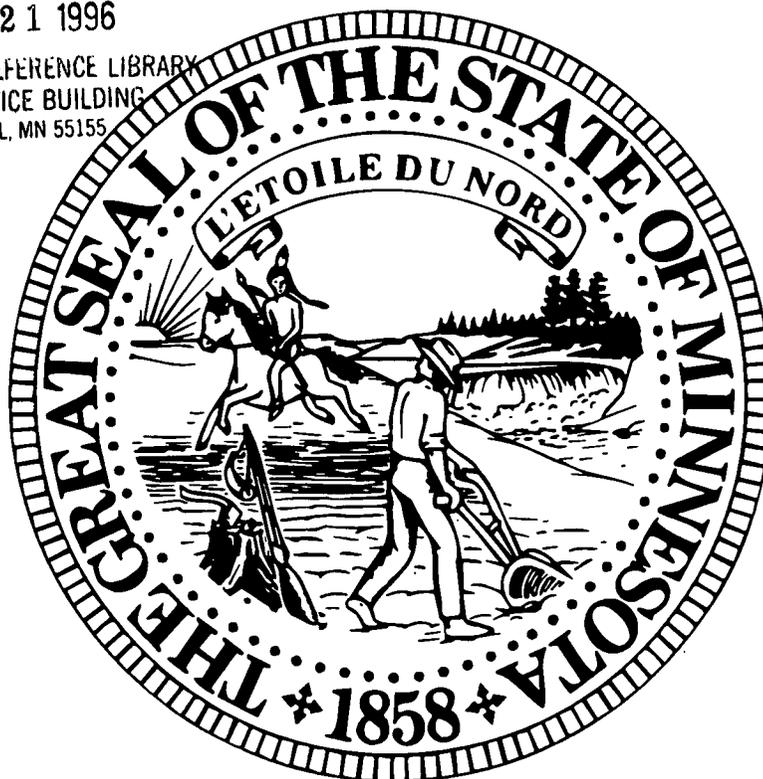


The Minnesota
State Register

RECEIVED

JUN 21 1996

LEGISLATIVE REFERENCE LIBRARY
STATE OFFICE BUILDING
ST. PAUL, MN 55155



Rules and Official Notices Edition

Published every Monday (Tuesday when Monday is a holiday)
by the

Minnesota Department of Administration – Print Communications Division

Monday 24 June 1996

Volume 20, Number 52

Pages 2729-2818

Includes

INDEX to VOLUME 20

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.

Printing Schedule and Submission Deadlines

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
# 52	Monday 24 June	Monday 10 June	Monday 17 June
Vol. 21 # 1	Monday 1 July	Monday 17 June	Monday 24 June
# 2	Monday 8 July	Monday 24 June	Friday 28 June
# 3	Monday 15 July	Friday 28 June	Monday 8 July

Arne H. Carlson, Governor 612/296-3391
Joanne E. Benson, Lt. Governor 612/296-3391

Hubert H. Humphrey III, Attorney General 612/297-4272
Judi Dutcher, State Auditor 612/297-3670

Joan Anderson Grove, Secretary of State 612/296-2079
Michael A. McGrath, State Treasurer 612/296-7091

Department of Administration:

Elaine S. Hansen, Commissioner 612/296-1424
Kent Allin, Asst. Commissioner 612/297-4261

Print Communications Division:

Kathi Lynch, Director 612/297-2553
* Mary Mikes, Manager 612/297-3979

Robin PanLener, Editor 612/297-7963

Paul Hoffman, Assistant Editor 612/296-0929

Debbie George, Circulation Manager 612/296-0931

An "Affidavit of Publication" can be obtained at a cost of \$5.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

To submit notices for publication in the *State Register*, contact the editor listed above. The charge is \$80.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Submit two copies of your notice, typed double spaced, with a letter on your letterhead stationery requesting publication date. Send to the *State Register* at the address listed below.

SUBSCRIPTION SERVICES:

The *State Register* is published by the State of Minnesota, Department of Administration, Print Communications Division, pursuant to *Minnesota Statutes* § 14.46. The *State Register* is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Education. Single copies cost \$3.50 and are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: 297-3000 Toll free 800-657-3757. Telecommunication Device for the Deaf Metro area: 282-5077 Toll free 800-657-3706. **NO REFUNDS.** Both editions are delivered postpaid to points in the United States, second class postage paid for the *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. Publication Number 326630 (ISSN 0146-7751). Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year subscription: \$150.00
- *Contracts Supplement* (published every Tuesday, Wednesday, Friday) One year subscription: \$125.00 via first class mail, \$140.00 via fax or through our On-Line Service via your computer modem. For a free sample demo of the On-Line Service call via your modem: 612/821-4096. Access item "S": *State Register* Modem parameters 8-N-1 1200/2400. By purchasing the On-Line access you are agreeing to not redistribute without authorization.
- 13-week trial subscription which includes both the *State Register* and *Contracts Supplement*. \$60.00
- Single issues are available for a limited time: *State Register* \$3.50, *Contracts Supplement* 50¢. Add shipping charge of \$3.00 per order.
- "*Commodity Contract Awards Reports*," - lists awards of contracts and bids published in the Tuesday-Wednesday-Friday "*Contracts Supplement*" - published every two weeks, \$5.00 per individual report, plus \$3.00 shipping if applicable. Order stock # 99-42. Six-month subscriptions cost \$75.00. Appears every two weeks. Order stock # 90-14. Available in hard copy format only.
- "*Professional-Technical-Consulting Award Reports*," - published each month listing the previous month's awards of contracts and RFPs that appeared in the Monday edition of the "*State Register*." Individual copies are \$15.00 per report, plus \$3.00 shipping if applicable. Order stock # 99-43. Six-month subscriptions cost \$75.00. Appears monthly. Order stock number 90-15. Available in hard copy format only.

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

Minnesota Rules: Amendments & Additions
 Vol. 20, issues #1-52 cumulative..... 2732

Proposed Rules

Children, Families, and Learning Department
 Education; administrative and supervisory licensure;
 general revision..... 2739

Public Safety Department
 License plates..... 2763

Adopted Rules

Health Department
 Asbestos-related work..... 2765
 Examination requirements for X-ray equipment operators ... 2777

Human Services Department
 Child protection 2777
 Foster care for children 2778

Natural Resources Department
 Endangered and threatened species 2782

Public Safety Department
 Deputy registrars..... 2784

Secretary of State
 Housekeeping..... 2787

Executive Orders

Governor's Office
 Executive Order # 96-9: Providing for state agency
 coordination of the Americans with Disabilities Act 2789
 Emergency Executive Order # 96-10: Providing for
 assistance to officials in Washington County..... 2790

Official Notices

Agriculture Department
 Change in meeting dates and site of the April meeting
 of the Rural Finance Authority Board 2791

Commerce Department
 Correction to adjustment of dollar amounts for the Minnesota
 Uniform consumer credit code and regulated loan act..... 2791

**Commerce Department and
 Minnesota Comprehensive Health Association**
 Continuing education courses for insurance agents..... 2792

Human Services Department
 Changes in the Medical Assistance (MA) program, the
 General Assistance Medical Care (GAMC) program,
 and the MinnesotaCare program..... 2792

Labor and Industry Department
 Correction to the notice of hearing on rule amendments
 governing prevailing wage determinations..... 2800
 Prevailing wage certifications for commercial construction
 projects..... 2800

Metropolitan Council
 Public hearing on proposed 1997 Metropolitan Council
 environmental services budget 2801

Natural Resources Department
 Comments sought on planed rule and rule amendments
 governing harmful exotic species 2801

State Grants

Agriculture Department
 Authority to make agricultural market development grants .. 2803

Corrections Department
 Funds available for services to victims of crime 2803

Children, Families and Learning Department
 Grants available for technology enhancement in after
 school programs..... 2805

**Professional, Technical and Consulting
 Contracts**

Administration Department
 Proposals sought by Governor's Council on Developmental
 Disabilities for a contract relating to employment for
 people with disabilities 2805

Investment Board
 Request for private money management firms to manage a
 portion of the board's pension assets and other accounts. 2806

Natural Resources Department
 Consulting services needed for school forest program..... 2806

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission
 Qualifications requested for environmental consulting
 services 2807

INDEX to Volume 20

Subject matter index to rules, and notices involved in the
 rulemaking process, executive orders, commissioners'
 orders and revenue notices..... 2808

*The Professional-Technical-Consulting Contract Award
 Reports* is published monthly.
 The *State Register Contracts Supplement* with commodities
 and price contracts advertised by the state is published every
 Tuesday, Wednesday and Friday. Award results are currently
 only available from the Materials Management Helpline.
 Individual copies and subscriptions for both publications are
 available through Minnesota's Bookstore, (612) 297-3000 or
 1-800-657-3757.
 Vendors interested in responding to the commodity and price
 contracts advertised in the Contracts Supplement should
 contact the Department of Administration Materials
 Management Division 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.

* All page numbers with an asterisk represent pages that were incorrectly used in *State Register* Vol. 20 Issue 42 - 15 April 1996 and Vol. 20 Issue 43 - 22 April 1996. Pages were not numbered in correct sequential order resulting in page numbers 2241 - 2314 being used twice in Vol 20. Because rule cites include the month, day and year of the notice, these page numbers will be left as they are. Correct numbering was resumed with page 2441 of Vol. 20 #44 20 April, 1996.

Vol. 20 issues 1-52 Cumulative Index

Accountancy Board		
1100.0100; .1300; .2500; .3550; .3600 (proposed).....	855	
1100.0100; .1300; .3600 (adopted).....	2033	
Administration Dept		
1215.1400 (adopted).....	303	
1300.2400; .2900; .6300; 1305.0305; .0308; .0310; .0904; .1202; .1704; 1315.0200; 1325.1100 (proposed).....	1509	
1300.2400; .2900; .6300; 1305.0305; .0308; .0310; .0904; .1202; .1704; 1315.0200; 1325.1100 (adopted).....	2290* (No. 43 04-22-96)	
1310.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900; .4000; .9000; .9100; .9200; .9300; .1000; .1100, s.4,5; 1325.1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .9000; .9100; .9200; .9300; .9400; .9500 (proposed repealer).....	1509	
1310.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900; .4000; .9000; .9100; .9200; .9300; 1325.1000; .1100; s.4,5; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .9000; .9100; .9200; .9300; .9400; .9500 (repealed).....	2290* (No. 43 04-22-96)	
1340.0100; .1102; .1103; .1104; .1105; .1106; .1107; .1110; .1120; .1130; .1140; .1150; .1155; .1160; .1170; .1180; .1190; .1200; .1210; .1220; .1230; .1240 (adopted).....	1991	
1340.0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .9000; .9100; .9200; .9300; .9400; .9500; .9600; .9700; .9800; .9900 (repealed).....	1991	
1360.0100; .0200; .0300; .0400; .0800; .0900; .1300; .1500; .1600; .1800; .1900; .2000; .2500; .2600; .2700; .2800; .3400; .3500; .3600 (proposed).....	1514	
1360.0100, s.1; .0200; s.3,4,9,10,11,17,18; .0600; .0900; s.2,3,5,6; .1700; .1900; s.2; .2100; .2200; .2300; .2900; .2910; .3000; .3100; s.1,2; .3200; .3300; .3400; .3500; .3600, s.2 (proposed repealer).....	1514	
1360.0100; .0300; .0400; .0800; .0900; .1300; .1500; .1600; .1800; .1900; .2000; .2500; .2600; .2700; .2800; .3400; .3500; .3600 (adopted).....	2290* (No. 43 04-22-96)	
1360.0100, s.1; .0200, 3,4,9,10,11,17,18; .0600; .0900, s.2,3,5,6; .1700; .1900, s.2; .2100; .2200; .2300; .2900; .2910; .3000; P.3100; s.1,2; .3200; .3300; .3400; .3500; .3600, s.2 (repealed).....	2290* (No. 43 04-22-96)	
1361.0100; .0200; .0300; .0400; .0500 (proposed).....	1514	
1361.0100; .0200; .0300; .0400; .0500 (adopted)...	2290* (No. 43 04-22-96)	
Administrative Hearings Office		
1400.0200; .0250; .0300; .0400; .0500; .0600; .0700; .0800; .0850; .0900; .0950; .1000; .1100; .1200; .1500; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .9905; .9910; .9913; .9916; .9920; .9925; .9930; .9935; .9940; .9945; .9946; .9951; .9955; .9960 (proposed repealer).....	1012	
1400.0200; .0250; .0300; .0400; .0500; .0600; .0700; .0800; .0850; .0900; .0950; .1000; .1100; .1200; .1500; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .9900; .9905; .9910; .9913; .9916; .9920; .9925; .9930; .9935; .9940; .9945; .9946; .9951; .9955; .9960 (repealed).....	2058	
1400.2000; .2010; .2020; .2030; .2040; .2050; .2060; .2070; .2080; .2090; .2100; .2110; .2200; .2210; .2220; .2230; .2240; .2300; .2310; .2400; .2450; .2500; .2510; .2520; .2530; .2540; .2550; .2560 (proposed).....	1012	
1400.2000; .2010; .2020; .2030; .2040; .2050; .2060; .2070; .2080; .2090; .2100; .2110; .2200; .2210; .2220; .2230; .2240; .2300; .2310; .2400; .2450; .2500; .2520; .2530; .2540; .2550; .2560 (adopted).....	2058	

Minnesota Rules: Amendments and Additions

Agriculture Department

1505.0754; .0756; .0758 (adopted).....	63
1505.0980; .1100 (adopted).....	759
1505.4000; .4010; .4020; .4030; .4040; .4050; .4060; .4070; .4080; .4130 (adopted).....	468
1510.0480; .0490; .0500; .0510; .0520; .0530; .0540; .0550; .0560; .0570; .0580; .0590; .0600; .0610; .0620; .0630; .0640; .0650; .0660; .0670; .0680; .0685; .0690; .0700; .0710; .0720; .0730; .0740; .0750; .0760; .0770; .0780; .0790; .0800; .0810; .0820; .0830; .0840; .0850; .0860; .0870; .0880; .1100; .1110; .1120; .1130; .1140; .1150; .1160; .1170; .1180; .1190; .1200; .1210; .1220; .1230; .1240; .1250; .1260; .1270; .1280; .1290; .1300; .1310; .1320; .1330; .1340; .1350; .1360; .1370; .1380; .1390; .1400; .1410; .1420; .1430; .1440; .1450; .1460; .1470; .1480; .1490; .1500; .1510; .1520; .1530; .1540; .1550; .1560; .1570; .1580; .1590; .1600; .1610; .1620; .1630; .1640; .1650; .1660; .1670; .1680; .1690; .1700; .1710; .1720; .1730; .1740; .1750; .1760; .1770; .1780; .1790; .1800; .1810; .1820; .1830; .1840; .1850; .1860; .1870; .1880; .1890; .1900; .1910; .1920 (proposed repealer).....	1521
1513.0010; .0020; .0030; .0040; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190; .0200; .0210; .0220; .0230; .0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380; .0400; .0410; .0420; .0430; .0440; .0450; .0460; .0470; .0480; .0490; .0500; .0600; .0610; .0620; .0630; .0640; .0700; .0710; .0720; .0730; .0740; .0750; .0760; .0770; .0780; .0790; .0800; .0810; .0820; .0830; .0900; .0910; .0920; .0930; .1000; .1010; .1020; .1030; .1040; .1050; .1060; .1070; .1100 (proposed).....	1521
1558.0020; .0030; .0040; .0050; .0060; .0070; .0080 (adopted).....	1037
1560.8800 (proposed).....	1426
1650.0010; .0020; .0030; .0040; .0045; .0055; .0065; .0067; .0070 (proposed repealer).....	1549
1650.0010; .0020; .0020; .0040; .0045; .0055; .0065; .0067; .0070 (repealed).....	2251* (No. 42 04-15-96)
1650.0011; .0021; .0031; .0041; .0046; .0056; .0066; .0068; .0071 (proposed).....	1549
1650.0011; .0021; .0031; .0041; .0046; .0056; .0066; .0068; .0071 (adopted).....	2251* (No. 42 04-15-96)
1650.0500; .0510; .0520; .0530; .0540; .0550; .0560; .0570 (proposed repealer).....	1553
1650.0500; .0510; .0520; .0530; .0540; .0550; .0560; .0570 (repealed).....	2251* (No. 42 04-15-96)
1650.0501; .0511; .0521; .0531; .0541; .0551; .0561; .0571 (proposed).....	1553
1650.0501; .0511; .0521; .0531; .0541; .0551; .0561; .0571 (adopted).....	2251* (No. 42 04-15-96)
1650.0600; .0610; .0620; .0630; .0640; .0650; .0660 (proposed repealer).....	1560
1650.0600; .0610; .0620; .0630; .0640; .0650; .0660 (repealed).....	2427
1650.0601; .0611; .0621; .0661 (proposed).....	1560
1650.0601; .0611; .0621; .0661 (adopted).....	2427
1651.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100 (proposed repealer).....	1565
1651.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100 (repealed).....	2251* (No. 42 04-15-96)
1651.0011; .0021; .0031; .0041; .0051; .0061; .0071; .0081; .0091; .0101 (proposed).....	1565
1651.0011; .0021; .0031; .0041; .0051; .0061; .0071; .0081; .0091; .0101 (adopted).....	2251* (No. 42 04-15-96)
1653.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110 (proposed repealer).....	1571
1653.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110 (repealed).....	2427

1653.0011; .0021; .0031; .0041; .0051; .0061; .0071; .0081; .0091; .0101; .0111 (proposed).....	1571
1653.0011; .0021; .0031; .0041; .0051; .0061; .0071; .0081; .0091; .0101; .0111 (adopted).....	2427
1655.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100 (proposed repealer).....	1575
1655.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100 (repealed).....	2427
1655.0011; .0021; .0031; .0041; .0051; .0061; .0071; .0081; .0091; .0101 (proposed).....	1575
1655.0011; .0021; .0031; .0041; .0051; .0061; .0071; .0081; .0091; .0101 (adopted).....	2427* (No. 43 04-22-96)
1656.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080 (proposed repealer).....	1580
1656.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080 (repealed).....	2290* (No. 43 04-22-96)
1656.0011; .0021; .0031; .0041; .0051; .0061; .0071; .0081; .0091; .0095; .0100 (proposed).....	1580
1656.0011; .0021; .0031; .0041; .0051; .0061; .0071; .0081; .0091; .0095; .0100 (adopted).....	2290* (No. 43 04-22-96)

Animal Health Board

1719.0100; .0200; .0300; .0310; .0500; .0600; .0700; .0750; .0800; .1000; .1100; .1200; .1300; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .4000; .4200; .4250 (proposed).....	897
1719.0100; .0200; .0300; .0310; .0400; .0500; .0600; .0700; .0750; .0800; .1000; .1100; .1200; .1300; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .4000; .4200; .4250; (adopted).....	2033
1719.0100, s.8,9; .3250; .4300; .4400; .4500; .4600 (proposed repealer).....	897
1719.0100, s.8,9; .3250; .4300; .4400; .4500; .4600 (repealed).....	2033

Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design

1800.0200; .0300; .0400; .0500; .0600; .0800; .0900; .1000; .1100; .1200; .1500; .1600; .1700; .1900; .2100; .2200; .2500; .2600; .2700; .2800; .2900; .4000; .4100; .5100; .5200; .5800 (proposed).....	1863
1800.0700; .0900, s.2; .1000, s.8; .1100, s.3; .2000; .2300; .2500, s.3; .2700, s.4; .2900, s.3; .5700 (proposed repealer).....	1863

Arts Board

1900.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900; .4000; .4100; .4200; .4300; .4400; .4500; .4600; .4700; .4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .5700; .5800; .5900 (proposed repealer).....	2346
1900.0110; .0210; .0310; .0410; .0510; .0610; .0710; .0810; .0910; .1010; .1110; .1210; .1310; .1410; .1510; .1610; .1710; .1810; .1910; .2010; .2110; .2210; .2310; .2410; .2510; .2610; .2710; .2810; .2910; .3010; .3110; .3210; .3310; .3410; .3510; .3610; .3710; .3810; .3910; .4010; .4110 (proposed).....	2346

Chiropractic Examiners

2500.0100; .0600 (adopted).....	1245
2500.0200; .1100; .1110; .1200; .1720; .1900; .2000; .5000 (proposed).....	2052
2500.2500, s.2-6,9 (repealed).....	1245

Commerce Department

2642.0380 (adopted).....	227
2675.0901; .2170; .2620 (adopted).....	168
2761.0200; .0300; .0400; .0500; .0700 (adopted).....	1925

Minnesota Rules: Amendments and Additions

2809.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190; .0200; .0210; .0220; .0230 (proposed).....	1585
2820.3710; .4510; .4610; .4710; .4720; .4915; .6605; .6705; .6805; .6905; .7005; .7110; .7205; .7305; .7405; .9060; .9070; (adopted).....	916
2820.4730; .4740; .4910; .6600; .6701; .6801; .6900; .7000; .7100; .7300; .7400 (repealed).....	916

Petroleum Tank Release Compensation Board

2890.0010; .0070; .0071; .0072; .0073; .0074; .0075; .0076; .0077; .0078; .0079; .0080; .0081; .0082; .0083; .0084; .0085; .0086; .0089; .0090 (adopted).....	227
2890.0075; .0080 (repealed).....	227

Dentistry Board

3100.0100; .1150; .1160; .1700; .1750; .2000 (proposed).....	1602
3100.0100; .1150; .1160; .1700; .1750; .2000 (adopted).....	2623
3100.0100; .2000; .4100; .4200; .4300; .4400; .4500 (proposed).....	1606
3100.1300; .8500; .8700 (proposed).....	1611
3100.1300; .8500; .8400 (adopted).....	2474
3100.1400; .4200; .6300; .7000; .8400; .9300 (proposed).....	1614
3100.1400; .4200; .6300; .7000; .8400; .9300 (adopted).....	2316
3100.1850, s. 4 (proposed repealer).....	1614
3100.1850, s.4 (repealed).....	2316
3100.2000 (proposed).....	493
3100.2000 (adopted).....	1163
3100.3600; .8700 (proposed).....	490
3100.3600 (adopted).....	1196
3100.4300, s.5,6; .4500; .s.1; .4600 (proposed repealer).....	1606

Dietetics and Nutrition Board

3250.0010; .0020; .0030; .0040; .0050 (proposed).....	372
3250.0010; .0020; .0030; .0040; .0050 (adopted).....	1288

Economic Security

3300.5010; .5040; .5050; .5060 (adopted).....	168
3300.5010, s.38; .5060, s.1a,4,6,8,10 (repealed).....	168
3315.0210(adopted).....	197

Children, Families, and Learning Department

3501.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180 (proposed).....	961
3501.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0120; .0130; .0140; .0150; .0160; .0170; .0180 (adopted).....	2375
3510.1700; .2700; .3100; .3300; .3900; 3512.0100; .0300; .0400; .0500; .0600; .0700; .0800; .1100; .1300; .1600; .1700; .2100; .2300; .3000; .3100; .3500; .4000; .5000; .5100; 3517.0010; .0090; .0110; .3810; .3820 (proposed).....	2739
3510.1900; 3517.0010 s.6,12,15,17,19,20,24,26,30,33,34,35,36, 38,39,41,42,43,44 (proposed repealer).....	2739

Public Safety Department

3520.2400; .2500; .2600; .2800; .3100; .3400 (repealed).....	702
--	-----

Department of Trade and Economic Development

4300.0100; .1200; .1901; .2000; .3100 (proposed).....	1839
4300.0100; .1200; .1901; .2000; .3100 (adopted).... 2254* (No. 42 04-15-96)	
4300.0100, s.18,23 (proposed repealer).....	1839
4300.0100, s.18,23 (repealed)..... 2254* (No. 42 04-15-96)	
4300.0100, s.2a renumbered as 4300.0100, s.3a.....	1839
4300.0100, s.2a renumbered as s.3a..... 2254* (No. 42 04-15-96)	

Ethical Practices Board

4500.0100; .0200; .0300; .0400; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1400; .1500; .1600; .1700; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .3.2600; .2700; .2800; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900; .4000; .4300, s.1,2,4,5; .4400; 4505.0100, s.1a, 2; .0200; .0200; .0300; .0400; .0500; .0600; .0800; .0900, s.1; .1000; 4510.0100; .0200; .0300; .0400; .s.1,2; .0600, s.4; .1000; .1200; .1300; .1400; 4515.0100, s.2,4,6,7; .0200; .0300; .0400; .0500,s.2; .0600; .0800; 4520.0100; .2,5,7; .0200; .0300; .0600; .0800; 4525.0100, s.1a,2,4,7; .0500, s.4 (proposed repealer).....	1623
4500.0100; .0200; .0300; .0400; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1400; .1500; .1600; .1700; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900; .4000; .4300, s.1,2,4,5; .4400; 4505.0100, s.1a,2; .0200; .0300; .0400; .0500; .0600; .0800; .0900,s.1; .1000; 4510.0100; .0200; .0300; .0400, s.1,2; .0600,s.4; .1000; .1200; .1300; .1400; 4515.0100,s.2,4,6,7; .0200; .0300; .0400; .0500, s.2; .0600; .0800; 4520.0100, s.2,5,7; .0200; .0300; .0600; .0800; 4525.0100, s.1a,2,4,7; .0500,s.4 (repealed).....	2504
4500.2900 renumbered as 4503.0600.....	1623
4501.0010; .0100; .0200; .0300; .0400; .0500; .0600; .0700; 4503.0010; .0100; .0200; .0300; .0400; .0500; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; 4505.0010; .0100; 4510.0010; .0050; 4512.0010; .0100; .0200; .0300; .0400; .0500; .0600; 4515.0010; .0100; .0500; .0700; 4520.0010; .0100; .0400; .0500; .0700; 4525.0010; .0100; .0200; .1000 (proposed)....	1623
4501.0010; .0100; .0200; .0300; .0400; .0500; .0600; .0700; 4503.0010; .0100; .0200; .0300; .0400; .0500; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; 4505.0010; .0100; 4510.0010; .0050; 4512.0010; .0100; .0200; .0300; .0400; .0500; .0600; 4515.0010; .0100; .0500; .0700; 4520.0010; .0100; .0400; .0500; .0700; 4525.0010; .0100; .0200; .1000 (adopted)....	2504
4500.2900 renumbered as 4503.0600.....	2504

Health Department

4605.7090 (adopted).....	858
4620.3000; .3100; .3200; .3250; .3300; .3310; .3330; .3340; .3350; .3410; .3415; .3420; .3425; .3430; .3435; .3440; .3450; .3460; .3470; .3480; .3559; .3560; .3566; .3567; .3568; .3569; .3570; .3571; .3572; .3573; .3575; .3580; .3581; .3582; .3585; .3592; .3594; .3596; .3597; .3598; .3702; .3704; .3708; .3710; .3714; .3716; .3718; .3720; .3722; .3722; .3724; 4717.7000 (proposed)....	1633
4620.3000; .3100; .3200; .3250; .3300; .3310; .3330; .3340; .3350; .3410; .3415; .3420; .3425; .3430; .3435; .3440; .3450; .3460; .3470; .3480; .3559; .3560; .3566; .3567; .3568; .3569; .3570; .3571; .3572; .3573; .3575; .3580; .3581; .3582; .3585; .3592; .3594; .3596; .3597; .3598; .3702; .3704; .3708; .3710; .3712; .3714; .3716; .3718; .3720; .3722; .3724; 4717.7000 (adopted)....	2765
4620.3100, s.2,9,10,12,15,17,18,22,26,30; .3200, s.1,6,7; .3400; .3500; .3600; .3700 (proposed repealer).....	1633
4620.3100 s.2,9,10,12,15,17,18,22,26,30; .3200 s.1,6,7; .3400; .3500; .3600; .3700 (repealed).....	2765
4651.0100; .0110; .0120; .0150 (proposed).....	1427
4651.0100; .0110; .0120; .0150 (adopted).....	2405
4651.0100, s.13,17; .0110, s.1 (proposed repealer).....	1427
4651.0100, s.13,17; .0110, s.1 (repealed).....	2405
4652.0100; .0110; .0120; .0140 (proposed).....	1030
4652.0100 (adopted).....	2185
4655.0010, s.4; .0320; .2410; .2420; .3900; .4900; .5600; .5700; .5800; .5900; .6000; .6100; .6200; .6800; .7600; .7700; .7710; .7720; .7730; .7740; .7750; .7760; .7770; .7780; .7790; .8100; .9400; .9500; .9600; .9700; .9800; .9900 (repealed).....	303

Minnesota Rules: Amendments and Additions

4655.0090; 4658.0010; .0020; .0025; .0045; .0050; .0055; .0060; .0065; .0070; .0075; .0080; .0085; .0100; .0105; .0110; .0115; .0130; .0135; .0140; .0190; .0300; .0350; .0400; .0405; .0420; .0430; .0435; .0445; .0450; .0455; .0465; .0470; .0490; .0500; .0505; .0510; .0515; .0520; .0525; .0530; .0580; .0700; .0705; .0715; .0720; .0725; .0730; .0750; .0800; .0805; .0810; .0815; .0850; .1300; .1305; .1310; .1315; .1320; .1325; .1335; .1350; .1360; .1365 (adopted).....	303	4830.2200; .2300; .2500; .2600 (proposed).....	2055
4655.0090; .1084; .6500; .7000; .9200; .9210; .9337; .9338; .9339; .9342; 4658.0010; .0191; .0192; .0193; .0200; .0205; .0210; .0215; .0220; .0250; .0255; .0260; .0265; .0275; .0290; .0300; .0445; .0450; .0615; .0620; .0900; .0950; .0960; .0990; .1000; .1005; .1090; .1100; .1190; .1200; .1290; .1400; .1405; .1410; .1415; .1420; .1425; .1490; .1600; .1605; .1610; .1690; .2000; .2010; .2020; .2030; .2090; .3000; .3005; .3090; .3500; .3590; .4000; .4005; .4010; .4015; .4020; .4025; .4030; .4035; .4040; .4090; .4100; .4105; .4110; .4115; .4120; .4125; .4130; .4135; .4140; .4145; .4150; .4155; .4160; .4165; .4170; .4175; .4190; .4200; .4205; .4210; .4215; .4290; .4300; .4305; .4310; .4315; .4320; .4325; .4330; .4335; .4340; .4345; .4350; .4355; .4360; .4365; .4370; .4375; .4390; .4400; .4405; .4415; .4420; .4425; .4430; .4435; .4440; .4445; .4450; .4455; .4460; .4490; .4500; .4505; .4510; .4515; .4520; .4525; .4530; .4535; .4540; .4545; .4550; .4590; .4600; .4605; .4610; .4615; .4620; .4625; .4630; .4635; .4640; .4690; .5000; .5005; .5010; .5015; .5020; .5025; .5030; .5035; .5040; .5090; .5100; .5190; .5200; .5205; .5210; .5215; .5220; .5225; .5230; .5235; .5240; .5245; .5290; .5300; .5305; .5310; .5315; .5390; .5400; .5405; .5410; .5415; .5490; .5500; .5505; .5510; .5515; .5520; .5590; 4660.0090; .3900; .7800; .8000; .8310; 4665.0900 (proposed).....	1881	4830.2300 (adopted).....	2572
4655.0100; s.4,8,10; .7500; .8000; .9070; .9300; .9320; .9312; .9322; .9323; .9324; .9325; .9326; .9327; .9328; .9329; .9330; .9331; .9332; .9333; .9337; .9335; .9336; .9337; .9338; .9339; .9341; 4660.1300; .1400; .1410; .1420; .1430; .1440; .1450; .1460; .1470; .1480; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2610; .2620; .2630; .2640; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .5700; .5800; .5810; .7600; .7010; .8300; .8380; .7410; .8500; .7510; .8520; .8530; .8540; .8550; .8560; .8700; .9910; .9920; .9930 (proposed repealer).....	1881	4830.7200; .7400; .7500; .7720; .7800; .7900 (proposed).....	1439
4655.1070; .1072; .1076; .1078; .1080; .1082; .1084; .1086; .1088; .1090; .1092; .1094; .1096; .1098 (adopted).....	340	4830.7200; .7400; .7500; .7720; .7800; .7900 (adopted).....	2284
4666.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400 (proposed).....	1330	4830.9015; .9020; .9030 (proposed).....	1226
4666.0010-.1400 (adopted).....	2625	4830.9015; .9020; .9030 (adopted).....	2214
4670.1320; .4210; .4220; .4230; .4240 (proposed).....	2092	4830.9015, s.9; .9025 (proposed repealer).....	1226
4670.1320; .4210; .4220; .4230; .4240 (adopted).....	2592	4830.9015, s.9; .9025 (repealed).....	2214
4688.0005; .0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160 (proposed).....	1142	4840.0100; .0400; .0500; .0600; .0700; .0900; .1100 (proposed).....	1354
4690.4600; .5900; .7200 (proposed).....	821	4840.0100; .0300; .0400; .0500; .0600; .0700; .0900; .1100 (adopted).....	2214
4690.4600; .5900; .7200 (adopted).....	1482	4840.0500, s.3,8; .0800; .1000 (proposed repealer).....	1354
4690.4600; s.4e; .5900, s.4e; .7200, s.4e (proposed repealer).....	821	4840.0500, s.3,8; .0800; .1000 (adopted).....	2214
4730.5000; .5050; .5100; .5200; .5300; .5400; .5500 (proposed).....	1675	4850.0011, s.3,7,16a (proposed repealer).....	1229
4730.5000; .5050; .5100; .5200; .5300; .5400; .5500 (adopted).....	2777	4850.0011, s.3,7,16a (repealed).....	2214
Higher Education Services Office (Higher Education Coordinating Board)		4850.0011; .0012; .0014; .0015; .0016; .0017; .0018 (proposed).....	1229
4830.0100 (proposed).....	1439	4850.0011; .0012; .0014; .0015; .0016; .0017; .0018 (adopted).....	2214
4830.0100 (adopted).....	2284	4880.1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400 (proposed).....	1435
4830.0100, s.12 (proposed repealer).....	1439	4880.1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400 (adopted).....	2214
4830.0100, s.12 (repealed).....	2284	4890.0500 (adopted).....	303
4830.0110 (proposed).....	1439	Housing Finance Agency	
4830.0110 (adopted).....	2284	4900.0010 (adopted).....	41
4830.0300; .0400; .0600; .0700 (proposed).....	1439	4900.1315, s.7,10; .1345, s.1 (proposed repealer).....	1234
4830.0300; .0400; .0600; .0700 (adopted).....	2284	4900.1315, s.7,10; .1345, s.1 (repealed).....	2252* (No. 42 04-15-96)
		4900.1331; .1345; .1375 (proposed).....	1234
		4900.1331; .1345 (adopted).....	2252* (No. 42 04-15-96)
		Labor and Industry Department	
		5200.1010; .1020; .1030; .1035; .1040; .1050; .1060; .1080; .1100 (proposed).....	1148
		5200.1020, s.3; .1030, s.3; .1050, 3b (proposed repealer).....	1148
		5202.0010 (adopted).....	2122
		5205.0010 (adopted).....	197
		5205.0010 (proposed).....	426
		5205.0010 (adopted).....	1040
		5205.0010 (proposed).....	1242
		5205.0010 (proposed).....	2620
		5205.1500 (proposed).....	376
		5205.1500 (adopted).....	1994
		5210.0005; .0020; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0210; .0300; .0310; .0320; .0330; .0340; .0410; .0420; .0450; .0460; .0470; .0480; .0490; .0500; .0510; .0520; .0530; .0533; .0536; .0539; .0542; .0548; .0551; .0554; .0557; .0561; .0564; .0567; .0570; .0573; .0576; .0579; .0589; .0595; .0596; .0597; .0650; .0800; .0810; .0820; .0830; .0835; .0850; .0860; .0870 (proposed).....	970
		5210.0005; .0020; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0210; .0300; .0310; .0320; .0330; .0340; .0410; .0420; .0450; .0460; .0470; .0480; .0490; .0500; .0510; .0520; .0530; .0533; .0536; .0539; .0542; .0548; .0551; .0554; .0557; .0561; .0564; .0567; .0570; .0573; .0576; .0579; .0589; .0595; .0596; .0597; .0650; .0800; .0810; .0820; .0830; .0835; .0850; .0860; .0870; (adopted).....	2428
		5210.0010; .0030; .0100, s.4; .0200; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290; .0310, s.3,4; .0340, s.1; .0400; .0430; .0440; .0470, s.3,4,6; .0540; .0550; .0560; .0820, s.2,3,5,6; .0830, s.2,4,5; .0840 (proposed repealer).....	970
		5210.0010; .0030; .0100 s.4; .0200; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290; .0310 s.3,4; .0340 s.1; .0400; .0430; .0440; .0470 s.3,4,6; .0540; .0550; .0560; .0820 s.2,3,5,6; .0830 s.2,4,5; .0840 (repealed).....	2428
		5215.0100; .0200; .0500; .0600; .0700; .0900; .1000; .1100; .1400; .1500; .1600; .2100; .5000; .5050; .5200; .5210; .5350; .5500; .5600; .5700; .5800; .5900; .6100 (proposed).....	986

