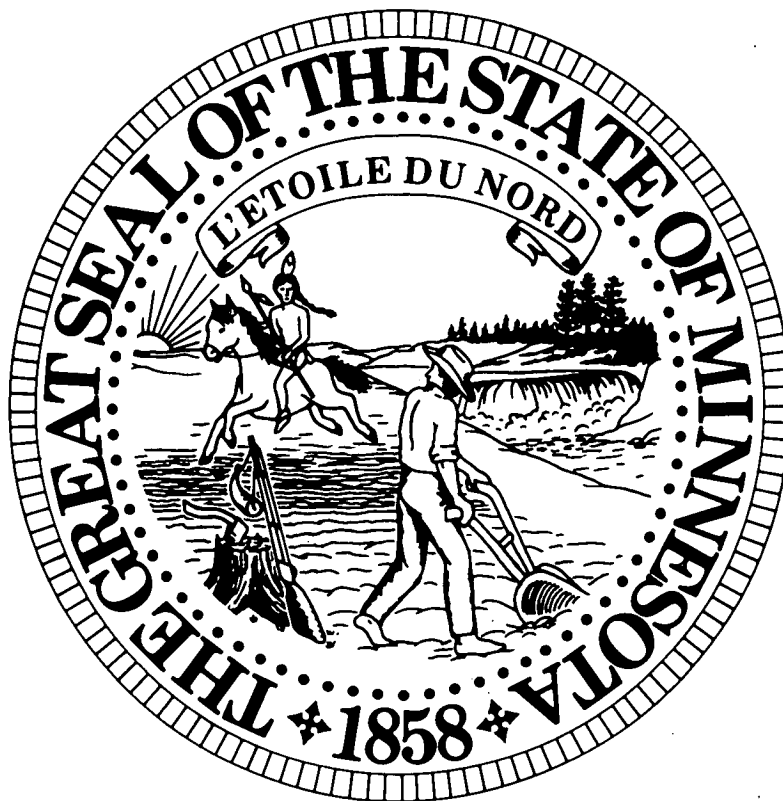


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The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public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

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

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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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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.

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8400.3000; .3030; .3060; .3110; .3130; .3160; .3200; .3210;		9505.0277 (proposed)	478
		9505.0405 (proposed repealer)	478

Information for Health Care Services

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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.

Higher Education Coordinating Board

Proposed Permanent Rules Relating to Child Care Grant Program

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 Higher Education Coordinating Board 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 October 13, 1994 a public hearing will be held on November 7, 1994. To find out whether the rule will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after October 13, 1994 and before November 7, 1994.

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

Mary Lou Dresbach
Minnesota Higher Education Coordinating Board
400 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-3974
FAX: (612) 297-8880

Subject of Rule and Statutory Authority. The proposed rule is about Child Care Grants for post-secondary students who are not receiving Aid to Dependent Children (AFDC). The statutory authority to adopt the rule is *Minnesota Statutes* 136A.04, Subd. 1(8). 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 PM on October 13, 1994 to submit written comment 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 agency 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 agency contact person by 4:30 PM on October 13, 1994. Your written request for a public hearing must include your name, address, and telephone number. You are encouraged to identify

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Proposed Rules

the portion of the proposed rule which caused your request, the reason for the written 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 agency 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 November 7, 1994 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rule. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (612) 296-3974 after October 13, 1994 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.20. The hearing will be held on November 7, 1994 at the Veterans Services Building, 20 West 12th Street, 5th Floor Conference Room, St. Paul, MN 55101 beginning at 9:00 AM 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 Barbara L. Neilson. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, MN 55401, (612) 341-7604.

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 agency 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 PM on the due date. No additional evidence may be submitted during the five-day period. This rule hearing procedure is governed by *Minnesota Rules*, part 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 agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule. It also includes a summary of all the evidence and argument which the agency 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.

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 the Centennial Office Building, 1st floor, 658 Cedar Street, St. Paul, Minnesota 55155, (612) 296-5148.

Adoption Procedure if No Hearing. If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to the legality and form to the extent 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. If you want to be so notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person 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 agency 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 agency'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 agency contact person at any time prior to the filing of the rule with the Secretary of State.

Dated: 25 August 1994

David R. Powers
Executive Director

Rules as Proposed**4830.7100 DEFINITIONS.**

[For text of subs 1 and 2, see M.R.]

Subp. 2a. Eligible child. “Eligible child” means a child who is 12 years of age or younger, or 14 years of age or younger who is disabled as defined in Minnesota Statutes, section 120.03, and who is receiving or will receive care on a regular basis from a provider of child care services as those terms are defined in Minnesota Statutes, section 256H.01, subdivisions 2 and 12.

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 5. Eligible student. “Eligible student” means a student who:

A. has a child 12 years of age or younger, or 14 years of age or younger who is handicapped as defined in *Minnesota Statutes*, section 120.03, and who is receiving or will receive care on a regular basis from a provider of child care services as those terms are defined in *Minnesota Statutes*, section 256H.01, subdivisions 2 and 12, after the grant is received;

B. is a resident of Minnesota as defined in part 4830.0400, subpart 2;

C. is not receiving tuition reciprocity;

D. is not a recipient of aid to families with dependent children (AFDC);

~~D. E.~~ has not earned a baccalaureate degree and or has not been enrolled full time in any postsecondary institution fewer more than eight semesters, 12 quarters, or the equivalent;

~~E. E.~~ is pursuing a nonsectarian program or course of study that applies to an undergraduate degree, diploma, or certificate;

~~F. G.~~ is enrolled at least half time in an eligible institution for the term for which an award is received;

~~G. H.~~ is in good academic standing and making satisfactory academic progress, as defined by the institution according to federal requirements;

H. I. reports any changes to data reported on the child care application within ten days of the change; and

I. is not in default, as defined under the applicable loan program, of any educational loan, or, if the student is in default, has made satisfactory arrangements to repay the loan with the holder of the note.

Subp. 5a. Family income and family size. “Family income and family size” means the income and family size used to determine an award from the state grant program under parts 4830.0200 to 4830.0700.

[For text of subp 6, see M.R.]

Subp. 7. Institution’s share. “Institution’s share” means the number of students in an eligible institution who have applied for the state ~~scholarship and~~ grant program under parts 4830.0200 to 4830.0700 for the most ~~current~~ recent academic year available and who have reported dependent children.

4830.7200 ELIGIBLE INSTITUTIONS.

Institutions eligible for child care grants are Minnesota public postsecondary institutions and Minnesota private, residential colleges or universities baccalaureate degree granting two-year or four-year liberal arts colleges or universities or Minnesota nonprofit two-year vocational technical schools granting associate degrees that have signed a child care program agreement with the board.

4830.7300 STUDENT PRIORITY.

~~Beginning July 1, 1990,~~ A student who has received an award from the program in the immediately preceding academic year and who has had continuing enrollment at that institution since the time that the non-AFDC child care award was given must be given a child care award for the next academic year if the student remains eligible and funds are available. A student shall apply for a continuation of funds by ~~June 1 of the preceding academic year~~ the deadline date established by the school or lose priority ranking for the funds over students who did not apply for a continuation of funds by ~~June 1~~ the established deadline and eligible students applying for a child care grant for the first time.

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Proposed Rules

4830.7400 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

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

Subp. 2. **Yearly allocation to institutions.** ~~After the 1989-1990 academic year,~~ Funds shall be allocated to each eligible institution according to the following formula:

- A. the institution's share divided by the sum of participating institutions' shares;
- B. multiplied by the current fiscal year's appropriation for child care grants; ~~and~~
- C. multiplied by the percent of funds for child care grants actually used by the institution during the prior academic year.

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

Subp. 4. **Administrative expense.** By July 1 of each year, the board shall set the percentage of awarded child care grant funds that may be used for administration of the child care program by the board and the institution. The percent of funds taken for the administration of the non-AFDC child care program shall be based on the amount of funds disbursed to students for that fiscal year.

[For text of subs 5 to 7, see M.R.]

Subp. 8. [See repealer.]

4830.7500 AMOUNT AND TERM OF GRANTS.

Subpart 1. [See repealer.]

Subp. 2. **Amount.** The amount of a grant must ~~cover~~ be based on:

- A. the cost of child care for all children 12 years old or younger, or 14 years old or younger if the child is handicapped as defined in *Minnesota Statutes*, section 120.03;
- B. ~~the total number of eligible hours for which child care is needed; and~~
- C. ~~the provider's charge up to a maximum rate established each year by the board based on rate information received from the Department of Human Services in each county where services are being provided;~~
- C. the student's enrollment status;
- D. the age of the children; and
- E. the award chart prepared by the board.

The institution shall determine the amount of child care needed for the eligible hours of education as defined in part 4830.7100, subpart 4, and the number of eligible hours of employment as defined in part 4830.7100, subpart 3, for each academic term and then subtract the amount of student copayment for each month of child care according to charts provided by the board.

The amount of the grant must not exceed 60 hours per child per week and must not cover hours during which a parent or legal guardian is capable and available to care for the children.

If, after an award is made, a student presents information to the institution that would increase the student's child care award, the award must be increased if program funds are available.

The institution shall estimate the amount of child care needed for the academic year and summer terms, and may add an amount up to that estimated cost to the institution's normal student budget used to calculate the student's financial need. The non-AFDC child care grant and other forms of financial aid may be used to pay for the child care if the expense is not covered by other funds.

Subp. 2a. **Academic year award.** The amount of the grant per eligible child for the academic year must be the amount shown on the following chart:

CHILD CARE GRANTS PER ELIGIBLE CHILD

<u>Total Income less than</u>	<u>Family Size</u>	<u>Family Size</u>	<u>Family Size</u>	<u>Family Size</u>
	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
\$10,000	\$1,500	\$1,500	\$1,500	\$1,500
\$13,000	\$1,500	\$1,500	\$1,500	\$1,500
\$16,000	\$1,200	\$1,500	\$1,500	\$1,500
\$19,000	\$900	\$1,200	\$1,500	\$1,500
\$22,000	\$600	\$900	\$1,200	\$1,500
\$25,000	\$300	\$600	\$900	\$1,500
\$28,000	\$0	\$300	\$600	\$1,500
\$31,000	\$0	\$0	\$300	\$1,200
\$34,000	\$0	\$0	\$0	\$900
\$37,000	\$0	\$0	\$0	\$600
\$40,000	\$0	\$0	\$0	\$300
\$43,000	\$0	\$0	\$0	\$0
\$46,000	\$0	\$0	\$0	\$0
\$49,000+	\$0	\$0	\$0	\$0

<u>Total Income less than</u>	<u>Family Size</u>	<u>Family Size</u>	<u>Family Size</u>	<u>Family Size</u>	<u>Family Size</u>
	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>9+</u>
\$10,000	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
\$13,000	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
\$16,000	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
\$19,000	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
\$22,000	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
\$25,000	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
\$28,000	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
\$31,000	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
\$34,000	\$1,200	\$1,200	\$1,500	\$1,500	\$1,500
\$37,000	\$1,200	\$1,200	\$1,200	\$1,500	\$1,500
\$40,000	\$900	\$900	\$1,200	\$1,200	\$1,200
\$43,000	\$600	\$600	\$900	\$900	\$1,200
\$46,000	\$300	\$300	\$600	\$600	\$900
\$49,000+	\$0	\$0	\$300	\$300	\$600

Subp. 2b. Award disbursements. The academic year award amount in subpart 2a must be disbursed by academic term using the following formula:

- A. the academic year amount shown on the chart in subpart 2a;
- B. divided by the number of terms in the academic year;
- C. divided by 15; and
- D. multiplied by the number of credits for which the student is enrolled that academic term, up to 15 credits.

Payments shall be made each academic term to the student or to the child care provider, as determined by the institution. Institutions may make payments more than once within the academic term.

Subp. 2c. Summer terms award. Students attending summer school may receive an additional grant award per eligible child up to one-third of the academic year award shown on the chart in subpart 2a for quarter-based schools and up to one-half the academic year award shown on the chart for semester-based schools.

