN APPLICATIONS

Subpart 1. Application requirements. The municipality must apply for a loan on an application form provided by the Commissioner of the Minnesota Pollution Control Agency (MPCA). The municipality must submit the following information with the application:

A. documentation of the litigation costs incurred;

B. documentation that the litigation costs incurred are reasonable;

C. documentation verifying that the municipality can't pay the litigation costs; and

D. a resolution from the governing body of the municipality obligating it to repay the loan according to the loan agreement.

Subp. 2. Application closing date. The application must be submitted to the commissioner or postmarked by the noticed application closing date.

Subp. 3. Incomplete applications. Municipalities that submit applications that do not include the information required in subpart 1 or that are not submitted by the application closing date are ineligible for a loan.

Part 4. SELECTION OF LOAN RECIPIENTS

All loan applicants that meet the eligibility requirements under Part 2 will be offered a loan.

Part 5. AMOUNT OF LOAN

Subpart 1. A loan shall not exceed 50 percent of the actual litigation costs incurred or $50,000, whichever is less.

Subp. 2. If the amount of total funding required by the municipalities meeting the eligibility requirements is less than or equal to the amount of the money appropriated for this program, all applicants will be funded for the maximum amount for which they are entitled.

Subp. 3. If the amount of the total funding required by the municipalities meeting the eligibility requirements is more than the amount of the money appropriated for this program, all applicants will be funded proportionately according to the following method:

A. The lesser amount of $50,000 or 50 percent of actual litigation costs for each applicant will be divided by the amount of the total of the loan requests of all the applicants to determine a ratio for each applicant.

B. The ratio determined under 3A will be applied to the amount of money appropriated for this program to determine the loan amount each applicant will receive.

The following example illustrates how this formula will work:

TOTAL APPROPRIATION $100,000

City A Requests $ 39,474
City B Requests $ 32,590
City C Requests $ 49,200

Total of all requests = $121,264

City A's ratio — 39,474 divided by 121,264 = 32.552%
City B's ratio — 32,590 divided by 121,264 = 26.875%
City C's ratio — 49,200 divided by 121,264 = 40.573%

City A's loan — $100,000 (total appropriation) × 32.332% (A's ratio) = $32,552
City B's loan — $100,000 (total appropriation) × 26.875% (B's ratio) = $26,875
City C's loan — $100,000 (total appropriation) × 40.573% (C's ratio) = $40,573

32,552 + 26,875 + 40,573 = 100,000

Part 6. LOAN AGREEMENT

A municipality selected to receive a loan under Part 4 will be required to enter into a loan agreement with the Minnesota Pollution Control Agency.

Part 6. TERMS OF THE LOAN

A. Interest Rate. The interest rate for loans awarded under this program will be zero percent.

B. Loan Repayment. The municipality will be required to repay the loan in equal annual payments over a period of ten years.

Department of Public Safety

Office of Pipeline Safety

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules of the State Department of Public Safety Governing Initial Comprehensive Inspection Plan

NOTICE IS HEREBY GIVEN that the State Department of Public Safety is seeking information or opinions from sources outside the agency in preparing to promulgate rules governing initial comprehensive pipeline inspections.

The promulgation of these rules is authorized by *Minnesota Statutes,* Section 299F.63, which authorizes the agency to conduct inspections of pipeline facilities.

The State Department of Public Safety requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

William C. Barbeau, Director
Office of Pipeline Safety
289 E. 5th Street
St. Paul, MN 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-9638 and in person at the above address.

All statements of information and comment shall be accepted until August 31, 1988. Any written material received by the State Department of Public Safety shall become part of the rulemaking record in the event that the rules are promulgated.

Department of Transportation

Petition of City of Willmar for a Variance from State Aid Rules for use of State Aid Funds

NOTICE IS HEREBY GIVEN that the City Council of the City of Willmar has made a written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from Administrative Requirements for a construction project on Trunk Highway 12 (Litchfield Avenue) within the limits of said municipality.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit the use of State Aid Funds to pay $70,653.02 as the City of Willmar's share of construction and engineering costs on the construction project S.P. 34-03-97 which was let and awarded prior to State Aid approval of the construction plan.

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

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

Dated: 2 September 1988

Leonard W. Levine
Commissioner

Department of Transportation

Petition of the City of Columbia Heights for a Variance from State Aid Standards for Right of Way Requirements

NOTICE IS HEREBY GIVEN that the City Council of the City of Columbia Heights has made a written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from minimum standards for a bituminous surfacing project on MSAS 104 (44th Avenue N.E.) from 760 feet east of Central Avenue N.E. to McLeod Street N.E.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2500 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a right of way width of fifty feet instead of the required minimum width of sixty feet.

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

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

Dated: 2 September 1988

Leonard W. Levine
Commissioner

Department of Transportation

Petition of the City of Minneapolis for a Variance from State Aid Standards for Street Width

NOTICE IS HEREBY GIVEN that the City Council of the City of Minneapolis has made a written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from minimum standards for a reconstruction project on MSAS 328 (10th Avenue S.E.) from University Avenue to 8th Street.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9912 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a street width of 44 feet instead of the required minimum street width of 52 feet.

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

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

Dated: 2 September 1988

Leonard W. Levine
Commissioner

Department of Transportation

Petition of City of Minneapolis for a Variance from State Aid Standards for Street Width, Design Speed, and Parking Requirements

NOTICE IS HEREBY GIVEN that the City Council of the City of Minneapolis has made a written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from minimum standards for a reconstruction project on MSAS 370 (Oak Grove — W. 15th Street from Lyndale Avenue to Willow Street).

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9912 adopted pursuant to *Minnesota Statutes* Chapter 161, and 162, so as to permit a street width of 48 feet between Lyndale Avenue and Oak Grove Street, a street width of 46 feet between Oak Grove Street and Willow Street, a design speed of 15 M.P.H. between Hennepin Avenue and 15th Street, parking on the south side of Oak Grove Street on Saturday, Sunday, and holidays, parking on both sides of 15th Street from Oak Grove Street to Willow Street instead of the required minimum street width of 52 feet with no parking permitted on either side and a design speed of 30 M.P.H.

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

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

Dated: 6 September 1988

Leonard W. Levine
Commissioner

Department of Transportation

Meeting, State Aid Standard Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Standard Variance Committee who will conduct a meeting on Thursday, September 29, 1988, at 10:00 a.m. in Room G-18, Transportation Building, John Ireland Boulevard, St. Paul, Minnesota 55155.

This notice is given pursuant to *Minnesota Statute* 47k.705.

The purpose of this open meeting is to investigate and determine recommendations for variances from minimum State Aid roadway standards as governed by *Minnesota Rules* for State Aid Operations 8820.3400 adopted pursuant to *Minnesota Statutes* 161 and 162.