Minnesota Rules: Amendments and Additions

5215.0100; .0200; .0500; .0600; .0700; .0900; .1000; .1100; .1400; .1500; .1600; .2100; .5000; .5050; .5200; .5210; .5350; .5500; .5600; .5700; .5800; .5900; .6100 (adopted).....	2428	6232.0100, s.3; .0400, s.1,3; .0600, s.3; .1700; 6236.0800 ; 6250.0100 ; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; 6258.0700 , s.2,3; 6260.2000 , s.1 (repealed).....	2287
5215.0200, s.3,4,7,14; .0700, s.5,6,7; .0711; .0721; .0730; .0800; .1200; .1700; .1800; .1900; .2000; .2011; .2200; .2300; .2400; .2500; .2560; .4900; .5000, s.5; .5200, s.3; .5250; .5300; .5400; .6000 (proposed repealer).....	986	6232.0900 (adopted expedited emergency).....	198
5215.0200 s. 3,4,7,14; .0700 s. 5,6,7; .0711; .0721; .0730; .0800; .1200; .1700; .1800; .1900; .2000; .2011; .2200; .2300; .2400; .2500; .2650; .4900; .5000 s. 5; .5200 s. 3; .5240; .5300; .5400; .6000 (repealed).....	2428	6232.3000 ; .3055 (adopted expedited emergency) .2255* (No. 42 04-15-96) 6232.3855 (adopted expedited emergency).....	2675
5221.0405; .4030; .4033; .4040; .4050; .4051; .4060 (adopted exempt).....	530	6232.3855 (sunssets 12/31/96).....	2675
5221.4030, s.2; .4033, s.2; .4040, s.2; .4050, s.2; .4060, s.2 (repealed).....	530	6234.1200 ; .1300 (adopted expedited emergency).....	2505
5221.4040 (adopted).....	1163	6236.0600 ; .0810; .1060; .0650 (adopted expedited emergency).....	1303
5221.4050 (adopted).....	858	6236.0600 ; .1060 (repealed).....	1303
5225.1110; .1140; .1180; .2700; .3100 (proposed).....	268	6236.0700 s.4,6 (adopted expedited emergency).....	2703
5229.0100; .0200; .0300; .0350; .0400; .0410; .0420; .0500; .0600; .0700 (proposed).....	1236	6240.0600 ; .0650 (adopted expedited emergency).....	497
5229.0100; .0200; .0300; .0350; .0400; .0410; .0420; .0500; .0600; .0700 (adopted).....	2286	6244.0100 ; .0200; .0300; .0400; .0410; .0420; .0430; .0440; .0450; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1110; .1200; .1300; .1400; .1500; .1500; .1600; .1700; .1800; .1900; .2000 (proposed).....	1768
Mediation Services Bureau		6244.0100 ; .0200; .0300; .0400; .0410; .0420; .0430; .0440; .0450; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000 (adopted).....	2291* (No. 43 04-22-96)
5530.0100; .0200; .0300; .0600; .0700; .0800; .0900; .1200 (proposed).....	2210	6262.0400 (adopted exempt).....	1288
Medical Practices Board		6262.0500 , s.4 (proposed emergency repealer).....	1447
5600.0605; .0610; .0300; .2500 (proposed).....	1160	6264.0300 ; .0400 (adopted).....	2248
5600.0605; .0610; 5601.0300 ; 5600.2500 (adopted).....	2376	6264.0300 (adopted).....	2252* (No. 42 04-15-96)
Natural Resources Department		6280.0100 ; .0250; .0350; .0450; .0600; .0700; .0900; .1000; .1100; .1200 (proposed).....	1780
6105.0330 (adopted).....	1196	6280.0100 , s.15; .0200; .0300; .0400; .0500 (proposed repealer).....	1780
6110.1200 (adopted).....	759	Nursing Board	
6120.5900 (proposed).....	1738	6301.0810 ; 6305.0500 ; 6310.3600 (proposed).....	1788
6120.5900 (adopted).....	2287	6301.0810 ; 6305.0500 ; 6310.3600 (adopted).....	2429
6122.0100; .0200; .0300; .0400 (proposed).....	1740	Peace Officer Standards and Training (POST) Board	
6134.0200; .0300; .0400 (proposed).....	1746	6700.0900 ; .1600; .1710 (adopted).....	828
6134.0200; .0300; .0400 (adopted).....	2782	Pharmacy Board	
6134.0200, s.5 (proposed repealer).....	1746	6800.4210 ; .4230; .4240 (proposed).....	1275
6134.0200 s.5 (repealed).....	2782	6800.4210 ; .4220; .4230; .4240 (adopted).....	2592
6210.0100; 6230.0400 ; .1400; 6232.0100 ; .0300; .0400; .0600; .1100; .1500; .2200; .3000; .3100; .3200; .3700; .4100; 6234.1900 ; .2000; .2200; .2600; .2800; 6236.0100 ; .0300; .0500; .0600; .0700; .0810; .1000; .1100; 6240.1000 ; .1100; .1150; .1850; .1900; 6250.0101 ; 6252 ; 6258.0300 ; .0400; .0500; 6260.1800 ; .2000; 6262.0100 ; .0200; .0500; 6266.0100 ; .0300; .0400; .0500; .0600 (proposed).....	1447	Podiatric Medicine Board	
6210.0100; 6230.0400 ; .1400; 6232.0100 ; .0300; .0400; .0600; .1100; .1500; .2200; .3000; .3100; .3200; .3700; .4100; 6234.1900 ; .2000; .2200; .2600; .2800; 6236.0100 ; .0300; .0500; .0600; .0700; .0810; .1000; .1100; 6240.1000 ; .1100; .1150; .1850; .1900; 6250.0101 ; 6250.0500 ; 6258.0300 ; .0400; .0500; 6260.1800 ; .2000; 6262.0100 ; .0200; .0500; 6266.0100 ; .0300; .0400; .0500; .0600 (adopted).....	2287	6900.0200 , s.8 (repealed).....	168
6212.1600; .1900 (proposed repealer).....	1768	Pollution Control Agency	
6216.0100; .0200; .0250; .0300; .0400; .0500; .0600 (proposed).....	1764	7000.0100 ; .0400; .0500; .0650; .0750; .1300; .1750; .1800; .2000; .2100; .5000; .7000; .9100 (proposed).....	1475
.0600 (adopted).....	2292* (No. 43 04-22-96)	7000.0100 ; .0400; .0500; .0650; .0750; .0850; .1300; .1750; .1800; .2000; .2100; .5000; .7000; .9100 (adopted).....	2629
6230.1400 ; 6232.0100 ; .0300; .0600; .0800; .1100; .1200; .1250; .1600; .1750; .1800; .1950; .2100; .2450; .2500; 6234.1900 ; .2000; .2200; .2600 (adopted expedited emergency).....	429	7000.0400 , s.2 (proposed repealer).....	1475
6230.0400 (adopted expedited emergency).....	321	7000.0400 s. 2 (repealed).....	2629
6232.0100 , s.3, .0600, s.3(repealed).....	429	7002.0015 ; .0025; .0035; .0045; .0055; .0065; .0075; .0085; 7005.0100 ; 7007.0150 ; .0300; .0500; .1110; .1115; .1120; .1125; .1130; .1300; 7019.1000 ; .3000; .3020; .3030; .3040; .3050; .3060; .3070; .3080; .3090; .3100 (proposed).....	1358
6232.0100 , s.3; .0400, s.1,3; .0600, s.3; .1700; 6236.0800 ; 6250.0100 ; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; 6258.0700 , s.2,3; 6260.2000 , s.1 (proposed repealer).....	1447	7002.0015 , s.2,4; .0025, s.2; .0095; 7005.0100 , s.10c,10d; 7007.0300 , s.2; 7019.3010 (proposed repealer).....	1358
		7005.0100 ; .7040; .7060; .7080; .7100; .7120; .7140; .7160; .7180; .7200; .7220; .7240; .7260; .7280; .7300; .7320; 7017.1010 ; .2010; .2015; 7019.0100 (proposed).....	1375
		7005.0100 ; .7040; .7060; .7080; .7100; .7120; .7140; .7160; .7180; .7200; .7220; .7240; .7260; .7280; .7300; .7320; 7017.1010 ; .2010; .2015; 7019.0100 (adopted).....	2253* (No. 42 04-15-96)
		7005.0100 ; 7007.0100 ; .0150; .0200; .0250; .0300; .0350; .0500; .0800; .1110; .1115; .1120; .1130; .1150; .1200; .1250; .1300; .1400; .1450; .1500; 7009.1000 ; .1040; 7011.0070 ; .0080; .0150; 7017.2040 (proposed).....	270

Minnesota Rules: Amendments and Additions

7005.0100; 7007.0100; .0150; .0200; .0250; .0300; .0350; .0500; .0800; .1110; .1115; .1120; .1125; .1130; .1150; .1200; .1250; .1300; .1400; .1450; .1500; 7009.1000; .1040; 7011.0070.0080; .0150; .2040 (adopted).....	2316	7406.0100; .0300; .0330; .0350; .0360; .0370; .0400; .0450; .0500; .0700; .0800; .0900; .1000; .1100; .1150; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600 (proposed).....	1808
7005.0100, s.10d (proposed repealer).....	270	7406.0100, s.2-4; .0450, 1a; .0500, s.3,4; .0600 (proposed repealer).....	1808
7005.0100; s.10d (repealed).....	2316	7406.0100, s.5 renumbered as 7406.0100, s.19; 7406.0100, s.6 renumbered as 7406.0100, s.20.....	1808
7005.0100; 7011.7000; .7040; .7060; .7080; .7100; .7120; .7140; .7160; .7180; .7200; .7220; .7240; .7260; .7280; .7300; .7320; 7017.1010; .2010; .2015; 7019.0100 (proposed).....	1790	7406.0100; .0300; .0330; .0350; .0360; .0370; .0400; .0450; .0500; .0800; .0900; .1000; .1100; .1150; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600 (adopted).....	2784
7007.0100; 7011.2220; 7017.2020; 7029.0005; .0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0100; .0105; .0110; .2835; .2875; .2800 (proposed).....	1795	7406.0100 s.2,3,4; .0450 s.1a; .0500 s.3,4; .0600 (repealed).....	2784
7007.1110; .1130; .0900; .0903; .0905; .0911; .0913; .0917; .0920; .0922 (proposed repealer).....	1375	7406.0100 s.5 renumbered as 7406.0100 s.19; 7406.0100 s.6 renumbered as 7406.0100 s.20 (renumbered).....	2784
7007.1110; .1130; 7011.0900; .0903; .0905; .0925; .0911; .0913; .0917; .0920; .0922 (adopted).....	2254* (No. 42 04-15-96)	7410.2400 (proposed).....	824
7009.9000 (adopted).....	1167	7410.2400, s.3 (proposed repealer).....	824
7011.0300; .0305; .0310; .0315; .0320; .0325; .0330; .2215 (proposed repealer).....	1795	7410.2400 (adopted).....	2122
7011.0915 (proposed repealer).....	1375	7411.0100; .0400; .0510; .0550; .0610; .0800; .0900 (proposed).....	2558
7011.0925 renumbered to 7011.0909.....	1375	7520.0650; .1000; .1100(adopted).....	2592
7011.0925 renumbered as 7011.0909 (adopted)..	2253* (No. 42 04-15-96)	7470.1000; .1100; .1200; .1400; .1500; .1600; .1700 (adopted).....	702
7025.0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290; .0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380 (proposed).....	1384	Crime Victims Reparations Board	
7035.2836 (proposed).....	2282* (No. 43 04-22-96)	7505.3100; .3200; .3500 (proposed).....	1328
7035.2835 (proposed repealer).....	2282* (No. 43 04-22-96)	7505.3100; .3500 (adopted).....	2376
7045.0020; .0221; .0225; .0230; .0240; .0248; .0255; .0855, s.2; .0990, s.3a (withdrawn).....	237	Public Safety Department	
7045.0020; .0545; .0546 (adopted).....	694	7520.0650; .1000 (proposed).....	2234
7045.0020; .0125; .0135; .0692; .0790; .0795; .0800; .0805; .0810; .0815; .0820; .0825; .0835; .0840; .0845; .0855; .0865; .0875; .0885; .0895; .0990; .1300 (adopted).....	695	Public Service Department	
7045.0065; .0075; .0131; .0135; .0141; .0528; .0628; .0638; .1350... 395		7601.0100; .1000; .3015; .3030 (adopted).....	1928
7076.0110; .0130; .0215; .0240 (adopted).....	1245	Lottery	
7077.0100; .0105; .0115; .0277; .0278; .0280; .0287; .0288; .0290 (proposed).....	2245* (No. 42 04-15-96)	7856.2010; .2020; .3010; .3011; .3020; .4020; .4050; .6010 (proposed).....	2528
7077.0500; .0505; .0510; .0515; .0520; .0525; .0530; .0535; .0540; .0545; .0550; .0555; .0560; .0600; .0610; .0615; .0620; .0625; .0640; .0650 (proposed repealer).....	2245* (No. 42 04-15-96)	Gambling Board	
7080.0010; .0020; .0030; .0040; .0060; .0110; .0120; .0125; .0130; .0150; .0160; .0170; .0175; .0176; .0200; .0210 (withdrawn proposed rules).....	83	7861.0010; .0040; .0060; .0070; 7862.0010; .0020; .0030 (proposed).....	2156
7080.0010; .0020; .0025; .0030; .0060; .0065; .0110; .0120; .0125; .0130; .0150; .0160; .0170; .0175; .0176; .0300; .0305; .0310; .0315; .0350; .0700; .0705; .0710; .0715; .0720; .0810; .0815; .0820; .0830; .0850; .0855; .0860; .0910; .0920; (adopted).....	1995	7861.0010; .0040; .0060; .0070; 7862.0010; 7863.0020; 7864.0030 (adopted).....	2624
7080.0020, s.10.22a,29,34,41,50; .0050; .0070; .0080; .0090; .0110, s.1,2,3,5; .0120, s.2; .0130, s.5; .0180; .0210, s.7,9,10-15 (withdrawn proposed repealer).....	93	7861.0030 (proposed).....	2150
7080.0020, s.10,20,22a,24a,29,34,41,50; .0040; .0050; .0070; .0080; .0090; .0100; .0110, s.1,2,3,5; .0120, s.2; .0130, s.5; .0180; .0200; .0210 (proposed repealer).....	93	7861.0030 (adopted).....	2625
7080.0020, s.10,11e,20,22a,24a,28b,29,34,41,50; .0040; .0050; .0070; .0080; .0090; .0100; .0110, s.1,2,3,5; .0120, s.2; .0130, s.5; .0180; .0200; .0210 (repealed).....	1995	7861.0030, s.6 (repealed).....	2150
Public Safety Department		7861.0030 s.6 (repealed).....	2625
7403.0100; .0400; .0900; .0950 (proposed).....	2763	7861.0070; s.3,4,5,6; 7862.0010, s.5 (proposed repealer).....	2156
		7861.0070 s.3,4,5,6; 7862.0010 s.5 (repealed).....	2624
		Racing Commission	
		7870.0450; .0490; 7871.0070; .0120; .0150; 7872.0100; 7873.0120; .0125; .0185; .0186; .0192; .0230; 7874.0100; 7877.0120; .0130; .0170; .0175; 7878.0100; .0110; .0130; 7879.0100; 7883.0100; .0130; .0140; .0160; 7890.0140; 7892.0120; 7895.0110; .0125 (proposed).....	2236
		7870.0450; .0490; 7871.0070; .0120; .0150; 7872.0100; 7873.0120; .0125; .0185; .0186; .0192; .0230; 7874.0100; 7877.0120; .0130; .0170; .0175; 7878.0100; .0110; .0130; 7879.0100; 7883.0100; .0130; .0140; .0160; 7890.0140; 7892.0120; 7895.0110; .0125 (adopted).....	2592
		7883.0140, s.21 (proposed repealer).....	2236
		7883.0140, s.21 (repealed).....	2592
		Revenue Department	
		8100.0100; .0200; .0300; .0400 (proposed).....	2399
		8100.0100, s.17; .0300, s.7(proposed repealer).....	2399
		8122.0100; .0150; .0200; .0250; .0300; .0350; .0400; .0450; .0500; .0550; .0600; .0650 (proposed).....	292
		8122.0250; .0400; .0550; .0600 (adopted).....	1482
		8130.4900 (proposed repealer).....	1035
		8130.4900 (proposed repealer).....	2288* (No. 43 04-22-96)

Minnesota Rules: Amendments and Additions

Secretary of State

8200.0400; .0700; .1400; .1500; .3200; .3300; .3400; .9100; .9200; .9300; s.1-6; .9910; .9919; .9953; 8210.0700, s.4-6; .1950; .2750; 8240.1000; .2600; 8250.1500 (proposed repealer)....	1829
8200.1100; .1200; .1700; .2100; .2200; .3800; .5100; .6100; .6200; .6300; .9300; .9939; 8210.0200; .0700; .3000; 8220.0050; .0150; .0250; .0850; .1450; .1550; 8230.0250; .2250; .3250; .4350; 8240.0100; .0200; .1300; .2400; 8250.0370; .1200; .1600; .1800 (proposed)	1829
8200.1100; .1200; .1700; .2100; .2200; .3800; .5100; .6100; .6300; .9300; .9939; 8210.0200; .0700; .3000; 8220.0050; .0150; .0250; .0850; .1450; .1550; 8230.0250; .2250; .3250; .4350; 8240.0100; .0200; .1300; .2400; 8250.0370; .1200; .1600; .1800 (adopted).....	2787
8200.0400; .0700; .1400; .1500; .3200; .3300; .3400; .9100; .9200; .9300 s.1,2,3,4,5,6; .9910; .9919; .9953; 8210.0700 s.4,5,6; 8220.1950; .2750; 8240.1000; .2600; 8250.1500 (repealed).....	2787

Water and Soil Resources Board

8400.0050; .0100; .0200; .0300; .0600; .0700; .0900; .1000; .1100; .1200; .1250; .1300; .1400; .1405; .1460; .1500; .1600; .1650; .1700; .1750; .1800 (proposed)	906
8400.0100, s.1a,2,5,6,7a,8a,11,12,13,14a,19,20,20c,21,22; .0400; .1950; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2705; .2800 (proposed repealer)	906
8400.0100; .0600; .0900; .1800 (adopted)	2185
8420.0100; .0102; .0105; .0110; .0112; .0115; .0122; .0200; .0210; .0220; .0230; .0240; .0250; .0260; .0268; .0290; .0300; .0350; .0400; .0505; .0510; .0520; .0530; .0540; .0550; .0610; .0620; .0650; .0720; .0730; .0740; .0750; .1010; .1040 (adopted exempt) ..	2629
8420.0110 s.5,13,26,27,47; .0120; .0250 s.2; .0710 (repealed).....	2629

Teaching Board

8700.0600 (proposed)	2403
8700.0600 (adopted)	2702

Transportation Department

8810.9400; .9700 (proposed)	905
8810.9400; .9700 (adopted)	2287
8820.0100; .0600; .0700; .0800; .1000; .1100; .1200; .1400; .1500; .1600; .2100; .2200; .2300; .2500; .2700; .2800; .2900; .3100; .3200; .3300; .3400; .4030; .4050; .4070; .9990; .9920; .9926; .9931; .9936; .9946; .9956; .9961; .9981; .9986; .9995 (proposed)	143
Proposed Renumbering	143

COLUMN A

COLUMN B

8820.0100, subpart 2, item B	8820.0100, subpart 2, item D
8820.0100, subpart 17, item A	8820.0100, subpart 17, item D
8820.0100, subpart 18	8820.0100, subpart 15, item B
8820.1500, subpart 10, item A	8820.1500, subpart 8, item A
8820.0100, s.4a,9,15a,19; .1000, s.3; .2900, s.1a,2; .3100, s.3,4,7,9; .9910; .9925; .9930; .9935; .9940; .9945; .9950; .9955; .9965; .9970; .9985 (proposed repealer)	143
8820.1500; .9920 (adopted)	1041

Veterans Homes Board

9050.0040; .0050; .0055; .0060; .0070; .0200; .0220; .0230; .0400; .0520; .0580; .0600; .0750; .0755; .0770; .0800; .0820; .1030; .1070 (proposed)	747
9050.0040, s.25,40a,88,99; .0060, s.4; .1030, s.2-19 (proposed repealer)	747