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Proposed Rules

Subp. 3. [See repealer.]

Subp. 3a. Annual award amount. The annual maximum grant per eligible child must not exceed the calculated amount in subpart 2a plus the amount in subpart 2c, or the student's estimated annual child care cost for not more than 40 hours per week per eligible child, whichever is less.

4830.7710 PROCEDURES FOR DENIAL OR TERMINATION OF A CHILD CARE AWARD.

Subpart 1. **Applicability.** Students meeting the eligibility requirements in part 4830.7100, subpart 5, but denied a child care grant award due to an institution's lack of program funds, shall be placed at the student's request on the institution's waiting list pending the availability of program funds. Subpart 2 and part 4830.7720 are not applicable to students who are denied child care grant awards due to lack of program funds.

Subp. 2. **Procedures.** ~~A school must follow the procedures in items A to D when denying or terminating a child care grant award, except in cases where the denial is due to lack of program funds.~~

~~A. The school shall notify a student, in writing, of denial or termination of a child care grant award. The notice must state the reason or reasons the assistance is being denied or terminated. The notice shall inform the student of the right to contest the adverse action and the procedure for doing so. Except for cases of suspected fraud when a child care grant is terminated, the notice must be mailed to the student's last known address, or hand delivered to the recipient at least 14 calendar days before terminating assistance. In cases of suspected fraud, the termination notice must be mailed or hand delivered at least five working days before the effective date of the termination.~~

~~B. Failure of a child care grant recipient to provide required information or documentation, to report changes required under part 4830.7100, subpart 5, or to pay the family copayment fee or the provider charge if the state share of the subsidy is paid directly to the family, is just cause for terminating assistance.~~

~~C. Child care assistance payments shall be terminated pending the result of the appeal process in part 4830.7720. If the appeal results in the continuation of child care payments to the student, payments covering the period from termination to the appeal decision to continue child care payments shall be made retroactively to the extent allocated funds are available.~~

~~D. Termination. When terminating a student's non-AFDC child care award, a school must follow its normal procedures used to terminate other financial aid programs. If the child care grant award is made by vendor payment, the school shall inform the child care provider of the notice of termination pending the results of the appeal process.~~

4830.7720 APPEAL PROCESS.

Subpart 1. **Appeal request.** An applicant or recipient of a child care subsidy adversely affected by a school's action may file a written request for an appeal with the school.

Subp. 2. [See repealer.]

Subp. 3. **Appeal process.** Students must follow the normal appeal process established by the school to handle complaints about financial aid program decisions. ~~The school's appeal process must be completed within two weeks of the student's filing a written request for an appeal with the school.~~ If the student is not satisfied with the result of the appeal, the student may ask the school to forward the results to the executive director of the Minnesota Higher Education Coordinating Board for review. ~~The school must forward the results of the appeal and documentation provided by the student at the appeal to the executive director within two weeks of the school's appeal decision.~~ The executive director shall review the decision and accompanying documentation, and shall make a decision according to *Minnesota Statutes*, section 136A.125, and parts 4830.7000 to 4830.7900. The student and school shall be advised in writing of the executive director's decision. The executive director's decision is final.

4830.7800 REFUNDS.

If a recipient fails to enroll or reduces enrollment, the institution school must refund the unused portion of the award. If the executive director determines that a school has fraudulently handled grant money, the refund of the unused portion of the award is immediately due, and the board may institute a civil action for recovery if necessary. Refunds to the board are determined as follows:

A. calculate the percentage that the child care grant award represents of the student's total financial aid package for the applicable term; excluding funds received from federal Title IV programs, United States Code, title 20, chapter 28, sections 1070 to 1099c-1; and

B. calculate the total tuition refund amount using the institution's refund policy or the federal pro rata refund calculation;

C. subtract the federal aid programs' refund amount from item B to determine the remaining tuition refund amount; and

D. multiplied multiply the percentage in item A by the amount determined to be refunded to the student under the institution's

refund policy. The result yields calculated in item C to determine the amount to be refunded to the program fund non-AFDC child care program.

Refunded awards are money to the non-AFDC child care program is available for reassignment awards to other qualified applicants eligible students.

4830.7900 REPORTS OF DATA.

Institutions must:

- A. collect demographic, educational, and financial data specified by the board from eligible students requesting child care grants;
- B. provide the board with individual student data upon request;
- C. upon the request of the board, report information about students who receive awards, students who are on the waiting list, and students who were denied awards, including the institution's methods of prioritizing applicants if insufficient funds are available; and
- D. submit fiscal year program activity reports and student data reports to the board.

Fiscal year program activity reports and student data reports are required by the board. Institutions shall correctly complete and submit all required reports and any applicable refunds to the board by the first working day after August 9. The board shall withhold an institution's subsequent year's allocation if the deadline date is not met.

REPEALER. Minnesota Rules, parts 4830.7100, subparts 3 and 4; 4830.7400, subpart 8; 4830.7500, subparts 1 and 3; 4830.7600; 4830.7700; and 4830.7720, subpart 2, are repealed.

Pollution Control Agency

Proposed Permanent Rules Relating to Incorporation of Federal Acid Rain Program Requirements

Notice of Intent to Adopt Rule Amendments without a Public Hearing

The Minnesota Pollution Control Agency (MPCA) intends to amend a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes* §§ 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule amendments and may also submit a written request for a public hearing to be held on the rule.

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

Norma L. Coleman
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
Telephone (612) 296-7712

Subject of Rule and Statutory Authority: The rule consists of proposed amendments to the state air pollution control rules to incorporate by reference the requirements of the federal permit regulation, nitrogen oxide emission reduction requirements, and continuous emission monitoring requirements for acid rain affected sources under Title IV of the Clean Air Act (Act). Title IV of the Clean Air Act Amendments of 1990 (1990 Amendments) established for the first time a national control plan for acid deposition. Title IV addresses acid rain in the United States by controlling emissions of sulfur dioxide (SO₂) and nitrogen oxides (NO_x) from power plants (called "affected sources" in Title IV). The U.S. Environmental Protection Agency (EPA) has promulgated regulations that implement the provisions of Title IV, which are codified at 40 C.F.R. pts. 72-78 (1993).

Because acid deposition is a problem of total regional and national emissions of SO₂ and NO_x, instead of emissions from any

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Proposed Rules

single affected source, Title IV imposes a national cap on annual SO₂ emissions from power plants of 8.9 million tons per year, a reduction of 10 million tons from 1980 emissions. This SO₂ emissions cap is implemented by issuing to power plants a certain number of allowances to emit SO₂. Each allowance is an authorization to emit one (1) ton of SO₂. A utility company may use that allowance, trade it, transfer it to other plants within the utility's system, or sell the allowance to another utility. Title IV also requires power plants to reduce total annual NO_x emissions by two (2) million tons by the year 2000. EPA has recently promulgated the regulations required to implement these reductions. 59 Fed. Reg. 13538-80 (March 22, 1994) (to be codified at 40 C.F.R. pt. 76).

The SO₂ emission reductions under Title IV are accomplished in two phases. Phase I takes effect in 1995, and addresses 110 power plants. EPA is issuing the permits for the Phase I power plants. Phase II reductions take effect in the year 2000, and apply to virtually all power plants in the United States. The states will implement Phase II SO₂ reductions and the NO_x reductions through the operating permit program established under Title V of the 1990 Amendments. The MPCA recently adopted rules that implement the federal operating permit program requirements of Title V in *Minnesota Rules* Ch. 7007 (1993). The purpose of this rule amendment is to add into the new operating permit rule the additional permit requirements for power plants subject to Title IV, and to incorporate into *Minnesota Rules* the NO_x emissions and continuous emission monitoring requirements imposed on those power plants by Title IV.

The statutory authority to adopt these rule amendments is contained in *Minnesota Statutes* § 116.07, subs. 2 and 4 (1992). A copy of the proposed rule amendments is published immediately after this notice.

Comments: You have until 4:30 p.m., October 12, 1994, to submit written comments in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the MPCA contact person by the due date. Comment is encouraged. Your comment 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 MPCA contact person by 4:30 p.m. on October 12, 1994. Your written request for a public hearing must include your name and address. 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. If a public hearing is required, the MPCA will follow the procedures in *Minnesota Statutes* §§ 14.131 to 14.20.

Request to Appear before the MPCA Board: The MPCA's Commissioner is proposing to amend this rule under a delegation of authority from the MPCA Board. In addition to submitting comments and/or a hearing request, you may also request to appear before the MPCA Board prior to adoption of this rule. Your request to appear before the MPCA Board must be in writing and must be received by the MPCA contact person by 4:30 p.m. on October 12, 1994. Your written request must include your name and address. If no one requests an appearance before the MPCA Board and a public hearing is not required, then Commissioner of the MPCA will make the final decision on this rule as allowed by a delegation from the MPCA Board.

Modifications: The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the MPCA and may not result in a substantial change in the proposed rule as printed in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness: A statement of need and reasonableness is now available from the MPCA contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

Small Business Considerations: *Minnesota Statutes* § 14.115, subd. 4 (1992) requires that the notice of rulemaking include a statement of the impact of this proposed rule on small business. The proposed rules are unlikely to affect small businesses, as defined in *Minnesota Statutes* § 14.115 (1992). The main impact of Title IV is on the power plants owned and operated by large electric utility companies. Additionally, since the federal acid rain requirements that are being incorporated into state rules are already in force and apply to affected sources under Title IV located in Minnesota as a matter of federal law, the MPCA cannot change the applicable federal regulations through this state rulemaking. The MPCA must show its ability to administer and enforce the applicable acid rain regulations in order to comply with the Act and administer the Title V operating permit program within Minnesota. Since the incorporation of the federal acid rain regulations into state rules does not change the federal regulations, this rulemaking does not impose any additional requirements on small businesses that are not already present as a matter of federal law.

Consideration of Economic Factors: In exercising its powers the MPCA is required by *Minnesota Statutes* § 116.07, subd. 6 (1992) to give due consideration to economic factors. In proposing this rule amendment to incorporate the federal acid rain regulations into state rules, the MPCA has considered the economic impacts the proposed rule amendments would have. Since the MPCA is incorporating the federal acid rain rules into state rules for purposes of compliance with Titles IV and V of the 1990 Amendments, the state rule amendments proposed in this rulemaking do not impose any additional costs on Minnesota businesses. This rule, therefore, does not have any economic impact on its own.

Expenditure of Public Money by Local Public Bodies: *Minnesota Statutes* § 14.11, subd. 1, requires the MPCA to include a statement of the rule's estimated costs to local public bodies in this notice if the rule would have a total cost of over \$100,000 to all local public bodies in the state in either of the two years following adoption of the rule. Adoption of this rule amendment may impose additional cost on local public bodies in the state, because it may apply to regulate emissions from at least two power plants owned and operated by local municipal utilities. The requirements of the federal acid rain program apply in Phase I (1995-1999) only to Northern States Power Company, a private, investor-owned electric utility. Phase II requirements impact at least two (2) municipal utility power plants in the state, but will not do so until the year 2000, and therefore this rule would not impose any costs on local public bodies in the two years immediately following its adoption. Since the MPCA is incorporating the federal acid rain regulations into state rules in order to comply with the requirements of the 1990 Amendments, the state rule amendments proposed in this rulemaking do not impose any additional costs on local public bodies that are not already imposed as a matter of federal law upon local public bodies by the requirements of the federal acid rain program which are being incorporated. This rule, therefore, does not have any economic impact on local public bodies on its own.

Impacts on Agricultural Land and Farming Operations: *Minnesota Statutes* § 14.11, subd. 2, (1992) requires that if the MPCA proposing the adoption of a rule determines that the rule may have a direct and substantial adverse impact on agricultural land in the state, the MPCA shall comply with specified additional requirements. The MPCA, in adopting the federal acid rain rules into state rules, is not proposing a rule which may have a direct and substantial adverse impact on agricultural lands in the state, because the federal acid rain regulations apply to power plants which generate electricity and, therefore, do not directly impact agricultural lands in the state.

