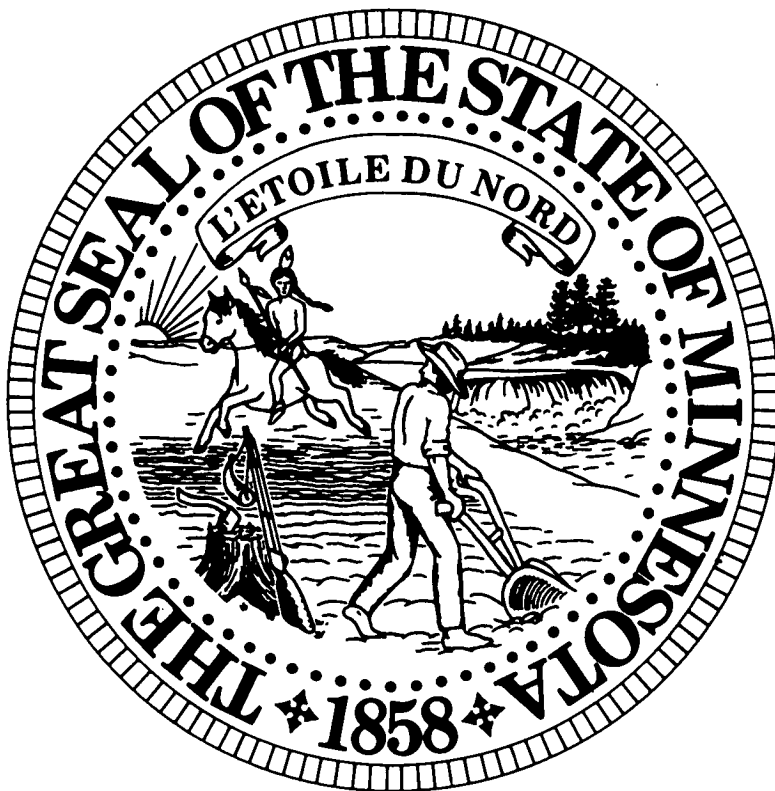


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Rules edition
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Monday 14 December 1992
Volume 17, Number 24
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State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 17 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
24	Monday 30 November	Monday 7 December	Monday 14 December
25	Monday 7 December	Monday 14 December	Monday 21 December
26	Monday 14 December	Monday 21 December	Monday 28 December
27	Monday 21 December	Monday 28 December	Monday 4 January 1993

*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) 296-0929.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Tuesday, Wednesday and Friday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The *State Register Contracts Supplement* contains additional state contracts and advertised bids.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$150.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined four editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, includes four editions, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Arne H. Carlson, Governor

**Dana B. Badgerow, Commissioner
Department of Administration**

**Kathi Lynch, Director
Print Communications Division**

Paul Hoffman, Acting Editor

Debbie George, Circulation Manager

Bonita Karels, Staff Assistant

FOR LEGISLATIVE NEWS

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

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Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

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Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

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

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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 Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

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9525.3010; .3015; .3020; .3025; .3030; .3035; .3040; .3045; .3050; .3055; .3060; .3065; .3070; .3075; .3080; .3085; .3090; .3095; .3100 (proposed) 768

9535.1700; .1705; .1710; .1715; .1720; .1725; .1730; .1735; .1740; .1745; .1750; .1755; .1760 (adopted) 922

9535.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600 (repealed) 922

9553.0035; .0040; .0050; .0060 (adopted) 784

9575.0350; .1500 (proposed) 913

State Treasurer Office

9700.0100; .0200; .0300; .0400 (adopted) 1357

River Stories That Warm Your Heart

A Stretch on the River. 1950 novel about the son of a wealthy family who goes to work on a Mississippi River towboat to avoid being drafted. With power, gusto and humor, author Richard Bissel creates an energetic, rowdy, and delightful account of a typical trip up the river, accurately re-creating a colorful era of towboating on America's major waterway. Stock #17-6, \$8.95 plus tax.

High Water. During the worst flood on the Mississippi River anyone can remember, the mate of a towboat has his hands full on a perilous trip, working with an unhappy crew, an angry captain, and too many barges to push against too much river. A 1954 Richard Bissel novel reveals the drama, humor and charm of working on the river. Stock #17-8, \$8.95 plus tax.

Old Times on the Mississippi River. George Merrick's lively, loving, and humorous reminiscences of his steamboat life from the bottom up, as a pantry boy, apprentice engineer, second clerk, and "cub" pilot. First published in 1909, he describes steamboat operations—from machinery and personnel to the economics of the business—with vivid examples and rich detail. 323 pp. includes appendices and index. Stock #17-45, \$8.95 plus tax.

Canoeing with the Cree. Minnesota's distinguished newsman, Eric Sevareid, wrote his first book in 1935 about a canoe journey he and a classmate made to Hudson Bay. The classic recounts their trip on the Mississippi, Minnesota and Red River of the North Rivers into Lake Winnipeg, and then God's River to Hudson Bay. 209 pp. includes index, maps and photos. Stock #17-14, \$6.95 plus tax.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. *Prices are subject to change.* FAX: (612) 296-2265.



Publication editors: As a public service, please reprint this ad in your publication, either as is, reduced, or redesigned to suit your format.

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.

Department of Public Safety

Proposed Permanent Rules Relating to Manufacturers and Distributors of Gambling Devices

Notice of Intent to Adopt Rules Without a Public Hearing and Notice of Intent to Adopt Rules With a Public Hearing if Twenty-Five or More Persons Request a Hearing

NOTICE IS HEREBY GIVEN that the State Department of Public Safety 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 hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The Department's statutory authority to adopt the proposed rules is *Minnesota Statutes*, section 299L.03, subdivision 8, and section 299A.01, subdivision 6.

All persons have 30 days, until 4:30 p.m., January 13, 1993, in which to submit comment 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 30-day comment period. Any requests or comments must be received by the Department of Public Safety no later than 4:30 p.m. on January 13, 1993. 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 must include his or her name and address, and is encouraged to identify the portion of the proposed rules 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. **PLEASE NOTE: That if twenty-five or more persons submit written requests for a public hearing within the 30-day comment period, a hearing will be held on January 27, 1993, unless a sufficient number withdraw their request in writing. The hearing will be in accordance with the notice of public hearing on these same rules published in this *State Register* and mailed to persons registered with the Department of Public Safety.** To verify whether a hearing will be held, please call the Department of Public Safety, Gambling Enforcement Division, on or after January 14, 1993, between the hours of 8:00 a.m. and 4:30 p.m. at (612) 643-3006.

Comments or written requests for a public hearing must be submitted to: John Willems, Gambling Enforcement Division, 1600 University Avenue, Suite 205, St. Paul, Minnesota 55104-3827, telephone (612) 643-3006.

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.

A copy of these rules is published with this notice in the *State Register*. A free copy of these rules is available upon request from John Willems at the address and telephone number listed above.

In 1991, the Legislature established a licensing requirement for manufacturers and distributors of gambling devices. The enabling legislation gave the Commissioner of Public Safety authority to adopt rules to carry out the Commissioner's duties under the legislation. The rules govern the application for a license, the licensing year, license classes, records requirements, inspection of records, suspension and revocation of a license, and other matters related to the licensing of manufacturers and distributors of gambling devices.

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

Proposed Rules

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 upon request from John Willems at the address and telephone number listed above.

In preparing these rules, the Department has considered the requirements of *Minnesota Statutes*, section 14.115, in regard to the impact of the proposed rules on small businesses. The adoption of the rules will affect small businesses engaged in the manufacture and distribution of gambling devices. The legislature, in enacting the enabling legislation, placed controls over a previously unregulated industry in Minnesota. For this reason, any rules will have more of an impact than was previously experienced by this industry. The Department has, however, considered specific methods for minimizing the impact of the rules on small businesses. The Department's evaluation of the applicability of the methods contained in *Minnesota Statutes*, section 14.115, subdivision 2, for reducing the impact of the proposed rules is addressed in the Statement of Need and Reasonableness.

Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules.

Minnesota Statutes, section 14.11, subdivision 2, does not apply because adoption of these rules will not have an impact on agricultural land.

These rules, in part 7570.0020, subpart 6, set an investigation fee to cover the costs of the investigation authorized by *Minnesota Statutes*, section 299L.07, subdivision 5. This fee covers the actual direct costs of the investigation. *Minnesota Statutes*, section 16A.128, subdivision 2, states that a fee such as this need not be fixed by rule since it covers the actual direct costs of a service. Since this fee does not have to be fixed by rule, the approval of the Commissioner of Finance is not required under section 16A.128, subdivision 1a, and the Department is not required to send a copy of the Notice of Intent to Adopt and the proposed Rules to the chairs of the House Appropriations and the Senate Finance Committees under section 16A.128, subdivision 2a.

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 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 rules, must submit the written request to John Willems at the address and telephone number listed above.

Dated: 25 November 1992

Thomas H. Frost, Commissioner
Department of Public Safety

Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer than Twenty-Five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Room 116B of the Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155, on Wednesday, January 27, 1993, commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rules hearing process.

PLEASE NOTE, HOWEVER: that the hearing will be cancelled if fewer than twenty-five persons request a hearing in response to the notice of intent to adopt these same rules without a public hearing published in this *State Register* and mailed to persons registered with the Department of Public Safety. To verify whether a hearing will be held, please call the Department of Public Safety, Gambling Enforcement Division, on or after January 14, 1993, between the hours of 8:00 a.m. and 4:30 p.m. at (612) 643-3006.

Following the Department's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Jr., Administrative Law Judge, Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7608, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may, at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings.

Following the close of the comment period, the agency and all interested persons have five business days to respond in writing to any new information submitted during the comment period. During the five-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the five-day period. Any written material or responses must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the final day. The written responses shall be added to the rulemaking record. Upon the close of the record, the Administrative Law Judge will write a report as provided in *Minnesota Statutes*, sections 14.15 to 14.50. The rule hearing is governed

by *Minnesota Statutes*, sections 14.14 to 14.20, and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

A copy of these rules is published with this notice in the *State Register*. A free copy of these rules is available upon request from John Willems at the address and telephone number listed above.

Additional copies will be available at the hearing. If you have any questions on the content of the rules contact John Willems at the address or telephone number listed above.

In 1991, the Legislature established a licensing requirement for manufacturers and distributors of gambling devices. The enabling legislation gave the Commissioner of Public Safety authority to adopt rules to carry out the Commissioner's duties under the legislation. The rules govern the application for a license, the licensing year, license classes, records requirements, inspection of records, suspension and revocation of a license, and other matters related to the licensing of manufacturers and distributors of gambling devices.

The Department's statutory authority to adopt the proposed rules is *Minnesota Statutes*, section 299L.03, subdivision 8, and section 299A.01, subdivision 6.

NOTICE IS HEREBY GIVEN that a **STATEMENT OF NEED AND REASONABLENESS** is now available for review at the Department and at the Office of Administrative Hearings. This Statement of Need and Reasonableness includes a summary of all the evidence and argument which the Department anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the Department or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

In preparing these rules, the Department has considered the requirements of *Minnesota Statutes*, section 14.115, in regard to the impact of the proposed rules on small businesses. The adoption of the rules will affect small businesses engaged in the manufacture and distribution of gambling devices. The legislature, in enacting the enabling legislation, placed controls over a previously unregulated industry in Minnesota. For this reason, any rules will have more of an impact than was previously experienced by this industry. The Department has, however, considered specific methods for minimizing the impact of the rules on small businesses. The Department's evaluation of the applicability of the methods contained in *Minnesota Statutes*, section 14.115, subdivision 2, for reducing the impact of the proposed rules is addressed in the Statement of Need and Reasonableness.

Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules.

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These rules, in part 7570.0020, subpart 6, set an investigation fee to cover the costs of the investigation authorized by *Minnesota Statutes*, section 299L.07, subdivision 5. This fee covers the actual direct costs of the investigation. *Minnesota Statutes*, section 16A.128, subdivision 2, states that a fee such as this need not be fixed by rule since it covers the actual direct costs of a service. Since this fee does not have to be fixed by rule, the approval of the Commissioner of Finance is not required under section 16A.128, subdivision 1a, and the Department is not required to send a copy of the Notice of Intent to Adopt and the proposed Rules to the chairs of the House Appropriations and the Senate Finance Committees under section 16A.128, subdivision 2a.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day that the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the Department at any time prior to the filing of the rules with the Secretary of State.

Lobbyists must register with the State Ethical Practices Board. Questions should be directed to the Ethical Practices Board, First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (612) 296-5148 or 1-800-657-3889.

Dated: 25 November 1992

Thomas H. Frost, Commissioner
Department of Public Safety

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Proposed Rules

Rules as Proposed (all new material)

7570.0010 DEFINITIONS.

Subpart 1. **Scope.** For purposes of this chapter, the terms in subparts 2 to 7 have the meanings given them.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of the Department of Public Safety or an authorized agent.

Subp. 3. **Director.** "Director" means the director of the gambling enforcement division of the Department of Public Safety or an authorized agent.

Subp. 4. **Distributor.** "Distributor" has the meaning given it in *Minnesota Statutes*, section 299L.01, subdivision 1, paragraph (f).

Subp. 5. **Manufacturer.** "Manufacturer" has the meaning given it in *Minnesota Statutes*, section 299L.01, subdivision 1, paragraph (e).

Subp. 6. **New gambling device.** "New gambling device" means a gambling device other than a used gambling device.

Subp. 7. **Used gambling device.** "Used gambling device" means a gambling device five or more years old.

7570.0020 LICENSE APPLICATION, ISSUANCE, AND RENEWAL.

Subpart 1. **Contents of application.** An initial or renewal license application must be on a form provided by the commissioner and must meet the requirements in items A to T.

A. The application must contain the name and all business addresses and telephone numbers of the applicant.

B. The application must indicate whether the applicant is an individual, partnership, or corporation. If the applicant is an individual, the application must list the individual. If the applicant is a partnership, the application must list each general and limited partner. If the applicant is a publicly traded corporation, the application must list each director, officer, and shareholder holding a financial interest of five percent or more. If the applicant is a corporation that is not publicly traded, the application must list each director, officer, and shareholder.

C. The application must contain the full name, date of birth, social security number, and telephone number of each person listed under item B.

D. The application must contain the names and addresses of any holding corporation, subsidiary, or affiliate of the applicant, without regard to whether the holding corporation, subsidiary, or affiliate does business in Minnesota.

E. The application must contain a history of gambling licensure of each person, partnership, and corporation listed under item A, B, or D. The history must be of each gambling license applied for or issued by a federal, state, or local agency and must include the issuance and expiration dates of the license. If a gambling license application was denied, or a gambling license was suspended, canceled, revoked, or subject to any other negative licensing action, the history must give the date and a full explanation of the basis for the license action.

F. The application must contain the criminal history of each person, partnership, and corporation listed under item A, B, or D. A criminal history must include each conviction and each pending charge for a felony or for a crime involving gambling.

G. The application must contain the following information with respect to each person, partnership, and corporation listed under item A, B, or D:

(1) whether the person, partnership, or corporation has been a party in a civil proceeding and alleged to have engaged in an unfair or anticompetitive business practice, a securities violation, or false or misleading advertising;

(2) whether the person, partnership, or corporation has been accused in an administrative or judicial proceeding of violation of a statute or rule relating to unfair labor practices, discrimination, or gambling;

(3) whether the person, partnership, or corporation has commenced an administrative or judicial action against a governmental regulator of gambling;

(4) whether the person, partnership, or corporation has been the subject of a voluntary or involuntary bankruptcy proceeding;

(5) whether the person, partnership, or corporation has failed to satisfy any judgment, decree, or order of an administrative or judicial tribunal; or

(6) whether the person, partnership, or corporation has been delinquent in filing a tax report required or remitting a tax imposed by any government.

