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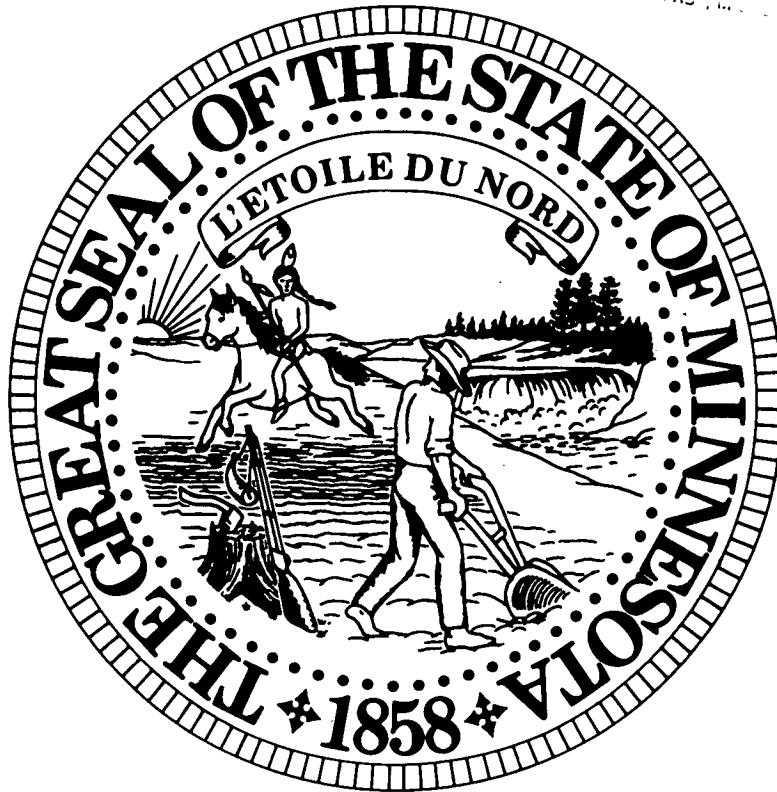
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The Minnesota  
**State  
Register**

Department of Administration—Print Communications Division

OCT 29 1993

LEHIGH  
STATE  
ST. JOSEPH



Rules edition  
Published every Monday  
(Tuesday if Monday is a holiday)

**Monday 1 November 1993**  
**Volume 18, Number 18**  
**Pages 1173-1204**

# State Register

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

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

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

### Printing Schedule and Submission Deadlines

Vol. 18 Issue Number	PUBLISH DATE	Submission deadline for Adopted and Proposed Rules	*Submission deadline for: Emergency Rules, Executive Orders, Commissioner's Orders, Revenue Notices, Official Notices, State Grants, Professional, Technical and Consulting Contracts, Non-State Bids and Public Contracts
17	Monday 25 October	Monday 11 October	Monday 18 October
18	Monday 1 November	Monday 18 October	Monday 25 October
19	Monday 8 November	Monday 25 October	Monday 1 November
20	Monday 15 November	Monday 1 November	Monday 8 November

The *State Register* is published by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, MN 55155, pursuant to *Minnesota Statutes* § 14.46.

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# Contents

---

## **Minnesota Rules: Amendments & Additions**

Issues #14-18 inclusive (Issues #1-13 appeared in #13) 1176

### **Proposed Rules**

#### **Transportation Department**

Limousine service and permit requirements ..... 1178

### **Adopted Rules**

#### **Animal Health Board**

Garbage-fed livestock ..... 1189

#### **Gambling Control Board**

Licenses and permits ..... 1189

#### **Minnesota State Retirement System**

Acknowledgement of benefit payments ..... 1189

### **Official Notices**

#### **Health Department**

Notice of hearing: license application of Chisago  
Lakes Rescue Service, Inc. .... 1190

#### **Human Services Department**

Vacancies on Medical Assistance Nutritional  
Supplementation Products Advisory Committee ..... 1191

#### **Labor and Industry Department**

Prevailing wage certifications for commercial  
construction projects ..... 1191

#### **Legislative Coordinating Commission**

Nominations sought for the Higher Education Board .... 1191

#### **Medical Practice Board**

Opinions sought regarding rules relating to the  
licensing of midwives ..... 1191

#### **Minnesota Comprehensive Health Association**

Committee meeting notices ..... 1192

#### **Natural Resources Department**

Opinions sought regarding proposed rules governing  
ecologically harmful exotic species ..... 1192

Opinions sought regarding proposed rules various  
game and fish matters ..... 1193

#### **Pollution Control Agency**

Opinions sought regarding proposed amendments to  
rules governing state ambient air quality standards .. 1193

Opinions sought regarding proposed rule  
incorporating by reference Federal Acid Rain  
Regulations ..... 1194

#### **State Agricultural Society**

State Fair meeting notice ..... 1195

### **State Grants**

#### **Center for Arts Education**

Proposals sought for Arts Magnet Programs ..... 1195

#### **Corrections Department**

Funds available for restitution work programs ..... 1195

#### **Jobs and Training Department**

Proposals sought for Community Food and Nutrition  
Program (CFNP) ..... 1196

#### **Pollution Control Agency**

Proposals sought for alternative management  
methods for shredder residue program ..... 1197

#### **Waste Management Office**

Proposals sought for solid waste source reduction  
program ..... 1197

### **Professional, Technical and Consulting Contracts**

#### **Administration Department**

Proposals sought by Human Services Department for  
constructing four homes ..... 1198

#### **Human Services Department**

Proposals sought for facilitator for Adult Mental  
Health Services Task Force ..... 1199

Information sought on audio response units and  
electronic scanning technology ..... 1200

#### **Minnesota State Lottery**

Letters of interest sought from promotional  
merchandise vendors ..... 1200

### **Non-State Bids and Public Contracts**

#### **Metropolitan Waste Control Commission**

Letters of interest sought for engineering services ..... 1201

### **Awards of State Contracts & Advertised Bids**

Commodities and requisitions are advertised in the  
*State Register Contracts Supplement* published  
every Tuesday, Wednesday and Friday. For  
subscription information call 612/297-7963.

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# Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 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.

Issues #14-18 inclusive (issues #1-13 appeared in #13)

### Agriculture Department

1550.3050 (adopted)	1115
1555.7410; .7420; .7430; .7440; .7450; .7460; .7470; .7480; .7490; .7500 (proposed repealer)	1086
1555.7411; .7421; .7431; .7441; .7451; .7461 (proposed)	1085

### Animal Health Board

1720.0860; .0870; .0880; .0930; .0940; .0950; .0960; .0970; .1000; .1010 (adopted)	1189
1720.0980; .1020 (repealed)	1189

### Dentistry Board

3100.0100; .1400; .2000; .4100; .6300; .8500; .8700 (proposed)	1021
3100.2000, s.7; .1100, s.3 (proposed repealer)	1025

### Health Department

4715.3140; .3150; .3160; .3170; .5900; .6000 (proposed)	1152
---	------

### Jobs and Training Department

3300.5000; .5010; .5030; .5040; .5050; .5060 (proposed)	1025
---	------

### Secretary of State

3650.0010; .0020; .0030; .0040 (proposed)	1050
---	------

### State Board of Technical Colleges

3700.1200; .1210; .1220; .1230; .1240; .1250; .1260; .1265; .1270; .1275; .1280 (proposed)	1056
3515.5500, s.4,5,6,7,11; .6005, s.2,3 (repealed)	1059

### Higher Education Coordinating Board

4812.0100; .0110; .0130; .0140; .0150; 4830.0300; .0400; .6510; .6610; .9005; .9010; .9015; .9020; .9025; .9030 (adopted)	1141
4830.0400, s.6; .0500; .1550; .1551; .1552; .1553; .1554; .1555; .1556; .1560; .1561; .1562; .1563; .1564; .1565 (repealed)	1141

### Labor and Industry Department

5205.0010 (adopted)	1065
---------------------	------

### Natural Resources Department

6100.0100; .0300; .0400; .0500; .1905; .1930; .2400 (adopted)	1145
6102.0010; .0020; .0030; .0040; .0050; .0060 (adopted)	1145

6105.0870 (proposed)	941
----------------------	-----

### Pharmacy Board

6800.0100; .0300; .0350; .0500; .0700; .0800; .0910; .0950; .1010; .1050; .1150; .1210; .1250; .1300; .1460; .1500; .2150; .2250; .2300; .2500; .2700; .2810; .3100; .3110; .3120; .3200; .3300; .3350; .3400; .3450; .3510; .3850; .3950; .4150; .4210; .4220; .4230; .4240; .4250; .4400; .4500; .4600; .4700; .5100; .5200; .5300; .5350; .5400; .5600; .6200; .6300; .6500; .6700; .7100; .7510; .7520; .7530; .7900; .7950; .8000; .8001; .8002; .8003; .8004; .8005; .8006; .8007; .8008; .8100; .8200; .8300; .8400; .8500; .8600; .8700; .9200; .9700; .9900; .9923; .9924; .9950; .9951; .9952; .9953; .9954 (adopted)	1145
6800.4400, s.2; .7400, s.6 (repealed)	1145

### Pollution Control Agency

7001.0020; .0050; .0140; .0180; .0550; .3050; 7002.0005; .0015; 7005.0100; 7007.0050; .0100; .0200; .0300; .0350; .0400; .0450; .0500; .0550; .0600; .0650; .0700; .0750; .0800; .0850; .0900; .0950; .1000; .1050; .1100; .1150; .1200; .1250; .1300; .1350; .1400; .1450; .1500; .1600; .1650; .1700; .1750; .1800; .1850 (adopted)	1059
7046.0010; .0020; .0031; .0045; .0060 (proposed)	1041
7046.0010, s.24; .0031, s.2,2a; .0045, s.2 (proposed repealer)	1048
7105.0010; .0050; .0060; .0080; .0090; .0100; .0110; .0160 (adopted)	1059
7105.0010, s.16 (repealed)	1059
7007.0200; .0250; .0501; .0801; 7011.0551; .1201; .1205; .1210; .1215; .1225; .1227; .1229; .1231; .1233; .1235; .1240; .1245; .1250; .1255; .1260; .1265; .1270; .1275; .1280; .1285; 7017.1000 (proposed rules)	1086
7011.1201, s.2,3,4; .1202; .1203; .1204; .1206; .1207 (proposed repealer)	1115

### Public Safety Department

7504.0100; .0200; .0300; .0400; .0500; .0600 (adopted)	944
--	-----

### Gambling Control Board

7861.0030; .0040 (adopted)	1189
----------------------------	------

## Revenue Department

8175.0100 (proposed) ..... 1048

## Minnesota State Retirement System

7900.1600 (adopted) ..... 1189

## Transportation Department

8880.0100; .0200; .0300; .0400; .0500; .0600; .0700;  
.0800; .0900; .1000; .1100; .1200; .1300; .1400  
(proposed) ..... 1178

## Human Services Department

9500.1090; .1095; .1100; .1105; .1110; .1115; .1116;  
.1120; .1121; .1122; .1124; .1128; .1130; .1131; .1140  
(adopted) ..... 1115

