

The Minnesota
State Register

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State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, 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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Vol. 20 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 31	Monday 29 January	Friday 12 January	Monday 22 January
# 32	Monday 5 February	Monday 22 January	Monday 29 January
# 33	Monday 12 February	Monday 29 January	Monday 5 February
# 34	Tuesday 20 February	Monday 5 February	Monday 12 February

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- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year subscription: \$150.00
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FOR LEGISLATIVE NEWS

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

SENATE

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions.

This Week—weekly interim bulletin of the House.

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

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

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Individual awards can be obtained from the **Materials Management Helpline** 612/296-2600.

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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Proposed Rules

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

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

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

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

Board of Chiropractic Examiners

Proposed Permanent Rules Relating to Advertising, Licensing, and Continuing Education

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Board of Chiropractic Examiners (hereinafter "Board") intends to adopt permanent rules without a public hearing following procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also submit a written request that a hearing be held on the rule.

Agency Contact Person. Comments or questions on the rule must be submitted to:

Larry A. Spicer, D.C., Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Ave W, #20
St. Paul, MN 55114-1089
(612) 642-0591
Fax: (612) 643-3535
TDD Relay Service: 297-5353 (in the Twin Cities) or 1-800-627-3529 (Greater Minnesota)

Subject of Rule and Statutory Authority. The proposed rules are about advertising; continuing education; license renewal, termination and reinstatement; inactive retired license; and record keeping. The statutory authority to adopt this rule is *Minnesota Statutes* 148.08, Subd. 3. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, February 28, 1996 to submit written comments in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your 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 rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, February 28, 1996. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rules which caused your request, the reason for the request, and any changes you want made to the proposed rules. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their request in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rules as attached and printed in the *State Register*. If the proposed rules affect 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 agency 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.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may adopt the rules. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rules are submitted to the Office of Administrative Hearing or be notified of the Office of Administrative Hearing's decision on the rules. If you wish to be so notified, or wish to receive a copy of the adopted rules, submit your written request to the agency contact person listed above.

Dated: 12 January 1996

Larry A. Spicer, D.C.
Executive Director

Rules as Proposed

2500.0200 PROFESSIONAL STANDARDS FOR ADVERTISING.

Subpart 1. **Individual advertising.** ~~A chiropractor is licensed under the chiropractor's own name and must not use a false or assumed name in the conduct of the profession.~~ All advertisements, of any nature whatsoever, including office designation and business displays, must bear the name of the licensee or licensees. ~~This standard of professional conduct is inherent in the law. It includes advertising or other solicitation of business. It precludes solicitation or advertising without the assurance to the public given by the name under which the chiropractor is licensed to practice.~~ All advertisements which solicit patronage without disclosing the name or names of the practitioner or practitioners to the reader so that the public may know who is soliciting their patronage are wrongful.

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

2500.1100 INDIVIDUAL ANNUAL LICENSE RENEWAL.

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

Subp. 2. **Renewal fees.** The license of each licensee shall expire at midnight on December 31 each year. Subject to the terms of part 2500.1200, the board shall renew the license upon receipt from the licensee of a license renewal fee of \$200, plus any applicable penalty fee in subpart 3. Each licensee shall submit the license renewal fee ~~to the board and all required renewal materials, post-marked~~ no later than ~~January 1 of the year for which the license renewal is requested~~ December 31 in the year of license expiration, for renewal in the following calendar year.

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

2500.1110 LICENSE TERMINATION PROCEDURE.

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

Subp. 2. **Notice.** By January 31 of each year, the board shall send to the address on file with the board, a notice to each licensee who has not made application for license renewal. The notice shall state ~~that one or more of the following:~~

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

Subp. 3. **Date of termination.** If the application for renewal, including required information about continuing education, and the annual ~~and fees, late fees, or notice of voluntary retirement~~ is not received by the board by the date specified in the notice, the license shall ~~expire and the licensee's right to practice chiropractic in the state of Minnesota shall terminate as of the date specified in the notice be terminated.~~ The termination shall not be considered a disciplinary action against the licensee.

[For text of subs 4 and 5, see M.R.]

2500.1200 CONTINUING EDUCATION.

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

Subp. 5. ~~Sexual abuse recognition~~ **Professional boundaries and reporting parameters for abuse.** All chiropractors applying for licensure or for the renewal of a license on or after January 1, 1992, inclusive in the ~~20~~ 40 hours of continuing education hours required for ~~annual license renewal every two calendar years,~~ must have completed eight hours of course work or training regarding the establishment of professional boundaries in the clinical setting, and the identification and reporting of child and vulnerable adult abuse and maltreatment. The course work or training must be obtained from an institution or provider which has been approved by the board to provide such course work or training.

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

Proposed Rules

The course work or training must include the following:

- A. boundary training as it relates to professional conduct in the clinical setting;
- B. information regarding the physical and behavioral indicators of child and vulnerable adult abuse and maltreatment; and
- C. the statutory reporting requirements in *Minnesota Statutes*, chapter 626, including, but not limited to, when and how a report must be made, what other actions a reporter is mandated or authorized to take, the legal protections afforded reporters, and their consequences for failure to report.

Each chiropractor must provide the board with documentation showing proof of attendance and successful completion of the required training.

Each chiropractor who is applying for licensure must fulfill this provision before taking the board licensure examination.

This provision must be fulfilled by licensed chiropractors by January 1, 1997, January 1, 2002, and every four years after commencing January 1, 1992 thereafter.

Subp. 6. Full-time faculty. Full-time faculty of a chiropractic college accredited by the Council on Chiropractic Education may have up to 12 units of continuing education credit applied to each biennial requirement. Full-time faculty shall be defined as such by the chiropractic college by which they are employed. Licensees applying for this credit shall have the college submit written verification of faculty status before any such credit may be applied. This credit may not be applied to the requirements for radiographic safety, technique, or interpretation; infection control; or professional boundaries.

Subp. 7. Alternative forms. All chiropractors may obtain up to 12 units of their 40-unit biennial requirement through mediums other than traditional classroom presentations. Such programs may include, but not be limited to, videotape and correspondence courses. All such programs must be approved by the board or a board-approved sponsor, in compliance with parts 2500.1200 to 2500.2000. Continuing education units may not be obtained in this manner for requirements in radiographic safety, technique, or interpretation; infection control; or professional boundaries.

2500.1720 PROGRAMS DEVELOPED.

Doctors of chiropractic licensed in Minnesota may obtain continuing education units for the development of a program which meets the standards set forth in part 2500.1500. ~~Six~~ No more than 12 continuing education units may be awarded and applied to the next ~~two-calendar year~~ biennial requirement in part 2500.1200.

To obtain approval, the chiropractor must submit the following to the board:

- A. a summary of the program;
- B. a listing of at least one date on which the program was presented; and
- C. a statement of which type of continuing education units the chiropractor wants to be awarded.

Continuing education units shall be awarded under this part only once for each chiropractor for each new program developed.

2500.1900 LICENSE REINSTATEMENT.

The license of any licensee which is not renewed or which is revoked, suspended, or reduced in status by reason of failure to comply with the continuing education requirements of parts 2500.1200 to 2500.2000 may, at the election of the licensee or former licensee, be reinstated or restored to full status by either of the following procedures:

A. submission to the board executive ~~secretary~~ director of proof of the make up of all continuing education course hour and subject matter requirements which would have been necessary for continuous licensure from the date of such person's last license renewal or initial licensure, whichever is more recent, and submission to the board's executive ~~secretary~~ director of proof of attendance at an additional ten hours of board recognized and approved continuing education courses for each intervening renewal year. Proof of compliance with the foregoing requirements shall be made by written statement in the form prescribed under part 2500.1700, subpart 1, and subject to the provisions of part 2500.1700, subpart 2; or

B. reexamination by the board at the time for which it next schedules license examinations. No such reexamination shall be conducted except upon a written application therefor received by the board executive ~~secretary~~ director not less than 30 days prior to the examination date.

2500.2000 WAIVER OR DEFERMENT OF CONTINUING EDUCATION REQUIREMENTS.

The board shall waive or defer compliance with some or all annual continuing education requirements for any licensee presenting satisfactory written evidence to the board of illness or hardship making it impossible or highly impractical for the licensee to attend or to have attended a sufficient number of approved continuing education ~~class hours~~ units. No deferment will be considered unless submitted in writing prior to the deadline for license renewal. No deferment shall last more than 60 days. Any deferment granted shall not continue beyond March 31 following the date of the written request.

2500.5000 RECORDKEEPING.

In order to justify the need for chiropractic care, a chiropractor must obtain information necessary to generate and maintain documents that indicate the information in items A to H: A record containing a preponderance of the information in items A to G, as determined by the board, shall constitute a complete patient record.

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

D. A treatment plan that describes the procedures and treatment used for the conditions identified, including approximate frequency of care ~~or description of parameters used to justify future treatment.~~

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

G. Results of reexaminations that are performed to ~~justify ongoing care or to evaluate significant changes in a patient's condition, including at least an evaluation of tests that were positive or deviated from results used to indicate normal findings.~~

H. ~~Results of all examinations performed by other health care providers for the condition being treated by the chiropractor when the chiropractor uses that information in connection with the patient's treatment.~~

Higher Education Services Office

Proposed Permanent Rules Relating to the Work Study Program

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 Services Office intends to adopt permanent rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and *Minnesota Rules* Parts 1400.2010 to 1400.2560. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by February 29, 1996, a public hearing will be held on March 11, 1996. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 29, 1996 and before March 11, 1996. Persons may request to be placed on the agency mailing list for the purpose of receiving notice of rule proceedings and may request notice that a rule has been adopted by submitting such requests to the agency contact person listed below.

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

Mary Lou Dresbach
Minnesota Higher Education Services Office
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 rules are about student eligibility for purposes of the work study program. The proposed rules are amendments that change the standard a post-secondary institution must use in determining whether a student is in good standing and is making satisfactory academic progress. Under the current rule, a student must meet the statutory standards specified in *Laws of Minnesota* for 1995, Chapter 212, Article 3, Section 21, to be codified as *Minnesota Statutes* Section 136A.101, Subd. 10 (1995 Supp.). The proposed rules specify that the student must be in good standing and be making satisfactory academic progress as defined by the post-secondary institution the student is attending. The statutory authority to adopt these rules is *Laws of Minnesota* for 1955, Chapter 212, Article 3, Section 9, to be codified as *Minnesota Statutes* Section 136A.01, Subdivision 1 and 2 (1995 Supp.). The proposed rule amendments are published below.