H. The application must contain the employment and residence history of each person listed under item B since the person was 18 years of age.

I. The application must indicate the class of license sought.

J. The application must be accompanied by the applicant's most recent financial information that shows the ownership and

control of the applicant. Statements submitted to state and federal income tax agencies as part of the most recent tax returns are acceptable.

K. The application must disclose the amounts and sources of all business financing and the terms of each agreement.

L. The application must contain the full name and address of each person employed by the applicant in a gambling related activity on a salary or commission basis.

M. The application must contain the full name and address of each person who has a right to share in the profits of the applicant including assignees, landlords, or persons to whom any interest or share of the profits has been pledged as security for a debt or deposited as security for the performance of any act or to secure the performance of a contract for sale.

N. The application must contain the full name and address of each person with an option to purchase a share of the business.

O. The application must be accompanied by the annual license fee set out in *Minnesota Statutes*, section 299L.07, subdivision 6.

P. The application must be accompanied by an authorization for release of personal information from each person, partnership, and corporation listed under item A, B, or D. The authorization must:

(1) authorize a review by and full disclosure to the director of all records concerning the person, partnership, or corporation;

(2) recognize that the information reviewed or disclosed may be used by the state of Minnesota, its employees, and agents to determine the applicant's qualifications for a license;

(3) release authorized providers and users of the information from any liability under the federal Freedom of Information Act or the Minnesota Data Practices Act; and

(4) contain a notarized signature by the person or by a representative of the partnership or corporation.

Q. If the applicant does not maintain a Minnesota office, the application must be accompanied by an irrevocable consent statement signed by the applicant stating that suits and actions relating to the subject matter of the application or acts or omissions arising from it may be commenced against the applicant in a court of competent jurisdiction in this state by service on the secretary of state of any summons, process, or pleadings authorized by the laws of this state.

R. The application must be accompanied by a report of all gambling devices kept under the control of the applicant in Minnesota. The contents of the report are set out in part 7570.0030, subpart 2.

S. The application must be accompanied by a completed tax information form required by the commissioner of revenue under *Minnesota Statutes*, section 270.72.

T. Each person listed under item B shall sign and date the application, verifying that the information on the application is true. The signatures must be notarized.

Subp. 2. **Submission of application.** An applicant must submit an application to the gambling enforcement division of the department. An application is not complete until it meets the requirements of subpart 1.

Subp. 3. **Investigation of applicant's information.** The director shall investigate an applicant, including the applicant's financial and business records. The applicant shall make records available to the director and shall allow the director to inspect any and all business premises of the applicant upon a request by the director.

Subp. 4. **Issuing or denying a license; basis for determination.** The commissioner shall issue a license if the commissioner determines that the applicant will conduct the business in a manner that will not adversely affect the public health, welfare, and safety or be detrimental to the effective regulation and control of gambling. The commissioner shall deny the license application if the commissioner makes a contrary determination. In making the determination, the commissioner shall consider:

A. whether the applicant has concealed, failed to disclose, or otherwise attempted to mislead the commissioner with respect to a material fact contained in the application or in the investigation of the applicant or the material contained in the application;

B. whether the applicant has been convicted of a felony or a crime involving gambling;

C. whether the applicant has been placed in or remains in actual or constructive custody of any federal, state, or local law enforcement authority or court for a felony or a crime involving gambling;

D. whether the applicant has been prohibited by any governmental authority from being present upon the premises of any

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Proposed Rules

gambling establishment or any premises where pari-mutuel wagering is conducted for any reason related to improper gambling activities or any illegal acts;

E. whether the applicant has had a gambling license suspended, canceled, revoked, or subject to any other negative licensing action by any jurisdiction based on a violation of law or rule or a conviction for a violation of law or rule;

F. whether the applicant meets the qualifications for licensure in *Minnesota Statutes*, section 299L.07;

G. whether the applicant has had a gambling license denied for other than technical defects in the application;

H. whether the application meets the requirements of subpart 1; and

I. whether the commissioner has been notified under *Minnesota Statutes*, section 270.72, that the applicant owes the state delinquent taxes, penalties, or interest.

Subp. 5. Licensing year; partial refund of fee if initial license issued after June 30. The licensing year is a calendar year. A license issued under this chapter expires on December 31 of the year for which application is made. If an initial license is issued after June 30 of the year for which application is made, the commissioner shall refund one-half of the first annual fee.

Subp. 6. Investigation fee. An applicant for an initial license must submit to the director at the time of application an investigation fee to cover the costs of the investigation authorized by *Minnesota Statutes*, section 299L.07, subdivision 5. The investigation fee is \$1,500 if the applicant's main business location is in Minnesota and \$5,000 if the applicant's main business location is outside of Minnesota. When the director determines that the costs of an investigation have exceeded or will likely exceed the amounts deposited under this part, the director shall send a written notice to the applicant containing a reasonable estimate of the additional costs of the investigation. The applicant shall remit the estimated amount to the director within ten days of receipt of the notice. If the applicant does not remit the amount within this time, the director shall discontinue the investigation until the applicant remits the amount. The commissioner shall not issue a license to an applicant who fails to remit an investigation fee required under this subpart. Upon completion of the investigation, the director shall promptly refund to the applicant any amount by which the investigation fees submitted by the applicant exceed the actual costs of the investigation. A person who applies for a manufacturer license and a distributor license at the same time must submit only one investigation fee.

Subp. 7. License classes. There are six license classes, as follows:

A. distributor of 100 or fewer used devices;

B. distributor of more than 100 used devices;

C. distributor of 100 or fewer new, or new and used devices;

D. distributor of more than 100 new, or new and used devices;

E. manufacturer of 100 or fewer new devices; and

F. manufacturer of more than 100 new devices.

Subp. 8. Appropriate class of license required. An appropriate class of license is required for each marketing level.

A. A person licensed as a distributor of 100 or fewer used devices must obtain a license to distribute more than 100 used devices if the person distributes more than 100 used devices in the licensing year. The person must obtain the additional license prior to distributing more than 100 devices in the licensing year. The fees paid by the licensee for the original license shall be credited by the commissioner toward the fees owed for the additional license.

B. A person licensed as a distributor of 100 or fewer new, or new and used devices must obtain a license to distribute more than 100 new, or new and used devices if the person distributes more than 100 new, or new and used devices in the licensing year. The person must obtain the additional license before distributing more than 100 devices in the licensing year. The fees paid by the licensee for the original license shall be credited by the commissioner toward the fees owed for the additional license.

C. A person licensed as a manufacturer of 100 or fewer new devices must obtain a license to manufacture more than 100 new devices if the person manufactures more than 100 new devices in the licensing year. The person must obtain the additional license before manufacturing more than 100 new devices in the licensing year. The fees paid by the licensee for the original license shall be credited by the commissioner toward the fees owed for the additional license.

D. A person licensed to distribute used devices must obtain the appropriate license to distribute new, or new and used devices if the person distributes a new device in the licensing year. The person must obtain the additional license before distributing a new device. The fees paid by the licensee for the original license shall be credited by the commissioner toward the fees owed for the additional license.

E. A person licensed to manufacture devices must obtain the appropriate license to distribute devices if the person distributes a device to anyone other than a licensed distributor. A person licensed to distribute devices must obtain the appropriate license to manufacture devices if the person manufactures a device. The person must obtain the additional license before beginning the other

activity. The person must pay a separate license fee for each activity.

Subp. 9. **Notice of change.** A licensee shall notify the commissioner of a change in any information concerning the licensee that is required to be contained in a license application. The notice must be on a form provided by the commissioner. One owner, partner, officer, director, or shareholder shall sign the notice, verifying that the information on the notice is true. The signature must be notarized. The licensee shall submit the notice so that it is received by the commissioner before the change occurs, unless this is not possible, in which case, the licensee shall give notice as soon as reasonable.

7570.0030 RECORDS REQUIREMENTS.

Subpart 1. **Records kept on devices manufactured, sold, or distributed in Minnesota.** A licensee must keep records related to the manufacture, sale, or distribution of each gambling device that the licensee owns, sells, or distributes in Minnesota. The licensee must maintain and make these records available for the commissioner's inspection for three years after the device is sold or otherwise disposed of by the licensee. The records must be those used to prepare the reports required by subparts 2 and 3 and the records required by subpart 4.

Subp. 2. **Report on devices stored in Minnesota.** A licensee must provide the commissioner with a report of all gambling devices kept under the licensee's control in Minnesota as of January 1, April 1, July 1, and October 1 of each year and at other times as requested by the commissioner. The licensee must submit the report so that it is received by the commissioner within 15 calendar days of the date specified. The report must contain the following information:

- A. a complete description of the device, including name of the manufacturer, model number, serial number, type of device, and date of manufacture; and
- B. the address of the place where the device is stored.

Subp. 3. **Report on devices shipped to Minnesota.** A licensee must submit a report to the commissioner when the licensee ships a device into Minnesota. The licensee must submit or mail the report before or at the time of the shipment. The report must contain the following information:

- A. a complete description of the device, including name of the manufacturer, model number, serial number, type of device, and date of manufacture;
- B. the full name, address, and license number of the licensee shipping the device;
- C. the method of shipment and, where applicable, the name of the carrier;
- D. the full name, address, and, where applicable, license number of the person to whom the device is being sent; and
- E. the destination of the device.

Subp. 4. **Records required of licensed distributors of used devices.** A person licensed to distribute used devices may not own, possess, or distribute a device unless the licensee has records showing the the device is five or more years old.

7570.0040 INSPECTION OF LOCATION, RECORDS, AND DEVICES.

A licensee shall make the licensee's business premises, records, and gambling devices available to the commissioner for inspection during normal business hours. This part applies to locations at which the licensee conducts business, locations at which records related to the sale and shipment of gambling devices are kept, and locations at which gambling devices offered for distribution are stored. The commissioner is not required to give advance notice of an inspection.

7570.0050 SUSPENSION AND REVOCATION OF LICENSE.

Subpart 1. **Grounds for suspension or revocation.** The commissioner may suspend a license for a violation of law or rule. The commissioner may revoke a license for a violation of law or rule when a condition applies that is listed in *Minnesota Statutes*, section 299L.07, subdivision 8, paragraph (a), clause (1), (2), or (3). In making the determination to suspend or revoke and in determining the penalty or the length of the penalty, the commissioner shall consider:

- A. the factors in part 7570.0020, subpart 4, for issuance or denial of a license application;
- B. the severity of the conduct as indicated by the potential harm to person, property, or the integrity of gambling;
- C. the actual harm to person, property, or the integrity of gambling;
- D. the culpability of the violator and the frequency of the violator's failure to comply with law or rule;

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Proposed Rules

E. any other factors related to the seriousness of violations that the commissioner considers crucial as long as the same factors are considered with regard to all violators; and

F. the number of factors applicable to a violation and the degree to which each applies.

Subp. 2. **Grounds for summary suspension.** The commissioner may summarily suspend a license before a contested case hearing if the commissioner determines that a summary suspension is necessary to ensure the integrity of gambling. In making the determination to summarily suspend, the commissioner shall consider:

A. whether grounds exist for the revocation of the license;

B. whether there is a significant risk of irreparable harm to the integrity of gambling if the licensee is allowed to continue licensed activities; and

C. whether the risk of harm to the integrity of gambling outweighs the harm to the licensee of discontinuing licensed activities during the pendency of a hearing.

Subp. 3. **Procedures for suspension or revocation.** All procedures for revocation or suspension not set out or referred to in this part are governed by chapter 1400 and *Minnesota Statutes*, chapters 14 and 299L. A summary suspension order is effective upon service of the notice of the summary suspension on the licensee.

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 Agriculture

Rural Finance Authority

Adopted Permanent Rules Relating to Rural Finance Authority Seller-Sponsored Loan Program

Notice of Adoption of a Rule Exempt From Rulemaking Provisions of *Minnesota Statutes*, Chapter 14

NOTICE IS HEREBY GIVEN that the Rural Finance Authority Board has adopted amendments to the rule governing the Seller Sponsored Loan Program. The statutory authority to adopt this rule is *Minnesota Statutes*, section 41B.07.

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

Dated: 20 November 1992

Rural Finance Authority Board
Elton Redalen, Chairman

Rules as Adopted

1651.0030 SELLER ELIGIBILITY.

To qualify as an eligible seller under the program, a seller must meet the following criteria:

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

D. the seller's loan to the borrower must be for a ~~minimum of 20 percent of the total~~ additional required financing necessary to complete the transaction after the down payment, if any;

E. the seller's ~~real estate mortgage or other instrument securing the seller's loan~~ financing made to the borrower must be subordinated to the first mortgage loan of the lender in which the RFA is a participant; and

F. the seller must disclose all of the terms and conditions of the seller-sponsored sale in a written purchase agreement to be given to the lender at the time of application. The purchase agreement must contain clauses in which the seller agrees to subordinate the seller's financing and agrees to sign all documents necessary to acknowledge the priority of the first mortgage loan.

1651.0040 BORROWER ELIGIBILITY.

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

Subp. 2. **General eligibility criteria.** Each applicant must:

A. be a resident of Minnesota as evidenced by the applicant's income tax returns or, in the case of new residents, other evidence acceptable to the RFA;

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

Subp. 3. **Beginning farmer criteria.** In addition to the requirements of subpart 2, beginning farmer applicants must:

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

E. have a total net worth of less than \$100,000 as defined in part 1651.0020, subpart 10 not to exceed current RFA guidelines as adjusted for inflation (see Minnesota Statutes, section 41B.03, subdivision 3); and

F. not currently own more than 160 240 acres of farmland.

Subp. 4. **Reentry farmer criteria.** In addition to the requirements of subpart 2, reentry farmer applicants must:

A. fulfill the criteria stated in subpart 3, items A to D;

B. have a total net worth of less than \$100,000 as defined in part 1651.0020, subpart 10 not to exceed current RFA guidelines as adjusted for inflation (see Minnesota Statutes, section 41B.03, subdivision 3), excluding the value of the applicant's residential structure;

C. have previously owned and operated a farm; and

D. not currently own more than 160 acres of farm any real estate that is used for an agricultural purpose other than a homestead as defined by *Minnesota Statutes*, chapter 510.

1651.0050 LENDER ELIGIBILITY.

Subpart 1. **Statutory eligibility.** Any bank, credit union, or savings and loan association chartered by the state or federal government, a subdivision of the Farm Credit System, the Federal Deposit Insurance Corporation, ~~the Federal Savings and Loan Insurance Corporation,~~ or any insurance company, fund, or other financial institution doing business as an agricultural lender within the state may apply to the RFA for certification as an approved lender.

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

1651.0060 APPLICATION PROCESS AND OFFER OF PARTICIPATION.

Subpart 1. **Request for a first mortgage loan.** A sponsoring seller and an applicant must jointly present an initial proposal to an approved lender. The proposal must include a signed and dated purchase agreement and a completed seller-sponsor's loan commitment form evidencing the seller's intent to make a loan to the applicant and agreeing to subordinate their financing as required under the program.

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

1651.0070 RFA REVIEW, NOTICE, APPEAL.

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

Subp. 2. **RFA acceptance.** The RFA will accept all offers, unless the RFA determines any of the following:

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

C. The applicant does not demonstrate an ability to repay the first mortgage loan and other obligations based on the financial information submitted under part ~~1651.0040~~ 1651.0060, subpart 2.

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

[For text of subps 3 to 5, see M.R.]

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Adopted Rules

1651.0080 LOAN CLOSING, PURCHASE OF PARTICIPATION, AND LOAN MANAGEMENT.

Subpart 1. **Closing.** Upon receiving notification of RFA acceptance, the lender shall close the first mortgage loan. At the time of closing, the sponsoring seller must present all legal documents relating to the sale, including the seller's proposed mortgage financing for their loan to the applicant. The lender must record and cross-reference all documents relating to the loan, including the RFA note and loan agreement. While the lender is not responsible for preparation of the seller's mortgage and note financing, they must record the seller's mortgage financing to ensure that it is recorded in a secondary security position. The lender must notify the RFA that the loan is closed and recorded by submitting copies of the recorded documents to the RFA.