9500.1100, s.4,4a,7,8,8a,10,12,13,17,20,21,23,24,24a,  
28,30,30a,33a,39,40,41,42,43,43a,44,46,47,47a,48,49,52;  
.1110, s.3; .1120, s.3; .1125; .1130, s.2,3,4,5,6,7,8,9,10,  
11,12; .1135 (repealed) ..... 1121  
9525.2700; .2710; .2720; .2730; .2740; .2750; .2760;  
.2770; .2780; .2800 (proposed) ..... 1141  
9525.2710, s.14,15,18,21,30,33; .2750, s.3; .2760, s.3;  
.2770, s.3,4; .2780, s.1,6 (repealed) ..... 1144  
9565.5000; .5010; .5020; .5025; .5027; .5030; .5050; .5060;  
.5065; .5070; .5080; .5090; .5100; .5110; .5120; .5130;  
.5140; .5150; .5160; .5200 (adopted) ..... 1144  
9565.5010, s.6,6,13,23,24,33; .5025, s.4; .5030, s.2,3,8;  
.5040; .5060, s.1,3,4,5,6,7; .5110, s.6,9,10 (repealed) ..... 1144

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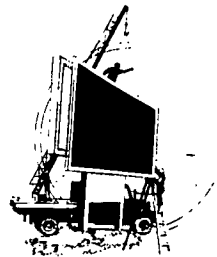
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## Proposed Rules

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

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

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

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

## Department of Transportation

### Proposed Permanent Rules Relating to Limousine Service and Permit Requirements

#### In the Matter of the Proposed Adoption of the Rule of the State Department of Transportation Governing Limousine Service and Permit Requirements

##### DUAL NOTICE:

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING UNLESS 25 OR MORE PERSONS REQUEST A HEARING, AND

NOTICE OF HEARING IF 25 OR MORE REQUESTS FOR HEARING ARE RECEIVED

**Introduction.** The Minnesota Department of Transportation intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rule within 30 days or by December 1, 1993, a public hearing will be held on December 14, 1993. To find out whether the rule will be adopted without a hearing or if the hearing will be held, you should contact the department contact person after December 1, 1993, and before December 14, 1993.

**Department Contact Person.** Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

Ward Briggs  
Department of Transportation  
Office of Motor Carrier Services  
151 Livestock Exchange Building  
100 Stockyard Road  
South St. Paul, MN 55075  
Telephone Number: (612) 297-7656  
Fax Number: (612) 297-1908

**Subject of Rule and Statutory Authority.** The proposed rule is about limousine service and permit requirements. The statutory authority to adopt the rule is *Minnesota Statutes*, section 221.84. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on December 1, 1993 to submit written comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Your comment must be in writing and received by the department contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rule addressed, the reason for the comment and any change proposed.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the department contact person by 4:30 p.m. on December 1, 1993. Your written request for a public hearing must include your name, address and telephone number. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing.

**Modifications.** The proposed rule may be modified, either as a result of public comment or as a result of the rule hearing process.

Modifications must not result in a substantial change in the proposed rule as attached and printed in the *State Register* and must be supported by data and views submitted to the department or presented at the hearing. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for December 14, 1993 will be canceled if the department does not receive requests from 25 or more persons that a hearing be held on the rule. If you requested a public hearing, the department will notify you before the scheduled hearing whether or not the hearing will be held. You may also call Ward Briggs at (612) 297-7656 after December 1, 1993 to find out whether the hearings will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.20. The hearing will be held on December 14, 1993 in Room 112 of the Minnesota State Capitol, St. Paul, Minnesota, 55155, beginning at 9:00 a.m. and will continue until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the administrative law judge. The administrative law judge assigned to conduct the hearing is Allen W. Klein. Judge Klein can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota, 55401-2138, telephone number (612) 341-7609.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the department may respond in writing within five business days after the submission period ends to any new information submitted. All written materials and responses submitted to the administrative law judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day period. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.0200 to 1400.1200 and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the administrative law judge.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the department's contact person. This statement describes the need for the reasonableness of each provision of the proposed rule. It also includes a summary of all the evidence and argument which the department anticipates presenting at the hearing, if one is held. The statement may also be reviewed and copies obtained at the cost of reproduction from the Office of Administrative Hearings.

**Small Business Considerations:** *Minnesota Statutes*, section 14.115, subdivision 2, requires the department, when proposing rules which may affect small businesses, to consider certain methods of reducing the impact on small businesses. *Minnesota Statutes*, section 14.115, subdivision 1, defines small businesses as:

"a business entity, including farming and other agricultural operations and its affiliates, that, (a) is independently owned and operated; (b) is not dominant in its field; and (c) employs fewer than 50 full-time employees or has gross annual sales of less than \$4,000,000. For purposes of a specific rule, an agency may define small business to include more employees if necessary to adapt the rule to the needs and problems of small businesses."

The department believes that all of the businesses affected by the proposed rule are small businesses within the meaning of the statute. Since all limousine operators are "small businesses," the commissioner determined that there was no rational basis for establishing less stringent compliance and reporting requirements, less stringent schedules or deadlines for compliance, consolidated or simplified requirements, and exemptions for some limousine operators and not for others. All limousine operators are similarly situated and should be subject to the same requirements. Nevertheless, the department has provided considerable opportunities of small business participation in this rulemaking proceeding and this subject is discussed in detail in the statement of need and reasonableness.

**Expenditure of Public Money by Local Public Bodies:** The adoption of the proposed rule will not require a total expenditure of public monies by local public bodies of more than \$100,000 in either of the two years immediately following adoption. Therefore, *Minnesota Statutes*, section 14.11, subdivision 1, is not applicable to this rulemaking proceeding.

**Impact on Agriculture Lands:** Adoption of the proposed rule will not have a direct or substantial adverse impact on agricultural land. Therefore, *Minnesota Statutes*, section 14.11, subdivision 2, is not applicable to this rulemaking proceeding.

**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

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**Accessibility.** The hearing room is accessible to persons with disabilities. For special accommodation needs or to request an auxiliary aid, you should contact Ward Briggs at the address and telephone number given above at least two weeks before December 14, 1993.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at, First Floor, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (612) 296-5148.

**Adoption Procedure if No Hearing.** If no hearing is required, after the end of the comment period the department may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent the form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule, submit your request to Ward Briggs at the address listed above.

**Adoption Procedure After the Hearing.** If a hearing is held, after the close of the hearing record, the administrative law judge will issue a report on the proposed rule. You may request to be notified of the date on which the administrative law judge's report will be available, after which date the department may not take any final action on the rule for a period of five working days. If you want to be notified about the report, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the administrative law judge. You may also request notification of the date on which the rule is adopted and filed with the Secretary of State. The department's notice of adoption must be mailed on the same day that the rule is filed. If you want to be notified of the adoption, you may so indicate at the hearing or send a request in writing to the department's contact person at any time prior to the filing of the rule with the Secretary of State.

Dated: 30 September 1993

James N. Denn, Commissioner  
Department of Transportation

### Rules as Proposed (all new material)

#### 8880.0100 DEFINITIONS.

Subpart 1. **Scope.** Unless the language or context clearly suggests a different meaning is intended, words, terms, and phrases used in this chapter have the meanings given them in this part.

Subp. 2. **Bus.** "Bus" has the meaning given it in *Minnesota Statutes*, section 169.01, subdivision 50.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Transportation.

Subp. 4. **Conviction.** "Conviction" has the meaning given it in *Minnesota Statutes*, section 171.01, subdivision 13.

Subp. 5. **Criminal record.** "Criminal record" means the conviction records of the Minnesota Bureau of Criminal Apprehension in which the last date of discharge from the criminal justice system is less than five years.

Subp. 6. **Department.** "Department" means the Minnesota Department of Transportation.

Subp. 7. **Driver.** "Driver" means a person who drives or is in actual physical control of a limousine providing limousine service.

Subp. 8. **For hire.** "For hire" has the meaning given it in *Minnesota Statutes*, section 221.011, subdivision 16.

Subp. 9. **Limousine.** "Limousine" means an unmarked luxury passenger automobile that is not a van or station wagon and has a seating capacity of not more than 12 persons, excluding the driver.

Subp. 10. **Limousine operator.** "Limousine operator" means a person who owns or leases and operates a limousine and who is subject to *Minnesota Statutes*, section 221.84, and this chapter. "Limousine operator" does not include a broker or other person who arranges for, but does not provide, limousine service.

Subp. 11. **Limousine service.** "Limousine service" means a service that:

- A. is not provided on a regular route;
- B. is for hire;
- C. is provided in a limousine;
- D. provides only prearranged pickup; and
- E. charges more than a taxicab fare for a comparable trip.

"Limousine service" does not include service provided by a person who is a private carrier as described in *Minnesota Statutes*, section 221.011, subdivision 26.

Subp. 12. **Luxury passenger automobile.** "Luxury passenger automobile" means a passenger automobile that does not have a meter and:



A. has a chassis and wheelbase that have been stretched beyond the length of the manufacturer's original specifications for the vehicle;

B. is an executive sedan originally manufactured with four doors and a seating capacity of not more than five persons, excluding the driver, and equipped with interior furnishings and amenities controllable from the rear passenger seating area that are not normally provided in passenger automobiles, such as a television, musical sound system, telephone, or a driver-passenger intercom communication system or power-operated partition dividing the driver and passenger compartments; or

C. is an executive sedan with a fair market value of more than \$25,000 that has four doors and a seating capacity of not more than five persons, excluding the driver.

Luxury passenger automobile does not include a bus, pickup truck, station wagon, taxicab, truck, or van.

Subp. 13. **Meter.** "Meter" means a device that measures the distance a motor vehicle travels, records the time a motor vehicle travels or waits, and shows the fare charged for the transportation of passengers.

Subp. 14. **Motor vehicle.** "Motor vehicle" has the meaning given it in *Minnesota Statutes*, section 169.01, subdivision 3.

Subp. 15. **Permit.** "Permit" means the license issued to a limousine operator under this chapter.

Subp. 16. **Person.** "Person" has the meaning given it in *Minnesota Statutes*, section 221.011, subdivision 6.

Subp. 17. **Pickup truck.** "Pickup truck" has the meaning given it in *Minnesota Statutes*, section 168.011, subdivision 29.

Subp. 18. **Political subdivision.** "Political subdivision" means a state agency, a county, a city, or the Metropolitan Airports Commission.

Subp. 19. **Prearranged pickup.** "Prearranged pickup" means limousine transportation initiated at the request of a passenger or a passenger's representative.

Subp. 20. **Public highway.** "Public highway" has the meaning given it in *Minnesota Statutes*, section 221.011, subdivision 5.

Subp. 21. **Regular route.** "Regular route" means transportation on the public highways that is not prearranged pickup and is habitually conducted between fixed points over fixed routes, or on regular time schedules.

Subp. 22. **Station wagon.** "Station wagon" means a motor vehicle that is not a van, is designed primarily for the transportation of passengers, and is commonly manufactured with storage space for the transportation of property with no barrier or separation between the passenger area and the storage area.