Minnesota Statutes § 116.07, subd. 4 (1992), requires that if a proposed rule affects farming operations, the MPCA must provide a copy of the proposed rule and a statement of the effect of the proposed rule on farming operations to the Commissioner of Agriculture for review and comment. The MPCA, in proposing to include the federal acid rain regulations in state rules, is not proposing a rule which would affect farming operations.

Review by Commissioner of Transportation: *Minnesota Statutes* § 174.05 requires the MPCA to inform the Commissioner of Transportation of all rulemakings that concern transportation, and requires the Commissioner of Transportation to prepare written review of the rules. The adoption of the federal acid rain regulations into *Minnesota Rules* do not affect transportation; they affect the operation of electric utility power plants. The requirements of *Minnesota Statutes* § 174.05 are therefore not applicable.

Adoption and Review of the Rule: If no hearing is required, after the end of the comment period the MPCA 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 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. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to Norma Coleman.

Rules as Proposed (all new material)

7007.1075 PERMIT REQUIREMENTS FOR AFFECTED SOURCES.

Code of Federal Regulations, title 40, part 72, as amended, entitled "Permits Regulation," is adopted and incorporated by reference, for purposes of implementing an acid rain program that meets the requirements of title IV of the act. The term "permitting authority" means the agency. The provisions of this part apply to affected sources and take precedence if they conflict with or are not included in parts 7007.0100 to 7007.1850.

7011.0553 NITROGEN OXIDES EMISSION REDUCTION REQUIREMENTS FOR AFFECTED SOURCES.

Affected sources, as defined in part 7007.0100, subpart 4, shall comply with *Code of Federal Regulations*, title 40, part 76, as amended, entitled "Acid Rain Nitrogen Oxides Emission Reduction Program," which is adopted and incorporated by reference.

7017.1020 CONTINUOUS EMISSION MONITORING BY AFFECTED SOURCES.

Affected sources, as defined in part 7007.0100, subpart 4, shall comply with *Code of Federal Regulations*, title 40, part 75, as amended, entitled "Continuous Emission Monitoring," which is adopted and incorporated by reference.

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

Pollution Control Agency

Proposed Permanent Rules Relating to Standard Industrial Classification (SIC) Code Range

Notice of Intent to Adopt Rule Amendments without a Public Hearing

The Minnesota Pollution Control Agency (MPCA) intends to amend a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes* §§ 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule amendment and may also submit a written request for a public hearing to be held on the rule.

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

Andrew Ronchak
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
Telephone (612) 296-3107

Subject of Rule and Statutory Authority: The MPCA is required by Title V of the Clean Air Act Amendments of 1990 and 40 CFR Part 70 to develop an air emission operating permit program to implement the requirements of the Clean Air Act (CAA). The state of Minnesota submitted its operating permit program to the U.S. Environmental Protection Agency (EPA) by the CAA's November 15, 1993, deadline. The MPCA program, codified at *Minnesota Rules* ch. 7007, establishes six different deadlines by which sources are required to submit permit applications, ranging from October 15, 1994, to November 15, 1995. The deadline that applies to a given source depends on its Standard Industrial Classification Code.

Under the provisions in Title V of the 1990 Amendments, EPA has one year to approve or disapprove in whole or in part a complete submittal. The MPCA adopted its permit application deadlines based on the assumption that the EPA, in compliance with Title V, would approve its permit program by November 15, 1995. However, the EPA has already notified the MPCA that it is behind schedule in reviewing operating permit programs and that it will not act on Minnesota's Part 70 operating permit program until at least mid-January of 1995, and more likely mid-March of 1995. This delay is significant because the MPCA will not have the authority to process or issue Part 70 permits until EPA approves its programs. Therefore, the MPCA is proposing to move the permit application deadlines back three months to give permittees additional time to complete their applications and attend training if necessary.

No adverse environmental effects will result from the delay since existing permits will continue in effect during the three month period, and since the MPCA could not fully process or issue permits prior to EPA approval in any event.

The statutory authority to adopt this rule amendment is contained in *Minnesota Statutes* § 116.07, subs. 4 and 4a (1992). A copy of the proposed rule amendment is published immediately after this notice.

Comments: You have until 4:30 p.m., October 12, 1994, to submit written comments in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the MPCA contact person by the due date. Comment is encouraged. Your comment 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 MPCA contact person by 4:30 p.m. on October 12, 1994. Your written request for a public hearing must include your name and address. 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. If a public hearing is required, the MPCA will follow the procedures in *Minnesota Statutes* §§ 14.131 to 14.20.

Request to Appear before the MPCA Board: The MPCA's Commissioner is proposing to amend this rule under a delegation of authority from the MPCA Board. In addition to submitting comments and/or a hearing request, you may also request to appear before the MPCA Board prior to adoption of this rule. Your request to appear before the MPCA Board must be in writing and must be received by the MPCA contact person by 4:30 p.m. on October 12, 1994. Your written request must include your name and address. If no one requests an appearance before the MPCA Board and a public hearing is not required, then the Commissioner of the MPCA will make the final decision on this rule as allowed by a delegation from the MPCA Board.

Modifications: The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the MPCA and may not result in a substantial change in the proposed rule as printed in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness: A statement of need and reasonableness is now available from the MPCA contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

Small Business Considerations: *Minnesota Statutes* § 14.115, subd. 4 (1992) requires that the notice of rulemaking include a statement of the impact of this proposed rule on small business. The proposed rule amendment will affect small business as defined in *Minnesota Statutes* § 14.115 (1992). By moving the application deadline back three months, small businesses will have additional time to prepare their permit applications. In addition to this rulemaking, the MPCA has considered the needs of small business through the establishment of a Small Business Assistance Program and additional outreach activities. The delay in application dates will provide additional time for those small business assistance and outreach activities.

Consideration of Economic Factors: In exercising its powers the MPCA is required by *Minnesota Statutes* § 116.07, subd. 6 (1992) to give due consideration to economic factors. In proposing this rule amendment the MPCA has given due consideration to available information as to any economic impacts the proposed rule amendment would have. No significant adverse economic impacts are anticipated to result from the adoption of the proposed rule amendment.

Expenditure of Public Money by Local Public Bodies: *Minnesota Statutes* § 14.11, subd. 1, requires the MPCA to include a statement of the rule's estimated costs to local public bodies in this notice if the rule would have a total cost of over \$100,000 to all local public bodies in the state in either of the two years following adoption of the rule. This rule amendment does not have any adverse economic impact on local public bodies.

Impacts on Agricultural Land and Farming Operations: *Minnesota Statutes* § 14.11, subd. 2, (1992) requires that if the MPCA proposing the adoption of a rule determines that the rule may have a direct and substantial adverse impact on agricultural land in the state, the MPCA shall comply with specified additional requirements. The MPCA in proposing to move back the permit application deadlines by three months, is not proposing a rule which would directly impact agricultural lands in the state.

Minnesota Statutes § 116.07, subd. 4 (1992), requires that if a proposed rule affects farming operations, the MPCA must provide a copy of the proposed rule and a statement of the effect of the proposed rule on farming operations to the Commissioner of Agriculture for review and comment. The MPCA in proposing to move back the permit application deadlines by three months, is not proposing a rule which would affect farming operations.

Review by Commissioner of Transportation: *Minnesota Statutes* § 174.05 requires the MPCA to inform the Commissioner of Transportation of all rulemakings that concern transportation, and requires the Commissioner of Transportation to prepare written review of the rules. The adoption of this rule amendment does not affect transportation. The requirements of *Minnesota Statutes* § 174.05 are therefore not applicable.

Adoption and Review of the Rule: If no hearing is required, after the end of the comment period the MPCA 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 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. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to Andrew Ronchak.

Rules as Proposed

7007.0350 EXISTING SOURCE APPLICATION DEADLINES AND SOURCE OPERATION DURING TRANSITION.

Subpart 1. **Transition applications under this part; deadline based on SIC code.** Initial permit applications under parts 7007.0100 to 7007.1850 for an emission unit, emission facility, or stationary source in operation on October 18, 1993, shall be considered timely if they meet the requirements of this part.

A. An owner or operator of an existing stationary source with a Standard Industrial Classification (SIC) Code number in the left column of the following table shall submit a permit application by the corresponding date in the right column:

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

Adopted Rules

Category	SIC Code Range	Application Deadline
A	0000 to 2399, excluding <u>1422, 1423, 1429, 1442,</u> <u>1446, 2041, and 2048</u>	October 15, 1994 <u>January 15, 1995</u>
B	2400 to 2999 and 4953, excluding 2951 and 2952	January 15, 1995 <u>April 15, 1995</u>
C	3000 to 4499	March 15, 1995 <u>June 15, 1995</u>
D	4500 to 5099, excluding 4953	June 15, 1995 <u>September 15, 1995</u>
E	5100 to 8199	September 15, 1995 <u>December 15, 1995</u>
F	8200 to 9999, including <u>1422, 1423, 1429, 1442,</u> <u>1446, 2041, 2048, 2951,</u> and 2952	November 15, 1995 <u>February 15, 1996</u>

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

[For text of subs 2 to 5, see M.R.]

Adopted Rules

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

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

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

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

Department of Administration

Adopted Permanent Rules Relating to the Plumbing Code

The rules proposed and published at *State Register*, Volume 18, Number 44, pages 2309-2334, May 2, 1994 (18 SR 2309), are adopted with the following modifications:

Rules as Adopted

4715.1120 OIL AND FLAMMABLE LIQUIDS SEPARATOR.

Enclosed garages of over 1,000 square feet or housing more than four motor vehicles, repair garages, gasoline stations with grease racks, work or wash racks, auto washes, and all buildings where oily and/or flammable liquid wastes are produced shall have a separator installed into which all oil, grease, and sand bearing and/or flammable wastes shall be discharged before emptying into the building drainage system or other point of disposal, when floor drains or trench drains are provided.

Exception: Private garages classified as Group U, Division 1 occupancies serving one- and two-family dwellings.

Each separator shall be of watertight construction and of not less than 35 cubic feet holding capacity, be provided with a water seal of not less than three inches on the inlet and not less than 18 inches on the outlet. The minimum depth below the invert of the discharge drain shall be three feet. The minimum size of the discharge drain shall be four inches. The separator may be constructed of monolithic poured reinforced concrete with a minimum floor and wall thickness of six inches, or of iron or steel of a minimum thickness of 3/16 inch, protected with an approved corrosion resistant coating on both the inside and the outside.

The separator must be provided with a nonperforated iron or steel cover and ring of not less than 24 inches in diameter, and the air space in the top of the tank must have a three-inch vent pipe, constructed of approved metallic material, extending separately to a point at least 12 inches above the roof of the building. Drains and piping from motor vehicle areas must be a minimum of three inches in size. Drains discharging to an interceptor must not be trapped. In motor vehicle wash facilities, a sand interceptor which meets the requirements of part 4715.1130, subpart 1, except that no water seal is permitted, may be installed to receive wastes before discharging into a flammable waste separator.

No cleanout, mechanical joint, or backwater valve shall be installed inside the separator which could provide a bypass of the trap seal. Only wastes that require separation shall discharge into the separator, except that a water supplied and trapped sink may be connected to the vent of the separator. Whenever the outlet branch drain serving a separator is more than 25 feet from a vented drain, such branch drain shall be provided with a two inch vent pipe. A backwater valve shall be installed in the outlet branch drain whenever in the judgment of the administrative authority backflow from the building drain could occur. (See part 4715.4000, subpart 4.)

A separator must be installed to be readily accessible for service and maintenance, and must be maintained by periodic removal of accumulated liquids and solids from the separator.

4715.1210 REQUIRED MINIMUM NUMBER OF FIXTURES.

Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number shown as required in chapter 1305 of the Minnesota State Building Code.

4715.1300 FLOOR DRAINS.

Subp. 6. **Garage and parking area floor drains.** Floor area drains in open parking areas, including open areas of parking ramps, must discharge to the storm sewer if available. Floor drains in parking areas which are enclosed, and floor drains in areas open or enclosed which are used for maintenance or as a vehicle wash bay, must discharge to the sanitary sewer if a municipal sewer is available. Oil and flammable liquid separators must be provided if required by part 4715.1120.