Subp. 2. **Payment.** Within five seven to ten business days of receipt of written notice under subpart 1, that the first mortgage loan is closed and recorded, the RFA shall pay the lender for the RFA's participation interest in the loan.

[For text of subs 3 and 4, see M.R.]

Subp. 5. **Lender notification.** The lender shall promptly notify the RFA of occurrences that substantially affect the security, collection, or enforcement of any first mortgage loan. The lender shall also notify the seller of any defaults that remain unresolved over 45 days.

[For text of subs 6 and 7, see M.R.]

Department of Human Services

Adopted Permanent Rules Relating to Case Management Services for Children with Severe Emotional Disturbance and Adults with Serious and Persistent Mental Illness

The rules proposed and published at *State Register*, Volume 17, Number 2, pages 38-51, July 13, 1992 (17 SR 38), are adopted with the following modifications:

Rules as Adopted

9520.0900 SCOPE AND AVAILABILITY.

Subp. 2. **Availability; general.** The county board shall make case management services available to all children with severe emotional disturbance and their families who are residents of the county and who request or consent to the services under *Minnesota Statutes*, section 245.4881, and within the limits in *Minnesota Statutes*, sections 245.486 and 256E.081, and parts 9520.0900 to 9520.0926, and to all adults with serious and persistent mental illness who are residents of the county and who request or consent to services under *Minnesota Statutes*, section 245.4711. In making case management services available to children with severe emotional disturbance, a local agency shall use grants to counties for services to children with severe emotional disturbance, funds made available to counties for community social services under *Minnesota Statutes*, sections 256E.06 and 256E.12, allocations from title XX of the Social Security Act under *Minnesota Statutes*, section 256E.07, and all other ~~commonly~~ available state and federal funding sources. In making case management services available to adults with serious and persistent mental illness, the local agency shall use grants to counties for services to adults with serious and persistent mental illness under *Minnesota Statutes*, section 256E.12, funds made available to counties for community social services under *Minnesota Statutes*, sections 256E.06 and 256E.12, ~~and~~ allocations from title XX under *Minnesota Statutes*, section 256E.07, and all other available state and federal funding sources.

Case management services to children with severe emotional disturbance must be billed as required under *Minnesota Statutes*, section 245.4881, subdivision 1, paragraph (b). Case management services to medical assistance eligible adults with serious and persistent mental illness must be billed as required under *Minnesota Statutes*, section 245.4711, subdivision 1, paragraph (b).

9520.0902 DEFINITIONS.

Subp. 6. **Case management team.** "Case management team" means a group of persons that:

A. For a child, consists of the child, the child's parent or foster parent, or other significant adult with whom the child is living, the child's legal representative, if any, and the child's case manager. Other persons or service providers requested by the child's parent or legal representative and the child to participate in making decisions about the child's services or to advocate on behalf of the child may be members of the case management team.

Subp. 26. **Legal representative.** "Legal representative" means a guardian appointed by the court to decide on services for a child as specified in *Minnesota Statutes*, section 525.619, a guardian as specified in *Minnesota Statutes*, section 260.242, subdivision 2, a custodian as specified in *Minnesota Statutes*, section 260.015, subdivision 14, or an Indian custodian as defined in *Minnesota Statutes*, section 257.351, subdivision 8.

Subp. 41. **Team coordinator.** "Team coordinator" means a person selected by the child's parent or legal representative or, ~~as appropriate,~~ the child as provided in part 9520.0916, subpart 2.

9520.0903 COUNTY BOARD RESPONSIBILITIES.

Subp. 3. **Definitions.** For purposes of subpart 2:

A. "increased revenue" means revenue received from a source other than county funds by the county and its contracted providers for case management services provided under parts 9520.0900 to 9520.0926 during calendar year ~~1992~~ 1993 or the applicable calendar year thereafter which exceeds the revenue received from these sources for case management services provided under parts 9505.0476 to 9505.0490 during calendar year ~~1990~~ 1992;

B. "source other than county funds" means funds received through medical assistance, general assistance medical care for persons who would be eligible for medical assistance except that the person resides in an institution for mental diseases, state grants dedicated to case management services, and third-party payers; ~~and~~

C. "county funds" means funds available to a county through county levies, block grants under *Minnesota Statutes*, section 256E.06, federal block grants under *Minnesota Statutes*, section 256E.07, and state shared revenue funds; and

D. "additional case managers" means an increase in the case management staff in comparison to the staff employed in December 1992. If a county demonstrates case management staff were hired with county funds before December 1992 in anticipation of increased revenue as defined in item A, the commissioner shall consider those case management staff as additional case managers.

9520.0904 OUTCOMES OF CASE MANAGEMENT SERVICES TO CHILDREN WITH SEVERE EMOTIONAL DISTURBANCE.

The case manager assigned by the local agency to provide case management services to children with severe emotional disturbance shall work with the case management team using a process that is designed to assist the child with severe emotional disturbance in pursuing the outcome of improved or maintained mental health and functioning and to achieve the outcomes in items A to G:

C. information provided to the child's parent or legal representative ~~or, as appropriate,~~ and the child as described in part 9520.0907 about eligibility for and frequency of case management services, the benefits of case management services and family community support services, potential cost of the services to the child and the child's parent, and the services available to achieve the overall outcome of case management and the other outcomes specified in the child's individual family community support plan;

F. compliance with and, as described in part 9520.0907, information to the child and the child's parent or legal representative about the Minnesota Government Data Practices Act under *Minnesota Statutes*, chapter 13, and information about the Patients and Residents of Health Care Facilities Bill of Rights, *Minnesota Statutes*, section 144.651, subdivisions 1, 3 to 16, 18, 20, and 30, and the fair hearing procedure under *Minnesota Statutes*, section 256.045; and

9520.0905 OUTCOMES OF CASE MANAGEMENT SERVICES TO ADULTS WITH SERIOUS AND PERSISTENT MENTAL ILLNESS.

The case manager assigned by the local agency to provide case management services to an adult with serious and persistent mental illness shall work together with the adult with serious and persistent mental illness using a process that is designed to assist the adult with serious and persistent mental illness in pursuing the outcome of improved or maintained mental health and functioning and to achieve the outcomes in items A to H:

D. information provided to the adult about eligibility for and frequency of case management services, the benefits of case management and community support services, potential cost of the services to the adult, and the full array of services available to achieve the overall outcome of case management and the other outcomes specified in the adult's individual community support plan;

G. compliance with and information to the adult about the Minnesota Government Data Practices Act under *Minnesota Statutes*, chapter 13, and information about the Patients and Residents of Health Care Facilities Bill of Rights under *Minnesota Statutes*, section 144.651, subdivisions 1, 3 to 16, 18, 20, and 30, and the fair hearing procedure under *Minnesota Statutes*, section 256.045;

9520.0906 LOCAL AGENCY RESPONSIBILITIES; NOTICE AFTER REQUEST OR REFERRAL FOR SERVICES.

Subpart 1. **Notice following request or referral for services.** As required under *Minnesota Statutes*, section 245.4881, subdivision 2, in response to a request or a referral for case management services for a child or as required under *Minnesota Statutes*, section 245.4711, subdivision 1, in response to a request or a referral for case management services for an adult, the local agency must notify within five working days after receiving the request or referral, the child's parents or child's legal representative ~~or, as appropriate,~~ and the child or the adult of the individual's potential eligibility for case management services. The notice must be written in plain language and explain the individual's potential eligibility for case management services and, in the case of a child, for family community

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Adopted Rules

support services or in the case of an adult, for community support services. The contents of the notice shall comply with *Minnesota Statutes*, section 245.4881, subdivision 2, paragraph (b), in the case of a child with emotional disturbance or with *Minnesota Statutes*, section 245.4711, subdivision 2, paragraph (a), in the case of an adult with mental illness. A notice responding to a request or referral for services to a child also must state that the person to whom the notice is addressed may request county assistance in contacting a special mental health consultant to assist in assessing and providing appropriate treatment to a child of a minority race or minority ethnic heritage.

Subp. 2. **Notice when there is no known address.** If the local agency does not receive the address of the adult or the child and the child's parent or legal representative from the person referring the adult or the child for case management services, the local agency must attempt to locate the adult or the child and give the adult or the child's parent or legal representative or, ~~as appropriate,~~ the child the notice specified in subpart 1.

9520.0907 PERSON PERSONS TO RECEIVE NOTICE INFORMATION AND AUTHORIZE PLAN CHILD'S CASE MANAGEMENT SERVICES.

Subpart 1. Person to receive information and plan child's services. Except under the circumstances as specified in this part ~~subparts 3 and 4,~~ when case management services are requested for a child or the child is referred for case management services, the child's parent or legal representative, if any, has the right to receive the notices and information specified under parts 9520.0900 to 9520.0926 ~~and to make decisions about the decision whether to obtain a diagnostic assessment, authorize a release of information, and accept case management services for the child and to be included in planning the case management services available to the child under parts 9520.0900 to 9520.0926.~~

Subp. 2. Child's receipt of information and inclusion in planning services. A child who is at least 12 years of age has the right to and a child who is less than 12 years of age may receive the notices and information specified under parts 9520.0900 to 9520.0926 and be included in planning the case management services available to the child under parts 9520.0900 to 9520.0926 unless these actions are determined by a mental health professional to be clinically inappropriate to the child's mental health needs. If the mental health professional determines that it is clinically inappropriate to the child's mental health needs, the reasons for the determination must be documented in the child's case record.

Subp. 3. Child only to receive information, plan, and decide on child's case management services. If one of the circumstances in item A or B applies, the child ~~shall only has the right to~~ receive the required notices ~~and,~~ make the ~~decisions~~ decision whether to accept case management and other mental health services, and authorize a release of information be included in planning case management services. ~~If the circumstance in item B applies, the person to act for the child is the guardian ad litem appointed by the court.~~

A. The parent or legal representative is hindering or impeding the child's access to mental health services ~~or~~ and the child is at least 16 years of age.

B. The child:

(4) is at least 16, but under 18 years old and ~~for whom a county board has been authorized by a county board for independent living pursuant to a court order as specified in Minnesota Statutes, section 260.191, subdivision 1, paragraph (a), clause (4).~~

B. Subp. 4. Petition filed or court order issued. If a petition has been filed under *Minnesota Statutes*, chapter 260, or a court order has been issued under *Minnesota Statutes*, section 260.133 or 260.135 and a guardian ad litem ~~has been appointed and if consent for case management services has not been otherwise obtained from the child's parent or legal representative or the child, the local agency may request a court order under Minnesota Statutes, chapter 260, to authorize case management services for the child.~~

9520.0908 CONTACT BETWEEN PERSON DESIGNATED BY THE COUNTY BOARD TO COORDINATE CASE MANAGEMENT SERVICES AND CHILD'S PARENT AND CHILD OR THE ADULT.

Before a determination of the case management service eligibility of a child or an adult for whom case management services have been requested, the person designated by the county board to coordinate case management services shall attempt to contact the child's parent or legal representative and the child or the adult no later than 15 working days after the local agency receives the referral or request under part 9520.0906. In the contact, the person designated by the county board to coordinate case management services must explain that access to case management services depends on a determination that the child has a severe emotional disturbance or the adult has serious and persistent mental illness and must assist the child's parent or legal representative ~~or, if appropriate,~~ and the child as described in part 9520.0907 or the adult to make an informed choice of whether to obtain the diagnostic assessment or the review and updating of a diagnostic assessment required under part 9520.0909 in order to make the determination of the child's eligibility. In helping the child's parent or legal representative ~~or, if appropriate,~~ and the child or the adult make an informed choice on whether to obtain a diagnostic assessment, the person designated by the county board to coordinate case management services must explain that the local agency will, if requested, assist in obtaining a diagnostic assessment.

9520.0909 DETERMINATION OF SERIOUS AND PERSISTENT MENTAL ILLNESS OR SEVERE EMOTIONAL DISTURBANCE; ASSISTANCE IN ARRANGING DIAGNOSTIC ASSESSMENT.

Subp. 3. **Assistance in obtaining diagnostic assessment.** If the child's parent or legal representative ~~or, as appropriate,~~ the child as described in part 9520.0907, or the adult consents to the child's or ~~or~~ adult's assessment for eligibility for case management services ~~and authorizes a release of information,~~ the local agency must offer, within ten working days of the consent, to assist the child and the child's parent or legal representative or the adult in obtaining an appointment with a mental health professional chosen by the child's parent or legal representative ~~or, as appropriate,~~ the child or the adult to conduct a diagnostic assessment. The local agency must request, in the child's parent or legal representative or, as appropriate, the case of a child, authorization as required under Minnesota Statutes, section 245.4876, subdivision 5, paragraph (6), or must request the authorization of the adult to authorize for the mental health professional conducting the diagnostic assessment to release the results of the diagnostic assessment to the local agency.

9520.0910 DETERMINATION OF ELIGIBILITY FOR CASE MANAGEMENT SERVICES.

Subp. 2. **Notice of determination.** The local agency shall notify, in writing, the child's parent or legal representative ~~or, as appropriate,~~ and the child or the adult of the determination about the child's or the adult's eligibility for case management services unless case management services have already been initiated for the child or adult.

Subp. 3. **Eligible client referred to provider.** If the client is determined to be eligible for case management services and if the ~~child's parent or legal representative or, as appropriate,~~ the child or if the adult consents to consent for the services is obtained, the local agency shall refer the client to a case management provider for case management services.

Subp. 4. **Referral of adult with mental illness or child with emotional disturbance.** If the local agency determines the child to have an emotional disturbance but not to have a severe emotional disturbance or determines the adult to have a mental illness but not to have a serious and persistent mental illness, the local agency shall offer to refer the client to a mental health provider or other appropriate service provider and to assist the client to make an appointment with a provider chosen by the ~~the~~ child's parent or legal representative ~~or, as appropriate,~~ the child or by the adult.

Subp. 5. **Refusal.** ~~A child's~~ The parent or legal representative of a child or, as appropriate, the child or ~~an~~ adult who is determined eligible for case management services may refuse the case management services. However, the refusal does not affect the client's eligibility to receive case management services or other mental health services for which the client is eligible.

9520.0914 CASE MANAGER'S RESPONSIBILITIES.

Subp. 2. **Other responsibilities.** The case manager must also carry out the responsibilities specified in item A or B for the purpose of implementing the design to achieve the outcomes specified in part 9520.0904 or 9520.0905.

A. A child's case manager must:

(5) arrange for a standardized assessment by a physician chosen by the child's parent, legal representative, or the child as described in part 9520.0907 of the side effects related to the administration of the child's psychotropic medication;

(6) attempt to meet with the child at least once every 30 days;

~~(6)~~ (7) be available to meet with the child's parent or legal representative upon the request of the parent or representative;

~~(7)~~ (8) note in the child's record the services needed by the child and the child's family that are not available and the unmet needs of the child and the child's family;

~~(8)~~ (9) actively participate in discharge planning for the child and, to the extent possible, coordinate the services necessary to assure a smooth transition to the child's home or foster home, school, and community-based services if the child is in a residential treatment facility, regional treatment center, correctional facility or other residential placement, or inpatient hospital for mental health services;

~~(9)~~ (10) at least six months before the child's 18th birthday, assist the child and, as appropriate, the child's parent or legal representative in assessing the child's need for continued mental health and case management services as specified in part 9520.0920, subpart 2, item D; and

~~(10)~~ (11) advise the child's parent or legal representative ~~or, as appropriate,~~ the child of the right to appeal as specified in *Minnesota Statutes*, section 245.4887, if the mental health services needed by the child are denied, suspended, reduced, terminated, not acted upon with reasonable promptness, or are claimed to have been incorrectly provided.