The agenda will be limited to these questions:

1. Petition of the County of Winona for a variance from administrative rule requirements that a construction plan must be approved by the State Aid Engineer prior to the award of contract in order to finance the project with State Aid Funds. The construction project is for bituminous resurfacing on CSAH 31 (S.A.P. 85-631-11).

2. Petition of the County of Beltrami for a variance from minimum standards for a resurfacing project on CSAH 30, between the bridge over the Burlington Northern Railroad in the City of Blackduck and the east county line (length 5.754 miles) so as to permit a design speed of 36.5 MPH on a sag vertical curve (Engineer's Station 158+44 to 163+44) instead of the required minimum design speed of 40 MPH.

3. Petition of the County of Beltrami for a variance from minimum standards for a resurfacing project on CSAH 32 between CSAH 31 and the junction of T.H. 72, 2.0 miles north of the City of Blackduck (length 5.056 miles) so as to permit a design speed of 37 MPH on a sag vertical curve (Engineer's station 165+71 to 169+71) instead of the required design speed of 40 MPH.

4. Petition of the City of St. Paul for a variance from minimum standards for a construction project on MSAS 207 (Thomas Avenue) between Snelling Avenue and Asbury Street, so as to permit three utility poles within the required two-foot clear zone.

5. Petition of the City of St. Paul for a variance from minimum standards for a construction project on MSAS 145 (Hamline Avenue) between Almond Avenue and Arlington Avenue, so as to permit two utility poles and one fire hydrant within the required two-foot clear zone.

6. Petition of the City of St. Paul for a variance from administrative requirements for a construction project on MSAS 117 and 232 (Como Avenue) from Capitol Heights to Avon Street, so as to permit the use of State Aid Funds to pay for construction items not included in the approval plan.

7. Petition of the City of Columbia Heights for a variance from minimum standards for a bituminous surfacing project on MSAS 104 (44th Avenue N.E.) from 760 feet east of Central Avenue N.E. to McLeod Street N.E., so as to permit a right of way width of fifty feet instead of the required minimum width of sixty feet.

8. Petition of the City of Willmar for a variance from Administrative Requirements for a construction project on Trunk Highway 12 (Litchfield Avenue) within the limits of said municipality, so as to permit the use of State Aid Funds to pay $70,653.02 as the City of Willmar's share of construction and engineering costs on the construction project S.P. 34-03-97 which was let and awarded prior to State Aid approval of the construction plan.

9. Petition of the City of Minneapolis for a variance from minimum standards for a reconstruction project on MSAS 328 (10th Avenue S.E.) from University Avenue to 8th Street S.E. so as to permit a street width of 44 feet instead of the required minimum width of 52 feet.

10. Petition of the City of Minneapolis for a variance from minimum standards for a reconstruction project on MSAS 370 (Oak Grove—W. 15th Street) from Lyndale Avenue to Willow Street, so as to permit a street width of 48 feet between Lyndale Avenue and Oak Grove Street; a street width of 46 feet between Oak Grove and Willow Street; a design speed of 15 M.P.H. between Hennepin Avenue and 15th Street; parking on the south side of Oak Grove Street on Saturday, Sunday and holidays; parking on both sides of 15th Street from Oak Grove Street to Willow Street instead of the required minimum street width of 52 feet with no parking permitted on either side and a design speed of 30 M.P.H.

The cities and counties previously listed are requested to follow the following time schedule when appearing before the Variance Committee:

10:00 a.m. County of Winona
10:20 a.m. County of Beltrami
10:40 a.m. City of St. Paul
11:00 a.m. City of Columbia Heights
1:00 p.m. City of Willmar
1:20 p.m. City of Minneapolis

Dated: 9 September 1988

Leonard W. Levine
Commissioner
Minnesota Department of Transportation

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over $2,000.

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

Commodities contracts with an estimated value of $15,000 or more are listed under the Procurement Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Department of Administration: Materials Management Division

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

Commodity: Atomic absorbtion spectrometers
Contact: Joseph Gibbs 612-296-3750
Bid due date at 2pm: September 19
Agency: State University
Deliver to: Mankato
Requisition #: 26071 18336

Commodity: Therapeutic monitoring systems, assays and accessories
Contact: Joan Breisler 612-297-2729
Bid due date at 2pm:
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Ford truck repairs
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: September 22
Agency: Transportation
Deliver to: Golden Valley
Requisition #: 79990 00187

Commodity: Pen plotter
Contact: Joyce Dehn 612-296-2621
Bid due date at 2pm: September 22
Agency: State Planning Agency
Deliver to: St. Paul
Requisition #: 30000 17137

Commodity: IBM 3274-41C
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: September 22
Agency: Jobs and Training
Deliver to: St. Paul
Requisition #: 21200 19382

Commodity: Advanced Convertamatic 260 B
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: September 22
Agency: Regional Treatment Center
Deliver to: St. Peter
Requisition #: 55105 08236

Commodity: Spectrometer
Contact: Joseph Gibbs 612-296-3750
Bid due date at 2pm:
Agency: State University
Deliver to: Bemidji
Requisition #: 25070 14000

Commodity: Loop Detector
Contact: Pat Anderson 612-296-3777
Bid due date at 2pm: September 26
Agency: Transportation
Deliver to: St. Paul
Requisition #: 79050 23289

Commodity: Lumber
Contact: Pat Anderson 612-296-3777
Bid due date at 2pm: September 26
Agency: Transportation
Deliver to: Park Rapids
Requisition #: 79050 21111

Commodity: Air Time
Contact: Pat Anderson 612-296-3777
Bid due date at 2pm: September 26
Agency: Transportation
Deliver to: St. Paul
Requisition #: 79000 91850

Commodity: Front wheel drive axle and transfer case installed on 1989 Ford
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: September 26
Agency: Transporation
Deliver to: St. Paul
Requisition #: 79382 01520

Commodity: Used tandem truck/ tracter—rebid
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: September 26
Agency: Transportation
Deliver to: St. Paul
Requisition #: 79382 01511

Commodity: Gonozyme kits
Contact: Joan Breisler 612-297-2729
Bid due date at 2pm: September 27
Agency: Health Department
Deliver to: Minneapolis
Requisition #: Price Contract

Commodity: Weather access system
Contact: Don Olson 612-296-3771
Bid due date at 2pm: September 27
Agency: MnDOT—Aeronautics
Deliver to: St. Paul
Requisition #: Price Contract

Commodity: 1988 Baretta sport coupe—rebid
Contact: Bernie Vogel 612-296-3778
Bid due date at 2pm: September 23
Agency: DPS—Crime Bureau
Deliver to: St. Paul
Requisition #: 07300 52360