Exception: Floor drains in private garages classified as Group U, Division 1 occupancies serving one- and two-family dwellings may discharge to daylight if approved by the administrative authority.

4715.2110 TYPES OF DEVICES REQUIRED WHERE AN AIR GAP CANNOT BE PROVIDED.¹

[For text of items EE and FF, see M.R.]

¹ For installations not listed in this part, review with the Administrative Authority.

² Installations must comply with AWWA-M14, chapter 6 (1990) except that the following statement is deleted from section 6.3: At any time where the fire sprinkler piping is not an acceptable potable water system material, there shall be a backflow-prevention assembly isolating the fire sprinkler system from the potable water system.

Department of Labor and Industry

Adopted Permanent Rules Relating to Boilers and Power Boats

The rules proposed and published at *State Register*, Volume 18, Number 44, pages 2342-2359, May 2, 1994 (18 SR 2342), are adopted with the following modifications:

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

Adopted Rules

Rules as Adopted

5225.0050 DEFINITIONS.

Subp. 14. ~~Maintenance.~~ "Maintenance" means attendance to the upkeep and replacement or repair of boilers and appurtenances by an operating engineer in compliance with this chapter.

Subp. 15. ~~Operating engineer.~~ "Operating engineer" means a properly licensed individual who operates and maintains boilers and their appurtenances.

Subp. 16. ~~15. Operating experience.~~ "Operating experience" means activities in boiler operations and maintenance that include training, observation, and personal participation.

Subp. 17. ~~16. Operation.~~ "Operation" means the act of manipulating and monitoring, except as provided in *Minnesota Statutes*, section 183.501, paragraph (b), boilers or appurtenances to assure safe operation for the intended purpose in accordance with this chapter.

Subp. 18. ~~17. Repair firm.~~ "Repair firm" means a company or organization that holds a current "R" repair certificate of authorization issued by the National Board of Boiler and Pressure Vessel Inspectors and performs welded repairs or alterations on boilers or pressure vessels.

Subp. 19. ~~18. Shift engineer.~~ "Shift engineer" means the operating engineer responsible to the chief operating engineer in charge of and responsible for the safe operation of a boiler plant in the absence of the chief engineer.

5225.0090 INCORPORATION BY REFERENCE.

Subp. 2. ~~American Society of Mechanical Engineers Boiler and Pressure Vessel Code Sections I, II, III, IV, V, VI, VII, VIII, IX, X, and XI, and B31.1.~~ The American Society of Mechanical Engineers Boiler and Pressure Vessel Code is written and published by the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, New York 10017 and can be purchased from the same source. It is available for inspection at the Science and Engineering Reference Collection, 206 Walter Library, University of Minnesota, 117 Pleasant Street S.E., Minneapolis, Minnesota 55455. It is subject to frequent change. The publication dates vary by subject. The most recent publication and addenda are incorporated.

5225.0880 DISCIPLINARY PROCEDURES.

Subpart 1. **License revocation suspensions.** The commissioner may suspend or revoke the operating engineer's or pilot's license, direct the person to cease the action or operation, seal the boiler or pressure vessel, or seek a restraining order in district court if the holder of a license of any class, including pilots of boats for hire, or the owner of a boiler or pressure vessel violates any provision of *Minnesota Statutes*, sections 183.375 to 183.62, or this chapter, or operates or allows a boiler or pressure vessel to be operated under unsafe or dangerous conditions, or the holder of a license of any class, including pilots of boats for hire, has obtained a license of any grade based on a materially false application or affidavit, or an owner of a boiler fails to employ operating engineers to operate the boiler, or fails to make necessary repairs to an unsafe boiler or pressure vessel. In deciding what action to take, the commissioner shall consider the seriousness of the violation, the likelihood of a repeat occurrence, and the actual or potential threat to property or life caused by the violation.

5225.2610 OWNER REPAIR PROGRAM.

Subject to written approval of their repair program from the department, an owner with a boiler exceeding 200,000 pounds per hour of steam may perform repairs to their boiler systems or safety relief valves as allowed by and meeting the requirements of Sections I, IV, and VIII of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code and the National Board Inspection Code. The granting of the approval does not allow repair of high pressure piping under the authority of and as defined by *Minnesota Statutes*, section 326.461.

The owner repair program must include: organization, design control, material control, control of work, inspection, welding, nondestructive testing, records, repair reporting, and provision for system test and inspection by a commissioned inspector holding a Minnesota Certificate of Competency. Before acceptance of the repair program, the chief boiler inspector must review the program. The program shall not be approved until the chief boiler inspector is satisfied that the program elements listed in this part are complete and acceptable and the allowance for independent third-party inspection controls are adequate and acceptable.

The commissioner of the department may withdraw program approval, with cause, upon the recommendation of the chief boiler inspector. The commissioner must provide the owner with written notification of the department's intent to withdraw program approval and the reasons for the action. The owner, upon receipt of the commissioner's notification, has 30 calendar days to implement the required corrective actions to the satisfaction of the chief boiler inspector. The acceptance or rejection of all corrective actions shall be by the chief boiler inspector and must be in writing.

Secretary of State

Adopted Permanent Rules Relating to Ballot Form

The rules proposed and published at *State Register*, Volume 18, Number 45, pages 2397-2402, May 9, 1994 (18 SR 2397), are adopted with the following modifications:

Rules as Adopted

8200.3900 PROCESSING OF NATIONAL VOTER REGISTRATION ACT APPLICATIONS.

All county auditors shall accept voter registration applications on forms prescribed by the Federal Election Commission as provided by the National Voter Registration Act if the application is from a person eligible to vote in Minnesota, and includes the registrant's name, address in Minnesota, previous address (if any), date of birth, registrant's signature, and the date of registration. The application must be processed and stored by the county auditor in the same manner as a Minnesota voter registration card.

8200.9305 ADMINISTRATION OF STATEWIDE REGISTRATION SYSTEM.

The Secretary of State shall develop and operate a centralized database of all registered voters in the state of Minnesota. The database must be available to each county in the state through a statewide registration system provided by the Secretary of State. The registration system must allow the county auditors to add, change, and delete information from the system in order to maintain an accurate database of registrants. The system must provide all county auditors and the Secretary of State with a method to view and search registration information.

~~At the discretion of the Secretary of State access to the statewide registration system may be extended to municipal clerks who have been delegated the responsibility of maintaining voter registration records by the county auditor.~~

A county auditor must use the statewide registration system to execute the duties of chief registrar of voters and chief custodian of registration records in the auditor's county.

8200.9310 PROCESSING OF COMPLETED VOTER REGISTRATION CARDS.

A completed voter registration card may be returned to any state agency or county auditor. The Secretary of State shall provide training to state agencies on the proper forwarding of completed voter registration cards. Completed registration cards received by the Secretary of State ~~may~~ must be forwarded to the appropriate county auditor for entry into the statewide registration system; ~~or may be entered into the system by the Secretary of State.~~ With the approval of the appropriate county auditor, the Secretary of State shall enter the registration cards into the statewide registration system for that county.

The Secretary of State may electronically transmit the information on the voter registration cards to the appropriate county auditor. The county auditor shall promptly enter the information into the statewide registration system. The original registration cards submitted to the Secretary of State ~~may~~ must be maintained either by the Secretary of State or by the appropriate county auditor. Voter registration cards ~~may~~ must be stored in either paper, microfilm, or electronic format.

The Secretary of State shall have full access to all functions of the statewide registration system and may, with the authorization of the county, add, change, or delete registration records or other information in the system.

8200.9315 PROCEDURE FOR ENTERING DATA INTO STATEWIDE REGISTRATION SYSTEM.

When entering information from a voter registration card into the statewide registration system, the Secretary of State or county auditor shall:

F. maintain a record of voting history of the registrant for at least the previous six calendar years and a record of ~~other transactions as determined by the Secretary of State~~ previous registrations and changes to voter status in the state for at least two years; and

G. provide information on prior registrations in other states. At periodic intervals, the Secretary of State shall notify the chief election officials of other states of individuals who have registered to vote in Minnesota and who indicated a prior registration in their state.

The Secretary of State shall establish a precinct finder that must be maintained by each county auditor. The precinct finder must identify the voting precinct that will be assigned to the registrant. ~~At the discretion of the Secretary of State, the precinct finder may~~

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Adopted Rules

also include geographical data from the United States Census Bureau. For the purposes of redistricting, the Secretary of State shall include geographical data from the United States Census Bureau in the precinct finder.

8200.9320 INTERACTION WITH DEPARTMENT OF PUBLIC SAFETY.

The Secretary of State, in cooperation with the commissioner of public safety, may shall develop a single unified application for use by the Department of Public Safety to permit eligible voters who have indicated they wish to register to vote to simultaneously register to vote and apply for a driver's license or state identification card. The Secretary of State and the commissioner of public safety may access a common database of information entered from this application.

The information from the unified application for voter registration and a driver's license or state identification card may must be transferred electronically from the commissioner of public safety to the Secretary of State. The Secretary of State shall make available to each county auditor the data necessary to add or update a voter record on the statewide registration system. The county auditor shall process the data in the manner provided in part 8200.9315.

8200.9325 SECURITY FOR STATEWIDE REGISTRATION SYSTEM.

All authorized users of the statewide registration system must be identified uniquely in the manner provided by the Secretary of State. No access to the statewide registration system will be allowed to any person not identified as an authorized user of the system.

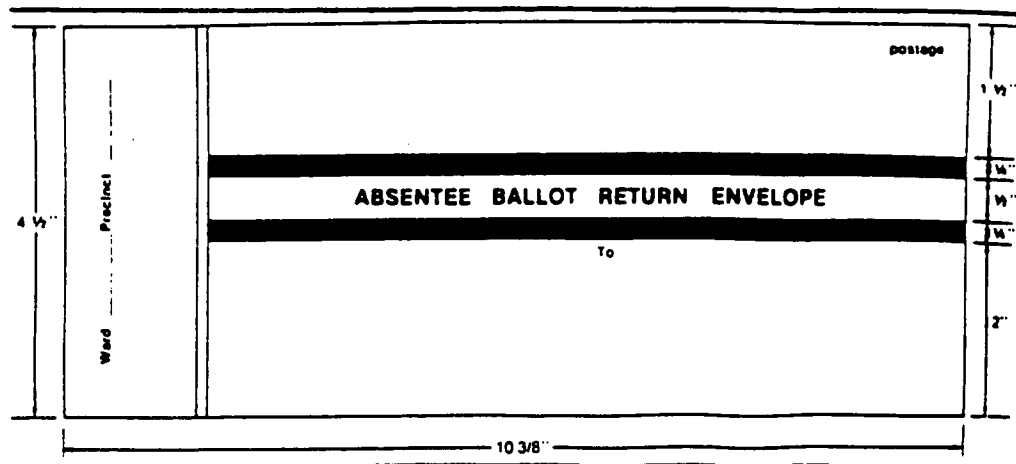
The Secretary of State may provide "display only" access to the statewide registration system to other public officials subject to the provisions of *Minnesota Statutes*, section 201.091, and any data security provisions deemed necessary by the Secretary of State.

To ensure that information obtained from the statewide registration system is being used in the manner provided by law, the Secretary of State may shall insert verification records into the statewide registration system. The verification records must not be included on any master list, public information list, or polling place roster. If the Secretary of State has reason to believe that information obtained from the statewide registration system was used in a manner inconsistent with *Minnesota Statutes*, section 201.091, a report must be immediately transmitted to the appropriate county attorney.

8210.3000 MAIL BALLOTING.

Subp. 13. **Purpose and effect statement.** The governing body authorizing a mail election as provided in *Minnesota Statutes*, section 204B.46, may include a statement of the purpose and effect of the ballot question with the ballot. Any information provided in the purpose and effect statement must be factual, impartial, and designed only to clarify or summarize the wording of the question, or to explain statutory or charter provisions under which the election is held. The enclosure must not be designed to influence the outcome of the election. The text of the purpose and effect statement must be prepared by the legal advisor of the governing body placing the questions before the voters.