B. The case manager of an adult with serious and persistent mental illness must:

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(5) arrange for a standardized assessment by a physician of the adult's choice of side effects related to the administration of the adult's psychotropic medication;

(6) attempt to meet with the adult at least once every 90 30 calendar days or at least once within a longer interval of between 30 and 90 calendar days as specified in the adult's community support plan;

(6) (7) be available to meet with the adult at the request of the adult more frequently at the request of the adult or as than specified in the adult's individual community support plan subitem (6);

(7) (8) actively participate in discharge planning for the adult and, to the extent possible, coordinate services necessary to assist the adult's smooth transition to the community if the adult is in a residential treatment facility, regional treatment center, correctional facility or any other residential placement, or an inpatient acute psychiatric case unit; and

(8) (9) inform the adult of the right to appeal as specified in Minnesota Statutes, section 245.4887 245.477, if the mental health services needed by the adult are denied, suspended, reduced, terminated, or not acted upon with reasonable promptness, or are claimed to have been incorrectly provided.

9520.0916 CASE MANAGEMENT TEAM FOR CHILDREN WITH SEVERE EMOTIONAL DISTURBANCE.

Subpart 1. **Team convened.** The case manager of a child's case management services may convene the case management team on the manager's own initiative or upon the request of the child's parent or legal representative or, ~~as appropriate,~~ the child, or at the request of any other member of the team. The case manager, the child's parent or legal representative unless clinically inappropriate, and the other members of the case management team, if any, shall meet face-to-face with the child ~~and, as appropriate, the child's parents~~ at least once quarterly or more frequently if needed to monitor the child's progress in achieving the outcomes specified in the child's individual family community support plan.

Subp. 2. **Team coordinator.** When the case management team is convened, the child's parent or legal representative or, ~~as appropriate,~~ the child may request that a representative of an agency other than the local agency serve as the team coordinator. If the agency represented on the team by the person chosen as team coordinator agrees, the team coordinator shall convene the case management team and, to the extent possible, coordinate the services provided to the child and the child's family among the local system of care serving the child and the child's family. In this event, the case manager must work with the team coordinator and must coordinate the child's mental health services with the team coordinator.

Subp. 3. **Duties of case management team.** When a case management team is convened under this part, the team must clarify and address the roles and responsibilities of the individual team members. The team shall assist the child's case manager to carry out the responsibilities of the case manager specified in part 9520.0914, subparts 1 and 2, item A. Recommendations of the case management team about mental health services for the child shall be ~~consistent with the services specified in the county's approved children's mental health plan as specified in noted in the child's record according to Minnesota Statutes, section 245.4888 245.4881,~~ subdivision 3, paragraph (b).

9520.0917 CASE MANAGEMENT TEAM FOR ADULTS WITH SERIOUS AND PERSISTENT MENTAL ILLNESS.

The case management ~~services~~ functions of a case manager for an adult with serious and persistent mental illness may be provided by a team that includes the adult, the adult's case manager, and other persons who meet at least the qualifications established in part 9520.0912, subpart 2. At the request of the adult with serious and persistent mental illness, the case management team shall involve other persons as specified in Minnesota Statutes, section 245.4711, subdivision 4, in all phases of development and implementation of the adult's individual community support plan. Members of the team other than the adult and the adult's case manager may be from any agency providing services to the adult with serious and persistent mental illness and, in addition, shall be employed by or under contract to the local agency to provide case management services. One member of the team shall be designated as the team leader subject to approval by the local agency. If a county board has authorized the use of case management teams, an adult with serious and persistent mental illness may request a single case manager or a case management team. If the adult chooses to receive case management services from a case management team, the team shall be responsible for carrying out the responsibilities of the case manager under parts 9520.0900 to 9520.0926, except that the team leader shall be responsible for coordinating the team's activities.

9520.0922 CASE MANAGER'S PROVISION OF OTHER MENTAL HEALTH SERVICES.

As requested by the child's parent or legal representative or, ~~if appropriate,~~ by the child as described in part 9520.0907 or by an adult, a case manager may provide other mental health services if the case manager meets at least the minimum qualifications required to provide the mental health services specified in Minnesota Statutes, sections 245.462 to 245.4888, and if the case manager is under contract to or employed by the county to provide other mental health services. In the event a case manager provides other mental health services under this part, the other mental health services provided by the case manager shall not be considered as among the functions of the case manager and the case manager's time spent on case management functions shall be prorated in calculating the number of full-time equivalent positions needed to comply with part 9520.0903, subparts 2 and 3.

9520.0924 TERMINATION OF CASE MANAGEMENT SERVICES.

Case management services to a child with severe emotional disturbance or an adult with serious and persistent mental illness shall terminate when one of the events listed in items A to E occurs.

A. A mental health professional who has provided mental health services to the client furnishes a written opinion that the client no longer ~~needs case management services~~ meets the eligibility criteria in Minnesota Statutes, section 245.4871, subdivision 6, for a child or 245.462, subdivision 20, for an adult. Upon receipt of the mental health professional's written opinion that the client no longer needs case management services, the client's case manager must inform the client of the client's ability to appeal the decision according to part 9520.0926.

B. The adult and the case manager mutually decide that the adult, or in the case of a child, the case manager and the child's parent or legal representative or, ~~as appropriate,~~ the child as described in part 9520.0907 and the case manager mutually decide that the client no longer needs case management services.

C. The adult or, in the case of a child, the child's parent or legal representative or, ~~as appropriate,~~ the child as described in part 9520.0907 refuses further case management services.

D. Except for a child in a residential treatment facility, regional treatment center, or acute care hospital for the treatment of a severe emotional disturbance in a county outside the county of financial responsibility, no face-to-face contact has occurred between the case manager and the child for 90 consecutive days because the child has failed to keep an appointment or refused to meet with the case manager.

E. Except for an adult in a residential treatment facility, regional treatment center, or acute care hospital for the treatment of a serious and persistent mental illness in a county outside the county of financial responsibility, no face-to-face contact has occurred between the case manager and the adult for 180 consecutive days because the adult has failed to keep an appointment or refused to meet with the case manager.

9520.0926 APPEALS.

Subpart 1. **Right to appeal.** A client who applies for or receives case management services has the right to a fair hearing under *Minnesota Statutes*, section 256.045, if the county terminates, denies, or suspends case management services, or does not act within five days upon a request or referral for case management services. ~~A county of financial responsibility has an absolute defense to an appeal under this part if it proves by a preponderance of the evidence that it has no more resources available with which to avoid a denial, reduction, suspension, or termination of case management services and that it has met the requirements of Fiscal limitations described in Minnesota Statutes, section sections 245.486 and 256E.081, shall constitute a basis for the county of financial responsibility to refuse to provide or fund the services at issue in the appeal.~~

Subp. 2. **Notice of adverse action.** The local agency shall mail a written notice to the adult or to the child's parent or legal representative or, ~~as appropriate,~~ and the child at least ten calendar days before denying, reducing, suspending, or terminating the client's case management services. The written notice shall clearly state:

- A. what action the local agency proposes to take;
- B. the reasons for the action;
- C. the legal authority for the proposed action;

D. that the adult or in the case of a child, the child and the child's parent or legal representative have the right to appeal the action within 30 days after the receipt of the notice or within 90 days if the person has good cause for delaying. At the request of the adult or in the case of a child, the child and the child's parent or legal representative, the child or adult shall continue to receive case management services pending the resolution of the appeal; and

Subp. 3. **General information about appeal rights.** At the time of the request for case management services and at the annual review of the adult's individual community support plan or the child's individual family community support plan, the case manager shall give the adult or, in the case of a child, the child's parent or legal representative or, ~~if appropriate,~~ and the child a written notice of the right to appeal under this part.

REPEALER. *Minnesota Rules*, parts 9505.0476, 9505.0477, 9505.0478, 9505.0479, 9505.0480, 9505.0481, 9505.0482, 9505.0483, 9505.0484, 9505.0485, 9505.0486, 9505.0487, 9505.0488, 9505.0489, 9505.0490, and 9505.0491, subparts 1 to 6, 9, and 10, are repealed upon the effective date of parts 9520.0900 to ~~9505-0926~~ 9520.0926.

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

Adopted Rules

Department of Human Services

Adopted Permanent Rules Relating to Mental Health Services

Rules as Adopted

The rules proposed and published at *State Register*, Volume 17, Number 2, pages 51-58, July 13, 1992 (17 SR 51), are adopted with the following modifications:

9505.0322 MENTAL HEALTH CASE MANAGEMENT SERVICES.

Subp. 5. **Determination of recipient's continued eligibility for case management services.** A recipient's continued eligibility for case management services under this part and parts 9520.0900 to 9520.0926 must be determined every ~~48~~ 36 months by the local agency. The determination of whether the recipient continues to have a diagnosis of serious and persistent mental illness or severe emotional disturbance must be based on updating the recipient's diagnostic assessment or on the results of conducting a complete diagnostic assessment because the recipient's mental health status or behavior has changed markedly. Unless a recipient's mental health status or behavior has changed markedly since the recipient's most recent diagnostic assessment, only updating is necessary. If the recipient's mental health status or behavior has changed markedly, a new diagnostic assessment must be completed.

Subp. 10. **Limitation on payments for services.** Payment for case management services shall be limited according to items A to ~~H~~ G.

A. Payment for case management services is limited to no more than ~~six~~ ten hours per recipient per month, excluding time required for out-of-county travel under subpart 9, item F, ~~except under the conditions specified in item B.~~ The payment may be for any combination of the services specified in subpart 9, except that payment for telephone contact between a case manager and the recipient; the recipient's family, legal representative, or primary caregiver; mental health provider and other service providers; or other interested persons is limited to no more than ~~two~~ three hours per recipient per month.

~~B.~~ If the recipient is at risk because of the recipient's mental illness or emotional disturbance, the payment limitation:

~~(1) on case management services to the recipient shall be ten hours per month, excluding out-of-county travel as specified in subpart 9, item F, unless, in the case of a child with severe emotional disturbance, prior authorization is obtained; and~~

~~(2) on telephone contact in item A shall be increased to three hours per recipient per month.~~

The case manager must document the factor or factors placing the recipient at risk. For purposes of this item, "at risk" refers to a risk of hospitalization; losing a job; losing a place to live; failing or dropping out of school before completing the requirements of the program in which the recipient is enrolled; being subjected to abuse or neglect as set forth in *Minnesota Statutes*, section 626.556, in the case of a child, or section 626.557, in the case of an adult, or in danger of harming self or others.

~~C~~ B. When traveling with a recipient, a case manager may not bill concurrently for both a face-to-face session with the recipient and travel time.

~~D~~ C. An assessment that duplicates an assessment eligible for payment under subpart 2 or 5 is not eligible for medical assistance payment.

~~E~~ D. Payment for case management services to a recipient is limited to the services of one case manager per unit of time per recipient.

~~F~~ E. Time spent by the case manager in charting and record keeping is not eligible for separate medical assistance payment as a case management service.

~~G~~ F. Time spent by the case manager in court during which the case manager is not providing a case management service that would otherwise be eligible for medical assistance payment is not a covered service.

~~H~~ G. Time spent in communication with other case managers who are members of the recipient's case management team under part 9520.0916 or 9520.0917 is not a covered service unless the recipient is a face-to-face participant in the communication.

9505.0323 MENTAL HEALTH SERVICES.

Subp. 4. **Eligibility for payment; diagnostic assessment.** To be eligible for medical assistance payment, a diagnostic assessment must be conducted by a provider who is a mental health professional. Additionally, to be eligible for medical assistance payment, a diagnostic assessment must comply with the requirements in items A to L.

I. The mental health professional conducting the diagnostic assessment must:

(5) consider the recipient's need for referral for psychological testing, psychiatric consultation, a neurological examination, a physical examination, a determination of the need for prescribed drugs, the evaluation of the effectiveness of prescribed drugs, and a chemical dependency assessment as specified in part 9530.6615. If the recipient has never had a psychiatric consultation or medication evaluation, the mental health professional must refer the recipient to a psychiatrist or other physician for an evaluation of biological

factors which may be contributing to the recipient's mental illness or emotional disturbance. The mental health professional may complete the diagnostic assessment, initiate treatment, and bill medical assistance for the mental health services before the physician consultation is completed. If, upon review of the report of the psychiatrist or physician, the mental health professional believes the diagnostic assessment needs to be updated to include the recommendations of the psychiatrist or physician, the updating of the diagnostic assessment will be eligible for medical assistance payment. If a psychiatrist or physician subsequently recommends the recipient's treatment with either an antipsychotic medication or an antidepressant medication prescribed for the purpose of treating the recipient's mental illness, medical assistance payment for ongoing medication management, evaluation, and monitoring is limited to a psychiatrist or a registered nurse who qualifies as a mental health practitioner and who works under the clinical supervision of a psychiatrist;

(6) refer the recipient for a psychiatric consultation and medication evaluation if the recipient has not had an initial psychiatric consultation or medical evaluation or the mental health professional providing the recipient's diagnostic assessment believes that an updated consultation or a reevaluation of the recipient's need for medication is necessary medically necessary services that are outside the scope of practice of the mental health professional;

Subp. 29. **Required participation of psychiatrist in treatment of person with serious and persistent mental illness or child with severe emotional disturbance.** A psychiatrist or, in the case of a child with severe emotional disturbance, a psychiatrist or a provider as specified in item B must participate in the diagnostic assessment, formulation of an individual treatment plan, and monitoring of the clinical progress of a client as specified in item A or B. The extent of the participation of the psychiatrist or, in the case of a child with severe emotional disturbance, a psychiatrist or a provider as specified in item B shall be according to the individual clinical needs of the client as mutually determined by the mental health professional who is conducting the assessment and by the psychiatrist or, in the case of a child with severe emotional disturbance, a psychiatrist or a provider as specified in item B who participates. At a minimum, the participation must consist of timely reviews of the activities specified in this subpart and verbal interaction between the psychiatrist or, in the case of a child with severe emotional disturbance, a psychiatrist or a provider as specified in item B and the mental health professional. The following cases require participation:

B. When the client is a child with a severe emotional disturbance who meets the definition under *Minnesota Statutes*, section 245.4871, subdivision 6, is currently under the care of a psychiatrist, and is receiving antipsychotic or antidepressant medication for treatment of a depressive illness. In the case of a child with severe emotional disturbance whose response to psychoactive drugs other than antipsychotic and antidepressant medication is being followed by a physician who is a behavioral pediatrician or a neurologist, the required participation must be provided by a psychiatrist or provider who is competent to prescribe and monitor the effects of psychoactive medication for a pediatric population with severe emotional disturbance. When a child with a severe emotional disturbance is receiving an antidepressant medication for treating a condition other than a depressive illness, the participation of a psychiatrist is not required but the child's response to the antidepressant medication must be monitored by a behavioral pediatrician or neurologist.