Subp. 23. **Taxicab.** "Taxicab" means a motor vehicle, other than a limousine, used for transporting passengers for compensation as determined by a meter, or by a flat rate schedule, according to the distance traveled, the time elapsed, and number of passengers carried, irrespective of whether the transportation extends beyond the boundary lines of a city.

Subp. 24. **Truck.** "Truck" means a motor vehicle designed and originally manufactured primarily for the transportation of property and not passengers.

Subp. 25. **Unmarked.** "Unmarked" means without visible numbers, letters, symbols, graphic representations, or advertising. The term unmarked does not include a license plate, vehicle identification decal, or other means of identification required by federal law or regulation.

Subp. 26. **Van.** "Van" means a motor vehicle of box-like design that is manufactured, equipped, modified, or converted as a passenger motor vehicle.

#### **8880.0200 AUTHORITY.**

Parts 8880.0100 to 8880.1400 are adopted under *Minnesota Statutes*, section 221.84, subdivision 2.

#### **8880.0300 GENERAL REQUIREMENTS.**

Subpart 1. **Permit required.** No person may operate a limousine service or advertise or otherwise hold out as a limousine operator without a valid permit issued by the commissioner.

Subp. 2. **Decal required.** No person may operate a limousine providing limousine service unless the limousine displays a valid limousine identification decal as required in part 8880.0700, subpart 3.

Subp. 3. **Insurance required.** The insurance requirements in *Minnesota Statutes*, sections 168.128 and 221.141, and parts

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## Proposed Rules

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8855.0300, 8855.0400, and 8855.0600 to 8855.0850 apply to a limousine operator. For purposes of this subpart, "motor carrier," as used in *Minnesota Statutes*, section 221.141, and parts 8855.0300, 8855.0400, and 8855.0600 to 8855.0850, means a limousine operator. No person may operate a limousine providing limousine service until the person complies with the insurance requirements described in this subpart.

Subp. 4. **Advertising restrictions.** A limousine operator shall conspicuously display its permit number in advertisements or information that calls attention to or describes services offered by the limousine operator. No person, other than a limousine operator with a valid permit, may use in a name or in advertisements or information describing a service the person provides:

A. the words "limousine" or "limousine service"; or

B. the words "licensed and insured" if those words are used in a way that suggests or implies that a service is provided by a limousine operator with a valid permit.

Subp. 5. **Use of unauthorized name prohibited.** A limousine operator may not provide limousine service under a name other than the name under which a permit was obtained.

Subp. 6. **Fares and records.** A limousine operator shall charge a fare greater than a taxicab fare for a comparable trip. A limousine operator shall maintain a record of each trip provided under its permit and the fare charged for the trip. The record must meet the requirements of part 8880.1000, subpart 2.

Subp. 7. **Trip referrals.** A limousine operator may arrange with another limousine operator to provide limousine service requested by a customer only if the limousine operator:

A. that refers the service keeps the trip referral record required in part 8880.1000, subpart 3; or

B. that provides the service clearly and accurately identifies itself to the customer and keeps the trip and fare record required in part 8880.1000, subpart 2.

Subp. 8. **Leased vehicles and drivers.** A limousine operator may lease a vehicle from the vehicle's owner and use it to provide limousine service under the lessee's permit. Both the lessor and the lessee shall keep one signed copy of a written lease and a copy must be kept in the leased vehicle at all times during the term of a lease. A lease may include the services of a driver. A lease must state:

A. the names of the lessor and lessee;

B. the date and duration of the lease;

C. the terms of compensation to be paid by the lessee to the lessor;

D. the vehicle's identification number and that the lessee has exclusive possession, control, and use of the vehicle and is considered the owner of the vehicle for the duration of the lease for all purposes, including compliance with parts 8880.0300 to 8880.1300; and

E. if the lease includes the services of a driver, that the lessee assumes the responsibility of determining that the driver meets the qualifications in part 8880.0800 and shall keep the records required in part 8880.1000, subpart 5.

A lessor may not exercise control over fares charged. The provision of limousine service, including advertisements and arrangements for service, must be conducted by, and in the name of, the lessee only. A lessee or lessor may not represent, imply, or suggest that limousine service is being offered or provided by the lessor.

Subp. 9. **Solicitation prohibited.** A limousine operator, its agents or employees, may not solicit passengers in person.

### 8880.0400 LIMOUSINE SERVICE PERMIT APPLICATION; FEES.

Subpart 1. **Forms.** Application for a permit must be made on forms provided by the commissioner. Application forms may be obtained from the Minnesota Department of Transportation, Office of Motor Carrier Services, Minnesota Administrative Truck Center, 100 Stockyards Road, South Saint Paul, Minnesota 55075. Completed applications must be returned to that office.

Subp. 2. **Information required.** Applicants for a permit shall give the following information to the commissioner:

A. the applicant's name, including an assumed or fictitious name used by the applicant in doing business;

B. the applicant's mailing address and business telephone number;

C. the name, title, and telephone number of the individual who is responsible for the day-to-day operation of the limousine service;

D. the principal location from which the applicant conducts its business and where the records required by part 8880.1000 will be kept;

E. if different from item D, the location in Minnesota where the records required by part 8880.1000 will be available for inspection and copying;

F. whether the applicant's business is a corporation, partnership, limited liability company, or sole proprietorship;

G. the names of corporate directors and officers, general partners, limited liability company board members, or owners of the applicant's business;

H. whether the applicant or an applicant's corporate directors or officers, general partners, limited liability company board members, or owners of the applicant's business is a permit holder;

I. whether the applicant or an applicant's corporate directors or officers, general partners, limited liability company board members, or owners of the applicant's business has had a permit revoked during the preceding year and, if so, the number of the revoked permit; and

J. if the applicant is a foreign corporation authorized to transact business in Minnesota, the name and address of its registered agent.

Subp. 3. **Signature required.** An application must be signed only by a corporate officer, general partner, limited liability company board member, or sole proprietor. A signature must be notarized.

Subp. 4. **Workers' compensation coverage.** The applicant shall file with the application a statement that shows compliance with the workers' compensation insurance coverage requirement of *Minnesota Statutes*, section 176.181, subdivision 2. The statement must be on a form prescribed by the commissioner or on a form substantially the same as the commissioner's prescribed form.

Subp. 5. **Fees.** The permit fee is \$150.

#### **8880.0500 LIMOUSINE SERVICE PERMIT.**

Subpart 1. **Issuance of permit.** The commissioner shall issue a permit to an applicant who meets the requirements in part 8880.0400, except the commissioner may not issue:

A. a permit to an applicant if the applicant or an applicant's corporate directors or officers, general partners, limited liability company board members, or owners of the applicant's business had a permit revoked during the preceding year;

B. more than one permit to a limousine operator.

A permit must be numbered and bear an effective date.

Subp. 2. **Location of permit.** A permit must be kept at the limousine operator's principal place of business. A copy of the permit must be kept in each limousine used by the limousine operator to provide limousine service.

Subp. 3. **Duration.** A permit is valid until suspended or revoked or the permit holder sells its limousine business. If the permit holder is a corporation, a transfer of more than 50 percent of the corporation's outstanding stock, individually or in aggregate, constitutes a sale of the business.

Subp. 4. **Not transferable.** A permit may not be assigned or transferred to another person.

Subp. 5. **Records.** The commissioner shall keep a record of permits showing the date issued, suspended, or revoked.

Subp. 6. **Permit holder to keep information current.** A permit holder shall notify the commissioner in writing of any change in the information provided in its permit application.

#### **8880.0600 LIMOUSINE IDENTIFICATION DECAL APPLICATION; FEES.**

Subpart 1. **Forms.** Application for a limousine identification decal must be made on forms provided by the commissioner. Application forms may be obtained from the Minnesota Department of Transportation, Office of Motor Carrier Services, Minnesota Administrative Truck Center, 100 Stockyards Road, South Saint Paul, Minnesota 55075. Completed applications must be returned to that office.

Subp. 2. **Information required.** Applicants for a limousine identification decal shall give the following information to the commissioner:

A. the applicant's name, including an assumed or fictitious name used by the applicant in doing business;

B. the applicant's mailing address and business telephone number;

C. the applicant's permit number;

D. the name, title, and telephone number of the individual who is responsible for the day-to-day operation of the limousine service;

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## Proposed Rules

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- E. the state and license plate number of vehicle registration;
- F. the vehicle identification number;
- G. the vehicle year and make; and
- H. a representation that the motor vehicle is a luxury passenger automobile.

Subp. 3. **Signature required.** An application must be signed only by a corporate officer, general partner, limited liability company board member, or sole proprietor.

Subp. 4. **Fees.** The limousine identification decal fee is \$80.

### 8880.0700 LIMOUSINE IDENTIFICATION DECAL.

Subpart 1. **Issuance of decal.** The commissioner shall issue a limousine identification decal to an applicant who has a valid permit, who has the insurance coverage required in part 8880.0300, subpart 3, and who meets the requirements in part 8880.0600.

Subp. 2. **Description.** A limousine identification decal must bear an identifying number, the month and year of expiration, and the letters "LM."

Subp. 3. **Display.** A limousine identification decal must be securely affixed to the lower corner of the limousine windshield on the passenger side of the vehicle. A decal must not be obscured and must be easy to read when the vehicle is stationary. A limousine may bear only one decal.

Subp. 4. **Duration.** A limousine identification decal is valid for one year from the last day of the month in which it is issued or until it is removed from the limousine or upon revocation of the limousine operator's permit, whichever occurs first.

Subp. 5. **Not transferable.** A limousine identification decal may not be transferred to another limousine and must be removed if a limousine operator stops using the limousine to provide limousine service.

Subp. 6. **Records.** The commissioner shall keep a record of limousine identification decals issued.

### 8880.0800 DRIVER QUALIFICATIONS.

Subpart 1. **General qualifications.** A driver must have a valid driver's license and be at least 18 years old.

Subp. 2. **Physical qualification.** No driver may operate a limousine providing limousine service unless the driver is physically qualified to drive under *Code of Federal Regulations*, title 49, section 391.41, paragraphs (a) and (b), which is incorporated by reference.

Subp. 3. **Evidence of physical qualification.** Before driving a limousine providing limousine service, a driver must have a valid medical examiner's certificate under *Code of Federal Regulations*, title 49, section 391.43, which is incorporated by reference. A copy of the medical examiner's certificate must be given to the limousine operator who employs the driver. A limousine operator must keep a copy of the certificate showing that a driver meets the requirements of subpart 2.

Subp. 4. **Waiver for physical defects.** A person who is not physically qualified to drive under *Code of Federal Regulations*, title 49, section 391.41, paragraph (b)(1) or (b)(2), and who is otherwise qualified to drive a motor vehicle, may drive a limousine providing limousine service if the commissioner grants a waiver to that person under parts 8850.7250 to 8850.7675. For purposes of this subpart, the term "carrier," as used in parts 8850.7250 to 8850.7675, means a limousine operator. The following do not apply to a driver who applies for a waiver: parts 8850.7300, item B, subitems (2) and (3), and item D; 8850.7350, items E and F; 8850.7400, item A; and 8850.7600, item E. A copy of the waiver must be given to the limousine operator who employs the driver. The commissioner may revoke a waiver only after the person to whom it was granted is given notice of the proposed revocation and has been allowed an opportunity for hearing under *Minnesota Statutes*, chapter 14. Falsifying information in the waiver application, information in the renewal application, or information required by a medical evaluation, by either the applicant or limousine operator, is prohibited.