Commodity: Cash register
Contact: Joyce Dehn 612-296-2621
Bid due date at 2pm: September 26
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: 99997 10395

Commodity: Antigen lyophilized
Contact: Joe Gibbs 612-296-3750
Bid due date at 2pm: September 27
Agency: MN Health Department
Deliver to: Minneapolis
Requisition #: 12400 26780

Commodity: Zephur network
Contact: Joe Gibbs 612-296-3750
Bid due date at 2pm: September 27
Agency: Mankato State University
Deliver to: Mankato
Requisition #: 26071 18329

Commodity: RV—crime scene vehicle
Contact: Bernie Vogel 612-296-3778
Bid due date at 2pm: September 28
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 07300 52359

Commodity: Lumber and materials/cold storage building
Contact: Pat Anderson 612-296-3777
Bid due date at 2pm: September 28
Agency: MnDOT—Transportation
Deliver to: East Grand Forks
Requisition #: 79050 21108

Commodity: Automotive paint and body supplies—rebid
Contact: Dale Meyer 612-296-3773
Bid due date at 2pm: September 29
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Used 1980 Ford dump truck
Contact: Bernie Vogel 612-296-3778
Bid due date at 2pm: September 28
Agency: DHS Regional Treatment Center
Deliver to: Willmar
Requisition #: 55106 07010

Contract Awards—Materials Management Division

Item: Repair alteration to building and
Req.#: 02307 91252 01
Awarded to: Honeywell Inc., Minneapolis, MN
Awarded amount: $124,453.00
Awarded date: September 7, 1988
Expir/deliv date: December 31, 1988
Shipped to: Various Locations

Item: Furniture, office
Req.#: 02410 90067 01
Awarded to: Office Machine Sales and, St. Paul, MN
Awarded amount: $7,999.20
Awarded date: September 7, 1988
Expir/deliv date: November 18, 1988
Shipped to: Information Management Bureau

Item: Telephone and telegraph equipment
Req.#: 13425 00951 01
Awarded to: Norstan Communications, Maple Grove, MN
Awarded amount: $24,211.19
Awarded date: September 7, 1988
Expir/deliv date: October 5, 1988
Shipped to: Commerce Department

Item: Telephone installation, large quantity
Req.#: 21200 17217 01
Awarded to: Dexel Systems Corporation, Vienna, VA
Awarded amount: $232,906.00
Awarded date: September 7, 1988
Expir/deliv date: December 31, 1988
Shipped to: Minnesota Department of Jobs and Training

Item: Laboratory supplies
Req.#: 26071 18307 01
Awarded to: Forma Scientific Inc., Marietta, OH
Awarded amount: $5,722.50
Awarded date: September 7, 1988
Expir/deliv date: September 30, 1988
Shipped to: Mankato State University

Item: Laboratory supplies
Req.#: 26071 18308 01
Awarded to: Gibbco Scientific Inc., Coon Rapids, MN
Awarded amount: $5,527.00
Awarded date: September 7, 1988
Expir/deliv date: November 15, 1988
Shipped to: Mankato State University

Item: Electrical hardware and supplies
Req.#: 26175 09238 01
Awarded to: National Electric Research, Montevideo, MN
Awarded amount: $11,400.00
Awarded date: September 7, 1988
Expir/deliv date:
Shipped to: Southwest State University

Item: Dental instrument and equipment
Req.#: 27156 10379 01
Awarded to: RJM Dental Supply, Minneapolis, MN
Awarded amount: $6,839.66
Awarded date: September 7, 1988
Expir/deliv date: October 9, 1988
Shipped to: Normandale Community College

Item: Rents and leases—equipment, construction
Req.#: 29006 07283 01
Awarded to: Ziegler Inc., Minneapolis, MN
Awarded amount: $5,500.00
Awarded date: September 7, 1988
Expir/deliv date: September 9, 1988
Shipped to: DNR Regional Headquarters

Item: Telephone and telegraph equipment
Req.#: 29000 50537 01
Awarded to: Norstan Communications, Maple Grove, MN
Awarded amount: $27,446.55
Awarded date: September 7, 1988
Expir/deliv date: October 5, 1988
Shipped to: DNR—Bureau of License

Item: Computer equipment
Req.#: 29001 13976 01
Awarded to: Computer Enterprises of, Grand Rapids, MN
Awarded amount: $17,760.00
Awarded date: September 7, 1988
Expir/deliv date: September 20, 1988
Shipped to: Various locations

Item: Auto HD truck and van
Req.#: 37001 90138 01
Awarded to: Hoglund Bus Company, Inc., Monticello, MN
Awarded amount: $24,840.00
Awarded date: September 7, 1988
Expir/deliv date: January 1, 1989
Shipped to: Minnesota Academy for the Deaf

Item: Rents and leases—equipment, construction
Req.#: 01000 05594 01
Awarded to: Moorhead Machinery and, Minneapolis, MN
Awarded amount: $12,932.00
Awarded date: September 9, 1988
Expir/deliv date: September 12, 1988
Shipped to: Facilities Management Office

Item: Laboratory supplies
Req.#: 12400 25544 01
Awarded to: Isolab Inc., Akron, OH
Awarded amount: $9,215.76
Awarded date: September 9, 1988
Expir/deliv date: September 12, 1988
Shipped to: Minnesota Department of Health

Item: Athletic and sporting equipment and supplies
Req.#: 26073 20662 01
Awarded to: Steichens Sporting Goods, St. Paul, MN
Awarded amount: $5,580.00
Awarded date: September 9, 1988
Expir/deliv date: September 24, 1988
Shipped to: St. Cloud State University

Item: Signs, decals
Req.#: 29000 50535 02
Awarded to: Gopher Sign Company, St. Paul, MN
Awarded amount: $30,111.00
Awarded date: September 9, 1988
Expir/deliv date: November 4, 1988
Shipped to: Various locations

Item: Signs, decals
Req.#: 29000 50533 02
Awarded to: Lyle Signs Inc., Eden Prairie, MN
Awarded amount: $5,492.00
Awarded date: September 9, 1988
Expir/deliv date: November 4, 1988
Shipped to: Various locations

Item: Composite food package
Req.#: 32300 18547 01
Awarded to: Culligan Water Conditioning, Austin, MN
Awarded amount: $5,160.00
Awarded date: September 9,1988
Expir/deliv date:
Shipped to: Various locations

Item: Computer Software Rental
Req.#: 55000 95015 01
Awarded to: Ameridata Systems Inc., Minneapolis, MN
Awarded amount: $10,152.00
Awarded date: September 9, 1988
Expir/deliv date: September 15, 1988
Shipped to: Department Human Services