Comments. You have until 4:30 P.M. on February 29, 1996 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the

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

due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments you would like to make on the legality of the proposed rule must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 P.M. on February 29, 1996. Your written request for a public hearing must include your name and complete mailing address; and you must indicate the portion or portions of the rule to which you object or state that you opposed the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. Also, if you request a public hearing, you are encouraged to indicate any changes you want made to the proposed rules. 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.

Accommodation. If you need an accommodation for a disability in order to participate in the public hearing, if one is held, please contact the agency contact person indicated above after February 29, 1996 and before March 11, 1996. An accommodation may take some time to arrange, so you are encouraged to contact the agency contact person as soon after February 29, 1996 as possible.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must not result in rules substantially different from the proposed rules 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 rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for March 11, 1996 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (612) 296-3974 after February 29, 1996 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, Sections 14.14 to 14.20 and *Minnesota Rules*, Parts 1400.2200 to 1400.2240. The hearing will be held on March 11, 1996 at the Veterans Services Building, 20 West 12th Street, 5th Floor Conference Room, St. Paul, MN 55101 beginning at 9:00 A.M. and will continue until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the administrative law judge. The administrative law judge assigned to conduct the hearing is George A. Beck. Judge Beck can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, MN 55401, (612) 341-7601.

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 amendments. 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. All interested and affected persons and the agency may respond in writing within five business days after the submission period ends to any new information submitted. All written materials or responses submitted to the administrative law judge must be **RECEIVED** at the Office of Administrative Hearings no later than 4:30 P.M. on the respective final days of the written comment or response periods. No additional evidence may be submitted during the five-day response period. This rule hearing procedure is governed by *Minnesota Statutes*, Sections 14.14 to 14.20 and *Minnesota Rules*, Parts 1400.2200 to 1400.2240. Questions about this procedure may be directed to the administrative law judge.

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

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 rules. The rules and supporting documents will then be submitted to the administrative law judge for review as to the legality. You may request to be notified of the date the rules are submitted to the administrative law judge or be notified of the administrative law

judge's decision on the rules. If you want to be so notified, or wish to receive a copy of the adopted rules, 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 rules. Any person 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 rules 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. Any person may also request notification of the date on which the rules were adopted and filed with the Secretary of State. The agency's notice of adoption must be mailed on the same day that the rules are 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 rules with the Secretary of State.

Order. I order that the rulemaking hearing, should one be necessary, be held at the date, time, and location indicated above.

Dated: 8 January 1996

Leslie Mercer
Interim Director

Rules as Proposed

4830.2200 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

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

Subp. 3. **Modification of allocations.** The ~~executive~~ director shall allocate funds equal to a school's estimated need if the estimated need is less than the amount determined by the allocation formula.

[For text of subp 4, see M.R.]

Subp. 5. **Unused funds.** The school must return funds which the school determines will not be used within 30 days from the date of a request by the ~~executive~~ director. The ~~executive~~ director shall reallocate the funds to other participating schools requesting additional funds.

Subp. 6. **Reallocation.** The ~~executive~~ director shall reallocate funds using the formula specified in subpart 2, items A and B.

4830.2300 WORK-STUDY GRANTS.

A school shall determine if a student is eligible for a work-study grant. To be eligible a student must meet the requirements of part 4830.0100, subpart 5, items B, C, D (as defined in *Minnesota Statutes*, section 136A.101, subdivision 7b), E, and F. The student must also be in good standing and making satisfactory academic progress, as defined by the school. Priority must be given to students enrolled for at least 12 credits. A student employed during periods of nonenrollment must sign a statement of intent to enroll at least half-time for the next term or provide proof of registration for the next term.

4830.2500 CONTRACTS WITH EMPLOYERS.

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

Subp. 3. **Review and comment.** All contracts signed by the school and employers are subject to review and comment by the ~~executive~~ director.

Subp. 4. **Supervision.** The school, with the employer, must develop for each work-study assignment a program of supervision consistent with the nature of the assignment and the needs of the individual student. Upon request, the school must submit the program of supervision to the ~~executive~~ director for review and comment.

[For text of subp 5, see M.R.]

4830.2600 REPORTS BY SCHOOL.

The school must collect demographic and program activity data as specified by the ~~executive~~ director. The school shall provide the ~~executive~~ director with individual student data upon request.

End of year program activity and student data reports are required by the ~~executive~~ director. The school must correctly complete and submit these reports and any applicable refunds to the ~~executive~~ director by the first working day after August 9. The ~~executive~~ director shall withhold the school's subsequent year's allocation if the above deadline date is not met.

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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.

Office of Administrative Hearings

Adopted Permanent Rules Governing Rule Adoption Proceedings

The rules proposed and published at *State Register*, Volume 20, Number 19, pages 1012-1029, November 6, 1995 (20 SR 1012), are adopted with the following modifications:

Rules as Adopted

1400.2020 ASSIGNMENT AND DISQUALIFICATION OF JUDGE.

Subpart 1. **Assignment.** The chief judge must promptly assign a judge to a rule proceeding after the chief judge receives a request to schedule a rule hearing, or a filing from an agency under parts 1400.2060, 1400.2300, 1400.2400, or 1400.2450. A request to schedule a rule hearing must include the documents listed in part 1400.2080, subpart 5.

1400.2060 APPROVAL OF NOTICE PLAN.

Subpart 1. **Optional prior approval.** An agency may ask the office for prior approval of its plan for additional notice of planned rulemaking under *Minnesota Statutes*, section 14.101, or of its plan for additional notice of proposed rules under *Minnesota Statutes*, ~~section~~ sections 14.131, 14.14, 14.22, and 14.23.

Subp. 4. **Approval ~~and~~ or disapproval.** An approved notice plan is the office's final determination that the notice plan is adequate. If the notice plan is disapproved, the judge must explain why and tell the agency what changes are necessary for approval. The agency may resubmit the notice plan for review after changing it. The judge must review and approve or disapprove the revised notice plan within five working days after the office receives it.

1400.2070 STATEMENT OF NEED AND REASONABLENESS.

Subp. 3. **Timing.** The statement must be prepared before the agency ~~publishes or mails~~ orders publication of its notice of intent to adopt rules, notice of hearing, or dual notice. The agency must send a copy of the statement to the legislative commission when it becomes available for public review.

1400.2080 NOTICE OF PROPOSED RULE.

Subp. 2. **Contents of all notices.** A notice of intent to adopt rules, notice of hearing, or dual notice must state:

G. that persons may ~~register with the agency~~ request to be placed on the agency's mailing list to receive notice of future rule proceedings;

Subp. 3. **Additional contents for a notice of intent to adopt rules or dual notice.** A notice of intent to adopt rules without a public hearing or dual notice must state:

J. that persons ~~must submit comments~~ who wish to comment on the legality of the rule must do so during the 30-day comment period; and

Subp. 4. **Additional contents for a notice of hearing or dual notice.** A notice of hearing or dual notice must state:

Subp. 5. **Scheduling of hearing, and approval of notice of hearing ~~and~~ or dual notice.** The agency must request to schedule a rule hearing and obtain the judge's approval of any notice of hearing or dual notice prior to mailing it or publishing it in the *State Register*. The judge must also advise the agency as to when and where the hearing should be held in order to allow for participation by all affected interests. A copy of the proposed rule with a certificate of approval as to form by the revisor of statutes attached, and a draft of or a final copy of the statement of need and reasonableness must be filed with a notice submitted for approval. The judge must review the proposed notice within five working days of receiving it and must either approve the notice or advise the agency how the notice must be revised.

Subp. 6. **Timing.** A notice of hearing; ~~dual notice~~; or notice of intent to adopt rules must be mailed at least 33 days before the end of the comment period or the start of the hearing, and must be published in the *State Register* at least 30 days before the end of the comment period or the start of the hearing. A dual notice must be mailed at least 33 days before the end of the comment period and must be published in the *State Register* at least 30 days before the end of the comment period. If a hearing is required after using a dual notice, there must be at least ten days between the end of the comment period and the start of the hearing.

Subp. 7. **Affidavit Certificate of mailing and certificate of mailing list.** The agency must prepare ~~an affidavit~~ a certificate of mailing the notice to the rulemaking mailing list and a certificate of the rulemaking mailing list. Part 1400.2550 contains a recommended format for this document.

1400.2090 ORDER ADOPTING RULE.

An agency order adopting a rule must contain the following:

A. if any changes were made to the proposed rule in the adopted rule, a description of the changes, and an explanation of the reasons for the changes and why they do not make the rule substantially different, ~~unless or~~, if the procedures in part 1400.2110 were followed, a statement that the agency followed the procedures in part 1400.2110 before adopting the changes;

1400.2100 STANDARDS OF REVIEW.

A rule must be disapproved by the judge or chief judge if the rule:

C. is substantially different than the proposed rule, and the agency did not follow the procedures of part ~~1400.2240, subpart 8~~ 1400.2110;

1400.2220 AGENCY PRESENTATION AT HEARING.

Subpart 1. **Rulemaking documents.** The agency must place into the hearing record the following documents:

E. a copy of the transmittal letter or ~~an affidavit~~ a certificate showing that the agency sent a copy of the statement of need and reasonableness to the legislative commission;

G. the ~~affidavit~~ certificate of mailing the notice of hearing and certificate of mailing list. Part 1400.2550 is a recommended ~~affidavit~~ certificate form;

H. ~~an affidavit~~ a certificate of additional notice if given;

I. any written comments on the proposed rule received by the agency; ~~and~~

J. if the legislative commission has authorized the agency to omit from the notice of hearing published in the *State Register* the text of any proposed rule, a copy of the document authorizing the omission; ~~and~~

K. any other document or evidence to show compliance with any other law or rule which the agency is required to follow in adopting this rule.

1400.2230 WRITTEN COMMENTS AFTER HEARING AND CLOSE OF HEARING RECORD.

Subpart 1. **Written comments.** The judge must allow written comments to be submitted into the hearing record by the agency and all interested persons for five working days after the hearing ends, and may extend this time to no more than 20 days after the hearing ends. In its comment, the agency may state whether ~~these~~ there are rule modifications that it intends to adopt. The office must receive the written comments no later than 4:30 p.m. on the last day for submission.

1400.2240 ADMINISTRATIVE LAW JUDGE'S REPORT.

Subp. 10. **Rule adoption.** Once the judge or chief judge approves the rule or the review period for the legislative commission has passed, the agency may adopt the rule by executing an order adopting the rule. The agency must obtain the revisor's approval of the rule's form, file two copies of the rule with the secretary of state, and publish a notice of rule adoption in the *State Register*.