Health Department

9050.0040; (proposed)	1881
-----------------------------	------

Veterans Homes Board (previous Health rule)

9050.0040; .0050; .0055; .0060; .0070; .0200; .0220; .0230; .0400; .0520; .0580; .0600; .0750; .0755; .0800; .0820; .1030; .1070 (adopted).....	2095
9050.0040, s.25,40a,88,99; .0060, s.4; .1030, s.2-19 (repealed)	2095

9055.0015; .0020; .0080; .0105; .0510; .0520; .0530; .0540; .0560; .0580 (proposed)	1284
9055.0105, s.4; .0540, s.4 (proposed repealer)	1284
Veterinary Medicine Board	
9100.0100; .1000 (adopted)	860
9100.0400; .0500; .0600 (adopted)	340
Office of Environmental Assistance	
9205.0400; .0410; .0420; .0425; .0430; .0432; .0435; .0445; .0700; .0710; .0720; .0730; .0740 (proposed).....	1616
9205.0400; .0410; .0420; .0425; .0430; .0432; .0435; .0445; 9210.0700; .0710; .0720; .0730; .0740 (adopted).....	2285
9205.0430, s.1,3,4; 9210.0750; .0760 (proposed repealer).....	1616
9205.0430, s.1,3,4; 9210.0750; .0760 (repealed).....	2285
Human Services Department	
9505.0500; .0520; .0521; .0522; .0540; .5005; .5035; .5041; .5045; .5046; .5075; .5076; .5077; .5078; .5079; .5080; .5082; .5085; .5105 (proposed)	1680
9505.0500; .0520; .0521; .0522; .0540; .5005; .5035; .5041; .5045; .5046; .5075; .5076; .5077; .5078; .5079; .5080; .5082; .5085; .5105 (adopted)	2405
9505.0500 s.4a,19a,28; .5005, s.18b; .5040; .5050; .5055; .5065; .5070; .5080, s.2,3; .5090; .5096; .5100 (proposed repealer)	1680
9505.0500, s.4a,19a,28; .5005, s.18b; .5040; .5050; .5055; .5065; .5070; .5080, s.2,3; .5090; .5096; .5100 (repealed)	2405
9505.5060 renumbered as 9505.5091	1680
9505.5060 is renumbered as 9505.5091	2405
9506.0010; .0200; .0400 (adopted)	495
9515.3000; .3010; .3020; .3030; .3040; .3050; .3060; .3070; .3080; .3090; .3100; .3110 (proposed)	84
9515.3000; .3010; .3020; .3030; .3040; .3050; .3060; .3070; .3080; .3090; .3100; .3110 (adopted)	935
9520.0760; .0790; .0800; .0810 (proposed)	1692
9520.0760; .0790; .0800; .0810 (adopted)	2702
9530.6610 (proposed)	2183
9530.6610 (adopted)	2474
9530.6610, s.5 (proposed repealer).....	2183
9545.0905; .0915; .0925; .0935; .0945; .0985; .0995; .1025; .1035; .1045; .1065; .1085; .1105; .1115 (adopted).....	526
9550.0010, s.10,11,13,16,20,21; .0040, s.7; .0050, s.4,7 (proposed repealer)	1263
9550.0010 s.10,11,13,16,20,21; .0040 s.7; .0050 s.4,7 (repealed) ...	2427
9550.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0091; .0092; .0093 (proposed)	1263
9550.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0091; .0092; .0093 (adopted).....	2427
9553.0010; .0020; .0030; .0035; .0036; .0040; .0041; .0050; .0051; .0060; .0061; .0070; .0075; .0080 (proposed).....	1694
9553.0020, s.25, 43,45; .0030, s.3-6; .0040, s.1-4; .0070, s.4 (proposed repealer)	1694
9560.0221 (proposed)	1725
9560.0221 (adopted)	2777
9560.0500; .0510; .0521; .0523; .0525; .0527; .0529; .0532; .0535; .0542; .0545; .0552; .0560; .0580; .0590; .0603; .0606; .0609; .0613; .0615; .0620; .0665; .0670 (proposed).....	1727
9560.0520; .0530; .0540; .0550; .0560, s.1; .0570; .0610; .0630 (proposed repealer)	1727
9560.0500; .0510; .0521; .0523; .0525; .0527; .0529; .0532; .0535; .0542; .0545; .0552; .0560; .0580; .0590; .0603; .0606; .0609; .0613; .0615; .0620; .0665; .0670; (adopted).....	2778
9560.0520; .0530; .0540; .0550; .0560, s.1; .0570; .0610; .0630 (repealed)	2778
9565.1200 (proposed)	1262
9565.1200 (adopted)	2248
9575.0350; .1500 (proposed)	2027
9575.0350; .1500 (adopted)	2592

Proposed Rules

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

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

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

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

Department of Children, Families, and Learning

Proposed Permanent Rules Relating to Education; Administrative and Supervisory Licensure; General Revision

Notice of Hearing

Public Hearing. The State Board of Education 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 Capital View Conference Center, 70 West County Road B2, Little Canada, Minnesota 55117, starting at 9:00 a.m. on both August 15 and 16, 1996, 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:

Allen E. Giles, Administrative Law Judge
Office of Administrative Hearings
100 Washington Square, Suite 1700
100 Washington Avenue South
Minneapolis, Minnesota 55401-2138
Telephone: 612-341-7600
FAX 612-349-2543
TDD 612-341-7346

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. The subject of the hearing will be the proposed rules governing administrative and supervisory licensure; and general revision, *Minnesota Rules* Chapters 3510; 3512; and 3517. The proposed rules are authorized by *Minnesota Statutes*, Sections 125.05 and *Laws of Minnesota* 1993, Chapter 224, Article 12, Section 34 and *Laws of Minnesota* 1996, Chapter 412, Article 9, Section 14. A copy of the proposed rule is published in the *State Register*. The proposed rules govern the licensure of superintendents, principals, directors, and coaches. The groups and individuals most likely to be affected include those personnel described above initially licensed by the Board after December 31, 1996. A free copy of the rule is available upon request from the agency contact person. The agency contact person is:

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

George B. Droubie, Personnel Licensing
Minnesota Department of Children, Families and Learning
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
Telephone: (612) 296-2046, FAX: (612) 282-2403
TDD/TTY: (612) 297-2094

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.

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: George B. Droubie, Personnel Licensing, Minnesota Department of Children, Families and Learning, 610 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101, telephone: (612) 296-2046, FAX: (612) 282-2403, TDD/TTY: (612) 297-2094.

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 the 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, or ask the agency to receive notice of future rule proceedings, 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: First Floor South, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone: (612) 296-5148.

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

Dated: 10 June 1996

Jeanne Kling, President
State Board of Education

Rules as Proposed

3510.1700 ADMINISTRATIVE CONTINUING EDUCATION PROGRAMS FOR DIRECTORS, PRINCIPALS, AND SUPERINTENDENTS.

Subpart 1. **Definitions.** The definitions in items A and B apply to this part.

A. "Clock hours" means hours of actual instruction or supervised group activities in a Minnesota administrative and supervisory continuing education program approved according to this part.

B. "Initiator" means the individual, agency, or institution that initiates and conducts continuing education programs according to this part.

Subp. 1a. Approval. All ~~administrative~~ continuing education programs for the licensure areas of superintendent of schools, elementary school principal, and secondary school principal, and the clock hours which may be earned in each program, must be approved by the commissioner of education. If clock hours are to be earned, approval must be secured before participants are registered in an ~~administrative~~ a continuing education program. Admission to all approved ~~administrative~~ continuing education programs shall be open to any licensed Minnesota school administrator or supervisor who meets the education and experience requirements for admission. The ~~State~~ department of ~~Education~~ shall disseminate lists of known approved ~~administrative~~ continuing education programs twice annually.

Subp. 2. Program initiator. The initiator of an ~~administrative~~ a continuing education program has complete responsibility for conducting that program. However, the initiator may use resources from professional associations, governmental agencies, and the private business sector. The program initiator is responsible for:

A. developing proposals for ~~administrative~~ continuing education programs in areas of study which have been identified in cooperation with licensed ~~administrators~~ directors, principals, and superintendents practicing in Minnesota school districts;

B. forwarding continuing education program proposals to the commissioner of ~~education~~ for approval;

C. maintaining communication with the commissioner of ~~education~~ concerning the status of all approved ~~administrative~~ continuing education programs offered; and

D. reporting to the commissioner of ~~education~~ the names of all individuals who complete an approved ~~administrative~~ continuing education program including the number of clock hours earned by each individual.

Subp. 3. Content of continuing education program. Each ~~administrative~~ continuing education program shall consist of at least three clock hours and each program proposal shall contain:

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

E. a description of the proposed ~~administrative~~ continuing education program which includes:

[For text of subitems (1) to (3), see M.R.]

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

Subp. 4. Term of approval. Programs may be approved for periods of time up to two years. A program will be approved if it meets the requirements of the rules and if the commissioner of ~~education~~ determines that the program is adequate to fulfill the purposes of continuing education requirements.

3510.2700 APPLICATION FOR LICENSE REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSES.

Subpart 1. In general. An applicant must qualify separately for each licensure area for which application is made and provide evidence of satisfactory completion of a program in such licensure area which has been approved by the commissioner of ~~education~~.

Each application for the issuance ~~and/or~~ or renewal of a license shall be accompanied by a processing fee in the amount of \$40 effective July 1, 1983 set by the Board of Teaching in part 8700.0600. The processing fee shall be nonrefundable for applicants not qualifying for a license, except the fee is refundable when the applicant for a license already holds the license for which application is made and that license does not expire in the year the application is submitted.

All licenses must be issued or renewed according to criteria established in rules of the State Board of Education and are valid for the period of time specified in this part. All licenses must bear the date of issuance and expire on the specified number of years from July 1 nearest the date licensure was approved. Applications for renewal must be accepted by the commissioner after January 1 of the year of expiration. The renewal period begins on July 1 of the year of expiration. After June 30 in the year of expiration, all licenses not renewed expire and are no longer valid.

Subp. 2. Initial license. The initial license issued in any licensure area is an entrance license, valid for two years. Licenses valid for administration and supervision in Minnesota schools must be granted to persons who meet all requirements of applicable statutes and rules and who complete programs approved by the commissioner leading to licensure in Minnesota institutions that are approved by the Board of Teaching pursuant to part 8700.7600 to prepare persons for licensure.

Subp. 3. Failure to complete school year of experience affecting entrance license. When one school year of administrative or supervisory experience is not completed before the expiration of an entrance license, another entrance license in that licensure area must be issued upon application. If an entrance license in any licensure area is allowed to lapse, it shall be renewed, upon applica-

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

tion, until the applicant has had one school year of administrative or supervisory experience while holding a valid entrance license after which time an applicant must qualify for a continuing license.

Subp. 4. Continuing license. A continuing license, valid for five years, must be issued and renewed upon application according to provisions enumerated in the specific licensure rules of the State Board of Education for the continuing license being issued or renewed.

3510.3100 CAUSE FOR SUSPENSION AND REVOCATION OF LICENSES.

Subpart 1. Cause. The license of an administrator, supervisor, counselor, nurse, or each a director, superintendent, or principal may be revoked or suspended for any of the following causes:

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

Subp. 2. Procedure for suspension and revocation of licenses. The State Board of Education may act to suspend or revoke the license of a person whose license was granted by the Board of Education after the following procedures have been followed:

A. A written complaint that specifies the nature and character of the charges against the licensee is filed with the State Board of Education by either the school board employing the person or by the commissioner.

B. The commissioner, within ten calendar days after the filing of the complaint with the State Board of Education, serves a copy of the complaint upon the licensee by certified mail addressed to the licensee at the licensee's last known address.

C. The licensee, within 20 calendar days after the service of the copy of charges, files with the State Board of Education an answer to the charges specified. The failure to answer within the 20-calendar-day period is a waiver of the right to a hearing.

D. A hearing conducted according to the rules of the Office of Administrative Hearings, if not waived, must be held.

Subp. 3. Revocation. Revocation includes the cancellation or repeal of a license or renewal privilege. Revocation disqualifies a person from performing any function that is permitted on the basis of holding a license issued pursuant to the rules of the State Board of Education. Revocation is final, except that a person whose license has been revoked may petition the State Board of Education for licensure pursuant to subpart 6.

Subp. 4. Suspension. Suspension includes the temporary withdrawal of a license or renewal privilege. Suspension disqualifies a person from performing any function that is permitted on the basis of holding a license issued pursuant to the rules of the State Board of Education. The length of each suspension and any terms and conditions attached to the suspension must be determined by the State Board of Education on consideration of:

A. the activity of the individual that led to the license suspension;

B. any relevant mitigating factors that the individual may interpose;

C. the prior administrative, supervisory, or teaching record of the individual; and

D. other similar factors.

Subp. 5. Applicability. Unless otherwise provided by the State Board of Education, a revocation or suspension applies to each license or renewal privilege held by the individual at the time final action is taken by the State Board of Education. A person whose license or renewal privilege has been suspended or revoked is ineligible to be issued any other license by the State Board of Education during the pendency of the suspension or revocation.

Subp. 6. Issuance of license after revocation. A person whose license or renewal privilege has been revoked by the State Board of Education may apply for and must be granted an entrance license upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled, and upon meeting current licensure standards.

Subp. 7. Issuance or reinstatement of license after suspension. A person whose license or renewal privilege has been suspended by the State Board of Education may apply for reinstatement of that license according to this subpart.

A. If the suspended license was an entrance license that has lapsed during the suspension, that license must be reinstated upon proper application after the period of suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled, if the applicant has had less than one year of administrative or supervisory experience while holding the entrance license. If the applicant has gained a year or more of experience on the entrance license before the suspension and the license has lapsed during the suspension, a five-year continuing license must be granted after all other conditions stated in this part have been met.

B. If the suspended license is an entrance license that has not lapsed during the suspension, the person may resume administrative or supervisory functions for whatever period of time remains on that license after the period of the suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled.

C. If the suspended license is a continuing license that has not lapsed during the period of the suspension, the person may

resume administrative or supervisory functions for whatever period of time remains on the continuing license after the suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled.

D. If the suspended license is a continuing license that lapsed during the period of the suspension, the person may apply for another continuing license that must be granted if the suspension has expired, the person presents reliable evidence that all terms and conditions the board imposed have been fulfilled, and demonstrates the current continuing education requirements have been completed.

E. If the suspended license was a life license, the person may resume administrative or supervisory functions after the period of the suspension has expired and after presenting reliable evidence that all terms and conditions imposed by the board have been fulfilled.

3510.3300 PROCEDURES FOR APPROVAL OF LICENSURE PROGRAMS.

Subpart 1. **Request for approval.** Institutions ~~which have been~~ approved by the Minnesota Board of Teaching pursuant to part 8700.7600 to prepare persons for licensure may request approval by the commissioner of ~~education~~ of licensure programs in administration and supervision; counseling; and coaching. ~~Such~~ The programs shall be evaluated for initial approval and thereafter shall be audited for continuing approval ~~in accordance with the provisions of parts 3510.3300 to 3510.3800~~ according to this part.

Subp. 2. **Content of program description.** Each institution shall forward from the administrator of the defined administrative and instructional unit of that institution to the commissioner of ~~education~~ a program description for each licensure program for which approval is requested. The licensure program description shall include:

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

F. a description of the field-based experience, the assessment of prior experience and preparation, and the situational observation component;

G. a description of the systematic procedure for evaluation of the licensure program which assures that all requirements for licensure have been met by all persons recommended for licensure;

~~G. H.~~ a specific identification of the plans for assessing the performance of each person who is to be judged as having successfully completed the licensure program;

H. I. evidence that the licensure program forwarded for approval has been developed with participation from the college departments involved with the licensure program, licensed practicing education personnel, school administrators, and interested citizens; and

I. J. a description of the procedures to establish and maintain an internal process for systematic evaluation of the licensure program.

Subp. 3. **Evidence required in program description.** Each program description forwarded to the commissioner of ~~education~~ by an institution for each licensure program for which approval is requested shall include evidence that:

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

Subp. 4. Appraisal of program. Before initial approval for the licensure program is granted, department staff or persons designated as program auditors by the commissioner may visit the institution to examine the licensure program for the purpose of verifying the program description and making a recommendation regarding approval status. During the operation of an approved licensure program, an audit visit to verify that the approved program complies with this part may be arranged in consultation with the institution. Program auditors shall make a written report of their findings to the commissioner and to the institution.

Department staff or persons designated as program auditors by the commissioner in consultation with the institution shall make audit visits on a five-year cycle to verify program descriptions and to make a recommendation regarding approval status of each licensure program.

Based upon appraisal of the program description prepared by the institution and the written report of the auditors, the commissioner shall:

A. grant initial approval;

B. grant continuing approval;

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

C. grant conditional approval, state the conditions, and establish time lines for meeting the stated conditions; or

D. disapprove the licensure program, state the reasons for disapproval, and, if needed, stipulate a termination date that will accommodate persons enrolled in the program.

Subp. 5. Conditional approval. If a licensure program is conditionally approved, the commissioner shall reconsider the approval status of the licensure program upon verification that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval must be withdrawn.

Subp. 6. Programs that vary in curricular design. Licensure programs that vary in curricular design must be approved provided that program components meet the criteria for approval in this part.

Subp. 7. Revisions made in program. If an institution makes revisions in an approved licensure program, the administrator of the defined administrative and instructional unit of that institution shall forward to the commissioner a written description of the licensure program revision. An audit must be made to verify that the revised licensure program continues to meet rules of the State Board of Education. Each verified licensure program revision is an amendment to the approved licensure program.

Subp. 8. Revocation or suspension due to failure to meet rules. The commissioner shall revoke or suspend the approval of a licensure program if the commissioner determines that an approved licensure program no longer complies with this part.

3510.3900 LICENSURE FOR PERSONS PREPARED IN STATES OTHER THAN MINNESOTA.

Subpart 1. Criteria. Minnesota licenses shall be granted to persons who otherwise meet applicable statutory requirements and who complete programs leading to licensure in colleges and universities located outside Minnesota. Such The licenses shall be granted only in licensure fields for which the State Board of Education has established rules governing programs leading to licensure. Such The licenses shall be issued according to either item A or B as follows:

A. Persons who complete approved programs in colleges and universities leading to licensure within states which have signed contracts with Minnesota according to the provisions of the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota entrance license. No licenses shall be issued on the basis of teaching experience only.

B. Persons who complete programs leading to licensure in colleges and universities within states which have not signed contracts with Minnesota according to the provisions of the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota entrance license when all of the following criteria are met:

[For text of subitems (1) to (4), see M.R.]

Subp. 2. Human relations requirement. Notwithstanding part 3510.4000 3512.2700 governing human relations, persons who have been prepared for licensure in states other than Minnesota shall be granted a Minnesota entrance nonrenewable one-year initial license based upon the provisions of this part.

CHAPTER 3512

STATE BOARD OF EDUCATION

QUALIFICATIONS AND LICENSURE OF SCHOOL PERSONNEL

SUPERINTENDENTS AND PRINCIPALS

3512.0100 DEFINITIONS.

Subpart 1. Scope. As used in parts 3512.0100 to 3512.1700, the terms defined in this part have the meanings given them.