Item: Printing equipment
Req.#: 78550 06346 01
Awarded to: Press Tyme, Newport, MN
Awarded amount: $5,250.00
Awarded date: September 9, 1988
Expir/deliv date:
Shipped to: Minnesota Correctional Facility

Item: Arts and crafts equipment and supplies
Req.#: 78620 00255 02
Awarded to: Sax Arts & Crafts, Milwaukee, WI
Awarded amount: $8,151.72
Awarded date: September 9, 1988
Expir/deliv date: October 12, 1988
Shipped to: Minnesota Correctional Facility

Item: Meat fresh, frozen, canned, cure
Req.#: 78830 09513 01
Awarded to: Robel Beef Packers Inc., St. Cloud, MN
Awarded amount: $10,000.00
Awarded date: September 9, 1988
Expir/deliv date: September 13, 1988
Shipped to: Minnesota Correctional Facility

Item: Computer equipment
Req.#: 99510 84005 01
Awarded to: Data Source, Bloomington, MN
Awarded amount: $6,250.00
Awarded date: September 9, 1988
Expir/deliv date: September 23, 1988
Shipped to: Minnesota Council for the Handicapped

Item: Solid fuel, wood, charcoal
Req.#: 29007 10116 01
Awarded to: Rajala Timber Company, Deer River, MN
Awarded amount: $11,180.00
Awarded date: September 12, 1988
Expir/deliv date:
Shipped to: DNR—Northern Service Center

Item: Paint, varnish, thinner, solvent
Req.#: 29002 16639 01
Awarded to: Nelson Paint Company, Iron Mountain, MI
Awarded amount: $5,940.00
Awarded date: September 12, 1988
Expir/deliv date: October 15, 1988
Shipped to: Various locations

Item: EDP software purchase for P.C.s
Req.#: 37080 46499 01
Awarded to: Ameridata Systems Inc., Minneapolis, MN
Awarded amount: $7,007.00
Awarded date: September 12, 1988
Expir/deliv date: September 15, 1988
Shipped to: Minnesota Department of Education

Item: Doors (furnish and install)
Req.#: 79000 90406 01
Awarded to: North Door Company, Inc., Maplewood, MN
Awarded amount: $7,080.00
Awarded date: September 12, 1988
Expir/deliv date: November 1, 1988
Shipped to: Various locations

Item: Janitorial and refuse disposal service
Req.#: 79500 03161 01
Awarded to: Browning Ferris Industries, Eden Prairie, MN
Awarded amount: $14,400.00
Awarded date: September 12, 1988
Expir/deliv date:
Shipped to: Minnesota Department of Transportation

Item: Copying equipment
Req.#: 80400 03880 01
Awarded to: Xerox Corporation, Edina, MN
Awarded amount: $49,575.00
Awarded date: September 12, 1988
Expir/deliv date: September 15, 1988
Shipped to: Department of Public Service

Item: Maintenance contract, equipment only
Req.#: 02410 90080 01
Awarded to: Faircon Inc., Roseville, MN
Awarded amount: $13,428.00
Awarded date: September 12, 1988
Expir/deliv date:
Shipped to: Information Management Bureau

Item: Automobile
Req.#: 07300 52361 01
Awarded to: Harold Chevrolet Company, Bloomington, MN
Awarded amount: $23,320.00
Awarded date: September 12, 1988
Expir/deliv date: September 16, 1988
Shipped to: Department of Public Safety

Item: Automobile
Req.#: 07300 52363 01
Awarded to: National Fleet Sales, Edina, MN
Awarded amount: $22,000.00
Awarded date: September 12, 1988
Expir/deliv date: September 24, 1988
Shipped to: Department of Public Safety

Item: Vending machine
Req.#: 21200 19169 01
Awarded to: Viking Vending Inc., Minneapolis, MN
Awarded amount: $5,160.00
Awarded date: September 12, 1988
Expir/deliv date: September 20, 1988
Shipped to: Minnesota Department Jobs and Training

Item: Vending machine
Req.#: 21200 19170 01
Awarded to: Viking Vending Inc., Minneapolis, MN
Awarded amount: $10,320.00
Awarded date: September 12, 1988
Expir/deliv date: September 20, 1988
Shipped to: Minnesota Department Jobs and Training

Item: Mower attachment and accessories
Req.#: 27139 89021 01
Awarded to: H & S Carburetor & Electric Company, Austin, MN
Awarded amount: $10,762.80
Awarded date: September 12, 1988
Expir/deliv date: September 16, 1988
Shipped to: Austin Community College

Item: Copying equipment
Req.#: 27144 44149 01
Awarded to: Midwest Business, Duluth, MN
Awarded amount: $6,793.00
Awarded date: September 12, 1988
Expir/deliv date: September 12, 1988
Shipped to: Itasca Community College

Item: Photo developing equipment and supplies
Req.#: 02310 16183 01
Awarded to: National Camera Exchange, Golden Valley, MN
Awarded amount: $7,200.91
Awarded date: September 13, 1988
Expir/deliv date: October 1, 1988
Shipped to: Minneapolis Community College

Item: Repair alteration to building and
Req.#: 02512 92850 01
Awarded to: Care Air Conditioning and Heating, New Brighton, MN
Awarded amount: $12,292.00
Awarded date: September 13, 1988
Expir/deliv date: October 6, 1988
Shipped to: Federal Surplus Property

Item: Video CRT equipment
Req.#: 26073 20632 01
Awarded to: Cinequipt Inc., St. Paul, MN
Awarded amount: $7,689.00
Awarded date: September 13, 1988
Expir/deliv date: September 30, 1988
Shipped to: St. Cloud State University

Item: Video CRT equipment
Req.#: 27000 50484 01
Awarded to: Audio Visual Wholesalers, Plymouth, MN
Awarded amount: $5,394.66
Awarded date: September 13, 1988
Expir/deliv date: October 20, 1988
Shipped to: Minneapolis Community College

Item: Fuel dispensing equipment
Req.#: 43000 10157 01
Awarded to: Range Petroleum Equipment, Virginia, MN
Awarded amount: $5,947.43
Awarded date: September 13, 1988
Expir/deliv date: September 30, 1988
Shipped to: I R R & R B

Item: Fixture—outdoor electric lighting
Req.#: 79000 91568 01
Awarded to: Barber Electric, St. Paul, MN
Awarded amount: $8,967.75
Awarded date: September 13, 1988
Expir/deliv date: December 1, 1988
Shipped to: Mn/DOT, Electrical Services