Subp. 5. **Driving record.** A driver must, for the past three years, have a driving record clear of:

- A. a license cancellation under *Minnesota Statutes*, section 171.14; a revocation under *Minnesota Statutes*, sections 171.17 and 169.123; and a suspension under *Minnesota Statutes*, section 171.18;
- B. a conviction for operating a motor vehicle without insurance under *Minnesota Statutes*, section 169.797;
- C. a conviction for driving a motor vehicle without a valid license for the class of vehicle driven;
- D. a conviction for driving under the influence of alcohol or a controlled substance under *Minnesota Statutes*, section 169.121, or an ordinance that conforms to that section; and
- E. a conviction for alcohol-related driving by a commercial vehicle driver under *Minnesota Statutes*, section 169.1211.

Subp. 6. **Criminal record.** A driver must have a criminal record clear of any conviction:

- A. as a habitual offender for driving under the influence of alcohol or a controlled substance under *Minnesota Statutes*, section 169.121, subdivision 3a, paragraph (a); and

B. of a crime or anticipatory crime against persons, or a crime or anticipatory crime reasonably related to the provision of limousine services. The following offenses are crimes against persons or are reasonably related to the provision of limousine services, or both, and are listed with the section, subdivision, or chapter number showing where the offense is found in *Minnesota Statutes*:

- (1) attempts, 609.17;
- (2) conspiracy, 609.175;
- (3) murder in the first degree, 609.185;
- (4) murder in the second degree, 609.19;
- (5) murder in the third degree, 609.195;
- (6) manslaughter in the first degree, 609.20;
- (7) manslaughter in the second degree, 609.205;
- (8) criminal vehicular homicide and injury, 609.21;
- (9) assault in the first degree, 609.221;
- (10) assault in the second degree, 609.222;
- (11) assault in the third degree, 609.223;
- (12) assault in the fourth degree, 609.2231;
- (13) great bodily harm caused by distribution of drugs, 609.228;
- (14) use of drugs to injure or facilitate crime, 609.235;
- (15) simple robbery, 609.24;
- (16) aggravated robbery, 609.245;
- (17) kidnapping, 609.25;
- (18) false imprisonment, 609.255;
- (19) abduction, 609.265;
- (20) criminal sexual conduct in the first degree, 609.342;
- (21) criminal sexual conduct in the second degree, 609.343;
- (22) criminal sexual conduct in the third degree, 609.344;
- (23) criminal sexual conduct in the fourth degree, 609.345;
- (24) solicitation of children to engage in sexual conduct, 609.352;
- (25) fleeing a peace officer in a motor vehicle, 609.487;
- (26) misusing credit card to secure services, 609.545;
- (27) burglary, 609.582, subdivision 1; or
- (28) prohibited drugs; felony convictions, chapter 152.

Subp. 7. **Responsibility of limousine operator.** Before using a driver to provide limousine service, a limousine operator shall determine if the driver meets the standards in this part. In determining whether a driver meets the standards in subparts 5 and 6, a limousine operator shall conduct an initial review of the driving and criminal record of a driver. The review must be conducted annually after hiring. The initial and annual review must include an examination of the records of the Department of Public Safety, Division of Driver and Vehicle Services, to determine if the driver meets the standards in subpart 5. The initial and annual review also must include an examination of the conviction records of the Minnesota Bureau of Criminal Apprehension to determine if the driver has a criminal record of conviction for a crime listed in subpart 6.

Subp. 8. **Evidence of compliance.** A limousine operator shall keep a record showing compliance with subpart 7. The record must meet the requirements of part 8880.1000, subpart 5, item D.

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## Proposed Rules

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Subp. 9. **Unqualified driver prohibited.** A limousine operator may not use a driver to provide limousine service who does not meet the standards in this part.

### 8880.0900 VEHICLE REQUIREMENTS.

Subpart 1. **Operation.** A limousine operator may not cause or permit a limousine to be driven, and a driver may not drive a limousine on the public highway, when its mechanical condition is so imminently hazardous that it is likely to contribute to a loss of control of the vehicle or cause an accident or breakdown. The "North American Uniform Vehicle Out-of-Service Criteria," adopted in *Minnesota Statutes*, section 221.031, subdivision 9, must be followed in determining whether a limousine's mechanical condition is so imminently hazardous that it is likely to contribute to a loss of control of the limousine or cause an accident or breakdown. A limousine providing limousine service must be operated in compliance with the provisions of *Minnesota Statutes*, chapter 169, governing the operation of motor vehicles and with the rules or ordinances of a political subdivision relating to routing, parking, speed, or the safety of operation of a motor vehicle.

Subp. 2. **Equipment standards.** Limousines must comply with the provisions of *Minnesota Statutes*, chapter 169, that apply to passenger automobiles.

Subp. 3. **Safety equipment.** A limousine providing limousine service must carry the following safety equipment:

A. a fire extinguisher that conforms to *Code of Federal Regulations*, title 49, section 393.95, paragraph (a), which is incorporated by reference;

B. a working cellular telephone or other means of two-way communication; and

C. three bidirectional, emergency, reflective triangles that conform to the requirements of federal motor vehicle safety standard 125, found in *Code of Federal Regulations*, title 49, section 571.125, which is incorporated by reference.

Subp. 4. **Maintenance.** The mechanical components of a limousine must be maintained according to the manufacturer's recommended maintenance schedule. A limousine's windows, lights, mirrors, and interior must be kept clean and in good repair.

Subp. 5. **Inspections.** A limousine operator shall conduct, or cause to be conducted, the following safety inspections:

A. for each day a limousine operator uses a limousine, an inspection of the vehicle's:

(1) coolant level;

(2) lights, turn signals, and hazard flashers;

(3) tires;

(4) windshield wipers and washer fluid;

(5) inside and outside mirrors;

(6) fuel level;

(7) horn; and

(8) safety equipment; and

B. an annual inspection of a limousine's:

(1) brake system, including master cylinder, shoes, linings, pads, drums or rotors, hoses, tubing, warning devices, and the parking brake mechanism;

(2) exhaust system, including exhaust manifolds, muffler, pipes, and catalytic converter;

(3) fuel system, including fuel pump or injector, tank, hoses, and tubing;

(4) steering mechanism, including steering wheel movement, steering column, front axle beam, gear box, power assist cylinder, ball and socket joints, tie rods, and steering arm;

(5) suspension, including springs, shock absorbers, and torsion bars; and

(6) frame members.

Subp. 6. **Inspection records.** A limousine operator is not required to maintain a record of daily inspections but must maintain a record of annual inspections. The record must be kept on a form prescribed by the commissioner or on a form substantially the same as the commissioner's prescribed form and must meet the requirements of part 8880.1000, subpart 4.

### 8880.1000 RECORDS.

Subpart 1. **Records required; authority to inspect.** A limousine operator shall keep the records required in subparts 2 to 5. The records must be kept at the limousine operator's principal place of business and must be available for inspection and copying in Minnesota by the commissioner upon request. Records must be kept for three years.

Subp. 2. **Trip and fare records.** A limousine operator shall keep a record of each trip provided under a permit. For a trip, the record must show:

- A. the date;
- B. the location of origin and destination;
- C. the mileage;
- D. the time it began and ended; and
- E. the fare charged.

Subp. 3. **Referral records.** A limousine operator shall keep a record of trip referrals when required by part 8880.0300, subpart 7. For each trip referral, the record must show:

- A. the date referred;
- B. the date the trip was to be provided;
- C. the name and permit number of the limousine operator to whom the trip was referred; and
- D. the name of the customer who requested the service.

Subp. 4. **Vehicle records.** A limousine operator shall keep a separate file for a limousine used to provide limousine service. The file must contain the year, make, and vehicle identification number of a vehicle. The file also must contain the inspection record required by part 8880.0900, subpart 6, showing:

- A. the date and mileage of an inspection;
- B. a list of each component or item described in part 8880.0900, subpart 5, item B, and a notation of which components or items were inspected; and
- C. a notation of necessary maintenance, repair, or replacement of vehicle parts and the date the maintenance, repair, or replacement was completed.

Subp. 5. **Driver records.** A limousine operator shall keep a separate file for each driver employed or used to provide limousine service. The file must contain:

- A. the name and birthdate of the driver;
- B. the driver's license number;
- C. a copy of the medical examiner's certificate required in part 8880.0800, subpart 3, and a copy of a waiver granted under part 8880.0800, subpart 4, if any; and
- D. a statement signed by the person who conducted the most recent review of the driver's driving and criminal records as required by part 8880.0800, subpart 7. The statement must show the name of the person who checked the records, the date the records were checked, and whether the driver was found to meet the standards of part 8880.0800, subparts 5 and 6. If the driver was found not to meet the standards, the statement must show the date the driver became disqualified and the reason for the disqualification.

#### **8880.1100 VEHICLE INSPECTION BY COMMISSIONER.**

Subpart 1. **Authority to inspect.** The commissioner shall annually inspect a limousine for which a limousine identification decal has been issued to determine compliance with part 8880.0900. The commissioner may inspect a limousine to determine compliance with parts 8880.0300 to 8880.0900.

Subp. 2. **Inspection report.** A person inspecting a limousine under this part shall provide a copy of the inspection report to the limousine operator. The report must include:

- A. the inspector's name;
- B. the limousine operator's name and permit number;
- C. the vehicle identification number, limousine identification decal number, and license plate number;
- D. the date and location of the inspection; and
- E. a description of items that do not comply with the requirements of parts 8880.0300 to 8880.0900.

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## Proposed Rules

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Subp. 3. **Limousines declared out of service.** The commissioner shall direct a limousine operator to immediately remove a limousine from service on determining that its mechanical condition is so imminently hazardous that it is likely to contribute to a loss of control of the limousine or cause an accident or breakdown. An out-of-service declaration must be included in the inspection report described in subpart 2. Once a limousine has been declared out of service, a limousine operator may return it to service only after making the repairs noted in an out-of-service declaration.

### 8880.1200 ADMINISTRATIVE PENALTIES.

Subpart 1. **Orders.** The commissioner may issue an order requiring violations of statutes, rules, and local ordinances governing the operation of limousines to be corrected and assessing monetary penalties up to \$1,000. An order must be issued as provided in this part.

Subp. 2. **Issuance, payment, enforcement.** *Minnesota Statutes*, section 221.036, subdivisions 2, 3, paragraph (c), 4 to 6, and 11, apply to orders issued under this part. The commissioner shall mail an order by certified mail, return receipt requested, to the last known address of the limousine operator.