Subp. 2. Administrative licensure areas. "Administrative licensure areas" means the licensure areas of directors, superintendent of schools, and school principal.

Subp. 3. Commissioner. "Commissioner" means the commissioner of children, families, and learning.

Subp. 4. Department. "Department" means the Department of Children, Families, and Learning.

Subp. 5. Director. "Director" means the director and the assistant director of special education, or the director and assistant director of community education.

Subp. 6. Principal. "Principal" means elementary and secondary school principals and assistant principals.

Subp. 7. Superintendent. "Superintendent" means superintendents and assistant superintendents.

3512.0200 EDUCATION AND EXPERIENCE REQUIREMENTS.

Subpart 1. Scope. A person holding a position as a superintendent, principal, assistant superintendent, or assistant principal must hold the appropriate license as a superintendent or principal.

Subp. 2. Teaching experience. An applicant for licensure as a superintendent or principal shall have three years of successful classroom teaching experience while holding a classroom teaching license valid for the position or positions in which the experi-

ence was gained. Licensure as an elementary school principal shall be granted to those applicants with an elementary teaching license and the elementary teaching experience required in this part. Licensure as a secondary school principal shall be granted to those applicants with a secondary teaching license and the secondary teaching experience required in this part. For purposes of this subpart, "classroom teaching license" means a license valid to teach elementary school, secondary school subjects, prekindergarten, or kindergarten to grade 12 subjects. It does not include limited licenses, provisional licenses, intern licenses, postsecondary vocational licenses, or secondary vocational licenses based on criteria other than degree requirements.

Subp. 3. K-12 principals and superintendents. An applicant for licensure as a K-12 principal or superintendent must:

A. complete a specialist or doctoral program or a program consisting of a master's degree plus 45 quarter credits in school administration. Each program must be approved by the commissioner pursuant to part 3512.2500 and be offered at a regionally accredited Minnesota graduate school; and

B. have field experience of at least 320 hours or eight weeks to be completed within 12 continuous months in elementary or secondary schools as an administrative aide to a licensed and practicing school principal, or have placement with a licensed educational administrator appropriate for the school superintendency and principalship.

Subp. 4. Licensed elementary and secondary school principals. A person licensed under this part as an elementary school principal must complete a field experience of at least 200 hours in secondary administration to qualify for licensure as a K-12 principal. A person licensed under this part as a secondary school principal must complete a field experience of at least 200 hours in elementary administration to qualify for licensure as a K-12 principal. In addition to the field experience required in this subpart, an elementary or secondary school principal must meet the requirements in part 3512.0400, subparts 2 and 3.

Subp. 5. Provisional license. A two-year nonrenewable provisional license shall be issued upon application to currently licensed elementary and secondary school principals seeking entry into a position as a K-12 principal. Evidence must be provided that the candidate is enrolled in an approved administrative licensure program for licensure as a K-12 principal.

3512.0300 SCHOOL SUPERINTENDENTS AND PRINCIPALS.

Subpart 1. License required. A person who serves as or performs the duties of a superintendent or principal shall hold a license appropriate to the position of school superintendent or school principal. Performance of duties includes duties that provide assistance to the superintendent or principal consisting of 50 percent or more in administration, supervision, evaluation, and curriculum.

Entrance licenses may be issued for each administrative licensure area for which licensure is sought. An applicant must meet requirements for licensure as a superintendent of schools or as a school principal.

Subp. 2. Institutional requirement. An institution applying to the commissioner for approval of a preparation program leading to licensure as superintendent or principal shall comply with part 3512.2500. An approved program must include a description of how applicants for licensure may have their experience and preparation in those areas listed in subpart 3 or 4 evaluated by an institution with an approved program. The evaluation must include representation from college departments involved with the licensure program and licensed practicing superintendents and principals. This evaluation must result in a plan for the applicant to complete the knowledge, skills, and abilities listed in part 3512.0500 and 3512.0600, and may include a reduction of the required college credits necessary for an applicant to be recommended for licensure or a recommendation for licensure for currently licensed elementary and secondary principals.

An approved program for the competency and situational observation component must include an exit evaluation that requires a licensure candidate to demonstrate aptitude with the knowledge, understanding, and abilities listed in part 3512.0500 and 3512.0600. The exit evaluation must focus on those skill components not previously demonstrated during completion of the field-based experience requirement. One acceptable model for evaluating aptitude in these components places the candidate in a series of realistic hypothetical problem-solving situations while being observed by a team of two to four persons including practicing administrators competent to evaluate the candidate's aptitude and knowledge of skill areas. This exit evaluation must allow the candidate to demonstrate aptitude with the knowledge areas within a reasonable time frame.

Subp. 3. Continuing licensure. A continuing license shall be issued and renewed according to part 3512.2300 governing continuing licenses.

Subp. 4. Persons holding life or permanent licenses.

A. A person holding a Minnesota life or permanent license as a superintendent or principal need not hold an entrance license or a continuing license in that administrative licensure area.

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

B. A person holding a Minnesota life license as a superintendent may serve as a secondary school principal or assistant principal or as an elementary school principal or assistant principal.

Subp. 5. Administrative licensure completed outside of Minnesota. A person prepared in another state must be granted an initial license in accordance with part 3512.2600. One year of full-time experience as a superintendent, assistant superintendent, principal, or assistant principal in another state may be substituted for the field experience required by part 3512.0400.

Subp. 6. Effective date. After July 1, 1996, persons who make application for licensure as a superintendent or principal must comply with this part.

3512.0400 PROGRAM REQUIREMENTS.

Subpart 1. Field experience. A college or university shall design a field experience to accommodate a person's needs and emphasize the knowledge and skills of the program outcomes. A person taking part in field experiences shall not replace required principals or superintendents. Program outcomes of the field experience should be mutually agreed upon with the candidate and the on-site administrator. Emphasis should be placed on knowledge, skills, and outcomes not included in a person's previous preparation and experiences.

Subp. 2. Evaluation of prior experience and preparation. An approved administrative licensure program must include a description of how an applicant's experience and preparation is evaluated by an institution for licensure or for recommendation for licensure for licensed elementary and secondary school principals.

Subp. 3. Situational observation component. An approved licensure program for superintendents and principals must include a component that requires a person to demonstrate mastery of the program knowledge and skills contained in parts 3512.0500 and 3512.0600. The extent of mastery shall be evaluated by placing the person in a series of realistic hypothetical problem-solving situations while being observed by a team of two to four persons, including a licensed school administrator, competent to evaluate the extent of mastery of the knowledge and skills. Other committee members should be selected from higher education preparers of school administrators and school board members. The exit evaluation should focus on knowledge and skills not previously demonstrated during the field experience requirements and may contain a combination of objective examinations, portfolio reviews, and observations.

3512.0500 PROGRAM REQUIREMENTS FOR K-12 PRINCIPALS.

Subpart 1. Scope. A program leading to the licensure of K-12 principals must provide an applicant for licensure with knowledge, skills, and abilities in all of the subjects listed in subparts 2 to 22.

Subp. 2. Leadership. Possessing leadership skills includes the ability to:

A. provide purpose and direction for individuals and groups;

B. shape school culture and values;

C. facilitate the development of a shared vision for the school; and

D. formulate goals and plan change efforts with staff by setting priorities in the context of community and district priorities and student and staff needs.

Subp. 3. Information collection. Possessing information collection skills includes the ability to:

A. gather data and facts from a variety of sources about families, students, parents, staff members, administrators, and community members;

B. seek knowledge about policies, rules, laws, precedents, or practices;

C. manage data flow; and

D. classify and organize information for use in decision making and monitoring information.

Subp. 4. Problem analysis. Possessing problem analysis skills includes the ability to:

A. identify the elements of a problem situation by analyzing relevant information, frame issues, and identify possible causes;

B. seek additional needed information and frame and reframe possible solutions;

C. demonstrate conceptual flexibility; and

D. assist others in forming opinions about problems and issues.

Subp. 5. Judgment. Possessing judgment skills includes the ability to:

A. reach logical conclusions by making quality, timely decisions based on the available information;

B. demonstrate adaptability; and

C. give priority to significant issues.

Subp. 6. Organizational oversight. Possessing skills in organizational oversight includes the ability to:

- A. plan and schedule work so that resources are used appropriately and goals are met;
- B. schedule the flow of activities;
- C. establish procedures to regulate activities; and
- D. monitor projects to meet deadlines.

Subp. 7. Implementation skills. Possessing implementation skills includes the ability to:

- A. put programs into action;
- B. facilitate the coordination and collaboration of tasks;
- C. establish project checkpoints and monitor progress;
- D. provide corrections when actual outcomes start to diverge from intended outcomes or when new conditions require adaptation; and
- E. support those persons responsible for carrying out projects and plans.

Subp. 8. Delegation of authority. Possessing skills in the delegation of authority includes the ability to:

- A. assign projects, tasks, and responsibilities with delegated authority to accomplish them in a timely and acceptable manner;
- B. utilize subordinates effectively; and
- C. follow up on delegated activities.

Subp. 9. Instruction and the learning environment. Possessing instruction and learning environment skills includes the ability to:

- A. create a school culture for learning;
- B. envision and enable instructional and auxiliary programs for the improvement of teaching and learning;
- C. recognize the developmental needs of elementary, secondary, and middle level students in order to design positive learning experiences;
- D. accommodate differences in cognition and achievement; and
- E. mobilize the participation of appropriate people to develop programs and to establish a positive learning environment.

Subp. 10. Curriculum design. Possessing knowledge of curriculum design includes the ability to:

- A. understand major curriculum design models and interpret school district curricula;
- B. initiate needs analysis and plan and implement with staff a framework for instruction;
- C. align curriculum and outcomes;
- D. monitor social and technological developments as these developments affect curriculum, including youth service programs;
- E. solicit input from families, parents, the public, and the business community; and
- F. adjust curriculum content as needs and conditions change.

Subp. 11. Student guidance and development. Possessing knowledge of student guidance and development includes the ability to:

- A. understand and accommodate student growth and development;
- B. provide for student guidance and auxiliary services;
- C. utilize community organizations in responding to family needs;
- D. enlist the participation of people to design and conduct programs for connecting school programs with plans for adult life; and
- E. plan for a comprehensive program of student activities.

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

Subp. 12. Staff development. Possessing knowledge of staff development includes the ability to:

A. work with faculty and staff to identify professional needs and to plan, organize, and facilitate programs that improve faculty and staff effectiveness that are consistent with institutional goals and needs;

B. supervise individuals and groups;

C. provide feedback on staff performance and arrange for remedial assistance;

D. engage faculty and others to plan and participate in recruitment and development activities;

E. initiate self-development; and

E. ensure the provision of training for all general education, special education, and interagency staff, including administrative, professional, paraprofessional, and support staff, on skills for collaboration, teaming, consulting, and conflict resolution.

Subp. 13. Measurement and evaluation. Possessing skills in measurement and evaluation includes the ability to:

A. determine what diagnostic information is needed about students, staff, and the school environment;

B. examine the extent to which outcomes meet defined standards, goals, or priorities;

C. draw inferences for program revisions;

D. interpret measurements or evaluations;

E. relate programs to outcomes; and

F. develop equivalent measurements of competence and design accountability mechanisms.

Subp. 14. Resource allocation. Possessing skills in resource allocation includes the ability to:

A. procure, apportion, monitor, account for, and evaluate fiscal and human materials and time resources to reach outcomes that reflect the needs and goals of the school; and

B. plan and develop the budget process with appropriate staff.

Subp. 15. Motivation. Possessing knowledge of motivation includes the ability to:

A. develop conditions that enhance the staff's willingness to focus on achieving educational excellence;

B. plan and encourage participation;

C. facilitate teamwork and provide intellectual stimulation and support innovation;

D. recognize and reward effective performance; and

E. provide feedback, coaching, guidance, and needed resources.

Subp. 16. Sensitivity. Possessing sensitivity includes the ability to:

A. understand the concerns of others;

B. deal tactfully with others;

C. work with others in stressful situations or in conflict;

D. manage conflict and obtain feedback;

E. recognize multicultural differences; and

F. advocate for family and child issues and work with families to develop parent involvement in the education of children.

Subp. 17. Oral and nonverbal expression. Possessing skills in oral and nonverbal expression includes the ability to:

A. make presentations that are clear and easy to understand and clarify and restate questions;

B. respond, review, and summarize information for groups;

C. utilize communication aids;

D. recognize cultural and gender-based norms; and

E. adapt to audiences and make educational issues clear to parents and the public.

Subp. 18. Written expression. Possessing skills in written expression includes the ability to:

A. express ideas clearly in writing;

B. write appropriately for different audiences such as students, teachers, and parents; and

C. prepare memoranda, letters, reports, and other job-specific documents.

Subp. 19. Philosophical and cultural values. Possessing knowledge of philosophical and cultural values includes the ability to:

- A. act with an understanding of the role of education in a democratic society in accordance with accepted ethical standards;
- B. recognize philosophical influences in education; and
- C. reflect an understanding of American culture including current social and economic issues related to education.

Subp. 20. Legal and regulatory applications. Possessing knowledge of legal and regulatory applications includes the ability to:

- A. act in accordance with federal and state constitutional provisions, statutory law, and regulatory applications governing education;
- B. work within local rules, procedures, and directives;
- C. recognize standards of care involving civil and criminal liability for negligence, harassment, and intentional torts;
- D. administer contracts and financial accounts; and
- E. understand:
 - (1) state and federal laws governing special education;
 - (2) alternative instructional designs;
 - (3) curriculum and behavior modifications;
 - (4) assessment accommodations;
 - (5) parent involvement; and
 - (6) labor relations and collective bargaining.

Subp. 21. Policy and political influences. Possessing knowledge of policy and political influence includes the ability to:

- A. understand schools as political systems;
- B. identify relationships between public policy and education;
- C. recognize policy issues;
- D. examine and affect policies individually and through professional and public groups;
- E. relate policy initiatives to the welfare of students and families; and
- F. address ethical issues.

Subp. 22. Public and media relations. Possessing knowledge of public and media relations includes the ability to:

- A. develop perceptions about school issues;
- B. interact with internal and external publics;
- C. understand and respond to the news media;
- D. initiate and report news through appropriate channels;
- E. manage school reputations by promoting a positive image;
- F. enlist public participation and support; and
- G. recognize and provide for various markets.

3512.0600 PROGRAM REQUIREMENTS FOR SUPERINTENDENTS.

Subpart 1. Scope. A program leading to the licensure of superintendents must provide an applicant for licensure with knowledge, skills, and abilities in all of the subjects listed in subparts 2 to 9.

Subp. 2. Leadership and district culture. Possessing leadership skills and knowledge of district culture includes the ability to:

- A. demonstrate collaborative leadership by developing district vision, school culture, and climate;
- B. provide purpose and direction for individuals and groups;
- C. demonstrate an understanding of issues affecting education;

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

- D. formulate strategic plans and goals with staff and community;
- E. set priorities in the context of community, student, and staff needs; and
- E. serve as a spokesperson for the welfare of all students in a multicultural context.

Subp. 3. Policy and governance. Possessing skills in policy and governance includes the ability to:

- A. develop and implement procedures for working with the State Board of Education in defining expectations, working relationships, and strategies for formulating district policy for external and internal programs;
- B. adjust local policy to state and federal requirements and constitutional provisions, standards, and regulatory applications;
- C. recognize and apply standards involving civil and criminal liabilities;
- D. understand state and federal laws governing special education;
- E. understand alternative instructional designs, curriculum, behavior modifications, and assessment accommodations;
- F. foster family and parent involvement in the education of children; and
- G. understand labor relations and collective bargaining.

Subp. 4. Communications and community relations. Possessing knowledge of communications and community relations includes the ability to:

- A. articulate district purpose and priorities to the community and media;
- B. request and respond to community feedback and demonstrate consensus building and conflict mediation;
- C. identify, track, deal with issues, and formulate and carry out plans for internal and external communications;
- D. exhibit an understanding of school districts as political systems by applying communication skills to strengthen community support;
- E. align constituencies in support of district priorities, building coalitions to gain financial and programmatic support, and to formulate strategies for referenda; and
- E. relate political initiatives to children and families, including parental involvement programs.

Subp. 5. Organizational management. Possessing organizational management skills includes the ability to:

- A. demonstrate an understanding of the school district as a system by defining processes for gathering, analyzing, and using data for decision making;
- B. manage the flow of data, frame and solve problems, frame and develop priorities, and formulate solutions;
- C. assist others to form reasoned opinions and research logical conclusions and make quality decisions to meet internal and external customer expectations;
- D. plan and make decisions to meet customer expectations;
- E. plan and schedule personal and organizational work, establish procedures to regulate activities and projects, and delegate and empower others at appropriate levels; and
- E. secure and allocate human and material resources, develop and manage the district budget, and maintain accurate fiscal records.

Subp. 6. Curriculum planning and development. Possessing knowledge of curriculum planning and development includes the ability to:

- A. design curriculum and strategic plans for elementary, secondary, and middle level students that enhance teaching and learning in multiple contexts;
- B. provide planning and methods to anticipate occupational trends, youth service programs, and their educational implications;
- C. identify instructional objectives and validation procedures for curricular units;
- D. align and sequence curriculum by using valid and reliable performance indicators and by testing procedures to measure performance outcomes; and
- E. describe the proper use of learning and information technologies.

Subp. 7. Instructional management. Possessing skills in instructional management includes the ability to:

- A. demonstrate knowledge of instructional management that includes research findings on learning and instructional strategies, instructional time, advanced technologies, and resources to maximize student outcomes; and

B. describe and apply research and best practice on integrating curriculum and resources for multicultural sensitivity and assessment strategies to help all students achieve at high levels.

Subp. 8. Human resource management. Possessing knowledge of human resource management includes the ability to:

- A. utilize a staff evaluation and development system to improve the performance of all staff members;
- B. select appropriate models for supervision based on adult motivation research;
- C. identify employee benefits packages; and
- D. describe and apply the legal requirements for personnel selection, development, retention, and dismissal.

Subp. 9. Values and ethics of leadership. Possessing knowledge of values and ethics of leadership includes the ability to:

- A. understand and model value systems, ethics, and moral leadership and know the role of education in a democratic society;
- B. exhibit multicultural and ethnic understanding of behavior and adapt educational programming to the needs of diverse constituencies;
- C. balance complex community demands in the best interest of the student and scan and monitor the environment for opportunities for staff and students;
- D. respond in an ethical and skillful way to the news media; and
- E. coordinate social agencies and human services to help students grow and develop as caring, informed citizens.

3512.0700 ADMINISTRATIVE LICENSURE WITHOUT TEACHING EXPERIENCE.

Subpart 1. Scope. This part is intended for an applicant for licensure for K-12 principal and superintendent completing an approved licensure program, but lacking the teaching experience requirement.

Subp. 2. Degree requirement. An applicant shall meet the degree requirement in part 3512.0200, subpart 3.

Subp. 3. Field experience. An applicant shall have satisfactorily completed a field experience in school administration, which shall be in a school setting under the supervision of educators from an approved college or university school administration program. The field experience must consist of at least 320 hours and is in addition to the internship experience described in subpart 4.