8210.9945 ABSENTEE BALLOT RETURN ENVELOPE, SPECIFIED BY PART 8210.0700.



8250.0375 FORM OF GRAY BALLOT.

Subpart 1. **General form.** The judicial nonpartisan office ballot must only be used if the canary ballot exceeds 30 inches in length, except in counties using optical scan ballots, when the gray ballot may be prepared at the discretion of the county auditor. The ballot for judicial nonpartisan offices must be prepared in the same manner as the white ballot, except as provided in this part. Ballot pages and ballot cards for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Emergency Rules

Proposed Emergency Rules

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

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

Adopted Emergency Rules

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

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

Continued/Extended Emergency Rules

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

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Game Refuges

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 14.29, subdivision 4(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.045, subdivision 2, 97A.091, subdivision 2, 97A.092, 97A.401, subdivision 4, 97B.731, subdivision 1 and 97B.803.

Dated: 1 September 1994

Rodney W. Sando, Commissioner
Department of Natural Resources

Rules as Adopted

6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

[For text of subs 1 to 7, see 19 SR 8 and 9]

Subp. 8. **East Minnesota River Game Refuge, Blue Earth and Le Sueur counties.** The East Minnesota River Game Refuge in Blue Earth and Le Sueur counties is open to deer and bear hunting by archery; ~~except during the firearms deer season.~~

[For text of subs 9 to 15, see 19 SR 9 and 10]

Subp. 16. **Gopher Campfire Game Refuge, McLeod county.** The Gopher Campfire Game Refuge in McLeod county is open to:

- A. trapping; and
- B. ~~deer and bear hunting by archery.~~

[For text of subs 17 to 42, see 19 SR 10 to 12]

Subp. 43. **Schoolcraft Game Refuge, Hubbard county.** The Schoolcraft Game Refuge in Hubbard county is open to:

- A. small game hunting, except waterfowl, through the Thursday nearest November 4;
- B. trapping; and
- C. deer and bear hunting by archery ~~through the Thursday nearest November 4.~~

[For text of subs 44 to 50, see 19 SR 12 and 13]

Official Notices

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

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

Administration Department

Print Communications Division

State Register Index Available for Volume 18

An index to rules, and official notices soliciting outside information relating to rules, for volume 18, July 1993-June 1994, is now available. The index also includes, Executive Orders of the Governor, Commissioner's Orders and Revenue Notices.

Subscribers who wish to receive a copy of the index need to contact Minnesota's Bookstore, ask for a copy, and leave your name and address. There will be no charge to subscribers. Call (612) 297-3000, or toll-free: 1-800-657-3757, or FAX to (612) 297-8260, or write to Minnesota's Bookstore, 117 University Ave., St. Paul, MN 55155.

Copies of the index will be mailed to *State Register* subscribers who are designated as "State Depository Libraries," or who are designated in *Minnesota Statutes*, Sec. 14.46 subd. 4 as a recipient of a subscription at no charge.

Those wishing to purchase a copy will be charged the same rate applied to an issue of the *State Register*, \$3.50, with a shipping charge of \$3.00 if processed for mailing.

Department of Agriculture

Agronomy Services Division

Notice of Cancellation of Meeting of Minnesota Agricultural Chemical Response Compensation Board

NOTICE IS HEREBY GIVEN of cancellation of the Agricultural Chemical Response Compensation Board (ACRRA Board) meeting scheduled for September 21, 1994. The next regularly scheduled ACRRA Board meeting will be Wednesday, October 19, 1994; to be held at the Minnesota Department of Agriculture offices, 90 West Plato Boulevard, St. Paul, Minnesota, Conference Room One, at 9:00 a.m.

Call the ACRRA Program, (612) 297-3490, should you require additional information.

Department of Agriculture

Agronomy Services Division

Notice of Special Local Need Registration for Penncap-M Insecticide

On August 31, 1994, the Minnesota Department of Agriculture issued a Special Local Need (SLN) registration for Penncap-M insecticide manufactured by Elf Atochem North America, Inc., Philadelphia, PA 19103, for use on snapbeans at the reduced spray interval of every four days and the reduced maximum allowable rate of 3 pints per acre.

A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

Objections may be submitted to: John C. Sierk, Minnesota Department of Agriculture, Agronomy Services Division, 90 West Plato Boulevard, St. Paul, MN 55107. Comment deadline is October 12, 1994.

Agricultural and Economic Development Board

Notice of Public Hearing on Proposed Project on Behalf of Minnesota Clean Fuels, L.P., and the Issuance of Bonds under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41 A

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on September 26, 1994, at 8:00 a.m., at 500 Metro Square, 121 7th Place East, St. Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issues of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf of **Minnesota Clean Fuels, L.P.**, a Missouri limited partnership (the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The Project to be financed consists of (i) the acquisition, renovation, improvement and equipping of an industrial plant located at 312 Railway Street, Dundas, Minnesota 55019, and related machinery and equipment, to be used in the production of ethanol from starch and other agricultural products and for other related processes, (ii) to make deposits to certain funds which may be required to be maintained in accordance with a trust indenture to be entered into between the Board and the trustee under the trust indenture and (iii) to pay certain costs incurred in connection with the issuance of the Bonds. The initial owner of the Project will be the Applicant and the Project is expected to be operated and managed by the Applicant and Quadrex Corporation, a Delaware corporation. The estimated amount of the Board's proposed bond issue is an amount not to exceed \$2,500,000. The Bonds will not be general obligations of the Board or the State of Minnesota, and will not be payable by taxation or a pledge of the faith and credit of the Board or of the State of Minnesota, but will be payable solely from the payments to be made by the Borrower under the provisions of a loan agreement to be entered into between the Board and the Borrower and from such other funds and property as may be pledged for their payment in accordance with the proposed trust indenture, authorizing resolution, loan agreement and related documents to be entered into in connection with the issuance of the Bonds. In addition, the Bonds and the Project may be subsequently considered by the Board for financial assistance to be provided by the Economic Development Fund created and established under *Minnesota Statutes* 1986, Chapter 116M or other financial or special assistance from the Board. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

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

Dated: 2 September 1994

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

Paul Moe, Executive Director
Minnesota Agricultural and Economic
Development Board

Executive Council State Board of Investment Land Exchange Board Investment Advisory Council

Official Notice of Meetings of the Executive Council, State Board of Investment, Land Exchange Board and Investment Advisory Council

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Tuesday, September 20, 1994 at 8:30 A.M. in Room 125, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Monday, September 19, 1994 at 2:00 P.M. in Suite 105, 55 Sherburne Avenue, St. Paul, MN.

Minnesota Historical Society

State Review Board Regular Meeting

A meeting of the State Review Board of the Minnesota Historical Society to consider nominations to the National Register of Historic Places will be held on Thursday, September 22, 1994, in the Minnesota Historical Society History Center, Cargill Commons, MacMillan Education Wing, St. Paul, Minnesota. The State Review Board will meet at 7:00 p.m. for an informational presentation on program activities made by the Preservation Office staff. The meeting will be called to order and consideration of the meeting's agenda will begin at 7:30 p.m. A sign language interpreter is available with one week's notice, and auxiliary aids are available with two weeks' notice. Call 612/296-5434, or TTY 612/282-6073. For further information contact the State Historic Preservation Office, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, (612) 296-5434.

Department of Human Services

Notice of Disproportionate Population Adjustment

The purpose of this notice is to provide information concerning the disproportionate population adjustment (DPA) that is paid for inpatient hospital services under the Medical Assistance (MA) and General Assistance Medical Care (GAMC) programs. The listed DPA factors are effective for admissions occurring from October 25, 1993 through December 31, 1994. The DPA is based on the MA inpatient days utilization rate of a hospital compared to the mean utilization rate of all non-state owned hospitals. The utilization rate of each hospital is calculated by dividing MA patient days by total patient days as derived from Medicare cost report data from the base year that is used for all rate setting.

Federal law requires hospitals to meet section 1923(d) of the Social Security Act at the time that an admission occurs in order to qualify for a DPA payment. Basically, section 1923(d) requires the hospital to meet criteria regarding the provision of obstetric services or specific exemptions. However, Minnesota statutes provide for a hospital payment adjustment that is equal to the DPA for hospitals that do not meet the federal criteria. Since a hospital may change eligibility status over time, both the DPA and hospital payment adjustment are listed. The federal requirements do not affect DPA payments under GAMC.

The MA DPA is calculated as the difference between a hospital's utilization rate and the mean utilization rate. The DPA for a hospital with a utilization rate that is above the mean plus one standard deviation is increased by 10 percent. The MA inpatient total rate of each hospital is increased by the indicated percentage.

The GAMC DPA is calculated as the difference between the hospital's utilization rate and the mean plus one standard deviation utilization rate. The inpatient operating rate of each hospital is increased by the indicated percentage.

In addition to the listed DPA percentage, an intergovernmental transfer of \$1,010,000 that is considered to be a DPA is paid each month to a hospital that received more than 13% of total 1991 MA inpatient payments (Hennepin County Medical Center) and a hospital that received more than 8% of total 1991 MA inpatient payments and is affiliated with the University of Minnesota (University hospital).

Questions or comments may be directed to:

Paul Olson
Health Care Policy Division
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3853
(612) 296-5620

Disproportionate Population Adjustment

October 25, 1993

Minnesota + Minnesota Local Trade Area Hospitals

Mean	0.0713		
Std Dev	0.0610		
Mean + Std Dev	0.1323		
		MA DPA	GAMC DPA
		PERCENT	PERCENT
0100978	St. Gabriel's, Little Falls	0.06	
0100548	North Mem Med Center, Mpls.	0.08	
0101745	St. Francis, Breckenridge	0.14	
0109380	Dell Rapids	0.22	
0100559	Northwestern, Mpls.	0.37	
0100774	Lakeview Mem, Two Harbors	0.38	
0101202	United Hospital, St. Paul	0.42	
0100650	Northern Itasca, Bigfork	0.43	
0100843	Tracy Municipal	0.48*	
0101337	Northfield City	0.52	
0100118	Sioux Valley, New Ulm	0.78	
0122572	Long Prairie Mem	0.79	
0100093	St. Joseph's, Mankato	0.79	
0100526	Metro/Mt Sinai, Mpls	0.89*	
0101020	Worthington Regional	0.89	
0101574	Health Central, Owatonna	1.06	
0101756	Winona Community Memorial	1.22	
0101122	Northwestern, Thief River Falls	1.23	
0101698	Waseca Memorial	1.23	
0101166	Riverview, Crookston	1.24	
0109609	Vernon Mem, Wiroqua, WI	1.28	
010478X	Apple River Valley	1.29	
0101155	First Care Med Serv, Fosston	1.34	
0100162	Mercy, Moose Lake	1.37	
0102057	Burnett, Grantsburg	1.49	
0100071	Ortonville Municipal	1.58	
0100300	Divine Redeemer, South St. Paul	1.76	
0101031	Ada Municipal	1.84	
0101472	White Community, Aurora	1.95	
0101701	Memorial, Forest Lake	2.06	
0100708	Rice Memorial, Willmar	2.14	
0100628	Cambridge Memorial Hospital	2.18	
0100468	Riverside Med Center, Mpls	2.18	
0100672	Jackson Municipal	2.30	
0102647	Osceola Comm, Sibley IA	2.36	