Subp. 3. **Demand for hearing.** Within 30 days after the date on which an order was mailed, or within 20 days after mailing notice of the commissioner's determination that a violation has not been corrected or that appropriate steps have not been taken, the person subject to an order under this part may demand a hearing. Failure of a person to demand a hearing within the time specified in this part constitutes a waiver of the person's right to appear and contest an administrative penalty order. A demand for hearing must be delivered or mailed to the Minnesota Department of Transportation, Office of Motor Carrier Services, Minnesota Administrative Truck Center, 100 Stockyards Road, South Saint Paul, Minnesota 55075, and must include a statement of the issues the person intends to raise at the hearing.

Subp. 4. **Hearing.** Within 30 days of receiving a demand for hearing that meets the requirements of subpart 3, the commissioner shall initiate a contested case proceeding under *Minnesota Statutes*, chapter 14. If the administrative law judge makes a finding that the hearing was demanded solely for purposes of delay or that the hearing demand was frivolous, the commissioner may add to the amount of the penalty the costs charged to the commissioner by the Office of Administrative Hearings for the hearing. If a hearing has been held and a final order issued by the commissioner, the penalty must be paid by the 15th day after the final order was mailed, together with interest accruing at the rate established in *Minnesota Statutes*, section 549.09, from 31 days after the original order was received.

### 8880.1300 SUSPENSION OR REVOCATION OF PERMIT.

Subpart 1. **Indefinite suspension period.** The commissioner shall immediately suspend a permit if the commissioner determines that a limousine operator:

- A. is not in compliance with the insurance requirements in part 8880.0300, subpart 3;
- B. willfully refused to permit an inspection under part 8880.1000 or 8880.1100, subpart 1; or
- C. did not pay, or make arrangements to pay, an administrative penalty, including costs assessed by the commissioner, when due under part 8880.1200.

A permit suspended under this subpart may not be restored until the commissioner determines that a limousine operator has complied with parts 8880.0300 to 8880.1200.

Subp. 2. **Definite suspension period.** Upon request of a political subdivision, the commissioner may immediately suspend a permit for 15 days for multiple violations of local ordinances.

Subp. 3. **Revocation.** The commissioner shall revoke a permit if the commissioner determines that a limousine operator:

- A. knowingly made a material false or misleading statement in a permit application;
- B. provided limousine service while the limousine operator's permit was suspended; or
- C. did not have a permit that was indefinitely suspended under subpart 1 restored within 60 days of the date of suspension or demand a hearing under subpart 5.

Subp. 4. **Notice of suspension or revocation.** The commissioner shall mail notice of suspension or revocation of a permit by certified mail, return receipt requested, to the last known address of the limousine operator. The suspension or revocation is effective five days after it is mailed by the commissioner.

Subp. 5. **Demand for hearing.** A limousine operator whose permit is suspended under subpart 1 or 2, or revoked under subpart 3, may within 20 days after the notice of suspension or revocation was mailed, demand a hearing. Failure of a person to respond to a notice of suspension or revocation by demanding a hearing within 20 days after the date on which the notice was mailed constitutes a waiver of the person's right to appear and contest the suspension or revocation. A demand for hearing must be delivered or mailed to the Minnesota Department of Transportation, Office of Motor Carrier Services, Minnesota Administrative Truck Center, 100 Stockyards Road, South Saint Paul, Minnesota 55075, and must include a statement of the issues the limousine operator intends to



raise at the hearing.

Subp. 6. **Hearing.** Within 30 days of receiving a demand for hearing that meets the requirements of subpart 5, the commissioner shall initiate a contested case proceeding under *Minnesota Statutes*, chapter 14. If the administrative law judge makes a finding that the hearing was demanded solely for purposes of delay or that the demand for hearing was frivolous, the commissioner may assess the costs charged to the commissioner by the office of administrative hearings for the hearing to the limousine operator. Costs assessed by the commissioner must be collected in the manner that administrative penalties are collected under part 8880.1200.

Subp. 7. **Revocation final.** A revoked permit may not be reinstated. The holder of a revoked permit may not apply for a new permit for one year from the effective date of revocation.

#### **8880.1400 COOPERATIVE AGREEMENTS.**

The commissioner may enter into cooperative agreements with political subdivisions. A cooperative agreement must include provisions for enforcing and implementing parts 8880.0100 to 8880.1300 and for sharing enforcement costs between the department and a political subdivision. A cooperative agreement also must include provisions for exchanging information and for jointly inspecting or investigating limousine operators, drivers, limousines, and records required by this chapter.

## **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.

## **Board of Animal Health**

### **Adopted Permanent Rules Relating to Garbage-fed Livestock**

The rules proposed and published at *State Register*, Volume 17, Number 43, pages 2689-2691, April 26, 1993 (17 SR 2689), are adopted as proposed.

## **Gambling Control Board**

### **Adopted Permanent Rules Relating to Licenses and Permits**

The rules proposed and published at *State Register*, Volume 18, Number 6, pages 500-502, August 9, 1993 (18 SR 500), are adopted as proposed.

## **Minnesota State Retirement System**

### **Adopted Permanent Rules Relating to Acknowledgment of Benefit Payments**

The rules proposed and published at *State Register*, Volume 18, Number 7, pages 578-579, August 16, 1993 (18 SR 578), are adopted as proposed.

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

# Official Notices

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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.

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## Department of Health

### Notice of Completed Application and Notice of and Order for Hearing: In the Matter of the License Application of Chisago Lakes Rescue Services, Inc., Chisago City, Minnesota

**PLEASE TAKE NOTICE** that the Commissioner of Health (hereinafter "Commissioner") has received a completed application from Chisago Lakes Rescue Service, Inc., Chisago City, Minnesota for a change in type of ambulance license from Basic Ambulance to Advanced Ambulance for portions of Chisago, Washington, Anoka and Isanti Counties.

**IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN** that, pursuant to *Minnesota Statutes* §§ 14.57-14.69 and *Minnesota Statutes* § 144.802 a public hearing will be held on November 30, 1993 at Chisago City Community Center, 10825 Lake Boulevard, Chisago City, Minnesota, commencing at 7:00 p.m. If you have an interest in this matter you are hereby urged to attend the public hearing. Failure to do so may prejudice your rights in this and any subsequent proceedings in this matter.

1. The purpose of the hearing is to determine whether the application from this ambulance service should be granted based upon the criteria set forth in *Minnesota Statutes* § 144.802, subd. 3(g).

2. This proceeding has been initiated pursuant to and will be controlled in all aspects by *Minnesota Statutes* §§ 144.801-144.8093, *Minnesota Statutes* §§ 14.57-14.69, and Rules for Contested Cases of the Office of Administrative Hearings, *Minnesota Rules* 1400.5100-1400.8402. Copies of the rules and statutes may be obtained for a fee from the Department of Administration, Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, telephone: (612) 297-3000.

3. Allan W. Klein, Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone: (612) 341-7609, will preside as administrative law judge at the hearing, and will make a written recommendation on this application. After the hearing, the record and the administrative law judge's recommendation will be forwarded to the Commissioner to make the final determination in the matter.

4. Any person wishing to intervene as a party must submit a petition to do so under *Minnesota Rules* 1400.6200 on or before November 22, 1993. This petition must be submitted to the administrative law judge and shall be served upon all existing parties and the Commissioner. The petition must show how the contested case affects the petitioner's legal rights, duties or privileges and shall state the grounds and purposes for which intervention is sought and indicate petitioner's statutory right to intervene if one exists.

5. In addition to or in place of participating at the hearing, any person may also submit written recommendations for the disposition of the application. These recommendations must be mailed to the administrative law judge on or before November 30, 1993.

6. Any subpoena needed to compel the attendance of witnesses or the production of documents may be obtained pursuant to *Minnesota Rules* 1400.7000.

7. At the hearing the applicant will present its evidence showing that a license should be granted and that all persons will be given an opportunity to cross-examine witnesses, to be heard orally, to present witnesses, and to submit written data or statements. All persons are encouraged to participate in the hearing and are requested to bring to the hearing all documents, records, and witnesses needed to support their position. It is not necessary to intervene as a party in order to participate in the hearing.

8. Please be advised that if nonpublic data is admitted into evidence, it may become public data unless an objection is made and relief is requested under *Minnesota Statutes* § 14.60, subd. 2.

9. You are hereby informed that you may choose to be represented by an attorney in these proceedings, may represent yourself, or be represented by a person of your choice if not otherwise prohibited as the unauthorized practice of law.

10. A Notice of Appearance must be filed with the administrative law judge identified above within 20 days following receipt of the Notice by any person intending to appear at the hearing as a party.

11. In accordance with the provisions of *Minnesota Statutes* § 14.61, the final decision of the Commissioner in this proceeding will not be made until the Report of the Administrative Law Judge has been made available to the parties in this proceeding for at least 10 days. Any party adversely affected by the Report of the Administrative Law Judge has the right to file exceptions and present arguments to the Commissioner. Any exceptions or arguments must be submitted in writing and filed with the Commissioner of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440, within 10 days of the receipt of the Administrative Law Judge's Report.

Dated: 18 October 1993

Mary Jo O'Brien  
Commissioner of Health

## **Human Services Department**

### **Vacancies on Medical Assistance Nutritional Supplementation Products Advisory Committee**

The Minnesota Department of Human Services is seeking applications from Minnesotans interested in serving on the Medical Assistance Nutritional Supplementation Products Advisory Committee. The purpose of the Committee is to advise the Department concerning nutritional supplementation products that require prior authorization. There is an opening for a physician, one for a pharmacist, one for a public health nurse, one for a representative of a home health care agency and one for a provider of long-term care services. There are two openings for registered dietitians and two for consumers of nutritional supplementation products. Members serve two-year terms and volunteer their time and service to the committee. For more information contact Lawrence D. Grewach, Health Care Management Division at (612) 297-2388, or send a letter of interest and curriculum vitae to Lawrence D. Grewach, Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3853. Applications will be accepted until December 15, 1993.

## **Labor and Industry Department**

### **Labor Standards Division**

### **Notice of Prevailing Wage Certifications for Commercial Construction Projects**

Effective November 1, 1993 prevailing wage rates were determined and certified for commercial construction projects in: Hennepin county: U of M-Management Building/Technical Support Records Mobile Shelving, Pillsbury Hall Stair Replacement Project-Minneapolis. Itasca county: Kewatin School Swimming Pool Area-Nashwauk, Arbo Township Hall Remodeling-Grand Rapids. Koochiching county: Falls Jr. High School Thermal System Insulation-International Falls. Ramsey county: U of M Commonwealth Terrace Shingle Reroofing 9 Phase IV Housing Units, Life Long Literacy Center-St. Paul. St. Louis county: Sprinkler System Installation Fire Protection-Eveleth and Chisholm, ISD #701 Installation of Energy Management System and Boiler Burner, Greenway Elementary School-Hibbing, Town of White Garage Expansion-White, Hermantown Middle School-Duluth.