1400.2300 REVIEW OF RULES ADOPTED WITHOUT A PUBLIC HEARING.

Subp. 6. **Disapproval.** If the rule is disapproved, the judge must state in writing the reasons for the disapproval and recommend what changes are necessary for approval. The written reasons for disapproval must then be submitted to the chief judge for ~~approval~~ review. The chief judge shall approve or disapprove the judge's determination within ~~ten~~ five working days and shall state the reasons in writing and shall advise the agency what changes are required for approval. The office must send a copy of the chief

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Adopted Rules

judge's decision to persons who requested a copy of the decision, the legislative commission, the revisor, and the attorney general. *Minnesota Statutes*, section 14.26, subdivision 3, governs the effect of any disapproval. The chief judge shall then promptly send the rule record to the agency.

Subp. 7. Disapproval based on substantial difference. If the chief judge disapproves a rule because it is substantially different than the proposed rule, the agency may end the rule proceeding, may start a new rule proceeding to adopt the substantially different rule, or may proceed under part 1400.2110. The agency may adopt the portions of the rules which are not substantially different.

Subp. 7. 8. Resubmission. The agency may resubmit the rule to the chief judge for review after changing it and may request that the chief judge reconsider the disapproval. The agency must file with the office:

- A. the agency's initial filing under subpart 2;
- B. the rule with the agency's proposed changes; and
- C. an explanation of the changes, why they solve the problems identified by the chief judge, and why they do not result in a substantially different rule.

The chief judge must review the resubmitted rule ~~under subparts 3, 5, and 6~~ and decide whether it meets the standards of part 1400.2100 within five working days of receiving it. *Minnesota Statutes*, section 14.26, subdivision 3, governs the effect of any disapproval.

Subp. 8. 9. Disapproval of need and reasonableness. If the chief judge disapproves the rule because the agency has not shown it to be needed and reasonable, and if the agency chooses not to follow the chief judge's recommended corrections, the agency must submit the rule to the legislative commission for review under ~~Minnesota Statutes~~, section ~~14.15~~ 14.26, subdivision ~~4 3~~, paragraph (c).

1400.2310 DOCUMENTS TO BE FILED.

The agency must file the following documents with the office:

- F. if the legislative commission authorized the agency to omit from the notice of intent to adopt rules published in the State Register the text of any proposed rule, a copy of the document authorizing the omission;
- G. the affidavit certificate of mailing the notice of intent to adopt rules and certificate of mailing list;
- H. ~~an affidavit a~~ certificate of additional notice, if given;
- I. a copy of the transmittal letter or affidavit certificate showing that the agency sent a copy of the statement of need and reasonableness to the legislative commission;
- N. the order adopting the rule; ~~and~~
- O. the notice of submission of the rule to the office, if anyone requested this notice, and a copy of the transmittal letter or affidavit certificate showing that the agency sent out this notice; ~~and~~
- P. any other document or evidence to show compliance with any other law or rule which the agency is required to follow in adopting this rule.

Part 1400.2550 is a recommended affidavit certificate form.

1400.2500 PETITION FOR RULEMAKING.

PETITION FOR RULEMAKING TO THE MINNESOTA DEPARTMENT OF _____

Name: _____

Group Represented or Title: _____

Address: _____

I request that the agency named above (check one):

Adopt a new rule governing _____

Amend *Minnesota Rules*, part(s) _____

Suspend *Minnesota Rules*, part(s) _____

Repeal *Minnesota Rules*, part(s) _____

Adopted Rules

1. Explain the need or reason for the rulemaking you request. The agency will consider your reasons in making its decision, so your explanation must be detailed. You can use additional pages.

2. For a new rule, state the proposed new language of the rule. For rule amendments, repeat the text of the rule, striking through deletions and underlining new language. If you cannot provide new rule language, then write a detailed description of the rule that you are requesting. You can use additional pages.

You must file this petition with the executive director or head of the agency in person or by United States mail. The agency must reply in writing to your petition within 60 days after receiving it.

DATE: _____

Signature of Petitioner

1400.2510 RECOMMENDED REQUEST FOR COMMENTS ON PLANNED RULE.

Minnesota Department of _____

REQUEST FOR COMMENTS

Planned (Amendment to) (Repeal of) Rule Governing _____, *Minnesota Rules* _____

Subject of Rule. The _____ (name of department) requests comments on its planned (amendment to) (repeal of) rule governing _____. The department is considering (a rule) (rule amendments) (repealing its rule) that _____ (detailed description of subject matter of rule).

Persons Affected. The (amendment to) (repeal of) the rule would likely affect _____ (description of types of groups and individuals likely to be affected). **(Optional):** The department does (not) contemplate appointing an advisory committee to comment on the planned rule. **(optional)**

Statutory Authority. *Minnesota Statutes*, section _____ (section number), (authorizes) (requires) the department to adopt rules for _____ (brief description of statutory authority).

Public Comment. Interested persons or groups may submit comments or information on this planned rule in writing or orally until 4:30 p.m. on _____ (date). The department (insert either: (has) (has not yet) prepared a draft of the planned rule (amendment) (repeal) **OR** does not anticipate that a draft of the rule (amendment) (repeal) will be available before the publication of the proposed rule). Written or oral comments, questions (requests to receive a draft of the ~~proposal~~ rule) (when it has been prepared), and requests for more information on this planned rule should be addressed to: _____ (name, address, and telephone number of staff person).

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Commissioner

1400.2520 RECOMMENDED NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING.

Minnesota Department of _____

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Proposed (Amendment to) (Repeal of) Rule Governing _____, *Minnesota Rules* _____

Introduction. The (department name) 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. You have 30 days to submit written comments on the proposed rule and may also submit a written request that a hearing 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: _____ (name, agency, address, telephone number, and FAX number [optional])

Subject of Rule and Statutory Authority. The proposed rule is about (subject of rule). The statutory authority to adopt this rule is (specific statutory citation). A copy of the proposed rule is published in the *State Register* and attached to this notice as

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Adopted Rules

mailed. (If the proposed rule is not attached to the mailed notice, then this notice must include an informative statement describing the nature and effect of the proposed rule and include the announcement that: A free copy of the rule is available upon request from the agency contact person listed above.)

Comments. You have until ____ p.m. on _____, 199_, to submit written comment 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 agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rule must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by ____ p.m. on _____, 199_. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule.

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

Modifications. The proposed rule may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rule may not be substantially different than this proposed rule. 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 agency contact person. This statement contains a summary of the justification for the proposed rule, including a description of who will be affected by the proposed rule and an estimate of the probable cost of the proposed rule.

Other notices required by law or chosen to be inserted in this notice.

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

Dated: _____

Name
Title

1400.2530 RECOMMENDED NOTICE OF HEARING.

Minnesota Department of _____

NOTICE OF HEARING

Proposed (Amendment to) (Repeal of) Rule Governing _____, *Minnesota Rules* _____

Public Hearing. The (department name) intends to adopt a rule after a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-entitled rule at (place), starting at (time hearing starts) on _____, 199_, and continuing until the hearing is completed. Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Administrative Law Judge. The hearing will be conducted by (name, address, telephone number, and FAX number of judge). The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

Subject of Rule and, Statutory Authority, and Agency Contact Person. The subject of the hearing will be the proposed rules governing _____, *Minnesota Rules* _____. The proposed rules are authorized by *Minnesota Statutes*, section (specific section number). A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed. (If the proposed rule is not attached to the mailed notice, then this notice must include an informative statement describing

Adopted Rules

the nature and effect of the proposed rule and include the announcement that: A free copy of the rule is available upon request from the agency contact person. The agency contact person is: (name, address, telephone number, and FAX number [optional]).

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

Other notices required by law or chosen to be inserted in this notice.

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

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

Accommodation. If you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified as a result of the rule hearing process. Modifications must be supported by data and views presented during the rule hearing process, and the adopted rule may not be substantially different than this proposed rule. If the proposed rule affects you in any way, you are encouraged to participate.

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

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at: (address, telephone number).

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

Dated: _____

Name
Title

1400.2540 RECOMMENDED DUAL NOTICE.

Minnesota Department of _____

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

Proposed (Amendment to) (Repeal of) Rule Governing _____, *Minnesota Rules* _____

Introduction. The (department name) intends to adopt a 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 _____, 199_, a public hearing will be held at (location), starting at

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

(time) on _____, 199_. (The date must be at least ten days after the end of the comment period.) 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 (date comment period ends) and before (date of hearing).

Agency Contact Person. Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to (name, address, telephone number, and FAX number [optional]).

Subject of Rule and Statutory Authority. The proposed rule is about (subject of rule). The statutory authority to adopt the rule is (specific statutory citation). A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed. (If the proposed rule is not attached to the mailed notice, then this notice must include an informative statement describing the nature and effect of the proposed rule and include the announcement that: A free copy of the rule is available upon request from the agency contact person listed above.)

Comments. You have until ____ p.m. on _____, 199_, 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. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rule must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by ____ p.m. on _____, 199_. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule.

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

Accommodation. If you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

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 be supported by data and views submitted to the agency or presented at the hearing and the adopted rule may not be substantially different than this proposed rule. 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 _____, 199_, 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 (telephone number) after (date comment period ends) 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 the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. An Administrative Law Judge is assigned to conduct the hearing. The judge can be reached at: (name, address, telephone number, and FAX number).

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rule. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts ~~1400.0200~~ 1400.2000 to ~~1400.1200~~ 1400.2240, and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or

during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

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

Other notices required by law or chosen to be inserted in this notice.

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 (address and telephone number).

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

Adoption Procedure After 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 ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rule and files it with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

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

Dated: _____

Name
Title

1400.2550 RECOMMENDED AFFIDAVITS AND CERTIFICATE OF MAILING LIST CERTIFICATES.

NOTE: This part contains the format of an affidavit a certificate and language that: certifies the rulemaking mailing list, certifies the mailing of a notice or proposed rule, certifies the mailing of the statement of need and reasonableness to the legislative commission, and certifies the mailing of a notice of submission of a rule adopted without a public hearing to the office. When making affidavits certificates using this part, use only the language that applies. If two or more people performed the various actions, create a separate affidavit certificate for each person that includes only the actions done by each individual.

AFFIDAVIT CERTIFICATE OF MAILING THE (DUAL) NOTICE (OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING) (OF HEARING) AND CERTIFICATE OF MAILING LIST

Proposed Rule Governing _____, *Minnesota Rules* _____

STATE OF MINNESOTA)ss:

COUNTY OF _____

_____, being sworn says:

(Certificate of mailing list) I certify that the list of persons and associations who have requested under *Minnesota Statutes*, section 14.14, subdivision 1a, that their names be placed on the department of _____ rulemaking mailing list is accurate, complete, and current as of _____, 199__.