Subp. 4. Internship requirement. An applicant shall have experience in curriculum, school organization, philosophy of education, and elementary and secondary schools. The internship shall:

- A. include one school year of classroom experience;
- B. be under the supervision of a practicing, licensed school administrator;
- C. include supervision provided by educators from an approved school administration program; and
- D. be based on a written agreement between the intern, the approved school administration preparation institution, and the school district in which the internship is completed.

3512.0800 ALTERNATIVE LICENSURE FOR SCHOOL SUPERINTENDENTS.

Subpart 1. Intent of alternative license. An applicant for an alternative license shall demonstrate skills and competencies needed to perform the functions of a superintendent. This alternative is intended for applicants lacking the teaching background and administrative preparation program required in parts 3512.0200 and 3512.0400.

Subp. 2. Procedures for licensure. An applicant for an alternative license must demonstrate that the applicant has substantive experience and education in administration, supervision, management, and executive leadership, in either education, health care, business or industry, labor, or government. An applicant for an alternative license shall:

- A. complete a written application;
- B. provide a written description of the exceptional qualifications;
- C. provide an official college transcript;
- D. document other educational and leadership experience;
- E. provide a professional resume; and

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

E. include letters of recommendation and portfolio examples.

Subp. 3. Credential review committee. An applicant may appear before a credential review committee and present evidence relating to the applicant's proposed effectiveness as a superintendent. Data and information regarding leadership effectiveness shall be presented as may testimony from teachers, parents, students, site council members, community members, and other interested persons. The review committee may consist of a licensed administrator appropriate to the field, a college or university administration preparer, and a member of a local school board or person of similar background. The credential review committee shall make a recommendation to the manager of the licensing team regarding licensure.

Subp. 4. Leadership experience. The applicant shall demonstrate a level of responsibility comparable to the position for which a license is sought and a record of successful and effective administrative behavior. The level of responsibility shall include any administrative, managerial, or supervisory positions.

Subp. 5. Education. The candidate shall have an undergraduate degree from a regionally accredited institution and broad formal preparation at the post-baccalaureate level including a master's degree or equivalent in areas such as those listed in subpart 2.

Subp. 6. Issuance of license. Initial and renewal licenses shall be issued according to this subpart.

A. Based upon the credential review committee recommendation, the applicant may be granted a two-year entrance license. The commissioner may also identify needed activities which the candidate shall implement during the period of the entry license to strengthen the individual's skills which may lead to improved results as a principal. This may include a mentoring experience or specific skills or competencies that need improvement.

B. The two-year entrance license may be renewed for a five-year license after verification of one year of successful administrative experience. Subsequent five-year renewals shall be granted based upon continuing education requirements in part 3510.2700, subpart 4.

Subp. 7. Appeal. If the candidate's initial application is rejected, an appeal may be filed with the state board of education within 30 days of the denial.

Subp. 8. Fee. In addition to the license fee under part 3512.2000, subpart 1, the commissioner may charge a fee for the review process to recover costs.

3512.1100 SUPERINTENDENT SKILLS AND COMPETENCIES.

Subpart 1. Scope. An applicant for a superintendent license under part 3512.0800 shall demonstrate knowledge, skills, and abilities in all of the subjects listed in subparts 2 to 7.

Subp. 2. Leadership. Possessing leadership skills includes the ability to:

- A. demonstrate executive leadership by shaping culture and climate and develop vision;
- B. provide purpose and direction for individuals and groups;
- C. demonstrate an understanding of issues affecting education;
- D. formulate plans, goals, and change efforts with staff and community; and
- E. set priorities in the context of community, student, and staff needs and serve as a spokesperson for the welfare of families and students in a multicultural context.

Subp. 3. Policy and governance. Possessing knowledge of policy and governance includes the ability to:

- A. develop and implement procedures for working with groups that define expectations, working relationships, and strategies for formulating policy for external and internal programs;
- B. adjust local policy to state and federal requirements and constitutional provisions, standards, and regulatory applications;
- C. recognize and apply standards involving civil and criminal liabilities;
- D. understand state and federal laws governing special education and related requirements;
- E. involve parents in the education of children; and
- F. understand labor relations and collective bargaining.

Subp. 4. Communications. Possessing communication skills includes the ability to:

- A. articulate purpose and priorities;
- B. request and respond to community feedback and demonstrate consensus building and conflict mediation;
- C. identify, track, and deal with issues and formulate and carry out plans for internal and external communications;
- D. exhibit an understanding of school districts as political systems and align constituencies in support of district priorities;

- E. build coalitions to gain financial and programmatic support and formulating strategies for referenda; and
- F. relate political initiatives to the welfare of families and children, including parental involvement programs.

Subp. 5. Human resource management. Possessing knowledge of human resource management includes the ability to:

- A. understand staff evaluation and staff development;
- B. select appropriate models for supervision based on research; and
- C. understand employee benefit packages and the legal requirements for personnel selection, development, retention, and dismissal.

Subp. 6. Personal attributes and social context. Possessing knowledge of personal attributes and social context includes the ability to:

- A. understand the role of education in a democratic society;
- B. recognize multicultural and ethnic understanding and behavior and understand the needs of diverse constituencies;
- C. balance community demands in the best interest of constituencies;
- D. monitor opportunities for staff and students; and
- E. respond in an ethical and skillful way to the media and coordinating social agencies and human services.

Subp. 7. School district management. Possessing school district management skills includes the ability to:

- A. demonstrate an understanding of a school district as a system by defining processes for decision making, flow of data, framing and solving problems, and developing priorities and formulating solutions;
- B. assist others to form opinions and reach conclusions based on research and make decisions to meet expectations; and
- C. secure and allocate human and material resources, develop and manage the district budget, and maintain accurate fiscal records.

3512.1300 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.

Subpart 1. Materials required to surrender license. A person holding a license granted by the State Board of Education may voluntarily surrender the license by submitting to the manager of the personnel licensing section of the Department of Children, Families, and Learning:

- A. a written request to surrender that specifies the license or licenses to be surrendered;
- B. the applicant copy of the license;
- C. the school district copy of the license with a written statement that the employing school superintendent, or in the case of a superintendent license, the school board chair, has been notified that the school district copy of the license has been removed from the school district files; and
- D. the required processing fee under part 3512.2000.

Subp. 2. Surrender date. When the manager of the personnel licensing section receives the materials listed in subpart 1 by January 1, the date of surrender is July 1 of that year. If the materials are received after January 1, the date of license surrender is July 1 of the following calendar year. An applicant may revoke the request to surrender a license. The revocation must be made in writing to the manager of the personnel licensing section no later than December 31 of the year in which the request for voluntary surrender is received by the manager of the personnel licensing section.

Subp. 3. When surrender is prohibited. A person may not voluntarily surrender a license if:

- A. the school board has begun proceedings to terminate the continuing contract, pursuant to Minnesota Statutes, section 125.12, subdivision 6 or 8, or 125.17, subdivision 4;
- B. the State Board of Education has begun proceedings to suspend or revoke the license pursuant to Minnesota Statutes, sections 125.09 and 214.10; or
- C. any educational agency or board has begun proceedings that could result in alteration of the status of the license due to the person's conduct.

Subp. 4. Entrance license after surrender. A person whose Minnesota administrative or supervisory license has been volun-

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

tarily surrendered may apply for entrance licensure in the field for which licensure was previously surrendered. An entrance license must be granted to the applicant if:

A. a licensure rule exists in the field for which licensure was previously surrendered;

B. the applicant meets the entrance licensure standards that are in effect in the field at the time of application and meets procedures in State Board of Education rules applicable to an entrance license; and

C. the required processing fee under part 3512.2000 accompanies the application for entrance licensure.

Subp. 5. Disclaimer. Subparts 1 to 4 do not prohibit a person from holding or applying for a license in any administrative or supervisory field upon surrender of an administrative or supervisory license in another field.

3512.1600 APPEALS.

Subpart 1. Licensure denials. A person denied an administrative license may appeal the denial under Minnesota Statutes, chapter 14, to a final decision by the State Board of Education.

Subp. 2. Appeal request. A person entitled to a hearing under this part shall file a written request for a hearing with the executive director of the State Board of Education within 30 days from the date of the denial. Failure to file a written request for a hearing within 30 days constitutes a waiver of the person's right to a hearing.

3512.1700 RULES REVIEW.

Licensure standards for superintendents and principals shall be reviewed every even-numbered year beginning in the year 2000. The review shall be conducted by a committee appointed by the commissioner who shall report recommendations to the commissioner and State Board of Education.

SUPERVISORY AND SUPPORT PERSONNEL

3512.2100 ENTRANCE LICENSE.

Requirements must be met for each administrative area where licensure is sought. An entrance license shall be issued to an applicant who has met all of the following requirements. An applicant must:

A. fulfill the requirements of parts 3512.2000, subparts 1 and 2, and 3512.2700; and

B. be recommended for licensure by a Minnesota college or university which, in making such a recommendation, attests to satisfactory completion of the approved program by the applicant. An applicant coming to Minnesota from another state must present to the commissioner a transcript of college or university work to be analyzed in order to determine comparability of program.

3512.2300 CONTINUING LICENSE.

Subpart 1. Continuing license for those holding entrance license. An applicant who completes at least one school year of administrative or supervisory experience in a licensure area while holding an entrance license shall be issued a continuing license, valid for five years. When a licensure area is added to a continuing license already in force, a continuing license is issued, and the expiration date becomes that already established for the continuing license in force.

Subp. 2. Life license. An applicant who holds a life license who subsequently completes an approved program in an additional licensure area shall be issued a continuing license, valid for five years for the additional licensure area.

Subp. 3. Renewal of continuing licenses. The renewal of continuing licenses must be issued to an applicant who provides evidence of completion of 125 clock hours of approved administrative and supervisory continuing education earned according to part 3512.1200 during the five-year period immediately before renewal of the continuing license. Approval of continuing education programs, and the clock hours that may be earned in each program, must be according to part 3512.1200. Relevant courses completed at accredited colleges and universities may be used toward the clock hour requirement. One quarter college credit equals 15 clock hours; one semester college credit equals 20 clock hours. Renewal requirements must be met during the five-year period of each continuing license and no clock hours shall carry forward into any subsequent five-year licensure period.

Subp. 4. Lapsed license. If a continuing license has been allowed to lapse and the applicant has not been employed as an administrator or supervisor during the year immediately before the application for renewal, the applicant must provide evidence that:

A. 125 clock hours of approved administrative and supervisory continuing education have been earned according to this part during the five-year period immediately before the application for a continuing license, in which case a five-year continuing license must be granted; or

B. a position has been offered contingent upon holding a valid license, and demonstrate that there is insufficient time to complete 125 clock hours of approved administrative and supervisory continuing education, in which case a nonrenewable one-year license may be granted. Upon expiration of the nonrenewable one-year license, the applicant must qualify for a continuing license according to subpart 3.

HEAD COACHES

3512.3000 LICENSE RENEWAL OF HEAD VARSITY COACHES OF INTERSCHOLASTIC SPORTS IN SENIOR HIGH SCHOOLS.

A person who holds or has held a license as a head varsity coach of interscholastic sports in senior high schools issued before July 1, 1996, under parts 3510.7500 to 3510.7900 may continue to renew this license according to requirements of the Board of Teaching governing continuing education relicensure.

3512.3100 EMPLOYMENT OF HEAD VARSITY COACHES OF INTERSCHOLASTIC SPORTS IN SENIOR HIGH SCHOOLS.

A school district may employ a person as a head varsity coach of an interscholastic sport in a senior high school provided that:

- A. in the judgment of the school board, the person has the knowledge and experience necessary to coach the sport;
- B. the person can verify completion of six quarter credits, or the equivalent, or 60 clock hours of instruction in first aid and the care and prevention of athletic injuries; and
- C. the person can verify completion of a coaching methods or theory course.

COMMUNITY EDUCATION DIRECTORS

3512.3500 DIRECTORS OF COMMUNITY EDUCATION.

Subpart 1. Scope. A person who serves as a district director of community education shall hold a license as a director of community education.

Subp. 2. License requirement. An applicant recommended for licensure as a director of community education shall:

- A. hold a baccalaureate degree from a regionally accredited college or university; and
- B. satisfactorily complete a preparation program listed in subpart 3, approved by the commissioner leading to licensure of directors of community education.

Subp. 3. Program requirement. A program leading to the licensure of directors of community education must consist of a minimum of 30 quarter hours, or the equivalent, and must provide a candidate recommended for licensure with the knowledge, skills, and abilities in all of the subjects listed in items A to H.

A. Community assessment includes the ability to:

- (1) prepare and conduct a survey and tabulate and interpret the results;
- (2) conduct interviews with community leaders, interagency personnel, and residents;
- (3) address values and attitudes of various racial, ethnic, and socioeconomic subgroups within the community;
- (4) understand the concept that individuals can determine their destiny within a rapidly changing society;
- (5) analyze community power structure and its interaction for promoting community growth; and
- (6) identify the physical, human, civic, social, financial, and cultural resources of the community.

B. Community involvement includes:

- (1) skill in the application of the resolution of community issues process;
- (2) knowledge of the types of advisory councils and their organization and potential functions;
- (3) ability to involve an advisory council in addressing community issues;
- (4) knowledge of methods of sustaining community involvement in the community education process; and
- (5) knowledge of the techniques for developing leadership among community members.

C. Public relations and communications includes the:

- (1) ability to speak before varied community groups to impart information about and understanding of community education;
- (2) ability to identify the media outlets available to local programs and the conditions under which each is used;

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

- (3) skill to develop articles such as publications, newsletters, and program brochures for program dissemination;
- (4) ability to articulate the community education concept, its development, implementation, maintenance, and expansion;
- (5) knowledge of the process available to identify community wants and needs; and
- (6) skills necessary to conduct effective meetings and the ability to train others to conduct effective meetings.

D. Coordination and cooperation includes the ability to:

- (1) develop strategies for building trust among community groups and between individuals;
- (2) participate in mutual goal setting activities with other groups and agencies; and
- (3) acknowledge and accept the autonomy of various groups and programs.

E. Program management includes the:

- (1) knowledge of the philosophy, mission, purpose, and current rules and regulations for community education programs;
- (2) skills necessary to conduct needs assessments, determine educational objectives, select and organize learning experiences, schedule and promote programs, and registration procedures;
- (3) skills necessary to recruit and provide in-service education to staff members; and
- (4) skills needed to supervise facilities, activities, and personnel.

E. Evaluation includes skills to:

- (1) evaluate personnel;
- (2) work with staff in evaluating individual programs; and
- (3) monitor evaluation efforts of staff and consultants for the total community education program.

G. Philosophy and administration of community education includes knowledge of:

- (1) the role of the local school district's administrative team and the community education director's place within it;
- (2) the professional responsibilities of superintendents, principals, teachers, and staff;
- (3) management styles;
- (4) management by objectives;
- (5) history and philosophy of education;
- (6) general education curriculum development;
- (7) goal development and achievement and the ability to implement goals;
- (8) education law as it pertains to community education;
- (9) education finance as it pertains to community education;
- (10) the history and philosophy of community education; and
- (11) human relations including intercultural and interpersonal components.

H. Practicum, which is field experience, includes at least 200 clock hours in an administrative position under the supervision of a licensed director of community education. During the field experience, the candidate shall demonstrate the ability to apply the knowledge and skills listed in items A to G. A person prepared in another state as director of community education may substitute one year of experience as a district wide director of community education in another state for the field experience.

Subp. 4. Institutional requirement. An institution applying to the commissioner for approval of a program leading to licensure as directors of community education shall comply with part 3512.2500. An approved program must include a description of how applicants for licensure may have their experience and preparation in those areas listed in subpart 3 evaluated by an institution with an approved program. The evaluation must include representation from college departments involved with the licensure program and licensed practicing directors of community education. This evaluation must result in a plan for the applicant to complete the knowledge, skills, and abilities listed in subpart 3 and may include a reduction of the required college credits necessary for an applicant to be recommended for licensure.

Subp. 5. Situational observation component. An approved program must include a component that requires a licensure candidate to demonstrate mastery of the requirements in subpart 3. The extent of mastery must be evaluated by placing the candidate in a series of realistic hypothetical problem-solving situations while being observed by a team of at least four persons competent to evaluate the extent of mastery of the requirements in subpart 3. This component must allow the candidate to demonstrate mastery of all the requirements in subpart 3 during a single period of observation.

A written test to evaluate the extent of mastery must not count for more than 50 percent of the score evaluating mastery of all the requirements in subpart 3.

Subp. 6. Issuance and renewal of licenses. A license must be issued according to part 3512.2000. Continuing licenses must be renewed according to part 3512.2300.

Subp. 7. Pre-1990 directors. A person serving as a district director of community education in Minnesota between July 1, 1984, and July 1, 1990, shall, upon application and verification of one year of experience as either a part-time or full-time director of community education, be granted an entrance license as a director of community education.

Subp. 8. Continuing license. A person who has been issued an entrance license based upon one year of experience between July 1, 1984, and July 1, 1990, shall be granted the first five-year continuing license after completing the human relations requirement in part 3512.2700 and one year of experience as either a part-time or full-time director of community education while holding the entrance license as verified by the employing superintendent of schools. Later continuing licenses must be renewed according to part 3512.2300.

Subp. 9. Approval for exception. Subject to the conditions in this subpart, the commissioner shall issue a letter of approval to a school district annually to allow the district to use an individual who is not fully licensed as the community education director if the school district is unable to employ a fully licensed director of community education.

A. Letters of approval must be issued to school districts only if the individual is enrolled in an approved program leading to licensure as a director of community education and can show evidence that the individual will complete the program within three school years.

B. A school district must apply annually for letters of approval and must not exceed the three years stated in item A for any one individual.

C. The school superintendent shall verify in writing the district's inability to contract with a fully licensed director of community education for a position. The verification must state how the position was advertised and that no licensed director of community education who wishes to assume the position has been placed on unrequested leave by the district, and that no licensed community education director applied for the position.

SPECIAL EDUCATION DIRECTORS

3512.4000 DIRECTORS OF SPECIAL EDUCATION.

Subpart 1. Scope. A person who serves or performs the duties of a director or assistant director of special education as specified in part 3525.2405, shall hold a license as a director of special education. A program supervisor is not required to hold this license. A person holding a Minnesota life license as a supervisor of special education may serve as a director or an assistant director of special education.

Subp. 2. Licensure requirements. An applicant for licensure as a director of special education shall:

A. have two years of teaching experience in special education while holding a license valid for the position or positions in which the experience was gained;

B. complete a specialist or doctoral program, or a program consisting of a master's degree plus 45 quarter credits unless up to 30 credits are waived under subpart 4, in a preparation program approved by the commissioner that is offered at a regionally accredited Minnesota graduate school; and

C. be recommended for licensure as a director of special education by a Minnesota college or university that, in making the recommendation, attests to the satisfactory completion by the applicant of the approved program, and the evaluation process.