Department of Human Services

Adopted Permanent Rules Relating to Mental Health Services

The rules proposed and published at *State Register*, Volume 17, Number 2, pages 58-61, July 13, 1992 (17 SR 58), are adopted with the following modifications:

Rules as Adopted

9505.0324 HOME-BASED MENTAL HEALTH SERVICES.

Subp. 6. **Excluded services.** The services specified in items A to K are not eligible for medical assistance payment:

I. home-based mental health services to a child or the child's family that duplicate health services funded under part 9505.0323, grants authorized according to *Minnesota Statutes*, section 245.4886, the Minnesota family preservation act, *Minnesota Statutes*, section 256F.03, subdivision 5, paragraph (e), or the Minnesota Indian family preservation act, *Minnesota Statutes*, sections 257.35 to 257.3579, except as provided in subitem (1) or (2):

(2) if the mental health professional providing the child's home-based mental health services anticipates the child or the child's family will need outpatient psychotherapy services upon completion of the home-based mental health services, then one session of individual psychotherapy per month for the child or one session of family psychotherapy per month for the child's family is eligible

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Adopted Rules

for medical assistance payment during the period the child is receiving home-based mental health services. For purposes of the child's transition to outpatient psychotherapy, the child may receive two additional psychotherapy visits per six-month episode of home-based mental health services if the mental health professional provides the home-based mental health services requests and obtains prior authorization. The mental health professional providing the home-based mental health services shall work with the provider of outpatient psychotherapy to facilitate the child's transition from home-based mental health services to outpatient psychotherapy services and to coordinate the child's mental health services as required under part 9505.0323, subpart 32;

J. home-based mental health services provided to a child with severe emotional disturbance who is not living in the child's residence ~~or who is participating in a program of partial hospitalization.~~ However, up to 35 hours of home-based mental health services provided within a six-month period to a child with severe emotional disturbance who is residing in a hospital, a group home as defined in part 9560.0520, subpart 4, a residential treatment facility licensed under parts 9545.0900 to 9545.1090, a regional treatment center, or other institutional group setting or who is participating in a program of partial hospitalization are eligible for medical assistance payment if the services are provided under an individual treatment plan for the child developed by the provider working with the child's discharge planning team and if the services are needed to assure the child's smooth transition to living in the child's residence; and

Subp. 8. **Travel to the child's treatment site.** Travel by a mental health professional to and from the site where the mental health professional provides home-based mental health services to a child is eligible for medical assistance payment ~~until June 30, 1993.~~ ~~Travel that occurs after June 30, 1993, is eligible for medical assistance payment only if the legislature appropriates funds sufficient to cover the cost or authorizes on an ongoing basis the transfer of state mental health dollars to cover the cost of travel.~~ Medical assistance payment to a mental health professional who travels to and from the site where the professional provides home-based mental health services to a recipient shall not exceed payment for more than 128 hours of travel per client in a six-month period. The commissioner's implementation of this subpart shall be subject to approval by the Health Care Financing Administration of the United States Department of Health and Human Services. Payment for travel under this subpart shall be at the hourly rate paid to a case manager for case management services under part 9505.0491, subparts 7 and 8.

Department of Labor and Industry

Adopted Permanent Rules Relating to Occupational Safety and Health; Employee Right-to-Know Standards

The rules proposed and published at *State Register*, Volume 17, Number 12, pages 598-628, September 21, 1992 (17 SR 598), are adopted with the following modifications:

Rules as Adopted

5206.0100 DEFINITIONS.

Subp. 11b. **Lead research individual.** "Lead research individual" means the laboratory director, lead chemist, or project engineer who, because of professional or technical education, training, or experience understands, before the time of exposure, the health risks and the necessary safety precautions associated with each hazardous substance, harmful physical agent, infectious agent, or mixture handled or used in the laboratory and is responsible for the safety and health of all individuals working in the laboratory.

5206.0300 SCOPE; EXCEPTIONS.

Subp. 7. Laboratories.

A. Laboratories where the laboratory use of hazardous chemicals occurs must comply with the requirements of *Code of Federal Regulations*, title 29, section 1910.1450 ~~and the following:~~

- (1) ~~employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced;~~
- (2) ~~employers shall maintain any material safety data sheets that are received with incoming shipments of hazardous chemicals and assure that they are readily accessible to laboratory employees; and~~
- (3) ~~employers shall ensure that laboratory employees are apprised of the hazards of the chemicals in their workplaces according to part 5206.0700.~~

Department of Public Safety

Adopted Permanent Rules Relating to Vehicle Ignition Interlock Devices

The rules proposed and published at *State Register*, Volume 17, Number 11, pages 556-562, September 14, 1992 (17 SR 556), are adopted with the following modifications:

Rules as Adopted**7409.3720 STANDARDS AND SPECIFICATIONS.**

Subp. 6. **Tampering, circumvention, or bypass.** The BAIID must provide a method to detect tampering, circumvention, or bypass. The BAIID must have a method to ~~prevent~~ deter an unauthorized person from operating the BAIID. A warning label visible to front seat occupants must be attached to the BAIID stating: "It is a misdemeanor to circumvent, bypass, or tamper with this device."

Subp. 8. **Driver messages.** The BAIID must provide the following information to the driver:

B. ~~either the AC of each breath sample or an indication for each breath sample of pass if the AC is below the alcohol setpoint or fail if the AC is at or above the alcohol setpoint;~~ and

Department of Public Service

Adopted Permanent Rules Relating to Cost-Share Maxi-Audit Grants

The rules proposed and published at *State Register*, Volume 17, Number 6, pages 270-271, August 10, 1992 (17 SR 270), are adopted as proposed.

Errata

Department of Education

Corrected Adopted Permanent Rules Relating to Elementary Staff Preparation Time

An incorrect version of this rule was published in the Vol. 16 #52 June 22, 1992 issue of the *State Register*. The correct version is printed below.

Rules as Adopted**3500.1400 ELEMENTARY SCHOOL STAFF.**

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

Subp. 3. **Preparation time.** The daily preparation time for an elementary school teacher must be comparable to that provided secondary teachers in the school district within the student contact day. The preparation time may be scheduled at one uninterrupted time period or two uninterrupted time periods during the ~~school~~ student contact day.

~~A school district that provides for elementary staff preparation time through the collective bargaining process is exempt from this subpart until July 1, 1993. The state board shall grant a variance from this subpart, for the 1992-1993 school year only, if a school district, by August 1, 1992, submits a written request and provides written documentation sufficient to satisfy the state board that implementation of the rule would impede student learning or restrain the effectiveness of the district's educational program. All school districts must comply with this subpart after June 30, 1993.~~

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Executive Orders

Executive Department

Executive Order 92-15: Directing State Departments and Agencies to Eliminate Unnecessary Rules and Regulations Affecting Minnesota Business

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

WHEREAS, jobs are fundamental to supporting Minnesota's quality of life; and

WHEREAS, a healthy and thriving business community is essential to the creation of new jobs in Minnesota; and

WHEREAS, various state agencies and departments are responsible for issuing and implementing rules and regulations which directly affect Minnesota's businesses; and

WHEREAS, it is in the public interest that state agencies assist businesses in their compliance with these rules and regulations; and

WHEREAS, the state, through its public agencies and units of government must provide leadership and make a commitment to maintain and encourage the growth of job opportunities;

NOW, THEREFORE, I hereby order that:

1. All responsible departments and agencies of the State of Minnesota shall analyze and review existing rules and regulations affecting Minnesota businesses and identify all rules and regulations which do not have an immediate, necessary and substantial impact on achieving the interest intended to be protected by the rule or regulation.

2. All responsible agencies and departments of the State of Minnesota shall eliminate or revise any rule and regulation which does not have an immediate, necessary and substantial impact on achieving the interest intended to be protected.

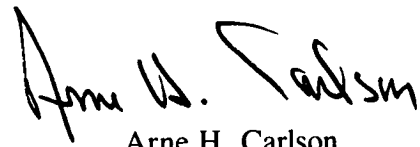
3. The head of each department or agency shall, by appropriate means, ensure that all staff are advised of this order and shall, by March 1, 1993, report to the Commissioner of Trade and Economic Development on efforts to comply with this order.

4. The Commissioner of Trade and Economic Development shall, by April 15, 1993, forward to the Governor a composite report on implementation of this order and recommend any further executive or legislative action necessary.

In addition, I hereby encourage all local units of government to take similar actions to reduce the regulatory burdens on Minnesota businesses within their jurisdiction.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1990, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this third day of December, 1992.


Arne H. Carlson
Governor

Filed According to Law:
Joan Anderson Growe
Secretary of State

Dated: 3 December 1992

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 Commerce

Maximum Lawful Rate of Interest for Mortgages and Contracts for Deed for the Month of January 1993

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes*, section 47.20, Subdivision 4a, the maximum lawful rate of interest for conventional home mortgages and contracts for deed for the month of January 1993 is twelve and twenty-nine one-hundredths (12.29) percentage points.

Dated: December 1992

Bert J. McKasy
Commissioner of Commerce

Minnesota Comprehensive Health Association

Notice of Change of Location of Meeting of the Enrollee Appeal Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Enrollee Appeal Committee will be held at 2:00 p.m. on Wednesday, December 16, 1992 at *Blue Cross and Blue Shield of Minnesota*, not Prudential Insurance Company of America as published in the November 30, 1992 *State Register*.

The meeting will be at Blue Cross and Blue Shield of Minnesota, Waterview Building, 1200 Yankee Doodle Road, Eagan, Minnesota, in the 10th floor conference room.

Portions of this meeting may be closed to the public.

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

Department of Human Services

Quality Services Division

Notice of Publication of State Title XX Intended Use Report

The Quality Services Division of the Minnesota Department of Human Services has submitted a Title XX Intended Use Report for the period of October 1, 1992 through September 30, 1993 to the United States Department of Health and Human Services, Office of Human Development Services. The report is intended to meet federal requirements for funds provided under Title XX of the Social Security Act.

The plan is available for public review and comment. A copy of the plan can be obtained by contacting:

Minnesota Department of Human Services	444 Lafayette Road
Quality Services Division	St. Paul, MN 55155-3839
Title XX Intended Use Report—1993	

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Construction Projects

Effective December 14, 1992 prevailing wage rates are certified for commercial construction projects in: Ramsey & Dakota counties for: 1-SP-214/MSB 7033; Clay county: Moorhead State University; Lyon county: Food Service West, Southwest State University—asbestos removal for classroom/lab remodeling, student center roof restoration & waterproofing/phase 6, classroom & lab remodeling, asbestos removal for RA facility, construct tennis courts, and recreation/athletic facility.

Also, Labor Class Code 101—Common Laborer in Cottonwood county for effective date November 30, 1992 has been corrected.

Official Notices

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.
Commissioner

Department of Labor and Industry

Workers' Compensation Division

Notice of Application for Appointment to Workers' Compensation Insurers' Task Force

APPLICATION FOR APPOINTMENT
TO
WORKERS' COMPENSATION INSURERS' TASK FORCE

Name	Title
Organization	Phone Number
Address	

The purpose of the Workers' Compensation Insurers' Task Force is to provide information, advice and assistance to the Department of Labor and Industry and the Workers' Compensation Division for improved service to claims administrators.

Please indicate your experience with Minnesota workers' compensation claims and how you could contribute to the effectiveness of this task force.

Signed _____ Date _____

PLEASE RETURN COMPLETED FORM BY DECEMBER 28, 1992 TO:

Debbie Caswell
Assistant Commissioner's Office
Department of Labor and Industry
443 Lafayette Road
St. Paul, Minnesota 55101

State Law Library

Joint Notice of County Law Library Filing Fees

Pursuant to *Minnesota Statutes* 134A.09 and 134A.10, the following law library fees will be effective January 1, 1993. Civil fees include probate matters EXCEPT as noted. Criminal conviction includes felonies, gross misdemeanors, and misdemeanors unless otherwise noted.

COUNTY	CIVIL	CONCILIATION	CRIMINAL CONVICTION	PETTY MISD.	NOTES:
Lincoln	10	10	10	5	Nothing on parking.
Lyon	10	10	10	5	Nothing on parking.
Ramsey	10	5	2	2	Nothing on parking.

Minnesota Property Insurance Placement Facility

Notice of Meeting of the Board of Directors

NOTICE IS HEREBY GIVEN that a meeting of the Board of Directors of the Minnesota Property Insurance Placement Facility will be held at 9:00 a.m. on Wednesday, December 16, 1992 at its office located at 17 North Washington Avenue (Suite 300), Minneapolis, MN. For additional information please call 338-7584.

Office of the Minnesota Racing Commission

Notice to the Public: Americans with Disabilities Act

It is the policy of the Minnesota Racing Commission ("Racing Commission") to comply with the provisions of the Americans with Disabilities Act, 42 U.S.C.A. Section 12101, et.seq. ("ADA"). The ADA prohibits discrimination against qualified individuals with disabilities on the basis of their disability. The ADA provides, in part, that qualified individuals with disabilities shall not be excluded from participating in or be denied the benefits of any program, service or activity offered by this Department.

The ADA requires that all programs, services and activities, when viewed in their entirety, are readily accessible to and usable by qualified individuals with disabilities. This Department must communicate effectively with individuals with speech, visual, and hearing impairments and provide auxiliary communication aids to qualified individuals with disabilities participating in or benefitting from this Department's programs, services or activities to afford equal opportunity.

Should you wish to review the ADA or its interpretive regulations, ask questions about your rights and remedies under the ADA, request a reasonable modification to this Department's policies, practices or procedures, or file a written grievance with this Department alleging non-compliance with the ADA, please contact the Department's Designated Coordinator for the ADA listed below.

Sharon A. Beighley
Minnesota Racing Commission
7825 Washington Avenue South, #800
Bloomington, Minnesota 55439
Voice: 612-341-7555
TDD/Voice Relay: 612-297-5353
TDD/Voice Relay (Mn Only): 800-627-3529

Department of Revenue

Appeals, Legal Services, and Criminal Investigation Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Lawful Gambling Tax Rules Governing Annual Audits

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue is seeking information or opinions from sources outside the department in preparing to propose the adoption of rules governing the annual financial audits of the lawful gambling activities and funds of organizations licensed under Chapter 349. The annual audit requirement is set forth in *Minnesota Statutes*, section 349.19 Subd. 9. The adoption of these rules are authorized by *Minnesota Statutes*, section 270.06(13), which permits the commissioner of revenue to make, publish, and distribute rules for the administration and enforcement of state tax laws.

The Minnesota Department of Revenue requests information and opinions concerning the subject matter of the rules. The Department of Revenue is particularly interested in taxpayer's opinions that indicate support or opposition to adoption of rules which would prescribe different levels of audit requirements depending on the organizations gross receipts from lawful gambling activities. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Patrick J. Finnegan
Department of Revenue
Appeals, Legal Services, and
Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220

Oral statements will be received during regular business hours over the telephone at (612) 296-1902 Extension 114, and in person at the above address.