(Affidavit Certificate of mailing notice to rulemaking mailing list) I certify that on _____, 199__, at least 33 days before the end of the comment period, at the City of _____, County of _____, State of Minnesota, I mailed the _____ (state what was mailed, for example: (1) Notice of Intent to Adopt Rules, Dual Notice, or Notice for Hearing, and (2) the proposed rule) by depositing a copy thereof in United States mail, with postage prepaid, to all persons and associations on the rulemaking mailing list established by *Minnesota Statutes*, section 14.14, subdivision 1a.

(Affidavit Certificate of additional notice) I certify that on _____, 199__, the following additional notice was given by the agency:

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

(Affidavit Certificate of mailing the statement of need and reasonableness to the legislative commission - change the title on the upper right of document) I certify that on _____, 199_, when the statement of need and reasonableness became available to the public, I mailed a copy of the statement to the Legislative Commission to Review Administrative Rules by depositing it in United States mail, with postage prepaid.

(Affidavit Certificate of mailing notice of submission of rule adopted without a public hearing to the Office of Administrative Hearings - change the title on the upper right document) I certify that on _____, 199_, when the adopted rule was submitted to the Office of Administrative Hearings, I mailed the notice of submission of the rule to the office by depositing it in United States mail, with postage prepaid, to all persons and groups who requested this notice.

Name
Title

Subscribed and sworn to before me
this ____ day of _____, 199_.

Notary Public

1400.2560 RECOMMENDED ORDER ADOPTING RULES.

Minnesota Department of _____

ORDER ADOPTING RULE

Adoption of Rule Governing _____, *Minnesota Rules* _____

WHEREAS:

1. All notice and procedural requirements in *Minnesota Statutes*, chapter 14, *Minnesota Rules*, chapter 1400, and other applicable law have been complied with. (For multimember agencies, add the following: A copy of the authorization from the board to propose the rule is attached. **OR** Proposal of the rule was authorized by the board at its meeting on _____, 199_, and a quorum was present.) (For rules adopted without a public hearing, if all notice and procedural requirements were not complied with, state what happened, what corrective action was taken (if any), and why the office should find it to be harmless under *Minnesota Statutes*, section 14.26, subdivision 3, paragraph (d).)

2. (For rules adopted without a public hearing, state the following: The agency received [no] written comments and submissions on the rule. _____ persons requested a public hearing [, of which ____ were subsequently withdrawn.] Therefore, there are not 25 or more outstanding requests for a public hearing. The agency received ____ requests for notice of submission to the Office of Administrative Hearings.) **OR** (For rules adopted after a public hearing, state the following: The department adopts the Administrative Law Judge's Report dated _____, 199_, and incorporates the Report into this order, except as described above.)

3. **If any changes were made between the proposed rule and the adopted rule, explain each change, why the change is reasonable, and why the change does not make the rule substantially different.** (This requirement does not apply to rules adopted after a public hearing if the judge's report approved the specific change.)

4. The rule is needed and reasonable.

5. (For multimember agencies, add the following: A copy of the authorization from the board to adopt the rule is attached. **OR** The rule was adopted by the board at its meeting on _____, 199_, a quorum was present, and the undersigned was authorized to sign this order.)

IT IS ORDERED that the above-captioned rule is adopted.

DATE: _____

Name
Title

EFFECTIVE DATE OF REPEALER: The repealer of *Minnesota Rules*, chapter 2010, is effective January 1, 1997. After the effective date of *Minnesota Rules*, parts 1400.2000 to 1400.2560, *Minnesota Rules*, chapter 2010, shall apply only to rule proceedings submitted to the Office of the Attorney General for review under the authority of *Laws of Minnesota* 1995, chapter 233, article 2, section 55.

Executive Department**Emergency Executive Order 96-1 Providing for Assistance to the Polk County Sheriff**

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

WHEREAS, a major blizzard has struck Minnesota forcing the State Patrol to close U.S. Highway 2 in the northwestern part of the state; and

WHEREAS, weather conditions have deteriorated to the point that the Polk County Sheriff's Department is no longer able to use its wheeled vehicles; and

WHEREAS, the Polk County Sheriff has requested the National Guard's assistance in searching for stranded motorists and missing persons;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about January 17, 1996, in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to assist and support the Polk County Sheriff in search and rescue efforts.
2. The cost of subsistence, transportation, fuel, pay, and allowances of said individuals shall be defrayed from the general fund of the State as provided for in *Minnesota Statutes* 1994, sections 192.49, subd. 1; 192.51, and 192.52.

Pursuant to *Minnesota Statutes* 1994, section 4.035, subd. 2, this Order shall be effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this eighteenth day of January, 1996.

Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Executive Department**Executive Order 96-2 Providing for Relief to Minnesota State Colleges and Universities From Certain State Regulatory Mandates**

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

WHEREAS, it is imperative that the implementation of the higher education systems merger proceed efficiently and effectively; and

WHEREAS, state legislative or executive mandates that unnecessarily impede the operations of state colleges and universities be mitigated or removed; and

WHEREAS, students and other citizens expect that higher education system operations and management become more performance-based and be held to high standards of productivity, accountability, and achievement;

NOW, THEREFORE, I hereby order that the commissioners of the departments of administration, employee relations, and finance immediately implement the following actions, with cooperation and assistance from the Minnesota state colleges and universities (MnSCU), to ensure that the administration of colleges and universities is not hindered by overly burdensome mandates.

1. The department of employee relations shall continue its collaboration with MnSCU on the delegation of authority for job classification issues, including the authority for technical colleges to conduct some classification activities locally. The department shall also provide additional training to campuses to assist them in making complete and effective classification requests.
2. The departments of administration and finance shall increase the level of reporting for the state fixed asset inventory from \$500 to \$10,000.

Official Notices

3. The department of finance shall work with MnSCU to modify the level of detail required in the accounts receivable report.
4. The department of administration shall work with MnSCU to assure appropriate training for MnSCU purchasing agents. Subject to completion of this training, the commissioner will negotiate an increased delegation of purchase authority to campuses.
5. The department of administration shall work with MnSCU to develop policies and delegate local authority for construction projects of up to \$50,000.
6. The departments of employee relations and finance shall work cooperatively with MnSCU to design, conduct, and evaluate a pilot project of negative time reporting. The three agencies shall cooperatively determine the parameters of the pilot to ensure that it addresses mutual concerns including, but not limited to, compliance with audit and federal record keeping requirements, internal controls, and timing in relation to MnSCU's conversion to SEMA4.

Pursuant to *Minnesota Statutes* 1994, section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1994, section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this nineteenth day of January, 1996.

Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Official Notices

Pursuant to the provisions of *Minnesota Statutes* §14.101, 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.

Board of Animal Health

Notice of Board Meeting

A meeting of the Board of Animal Health has been scheduled for Friday, March 1, 1996. It is to be held at the Board office at 90 W. Plato Blvd., St. Paul and is scheduled to start at 9:30 a.m.

Board of Chiropractic Examiners

Notice of Solicitation of Outside Information or Opinions Regarding Chiropractic Licensure

NOTICE IS HEREBY GIVEN that the Minnesota Board of Chiropractic Examiners (MBCE) is seeking information or opinions from sources outside the agency on proposed rules governing chiropractic licensure. The MBCE is proposing to define the terms "expire" and "terminate", established criteria for reinstating terminated licenses, and allow for waivers and/or variances of administrative rules. The proposal of these rules is authorized by *Minnesota Statutes*, section 148.08, which permits the agency to promulgate rules in order to administer sections 148.01 to 148.105:

Groups and individuals who are likely to be affected by these rules are Minnesota licensed chiropractors and chiropractors whose licenses have been terminated. Interested persons or groups may submit data or views on the subject matter of concern in writing. Written statements should be addressed to: Rules Committee, MBCE, 2700 University Avenue West, Suite 20, St. Paul, MN 55114-1089. Written comments on the possible revisions will be accepted until further notice or until a Notice of Intent to Adopt or a Notice of Hearing is published in the *State Register*. Any written material received by the MBCE shall become part of the rule-making record to be submitted to the Office of Administrative Hearings in the event that the amendments are adopted.

Drafts of all proposed rules will automatically be sent to any persons who have requested in writing that their name be included on the MBCE rulemaking mailing list. Drafts of proposed rules will be mailed prior to the publication in the *State Register* of the Notice of Intent to Adopt or Notice of Hearing.

Dated: 3 January 1996

Larry A. Spicer, D.C.
Executive Director

Board of Chiropractic Examiners

Notice of Solicitation of Outside Information or Opinions Regarding Graduate Preceptorship Program

NOTICE IS HEREBY GIVEN that the Minnesota Board of Chiropractic Examiners (MBCE) is seeking information or opinions from sources outside the agency on its planned amendments to rules governing the Graduate Preceptorship Program (GPP). The MBCE is proposing to clarify payment of GPP fees and amend requirements for those participating in the program as preceptors. The amendment of these rules is authorized by *Minnesota Statutes*, section 148.08, which permits the agency to promulgate rules in order to administer sections 148.01 to 148.105.

Groups and individuals who are likely to be affected by these rules are Minnesota licensed chiropractors interested in participating in the Graduate Preceptorship Program. Interested persons or groups may submit data or views on the subject matter of concern in writing. Written statements should be addressed to: Rules Committee, MBCE, 2700 University Avenue West, Suite 20, St. Paul, MN 55114-1089. Written comments on the possible revisions will be accepted until further notice or until a Notice of Intent to Adopt or a Notice of Hearing is published in the *State Register*. Any written material received by the MBCE shall become part of the rulemaking record to be submitted to the Office of Administrative Hearings in the event that the amendments are adopted.

Drafts of all proposed rules will automatically be sent to any persons who have requested in writing that their name be included on the MBCE rulemaking mailing list. Drafts of proposed rules will be mailed prior to the publication in the *State Register* of the Notice of Intent to Adopt or Notice of Hearing.

Dated: 3 January 1996

Larry A. Spicer, D.C.
Executive Director

Board of Chiropractic Examiners

Notice of Solicitation of Outside Information or Opinions Regarding Continuing Education

NOTICE IS HEREBY GIVEN that the Minnesota Board of Chiropractic Examiners (MBCE) is seeking information or opinions from sources outside the agency on its planned amendments to rules governing continuing education. The MBCE is proposing to specify criteria for unapproved continuing education programs and require continuing education sponsors to include a non-endorsement statement in board-approved program material. The amendment of these rules is authorized by *Minnesota Statutes*, section 148.08, which permits the agency to promulgate rules in order to administer sections 148.01 to 148.105.