Official Notices

Mean + Std Dev	0.1323	MA DPA PERCENT	GAMC DPA PERCENT
0122801	Health One Buffalo	2.56	
0101778	Monticello/Big Lake	2.72	
0100694	Kanabec County, Mora	2.85	
0101177	Glacial Ridge, Glenwood	3.14	
0100016	Aitkin Community	3.47	
0101279	St. Joseph's, St. Paul	3.48	
0100027	Mercy Hospital, Coon Rapids	3.49	
0100785	Trinity, Baudette	3.51	
0100989	St. Olaf, Austin	3.60	
0101552	St. Cloud	3.87	
0100945	Mille Lacs Hospital, Onamia	3.87	
0100275	Cuyuna Range, Crosby	4.02	
0102705	Holy Family, Estherville	4.03	
0100231	Cook Co No Shore, Grand Marais	4.27	
0100832	Weiner Mem, Marshall	4.71	
0101836	Superior Mem, Superior WI	4.86*	
0110396	St. Joseph's, Arcadia WI	4.99	
0100151	Cloquet Community	5.50	
0101042	Olmsted Community, Rochester	5.50	
0103119	Coteau Des Prairies, Sisseton	5.56	
0101450	St. Mary's, Duluth	5.56	
0101687	Tri-County, Wadena	5.88	
0100606	St. Joseph's, Park Rapids	6.09	
0101199	Bethesda Lutheran, St. Paul	6.90	0.17
0101869	St. Francis, LaCrosse	7.13	0.38
0100399	Naeve Hosp Assoc, Albert Lea	7.77	0.96
0100220	Clearwater Memorial, Bagley	8.95	2.04
0101428	Central Mesabi, Hibbing	9.15	2.22
0100424	Zumbrota Community	9.60	2.63
0101439	Miller/Dwan, Duluth	10.47	3.42
0101643	Greater Staples Hospital	10.54	3.48
010005X	Bemidji Hospital	11.06	3.95
0100570	University of Minnesota, Mpls.	11.06	3.95
0102192	St. Croix Valley, St. Croix Falls	11.11	4.00
0100887	Mahnomen County & Village	11.55*	4.40
0101825	Mpls Children's Med Center	14.03	6.65
0100730	International Falls Memorial	14.11	6.73
0101290	St. Paul Ramsey	18.44	10.66
0100490	Henn Co Medical Center, Mpls.	19.56	11.68
0100297	St Joseph's, Brainerd	20.86	12.86

Mean + Std Dev	0.1323	MA DPA PERCENT	GAMC DPA PERCENT
0103323	Buffalo, Mondovi, WI	22.31	14.18
0102002	Gillette Children's, St. Paul	25.93	17.47
0101213	St. Paul Children's	26.32	17.83
0101133	Pine County, Sandstone	35.42*	26.10

*Hospital Payment Adjustment

Department of Labor and Industry

Workers' Compensation Division

Notice of Adjusted Conversion Factor for the Workers' Compensation Relative Value Medical Fee Schedule

NOTICE IS HEREBY GIVEN that the conversion factor for the workers' compensation relative value fee schedule set forth in *Minnesota Rules*, Parts 5221.4000 to 5221.4070 is adjusted as follows, pursuant to *Minnesota Statutes*, § 176.136, subd. 1a:

For services on or after October 1, 1994 the conversion factor is \$52.91.

Dated: 6 September 1994

John B. Lennes, Jr
Commissioner

Department of Labor and Industry

Labor Standards Division

Notice of Correction to Prevailing Wage Rates

Prevailing wage rates determined and certified November 22, 1993 for Labor Code 234-TURNAPULL in Polk County for highway/heavy construction has been corrected. Copies of the corrected certification may be obtained by contacting the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or calling (612) 296-6452.

John B. Lennes, Jr
Commissioner

Gambling in Minnesota

<i>Lawful Gambling Statutes 1992</i>		<i>Gaming News Subscription</i>	
Chapter 349. 65 pp.	2-5 SR \$ 6.95	Yearly subscription.	90-8SR \$40.00
<i>Lawful Gambling Rules 1993</i>		<i>Gambling Organizations Directory</i>	
Chapter 7861 thru 7865. 80pp.	3-3 SR \$ 6.95	Lists name and address of licensed gambling organizations in Minnesota	99-2SR \$29.95
<i>Gambling Manager's Handbook 1992</i>		<i>Regulatory Accounting Manual</i>	
Requirements of gambling activities	10-19SR \$16.95	Procedures guide includes tax forms	10-40SR \$14.95
<i>High Stakes: Gambling in Minnesota 1992</i>		<i>Accounting Manual Worksheets</i>	8-11SR \$ 7.95
Overview to gambling in Minnesota	10-46SR \$ 8.95	<i>View-through Binder</i> 8 1/2 x 11	10-25 SR \$ 5.95
<i>Gambling in Minnesota 1993</i>		<i>Tab Dividers</i> 10 per package	10-19 SR \$16.95
Supplement to High Stakes Gambling	10-26s1SR \$ 5.95		

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Official Notices

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective September 12, 1994 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Dakota: U of M Agricultural Experiment Station Reroofing-Rosemount; Apple Valley Middle School #6-Apple Valley; Farmington High School Addition & Alterations-Farmington.

Hennepin: Lindbergh Terminal Electrical & Mechanical Modifications-Mpls/Stp; WWTP Improvements Phases 2 & 3-Rogers.

Pope: Glenwood 1994 High School Demolition-Glenwood.

Renville: Bird Island School Freezer Addition-Bird Island.

Washington: Woodbury Sr. High Burner Replacement-Woodbury.

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

Minnesota State Retirement System

Board of Directors, Regular Meeting

The regular meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, September 16, 1994, at 9:00 a.m. in the office of the System, 175 W. Lafayette Frontage Road, St. Paul, Minnesota.

Department of Transportation

Notice of Appointment of a State Aid Variance Committee and Meeting September 15, 1994

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Thursday, September 15, 1994 at 9:30 a.m. in Conference Room 194, Water's Edge Building, 1500 West County Road B-2, Roseville Minnesota, 55113.

This notice is given pursuant to *Minnesota Statute* 471.705.

The purpose of this open meeting is to investigate and determine recommendations for variances from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3100 and 8820.3300 adopted pursuant to *Minnesota Statutes* 161 and 162.

The agenda will be limited to these questions:

1. **Petition of the City of Rochester** for a variance from *Minnesota Rules* to allow a 48 foot curb-to-curb street width with no parking allowed in lieu of the required 52 foot curb-to-curb street width with no parking allowed on the proposed construction project on M.S.A.S. 111 (15th Avenue Southeast) at 8-1/2 Street Southeast in the City of Rochester.

2. **Petition of Houston County** for a variance from *Minnesota Rules* to allow full reimbursement for preliminary engineering costs on the proposed reconstruction project on C.S.A.H. 4 in Yucatan Valley, Houston County, Minnesota, in lieu of the maximum 10% of total eligible estimated contract or agreement amount allowed.

3. **Petition of Todd County** for a variance from *Minnesota Rules* to allow a horizontal design speed of approximately 20 mph on the proposed bridge replacement project on Long Prairie Township Road No. 422, proposed Bridge No. 95226 in Todd County Minnesota, in lieu of the required 30 mph design speed.

4. **Petition of the City of Columbia Heights** for a variance from *Minnesota Rules* to allow a variable 50 to 55 foot right-of-way width, in lieu of the required 60 foot minimum; and to allow a vertical design speed less than the required 30 mph minimum

required, on the proposed construction project on M.S.A.S. 104 (44th Avenue Northeast) from 760 feet east of Central Avenue (Trunk Highway No. 65) to Reservoir Boulevard in Columbia Heights, Minnesota.

5. Petition of the City of Brooklyn Center for a variance from *Minnesota Rules* to allow a curb to curb width of 26 feet with parking on one side of M.S.A.S. 108 (Humboldt Avenue North) between 69th and 73rd Avenues in the City of Brooklyn Center, Minnesota, in lieu of the required 30 foot curb to curb width with parking on one side of the segment.

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

9:30 a.m.	City of Rochester
9:45 a.m.	Houston County
10:00 a.m.	Todd County
10:15 a.m.	City of Columbia Heights
10:30 a.m.	City of Brooklyn Center

Dated: 3 September 1994

Patrick B. Murphy
Division Director
State Aid for Local Transportation

Department of Transportation

Petition of the City of Rochester for a Variance from State Aid Requirements for STREET WIDTH

NOTICE IS HEREBY GIVEN that the Rochester City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on M.S.A.S. 111 (15th Avenue Southeast) at the intersection of 8-1/2 Street Southeast in the City of Rochester, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9940, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 48 foot curb-to-curb street width with no parking allowed, in lieu of the required 52 foot curb-to-curb street width with no parking allowed on M.S.A.S. 111 (15th Avenue Southeast) at the intersection of 8-1/2 Street Southeast in the City of Rochester, Minnesota.

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

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

Dated: 3 September 1994

Patrick B. Murphy
Division Director
State Aid for Local
Transportation

Official Notices

Department of Transportation

Petition of Houston County for a Variance from State Aid Requirements for REIMBURSEMENT OF PRELIMINARY ENGINEERING COSTS

NOTICE IS HEREBY GIVEN that the Houston County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the proposed reconstruction of County State Aid Highway No. 4 in Yucatan Valley, Houston County, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.1500, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit reimbursement of preliminary engineering costs in excess of the allowable 10% of the total eligible estimated contract or agreement amount for archaeological reconnaissance surveys on County State Aid Highway No. 4 in the Yucatan Valley, in Houston County, Minnesota.

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

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

Dated: 3 September 1994

Patrick B. Murphy,
Division Director
State Aid for Local
Transportation

Department of Transportation

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

NOTICE IS HEREBY GIVEN that the Todd County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed bridge replacement project on Long Prairie Township Road No. 422 at the Turtle Creek crossing, Proposed Bridge No. 95226, in Todd County, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a horizontal curve with an approximate design speed of 20 mph, in lieu of the required minimum 30 mph design speed on Long Prairie Township Road No. 422 at the Turtle Creek crossing, in Todd County, Minnesota.

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

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

Dated: 3 September 1994

Patrick B. Murphy
Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of Columbia Heights for a Variance from State Aid Requirements for DESIGN SPEED and RIGHT-OF-WAY

NOTICE IS HEREBY GIVEN that the Columbia Heights City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on M.S.A.S. 104 (44th Avenue Northeast) from 760 feet east of Central Avenue Northeast (Trunk Highway No. 65) to Reservoir Boulevard in Columbia Heights, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935 and 8820.2500, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit vertical design speed less than the required 30 mph minimum required; and to permit a variable right-of-way width of 50 to 55 feet in lieu of the required 60 foot minimum required on the proposed construction project on M.S.A.S. 104 (44th Avenue Northeast) from 760 feet east of Central Avenue Northeast (Trunk Highway No. 65) to Reservoir Boulevard in Columbia Heights, Minnesota.

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

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

Dated: 3 September 1994

Patrick B. Murphy
Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of Brooklyn Center for a Variance from State Aid Requirements for ROADWAY WIDTH

NOTICE IS HEREBY GIVEN that the Brooklyn Center City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on M.S.A.S. 108 (Humboldt Avenue North) between 69th Avenue and 73rd Avenue in the City of Brooklyn Center, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 26 foot curb to curb width with parking on one side of the proposed construction project on M.S.A.S. 108 (Humboldt Avenue North) between 69th Avenue and 73rd Avenue in the City of Brooklyn Center, Minnesota, in lieu of the required 30 foot curb to curb width with parking on one side of the segment.

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

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

Dated: 3 September 1994

Patrick B. Murphy
Division Director
State Aid for Local
Transportation

Professional, Technical & Consulting Contracts

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

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

Department of Administration

Notice of Request for Proposals for Office Space Rental

The Department of Administration desires proposals for the rental of approximately 53,058 usable square feet of office space for multiple state agencies plus the availability of approximately 11,082 usable square feet of office space for rental by non-state entities in the City of St. Cloud. For requirements contact:

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

Department of Administration
Department of Agriculture
Department of Trade and Economic Development
Department of Finance
Department of Human Services
Department of Natural Resources
Department of Transportation
Metropolitan Council

Notice of Request for Resumes from Licensed Fee Appraisers

The State of Minnesota and the Metropolitan Council are continuing a list of qualified licensed appraisers who wish to be considered for appraisal assignments by the State or other public entities for the period of September 1, 1994 through August 31, 1995. Although the State's fiscal year ends on June 30, the September 1 to August 31 date is given to coincide with the Appraiser License term.