All statements of information and opinions shall be accepted until January 14, 1993. Any written material received by the Minnesota Department of Revenue shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

Dated: 14 December 1992

Patrick J. Finnegan
Attorney

Department of Transportation

Open Meeting of State Aid Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Wednesday, December 16, 1992, at 9:30 a.m. in Room 546 of the State Office Building, 100 Constitution Avenue, St. Paul, MN 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 and administrative procedures 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 City of Fridley for a variance from minimum right-of-way width requirements as they apply to proposed reconstruction projects on Brookview Drive from 68th Avenue to Rice Creek Terrace, Monroe Street from 67th Avenue to Rice Creek Terrace, and Regis Drive from Regis Lane to Hathaway Lane, so as to allow 40 and 50 foot right-of-way widths; instead of the required minimum of 60 feet.
2. Petition of the City of Columbia Heights for a variance from minimum standards as they apply to the resurfacing of 39th Avenue from 5th Street to T.H. 65, and 51st Avenue from Washington Street to T.H. 65, and Jefferson Street from 40th Avenue to 51st Avenue, so as to allow crest and sag vertical curves to remain in place that do not meet the minimum 30 m.p.h. design requirement; instead of reconstructing to meet the minimum 30 m.p.h. requirement.
3. Petition of the City of Cambridge for a variance from state aid rules as they apply to MSAS 105 (Second Avenue West) between the Rum River and County Road 70, so as to allow the City to recover from their municipal state-aid account the sum of \$20,000 to apply toward the cost of engineering; instead of recovering the funds at the time of project award as required.
4. Petition of Kettle River Township, Pine County, for a variance from minimum standards as they apply to the replacement of Bridge Number 58524, in Kettle River Township, Pine County, so as to allow HS-20 loading; instead of the required HS-25 loading.
5. Petition of Wells Township, in Rice County, for a variance from minimum standards as they apply to a proposed reconstruction project on 175th and 177th Streets and Elmore Avenue, which are the designated public access route for French Lake in Wells Township, Rice County, Minnesota, so as to permit two vertical and one horizontal curves to be reconstructed to a 20 m.p.h. design speed; instead of the required 30 m.p.h. minimum.
6. Petition of Dodge County for a variance from minimum standards as they apply to a proposed reconstruction project on CSAH 9 between CSAH 16 and CSAH 22, so as to permit 11' lanes, 3.4' shoulders, 3:1 inslope ratios, and a bridge width of 23 feet; instead of the 12' lane, 4' shoulder, 4:1 inslope ratio, and 28 foot bridge width minimum requirements.
7. Petition of the City of Red Wing for a variance from minimum standards as they apply to a proposed resurfacing project on East Avenue between 7th and 12th Streets and on Industrial Park Road from Tyler Road North to Cannon River Avenue, so as to permit one 27 m.p.h. vertical curve and one 28 m.p.h. horizontal curve to remain in place; instead of reconstructing to the required 30 m.p.h. minimum.
8. Petition of Itasca County for a variance from minimum standards as they apply to the proposed reconstruction of CSAH 12 from T.H. 65 in Pengilly to 1.7 miles southeast of T.H. 65, so as to permit the reconstruction of one horizontal curve to 25 m.p.h. design speed, instead of the required 30 m.p.h. minimum.

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

9:30 a.m. City of Fridley

9:50 a.m. City of Columbia Heights

Official Notices

10:10 a.m. City of Cambridge
10:30 a.m. Kettle River Township/Pine County
11:00 a.m. Wells Township/Rice County
11:20 a.m. Dodge County
11:50 a.m. City of Red Wing
12:10 p.m. Itasca County

Dated: 7 December 1992

Edwin H. Cohoon
Deputy Commission
Minnesota Department of Transportation

Petition of the City of Fridley for a Variance from State Aid Requirements for RIGHT-OF-WAY WIDTH

NOTICE IS HEREBY GIVEN that the City Council of the City of Fridley has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to proposed reconstruction projects on MSAS 325 (Brookview Drive) between 68th Avenue and Rice Creek Terrace, and on MSAS 333 (Monroe Street) between 67th Avenue and Rice Creek Terrace, and on proposed MSAS 351 (Regis Drive) between Regis Lane and Hathaway Lane.

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 right-of-way widths of 40 and 50 feet; instead of the required minimum of 60 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 this 7th day of December, 1992.

Edwin H. Cohoon
Deputy Commissioner

Petition of the City of Columbia Heights for a Variance from State Aid Requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the City Council of the City of Columbia Heights has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to proposed reconstruction projects on MSAS 107 (Jefferson Street NE) between 40th Avenue and 51st Avenue, and on MSAS 110 (39th Avenue NE) between 5th Street and T.H. 65, and on MSAS 111 (51st Avenue NE) between Washington Street and T.H. 65.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9945 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit design speeds of less than 30 m.p.h., based on the stopping sight distances of the in-place vertical curves; instead of the required minimum of 30 miles per hour.

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 this 7th day of December, 1992.

Edwin H. Cohoon
Deputy Commissioner

Petition of the City of Cambridge for a Variance from State Aid Rules for REIMBURSEMENT FOR ENGINEERING COSTS

NOTICE IS HEREBY GIVEN that the City Council of the City of Cambridge has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the proposed reconstruction of MSAS 105 (Second Avenue West) between the Rum River and County Road 70.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.1500 adopted pursuant to *Minnesota Statutes*

Chapter 161 and 162, so as to permit reimbursement for costs of preliminary engineering in advance of the submittal of the report of state aid contract; instead of with the report of state aid contract as required.

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 this 7th day of December, 1992.

Edwin H. Cohoon
Deputy Commissioner

Petition of Kettle River Township, Pine County, for a Variance from State Aid Rules for BRIDGE STRUCTURAL CAPACITY

NOTICE IS HEREBY GIVEN that the Town Board of Kettle River Township has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the proposed replacement of bridge number 58524 in Kettle River Township, Pine County, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a structural capacity for a new bridge of HS-20; instead of with the required minimum of HS-25.

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 this 7th day of December, 1992.

Edwin H. Cohoon
Deputy Commissioner

Petition of Wells Township, Rice County, for a Variance from State Aid Rules for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Town Board of Wells Township has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the proposed reconstruction of 175th Street, 177th Street, and Elmore Avenue from County Road 69 to the public access at French Lake.

The request is for a variance from Standards for Park Roads, so as to permit a design speed of 20 miles per hour for one horizontal curve, at approximate station 33 + 97, and two vertical curves, at approximate stations 12 + 89 and 17 + 32; instead of with the required minimum of 30 miles per hour.

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 this 7th day of December, 1992.

Edwin H. Cohoon
Deputy Commissioner

Petition of Dodge County, for a Variance from State Aid Rules for LANE WIDTH, SHOULDER WIDTH, INSLOPES, and BRIDGE WIDTH

NOTICE IS HEREBY GIVEN that the County Board of Dodge County has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the proposed reconstruction of CSAH 9, between CSAH 16 and CSAH 22.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a lane width of 11 feet, a shoulder width of 3.4 feet, inslopes of 3:1, and a bridge width of 23 feet; instead of required minimums of 12 foot lanes, 4 foot shoulders, 4:1 inslopes, and a 28 foot wide bridge.

Official Notices

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 this 7th day of December, 1992.

Edwin H. Cohoon
Deputy Commissioner

Petition of the City of Red Wing for a Variance from State Aid Requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the City Council of the City of Red Wing has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to proposed reconstruction projects on MSAS 105 (East Avenue) between 7th Street and 12th Street, and on MSAS 125 (Industrial Park Road) between Tyler Road North and Cannon River Avenue.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9945 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a design speed of 27 miles per hour for one vertical curve on East Avenue, at approximate station 12 + 00, and a design speed of 28 miles per hour for one horizontal curve on Industrial Park Road, at approximate station 1124 + 16; instead of the required minimums of 30 miles per hour.

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 this 7th day of December, 1992.

Edwin H. Cohoon
Deputy Commissioner

Petition of Itasca County for a Variance from State Aid Requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the County Board of Itasca County has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the proposed reconstruction of CSAH 12 from T.H. 65 in Pengilly to 1.7 miles southeast of T.H. 65.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a design speed of 25 miles per hour for one horizontal curve, at approximate station 4 + 88; instead of the required minimum of 30 miles per hour.

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 this 7th day of December, 1992.

Edwin H. Cohoon
Deputy Commissioner

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.

Minnesota Historical Society

Application Deadline for Certified Local Government Matching Grants Program

The application deadline for the Minnesota Historical Society's F. Y. 1993 federal Certified Local Government matching grants program is 4:30 p.m., Friday, February 5, 1993. Cities with local historic preservation ordinances, commissions, and programs certified by the State Historic Preservation Office are eligible applicants. It is anticipated that at least \$57,000 will be awarded.

Proposals which promote survey in areas of known development activity in order to reduce project delays, proposals which promote the continuing development of data for planning use, and proposals related to properties associated with the history of heretofore under-documented groups or communities (ethnic or racial minorities for example, but also other groups defining themselves as communities) will receive special priority. Instructions regarding the full range of eligible activities and information on the selection process and criteria are found in the F. Y. 1993 CLG Grants Manual. To request a complete application package or for further information contact Beverly Mitchell at (612) 296-5434.

This program receives Federal funds from the National Park Service. Regulations of the U. S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally assisted Programs on the basis of race, color, national origin, age or disability. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U. S. Department of the Interior, National Park Service, P. O. Box 37127, Washington, D.C. 20013-7127.

Britta L. Bloomberg, Deputy State
Historic Preservation Officer

Professional, Technical & Consulting Contracts

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

Department of Natural Resources

Notice of Request for Proposals to Prepare and Execute a Study of and Plan for Coordinating and Improving DNR's Customer Services Which are or may be Provided Through a Combination of Telephone and Computer Assisted Operations

The Minnesota Department of Natural Resources (DNR) is requesting proposals from qualified firms and individuals to **prepare and execute a study and to develop a plan for the provision of coordinated DNR customer services which are or may be provided through a combination of telephone and computer-assisted operations.** The study and plan will minimally include the following customer services: a) information dissemination for all DNR services and functions, as well as other outdoor recreation-related information; b) all DNR license sales; c) watercraft, snowmobile, and ATV registrations; d) watercraft titling; e) camping and lodging reservations; and f) merchandise sales. The customers' desire for change, the feasibility of altering current operations, the impact on other public and private providers of services, the desirability of providing new services in-house or through private vendors, DNR computer technologies, and cost effectiveness will all be evaluated in the study.

The study will attempt to answer three basic questions: 1) Should the DNR alter the manner in which it is providing existing customer services; if so, how? 2) Is a one-stop-phone-shopping approach preferable to the provision of separate customer services or multiple vendors?, and 3) Is it more feasible to provide customer services through in-house operations or through private contracts?

The plan will detail the manner in which specific customer service changes should be implemented within a five-year period.

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

Professional, Technical & Consulting Contracts

Proposals must include certification of compliance from the Commissioner of Human Rights pursuant to *Minnesota Statutes*, 1990, Section 363.073.

Proposals must be received by 4:30 p.m., Central Standard Time, January 22, 1993. Interviews (tentative) of finalists will be held January 27, 28, or 29, 1993, with final selection by February 1, 1993. This study will extend over a 4 month period beginning February 2, 1993. It is estimated that the cost of this project will be between \$75,000 and \$90,000.

For a copy of the Request for Proposals contact:

Cathy Dybiec, Office of Planning
Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, Minnesota 55155-4010
(612) 297-3357

Department of Transportation

Notice to Consulting Engineers—Registered Civil and Structural

The Minnesota Department of Transportation (Mn/DOT) anticipates retaining Bridge Design Consultants to design and prepare construction plans for a limited number of bridges of average complexity during 1993.

Applicants must have an office in Minnesota staffed to handle the work and must have recent experience in the production of bridge plans for the State Highway System, the County State Aid Highway System, or equivalent.

Applicants shall identify personnel who will conduct the work and detail their training and experience; summarize Computer Aided Drafting and Design (CADD) experience and qualifications; and list the bridge analysis and design programs used by the firm.

Applicants shall indicate if your firm is:

A. Certified by the Department of Human Rights for Affirmative Action as follows:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00; all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

Your proposal will be rejected unless it includes one of the following:

- 1.) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- 2.) A letter from Human Rights certifying that your firm has a current certificate of compliance; or
- 3.) A notarized letter certifying that your firm has not had more than 20 full-time employees at any time during the previous 12 months

B. Certified as a Disadvantaged Business Enterprise (DBE).

C. Qualified as a Small Business—*Minnesota Statutes* 645.445.

D. Qualified as a Small Targeted Business—*Minnesota Statutes* 16B.19.

All eligible design firms desiring to be considered as design contractors are asked to submit a brochure or résumé giving qualifications and experience to:

D. J. Flemming
State Bridge Engineer
610D Transportation Building
395 John Ireland Blvd.
St. Paul, Minnesota 55155

Brochures and résumés will be received until 12:00 p.m., December 31, 1992. Include your Affirmative Action qualifications with these submittals.

Applicants may be requested to interview at the Transportation Building in St. Paul.

Names of selected firms will be retained on file with Mn/DOT for consideration during 1993.

Non-State Public Bids and Contracts

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

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

Regional Transit Board

Request for Proposal to Operate Three Fixed Route Public Transit Services

The Regional Transit Board of the Twin Cities, the City of Maple Grove, and the City of Plymouth, are issuing a joint request for proposal (RFP) to operate three fixed route public transit services for a five year period that requires 36 large transit vehicles and 8 mid-size transit vehicles, experiences annual ridership of 665,000, and operates annually 34,545 service hours and 641,888 service miles. All three services are located in the northwest quadrant of the Twin Cities Metropolitan Area. The deadline for submittal of proposals is January 12, 1993. The target start-up date for this service is June 1, 1993. If interested in receiving this RFP, please contact Michael Opatz, Project Administrator, Regional Transit Board at (612) 229-2717 or at 230 East Fifth Street, Saint Paul, MN 55101.

Awards of 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.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management 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.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid: Call 296-2600 for information on a specific bid, or to request a specific bid.

COMMODITY CODE KEY

A = Sealed Bid	G = \$5,000-\$15,000 Estimated Dollar Value	J = Targeted Vendors Only
B = Write for Price	H = \$15,000-\$50,000 Sealed Bid	K = Local Service Needed
C = Request for Proposal	I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required	L = No Substitute
D = Request for Information		M = Installation Needed
E = \$0-\$1,500 Estimated Dollar Value		N = Pre-Bid Conference
F = \$1,500-\$5,000 Estimated Dollar Value		O = Insurance or Bonding Required

Item: Service, Printing Equipment,
Repair/Maintenance
Req.#: 02520-30044-01
Awarded to: Standard Dynamics, Inc.,
Minneapolis, MN
Awarded amount: \$3,200.00
Awarded date: December 2, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Department of
Administration

Item: Service, Printing Equipment,
Repair/Maintenance
Req.#: 02520-30045-01
Awarded to: Parsons Electric Co.,
Minneapolis, MN
Awarded amount: \$3,300.00
Awarded date: December 2, 1992
Expir/deliv date: December 10, 1992
Shipped to: Minnesota Department of
Administration

Item: Van, (Contract)
Req.#: 07500-42101-01
Awarded to: Thane Hawkins Polar
Chevrolet, White Bear Lake, MN
Awarded amount: \$32,486.00
Awarded date: December 2, 1992
Expir/deliv date: April 1, 1993
Shipped to: Various Locations

Awards of State Contracts and Advertised Bids

Item: Van, (Contract)
Req.#: 07500-42102-01
Awarded to: Thane Hawkins Polar Chevrolet, White Bear Lake, MN
Awarded amount: \$16,294.00
Awarded date: December 2, 1992
Expir/deliv date: March 25, 1993
Shipped to: Various Locations

Item: Van, (Contract)
Req.#: 07500-42103-01
Awarded to: Thane Hawkins Polar Chevrolet, White Bear Lake, MN
Awarded amount: \$48,729.00
Awarded date: December 2, 1992
Expir/deliv date: April 1, 1993
Shipped to: Various Locations

Item: Vending Machine
Req.#: 21200-53446-01
Awarded to: Bankers Equipment Service, Inc., Burnsville, MN
Awarded amount: \$1,609.00,
Awarded date: December 2, 1992
Expir/deliv date: December 15, 1992
Shipped to: Various Locations

Item: Dental Instruments
Req.#: 26071-47390-01
Awarded to: Marcus John, Minneapolis, MN
Awarded amount: \$2,100.00
Awarded date: December 2, 1992
Expir/deliv date: December 9, 1992
Shipped to: Mankato State University

Item: Typewriter
Req.#: 26073-24283-01
Awarded to: Chader Business Equipment Co., St. Cloud, MN
Awarded amount: \$628.00
Awarded date: December 2, 1992
Expir/deliv date: January 1, 1993
Shipped to: St. Cloud State University

Item: Generator, Function, Electronic Test
Req.#: 26074-14749-01
Awarded to: Dytec Instruments, Inc., Edina, MN
Awarded amount: \$2,200.00
Awarded date: December 2, 1992
Expir/deliv date: December 21, 1992
Shipped to: Winona State University