Groups and individuals who are likely to be affected by these rules are sponsors of board-approved continuing education programs. Interested persons or groups may submit data or views on the subject matter of concern in writing. Written statements should be addressed to: Rules Committee, MBCE, 2700 University Avenue West, Suite 20, St. Paul, MN 55114-1089. Written comments on the possible revisions will be accepted until further notice or until a Notice of Intent to Adopt or a Notice of Hearing is published in the *State Register*. Any written material received by the MBCE shall become part of the rulemaking record to be submitted to the Office of Administrative Hearings in the event that the amendments are adopted.

Drafts of all proposed rules will automatically be sent to any persons who have requested in writing that their name be included on the MBCE rulemaking mailing list. Drafts of proposed rules will be mailed prior to the publication in the *State Register* of the Notice of Intent to Adopt or Notice of Hearing.

Dated: 3 January 1996

Larry A. Spicer, D.C.
Executive Director

Official Notices

Department of Human Services

Minnesota Family Investment Program

Notice of Transitional Standard for an Assistance Unit Size One to Ten

Effective December 1, 1995, the Transitional Standard for an assistance unit size one to ten increased to the following amounts:

Number of Eligible Children	Child Only	Plus One Adult	Plus Two Adults	Special Child	Adult Only (No Child)
1	\$369	\$638	\$784	\$456	One Adult: \$306
2	\$563	\$800	\$935	\$638	
3	\$731	\$946	\$1,072	\$800	Two Adults: \$478
4	\$868	\$1,074	\$1,219	\$946	
5	\$997	\$1,221	\$1,333	\$1,074	
6	\$1,144	\$1,335	\$1,476	\$1,221	
7	\$1,251	\$1,472	\$1,613	\$1,335	
8	\$1,385	\$1,606	\$1,747	\$1,472	
9	\$1,514	\$1,735	\$1,876	\$1,606	
10	\$1,642	\$1,863	\$2,004	\$1,735	

Department of Human Services

Executive Information System—Medicaid Management Information System

Notice of Intent to Implement

The State of Minnesota, Department of Human Services (DHS), intends to initiate a project to implement an executive information system (EIS) for the Medicaid Management Information System (MMIS) contingent on availability of state and federal funding.

Providing Information to Vendors

DHS is interested in being notified by any vendor of its interest and ability to support this initiative. DHS anticipates that there are vendors who have existing systems or prototypes that would be of interest to DHS. To assist vendors in assessing their potential involvement in the project, a short overview of the project appears later in this notice. In addition, DHS will conduct a vendor conference at the following time and place, at which it will provide additional information and answer vendor questions:

February 16, 1996 - 8:00 - 4:30 - Conference room 1C

Dept. of Human Services

444 Lafayette Road, St. Paul, MN 55155

Attendance at this conference will not be a mandatory requirement for a vendor to subsequently bid any RFP that is issued. However, attendance will assure that a vendor has an opportunity to receive information about the project, and will ensure that vendor's place on any subsequent mailing lists for updated information as the project progresses. DHS has chosen this method of information distribution in lieu of responding to telephone requests by individual vendors from State staff about the project.

Receiving Information from Vendors

In addition to the vendor conference noted above, DHS would like to receive information from any vendor who wishes to offer it about prototypes, existing systems, recommended standards, either by mail or through a scheduled presentation with project staff. Such presentations will be scheduled following the vendor conference. All materials received from vendors under these circumstances may be considered public information. To schedule a presentation, please contact Sandy Akre at (612) 296-1726.

Any vendor who wished to be placed on a list to be notified about future project activities of interest to vendors should immediately send a letter, on company letterhead, which contains the name, address, fax, and telephone number of the person identified by the vendor as its preferred contact for matters involving this project, to:

Maggie O'Groske
Medicaid Management Information System
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3839

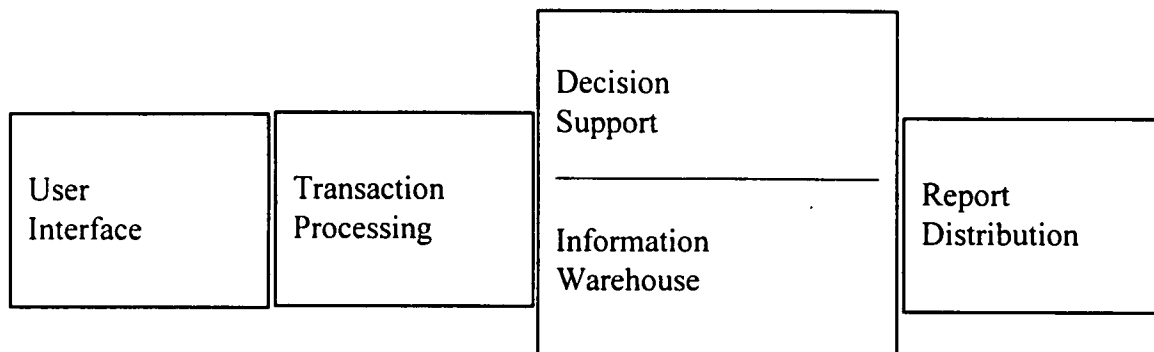
Project Summary

Functionally, the system will provide database with extracts of claims, encounters, eligibility, provider and other source data from the Medicaid Management Information System (MMIS), which is targeted to support managers and researchers of the Minnesota Medical Assistance, General Assistance Medical Care and MinnesotaCare programs. The system will provide timely information and reports without the need to prepare computer programs, to support decision making, policy development and legislative requests. The data will be requested or selected through a graphical user interface. Users of the system must be able to query the database using a user-friendly menu-driven approach. The system will provide management information, and will allow managers and researchers to conduct analysis, such as practice patterns, immunization, health screening data, and demographic data by region. Summary level information can be drilled down to the underlying details. The system will have the capacity to compile and print charts, graphs and diagrams from the data selected. The system may interface data from the MMIS with systems located at the Minnesota Department of Health, the Minnesota Health Data Institute, and the DHS Reports and Statistics Division. A desired, but not required, functionality is the ability to compare to similar databases in other states and nationally.

Technical Summary

Benefits can be realized by the use of technology and application software. This typically requires the integration of many diverse components and attention to the workflow and people portions of the equation to truly deliver the greatest advantage. To achieve these benefits may imply developing a custom system. Software products with distinct functional boundaries, enhanced hardware platform and architecture flexibility, and evolving technology tools all promote this integration opportunity. The integration challenge should be based on the power of the workstation. Data management, information access and distribution, management decision support, and workflow activities all need to be designed with the user in mind.

At the highest level, five key elements are involved in the integration solution.



These elements are responsible for delivery and management of the system components. The high level diagram of the integration solution should include:

- **User interface** responsible for the look and feel of the system from the user perspective. Critical components include security, a user friendly graphical user interface, and a common access to the system.
- **Transaction processing** responsible for source data capture and processing across the application areas within the scope of the this RFP.
- **Information Warehouse** manages the data repository and provides alternate views of data to support both common user questions and management decision making.
- **Decision Support** provides a mix of technology tools and application products to support the robust decision support capabilities required.
- **Report Distribution** manages and delivers periodic and on demand reporting capabilities for both normal and adhoc requirements.

The key to successful implementation of these different system components will be common integration architecture which results in a seamless system that works for the department.

The **User interface** can be thought of as the link between the user community and the system components. The requirements are as follows:

- Need to have a user "look and feel" as if they were one system.
- There will be a common user interface.

Official Notices

- Users will be able to navigate easily between components.
- Users will not need to be aware of which component they are in.
- Components will share a common security protocol.
- Security maintenance will be efficient (single point maintenance).

Transaction Processing of the architecture controls transaction extraction processing and the user functions needed for day-to-day operations. Part of the design activities will be to work with the State to confirm interface requirements to existing systems such as MMIS, MAXIS and other systems located at the Minnesota Department of Health, Minnesota Health Data Institute and the DHS Reports and Statistic Division. The MMIS system is maintained in a VSAM data base. For each required interface confirmation on data sharing, frequency, direction, security and control, and other requirements is necessary.

Information Warehouse manages the data repository for both operational support and management decision purposes. We are comfortable with an approach that separates the transaction databases from the reporting databases. This decreases the likelihood of heavy inquiry data analysis use degrading the performance because of the data contention. Analysis is required with the State to identify the critical summary data required to support trend analysis, future projections, exception reporting, and other cross-period analytical reporting. This database will be built by extracting and summarizing necessary data from the respective transaction databases.

Decision Support delivers the analytical tools to access and analyze the information stores within the Information Warehouse database. This capability is accomplished by the use of application software products and technology tools. The strength is its ability to analyze historical data, project future trends, determine practice patterns and immunization rates, health screening rates, and demographic groupings. The analysis should be presented in a top down fashion which lets the user quickly identify major problems. If needed, the user can drill down through successively lower levels of detail. At each lower level of detail, the various elements which summarize to the higher level are presented in a color coded scheme. In this manner a higher level problem can be quickly determined to be a problem confined to a single area or across a variety of detailed areas. This tool can also be used to build future projections based on statistical data changes and forecaster costs.

Report Distribution manages the printing and routing of all information within the system. This includes periodic reports with regular print cycles and on demand reports generated for a specific user request, all information will be managed within this component. The report routing and distribution will use the State InfoPac product or the reports may be printed on LAN attached printers using standard Windows facilities.

Department of Human Services

Vacancies on Medicaid Citizen's Advisory Committee

Pursuant to 42 *Code of Federal Regulations* 431.12 (42 CFR §431.12), the Minnesota Department of Human Services seeks applications from Minnesotans not employed by the State who are interested in serving on the Medicaid (Title XIX) Citizen's Advisory Committee. In general, the purpose of the committee is to ensure that continued high quality health and medical services are provided to low-income persons. The committee, representing Medicaid recipients, advises the Department and helps define what the Medicaid program should be in relationship to future technological needs. Specifically, the committee explores designated problem areas, evaluates Department programs, makes specific recommendations and resolutions, and contributes to the formulation of Department policy and standards.

Representatives from the following groups are sought: board-certified physicians; health care professions; consumers' groups (including Medicaid recipients); consumer organizations (including labor unions, cooperatives, and consumer-sponsored prepaid group practice plans); and the Minnesota Department of Health. Individuals who are familiar with the medical needs of low-income populations, who have specific, relevant experience or knowledge of the Medicaid program, or who represent organizations with large and diverse membership are encouraged to express their interest.

Members serve for two years and volunteer their time and service to the committee. Committee meetings are held quarterly at the Department of Human Services, 444 Lafayette Road North, St. Paul, Minnesota.