Those appraisers whose names are on the current list and have a State Appraisal License are qualified through August 31, 1994.

I. Requirement

To be included on this list of licensed appraisers, the State invites appraisers to submit such requests together with the following:

1. A copy of his/her 1994/1995 appraiser license
2. An updated resume of his/her:
 - Education
 - Experience
 - Clientele
 - Affiliation(s)

Professional, Technical & Consulting Contracts

II. Deadline

Continuous education credits for the 1994/1995 license have to be submitted to the Department of Commerce by August 1. *Therefore, the deadline for I REQUIREMENT is October 1, 1994.*

III. Standards of Professional Practice

All appraisers must comply with "Uniform Standards of Professional Appraisal Practice" published by the Appraisal Foundation, 1029 Vermont Avenue NW, Suite 900, Washington, D.C. 20005.

Written complaints regarding an appraiser should be mailed to the address below. Any complaint received will be investigated by at least 2 members of the above agencies who will determine whether an appraiser should be removed from the State's List of Qualified Appraisers or not. Appraisers will be advised of the complaint and the determination made.

IV. Assignments:

Appointment to the State's List of Qualified Real Estate Appraisers is not a guarantee of subsequent assignments. The State of Minnesota reserves the right to assign appraisers at the discretion of the assigning agency, depending on the qualifications of the appraisers, geographic location, and fee requirements.

NOTE: Appraisers may reject any assignments offered.

Mail requests and other material to:	Phone calls may be directed to:
Department of Natural Resources.....	George Bekeris 612-297-4930
Bureau of Real Estate Management.....	George Eckenroth 612-296-8329
Appraisal Review Unit	
500 Lafayette Road, Box 30	
St. Paul, MN 55155-4030	

Department of Health

Notice of Request for Proposals for Actuarial Consulting Services

The Minnesota Department of Health is seeking proposals from qualified firms for actuarial consulting services. The overall goal of the Contract are to assist the Minnesota Department of Health with actuarial and consulting services to aid design and implementation of health care reforms and studies required under the MinnesotaCare Act of 1994. These services include analyses and consultation in the area of technical assistance and advice on the enforcement of growth limits.

Details are contained in a request for proposals which may be obtained by contacting:

Kyle Stenstrom
Department of Health, Health Care Delivery Policy Division
121 East Seventh Place
P.O. Box 64975
St. Paul, MN 55164-0975
Phone: (612) 282-5641

Proposals are due by 4:30 PM on September 23, 1994.

Professional, Technical & Consulting Contracts

Higher Education Board

Request for Proposals for Labor Negotiation Services

The Higher Education Board, is requesting proposals from individuals and firms capable of performing services to the MnSCU System as a chief Labor Negotiator for proposed Agreement between the State of Minnesota (for the Higher Education Board) and the United Technical College Educators (UTCE) - recently certified unit of the Technical College Faculty. The contract will be effective October 7, 1994 and anticipate it to remain in effect until October 1, 1995.

To obtain a copy of the full RFP and Exhibits please call or write to:

Jeff Frumkin
Associate Vice Chancellor for Labor Relations
% Minnesota State Universities
Suite 230, 555 Park Street
St. Paul, MN 55103
(612) 296-7506

Proposals are due no later than 4:00 P.M. on Friday, September 30, 1994. They are to be sent to the address listed in the RFP.

Minnesota Historical Society

Notice of Request for Bids for Manufacture of a Book: *Northern Lights: Going to the Sources*

The Minnesota Historical Society is seeking bids from qualified firms to provide all materials and services for the manufacture of a book, *Northern Lights: Going to the Sources*.

The work will generally consist of re-stripping existing negatives from the original press run, printing 8,000 to 12,000 copies of a 216 page case bound book. Black plus 1 PMS throughout; process color on 44 pages. The job may be run on a sheet fed or a web press. Bids may specify one press or the other depending on quantity.

The Request for Bids is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Details concerning bid submission and due dates are included in the Request for Bids.

Complete Specifications and details concerning submission requirements are included in the Request for Bids.

Attention Builders, Architects, Designers, Property Owners...

*Accessible and Usable Buildings and Facilities
CABO/ANSI, A117.1*

Just released by the Council of American Building Officials, this 2 publication set includes UBC Chapter 31 and appendix. Specifications in this standard (ANSI - American National Standards Institute) are to make buildings and facilities accessible to individuals with disabilities -- both new buildings and existing structures. These standards are applicable to doorways, routes, seating and other elements of building design. Includes diagrams and floor plans. The two books (total of 96 pp) are bound and three-hole drilled for ease of use. 19-2 SR \$35.00



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Visit Minnesota's Bookstore to view a variety of building code publications.

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.

Pollution Control Agency

Notice of Advertisement for Bids for the Long Prairie Ground Water Remediation Project

Sealed proposals (bids) for the Long Prairie Ground Water Remediation Project at Long Prairie, Todd County, Minnesota, will be received by the Division of Materials Management, Department of Administration, State of Minnesota, Room 112, State Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155, until the date and time as follows: Mechanical (Division 15) and Electrical (Division 16) Subcontractor Proposals, until 11:00 a.m. on October 5, 1994; Prime Contractor Bids until 2:30 p.m. on October 12, 1994. At the times and dates respectively shown above, the Subcontractor Proposals and General Contractor Bids will be opened and publicly read aloud.

This project shall be subject to the following procedure: sealed proposals for the mechanical and electrical work in the project will be opened and posted at least two (2) working days prior to the opening of sealed bids for the project work by Prime Contractors. The bidding Prime Contractors must use the Mechanical and Electrical Contractors whose proposals were opened and posted at the price proposed and posted. Any Prime Contractor not using Mechanical and Electrical Contractors in accordance with this procedure will have its bid rejected.

Mechanical and/or electrical subcontractor proposal results can only be obtained in the following four ways: 1) through our construction voice-fax system (a subscription form is included in this project manual or call (612) 296-3724 to get a subscription form) for an annual fee of \$50.00; 2) by attending the proposal opening; 3) coming into the Division of Materials Management the day after the proposals have opened to see the tab sheets; or 4) through Construction Bulletin, Dodge Reports, or Builder Exchanges that may have this information.

The award will be made to the lowest responsive responsible prime bidder who conforms with the language of the specifications, terms of delivery, incorporates the name and price of the mechanical and electrical proposers, and any other conditions imposed herein.

This work is installation of a pumping and treatment facility including recovery wells, collection system, filtration and activated carbon treatment, due to contamination with hazardous wastes. The project includes the following estimated quantities: construction of a treatment building including installation of treatment equipment, construction of wells and well vaults No. 1, 2, 3 and 6, modification and refurbishing of well No. 5, construction of 3700 lineal feet (LF) of 2", 2.5", 3" and 4" raw water lines, 150 LF cased crossings, landscaping, restoration of bituminous and concrete pavement and curb, and disposal of 50 cubic yards well cuttings at a Hazardous Waste Disposal Facility.

The Contract Documents including instruction to bidders, proposal forms, the contract, plans, specifications and drawings as prepared by Malcolm Pirnie, Inc., and any addenda are on file for examination at the Division of Materials Management, located as above; at F. W. Dodge Division, McGraw-Hill Information System Co., 7600 Parklawn Avenue, Suite 352, Minneapolis, Minnesota; at the Daily Construction Bulletin Plan Room, 8401 73rd Avenue North, Brooklyn Park, Minnesota; the National Association of Minority Contractors, 1121 Glenwood Avenue North, Minneapolis, Minnesota; at the Long Prairie City Hall, 42 3rd Street North, Long Prairie, Minnesota; and at the following Builders Exchanges: St. Paul, Minneapolis, Duluth and St. Cloud.

Copies of the Contract Documents for use by Prime Contractors in submitting a bid or subcontractors submitting a subcontract proposal may be obtained from Sue Nelson, Barr Engineering Company, 8300 Norman Center Drive, Suite 300, Minneapolis, Minnesota 55437-1026, upon receipt of a refundable check in the amount of \$100.00 made payable to Barr Engineering Company. Bidders who do not purchase the Contract Documents from Barr Engineering Company should assure that Barr Engineering Company has their names and addresses on the mailing list for any Addenda. Bidders' attendance is recommended at a pre-bid meeting to be held on September 29, 1994, at 10:00 a.m. at the Minnesota Pollution Control Agency, lower level, Board Room Central, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

This project is funded by the U.S. Environmental Protection Agency and the Minnesota Pollution Agency, State of Minnesota. Neither the United States nor any of its departments, agencies or employees is or will be a party to this advertisement for bid nor any resulting Contract. The successful Bidder must comply with all applicable federal, state and local laws, regulations, rules, and ordinances. Regarding affirmative action, this procurement is subject to regulations in 40 CFR Parts 31, 33, and 41 CFR 60-4, and state regulations cited in the project manual. In addition to Equal Employment Opportunity actions, the Bidder must take all required affirmative action steps to assure that small, small rural area, minority and women's businesses (SMWB) and labor surplus area firms are subcontracted when possible. Bidders are alerted of the requirements for timely notification of SMWBs and SMWB assistance organizations. Under federal policy, the fair share of SMWBs for the Long Prairie Ground Water Remediation Project contract is four (4) percent of the total bid price for minority business, four (4) percent of the total bid price for women's business, and one-half (.5) percent for small business in rural areas. Bidders must comply with other state affirmative action regulations as described in the bidding documents. The Contractor should subcontract a minimum of these amounts to SMWBs for supplies, construction or services. Division of Materials Management certified targeted group vendors can be used to meet this share. Call (612) 296-2600 to obtain this list.

Professional, Technical & Consulting Contracts

Each bid or Subcontractor Proposal which totals over \$15,000.00 must be accompanied by a certified check made payable to the State of Minnesota, or a surety bond of a surety company duly authorized to do business in the State of Minnesota, in an amount equal to five percent (5%) of the total amount of bid, which is submitted as a bid security conditioned upon the bidder's entering into a contract with the State of Minnesota in accordance with the terms of the bid. It is agreed that said bid security of the successful bidder will constitute liquidated damages, not a penalty, for the failure or refusal of the successful bidder to execute and deliver the contractual documents, in a correct form, within ten (10) days after receipt of the Contract Documents. The Proposing Subcontractor's check or bond shall be for the use of the Prime Contractor who is awarded the prime contract and who uses the Subcontractor's Proposal, as security for the subcontractor's entering into a subcontract with that Prime Contractor.

Department of Public Safety

Office of Public Information and Media Relations

Request for Proposals for Continuation of Alcohol and Traffic Safety Public Relations Campaign

The Department of Public Safety and the National Highway Traffic Safety Administration are committed to reducing the number of alcohol-related traffic fatalities and injuries occurring among 20-29 year olds.

In 1993, the Department entered into a contract to address this issue. The contract called for the establishment and management of a public/private partnership to secure funding and provide direction for a long-term public information campaign to reduce the incidence of drinking and driving among 20-29 year old males in Minnesota.

The project was originally scheduled for completion by September 30, 1994. This RFP is for proposals to manage an additional and final federally funded year of project work, which will consist of continued solicitation of sponsorship for the envisioned campaign.

Total funding available for the last phase of the project, due to start November 1, 1994, is \$20,000. Details are contained in a Request for Proposals which may be obtained by writing or calling:

Carol Mockovak
Public Education and Media Relations Office
Department of Public Safety
444 Cedar St., Suite 100 - E, Town Square
St. Paul, Minnesota 55101-2156
(612) 297-7359

All proposals must be received no later than 4:00 p.m. on Monday, October 3, 1994.

— Volunteer Services of Minnesota Publications —

NEW!

The Power & Potential of Youth in Service to Communities

Outlines learner outcomes for leaders in developing service and mentoring programs. 10-48SR \$16.00

Trainer's Manual: Part I

Effective step-by-step training methods. 10-33SR \$30.00

Trainer's Manual: Part II

Training volunteer leaders. 10-34SR \$30.00

Community Handbook, Part I:

Developing Public/Private Partnerships

Partnership issues: leadership, research 10-31SR \$5.00

Community Handbook, Part II:

Basic Volunteer Program Management

Guidelines: recruitment, orientation... 10-32SR \$5.00

Planning it Safe: How to Control Liability & Risk in Volunteer Programs

Legal risk and liability concerns. 10-45SR \$17.95

Available through Minnesota's Bookstore. Use the handy order form on the back of the *State Register* to order. Visit Minnesota's Bookstore to view a variety of Volunteer Services publications.