Item: Truck and tractor attachments
Req.#: 79382 01510 01
Awarded to: Ruffridge Johnson Equipment, Minneapolis, MN
Awarded amount: $6,780.00
Awarded date: September 13, 1988
Expir/deliv date: October 14, 1988
Shipped to: Mn/DOT, Central Shop

Item: Electronic test equipment
Req.#: 79000 91833 01
Awarded to: Stark Electric Supply, Minneapolis, MN
Awarded amount: $6,460.50
Awarded date: September 13, 1988
Expir/deliv date: October 15, 1988
Shipped to: Minnesota Department of Transportation

Item: Energy management systems (furnish and install)
Req.#: 79400 02852 01
Awarded to: Pro Tec Design Inc., Minneapolis, MN
Awarded amount: $29,483.50
Awarded date: September 13, 1988
Expir/deliv date: November 15, 1988
Shipped to: Minnesota Department of Transportation

Item: Construction material miscellaneous
Req.#: 79600 03962 01
Awarded to: Ford Metro Glass Service, Rochester, MN
Awarded amount: $9,234.00
Awarded date: September 13, 1988
Expir/deliv date: November 15, 1988
Shipped to: Minnesota Department of Transportation

Department of Administration: Printing & Mailing Services

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

Commodity: Location breakdown for calendar quarter ending, 25M continuous 2-part form, type to set, 2-sided, 8½″ × 11″ sheet size
Contact: Printing Buyer's Office
Bids are due: September 20
Agency: Jobs and Training Department
Deliver to: St. Paul
Requisition #: 1784

Commodity: Staff development record, 30M 2-part forms, negs furnished, 1-sided, 7⅓″ × 3″ detached
Contact: Printing Buyer's Office
Bids are due: September 20
Agency: Human Services Department
Deliver to: St. Paul
Requisition #: 1689

Commodity: Report of child maltreatment, 15M 2-part form, type to set, 1-sided, 8½″ × 14″ detached
Contact: Printing Buyer's Office
Bids are due: September 20
Agency: Human Services Department
Deliver to: St. Paul
Requisition #: 1737

Commodity: Official inspection certificate, 100M 5-part forms, camera ready, 8″ × 5½″ detached, preprinted numbering
Contact: Printing Buyer's Office
Bids are due: September 20
Agency: Agriculture Department
Deliver to: Minneapolis
Requisition #: 1679

Commodity: Authorization, 75M 8½″ × 11″ detached, 3-part forms, negs furnished, 1-sided
Contact: Printing Buyer's Office
Bids are due: September 20
Agency: Jobs and Training Department
Deliver to: St. Paul
Requisition #: 1641

Commodity: Official certificate of weight, 40M 3-part forms, camera ready, 1-sided, 2¾″ × 5⅞″ finished size
Contact: Printing Buyer's Office
Bids are due: September 22
Agency: Agriculture Department
Deliver to: St. Paul
Requisition #: 1548

Commodity: Fire prone brochure, 50M 17″ × 11½″ folded 3-times to 8½″ × 3⅞″ camera ready + type to set, 2-sided
Contact: Printing Buyer's Office
Bids are due: September 22
Agency: Natural Resources Department
Deliver to: St. Paul
Requisition #: 1605

Commodity: Gonococcus examination, 10M 3-part forms, 6″ × 8″ detached, negs furnished, 2-sided, 1-fold
Contact: Printing Buyer's Office
Bids are due: September 22
Agency: Health Department
Deliver to: Minneapolis
Requisition #: 1731

Commodity: Assessment booklets (45M total, 48 pp each, 8½″ × 11″), answer sheets (500M 8½″ × 11″) and header sheets (20M), type to set, booklets and answer sheets must be 100% compatible
Contact: Printing Buyer's Office
Bids are due: September 27
Agency: Education Department
Deliver to: St. Paul
Requisition #: 1578

Commodity: 1989 resident individual angling license (500M) preprinted numbering, 8″ × 3½″, camera ready, 2-sided, 3-part form
Contact: Printing buyer's office
Bids are due: September 27
Agency: DNR
Deliver to: St. Paul
Requisition #: 1669

Commodity: Registration certificate, 30M 9½″ × 4″ with pinfeed, type to set, 2-sided
Contact: Printing buyer's office
Bids are due: September 22
Agency: MN Department of Health
Deliver to: Minneapolis
Requisition #: 1716

Commodity: 1989 resident senior citizen angling license, 225M multiple part form, preprinted numbering, 8½″ × 3½″, camera ready, 2-sided
Contact: Printing buyer's office
Bids are due: September 23
Agency: DNR—License Bureau
Deliver to: St. Paul
Requisition #: 1710

Commodity: 1989 resident small game license, 350M preprinted numbering, 8″ × 3½″, 2-sided, camera ready, multiple part form
Contact: Printing buyer's office
Bids are due: September 23
Agency: DNR—License Bureau
Deliver to: St. Paul
Requisition #: 1695

Commodity: 1989 resident shelter license, 140M multiple part forms, preprinted numbering, 8″ × 3½″, camera ready, 2-sided
Contact: Printing buyer's office
Bids are due: September 23
Agency: DNR—License Bureau
Deliver to: St. Paul
Requisition #: 1697

Commodity: 1989 nonresident 7-day angling license, 180M 8½″ × 3½″, multiple part form, camera ready, 2-sided, preprinted numbering
Contact: Printing buyer's office
Bids are due: September 23
Agency: DNR—License Bureau
Deliver to: St. Paul
Requisition #: 1702

Commodity: 1989 nonresident individual angling license, 175M multiple part form, 8½″ × 3½″, preprinted numbering, camera ready, 2-sided
Contact: Printing buyer's office
Bids are due: September 23
Agency: DNR—License Bureau
Deliver to: St. Paul
Requisition #: 1704

Commodity: 1989 nonresident family angling license, 175M multiple part form, preprinted numbering, 8½″ × 3½″, camera ready, 2-sided
Contact: Printing buyer's office
Bids are due: September 23
Agency: DNR—License Bureau
Deliver to: St. Paul
Requisition #: 1705

Commodity: Salary deduction report
Contact: Printing buyer's office
Bids are due: September 23
Agency: PERA
Deliver to: St. Paul
Requisition #: 1839

Contract Awards—Printing & Mailing Services

Item: Explore MN fall poster
Req.#: 0886
Awarded to: Viking Press, Eden Prairie
Amount: $2,096.00
Date: September 7
Deliver to: Office of Tourism, St. Paul
Delivery date: As requested

Item: All-terrain vehicle decals
Req.#: 0696
Awarded to: Standard Register, St. Paul
Amount: $1,428.90
Date: September 9
Deliver to: DNR—St. Paul
Delivery date: 60 days