For further information, contact Stephanie Schwartz, Minnesota Department of Human Services at (612) 297-7198, or send a letter of interest and resume/curriculum vitae to Stephanie Schwartz, HCFA Relations and Legislation Unit, Minnesota Department of Human Services, 444 Lafayette Road North, St. Paul, Minnesota 55155-3853. Letters of interest will be accepted until February 23, 1996.

Department of Labor and Industry

Labor Standards Division

Notice of Correction to Prevailing Wage Rates

Highway and Heavy Prevailing Wage Rates Certified 10/16/95 have been adjusted for various Labor Codes due to errors in calculation in the following Counties:

Pope

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.

Gary W. Bastian, Commissioner

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective January 29, 1996 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Anoka: 1996 Reroof for Anoka-Hennepin ISD #11 Morris Bye Elementary-Coon Rapids; 1996 Reroof for Anoka-Hennepin ISD #11 Jefferson Elementary-Blaine; 1996 Reroof for Anoka-Hennepin ISD #11 Lincoln Elementary-Anoka; 1996 Reroof for Anoka-Hennepin ISD #11 Eisenhower Elementary-Coon Rapids; 1996 Reroof for Anoka-Hennepin ISD #11 Crooked Lake Elementary-Andover.

Blue Earth: MSU Crawford "C" Wing Toilet/SH Remodeling-Mankato; MSU Trafton Hall Room N2780-Mankato.

Chisago: 1996 Reroofing Wyoming Elementary-Wyoming.

Crow Wing: Gull Lake Water Access Sanitation Building-Nisswa; Lowell School Time Out Room ISD 181-Brainerd.

Dakota: St Thomas Academy Sound Abatement-Mendota Heights; Visitation School Sound Abatement-Mendota Heights; 1996 Repair and Retrofit Rosemount Schools-Rosemount; 1996 Repair and Retrofit Rosemount Schools-Apple Valley; Sioux Trail Renovation-Burnsville; Vista View Renovation-Burnsville; Falcon Ridge Middle School, Furniture, Fixtures & Equipment-Apple Valley; Gideon Pond Renovation-Burnsville.

Faribault: Blue Earth Elementary School Tunnels Asbestos Abatement-Blue Earth; Arrival and Departure Building for Wells MN Municipal Airport-Wells.

Hennepin: 1996 Reroof for Anoka-Hennepin ISD #11 Jackson Middle School-Pool Building-Champlin; Jefferson Elementary School Renovation-Minneapolis.

Lake: Improvements and New Construction at the Silver Bay Clinic-City of Silver Bay.

Ramsey: J.J.Hill Elementary School Life Safety Improvements-Saint Paul; District Service Facility-Cooler/Freezer Remodel-Saint Paul; MWWTP Secondary Treatment Improvements Project-Saint Paul; Humboldt Complex Technology Installation-Saint Paul.

Rice: Minnesota Residential Academies-ADA Improvements-Faribault.

Stevens: U of M Morris, Physical Education Center, Code Upgrade-Morris.

Copies of the certified wage rate 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.

Gary W. Bastian, Commissioner

Department of Labor and Industry

Request for Comments on Planned Rule Amendments Governing Workers' Compensation Medical Services and Fees, *Minnesota Rules*, Chapter 5221

Subject of Rule: The Department of Labor and Industry requests comments on planned amendments to rules governing workers' compensation medical services and fees. Although all parts of the rules governing medical services and fees in Chapter 5221 are being considered for amendment, specific areas that are being considered include: method and level of payment for medical supplies, facility fees, services by health care providers at a small hospital, return-to-work services, and unlicensed/unregistered providers providing services off the premises of a licensed/registered provider; appropriate coding for health care provider groups; and definition of primary treating health care provider. Other areas under consideration for amendment primarily clarify language or reflect changes in Medicare policies and 1995 legislation. These include the rules governing: prohibited health care provider referrals under federal law; maximum medical improvement (to reflect 1995 statutory changes); prohibited collection of excessive charges from employees; annual adjustment of the conversion factor; automatic incorporations of documents; Common Procedural Terminology (CPT) codes and descriptions; modifiers; medical/surgical global surgery period; fee adjustments for multiple physical medicine and chiropractic services; cosurgeons; assistants-at-surgery; multiple physicians; multiple surgery fee reductions; pharmacies; billing codes for supplementary reports; the change of doctor rule; the uniform billing forms; and reporting requirements. Additional definitions are also being considered, including the terms emergency care, urgent care, and ambulatory surgical center; and hospital-based same-day surgery centers.

Persons Affected: The amendments to the rules would likely affect injured employees, employers, workers' compensation insurers, health care providers, certified workers' compensation managed care plans, and other persons and groups that provide services within the workers' compensation system.

Statutory Authority: *Minnesota Statutes*, section 176.136 authorizes the department to adopt by rules for determining whether a charge for a health service, article or supply is excessive. *Minnesota Statutes* section 176.83, subdivisions 1, 4, 5a, 8 and 15 authorize the department to adopt rules to implement Chapter 176; rules governing excessive charges for medical services, reporting requirements, and change of doctor; and rules prescribing forms.

Public Comment: Interested persons or groups may submit comments or information on this planned rule in writing or orally until further rulemaking notice is published in the *State Register*. However, comments received before April 1, 1996 will be most useful in the rule development process. The department has not yet prepared a draft of the planned rule amendments, but a preliminary draft will be available before publication of the proposed rules. To be placed on a list to receive a preliminary draft of the rule amendments when one becomes available contact:

Roxanne DeFlorin
Special Compensation Fund
Department of Labor and Industry
443 Lafayette Road N.
St. Paul, Minnesota 55155
Telephone: (612) 297-3970 Fax number (612) 297-7098

All other written or oral comments, questions, and requests for more information on the planned rule amendments should be addressed to:

Gloria Gebhard, Medical Policy Analyst
Special Compensation Fund
Department of Labor and Industry
443 Lafayette Road N.
St. Paul, Minnesota 55155
Telephone: (612) 297-5213

Comments submitted in response to this request for comment will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 17 January 1996

Gary W. Bastian, Commissioner

Department of Labor and Industry

Request for Comments on Planned Rule Adoption or Amendment Governing Workers' Compensation, Department Rules of Practice, *Minnesota Rules*, Parts 5220.2500 to 5220.2960

Subject of Rule: The Department of Labor and Industry requests comments on planned amendments to the Department of Labor and Industry rules of practice. Although all parts of the rules of practice are being considered for amendment, specific topics for rule adoption or amendment have been identified in response to the 1995 amendments to the workers' compensation law, including: a procedure for certification of disputes pursuant to *Minnesota Statutes*, section 176.081, subd. 1 (c); a procedure for the commissioner review of medical claims of \$1500 or less under *Minnesota Statutes*, section 176.106, subd. 7; modification of the attorney fee rules; timely payment and reporting of temporary and permanent disability benefits according to the 1995 legislation; timely filing of requests for retraining; and digitized signatures for electronic filing of orders, notices and other documents. Other areas being considered for adoption or amendment include how interest is calculated; payment for lost work time to attend medical appointments; time frames for filing medical and rehabilitation responses; intervenor rights and obligations; and clarifying and updating penalty assessment procedures and calculations.

Persons Affected: The amendments to the rules would likely affect injured employees, employers, workers' compensation insurers, health care providers, certified workers' compensation managed care plans, attorneys, and other persons and groups that provide services within the workers' compensation system.

Statutory Authority: General statutory authority for the department rules of practice is in *Minnesota Statutes*, sections 176.83, subdivision 1, 175.17 (2) and 175.171 (2), which authorize rules governing practice before the workers' compensation division, and rules governing proceedings before the department. Other specific statutory authority is in *Minnesota Statutes*, sections 176.081, subdivision 6; 176.221, subd. 6a; 176.194, subd. 3(3); 176.285; 176.361; and 176.83, subd. 7, 9 and 15 which authorize the department to adopt rules governing attorney fees, timely payment of benefits, filing and service of notices, rights of intervenors and reporting requirements.

Public Comment: Interested persons or groups may submit comments or information on this planned rule in writing or orally until further rulemaking notice is published in the *State Register*. The department has not yet prepared a draft of the planned rule amendments, but a preliminary draft may be available before publication of the proposed rules. To be placed on a list to receive a preliminary draft of the rule amendments if one becomes available contact:

Kathy Hagen
Legal Services Unit
Minnesota Department of Labor and Industry
443 Lafayette Road N.
St. Paul, Minnesota 55155
Telephone: (612) 282-5405; or Fax number (612) 282-5405

All other written or oral comments, questions, and requests for more information on the planned rule amendments should be addressed to:

Kate Berger, Compensation Attorney Principal
Legal Services Unit
Minnesota Department of Labor and Industry
443 Lafayette Road N.
St. Paul, Minnesota 55155
Telephone: (612) 297-4791; or Fax number (612) 282-5405

Comments submitted in response to this request for comment will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 17 January 1996

Gary W. Bastian, Commissioner

Official Notices

Metropolitan Council

Notice of Public Hearing on Proposed Increases in Regular Route Bus Fares

The Metropolitan Council will hold public hearings on proposed increases in regular route bus fares. These hearings will be held as follows:

- **Metropolitan Council Hearing on Proposed Increases in Regular Route Bus Fares**
6 p.m., Monday, February 26, 1996
Metropolitan Council Chambers
Mears Park Centre
230 East Fifth Street
St. Paul, MN
- **Metropolitan Council Hearing on Proposed Increases in Regular Route Bus Fares**
12 p.m. (Noon), Tuesday, February 27, 1996
First Floor Meeting Room
Haywood Office Building
560 Sixth Ave. N.
Minneapolis, MN

All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling 229-2700 or 291-0904 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities.

Written comments, which must be received by Noon, March 14, 1996, should be sent to Mark Fuhrmann, Transportation Division, Metropolitan Council, Mears Park Centre, 230 East Fifth Street, St. Paul, MN. Comments may also be faxed to Mr. Fuhrmann at 229-2739.

Copies of the public hearing drafts of proposed bus fare increases may be obtained from the Council's Data Center by calling 291-8140 or 291-0904 (TTY). The proposed increases will also be outlined in the Take-Out pamphlets on Metropolitan Council Transit Operations (MCTO) buses proceeding the hearing.