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

## **Legislative Coordinating Commission**

### **Nominations and Applications are being Accepted for 4 Positions on the Higher Education Board**

The 13-member Higher Education Board (HEB) is the governing body of the technical colleges, community colleges and state universities. HEB applicants are screened by a citizens's advisory council and names are forwarded to the governor for appointment. HEB members receive per diem and expenses; terms are six years. For further information and/or application forms, please contact Mary E. Ryan, (612) 296-1121, 85 State Office Building, St. Paul, MN 55155.

## **Board of Medical Practice**

### **Notice of Solicitation of Outside Information or Opinions Regarding *Minnesota Rules*, Part 5600 (MIDWIVES)**

**NOTICE IS HEREBY GIVEN** that the Minnesota Board of Medical Practice is seeking information or opinions from sources outside the Board in preparing to propose non-controversial amendments to *Minnesota Rules*, part 5600, relating to the licensing of midwives in Minnesota. The amendment of the rule is authorized by *Minnesota Statutes*, section 148.31, which permits the Board to promulgate rules as are necessary to carry out and make effective the provisions and purposes of sections 148.30 to 148.32.

All interested persons or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements should be addressed to:

H. Leonard Boche, Executive Director  
Minnesota Board of Medical Practice

## Official Notices

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2700 University Avenue West, Suite 106  
St. Paul, Minnesota 55114

Oral statements will be received during regular business hours over the telephone at (612) 642-0538 (Minnesota Relay Operator (612) 297-5353 or (800) 627-3529) and in person at the above address.

All statements of information and comment will be accepted until further notice is given or the Notice of Hearing or Notice of Intent to Adopt Without a Hearing are published in the *State Register*. Any written material received by the Minnesota Board of Medical Practice shall become part of the rulemaking record to be submitted to the Attorney General in the event that the rule is adopted.

Dated: 14 October 1993

H. Leonard Boche  
Executive Director

## Minnesota Comprehensive Health Association

### Notice of Meeting of the Executive Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association (MCHA), Executive Committee will be held at 8:00 a.m., on Wednesday, November 3, 1993 at Blue Cross and Blue Shield of Minnesota, 3500 Yankee Drive, Suite 400, Eagan, Minnesota. The meeting will be in Room "A".

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

### Notice of Meeting of the Ad Hoc Committee on Strategic Planning

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association (MCHA), Ad Hoc Committee on Strategic Planning will be held at 1:00 p.m., on Wednesday, November 10, 1993 at Health Partners, 8100 - 34th Avenue South, Bloomington, Minnesota, in the 6 West conference room.

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

### Notice of Actuarial Committee Meeting

**NOTICE IS HEREBY GIVEN** that a meeting of the Actuarial Committee of the Minnesota Comprehensive Health Association (MCHA), will convene at 1:00 p.m., on Thursday, November 4, 1993 at Blue Cross and Blue Shield of Minnesota, 3535 Blue Cross Road, Eagan, Minnesota, in the 6th floor dining room.

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

## Department of Natural Resources

### Division of Fish and Wildlife

### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Ecologically Harmful Exotic Species

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Natural Resources is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rule governing ecologically harmful exotic species. The adoption of the rule is authorized by *Minnesota Statutes*, section 84.9691, which permits the agency to adopt rules restricting the introduction, propagation, use, possession, and spread of ecologically harmful exotic species in this state. For purposes of the proposed rule, "ecologically harmful exotic species" means non-native aquatic plants or wild animals that can naturalize, have high propagation potential, are highly competitive for limiting factors, and cause displacement of, or otherwise threaten, native plants or native animals in their natural communities.

The Minnesota Department of Natural Resources requests information and opinions concerning the subject matter of the rule. 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:

Jay Rendall  
Department of Natural Resources  
Division of Fish & Wildlife  
500 Lafayette Road  
St. Paul, Minnesota 55155-4020

Oral statements will be received during regular business hours over the telephone at (612) 297-1464 and in person at the above address.

All statements of information and opinions shall be accepted until 4:30 p.m. on December 1, 1993. Any written material received by the State Department of Natural Resources shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 19 October 1993

Rodney W. Sando  
Commissioner

## **Department of Natural Resources**

### **Division of Fish and Wildlife**

#### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Various Game and Fish Matters**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Natural Resources is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rule governing the application of fish toxicants, packing and transportation of fish, hunting in selected game refuges, establishment of and regulations for controlled hunting zones, distribution of deer management permits, hunting in Rothsay Wildlife Management Area, regulation of the taking of moose, application procedures for a moose license, regulation of the taking of small game, payment of pelting fees, certification and regulation of predator controllers, regulation of turkey hunting, restrictions for taking and possession of migratory game birds, regulation of game farms, regulation of the taking of rough fish, regulation of the taking of whitefish and ciscoes, regulation of Lake Superior fishing guides, regulation of the taking of minnows, regulation of taking of frogs, regulation of the taking of crayfish, transportation from and planting of fish in public waters, and regulation of fishing in Lake Superior. The adoption of the rule is authorized by *Minnesota Statutes*, sections 97A.045, subdivisions 2 and 4; 97A.055, subdivision 4; 97A.091, subdivision 2; 97A.092; 97A.095, subdivision 2; 97A.105, subdivision 9; 97A.137, subdivision 2, 97A.401, subdivision 4; 97A.431, subdivisions 1 and 4; 97A.551, subdivision 4; 97B.301, subdivision 4; 97B.305; 97B.311; 97B.411; 97B.505; 97B.605; 97B.711, subdivisions 1 and 3; 97B.721; 97B.803; 97B.811, subdivision 5; 97B.911; 97B.915; 97B.921; 97B.925; 97C.051, subdivision 1; 97C.205; 97C.311, subdivision 2; 97C.391, subdivision 1; 97C.505, subdivision 1; 97C.601, subdivision 6; 97C.865, subdivision 2; and 97C.871, which permits the agency to promulgate rules for the above mentioned programs.

The Minnesota Department of Natural Resources requests information and opinions concerning the subject matter of the rule. 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:

Charles Armstrong  
Department of Natural Resources  
500 Lafayette Road  
St. Paul, Minnesota 55155-4036

Oral statements will be received during regular business hours over the telephone at (612) 297-7031 and in person at the above address.

All statements of information and opinions shall be accepted until 4:30 p.m. on December 15, 1993. Any written material received by the State Department of Natural Resources shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 19 October 1993

Rodney W. Sando  
Commissioner

## **Minnesota Pollution Control Agency**

### **Air Quality Division**

#### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendments to Rules Governing State Ambient Air Quality Standards**

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (MPCA) is seeking information or opinions from

## Official Notices

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sources outside the MPCA in preparing to propose the amendments to the state air pollution control rules to incorporate the National Ambient Air Quality Standards (NAAQS) for lead and particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers (also known as "PM-10"). These rule amendments are needed in order to:

1. Update Minnesota's state air pollution control rules to enable the MPCA to fully implement the new federal operating permit program required by Title V of the 1990 Clean Air Act Amendments (1990 Amendments), 42 U.S.C. §§ 7661-7661f (1992).
2. Reflect in Minnesota rules the current NAAQS for lead and PM-10 which the state of Minnesota administers within its boundaries.
3. Continue rulemaking activities designed to update the state air pollution control rules, as recommended by the Legislative Auditor in its 1991 report on the MPCA.

The adoption of the rule amendments is authorized by *Minnesota Statutes* § 116.07, subd. 4 (1992), which permits the MPCA to adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions of *Laws 1969*, ch. 1046, for the prevention, abatement, or control of air pollution.

The MPCA requests information and opinions concerning the subject matter of the rule. 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:

Norma L. Florell  
Air Quality Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-7712 and in person at the above address.

All statements of information and opinions shall be accepted until November 12, 1993. Any written material received by the MPCA shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule amendments are adopted.

The MPCA published a Notice of Intent to Solicit Outside Information or Opinions on Monday, July 6, 1992 at 17 *State Register* 14. This notice described the state's intent to adopt the federal standard for lead, delete the state hydrocarbon standard, and replace the total suspended particulate (TSP) standard with one for PM-10. The MPCA has since decided to split these into two separate rulemakings. The first rulemaking will be to adopt the Lead and PM-10 NAAQS standards. The second rulemaking will be to repeal the TSP and hydrocarbon standards.

Charles W. Williams  
Commissioner

## Minnesota Pollution Control Agency

### Air Quality Division

### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Incorporating by Reference Federal Acid Rain Regulations

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (MPCA) is seeking information or opinions from sources outside the MPCA in preparing to propose the incorporation into state rules of the federal rules governing acid rain control. The MPCA plans to adopt this rule in response to guidance from the United States Environmental Protection Agency on what elements of the federal acid rain program must be included in state rules implementing the federal Clean Air Act. The adoption of the rule is authorized in *Minnesota Statutes*, section 116.07, subd. 4, which permits the MPCA to adopt rules governing the prevention, abatement or control of air pollution.

The MPCA requests information and opinions concerning the subject matter of the rule. 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:

Norma L. Florell  
Air Quality Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-7712 and in person at the above address.

All statements of information and opinions shall be accepted until November 12, 1993. Any written material received by the MPCA shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Charles W. Williams  
Commissioner

## **Minnesota State Agricultural Society**

### **Minnesota State Fair: Meeting Notice**

The board of managers of the Minnesota State Agricultural Society, governing body of the State Fair, will conduct a business meeting at 10 a.m., Tuesday, Nov. 9, at the Administration Building at the fairgrounds. The business meeting will be preceded by a meeting of the board's commercial space committee at 9 a.m.

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## **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.

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## **Center for Arts Education**

### **Notice of Request for Proposal to Develop an Arts Magnet Program in School Districts Located in Congressional Districts 4 and 8**

The Minnesota Center for Arts Education is seeking proposals from all school districts in Congressional Districts 4 and 8 to develop a Magnet Arts Program. The Magnet Arts Program involves two-tiers. Schools in District 4 must submit a proposal for tier-one, a staff development model, and school districts in Congressional District 8 must submit a proposal for a tier-two satellite model.

The specific components of these two different models are discussed under the Magnet Arts Program Request for Proposal (RFP) Statement of Project Scope and Tasks. The formal RFP may be requested from:

Tamara G. Hauser, Program Associate, Resource Programs  
Minnesota Center for Arts Education  
6125 Olson Memorial Highway  
Golden Valley, MN 55422  
(612) 591-4700 or 1-800-657-3515 (toll free)

The Magnet Arts Program and the involvement of the Minnesota Center for Arts Education shall be for a time period beginning on or about March 15, 1994 through June 30, 1995. Funding for the fiscal year 1995, July 1, 1994-June 30, 1995 is contingent upon a successful interim report.

The deadline date for submission of proposals is 4:00 p.m. on Wednesday, December 15, 1993. LATE PROPOSALS OR FAXED PROPOSALS WILL NOT BE ACCEPTED. Selections will be made by January 26. Proposals should be submitted to Tamara G. Hauser, Program Associate, Resource Programs.

## **Department of Corrections**

### **Notice of Availability of Funds**

The Minnesota Department of Corrections, Community Services Division, announces availability of funds for a grant program to provide financial restitution to victims by funding work performed by eligible juveniles. All monetary restitution earned by a juvenile offender must be forwarded to the victim.