Item: Service, Copy Machine, Repair/Maintenance
Req.#: 27165-65104-01
Awarded to: Midwest Business, Duluth, MN
Awarded amount: \$5,040.00
Awarded date: December 2, 1992
Expir/deliv date: December 2, 1992
Shipped to: Duluth Community College Center

Item: Ice Making Machine
Req.#: 27153-21479-01
Awarded to: St. Cloud Restaurant, St. Cloud, MN
Awarded amount: \$1,549.00
Awarded date: December 2, 1992
Expir/deliv date: December 15, 1992
Shipped to: North Hennepin Community College

Item: Fish Hatchery Supplies
Req.#: 29000-59917-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$1,037.00
Awarded date: December 2, 1992
Expir/deliv date: January 4, 1993
Shipped to: Department of Natural Resources—Regional Headquarters

Item: Fish Hatchery Supplies
Req.#: 29000-59918-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$332.00
Awarded date: December 2, 1992
Expir/deliv date: January 4, 1993
Shipped to: Department of Natural Resources

Item: Fish Hatchery Supplies
Req.#: 29000-59919-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$6,163.00
Awarded date: December 2, 1992
Expir/deliv date: January 4, 1993
Shipped to: Department of Natural Resources

Item: Fish Hatchery Supplies
Req.#: 29000-59920-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$4,807.50
Awarded date: December 2, 1992
Expir/deliv date: January 4, 1993
Shipped to: Department of Natural Resources—Peterson Hatchery

Item: Fish Hatchery Supplies
Req.#: 29000-59921-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$8,402.00
Awarded date: December 2, 1992
Expir/deliv date: January 4, 1993
Shipped to: Department of Natural Resources

Item: Fish Hatchery Supplies
Req.#: 29000-59922-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$3,609.00
Awarded date: December 2, 1992
Expir/deliv date: January 4, 1993
Shipped to: Department of Natural Resources

Item: Hardware, Door Lock & Hinging
Req.#: 55304-09458-01
Awarded to: Sell Hardware, Inc., Duluth, MN
Awarded amount: \$13,055.50
Awarded date: December 2, 1992
Expir/deliv date: February 28, 1993
Shipped to: Brainerd Regional Human Services Center

Item: Animal/Pet Supplies
Req.#: 75250-30096-01
Awarded to: Living Design, Sioux Falls, SD
Awarded amount: \$4,500.00
Awarded date: December 2, 1992
Expir/deliv date: December 21, 1992
Shipped to: Minnesota Veterans Home

Awards of State Contracts and Advertised Bids

Item: Lumber, Hardwood
Req.#: 78760-03239-01
Awarded to: Renneberg Hardwoods, Inc., Menahga, MN
Awarded amount: \$4,250.00
Awarded date: December 2, 1992
Expir/deliv date: December 10, 1992
Shipped to: Minnesota Correctional Facility

Item: Signal Equipment, Parts
Req.#: 79000-32380-01
Awarded to: Microwave Sensors, Ann Arbor, MI
Awarded amount: \$2,402.00
Awarded date: December 2, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Department of Transportation

Item: Infrared Equipment
Req.#: 79000-32515-01
Awarded to: Landuyt & Association, Fergus Falls, MN
Awarded amount: \$13,928.32
Awarded date: December 2, 1992
Expir/deliv date: December 15, 1992
Shipped to: Various Locations

Item: Trailer, Flatbed; to 8 Ton
Req.#: 79382-02546-01
Awarded to: Long Lake Ford Tractor, Long Lake, MN
Awarded amount: \$5,605.00
Awarded date: December 2, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Department of Transportation

Item: Connector, Electronic
Req.#: 02410-32423-01
Awarded to: Gopher Electric Co., St. Paul, MN
Awarded amount: \$895.85
Awarded date: December 4, 1992
Expir/deliv date: December 10, 1992
Shipped to: Intertechnologies Group

Item: Shipping System
Req.#: 02515-30546-01
Awarded to: Midwest Mailing Systems, Minneapolis, MN
Awarded amount: \$7,985.00
Awarded date: December 4, 1992
Expir/deliv date: December 31, 1992
Shipped to: Minnesota Department of Administration

Item: Computer, Personal
Req.#: 12200-13237-02
Awarded to: Ware, Inc. New Brighton, MN
Awarded amount: \$23,720.00
Awarded date: December 4, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Department of Health

Item: Computer, Personal
Req.#: 12900-13496-01
Awarded to: Ware, Inc. New Brighton, MN
Awarded amount: \$135,755.00
Awarded date: December 4, 1992
Expir/deliv date: December 31, 1992
Shipped to: Minnesota Department of Health

Item: Computer Equipment Supplies
Req.#: 21200-53458-01
Awarded to: Radio Shack Telephone, Golden Valley, MN
Awarded amount: \$2,699.00
Awarded date: December 4, 1992
Expir/deliv date: December 13, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Electrical Supplies, Miscellaneous
Req.#: 21200-53456-01
Awarded to: Stark Electric Supply, Minneapolis, MN
Awarded amount: \$3,512.00
Awarded date: December 4, 1992
Expir/deliv date: December 13, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Computer, Personal, Portable
Req.#: 26071-26340-01
Awarded to: Zeos International Ltd., St. Paul, MN
Awarded amount: \$3,658.50
Awarded date: December 4, 1992
Expir/deliv date: January 6, 1993
Shipped to: Mankato State University

Item: Theatrical Supplies
Req.#: 26072-04026-01
Awarded to: Secoa, Minneapolis, MN
Awarded amount: \$1,655.00
Awarded date: December 4, 1992
Expir/deliv date: December 31, 1992
Shipped to: Moorhead State University

Item: Audio/Video Equipment, Miscellaneous
Req.#: 26074-14750-01
Awarded to: Harris Allied Broadcast, Richmond, IN
Awarded amount: \$5,475.00
Awarded date: December 4, 1992
Expir/deliv date: December 11, 1992
Shipped to: Winona State University

Item: Audio/Video Supplies
Req.#: 26074-14751-01
Awarded to: Harris Allied Broadcast, Richmond, IN
Awarded amount: \$980.40
Awarded date: December 4, 1992
Expir/deliv date: December 11, 1992
Shipped to: Winona State University

Item: Laboratory/Science Supplies
Req.#: 26074-14756-01
Awarded to: Lafayette Instrument, Lafayette, IN
Awarded amount: \$2,385.00
Awarded date: December 4, 1992
Expir/deliv date: December 13, 1992
Shipped to: Winona State University

Item: Biological Equipment
Req.#: 26074-14753-01
Awarded to: Bak Electric, Germantown, MD
Awarded amount: \$5,595.00
Awarded date: December 4, 1992
Expir/deliv date: December 18, 1992
Shipped to: Winona State University

Item: Truck, Medium Duty; 11,001 to 26,000 GVW
Req.#: 26074-14823-01
Awarded to: Elmers Auto Sales, Fountain City, WI
Awarded amount: \$5,000.00
Awarded date: December 4, 1992
Expir/deliv date: December 11, 1992
Shipped to: Winona State University

Item: Medical Laboratory Equipment, Miscellaneous
Req.#: 55304-09457-01
Awarded to: Madsen Electric, St. Louis Park, MN
Awarded amount: \$6,700.00
Awarded date: December 4, 1992
Expir/deliv date: January 2, 1993
Shipped to: Brainerd Regional Human Service Center

Awards of State Contracts and Advertised Bids

Item: Service, Medical Equipment, Repair/Maintenance
Req.#: 55105-09266-01
Awarded to: Lifespan, Inc., Moundsview, MN
Awarded amount: \$1,165.00
Awarded date: December 4, 1992
Expir/deliv date: January 1, 1993
Shipped to: St. Peter Regional Treatment Center

Item: Computer Equipment Supplies
Req.#: 67450-53421-01
Awarded to: Parker Association, Wayzata, MN
Awarded amount: \$2,556.61
Awarded date: December 4, 1992
Expir/deliv date: December 10, 1992
Shipped to: Department of Revenue, Support

Item: Tank, Storage, Portable
Req.#: 79382-02544-01
Awarded to: Reed Systems Ltd., Ellenville, NY
Awarded amount: \$8,300.00
Awarded date: December 4, 1992
Expir/deliv date: December 30, 1992
Shipped to: Various Locations

Item: Tank, Storage, Portable
Req.#: 79382-02545-01
Awarded to: Reed Systems Ltd., Ellenville, NY
Awarded amount: \$11,930.00
Awarded date: December 4, 1992
Expir/deliv date: December 30, 1992
Shipped to: Various Locations

Item: Testing Equipment, Fatigue
Req.#: 79000-32557-01
Awarded to: Trask Engineering, Minneapolis, MN
Awarded amount: \$9,239.50
Awarded date: December 4, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Department of Transportation

Item: Hardware, Electronic, Miscellaneous
Req.#: 79050-70675-01
Awarded to: Optim Electric Corp., Germantown, MD
Awarded amount: \$7,458.00
Awarded date: December 4, 1992
Expir/deliv date: January 30, 1993
Shipped to: Minnesota Department of Transportation

Item: Reflectometer, Time Domain
Req.#: 79000-32660-01
Awarded to: Campbell Scientific, Inc., Logan, UT
Awarded amount: \$4,085.00
Awarded date: December 4, 1992
Expir/deliv date: January 4, 1993
Shipped to: Minnesota Department of Transportation

Item: Truck Body, Cab & Frame Components
Req.#: 79750-01252-01
Awarded to: Kenway Engineering, Inc., Fairmont, MN
Awarded amount: \$1,775.00
Awarded date: December 4, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Department of Transportation

Item: Laboratory/Science Equipment, Miscellaneous
Req.#: 80300-93207-01
Awarded to: Arrow Tank & Engineering, Coon Rapids, MN
Awarded amount: \$4,400.00
Awarded date: December 4, 1992
Expir/deliv date: December 15, 1992
Shipped to: Weights and Measures Division

Item: Computer, Personal
Req.#: 02420-34574-01
Awarded to: PC Tailors, Roseville, MN
Awarded amount: \$11,256.00
Awarded date: December 3, 1992
Expir/deliv date: December 16, 1992
Shipped to: Department of Administration

Item: Modem, Data Communications
Req.#: 07500-42085-01
Awarded to: Telesciences, Bloomingdale, IL
Awarded amount: \$4,345.00
Awarded date: December 3, 1992
Expir/deliv date: December 14, 1992
Shipped to: Various Locations

Item: Service, Truck, Repair/Maintenance
Req.#: 07500-42107-01
Awarded to: Sugar Loaf Ford, Winona, MN
Awarded amount: \$3,437.51
Awarded date: December 3, 1992
Expir/deliv date: December 15, 1992
Shipped to: Department of Public Safety

Item: Service, Auto Body Repair; Non Metro Area
Req.#: 07500-42104-01
Awarded to: Elk River Collision, Elk River, MN
Awarded amount: \$4,149.79
Awarded date: December 3, 1992
Expir/deliv date: December 10, 1992
Shipped to: Department of Public Safety

Item: Detector, Gas Hazard
Req.#: 12200-14460-01
Awarded to: Elvin Safety Supply, Inc., Eden Prairie, MN
Awarded amount: \$4,673.50
Awarded date: December 3, 1992
Expir/deliv date: December 10, 1992
Shipped to: Minnesota Department of Health

Item: Vending Machine
Req.#: 21200-53445-01
Awarded to: Vendors Supply & Service, Bloomington, MN
Awarded amount: \$1,995.00
Awarded date: December 3, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Handicapped Device, Visual
Req.#: 21701-53453-01
Awarded to: Telesensory Systems, Inc., Mountain View, CA
Awarded amount: \$2,738.00
Awarded date: December 3, 1992
Expir/deliv date: December 30, 1992
Shipped to: Various Locations

Awards of State Contracts and Advertised Bids

Item: Computer Network Equipment
Req.#: 26137-02143-01
Awarded to: Emcomm, Loretto, MN
Awarded amount: \$3,654.00
Awarded date: December 3, 1992
Expir/deliv date: December 31, 1992
Shipped to: St. Cloud State University

Item: Computer, Personal
Req.#: 26071-64528-01
Awarded to: Sun Microsystems, Bloomington, MN
Awarded amount: \$29,368.86
Awarded date: December 3, 1992
Expir/deliv date: March 15, 1993
Shipped to: Mankato State University

Item: Oil, Lubrication
Req.#: 26071-64550-01
Awarded to: Tech Marketing, Eden Prairie, MN
Awarded amount: \$1,824.00
Awarded date: December 3, 1992
Expir/deliv date: December 15, 1992
Shipped to: Mankato State University

Item: Auto, (Contract)
Req.#: 26071-43234-01
Awarded to: Coon Rapids Chrysler, Coon Rapids, MN
Awarded amount: \$61,764.00
Awarded date: December 3, 1992
Expir/deliv date: May 20, 1993
Shipped to: Mankato State University

Item: Auto, (Contract)
Req.#: 26071-43234-02
Awarded to: Becker Ron, Hastings, MN
Awarded amount: \$29,211.34
Awarded date: December 3, 1992
Expir/deliv date: February 20, 1993
Shipped to: Mankato State University

Item: Auto, (Contract)
Req.#: 26071-43235-01
Awarded to: Becker Ron, Hastings, MN
Awarded amount: \$17,362.00
Awarded date: December 3, 1992
Expir/deliv date: February 20, 1993
Shipped to: Mankato State University

Item: Communication Equipment, Microwave
Req.#: 26072-04012-01
Awarded to: Omni Satellite, Eagan, MN
Awarded amount: \$5,950.00
Awarded date: December 3, 1992
Expir/deliv date: December 9, 1992
Shipped to: Various Locations

Item: Cabinet, Storage Locker
Req.#: 26073-24286-01
Awarded to: Tab Products, Minneapolis, MN
Awarded amount: \$952.00
Awarded date: December 3, 1992
Expir/deliv date: January 4, 1993
Shipped to: St. Cloud State University

Item: Computer, Personal
Req.#: 26074-14821-01
Awarded to: Blue Star Marketing, Minneapolis, MN
Awarded amount: \$2,938.00
Awarded date: December 3, 1992
Expir/deliv date: December 24, 1992
Shipped to: Winona State University

Item: Training Tape, Video, Miscellaneous
Req.#: 26074-14757-01
Awarded to: The Education Group, Los Angeles, CA
Awarded amount: \$3,064.00
Awarded date: December 3, 1992
Expir/deliv date: December 30, 1992
Shipped to: Winona State University

Item: Truck, Medium Duty; 11,001 to 26,000 GVW
Req.#: 26074-14823-02
Awarded to: Fenske Body Shop, Winona, MN
Awarded amount: \$5,800.00
Awarded date: December 3, 1992
Expir/deliv date: December 7, 1992
Shipped to: Winona State University

Item: Seating, Fixed, Auditorium
Req.#: 27157-48958-01
Awarded to: Offisource, Inc., Minneapolis, MN
Awarded amount: \$1,572.00
Awarded date: December 3, 1992
Expir/deliv date: January 4, 1993
Shipped to: Inver Hills Community College

Item: Cartridge, Toner, Printer
Req.#: 27150-50347-01
Awarded to: Liberty Small Business, Minneapolis, MN
Awarded amount: \$887.64
Awarded date: December 3, 1992
Expir/deliv date: December 11, 1992
Shipped to: Mesabi Community College

Item: Computer, Personal, Portable
Req.#: 27147-47494-01
Awarded to: IBM Corp., Minneapolis, MN
Awarded amount: \$4,692.00
Awarded date: December 3, 1992
Expir/deliv date: December 21, 1992
Shipped to: Vermilion Community College

Item: Music Accessories & Parts
Req.#: 27146-93515-01
Awarded to: Roger Dodger Music Co., Hopkins, MN
Awarded amount: \$2,565.00
Awarded date: December 3, 1992
Expir/deliv date: December 30, 1992
Shipped to: Worthington Community College

Item: Computer, Personal
Req.#: 29001-25576-01
Awarded to: Dell Computer Corp., Austin, TX
Awarded amount: \$10,597.00
Awarded date: December 3, 1992
Expir/deliv date: December 21, 1992
Shipped to: Department of Natural Resources

Item: Computer Equipment, Miscellaneous
Req.#: 37001-30576-01
Awarded to: Ablenet, Inc., Minneapolis, MN
Awarded amount: \$541.78
Awarded date: December 3, 1992
Expir/deliv date: December 18, 1992
Shipped to: Minnesota Academy for the Deaf

Item: Sprayer, Agriculture
Req.#: 55106-03144-01
Awarded to: Abner Sales, Benson, MN
Awarded amount: \$3,266.00
Awarded date: December 3, 1992
Expir/deliv date: December 15, 1992
Shipped to: Willmar R.T.C.