Item: All-terrain vehicle registration cards with decals
Req.#: 0697
Awarded to: Standard Register, St. Paul
Amount: $6,163.50
Date: September 9
Deliver to: DNR—St. Paul
Delivery date: 60 days

Item: Snowmobile decals
Req.#: 0699
Awarded to: Standard Register, St. Paul
Amount: $1,803.60
Date: September 9
Deliver to: DNR—St. Paul
Delivery date: 60 days

Item: Snowmobile registration cards with decals
Req.#: 0701
Awarded to: Standard Register, St. Paul
Amount: $20,642.25
Date: September 9
Deliver to: DNR—St. Paul
Delivery date: 60 days

Item: Watercraft duplicate forms with I.D. card
Req.#: 0702
Awarded to: Standard Register, St. Paul
Amount: $2,643.55
Date: September 9
Deliver to: DNR—St. Paul
Delivery date: 60 days

Item: Watercraft decals
Req.#: 0703
Awarded to: Standard Register, St. Paul
Amount: $4,869.72
Date: September 9
Deliver to: DNR—St. Paul
Delivery date: 60 days

Item: Watercraft registration card with decals
Req.#: 0704
Awarded to: Standard Register, St. Paul
Amount: $75,688.25
Date: September 9
Deliver to: DNR—St. Paul
Delivery date: 60 days

Item: Seizure receipt
Req.#: 0654
Awarded to: Bann Division, Stuart Hooper Company, St. Paul
Amount: $1,734.00
Date: September 14
Deliver to: DNR—St. Paul
Delivery date: 20-25 days

Item: Validation strips
Req.#: 0820
Awarded to: Marudas Business Forms Company, Minneapolis
Amount: $12,780.00
Date: September 8
Deliver to: Public Safety Department, St. Paul
Delivery date: As requested

Item: Household report form
Req.#: 0884
Awarded to: Georgene Bergstrom Company, Minneapolis
Amount: $22,421.00
Date: September 8
Deliver to: Federal Surplus Property, New Brighton
Delivery date: 30 days

Item: Window envelopes
Req.#: 0998
Awarded to: Quality Park Products, St. Paul
Amount: $21,723.00
Date: September 8
Deliver to: Revenue Department, St. Paul
Delivery date: November 15

Item: Sales tax envelope
Req.#: 0999
Awarded to: Tension Envelope Corporation, Minneapolis
Amount: $13,273.60
Date: September 8
Deliver to: Revenue Department, St. Paul
Delivery date: As requested

Item: WIC poster
Req.#: 1153
Awarded to: Twin City Litho, Roseville
Amount: $676.00
Date: September 8
Deliver to: Minnesota Health Department, Minneapolis
Delivery date: 10 days

Item: Grow power brochure
Req.#: 1154
Awarded to: Twin City Litho, Roseville
Amount: $649.00
Date: September 8
Deliver to: Minnesota Health Department, Minneapolis
Delivery date: 10 days

Item: Labels for whirl pak bag notice
Req.#: 1155
Awarded to: Georgene Bergstrom Company, Minneapolis
Amount: $290.40
Date: September 7
Deliver to: Minnesota Health Department, Minneapolis
Delivery date: 30 days

Item: Certificate of blindness envelope
Req.#: 1198
Awarded to: Stationers Engraving Company, St. Paul
Amount: $898.50
Date: September 9
Deliver to: Services for the Blind
Delivery date: 10 days

Item: Entering law enforcement
Req.#: 1035
Awarded to: Twin City Litho, Roseville
Amount: $980.00
Date: September 13
Deliver to: Peace Officer Standards and Training Bd., St. Paul
Delivery date: As requested

Item: Notice of applied refund
Req.#: 1220
Awarded to: Georgene Bergstrom Company, Minneapolis
Amount: $624.00
Date: September 7
Deliver to: Revenue Department, Arden Hills
Delivery date: 30 days

Item: Item record account
Req.#: 1306
Awarded to: Custom Business Forms, Minneapolis
Amount: $903.00
Date: September 7
Deliver to: MnDOT—St. Paul
Delivery date: 15 days

Item: Application for utility permit
Req.#: 1309
Awarded to: Royal Business Forms, Brooklyn Center
Amount: $296.00
Date: September 8
Deliver to: MnDOT—St. Paul
Delivery date: 30 days

Governor's Drug-Free Communities Program

Notice of Request for Proposals for Community Prevention Programs

Proposals are being solicited for development of community-wide drug prevention programs in the State of Minnesota. Priority is for coordinated programs to serve high-risk youth.

Approximately $700,000 is available for competitive grants to communities. The project is for a two-year period (January 1, 1989 through December 31, 1990). ***Eligible applicants*** include local governments and other public and private nonprofit agencies.

Copies of the complete Request for Proposals and application forms may be obtained by writing the State Planning Agency, Human Services Division, 300 Capital Square Building, St. Paul, Minnesota 55155, or calling 612/296-4852 or 612/296-4854.

Proposals must be submitted by October 25, 1988.

Department of Health

Division of Maternal and Child Health

Availability of Contract for a Licensed Educational Specialist

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health, Division of Maternal and Child Health is seeking a licensed educational consultant to provide educational assessments at field clinics in northwestern Minnesota. Qualified, interested persons should contact Alpha Adkins, Services for Children with Handicaps, 717 Delaware Street S.E., Minneapolis, Minnesota 55440. Phone (612) 623-5165 by October 3, 1988.

A total of $2,500.00 has been budgeted to fund this position.

Department of Labor and Industry

Occupational Safety and Health Division

Notice of Request for Proposal for Statewide Survey

The Department of Labor and Industry, Occupational Safety and Health Division, is seeking proposals from qualified contractors to conduct a random statewide survey for a study on the occupational safety and health hazards faced by RNs and LPNs.

The Department has determined that a survey is necessary in order to determine the nature and extent of worker exposure so that appropriate policy responses can be formulated. The Department is seeking a qualified contractor to work with Department staff to develop and conduct the survey and sampling techniques and analyze the results. Proposals should respond to the following major items:

1) Determine the occupational hazards faced by RNs and LPNs.

2) Establish the exposures to these hazards.

The contract will be awarded based on the following criteria: total cost, experience/qualifications of contractor, and timetable to complete the project.

The deadline for submitted proposals is 4:00 p.m. (CST) on Friday, September 30, 1988. Please direct proposals and inquiries to:

Minnesota Department of Labor and Industry
Occupational Safety and Health Division
443 Lafayette Road
St. Paul, MN 55101
Attention: Barbara A. Biggs
(612) 297-4466

State Grants

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

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

Pollution Control Agency

Division of Water Quality

Notice of Acceptance of Applications for Project Development and Project Implementation Grants Through the Clean Water Partnership Program.