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.

Department of Public Safety

Office of Traffic Safety

Request for Proposals for *Safe & Sober Liaisons*

The Minnesota Department of Public Safety is seeking proposals from experienced police officers to encourage and assist county and municipal law enforcement agencies in their efforts to reduce impaired driving and increase passenger protection use. The Department expects to write three professional and technical services contracts for this part-time work. Details are contained in a Request for Proposals which may be obtained by calling or writing:

Susan Palmer
Office of Traffic Safety
Department of Public Safety
444 Cedar Street
Suite 100B, Town Square
St. Paul, MN 55101-2156
(612) 296-8512

The total funding available is \$140,000. At least three contracts will be written. Final date for submitting proposals is September 26, 1994, by 4:00 PM. The Department will retain an option for two additional one-year periods.

State Board of Technical Colleges

Request for Proposals for Professional Assistance in Improving the Public Awareness, Appreciation and Understanding of the Value of a Technical College Education

The State Board of Technical Colleges has need for professional assistance in improving the public awareness, appreciation and understanding of the value of a technical college education.

The purpose of this plan is to: communicate information regarding the mission, strengths and goals of the Technical Colleges to key media contacts primarily in the Twin City Metropolitan Area; and increase media exposure on major media outlets.

The overall goal of the contract is to improve public awareness and understanding of the unique mission, vision, goals, and strengths of the Technical College System in helping students and the employment community.

The major tasks to be completed include the following: develop and implement an ongoing media relations program including goals, key messages, strategies, key contact list and action plans.

The contractor must have extensive experience in media relations and marketing, knowledge of the Technical College System goals and the ability to translate that knowledge into effective messages and communication strategies.

Interested contractors must submit a proposal along with evidence of successful media campaigns or programs and ideas of effective approaches to be employed on this project.

Prospective responders who have any questions regarding this request for proposal may call or write:

James Brown
State Board of Technical Colleges
100 Capitol Square Building, 550 Cedar Street
St. Paul, MN 55101
612-297-4390

The deadline for submission is no later than 4:00 p.m. October 3, 1994. An equal opportunity educator/employer.

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

Professional, Technical & Consulting Contracts

All proposals must be sent to and received by:

State Board of Technical Colleges
Mr. James E. Brown
Market Planning & Development Manager
550 Cedar Street, Suite 100 Capitol Square
St. Paul, MN 55101

This project will be completed by June 30, 1995, or within 8 months from the date the contract officially begins.

The following will be considered minimum contents of a proposal:

1. Restatement of the objectives, goals and tasks to demonstrate the responder's view of the nature of the project.
2. Identification and description of the deliverables to be provided by the responder.
3. An outline of the responder's background and experience. Identification of personnel to conduct the project, with details on experience. No change in personnel assigned to the project will be permitted without the approval of the state project director.
4. A detailed cost and work plan that will identify the major tasks to be accomplished and be used as a scheduling and managing tool, as well as the basis for invoicing.

Factors on which proposals will be judged include, but are not limited to, the following:

- A. Expressed understanding of proposal objectives.
- B. Work plan.
- C. Cost detail.
- D. Qualifications of both company and personnel. Experience of personnel who are committed to work on the contract will be given greater weight than that of the firm.
- E. 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, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of 4% preference in the evaluation of their proposal.

It is expected that evaluation and selection will be completed in early October, 1994. The successful responder will be required to submit acceptable evidence of compliance with Minnesota workers' compensation insurance coverage requirements prior to execution of the contract.

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Landscaping for Wildlife

Best-selling guide to attracting wildlife with your landscaping plans that are easy and inexpensive. Packed with diagrams and 70 color photos. 144 pp. Paperback. 9-15 SR \$10.95

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Sports 185 color photos and 28 building diagrams for nest boxes and platforms to attract more than 50 species of birds and mammals. 112 pp. Paperback. 9-14 SR \$9.95

Save \$2.40 by purchasing both publications together. 9-20SR \$18.50

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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.

Department of Trade and Economic Development

Notice of Request for Proposals for Study of the Microenterprise Program Development and Role of Minnesota State Government

The Minnesota Department of Trade and Economic Development (DTED) is seeking qualified individuals or organizations to perform a study of microenterprise program development and the role of Minnesota state government.

This study should assess the current state of microenterprise development in Minnesota. This assessment would place special emphasis on defining elements of microenterprise programs; identifying the needs of both rural and urban areas; determining the needs of existing microenterprise loan programs; and evaluating development strategies in other states.

The contractor would also be expected to work with DTED staff in identifying the role of the state in microenterprise development. This analysis would include defining an appropriate public policy basis for adopting microenterprise strategies; identifying the most appropriate method of state support; defining the relationship between the state and current microenterprise lenders; identifying goals and outcomes; and suggesting alternative sources of funding, if that is necessary.

Responders may propose additional tasks or activities if they will substantially improve the results of the project.

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

Work is proposed to start October 10, 1994 and conclude on November 30, 1994. This study is conducted under the authority of the Department of Trade and Economic Development, *Minnesota Statutes* 116J.

The cost of the proposal should not exceed \$25,000. Prices and terms of the proposal as stated must be valid for the length of the project. The successful responder will be required to submit acceptable evidence of compliance with Minnesota worker's compensation insurance coverage requirements prior to execution of the contract. 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, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of 4% preference in the evaluation of their proposal.

All proposals received by the deadline specified above will be evaluated by representatives of the Department of Trade and Economic Development. A personal interview may be part of the evaluation process. Proposals will be evaluated based on the following factors:

1. Qualifications of the organization and/or personnel conducting the study, especially as it relates to microenterprise development;
2. Quality of the project work plan and project cost details; and
3. The expressed understanding of the project and the activities of microenterprise development organizations.

Late proposals will not be accepted. Two (2) copies of the proposals must be received no later than 5:00 p.m., October 3, 1994. Copies of the proposal and questions about this request for proposal should be directed to:

Bart Bevins
Office of Regional Initiatives
Department of Trade and Economic Development
121 7th Place East
St. Paul, MN 55101
Phone: 612/297-1170

Professional, Technical & Consulting Contracts

Department of Transportation

Engineering Services Division

Notice of Request for Consultants for the Final Roadway Design Plans for T.H. 610 in Brooklyn Park

The Minnesota Department of Transportation is seeking consultants for the final roadway design plan of two stages of T.H. 610, a proposed four-lane divided freeway in Brooklyn Park, MN. Stage 3 roadway segment is from Hampshire Ave. to Regent Ave. and Stage 4 roadway segment is from T.H. 169 to Hampshire Ave. Work is proposed to start for both segments in September, 1994 and continued through September, 1997 for Stage 3 and February, 1998 for Stage 4. Each Stage will have a separate consultant contract and no one consultant will be selected for both contracts.

These projects have a 15% DBE participation requirement and will have federal funding participation. Consultants may express an interest for one or both segments by providing a written request to receive the Request for Proposal. Include in the written request whether your firm is a Small Targeted Business or Disadvantaged Business Enterprise.

In accordance with *Minnesota Rules* 1230.1910, certified Targeted Group Business and individuals submitting as prime consultants shall receive the equivalent of a 6% preference in the evaluation, and certified Economically Disadvantaged Businesses and individuals submitting as prime consultants shall receive the equivalent of a 4% preference in the evaluation. Proposal requests will be available by mail through September 23, 1994 and can be obtained from the MN/DOT Consultant Agreements Engineer at the following address:

Patti Loken, P.E.
MN/DOT, Consultant Agreements Unit
395 John Ireland Boulevard, Mailstop 680
St. Paul, MN 55155
Phone: (612) 297-1172
Fax: (612) 297-3160

After September 23, 1994, the Request for Proposal must be picked up in the Consultant Agreement Office, Rm 320 of the Transportation Building, St. Paul, MN. Proposals must be received at the above address no later than 2:00 P.M. on September 30, 1994. No time extensions will be granted.

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

Minnesota's Bookstore Subscription Services

Minnesota's Bookstore offers several subscription services of activities, awards, decisions and special bulletins of various Minnesota agencies. Use the handy order form on the back of the *State Register* to order.

<i>Career Opportunity Bulletin</i> -- one year	90-3	\$ 30.00	<i>Workers Compensation Decisions</i> ,	90-12	\$400.00
<i>Career Opportunity Bulletin</i> -- six months	90-4	\$ 24.00	unpublished subs run Jan-Dec 1993; can be prorated		
<i>Gaming News</i> -- one year	90-8	\$ 40.00	<i>State Register</i> -- one year (via mail)	90-1	\$150.00
<i>Human Services Informational and Instructional Bulletin</i>	90-6	\$120.00	<i>Contracts Supplement</i> (one year)		
<i>Minnesota Statutes</i> set + supplement	18-2	\$165.00	-- via First Class Mail	90-5	\$125.00
<i>Minnesota Rules</i> 1991 set + supplement	18-100	\$200.00	-- via FAX	90-7-fax	\$140.00
<i>Tax Court/Property Decisions</i>	90-11	\$350.00	-- via ONLINE Service	90-7-online	\$140.00
<i>Workers Compensation Decisions</i> Vol. 48	90-13	\$195.00	Trial Subscription (13 weeks) of both <i>State Register</i> and <i>Contracts Supplement</i>	90-2	\$ 60.00

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call 612/296-0931, or toll-free nationwide; 1-800-857-3757. Prepayment is required. Please include daytime phone. Prices are subject to change. FAX: 612-296-2285.



Minnesota's Bookstore

117 University Avenue St. Paul, MN 55155

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1-800/657-3706

Fax:

24 hour
612/296-2265

Online Service:

24-hour, free access
612/821-4096
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1200-2400 bps

Volunteer Program Development Tools

The Power and Potential of Youth in Service to Communities

Comprehensive guide to developing and sustaining a successful and meaningful youth volunteer program. Learn what it takes--- from developing a mission, vision and management philosophy to identifying skill and ability experiences suitable for youth age 5-24; from defining a program structure and outcomes to understanding common concerns and issues. Includes information on model programs throughout the state. 96pp. (MOVS, 1993)
Stock No. 10-48 \$16.00



Planning it Safe: How to Control Liability & Risk in Volunteer Programs

Offers concrete suggestions, clear definitions, and a preventive approach to managing legal risk and liability concerns of volunteer programs. Discusses liability for personal injury, business liability, possible protection from liability, basic concepts of risk management, and specific risks your organization may face. 112pp. (MOVS, 1992)
Stock No. 10-45 \$17.95

Promise of the Future/Responsibility Today

Report sites findings of the Governor's Blue Ribbon Committee on Mentoring and Your Community Service (1989-90). Includes recommendations for mentoring programs/youth community service as a means to match caring responsible individuals with youth to encourage and guide their personal growth and development. 56pp. (MOVS, 1991)
Stock No. 10-16 \$15.00

Bridging the Gap: A Training Manual for Respite Care Volunteers

Program assistance for the project director, coordinator of volunteers, or anyone associated with the training of volunteers in a respite care program for caregivers of chronically ill, frail, and elderly individuals. The manual offers ideas, plans, and resources to recruit, train, place and retain volunteers in a respite care program. Provides flexibility/options that enable the trainer to pick and choose training activities that are appropriate for the participants, the time available, and the trainer's skills. Topics covered include:

- * Recruiting volunteers
- * Orientation
- * Resources
- * Handouts and forms
- * Practical tips
- * Guidelines for trainers
- * Ice breaker activities
- * Understanding the caregiver
- * Communications skills
- * Dealing with grief and loss

Looseleaf, 200pp. (MN Dept. of Human Services, 1994) Stock No. 10-50 \$35.00





Print Communications Division

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