Subp. 3. Program requirements. The approved program must include preparation that enables the candidate to acquire knowledge, understanding, and abilities in the following areas:

A. General education administration means the ability to:

(1) understand, and be able to implement, the principles and strategies that will result in meaningful involvement of parents or guardians in the educational process including development of the verbal and nonverbal language that conveys an attitude of respect for what parents or guardians have to bring to the development of a working partnership with school personnel;

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

(2) understand the principles of personnel management, including determining personnel needs, recruitment, assignment, supervision, and evaluation;

(3) understand state and federal laws and rules regarding education, including data privacy;

(4) understand the principles of social organization, including school-community relations and parent-school relations and understand communication strategies;

(5) understand models of professional development and staff preparation;

(6) know and understand group process, communication, and strategy skills including conflict management and resolution, listening skills, speaking skills, principled negotiation, strategies for change, and development of mission;

(7) know and understand individual or personal behavior styles and how they interact under normal and stress conditions;

(8) understand models of program planning, design, implementation, evaluation, including program design, data collection, and data analysis;

(9) know and understand different management models and styles;

(10) know and understand the models of general school finance being used nationally and in Minnesota;

(11) know case law regarding general education;

(12) know school organization and administration models being used nationally and understand the models used in Minnesota;

(13) know and understand elementary and secondary curriculum;

(14) know and understand school effectiveness research and its effect on instructional programs;

(15) know and explore current technology tools designed to deliver instruction and manage student instructional data; and

(16) understand human relations including intercultural and interpersonal components.

B. Special education administration means the ability to:

(1) understand, and be able to implement, the principles and strategies that will result in meaningful involvement of parents or guardians in the educational process including development of the verbal and nonverbal language that conveys an attitude of respect for what parents or guardians have to bring to the development of a working partnership with school personnel and strategies on how to present educational and due-process information in a clear, concise, and nonthreatening manner;

(2) understand the current state and federal laws and rules regarding the delivery of educational programs for pupils with a disability;

(3) understand the current state and federal laws, rules, and procedures regarding special education finance, budgeting, and accounting;

(4) understand case law regarding special education and the education of pupils with a disability;

(5) understand special education instructional delivery service models including methods and materials;

(6) understand special education program development, including needs assessment, program design, and evaluation;

(7) understand the purpose of and resources available from agencies and organizations serving pupils with a disability and their parents;

(8) know special education administrative models used nationally, and understand the models being used in Minnesota; and

(9) know and explore current technology tools designed specifically for the handicapped including delivering instruction, student physical assistance, for example, communication and braille translation, and managing student information.

C. The program must provide the candidate with a practicum or field experience, that must include a minimum of 200 hours in an administrative position under the immediate supervision of a functioning director of special education. During the field experience, the candidate shall demonstrate competency in the areas listed in items A and B. A person prepared in another state as a director of special education may substitute one year of full-time experience as a director or assistant director of special education in another state for the field experience required by this item.

Subp. 4. Institutional requirement and evaluation process.

A. An institution applying to the commissioner for approval of a program leading to licensure of directors of special education shall comply with part 3512.2500. An approved program must include a description of how licensure candidates may have their experience and preparation, in those areas listed in subpart 3, evaluated by the institution.

B. The initial evaluation must include representation from college departments involved with the licensure program and must include practicing directors of special education. The evaluation must occur before the candidate's program is filed with the institution. The evaluation must result in an individual plan for the applicant to attain the necessary knowledge, skills, abilities, and understandings listed in subpart 3, items A and B. If an applicant can demonstrate competencies based on an evaluation of prior experience and training that has a direct relationship to the requirements noted in subparts 2 and 3, this plan may include a reduction of up to 30 of the required quarter credits. The plan may also include a listing of additional areas of skill development in which the candidate shall consider additional preparation. The structure of the plan must clearly show which experiences or activities relate to which skills.

C. An approved program for the competency and situational observation component must include an exit evaluation that requires a licensure candidate to demonstrate facility with the areas listed in subpart 3, items A and B. The exit evaluation must focus on those skill components not previously demonstrated during completion of the practicum requirement. One acceptable model for evaluating aptitude in those components can be achieved by placing the candidate in a series of realistic hypothetical problem-solving situations while being observed by a team of at least two to four persons competent to evaluate the candidate's aptitude and knowledge of the skill areas. The exit evaluation must allow the candidate to demonstrate aptitude with the knowledge areas within a reasonable time frame.

Subp. 5. Issuance and renewal of licenses. A license must be issued according to part 3512.2000. A continuing license must be renewed according to part 3512.2300.

Subp. 6. Continuing license. A person who meets any of the requirements in items A to C shall, upon application, be granted a continuing license as a director of special education.

A. Holds a valid license as a supervisor of special education before July 1, 1990.

B. Holds a valid license as a supervisor of a special education disability area and before July 1, 1990, has a minimum of one year of experience as a director or assistant director of special education.

C. Holds a valid administrative license and before July 1, 1990, has been reimbursed by the department as a supervisor or director of special education for a period of at least three years.

Later continuing licenses must be renewed according to part 3512.2300.

Subp. 7. Out of state applicants. A person prepared as a director of special education in states other than Minnesota shall meet the requirements of part 3512.2600 for the issuance of an entrance license.

Subp. 8. Effective date. This part is effective July 1, 1990, for an applicant for licensure as a director of special education.

READING CONSULTANTS AND SUPERVISORY AND CONSULTIVE PERSONNEL

3512.5000 LICENSE RENEWAL OF READING CONSULTANTS.

A person who holds or has held a license as a reading consultant issued before July 1, 1995, under part 3510.8100, may continue to renew this license according to part 3512.2300 governing continuing licenses.

3512.5100 LICENSE RENEWAL OF SUPERVISORY AND CONSULTATIVE PERSONNEL.

A person who holds or has held a license as supervisory and consultative personnel issued before July 1, 1995, under part 3510.8300, may continue to renew this license according to part 3512.2300 governing continuing licenses.

CHAPTER 3517

STATE BOARD OF EDUCATION SECONDARY VOCATIONAL LICENSES

3517.0010 DEFINITIONS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. Technical college. "Technical college" means a technical college operated by the State Board of Technical Colleges Trustees of the Minnesota State Colleges and Universities.

Subp. 5. Board. "Board" means the State Board of Education, except where a different board is named or in parts 3517.9000 to 3517.9700 where it means the Board of Teaching.

Subp. 6. [See repealer.]

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

[For text of subs 7 and 8, see M.R.]

Subp. 9. **Commissioner.** "Commissioner" means the commissioner of ~~education~~ children, families, and learning.

[For text of subs 10 and 11, see M.R.]

Subp. 12. [See repealer.]

[For text of sub 13, see M.R.]

Subp. 14. **Department.** "Department" means the State Department of ~~Education~~ Children, Families, and Learning.

Subp. 15. [See repealer.]

[For text of sub 16, see M.R.]

Subp. 17. [See repealer.]

[For text of sub 18, see M.R.]

Subp. 19. [See repealer.]

Subp. 20. [See repealer.]

[For text of subs 21 to 23, see M.R.]

Subp. 24. [See repealer.]

Subp. 25. **Hardship.** "Hardship" has the meaning given in part ~~3517.6200~~ 8750.6200, subpart 2.

Subp. 26. [See repealer.]

Subp. 27. **Human relations program.** "Human relations program" means a program approved by the Board of Teaching that is designed to meet the human relations requirements under part ~~3517.3500~~ 8700.2700 for licensure of Minnesota educational personnel.

[For text of subs 28 and 29, see M.R.]

Subp. 30. [See repealer.]

[For text of subs 31 and 32, see M.R.]

Subp. 33. [See repealer.]

Subp. 34. [See repealer.]

Subp. 35. [See repealer.]

Subp. 36. [See repealer.]

Subp. 37. **Personnel licensing section.** "Personnel licensing section" means the personnel licensing section of the State Department of ~~Education~~ Children, Families, and Learning.

Subp. 38. [See repealer.]

Subp. 39. [See repealer.]

[For text of sub 40, see M.R.]

Subp. 41. [See repealer.]

Subp. 42. [See repealer.]

Subp. 43. [See repealer.]

Subp. 44. [See repealer.]

[For text of subs 45 to 47, see M.R.]

3517.0090 DIFFERENT EXPIRATION DATES IN DIFFERENT SUBJECTS.

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

Subp. 2. **Multiple expiration dates.** Under certain conditions, to correlate multiple expiration dates, a licensee may apply a year early to renew a category of practice on a five-year vocational continuing license. The licensee may take this step if another similar full-time category on the license is due for renewal, and if the licensee has completed and verified the usual renewal requirements a year early. ~~Except for administrators and supervisors, applicants must have renewal requirements approved and verified by the local vocational relicensure committee.~~

3517.0110 SECONDARY LOCAL VOCATIONAL PROGRAM DIRECTOR.

Subpart 1. Requirements. An applicant for an entrance license to serve as a secondary local vocational program director must meet the requirements in subparts 2 to 6.

Subp. 2. Educational criteria. The applicant must have:

A. a baccalaureate or graduate degree with an education major in one of the vocational program areas or in vocational education, vocational industrial technology education, vocational industrial education, or vocational technical education, or in technical degree areas as specified in the educational criteria for any one of the secondary occupational program areas;

B. a course in philosophy of vocational education completed before entrance licensure;

C. the human relations program as specified in part 8700.2700; and

D. a valid Minnesota vocational teacher's license to teach at the secondary or postsecondary level in one of the vocational program areas or in secondary vocational work experience programs for the disadvantaged or handicapped.

Subp. 3. Educational criteria for those with nonvocational or noneducation degrees. An applicant with a noneducation degree included in subpart 2, item A, or an education degree in a field other than those specified, shall meet the degree requirement for licensure as a secondary local vocational program director by verifying that the degree includes or has added to it at least three credits in each of the following courses:

A. vocational methods;

B. vocational course construction;

C. vocational tests and measurements;

D. philosophy of vocational education;

E. coordination techniques for cooperative education;

F. introduction to vocational administration or principles of management;

G. course dealing with special needs students in vocational education;

H. course in supervision techniques and principles;

I. use of computers in education; and

J. one additional course in vocational education.

Subp. 4. Technical coursework or competency. The applicant must also satisfy the following technical requirements:

A. the applicant must have proficiency in the Minnesota education system as specified in item B, and in three of the following six competency areas as specified in item C, gained before entrance licensure: school finance, public relations, communications, school law, leadership and personnel management, and program planning and development; and

B. the applicant must demonstrate proficiency in the Minnesota educational system by submitting verification of three years of experience in vocational education in Minnesota in one or more of the following vocational education capacities:

(1) vocational teaching;

(2) vocational supervision; or

(3) vocational administration.

Two of those three years must have been spent in teaching, licensed as a vocational teacher, as a vocationally licensed postsecondary related subjects teacher, or as a vocationally licensed secondary teacher coordinator of work experience programs for disadvantaged or handicapped.

An applicant whose educational experience is not in a Minnesota educational system must also complete a workshop or course designed to orient the applicant to the Minnesota educational system prior to entrance licensure.

The content of the required workshop or course must be determined based on the applicant's familiarity with educational administration in Minnesota and the applicant's background relative to previous work experience and training.

The manager of the personnel licensing section shall structure and direct a workshop designed to meet the individual needs of 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

applicant and address the following areas: vocational funding, secondary education funding, Minnesota school law, cooperative center structure, vocational education in secondary schools, postsecondary education system, and vocational education state administration at all levels.

C. The applicant must demonstrate proficiency in the chosen competency areas by satisfying one of the following criteria:

(1) successful practical experience in the appropriate competency area within a public or private educational system, as verified by the employer;

(2) successful practical experience in the appropriate competency area within a noneducational setting, as verified by the employer;

(3) successful completion of a workshop in the appropriate competency area, as approved by the manager of the personnel licensing section; or

(4) successful completion of a college course or courses in the appropriate competency area.

Subp. 5. **Validity.** A license under this part is valid to permit the licensee to serve as:

A. a secondary local vocational program director; or

B. a secondary vocational program supervisor or secondary supervisor of special needs services.

Subp. 6. **Renewal for first five year licensure.** To renew a license under this part, a licensed person must take these steps:

A. An individual holding an entrance license as a director of local secondary vocational programs is eligible to apply for additional two year entrance licenses when employment has not been obtained as a local vocational director. An application for a repeated two year entrance license or the first five year continuing license must be signed by the local program director authorized by the local vocational administrator or supervising superintendent.

B. The renewal procedure to gain the first five year continuing license must include a review by a team of peers at the end of the applicant's first year of licensed service as a director. The peer review must produce a plan for the applicant to complete the competency requirements in subpart 4 during the second year of licensed service as a director. The competency plan must become a part of the applicant's permanent licensure file. If the first year of licensed service as a director does not occur until the second year of the entrance license, the team of peers may recommend a one year renewal to allow time for the applicant to complete the competency requirements. Renewal for the first five year continuing license requires demonstration of proficiency in all the competency areas listed in subpart 4.

C. Renewal of later five year continuing licenses requires completion of administrative or supervisory continuing education as specified in part 3512.2300, subpart 3.

3517.3810 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.

A person holding a license granted by the board may voluntarily surrender the license by submitting required materials to the manager of the personnel licensing section of the department. The required materials and procedures to be followed are in part 3512.1300.

3517.3820 SUSPENSION AND REVOCATION OF LICENSES.

The license of a vocational administrator or supervisor may be revoked or suspended as in part 3510.3100.

INSTRUCTION TO REVISOR. The revisor shall renumber the parts listed in Column A with the numbers listed in Column B and correct internal references.

Column A	Column B
<u>3510.1700</u>	<u>3512.1200</u>
<u>3510.1800</u>	<u>3512.1400</u>
<u>3510.2000</u>	<u>3512.1500</u>
<u>3510.2700</u>	<u>3512.2000</u>
<u>3510.3100</u>	<u>3512.2400</u>
<u>3510.3300</u>	<u>3512.2500</u>
<u>3510.3900</u>	<u>3512.2600</u>
<u>3510.4000</u>	<u>3512.2700</u>

REPEALER. *Minnesota Rules*, parts 3510.1900; and 3517.0010, subparts 6, 12, 15, 17, 19, 20, 24, 26, 30, 33, 34, 35, 36, 38, 39, 41, 42, 43, and 44, are repealed.

EFFECTIVE DATE. This rule is effective July 1, 1996.

Department of Public Safety

Proposed Permanent Rules Governing License Plates

Notice of Intent to Adopt a Rule Without a Public Hearing

Proposed Amendments to Rules Governing the Issue and Transfer of License Plates, *Minnesota Rules* 7403.0100-7403.1400.

Introduction. The Minnesota Department of Public Safety 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, and the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. 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 must be submitted to: Catherine A. Moore, Administrative Law Analyst, Department of Public Safety, 395 John Ireland Boulevard, Room 120, Saint Paul, Minnesota 55155, Phone 612-296-2608, Fax 612-296-3141.

Subject of Rule and Statutory Authority. The proposed rule governs the issue and transfer of motor vehicle license plates. The statutory authority to adopt this rule is *Minnesota Statutes* sections 299A.01, 14.06, and 168A.24. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on July 25, 1996, 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 comment, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on July 25, 1996. 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.

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: 31 May 1996

Donald E. Davis, Commissioner
Department of Public Safety

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

Rules as Proposed

7403.0100 DEFINITIONS.

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

Subp. 2a. **Naval zero.** "Naval zero" means a symbol or character depicted by a zero intersected with a virgule.

[For text of subps 3 to 4, see M.R.]

Subp. 6. **Regular plates.** "Regular plates" means standard issue, sequentially numbered and lettered plates that are issued by the division to an applicant's vehicle.

Subp. 7. **Special plates.** "Special plates" means plates that are issued by the division to an owner for the exclusive use on the vehicle described in the application specifically selected by the applicant. Special plates include personalized plate combinations and plates that commemorate, signify membership in, or raise revenue for selected organizations.

[For text of subp 8, see M.R.]

7403.0400 PLATES; FORMAT AND CONTENT.

Subpart 1. **Characters.** The characters displayed upon a plate may be only:

- A. the following uppercase letters: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, and Z; and
- B. the following numbers: 0, 1, 2, 3, 4, 5, 6, 7, 8, and 9; and
- C. the naval zero.

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

Subp. 4. **Characters limited.** Plates must have all of the following character limitations:

- A. Plates must have at least one full-size letter or number.
- B. Stacked characters must count as one full-size character. Stacked characters are two letters or numbers that occupy one space in which one letter or number is placed directly above the second letter or number.
- C. No characters other than those specified in subpart 1, items A and B, will be permitted on a personalized plate. Stacked characters are not permitted on a personalized plate. The naval zero will be restricted for use on amateur radio operator (ARO) special license plates exclusively.

Subp. 5. **Duplication.** No plate may be a duplicate of any current plate or a duplicate of any plate in a numbering system used by the division. The number one (1) and the letter I, or the naval zero, the number zero (0), and the letter O are deemed to be the same character and may not be duplicated to create new combinations. For example, TIM and TIM would be considered duplicates.

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

Subp. 7. **Spacing and hyphenation.** An applicant may elect to group characters by spacing or hyphenation on a personalized plate. Hyphens must not be used consecutively. A space or hyphen is not a character. However, hyphens and spaces must count toward the total number of characters allowed on a plate. Combinations of characters, spaces, or hyphens totaling more than seven will be rejected. Motorcycle plates are limited to six characters. If the total of characters, spaces, or hyphens is less than seven these limits, the division shall have the right to center the characters, spaces, or hyphens on the plate.

[For text of subps 8 and 9, see M.R.]

7403.0900 ASSIGNMENT, RETENTION, AND TRANSFER OF SPECIAL PLATES.

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

7403.0950 RETENTION OF RIGHTS TO PERSONALIZED PLATE COMBINATION.

An owner retains the rights to the personalized plate combination obtained only if the current registration is maintained. If the registration has lapsed for a period of at least one full 12-month registration year, the division may reissue the combination to any qualified applicant without notifying the previous owner. At any time during this year, the owner may waive the right to the combination. The division may accept an application at any time, but will not reissue a combination until the full 12-month registration period has lapsed.

Adopted Rules

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

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

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

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

Department of Health

Adopted Permanent Rules Relating to Asbestos-Related Work

The rules proposed and published at *State Register*, Volume 20, Number 26, pages 1633-1674, December 26, 1995 (20 SR 1633), are adopted with the following modifications:

Rules as Adopted

4620.3100 DEFINITIONS.

Subp. 1a. **Abatement.** "Abatement" means the performance of asbestos-related work, other than air monitoring, in the quantities specified in *Minnesota Statutes*, section 326.71, subdivision 4. Abatement includes area preparation, containment removal, and cleanup.

Subp. 2d. Area preparation. "Area preparation" means:

A. the construction of a decontamination unit under parts 4620.3569; 4720.3580, subpart 2; and 4620.3581, subpart 3;

B. the installation of a HEPA-filtered negative pressure system under part 4620.3570; and

C. the performance of any activities required by parts 4620.3580, subpart 4, items A, B, D, E, G, and H; 4620.3581, subpart 4, item A; 4620.3582, subpart 3, item A; 4620.3566; 4620.3567; and 4620.3568.

Subp. 7e. **Asbestos project design.** "Asbestos project design" as specified in part 4620.3480, means site-specific written project specifications for an asbestos-related work project. ~~Bidding documents that incorporate~~ Written technical project specifications incorporated into bidding documents are also considered project design.