## State Grants

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Funds totalling \$500,000.00 are available by grant to community corrections agencies, state and local agencies, and nonprofit agencies that meet the criteria developed by the Commissioner of Corrections relating to juvenile restitution grants programs. These funds will finance work for eligible juveniles who have monetary restitution obligations to victims. The funds will be available to fund programs for approximately 18 months, January 1994 through June 30, 1995.

There is no assurance of continued funding for future fiscal years. The deadline for proposals submission is December 1, 1993–4:30 p.m. Proposals received after this date and time will not be given consideration. To receive a Request for Proposal which describes in detail how to apply for this funding, contact:

Nancy Montemurro  
Minnesota Department of Corrections  
300 Bigelow Building  
450 Syndicate St.  
St. Paul, MN 55104  
Telephone: 612/642-0235

Dated: October 1993

## Department of Jobs and Training

### **Request for Proposals: The Department of Jobs and Training Announces the Availability of FFY 1993 Community Food and Nutrition Program (CFNP) Funds in the Amount of \$56,088 to be Awarded Through a Statewide Competition to Statewide Public or Private, Non-Profit Agencies**

#### Eligible Activities

The proposed activities must be statewide in scope and intend to meet at least one of the following three purposes of the program:

- 1) Improve coordination of existing private and public assistance resources to better serve low-income communities.
- 2) Assist low-income communities to identify potential sponsors of child nutrition programs and initiate programs in unserved and under-served areas; and
- 3) Develop innovative approaches at the state and local levels to meet nutritional needs of low-income individuals.

Activities funded through this award must also include outreach and public education activities designed to inform low-income and unemployed individuals of the nutrition services available under various federally-assisted programs.

#### Program Timelines

Five copies of the proposal must be received by 4:30 p.m. on Wednesday, December 1, 1993 at the following address:

Minnesota Department of Jobs and Training  
Community Based Services Division  
390 North Robert Street, Room 125  
St. Paul, Minnesota 55101  
Attn: Patrick Leary

All proposals should be submitted on the application package provided by the Department. Application packages can be obtained by calling Vicki Castano at (612) 296-1459.

Proposals will be reviewed and ranked by a review committee comprised of State officials versed in food and poverty issues. Final awards will be announced by December 21, 1993.

The grant period will run from December 21, 1993 to September 30, 1994.

#### Information

Questions regarding this program and awards should be addressed to Patrick Leary at (612) 297-3409.



## Minnesota Pollution Control Agency

### Ground Water and Solid Waste Division

#### Notice of Request for Proposals for Alternative Management Methods for Shredder Residue Grant Program

The Minnesota Pollution Control Agency (MPCA) is a state agency established by the Minnesota Legislature to deal with the variety and complexity of problems relating to water, air and land pollution affecting the state and to achieve a reasonable degree of purity of water, air and land resources.

This notice is issued by the Commissioner of the MPCA under authority provided in *Minnesota Laws 1993*, Chapter 172, Section 90. Under this authority, the MPCA established the Alternative Management Methods for Shredder Residue Grant Program. Under this program, the MPCA intends to provide grants to persons or organizations for alternative management activities for shredder residue. Shredder residue is the material that remains after automobiles, appliances, and scrap steel are sent through a shredder (hammer mill) and all reusable ferrous and nonferrous metals are removed.

Alternative management methods include the following: 1) any resource recovery technique; 2) use of shredder residue in the manufacture of refuse derived fuel; 3) use of shredder residue as landfill cover (*Minnesota Laws*, Chapter 172, Section 90).

**The purpose of this notice is to solicit proposals for projects that meet the objectives under the Alternative Management Methods for Shredder Residue Grant Program.**

The Alternative Management Methods for Shredder Residue Grant Program intends to encourage and assist public and private entities—including state, county, and local agencies; auto and appliance shredders and other companies involved in the shredding process—in the development of shredder residue management projects. Alternative Management Methods for Shredder Residue Grant projects may receive funding up to 50 percent of eligible project costs or \$300,000, whichever is less for the period July 1993 to June 1995. No more than \$150,000 will be awarded from July 1993 to June 1994. This program will not provide funds for the costs of operating and maintaining equipment and purchasing or renting property.

Copies of the Request for Proposals, including the rules applicable to this program, are available by contacting:

Michael J. Rafferty  
Minnesota Pollution Control Agency  
Ground Water and Solid Waste Division  
520 Lafayette Rd. N.  
St. Paul, MN 55155-4194  
(612) 297-2759 or 1-800-657-3864 (toll-free in Minnesota)

Mr. Rafferty can be contacted between 7:00 a.m. and 4:30 p.m., Monday-Friday.

Proposals meeting the requirements of *Minnesota Laws 1993*, Chapter 172, Section 90 must be received by the MPCA at the above address by 4:30 p.m., CST, Monday, November 29, 1993.

Charles W. Williams  
Commissioner

## Office of Waste Management

#### Notice of Request for Proposals: The Minnesota Office of Waste Management (OWM) is a State Agency Established by the Minnesota Legislature to Provide Financial and Technical Assistance to Private Businesses, Local Governments and Other Organizations for Reducing the Generation of and Improving the Management of Solid and Hazardous Waste

This notice is issued by the Director of the Office of Waste Management (OWM) under authority provided in *Minnesota Rules* parts 9210.0700 to 9210.0770. Under this authority, the OWM has established the Solid Waste Source Reduction Grant Program. Through this Program, the OWM intends to provide feasibility or implementation grants to public and private entities for solid waste source reduction activities that have broad application in the state, have the potential to significantly reduce the generation or toxicity of solid waste, or have the ability to reduce a significant solid waste stream. The OWM has budgeted a total of \$400,000 for the Fiscal Year 1994 funding round.

**The purpose of this notice is to solicit proposals for projects that meet the objectives of the Solid Waste Source Reduction Grant Program.**

## State Grants

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Eligible source reduction activities include the following: 1) changing procurement, consumption or solid waste generation habits to reduce the amount or toxicity of solid waste; 2) producing, procuring or using products or packaging with reduced material content or toxicity; 3) reusing a product in its original form; or 4) producing, procuring or using products or packaging with increased life spans. Eligible applicants are private persons and organizations or public entities that generate solid waste in Minnesota.

Priority will be given to proposals that have one or more of the following goals: 1) reducing consumer or distribution packaging; 2) reducing or reusing surplus construction materials or demolition debris; 3) reducing the toxicity of a product; 4) reducing a statewide or regional waste stream; or 5) implementing local business assistance activities for solid waste source reduction. Projects that reduce the quantity or toxicity of other solid waste streams or sectors are also eligible. Projects that study or implement composting or recycling are not eligible projects.

Grant Program funds will be awarded up to a total of \$40,000 per project. Private sector grant projects may receive up to 50 percent of the eligible costs, except that only 20 percent of a grant award may be spent for final design and engineering plan costs. Public sector grant projects may receive up to 75 percent of the eligible costs, except that only 50 percent of the costs of purchasing and installing equipment is eligible. The Solid Waste Source Reduction Grant Program will not provide funds for the costs of operating and maintaining equipment, or of purchasing or renting real property.

The OWM has prepared a Request for Proposal (RFP) that provides detailed information for applicants along with an application form. Interested persons may obtain a copy of the RFP, including the rules governing this grant program, by contacting:

Bill Dunn, Grant Administrator  
Solid Waste Source Reduction Grant Program  
Minnesota Office of Waste Management  
1350 Energy Lane  
St. Paul, MN 55108  
612-649-5750 or 1-800-657-3843 (toll-free in Minnesota)

**To receive a disc copy of the RFP in WordPerfect 5.1, mail a formatted 3½ inch high density floppy disc to the OWM at the above listed address.**

PLEASE NOTE, applications must be received by the OWM at the above address by **4:30 p.m. Tuesday, January 25, 1994** or they will not be considered for funding. **No faxed proposals will be accepted.**

## Professional, Technical & Consulting Contracts

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

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

## Department of Administration

### Notice of Request for Proposals for Rental of 23—Four Bedroom Homes

The Department of Administration on behalf of the Department of Human Services desires proposals for providing existing or constructing new four (4) bedroom handicapped accessible home as follows:

Up to 3 homes in Dakota County; 4 homes in Rice County (no more than 2 homes in the City of Faribault); 18 homes in Hennepin County; 1 home in Isanti County; 1 home in Northern Anoka County (north of Highway 242); 2 homes in Northern Ramsey County; 1 Home in Washington County and 3 homes in either Steele, Goodhue, Wabasha, Dodge, Olmsted, Winona, Freeborn, Mower, Fillmore or Houston Counties

for lease by the State to provide residential quarters for developmentally disabled persons.

Contact:

Department of Administration	50 Sherburne Avenue
Real Estate Management Division	St. Paul, Minnesota 55155
309 Administration Building	Telephone: (612) 296-6674

Proposals must be submitted by 4:30 p.m. (CST) on Friday, December 3, 1993.

## Department of Human Services

### Mental Health Division

#### Request for Proposals (RFP) Facilitator for Adult Mental Health Services Task Force

The Community Mental Health and State-Operated Services Administration of the Minnesota Department of Human Services (DHS) is soliciting proposals for a facilitator-mediator who will preside over Mental Health Task Force meetings and facilitate the group's efforts to study and develop recommendations to the Legislature concerning adult mental health services and funding.

The 1993 Legislature passed legislation (*1993 Laws of Minnesota*, First Special Session, Chapter 1, Article 7, Sec. 48) requiring the Commissioner of Human Services to convene a task force that "shall examine all possible county, state, and federal sources of funds for adult mental health with a view to improving methods of coordinating services and maximizing all funding sources and community support services, and increasing federal funding". The task force is comprised of approximately 70 members who represent the spectrum of mental health system interests. The task force needs to make a preliminary report and recommendations on coordination of services and funding by January 1, 1994. A final report with findings and recommendations must be submitted to the legislature by January 1, 1995. The facilitator-mediator's primary goal is to assist the task force to successfully develop consensus on the final report.

The Task Force had its initial meeting on October 19, 1993 with the help of a temporary facilitator. The Task Force agreed that, for the coming year, it needs a facilitator with the following skills and qualifications:

- demonstrable experience facilitating diverse groups to closure
- belief in consensus decision-making process
- proven track record in dispute resolution
- not a stakeholder, i.e. without a vested interest in the Task Force's recommendations
- sense of humor
- skilled at keeping focus, keeping things moving
- fair
- ability and willingness to understand complex issues
- available and approachable by Task Force members throughout the term of the contract
- able to pull in new information and outside sources
- outcome-oriented
- tough, doesn't get bullied or intimidated; able to say no
- not overly sensitive
- capability to oversee and coordinate completion of the final report to accurately reflect Task Force recommendations

Up to \$50,000 is available from state appropriated funds for this contract. An additional \$50,000 has been budgeted for other Task Force expenses.

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 interests. In addition, selection of a contractor does not guarantee a specific number of hours, or a minimum contract amount.

Proposals in response to this RFP must be submitted following the RFP application instructions. A copy of the complete RFP material is available by contacting the Mental Health Division, John Zakelj, phone 612-296-4426. Upon request, this information will be made available in an alternative format such as Braille, large print or audio-tape. There will not be a pre-application meeting.