Department of Natural Resources

Bureau of Real Estate Management

Notice of Proposed Conveyance for the Purpose of Correcting Legal Descriptions of Boundaries Affecting the Ownership Interests of the State and Adjacent Landowners

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources intends to correct a boundary discrepancy which affects land presently owned by the State and land owned by James P. and Rachel C. Willcocks and Kenneth E. and Delores M. Olson (*Minnesota Statutes* 84.0273, 1993). The State originally acquired its property by Warranty Deed recorded in the Office of the Anoka County Recorder December 20, 1991 as Document No. 959945. The State will exchange quit claim deeds with the adjacent owner in order to resolve the boundary discrepancy. The deed from the State to James P. and Rachel C. Willcocks will contain the following legal description:

That part of the Southwest Quarter of Section 19, Township 33, Range 22, Anoka County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence South, assumed bearing, along the west line thereof, a distance of 1147.70 feet; thence on a bearing of East, a distance of 553.19 feet to a 1-1/4-inch iron pipe; thence North 65 degrees 00 minutes 24 seconds East, a distance of 608.44 feet to a 1-1/4-inch iron pipe; thence North 44 degrees 43 minutes 33 seconds West, a distance of 189.55 feet to the point of beginning of the land to be described, said point being marked by a 1/2-inch iron pipe; thence North 23 degrees 24 minutes 26 seconds East, a distance of 375.46 feet to a 1/2-inch iron pipe; thence North 66 degrees 37 minutes 08 seconds West, a distance of 497.58 feet to the center line of County State Aid Highway No. 22, said center line is described as follows:

Commencing at a point on the west line of said Southwest Quarter, distant 1086.87 feet south of the northwest corner thereof; thence South 56 degrees 00 minutes 26 seconds West, a distance of 182.86 feet to the point of beginning of the center line to be described; thence North 56 degrees 00 minutes 26 seconds East, a distance of 100.00 feet to a tangent spiral point; thence easterly along a Euler spiral, concave to the northwest, having a central angle of 6 degrees 00 minutes 00 seconds, a distance of 300.00 feet to the spiral curve point; thence northeasterly along the central curve, radius 1432.39 feet, concave to the northwest, having a central angle of 20 degrees 35 minutes 00 seconds, a distance of

514.58 feet to the curve spiral point; thence northeasterly along a Euler spiral, concave to the northwest, having a central angle of 6 degrees 00 minutes 00 seconds, a distance of 300.00 feet to the tangent spiral point; thence North 23 degrees 25 minutes 26 seconds East, tangent to said Euler spiral, a distance of 100.00 feet, and there terminating,

thence southwesterly along said center line, a distance of 175.41 feet to the intersection with a line which bears North 44 degrees 43 minutes 33 seconds West from the point of beginning; thence South 44 degrees 43 minutes 33 seconds East, a distance of 536.50 feet to the point of beginning.

The deed from the State to Kenneth E. and Delores M. Olson will contain the following legal description:

That part of the Southwest Quarter of Section 19, Township 33, Range 22, Anoka County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence South, assumed bearing, along the west line thereof, a distance of 1147.70 feet; thence on a bearing of East, a distance of 553.19 feet to a 1-1/4-inch iron pipe; thence North 65 degrees 00 minutes 24 seconds East, a distance of 383.27 feet to the point of beginning of the land to be described; thence continue North 65 degrees 00 minutes 24 seconds East, a distance of 225.17 feet to a 1-1/4-inch iron pipe; thence North 44 degrees 43 minutes 33 seconds West, a distance of 726.05 feet to the center line of County State Aid Highway No. 22, said center line is described as follows:

Commencing at a point on the west line of said Southwest Quarter, distant 1086.87 feet south of the northwest corner thereof; thence South 56 degrees 00 minutes 26 seconds West, a distance of 182.86 feet to the point of beginning of the center line to be described; thence North 56 degrees 00 minutes 26 seconds East, a distance of 100.00 feet to a tangent spiral point; thence easterly along a Euler spiral, concave to the northwest, having a central angle of 6 degrees 00 minutes 00 seconds, a distance of 300.00 feet to the spiral curve point; thence northeasterly along the central curve, radius 1432.39 feet, concave to the northwest, having a central angle of 20 degrees 35 minutes 00 seconds, a distance of 514.58 feet to the curve spiral point; thence northeasterly along a Euler spiral, concave to the northwest, having a central angle of 6 degrees 00 minutes 00 seconds, a distance of 300.00 feet to the tangent spiral point; thence North 23 degrees 25 minutes 26 seconds East, tangent to said Euler spiral, a distance of 100.00 feet, and there terminating,

thence southwesterly along said center line, a distance of 265.25 feet to the intersection with a line which bears North 48 degrees 44 minutes 43 seconds West from the point of beginning; thence South 48 degrees 44 minutes 43 seconds East, a distance of 568.75 feet to the point of beginning.

For further information, contact Martha Bonneville at the Bureau of Real Estate Management, DNR, 500 Lafayette Road, St. Paul, MN 55155, (612) 296-0636.

Department of Public Safety

Notice of Application for Continued Funding From the Bureau of Justice Assistance

The Office of Drug Policy and Violence Prevention is submitting an application for continued funding from the Bureau of Justice Assistance. The Edward Byrne Memorial State and Local Law Enforcement Assistance (Byrne) Program, authorized by the Anti-Drug Abuse Act of 1988, is administered by the Bureau of Justice Assistance (BJA) of the Office of Justice Programs (OJP), U.S. Department of Justice. The program is designed to assist States and local units of government in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system. Special emphasis is placed on drug-related and violent crime, serious offenders, and multi-jurisdictional and multi-State efforts to support the National Drug Control Strategy. Those wishing to comment on the application may contact Mary Ellison at the Department of Public Safety, (612) 296-6642.

Department of Trade and Economic Development

Minnesota Job Skills Partnership Board Meeting

The Minnesota Job Skills Partnership (MJSP) Board solicits grant proposals from educational and other non-profit organizations for training programs designed for specific businesses.

A meeting of the MJSP Board is scheduled for Monday, February 12, 1996 at 1:00 P.M. in Room F1, 500 Metro Square Building, 121 Seventh Place East, St. Paul, MN.

Please contact the Partnership office at 612/296-0388 for details regarding MJSP Board meeting.

State Grants

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

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

Department of Children, Families and Learning

Notice of Application for Grants to Establish the Learning Network of Minnesota; Statutory Reference, *Laws of Minnesota, 1995, 1st Special Session, Chapter 3, Article 12*

The 1995 Legislature expanded the membership of the Higher Education Telecommunications Council to include representatives of K-12 education. The new Minnesota Education Telecommunications Council is charged with setting policy, criteria, and standards for a telecommunications highway for libraries, K-12 and post secondary education. This highway, known as the Learning Network of Minnesota, will provide access to expanded and enhanced learning opportunities and information resources such as Internet regardless of time and location through the use of communications and information technologies.

To aid in the establishment of the Learning Network of Minnesota, the 1995 Legislature appropriated \$10.5 million dollars over the current biennium to provide school districts and libraries with connectivity to the Network. This funding, administered by the Minnesota Education Telecommunications Council, is to be distributed in the form of grants to groups of 10 or more school districts and/or any regional public library system or existing technology cooperative.

For additional information or to obtain an application packet, please contact Mary Mehsikomer at (612)296-2752 or via e-mail at Mary.Mehsikomer@state.mn.us.

Minnesota Housing Finance Agency

Proposals Sought for Low Income Housing Tax Credit Program

Introduction

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting first competition applications for reservation and allocation of the Low Income Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986, as revised. Applications for the low income housing tax credits, administered by the MHFA, for the first competition must be received no later than 4:30 p.m. on Friday, March 29, 1996. Refer to application package for additional requirements.

The Low Income Housing Tax Credits offer a ten year reduction in tax liability to owners and investors in eligible low income, new construction, rehabilitation or existing rental housing with rehabilitation.

Credit Formula

The Minnesota Legislature designated the MHFA as the primary apportionment agency for low income housing tax credits for the state and also authorized eligible cities and counties to administer the tax credits in their respective jurisdictions based on the *Minnesota Statutes* Section 462A.222, Subd. 1a,2.

Local Administration of Tax Credit

The following eligible cities and counties have the authority to administer the tax credits locally:

Duluth (218) 723-3357	St. Paul (612) 266-6616
St. Cloud (612) 252-0880	Bloomington (612) 948-8940
Rochester (507) 285-8224	Washington County (612) 458-6555
Minneapolis (612) 673-5067	Dakota County (612) 423-8104

Applicants with eligible buildings located within the jurisdiction of the above local governments must apply to the local administrators for allocation of the low income housing tax credit. Any suballocation to local governments that is not committed by the end of the first competition must be returned to the MHFA for statewide allocation. The MHFA will not make an allocation for projects located within the jurisdiction of the cities or counties that have elected to administer the credits until the amounts reserved have been allocated or returned to the MHFA for allocation, except for the nonprofit set-aside.

Professional, Technical & Consulting Contracts

Total estimated 1996 tax credits available for the State of Minnesota are based on anticipated U.S. Census Bureau population figures (4,567,000 population x \$1.25 per capita credit amount = \$5,708,750).

MHFA Administration Tax Credits

Applicants with eligible buildings in the balance of the state, not within the jurisdiction of eligible local credit administrators, may apply to the MHFA for an allocation of low income housing tax credits.

In addition, the MHFA has been designated as the credit agency to provide low income housing credits for projects involving qualified 501(c)(3) and 501(c)(4) nonprofit organizations statewide. Ten percent of the state ceiling has been set aside for qualified non-profits as required by Section 42 of the *Internal Revenue Code* of 1986. Qualified non-profits can apply to the MHFA for the low income housing tax credit set-aside, regardless of the geographic location of the proposed low income housing building, as specified in the allocation plan.

For additional information or an application packet for buildings located in the MHFA jurisdiction, please write to MHFA at the following address or call (612) 297-3294.

Minnesota Housing Finance Agency
Multifamily Underwriting
Low Income Housing Tax Credit Program
400 Sibley Street, Suite 300
St. Paul, MN 55101-1998

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

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

Risk Management Division

Notice of Availability of a Request for Proposal on Provision of Insurance Agency and Risk Management Services to all State Departments and Agencies

The Department of Administration herein gives notice of the availability of a Request for Proposal on provision of insurance agency and risk management services to all State departments and agencies.

The State of Minnesota wishes to appoint an agent of record for the following purposes:

- Place excess property and liability insurance as needed.
- Place insurance required where the State's self-funded program is not applicable.
- Provide related risk management services.

A pre-bid conference for all potential proposers will be held on Monday, February 12, 1996, 9:00 - 10:30 a.m. in the State Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota, Room 116A. This will be an opportunity for proposers to ask questions regarding the Request for Proposal. Attending the pre-bid conference is not mandatory for participation in the Request for Proposal process.