The Minnesota Pollution Control Agency (MPCA) will accept applications from September 30, 1988 through December 1, 1988, from local units of government, for the undertaking of nonpoint source pollution control projects. 1.3 million dollars will be made available for Clean Water Partnership projects. Grants will be awarded based on priority of projects.

In 1987, the Minnesota Legislature established the Clean Water Partnership Program, (CWP) (*Minnesota Statutes* §§ 115.091 through 115.103) (Supp. 1987) to protect and improve surface and ground water in Minnesota through financial and technicial assistance to local units of government. There are two types of grants available for projects that control water pollution from nonpoint sources; 1) project development grants, and 2) project implementation grants. The grants are for a maximum of 50 percent of the eligible cost of the project.

Minnesota Rules Parts 7076.0100 through 7076.0290 provide the criteria and procedural conditions under which the MPCA may award assistance to local units of government. The rules; 1) detail the activities of both the project development grants and the project implementation grants, 2) include the application and administrative requirements that provide the MPCA with the information necessary to rank the projects in order of priority for funding, and 3) identify costs that are eligible for reimbursement, requirements for contracts between the MPCA and project sponsor and procedures for reimbursement of grant eligible costs.

An information package is available for all interested parties. This package includes; 1) a copy of the CWP rules, 2) a copy of Protecting Minnesota's Waters, The Land Use Connection, 3) the CWP grant application, and 4) application guidance documents. The guidance material will explain how to fill out the application, the methods to be used for review and evaluation of submitted proposals, and grant management procedures.

Request the CWP Application Information Package from:

Mr. Gaylen Reetz
Nonpoint Source and Watershed Evaluation Unit
Division of Water Quality
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55110
Phone: (612) 296-8834

Minnesota Public Facilities Authority

Applications Accepted for the Corrective Action Grants Program, a Set Aside of the State Independent Grants Program for Construction of Municipal Wastewater Treatment Facilities

The Minnesota Public Facilities Authority (PFA) hereby announces that it is accepting applications for the Corrective Action Grants Program a set aside of the State Independent Grants Program for construction of municipal wastewater treatment facilities. The Minnesota Pollution Control Agency has been authorized to set aside up to $1,000,000 of the State 1988 appropriation to the state independent grants program to provide grants for corrective action to wastewater treatment facilities recently funded under the state or federal grants programs which do not meet performance standards (*Minnesota Statutes,* Sec. 116.181 (Supp. 1987).

Applicants have 60 days, specifically until 4:30 p.m. on November 18, 1988, to submit applications to the Authority. If mailed, applications must be postmarked by November 18, 1988.

Program requirements (*Minnesota Rule* parts 7075.1010 to 7075.1095) including eligibility and application requirements were published in the Notice of Intent to Adopt Emergency Rules, November 30, 1987, *State Register* (CITE 12 S.R. 1144-1146). Copies of the administrative rule are also available from the Agency.

For additional information or an application packet, please write to:

Terry Kuhlman
Minnesota Department of Trade and Economic Development
Community Development Division
Public Facilities Authority
900 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101
Telephone: 612/296-4704

Supreme Court Decisions

Decisions Filed 16 September 1988

C8-87-2103 Color-Ad Packaging, Inc. v. Commissioner of Revenue, Relator. Tax Court.

The sale and purchase of capital equipment does not occur on the placement of an order for goods to be manufactured in the future but upon delivery of the completed goods.

The sales and use tax refund authorized by *Minnesota Statutes* § 297A.15, subd. 5 (1986), arising as the result of a transaction for the acquisition of capital equipment, is available with respect to capital ordered before the enactment or effective date of the statute but delivered after June 30, 1984.

Affirmed. Coyne, J.

Dissenting, Kelley, Yetka & Popovich, JJ.

Announcements

Recycling Congress: The seventh annual Recycling Congress will be held September 27-30 at the St. Paul Radisson Hotel, sponsored by the National Recycling Coalition, the Minnesota Waste Management Board, the Minnesota Pollution Control Agency and the Metropolitan Council. The congress includes dozens of concurrent sessions: "Rural Recycling," "Plastics Primer," "Exemplary Drop-off Programs," "Markets: Status & Trends," and "Composting and Yard Waste Management." Also scheduled are plenary sessions, tours and social activities. For information call the Waste Management Board 612-649-5773.

Celebrate Minnesota 1990 Grant Workshops: Local governments and volunteer organizations are invited to a series of statewide meetings that will explain the grants program available through Celebrate Minnesota 1990. The workshops are all at 7pm on the following dates at the locations listed: Sept. 21, St. Paul Radisson; Sept. 22, Rochester Downtown Holiday Inn; Sept. 26, Marshall Best Western Inn and Duluth Radisson Hotel; Sept. 27, Mankato Holiday Inn and St. Cloud Sunwood Inn; Sept. 28, Thief River Falls Best Western Inn and Fergus Falls Holiday Inn. Service clubs, sportsmen's clubs, Legion, VFW, mayors, city council members, city clerks and managers, and economic development officials are especially invited for these grant workshops.

National Farm Safety Week: The 45th annual observance of National Farm Safety Week is set for September 18 through 24. According to the National Safety Council, agricultural work accidents resulted in 1,600 deaths and 160,000 disabling injuries in 1987 making farming one of the nation's most hazardous occupations. Some safety reminders prepared by the National Safety Council are: 1) Plan to prevent accidents, occupational illnesses and incorporate preventive measures into every activity. 2) Be fit and ready for a safe day. Dress properly for the job and weather. Avoid hazardous work when you aren't feeling well or are taking strong medications. Take work breaks to stay alert. If you drink, save it for after work. 3) Always read operator's manuals and product labels, and carefully follow their suggestions on proper and safe use and maintenance. Make sure family and employed workers do so, too. 4) Use personal protective equipment, such as hard hats, respirators, safety shoes and safety goggles, when on the job or when working conditions call for them. 5) Train help well. Assign young workers only those chores or jobs they can accomplish safely. 6) Keep children and non-workers out of the work area. Don't let children ride on farm equipment. 7) If your tractor has roll-protective structures, wear your safety belt. If you do not have a roll-protected cab, find out if one can be installed. 8) Watch what you are doing and where you are going. Inattention is a leading cause of accidents. 9) Keep shielding on equipment when operating. Shut off the power before unclogging any machine or attending to operating problems. 10) When applying pesticides or herbicides, follow label directions and wear appropriate protective gear. Post treated areas. To avoid posing a hazard to the environment or others, safely dispose of empties and leftovers and seek expert advice if necessary. 11) When on public roads with either a motor vehicle or farm machine, drive with care and obey all traffic laws. Buckle your safety belt. 12) Inspect all equipment and facilities periodically. Correct hazards and make needed repairs without delay. 13) Exercise care at home and during recreation. Protect children, elderly family members and friends from accidents.