All applicants must provide five (5) copies of their completed proposal(s) to the Mental Health Division, 444 Lafayette Road, St. Paul, Minnesota, 55155-3828, no later than the close of business (4:30 p.m.) on November 22, 1993.

Evaluation and selection of providers for each program will be completed by December 14, 1993.

### Department of Human Services

#### Child Support Enforcement Division

#### Request for Information on Audio Response Units and Electronic Scanning Technology

The Minnesota Department of Human Services (State) is soliciting information from vendors of audio response units and electronic scanning equipment. The Department will be implementing an audio response unit as an integral part of the statewide child support computer system. The audio response unit must provide information from the computer system to callers, and update the computer system to indicate records accessed. Electronic scanning equipment will be used in high volume areas to receipt support payments into the computer system.

The Department is seeking information on types of equipment and the range of features available. All interested firms are invited to submit information about their products and products' capabilities to:

Mary Arvesen  
Office of Child Support Enforcement  
Minnesota Department of Human Services  
Suite 800 Bremer Tower  
82 7th Place East  
St. Paul, MN 55101-2014

Information will be accepted until December 15, 1993. This request for information does not obligate the Department to use this technology in any manner, and the Department reserves the right to cancel the request if it is considered to be in its best interest.

### Minnesota State Lottery

#### Request for Interest in Vendor Listing for Promotional Merchandise

The Minnesota State Lottery will purchase a variety of promotional items for purposes of marketing lottery games. Those items will be purchased under provisions of *Minnesota Statutes* 349A.07 which states in part:

"The director shall utilize an open bid process and shall take into account the particularly sensitive nature of the state lottery and shall consider the competence, quality of product, experience, and timely performance of each potential vendor in order to promote and ensure security, honesty, fairness, and integrity in the operation and administration of the lottery."

Since time frames of these purchases will often be extremely constrained, the Lottery will establish a list of vendors willing to delivery specific items or groups of items. Invitations to bid on specific items will then be faxed and mailed to these vendors and responses mailed directly to the Lottery offices in Roseville.

Companies interested in being included on the Minnesota State Lottery vendor listing for promotional merchandise should submit: business name, address, contact person, phone number, fax number, and brief description of products you represent.

All responses should be sent to: Tom Barrett, Minnesota State Lottery, 2645 Long Lake Road, Roseville, Minnesota 55113. Vendors may request their names and product lines be added to the Minnesota State Lottery listing at any time.

Potential vendors should note: Minnesota state law requires that any vendor awarded a contract with the State of Minnesota or one of its agencies in excess of \$50,000 or employing more than 20 persons on a full-time basis must hold a certification from the Minnesota Department of Human Rights ensuring that the vendor has in place an affirmative action plan as required.

# 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.

## Metropolitan Waste Control Commission

### Public Notice for Letters of Interest (LOI), Request for Qualifications (RFQ), and Statement of Qualifications (SOQ) for Engineering Services

The Metropolitan Waste Control Commission is soliciting Letters of Interest for engineering services in support of in-house projects prepared by Commission staff. The Commission intends to engage 4 firms consisting of one Minority Business Enterprise (MBE), one Women's Business Enterprise (WBE), and two multi-discipline firms.

The type of work envisioned for these firms includes providing technical assistance to Commission staff during those time periods when staff's experience does not include a specific area of engineering and/or when staff resources are insufficient to complete the project in a timely manner. The professional services will cover a variety of engineering disciplines, including: environmental, sewer design, civil, structural, mechanical, and electrical.

Firms interested in being considered for this work are to submit a LOI requesting the RFQ submittal package. RFQ submittal packages will be issued upon receipt of LOI's. SOQ's are due by **12 Noon on Wednesday, November 17, 1993**. LOI's are to be directed to:

Metropolitan Waste Control Commission  
Mears Park Centre  
230 East 5th Street  
St. Paul, MN 55101  
Attn: Administrative Assistant, Contracts & Documents Division

Dated: 25 October 1993

By Order of the  
METROPOLITAN WASTE CONTROL COMMISSION  
Gordon O. Voss, Chief Administrator

## 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-SR, \$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-SR. \$8.95 plus tax.

***Canoeing with the Cree.*** Minnesota's distinguished newsman, Eric Sevareid, wrote his 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-SR. \$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 nationwide: 1-800-657-3757. Minnesota residents please include 6½% sales tax. St. Paul residents include 7%. On all orders, add \$3.00 per order for shipping. 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.



## Social workers', counselors' and therapists' guides and directories

**Chemical Dependency Programs Directory 1993-94.** Features comprehensive listings for programs ranging from prevention/intervention services to a wide range of treatment services. Each type of program includes a listing of facilities and description of programs. Stock No. 1-12-SR, \$17.00 + tax.

**Process parenting—Breaking the Addictive Cycle.** This training manual provides parent education and treatment techniques for professionals working with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4-SR, \$15.00 + tax.

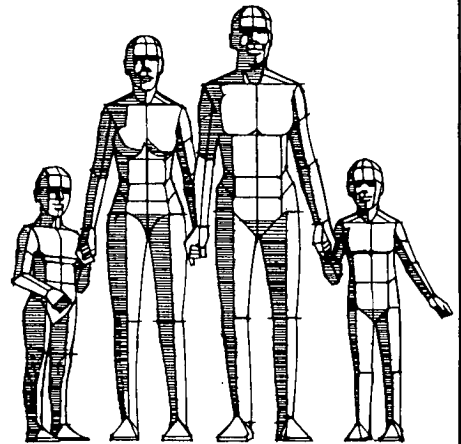
**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free nationwide: 1-800-657-3757. Minnesota residents please include 6½% sales tax. St. Paul residents include 7%. On all orders, add \$3.00 per order for shipping. Prepayment is required. 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 publications. Thank you.

## Process Parenting

**Process Parenting: Breaking the Addictive Cycle.** This is a curriculum and training manual designed to help chemical dependency treatment counselors to incorporate parent education into their on-going programs. It focuses on positive parent-child interactions and parenting strengths to assist chemically dependent persons develop a more positive view of self, feelings of greater control or influence over situations, understanding of self-defeating behaviors, and increased responsibility within one's social/community situation. 163 pages plus appendices. Stock #5-4, \$15.00 + 90¢ tax.

**Companion Video: Process Parenting.** Instructive video introduces basics of 'Process Parenting' technique. VHS 38:46. Stock No. 4-5, \$15.00



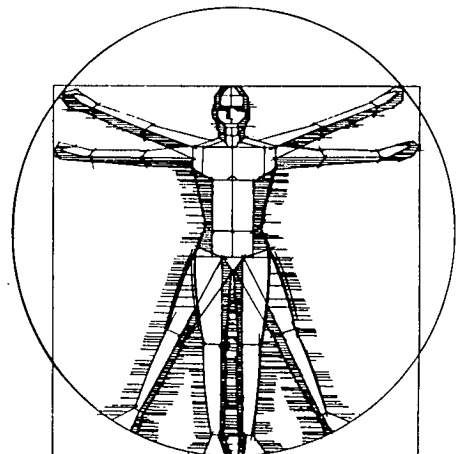
**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free nationwide: 1-800-657-3757. Minnesota residents please include 6½% sales tax. St. Paul residents include 7%. On all orders, add \$3.00 per order for shipping. Prepayment is required. 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 as is, reduced, enlarged, or redesigned to suit your format. Thank you.

## A Helping Hand for the Chemically Dependent

### Directory of Chemical Dependency Programs in Minnesota.

This 250-page directory lists prevention and intervention programs including county social service agencies, mental health centers, other information and referral programs, self-help programs and employee assistance programs. It also lists DWI (Driving While Intoxicated) clinics and detoxification centers. Outlining Minnesota's continuum of care, the Minn. Dept. of Human Services Directory lists treatment services under three headings: **Primary Residential Programs**—freestanding facilities, hospital-based facilities and state regional treatment centers; **Intermediate/Extended Residential Programs**—halfway houses, extended care facilities, and board and lodging facilities; **Non-Residential Programs**—freestanding facilities and hospital-based facilities. Stock #1-12-SR. \$17.00 + \$1.10 tax.



**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free nationwide: 1-800-657-3757. Minnesota residents please include 6½% sales tax. St. Paul residents include 7%. On all orders, add \$3.00 per order for shipping. 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.

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Management and  
Circulation**  
(Required by 39 U.S.C. 3685)

1A. Title of Publication  MINNESOTA STATE REGISTER	1B. PUBLICATION NO.						2. Date of Filing
	3	2	6	6	3	0	Sept 27, 1993
3. Frequency of Issue  WEEKLY	3A. No. of Issues Published Annually  52 + Index					3B. Annual Subscription Price  \$150.00	
4. Complete Mailing Address of Known Office of Publication (Street, City, County, State and ZIP+4 Code) (Not printers) State of Minnesota, Department of Administration, Print Communications Division 117 University Avenue, St. Paul, MN 55155							

5. Complete Mailing Address of the Headquarters of General Business Offices of the Publisher (Not printer)  
  
SAME AS ABOVE

6. Full Names and Complete Mailing Address of Publisher, Editor, and Managing Editor (This item MUST NOT be blank)  
 Publisher (Name and Complete Mailing Address)  
 State of Minnesota, Department of Administration, Print Communications Division  
 117 University Avenue, St. Paul, MN 55155

Editor (Name and Complete Mailing Address)  
 Jane Schmidley, State of Minnesota, Department of Administration  
 Print Communications Division, 117 University Avenue, St. Paul, MN 55155

Managing Editor (Name and Complete Mailing Address)

7. Owner (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding 1 percent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a partnership or other unincorporated firm, its name and address, as well as that of each individual must be given. If the publication is published by a nonprofit organization, its name and address must be stated.) (Item must be completed.)

Full Name	Complete Mailing Address
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Department of Administration	St. Paul, Minnesota 55155
Print Communications Division	

8. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages or Other Securities (If there are none, so state)

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(1)  Has Not Changed During Preceding 12 Months  
 (2)  Has Changed During Preceding 12 Months  
 (If changed, publisher must submit explanation of change with this statement.)

10. Extent and Nature of Circulation (See instructions on reverse side)	Average No. Copies Each Issue During Preceding 12 Months	Actual No. Copies of Single Issue Published Nearest to Filing Date
A. Total No. Copies (Net Press Run)	1,330	1,300
B. Paid and/or Requested Circulation		
1. Sales through dealers and carriers, street vendors and counter sales	0	0
2. Mail Subscription (Paid and/or requested)	1,183	1,158
C. Total Paid and/or Requested Circulation (Sum of 10B1 and 10B2)	122	122
D. Free Distribution by Mail, Carrier or Other Means (Samples, Complimentary, and Other Free Copies)	1,305	1,280
E. Total Distribution (Sum of C and D)	25	20
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2. Return from News Agents	1,330	1,300
G. TOTAL (Sum of E, F1 and 2—should equal net press run shown in A)		

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*Deborah A. George*