A copy of the Request for Proposal can be obtained through the mail by calling the Department at (612) 296-6022 or by writing to Marlys Lockman, Department of Administration, Risk Management Division, 309 Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155.

The deadline for receipt of proposals is 4:00 p.m. (central standard time), March 15, 1996.

Professional, Technical & Consulting Contracts

Department of Human Services

Notice of Request for Interest and Information for Development and Implementation of Managed Care Models for Persons with Disabilities

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is soliciting formal letters of interest and additional information from qualified and interested partners to develop and implement innovative managed care models to serve persons with disabilities.

This represents the first formal step in identifying potential managed care entities for the Managed Care for Persons with Disabilities Pilot Project. Instituting managed care service contracting for Medical Assistance recipients with disabilities is consistent with the Department of Human Services (DHS) Managed Care Plan for Medical Assistance (MA), General Assistance Medical Care (GAMC), and MinnesotaCare as submitted to and approved by the 1993 Minnesota Legislature.

The proposed pilot project will develop and test managed care models to serve the needs of persons with disabilities. Implementation will begin with interested and qualified partners by July 1, 1997. Partners are defined as entities who individually or in partnership with other entities can manage a comprehensive package of care delivery and support networks and systems. Partners can bear financial risk for all or a portion of the service package and would serve sufficient numbers of enrollees to ensure State and entity efficiency. It is expected that a variety of partnerships will need to be created to meet the needs of various groups of persons with disabilities.

DHS staff will convene regional stakeholder meetings during February and March 1996. The meetings will provide an opportunity for stakeholders to learn about the proposed process and to give input to the Department about the pilot process.

In March, DHS will sponsor a one-day informational meeting for interested stakeholders and potential partners and a one-half day bidders' conference for potential partners. More information to follow.

Registration forms and information will be included in the Invitation to Partners, a Request for Interest scheduled to be mailed the week of January 29, 1996 to all county human service agencies, licensed Health Maintenance Organizations, licensed Community Integrated Service Networks, and Tribal Health Organizations.

DHS staff will convene stakeholder meetings at sites throughout the state during February and March 1996. The meetings will provide an opportunity for stakeholders to learn about the proposed process and to give input to the Department about the pilot process.

A Request for Proposal (RFP), to be issued in Spring 1996, will provide more detail on the DHS requirements for managing entities. There will be a maximum of four sites, with selection of the sites to occur on a competitive basis. Criteria for selection of sites will be included in the RFP.

For further information, or copies of the Invitation to Partners, please contact:

Kathleen Schuler
Managed Care for Persons with Disabilities Pilot Project
Minnesota Department of Human Services
444 Lafayette Road, St. Paul, MN 55155-3854
(612) 297-4668

Registration is limited. Registrations are due February 23, 1996.

Minnesota State Colleges and Universities

Proposals Sought for Facilities Management

The Minnesota State Colleges and Universities (MnSCU) system office is accepting proposals for an evaluation of their facilities management. The examination will focus on the system process for identifying space needs, managing buildings, and budgeting costs. In addition, the examination will study alternative ways of managing, leasing, and owning MnSCU buildings, including contracting out those duties that can be most effectively provided by the private sector. The final product will be a report to management on the effectiveness of the current system, and include recommendations for improvement.

The vendor must have experience in facilities management methods and practices used in Minnesota. Interested vendors should submit a written response to the Request for Proposal by 4:00 PM February 15, 1996. The cost of the contract can not exceed \$50,000. Copies of the RFP are available at the address shown below.

Alan Finlayson
Director of Internal Auditing
3rd Floor - Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-0443

Minnesota State Colleges and Universities

Proposals Sought for Evaluation of System Development Plan

The Minnesota State Colleges and Universities (MnSCU) system office is accepting proposals for an evaluation of the key elements of MnSCU's system development plans. MnSCU is planning to develop an information system that includes registration, accounts receivable, financial aid, and other information needed to effectively serve the information needs of the students, faculty, and administrators. MnSCU staff will develop the software, and operate them on a distributed network. Each module of the system must integrate with other modules, and the MnSCU financial systems. The consultant will review and evaluate development and operation plans, and prepare a report assessing the strategy and recommending any needed changes.

The vendor should have experience in the system development area and higher education. Interested vendors should submit a written response to the Request for Proposal by 4:00 PM February 15, 1996. The cost of the contract can not exceed \$50,000. Copies of the RFP are available at the address shown below.

Alan Finlayson
Director of Internal Auditing
3rd Floor - Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-0443

Minnesota Veterans Home

Dental Services Sought

The Minnesota Veterans Home - Minneapolis makes dental/oral health services available to residents. The Home does not have a Dentist on staff.

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.

Scope of project - Dental/oral health services to be available to residents on the Home's premises.

Goals and objectives - Dental/oral health services are made available to residents.

Project tasks

1. Provide dental/oral services to the residents of the Home on the Home's premises.
2. Provide evidence of sufficient malpractice and liability insurance.
3. Maintain dental records and other documents on residents.

Professional, Technical & Consulting Contracts

4. Coordinate services through the Veterans Home Dental Liaison.
5. Consult regarding staff development and assistance in developing and updating oral health care policies and procedures.
6. Participate in quality assurance and quality improvement programs.

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

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

Name: Patricia Weitzel
Title: Assistant Director of Nursing
Address: Minnesota Veterans Home - Minneapolis
5101 Minnehaha Avenue South
Minneapolis, Minnesota 55417
Phone: 612-721-0600

Please note that other department personnel are not allowed to discuss the request for proposal with anyone, including responders, before the proposal submission deadline.

Submission of proposals - All proposals must be sent to and received by:

Name: William Trcka
Title: Purchasing Agent
Address: Minnesota Veterans Home - Minneapolis
5101 Minnehaha Avenue South
Minneapolis, Minnesota 55417

Not later than 2:00 PM February 19, 1996.

Late proposals will not be accepted. Submit 3 copies of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposals stated must be valid for the length of the project.

Project costs - The department has estimated that the cost of this project should not exceed \$40,000.00.

Project completion date - This project will be completed by December 31, 1996.

Proposal contents - The following will be considered minimum contents on the proposal:

1. A restatement of the objectives, goals, and tasks to show or demonstrate the responder's view of the nature of project.
2. Identify and describe the deliverables to be provided by the responder.
3. Outline the responder's background and experience with particular emphasis on local, state and federal government work. Identify personnel to conduct the project and detail their training and work experience. No change in personnel assigned to the project will be permitted without the approval of the State Project Director/Manager.
4. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a scheduling and managing tool, as well as the basis for invoicing.
5. Identify the need for services or other participation to be provided by the Minnesota Veterans Home - Minneapolis.

Evaluation criteria - All proposals received by the deadline will be evaluated by representatives of the Minnesota Veterans Home - Minneapolis. There are state-mandated TB and criminal background check requirements. In some instances, an interview may be part of the evaluation process. Factors upon which proposals will be judged, but are not limited to, include the following.

1. Expressed understanding of the project objectives.
2. Project work plan.
3. Project cost detail.
4. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

Evaluation and selection may be completed by February 22, 1996.

Workers Compensation - The successful responder will be required to submit acceptable evidence of compliance with worker compensation insurance coverage requirements prior to execution of the contract.

Non-State Public Bids, Contracts & Grants

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

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

Metropolitan Council

Environmental Services (MCES)

Public Notice for Letters of Interest for Solids Processing Services Blue Lake/Seneca Solids Handling Project: MCES Project Number 910200

The MCES is soliciting qualifications from parties interested in providing Solids Processing Services for the Blue Lake/Seneca Solids Handling Project. This project is being developed for delivery using a design/build/own/operate philosophy. The final contract(s) awarded will encompass the thickening/dewatering and final processing of all of Blue Lake WWTP solids (currently 25 dry tons/day), and possibly only the final processing of all or a portion of the Seneca WWTP solids (currently 25 dry tons/day).

The first phase of the procurement process was to prequalify Solids Processing Technology Vendors (SPTV). A list of prequalified SPTV will be available after approval by the Metropolitan Council, which is anticipated by February 1996.

The purpose of this second phase of the procurement process is to prequalify solids processing Project Delivery Teams (PDT). PDT are those firms and /or teams of firms that have the ability to design, build, own, and operate commercial solids processing facility for raw municipal wastewater sludge to produce a Class "A" beneficially re-usable product for agriculture and/or horticultural applications. PDT will be required, during this phase of the procurement process, to disclose what solids processing technology (e.g. composting, heat drying, lime/alkaline stabilization) they intend to provide. PDT will not be required to disclose which specific SPTV they will be teaming with until the third and final phase of the procurement process (Request For Proposals).

PDT interested in providing final processing of Blue Lake WWTP solids will, in addition to the above, be prequalified on their ability to deliver thickening and dewatering facilities for the Blue Lake WWTP.

After shortlisting PDT, a Request For Proposals (RFP) will be issued to all prequalified PDT for solids processing services for the Blue Lake and/or Seneca WWTPs.

The tentative schedule for selecting PDT and other activities is as follows:

Activity	Dates
Prequalify SPTV	January/February 1996
Request Letters of Interest from PDT	January/February 1996
Issue RFQ to PDT	February 1996
Receive SOQ from PDT	April 1996
Shortlist & Prequalify PDT	May 1996
Issue Request For Proposals (RFP) to PDT	June 1996
Receive Proposals from PDT	August 1996
Evaluate & Rank Proposals received	September 1996
Metropolitan Council authorization	October 1996
Contract(s) negotiated & awarded	December 1996

All PDT interested in being considered for this project and wishing to receive an RFQ package are invited to submit a Letter of Interest to:

Administrative Assistant, Contracts & Documents
Metropolitan Council Environmental Services
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101

All inquiries regarding the RFQ are to be addressed to Rick Biddle at (612) 229-5012.

Southwest Regional Development Commission

Notice of Request for Proposals: Feasibility Study of Public Water System Interconnection

The Southwest Regional Development Commission is seeking a consultant to complete an engineering study to examine the feasibility of interconnecting the public water systems operated by Lincoln-Pipestone Rural Water, the City of Luverne, Rock County Rural Water and Worthington Public Utilities. This study is to examine the benefits and costs of interconnection.

Prospective responders may call or write with questions or to obtain a copy of the RFP.

Mark Lindquist, Environmental Services Officer
Southwest Regional Development Commission
2524 Broadway Avenue, P.O. Box 265
Slayton, MN 56172
Telephone: (507) 836-8547
FAX #: (507) 836-8866

Proposals must be received by 4:30 p.m. March 1, 1996 at the above address.

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