Awards of State Contracts and Advertised Bids

Item: Snowblower, Walk Behind
Req.#: 55303-93476-01
Awarded to: Olsons Sales & Service,
Faribault, MN
Awarded amount: \$8,500.00
Awarded date: December 3, 1992
Expir/deliv date: December 7, 1992
Shipped to: Faribault Regional Center

Item: Office Machine, Mailroom,
Miscellaneous
Req.#: 60000-08321-01
Awarded to: Friden Neopost, New
Brighton, MN
Awarded amount: \$17,288.50
Awarded date: December 3, 1992
Expir/deliv date: January 20, 1993
Shipped to: Minnesota Higher
Education Coordinating Board

Item: Van, (Contract)
Req.#: 78620-00485-01
Awarded to: Brookdale Pontiac GMC,
Minneapolis, MN
Awarded amount: \$12,305.00
Awarded date: December 3, 1992
Expir/deliv date: February 15, 1993
Shipped to: Minnesota Correctional
Facility

Item: Fence, Wire
Req.#: 78760-03245-01
Awarded to: K Fence Systems, Zumbro
Falls, MN
Awarded amount: \$627.00
Awarded date: December 3, 1992
Expir/deliv date: January 4, 1993
Shipped to: Minnesota Correctional
Facility

Item: Truck, Medium Duty; 11,001 to
26,000 GVW
Req.#: 79382-02539-01
Awarded to: Thane Hawkins Polar
Chevrolet, White Bear Lake, MN
Awarded amount: \$78,747.00
Awarded date: December 3, 1992
Expir/deliv date: February 1, 1993
Shipped to: Minnesota Department of
Transportation

Item: Service, Telephone Equipment
(Furnish and install phone system)
Req.#: 79100-09288-01
Awarded to: Executone Systems of
St. Paul
Awarded amount: \$52,145.00
Awarded date: December 3, 1992
Expir/deliv date: January 25, 1993
Shipped to: Minnesota Department of
Transportation

Item: Contractor, Security System at
MN/Road Site
Req.#: 79000-31814-02
Awarded to: Honeywell, Inc.,
Minneapolis, MN
Awarded amount: \$19,566.00
Awarded date: December 3, 1992
Expir/deliv date: December 30, 1992
Shipped to: Minnesota Department of
Transportation

Item: Industrial Machine, Special,
Miscellaneous
Req.#: 02310-25528-03
Awarded to: Nazar Edward J. Trustee,
Wichita, KS
Awarded amount: \$30,375.00
Awarded date: December 7, 1992
Expir/deliv date: December 30, 1992
Shipped to: Minnesota Correctional
Facility—Faribault

Item: Van, Modification, Handicap
Req.#: 21605-97272-01
Awarded to: Friese Charles, Fulda, MN
Awarded amount: \$2,500.00
Awarded date: December 7, 1992
Expir/deliv date: December 24, 1992
Shipped to: Various Locations

Item: Van, Modification, Handicap:
Req.#: 21605-98059-01
Awarded to: Handicapped Driving,
Burnsville, MN
Awarded amount: \$6,195.00
Awarded date: December 7, 1992
Expir/deliv date: December 21, 1992
Shipped to: Various Locations

Item: Copy Machine, Low Speed; Less
than 15CPM
Req.#: 21200-53370-01
Awarded to: Devneys Office Machines,
Mankato, MN
Awarded amount: \$6,370.50
Awarded date: December 7, 1992
Expir/deliv date: December 20, 1992
Shipped to: Various Locations

Item: Musical Instruments,
Miscellaneous
Req.#: 26072-03986-02
Awarded to: Yamaha Corporation of
America, Grand Rapids, MI
Awarded amount: \$5,359.34
Awarded date: December 7, 1992
Expir/deliv date: January 4, 1993
Shipped to: Moorhead State University

Item: Labels, Office Supplies
Req.#: 26073-24273-01
Awarded to: Bergstrom & Company,
Minneapolis, MN
Awarded amount: \$602.00
Awarded date: December 7, 1992
Expir/deliv date: December 17, 1992
Shipped to: St. Cloud State University

Item: Labels, Office Supplies
Req.#: 26073-24274-01
Awarded to: Bergstrom & Company,
Minneapolis, MN
Awarded amount: \$1,587.50
Awarded date: December 7, 1992
Expir/deliv date: January 1, 1993
Shipped to: St. Cloud State University

Item: Handicapped Equipment,
Miscellaneous
Req.#: Hub Machine & Tool, Graham,
TX
Awarded to: \$3,626.00
Awarded amount: December 7, 1992
Awarded date: December 30, 1992
Expir/deliv date: Normandale
Community College

Item: Door & Door Frame, Wood
Req.#: 75250-30386-01
Awarded to: Knox Lumber Company,
Newport, MN
Awarded amount: \$3,673.80
Awarded date: December 7, 1992
Expir/deliv date: December 25, 1992
Shipped to: Minnesota Veterans Home

Awards of State Contracts and Advertised Bids

Item: Copy Machine, High Speed; Over 50 CPM:
Req.#: 79300-09339-01
Awarded to: Metro Sales Inc., Richfield, MN
Awarded amount: \$39,368.00
Awarded date: December 7, 1992
Expir/deliv date: January 2, 1993
Shipped to: Minnesota Department of Transportation

Item: Tank, Storage, Portable
Req.#: 79350-01248-01
Awarded to: Pleasure Products Mfg., Moorhead, MN
Awarded amount: \$1,968.75
Awarded date: December 7, 1992
Expir/deliv date: January 4, 1993
Shipped to: Minnesota Department of Transportation

Item: Orthopedic Equipment
Req.#: 02305-33967-01
Awarded to: Miller G E Inc., Yonkers, NY
Awarded amount: \$2,036.95
Awarded date: December 8, 1992
Expir/deliv date: Decembere 28, 1992
Shipped to: Minesota Veterans Home

Item: Console, Radio Dispatch
Req.#: 07500-42086-01
Awarded to: Electrocom Communication, Santa Fe Springs, CA
Awarded amount: \$22,655.00
Awarded date: December 8, 1992
Expir/deliv date: December 20, 1992
Shipped to: Various Locations

Item: Typewriter
Req.#: 21200-53414-01
Awarded to: Devneys Office Machines, Mankato, MN
Awarded amount: \$1,990.00
Awarded date: December 8, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Office Machine, Coin Counting & Handling
Req.#: 21200-53444-01
Awarded to: Cummins Allison Corp., Eden Prairie, MN
Awarded amount: \$5,017.88
Awarded date: December 8, 1992
Expir/deliv date: December 24, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Office Machine, Coin Counting & Handling
Req.#: 21200-53449-01
Awarded to: Cummins Allison Corp., Eden Prairie, MN
Awarded amount: \$3,767.40
Awarded date: December 8, 1992
Expir/deliv date: December 24, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Electrical Supplies, Miscellaneous
Req.#: 26070-14934-01
Awarded to: Mohn Electric Co., Minneapolis, MN
Awarded amount: \$2,450.50
Awarded date: December 8, 1992
Expir/deliv date: December 16, 1992
Shipped to: Bemidji State University

Item: Copy Machine, Medium Speed; 15 to 50 CPM
Req.#: 26070-14908-01
Awarded to: Xerox Corp., Bloomington, MN
Awarded amount: \$5,814.50
Awarded date: December 8, 1992
Expir/deliv date: December 31, 1992
Shipped to: Bemidji State University

Item: Copy Machine, Medium Speed; 15 to 50 CPM
Req.#: 26175-03269-01
Awarded to: Bromen Office Supply Inc., Marshall, MN
Awarded amount: \$7,020.00
Awarded date: December 8, 1992
Expir/deliv date: December 15, 1992
Shipped to: Southwest State University

Item: Biological Equipment
Req.#: 27144-44426-01
Awarded to: Carolina Bio Supply Company, Burlington, NC
Awarded amount: \$1,765.45
Awarded date: December 8, 1992
Expir/deliv date: February 8, 1993
Shipped to: Itasca Community College

Item: Biological Equipment
Req.#: 27144-44427-01
Awarded to: Carolina Bio Supply Company, Burlington, NC
Awarded amount: \$890.31
Awarded date: December 8, 1992
Expir/deliv date: February 8, 1993
Shipped to: Itasca Community College

Item: Calculator
Req.#: 27154-47542-01
Awarded to: Calculators Inc., Minneapolis, MN
Awarded amount: \$1,980.00
Awarded date: December 8, 1992
Expir/deliv date: March 1, 1993
Shipped to: Lakewood Community College

Item: Post, Sign, 1.12 lb/ft x 8', Flanged
Req.#: 29006-31015-01
Awarded to: Gopher Sign Co., St. Paul, MN
Awarded amount: \$29,580.00
Awarded date: December 8, 1992
Expir/deliv date: December 30, 1992
Shipped to: Department of Natural Resources—Southern Service Center

Item: Material Handling Equipment, Miscellaneous
Req.#: 55101-03163-01
Awarded to: Royce Rolls Ringer Co., Grand Rapids, MI
Awarded amount: \$3,614.40
Awarded date: December 8, 1992
Expir/deliv date: December 18, 1992
Shipped to: Fergus Falls Regional Treatment Center

Item: Van, (Contract):
Req.#: 75300-93059-01
Awarded to: Becker Ron, Hastings, MN
Awarded amount: \$12,585.49
Awarded date: December 8, 1992
Expir/deliv date: January 15, 1993
Shipped to: Minnesota Veterans Home

Awards of State Contracts and Advertised Bids

Item: Spreader Attachment, Sand Truck
Req.#: 79382-02542-01
Awarded to: Reach Equipment,
Bloomington, MN
Awarded amount: \$11,858.86
Awarded date: December 8, 1992
Expir/deliv date: January 10, 1993
Shipped to: Various Locations

Item: Spreader Attachment, Sand Truck
Req.#: 79382-02543-01
Awarded to: Reach Equipment,
Bloomington, MN
Awarded amount: \$9,418.92
Awarded date: December 8, 1992
Expir/deliv date: January 10, 1993
Shipped to: Various Locations

Item: Fixture, Product Display
Req.#: 79000-32659-01
Awarded to: Featherlite, Minneapolis,
MN
Awarded amount: \$1,856.70
Awarded date: December 8, 1992
Expir/deliv date: December 24, 1992
Shipped to: Minnesota Department of
Transportation

Item: Construction Material,
Miscellaneous
Req.#: 79350-01249-01
Awarded to: Mathew Hall Lumber
Company, St. Cloud, MN
Awarded amount: \$1,675.30
Awarded date: December 8, 1992
Expir/deliv date: December 14, 1992
Shipped to: Minnesota Department of
Transportation

Department of Administration: Print Communications Division

Printing Contracts Awarded

Item: Poster
Req.#: 26243
Awarded to: Printing Enterprises, New
Brighton, MN
Amount: Not To Exceed \$2,000.00
Date: November 18, 1992
Deliver to: Human Services
Department, St. Paul
Delivery date: As requested

Item: Institutional Invoice
Req.#: 26470
Awarded to: Moore Business Forms,
Edina, MN
Amount: \$14,454.18
Date: December 2, 1992
Deliver to: Federal Surplus Property,
New Brighton, MN
Delivery date: 35 Days

Item: Department of Natural
Resources—Fishing Regs.
Req.#: 26525
Awarded to: American Spirit Graphics,
Minneapolis, MN
Amount: \$114,370.35
Date: December 1, 1992
Deliver to: Natural Resources
Department, St. Paul
Delivery date: As requested

Item: Requisition for Motor Pool Vehicle
Req.#: 26587
Awarded to: Royal Business Forms,
Brooklyn Center, MN
Amount: \$674.78
Date: December 2, 1992
Deliver to: Central Stores, St. Paul
Delivery date: As requested

Item: No-Fault Insurance Information
Req.#: 26522
Awarded to: Royal Business Forms,
Brooklyn Center, MN
Amount: \$555.93
Date: December 2, 1992
Deliver to: Public Safety, St. Paul
Delivery date: As requested

Item: Employee Biweekly Time Report
Req.#: 26547
Awarded to: Royal Business Forms,
Brooklyn Center, MN
Amount: \$8,402.85
Date: December 2, 1992
Deliver to: Central Stores, St. Paul
Delivery date: As requested

Item: All About Minnesota
Req.#: 23988
Awarded to: Artcraft Press, Inc.,
Minneapolis, MN
Amount: \$4,002.72
Date: December 1, 1992
Deliver to: Tourism, St. Paul
Delivery date: November 30

Item: Mail Pickup Slips
Req.#: 26629
Awarded to: Royal Business Forms,
Brooklyn Center, MN
Amount: \$2,117.22
Date: December 2, 1992
Deliver to: Central Stores, St. Paul
Delivery date: 30 Days

Item: EPSDT Child Screening Forms
Req.#: 26596
Awarded to: Bann Division of Stuart
Hooper, St. Paul, MN
Amount: \$8,048.21
Date: December 1, 1992
Deliver to: Human Services, St. Paul
Delivery date: As requested

Printing Contracts Awarded

Item: Letterhead & Window Envelopes
Req.#: 26549
Awarded to: Johnson Anderson, Eden Prairie, MN
Amount: \$2,475.06
Date: December 2, 1992
Deliver to: PERA, St. Paul
Delivery date: 24 Days

Item: Combined Bid—Labels, Envelope(s), Business Cards and Letterhead
Req.#: 26550, 26551, 26552, 26553, 26555
Awarded to: Hawkenson Printing Co., St. Paul, MN
Amount: \$15,775.86
Date: December 2, 1992
Deliver to: Trade and Economic Development, St. Paul
Delivery date: 10-15 w/days

Item: 1993 St. Croix State Forest—Rum River State Forest
Req.#: 26602
Awarded to: Apple Printing, Apple Valley, MN
Amount: \$1,257.77
Date: December 2, 1992
Deliver to: Natural Resources, St. Paul
Delivery date: 8 Days

Item: Comprehensive Annual Financial Report
Req.#: 26527
Awarded to: Apple Printing, Apple Valley, MN
Amount: \$4,415.49
Date: December 2, 1992
Deliver to: Finance Department, St. Paul
Delivery date: As requested

Item: Free Matter for the Blind Envelope
Req.#: 26698
Awarded to: Quality Park Envelope, St. Paul, MN
Amount: \$423.34
Date: December 2, 1992
Deliver to: Jobs and Training Department, St. Paul
Delivery date: 20 w/days

Item: Fold and Insert NBA Update
Req.#: 26619
Awarded to: Accessibility Inc., Minneapolis, MN
Amount: \$14,075.04
Date: December 4, 1992
Deliver to: Revenue Department, St. Paul
Delivery date: December 4, 1992

Item: Working Family Credit
Req.#: 26768
Awarded to: University of Minnesota Print Shop, Minneapolis, MN
Amount: \$13,518.05
Date: December 2, 1992
Deliver to: Revenue Department, St. Paul
Delivery date: As requested

Minnesota's North Shore

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