DNR Brochures Help Hunters: Hunters can get a limit of very helpful information from more than 500 publications produced by the DNR, many of them to help hunters and trappers and people who want to see wildlife during the fall months. Popular publications include those to help find over 1,000 Wildlife Management Areas (WMAs), campground sites, statewide and detailed maps of larger WMAs such as Lac qui Parle, Thief Lake or Carlos Avery WMA. These and many other publications are free. Information Center can be reached by calling toll-free 800-652-9747 (ask for the DNR), or writing; DNR Information Center, Box 40, 500 Lafayette Road, St. Paul, MN 55155-4040. One of the most popular hunting brochures is *Minnesota Wildlife Lands,* which identifies all WMAs in Minnesota. This brochure gives the name of each WMA, its size and location from the nearest town. More detailed maps are also available for the eight major WMAs. Other popular publications include *Ducks At A Distance,* a waterfowl identification guide; *Prescription For Duck Hunters,* that will help waterfowl hunters improve their boating safety; and *Advanced Hunter Education,* that outlines the benefits of this program and how to enroll.

New Hunting Laws: There are only a few law changes passed by the 1988 Minnesota Legislature which pertain to this hunting season. They are as follows: A) maximum height for permanent deer stands was raised from 9 feet to 16 feet, B) waterfowl hunters can place decoys on public waters one hour before legal shooting hours. Legal shooting hours for migratory waterfowl and coots was changed to sunrise this year from ½ hour before sunrise, C) one US Coast Guard approved PFD (Personal Flotation Device) is now required for everyone on board duck boats, D) two constitutional amendments will go on the November Ballot: 1) to create an environmental and natural resource trust fund, and 2) to authorize a state-run lottery.

Where to Hunt in Minnesota: Minnesota has millions of acres of public land open for hunting. Our state has a higher percentage of public land than most states in the U.S., with the exception of Alaska and a few of those western states that are half national parks. Seventeen percent of Minnesota is open to the public. Only two percent of Texas is. (Of course, all the public land in Minnesota isn't open to hunting—parks for example. But most of it is.) How do you find all this land? Maps. The map no Minnesota hunter should be without is the DNR's free guide to "Minnesota Wildlife Lands," which lists the 1010 Wildlife Management Areas (WMAs) scattered across the state. WMAs are public hunting areas purchased and managed by the DNR. The map shows the county each WMA is in, the nearest town, and how many acres. It also lists major WMAs that have resident managers. Most of these areas have their own detailed maps. You can get all maps free by writing to the DNR Information Center, 500 Lafayette Road, St. Paul, MN 55155-4040. You can also hunt in the 3 million acres encompassed by Minnesota's 56 state forests. For a map showing the location of state forests, get the Minnesota Department of Transportation (MnDOT) state highway map (first one is free and each additional map is 60 cents) by writing to: Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. VISA and MasterCard orders can be taken over the phone (612) 297-3000 or toll-free in Minnesota 1-800-652-9747 and ask for "Documents." Add $1.50 for all mail orders. Also, you may want to write to the DNR Information Center (see address above) for the free brochure "Minnesota State Forest Campgrounds and Recreation Areas." You can also hunt the Chippewa and Superior National Forests. Get maps of these massive areas by sending $2.00 for each to Chippewa National Forest, Cass Lake, MN 55663 or Superior National Forest, P.O. Box 338, Duluth, MN 55801, also from the Minnesota Documents Division. Waterfowl and pheasant hunters looking for more places to hunt will want the free map of federal Waterfowl Production Areas (WPAs) open to hunting. Write to the U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, MN 55111. There's also the "Minnesota County Map Guide and Sportsman's Atlas" available at the Minnesota Document Center, for $12.95 plus tax. This book shows each county in detail where the WMAs and WPAs are located. If you know the specific county you want to hunt, you can get detailed county highway maps from the MnDOT address above. These maps show the WPAs and WMAs and cost 53 cents for an 18"x28" map and $1.06 for a 3'x5' map.

No Trespassing: To hunt private land all you really need is one important thing–the landowner's permission. Often, however, that's easier said than done. For one thing, it's often tough to find out who owns a chunk of land you want to hunt. To find ownership, get the county plat books from the county auditor's office. These give locations and boundaries of public lands, roads and access points, private lands and their owners, and tax-forfeited lands. (Tax-forfeited lands, which are owned by the state, are open to public hunting and fishing.) Remember, you can't hunt private, agricultural land or legally posted non-agricultural land unless the landowner says you can. It's a privilege to hunt private property, not a right. If you do get permission, treat that person's land like you would your own. Don't litter. Don't build fires without permission. Close all gates. Don't shoot near buildings or livestock. Don't drive across crops. Above all, take the time to thank the landowner when you finish, and if you've had a successful hunt, offer to share some of your game with the owner. These are the keys to hunting millions of acres of public land for free, and advice on how to get onto many more millions of acres of private land.

Ever called this guy?

1988 & 1989 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically by name, agency, Minnesota region, plus an index for cross referencing. Over 250 pages, paperback, 8½"x11". Code #1-87, $10.95

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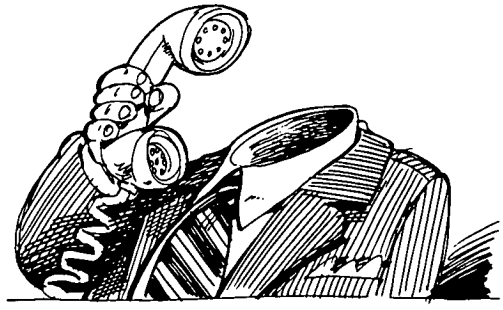

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Historic Sites and Place Names of Minnesota's North Shore. John Fritzen, long time employee of the Minnesota DNR draws upon his almost 40 years as a forester, mostly spent on Minnesota's colorful and legendary North Shore, to regale readers with tales of timbermen, pioneer settlers, miners, commercial fishermen and others. Black and white photos. Stock #9-11. $3.50 plus tax.

1987 Laws of Minnesota: Laws of the 1987 legislative session, Code #18-5. $42.50 per set.

1987 Minnesota Rules: Rules of the 75 state agencies authorized to establish rules of conduct and procedure. Code 18-300. $160 plus $9.60 sales tax per 11-volume set.

Minnesota Rules 1988 Supplement Number 1. Updates *Minnesota Rules 1987* and is part of the subscription service for that 11-volume set of administrative rules. A second supplement will be available in December 1988.

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