Subp. 11. **Commissioner.** "~~Commissioner~~" ~~has the meaning given in Minnesota Statutes, section 326.71, subdivision 5~~ means the commissioner of health.

Subp. 11a. **Containment.** "Containment" means the structure which must be constructed as specified in part ~~4620.3598~~ 4620.3568 around the asbestos work area.

Subp. 16. **Emergency project.** "Emergency project" means a project which was not planned but results from a sudden, unexpected event whose consequences, if not immediately attended to, present either a safety or public health hazard or would damage ~~equipment~~ the facility or facility components. This includes work required by nonroutine failures of equipment.

Subp. 25b. **Maintenance or maintenance activity.** "Maintenance" or "maintenance activity" means any encapsulation, enclosure, or removal of asbestos-containing material on or around a mechanical system or machinery to sustain the operating condition of the mechanical system or machinery. Maintenance or maintenance activity does not include any encapsulation to return damaged, previously encapsulated ACM to an undamaged condition or to an intact state to prevent fiber release.

Subp. 27. **Occupied area immediately adjacent to an ~~abatement~~ asbestos work area.** "Occupied area immediately adjacent to an ~~abatement~~ asbestos work area" is a designation used during an asbestos-related work project and means an indoor space which:

Subp. 33. **Tunnel.** "Tunnel" means a below-grade corridor or crawl space which is not used for:

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

- A. a human thoroughfare; ~~or~~
- B. ~~storage; or~~
- C. an air plenum for any ventilation system.

4620.3200 CONTRACTOR LICENSURE.

Subp. 2. **Application for license.** An applicant for an asbestos contractor license must submit to the commissioner:

A. a completed application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for licensure;

B. a \$100 nonrefundable application fee ~~with a business check, cashier's check, or money order of \$100, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health;

D. a copy of the responsible individual's current site supervisor ~~and~~ certificate issued by the Minnesota Department of Health;

F. copies of any asbestos related citations or notices of violation issued by the Minnesota Department of Labor and Industry, Occupational Safety and Health Review Board Division, the Minnesota Pollution Control Agency, the federal Occupational Safety and Health Administration, or the federal Environmental Protection Agency, within two years before the date of application; or similar citations received by the asbestos contractor for work performed in other states, and a description of corrective actions taken; and

G. the asbestos contractor's Minnesota business identification number ~~and the United States Internal Revenue Service employer identification number.~~

Subp. 2a. **Workers' compensation.** As part of the application process in subpart 2, the applicant must provide evidence of workers' compensation insurance as required by *Minnesota Statutes*, section 176.182, unless the applicant is not liable to pay compensation under *Minnesota Statutes*, chapter 176.

B. The Minnesota Department of Health must be listed on the certificate of insurance as a certificate holder. A 30-day written notice to the Minnesota Department of Health, asbestos ~~abatement~~ unit, is required if the policy is canceled before the expiration date of the policy.

Subp. 5. **Annual license renewal.** If a contractor wants to renew the asbestos contractor license, the contractor must submit ~~an~~ a completed application under subpart 2 that is received by the commissioner ~~at least 14 calendar days before~~ by the expiration date on the existing asbestos contractor license.

Subp. 8. **Procedures for obtaining duplicate license.** The commissioner shall issue a duplicate asbestos contractor license to replace a lost, destroyed, or mutilated license if the licensee submits a completed application for a duplicate license ~~on a form provided by the commissioner~~ and pays a charge to the commissioner for the cost of duplicating the license.

4620.3300 CERTIFICATION OF ASBESTOS WORKER.

Subp. 2. **Qualifications or experience requirements.** To be eligible for certification as an asbestos worker, an individual must have completed either:

Subp. 4. **Application for initial asbestos worker certification.** An applicant for initial certification as an asbestos worker must submit to the commissioner:

A. a completed application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for certification;

B. a nonrefundable application fee of \$50 ~~with a business check, cashier's check, or money order, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health;

Subp. 5. **Renewal.** An individual certified as an asbestos worker must apply for renewal of the asbestos worker certification by submitting to the commissioner a completed renewal application ~~at least 30 calendar days before~~ by the expiration date of the current asbestos worker certificate. The renewal application must include:

A. the completed renewal application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for renewal of certification;

B. a nonrefundable ~~\$50~~ renewal application fee ~~with a business check, cashier's check, or money order of \$50, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health; and

C. ~~evidence of completion of a copy of the training course diploma from~~ the most recent asbestos worker refresher training course required by subpart 3a.

Subp. 8. **Duplicate certificate.** To replace a lost, destroyed, or mutilated asbestos worker certificate, the certified asbestos worker must submit a completed application for a duplicate asbestos worker certificate ~~on a form provided by the commissioner~~ and pay the a charge ~~with a business check, cashier's check, or money order payable~~ to the Minnesota Department of Health for the cost of duplicating the certificate.

4620.3310 CERTIFICATION OF ASBESTOS SITE SUPERVISOR.

Subp. 2. **Qualifications or experience requirements.** To be eligible for certification as an asbestos site supervisor, an individual must have either:

A. work experience of at least 2,000 hours in asbestos-related work, safety, industrial hygiene, ~~or other hazardous materials control, or other general commercial construction trades~~;

B. a bachelor's degree in architecture, engineering, physical or life science, and work experience of at least 500 hours in asbestos-related work, safety, industrial hygiene, ~~or hazardous materials control, or other general commercial construction trades~~;

Subp. 5. **Initial certification application.** An applicant for initial certification as an asbestos site supervisor must submit to the commissioner:

A. a completed application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for certification;

B. a nonrefundable application fee of \$50 ~~with a business check, cashier's check, or money order, which is not in the form of a personal check~~, payable to the Minnesota Department of Health;

Subp. 6. **Renewal.** An individual certified as an asbestos site supervisor must apply for renewal of asbestos site supervisor certification by submitting to the commissioner a completed renewal application ~~at least 30 calendar days before~~ by the expiration date of the current asbestos site supervisor certificate. The renewal application must include:

A. the completed renewal application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for renewal of certification;

B. a nonrefundable \$50 renewal application fee ~~with a business check, cashier's check, or money order of \$50, which is not in the form of a personal check~~, payable to the Minnesota Department of Health; and

C. ~~evidence of completion of a copy of the training course diploma from~~ the most recent asbestos site supervisor refresher training course required by subpart 4.

Subp. 9. **Duplicate certificate.** To replace a lost, destroyed, or mutilated asbestos site supervisor certificate, the certified asbestos site supervisor must submit a completed application for a duplicate asbestos site supervisor certificate ~~on a form provided by the commissioner~~ and pay the a charge ~~with a business check, cashier's check, or money order payable~~ to the Minnesota Department of Health for the cost of duplicating the certificate.

4620.3330 CERTIFICATION OF ASBESTOS INSPECTOR.

Subp. 2. **Qualifications and experience.** Beginning six months after the effective date of parts 4620.3000 to 4620.3724, an individual applying for certification as an asbestos inspector must show evidence of either:

E. registration or certification as a registered architect, ~~registered~~ licensed professional engineer, certified industrial hygienist, or certified safety professional.

Subp. 5. **Application for initial certification.** An applicant for initial certification as an asbestos inspector must submit to the commissioner:

A. a completed application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for certification;

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

B. a nonrefundable application fee of \$100 ~~with a business check, cashier's check, or money order, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health;

Subp. 6. **Renewal.** An individual certified as an asbestos inspector must apply for renewal of asbestos inspector certification by submitting to the commissioner a completed renewal application ~~at least 30 calendar days before~~ by the expiration date of the current asbestos inspector certificate. The renewal application must include:

A. the completed renewal application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for renewal of certification;

B. a nonrefundable ~~\$100~~ renewal application fee ~~with a business check, cashier's check, or money order of \$100, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health; and

C. ~~evidence of completion of a copy of the training course diploma from~~ the most recent asbestos inspector refresher training course required by subpart 4.

Subp. 9. **Duplicate certificate.** To replace a lost, destroyed, or mutilated asbestos inspector certificate, the certified asbestos inspector must submit a completed application for a duplicate asbestos inspector certificate ~~on a form provided by the commissioner~~ and pay the a charge ~~with a business check, cashier's check, or money order payable~~ to the Minnesota Department of Health for the cost of duplicating the certificate.

4620.3340 ASBESTOS MANAGEMENT PLANNER CERTIFICATION.

Subp. 5. **Application for initial certification.** An applicant for initial certification as an asbestos management planner must submit to the commissioner:

A. a completed application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for certification;

B. a nonrefundable application fee of \$100 ~~with a business check, cashier's check, or money order, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health; and

Subp. 6. **Renewal.** An individual certified as an asbestos management planner must apply for renewal of asbestos management planner certification by submitting to the commissioner a completed renewal application ~~at least 30 calendar days before~~ by the expiration date of the current asbestos management planner certificate. The renewal application must include:

A. the completed renewal application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for renewal of certification;

B. a nonrefundable \$100 renewal application fee ~~with a business check, cashier's check, or money order, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health; and

C. ~~evidence of completion of a copy of the training course diploma from~~ the most recent asbestos management planner refresher training course required by subpart 4.

Subp. 9. **Duplicate certificate.** To replace a lost, destroyed, or mutilated asbestos management planner certificate, the certified asbestos management planner must submit a completed application for a duplicate asbestos management planner certificate ~~on a form provided by the commissioner~~ and pay the a charge ~~with a business check, cashier's check, or money order payable~~ to the Minnesota Department of Health for the cost of duplicating the certificate.

4620.3350 ASBESTOS PROJECT DESIGNER CERTIFICATION.

Subp. 5. **Application for initial certification.** An applicant for initial certification as an asbestos project designer must submit to the commissioner:

A. a completed application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for certification;

B. a nonrefundable application fee of \$100 ~~with a business check, cashier's check, or money order, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health;

Subp. 6. **Renewal.** An individual certified as an asbestos project designer must apply for renewal of asbestos project designer certification by submitting to the commissioner a completed renewal application ~~at least 30 calendar days before~~ by the expiration date of the current asbestos project designer certificate. The renewal application must include:

A. the completed renewal application on a form provided by the commissioner, which seeks only information the commis-

commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for renewal of certification;

B. a nonrefundable ~~\$100~~ renewal application fee ~~with a business check, cashier's check, or money order of \$100, which is not in the form of a personal check,~~ payable to the Minnesota Department of Health; and

C. ~~evidence of completion of a copy of the training course diploma from~~ the most recent asbestos project designer refresher training course required by subpart 4.

Subp. 9. **Duplicate certificate.** To replace a lost, destroyed, or mutilated asbestos project designer certificate, the certified asbestos project designer must submit a completed application for a duplicate asbestos project designer certificate ~~on a form provided by the commissioner~~ and pay the ~~a~~ charge ~~with a business check, cashier's check, or money order payable to the Minnesota Department of Health for the cost of duplicating the certificate.~~

4620.3410 ASBESTOS-RELATED WORK PROJECT NOTICE.

Subp. 2. **Requirements for notice.** At least five calendar days before the beginning of a project, except as provided in part 4620.3420, the commissioner must receive from the licensed asbestos contractor:

A. a completed notice on a form provided by the commissioner which seeks only information the commissioner reasonably considers necessary to inspect the project and issue the permit;

Subp. 3. **Notice of abatement schedule.** The commissioner must be notified in advance of the dates and work shift times for abatement.

B. For a project described in part 4620.3100, subpart 27b, item B or C, if the licensed asbestos contractor performing abatement cannot reasonably determine the schedule for abatement at the time of notice, the licensed asbestos contractor performing abatement must also submit written notice to the commissioner of abatement dates and work shift times for each portion of the project which exceeds three linear feet or three square feet of asbestos-containing material, so that the commissioner receives the notice as soon as possible before that portion of the project begins.

C. ~~Each notice required by this subpart must be submitted on a form provided by the commissioner.~~

~~D.~~ The asbestos contractor performing abatement must ensure that at least one site supervisor is present at the project site on the dates and during the work shifts for which the commissioner has been notified.

~~E.~~ D. The asbestos contractor performing abatement must ensure that abatement is performed only during dates and work shifts for which the commissioner has been notified.

4620.3415 AMENDMENT OF NOTICE.

The licensed asbestos contractor performing abatement must notify the commissioner according to this part of any change in the information reported to the commissioner by that contractor under part 4620.3610.

A. All amendments except for work shift times and dates must be in writing ~~on a form provided by the commissioner~~ with the permit number and the changes clearly indicated.

D. Any amendment of the dates or work shift times, other than the project start and end dates, must be received by the commissioner by voice mail, telephone, facsimile, ~~or mail, or delivery.~~

4620.3420 EMERGENCY PROJECT NOTICE.

Subpart 1. **Emergency project begun during work hours.** For an emergency project which begins between 8:00 a.m. and 4:30 p.m. on the days the Minnesota Department of Health is open, the commissioner must receive from the licensed asbestos contractor:

A. a completed notice on a form provided by the commissioner which seeks only information the commissioner considers reasonably necessary to inspect the project and issue the permit as soon as possible before the project begins; and

Subp. 2. **Emergency project begun after work hours.** For an emergency project which begins at a time other than the times specified in subpart 1, the commissioner must receive from the licensed asbestos contractor:

A. a completed notice on a form provided by the commissioner which seeks only information the commissioner considers reasonably necessary to inspect the project and issue the permit by 4:30 p.m. of the next day the department is open; and

4620.3430 PERMIT FEES.

Subp. 2. **Permit fees for abatement other than small residential abatement.** As required by *Minnesota Statutes*, section

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

326.75, subdivision 3, the asbestos contractor performing abatement must ensure that a project fee equal to one percent of the total cost of the abatement portion of a project ~~must be~~ is paid to the commissioner.

B. If the final invoice amount for the abatement portion exceeds the total cost of the abatement portion of the project previously reported on the notification form, the asbestos contractor performing abatement must ensure that an additional fee payment in the amount of one percent of that difference ~~must be~~ is submitted to the commissioner within 30 calendar days of the submission of the invoice to the contracting entity.

Subp. 3. **Permit fees for air quality monitoring, other than small residential abatement.** As required by *Minnesota Statutes*, section 326.75, subdivision 3, the asbestos contractor performing air monitoring must ensure that a project fee equal to one percent of the total cost of the air quality portion of a project ~~must be~~ is paid to the commissioner.

B. If the final invoice for the air quality monitoring portion of the project exceeds the total cost of the air quality monitoring portion of the project previously reported on the notification form, the asbestos contractor performing air monitoring must ensure that an additional fee payment in the amount of one percent of that difference ~~must be~~ is submitted to the commissioner within 30 calendar days of the submission of the invoice to the contracting entity.

4620.3440 RECORDS.

Subpart 1. **On-site records.** The asbestos contractor performing abatement must ensure that the records in this subpart ~~must be compiled for each project and be~~ are readily available for review by the commissioner at the work site during the entire period of the project.

C. All on-site air monitoring results for air monitoring required under parts 4620.3592 to 4620.3598 must be documented, including a written explanation of any fiber count ~~excursion~~ above the applicable standards.

4620.3460 INSPECTION AND ASSESSMENT OF ASBESTOS-CONTAINING MATERIALS.

Subp. 3. **Asbestos analysis.** Analysis of bulk samples collected as part of an asbestos inspection must be analyzed according to this subpart.

A. Bulk samples collected and submitted for analysis must be analyzed for asbestos using a laboratory ~~accredited by the:~~

(1) accredited by the National Institute of Science and Technology (NIST) through the National Voluntary Laboratory Accreditation Program (NVLAP); or

(2) which successfully participates in the asbestos bulk analysis program of the American Industrial Hygiene Association (AIHA) with successful participation in the asbestos bulk analysis program.

B. Bulk samples must not be composited for analysis ~~and unless allowed by the~~ Environmental Protection Agency (EPA) as specified in "Asbestos NESHAP Clarification Regarding Analysis of Multi-layered Systems," Federal Register, volume 5, number 3, page 542, January 5, 1994. Bulk samples shall be analyzed for asbestos content by polarized light microscopy (PLM), as specified in EPA Method for the Determination of Asbestos in Bulk Building Materials, United States EPA 600/R-93/116, 1993. This document is incorporated by reference, is not subject to frequent change, and is available through the Minitex interlibrary loan system.

Subp. 5. **Inspector duties.** The asbestos inspector must have a current asbestos inspector certificate at the location where the asbestos inspector is conducting work. The asbestos inspector must prepare a written report which:

G. is provided to the facility owner person requesting the inspection.

4620.3470 ASBESTOS MANAGEMENT PLAN.

Subp. 2. **General.** The asbestos management plan must address all materials known or assumed to be asbestos-containing material within the facility or portion of the facility.

B. The asbestos management planner must ~~every~~ have a current asbestos management planner certificate at ~~all times the asbestos management plan is being developed~~ the location where the asbestos management planner is conducting work.

4620.3480 ASBESTOS PROJECT DESIGN.

Subp. 2. **Use of asbestos project designer.** The asbestos project designer must have a current asbestos project designer certificate ~~available for review by the commissioner at the designer's work site~~ location where the asbestos project designer is conducting work. The asbestos project designer must include in the asbestos project design a photocopy of the current asbestos project designer certificate of the asbestos project designer who prepared the asbestos project design.

4620.3566 CLEANING CONTAINMENT AREA BEFORE ABATEMENT.

All surfaces of the containment area must be cleaned before abatement. The following actions must be taken before abatement begins.

B. Contaminated objects or objects suspected of being contaminated must be either:

4620.3567 INSTALLATION OF CRITICAL BARRIERS.

All openings between the containment area and uncontaminated areas must be sealed with at least one layer of six-mil polyethylene plastic sheeting securely fastened to achieve an airtight seal around the opening.

B. All heating, ventilating, and air conditioning intake and exhaust openings in the containment area and any seams in system components must be sealed with at least ~~one layer~~ two layers of six-mil polyethylene sheeting securely fastened to achieve an airtight seal around the object or structure.

C. All penetrations, including penetrations around electrical conduits, telephone wires, water supply pipes, and drain pipes, must be sealed with at least one layer of six-mil polyethylene plastic sheeting securely fastened to achieve an airtight seal around the object.

4620.3568 CONTAINMENT.

Subp. 2. **Floor sheeting.** Floor sheeting must be placed over the entire floor as part of the containment.

A. Floor sheeting must consist of at least two layers of six-mil polyethylene plastic sheeting or comparable material.

Subp. 3. **Wall sheeting.** Wall sheeting must be placed over the entire wall. Wall sheeting must:

F. have a 12-inch by 12-inch clear viewing window, where feasible, to allow for a view of the work area if the polyethylene plastic sheeting is not clear. ~~This item is not applicable in a single-family residence if a basement is made into a single containment area with the decontamination unit abutting the entryway to the basement.~~

Subp. 4. **Freestanding containment walls and freestanding containments.** Freestanding containment walls and freestanding containments must:

C. have the frame painted with a nonporous paint if the framing materials used for a freestanding wall or containment are made of a porous material such as wood, unless the framing materials are covered with polyethylene sheeting or the framing materials are disposed of as asbestos waste at the end of the project; and

Subp. 5. **Posting asbestos work area.** During asbestos-related work, warning signs must be displayed at all approaches to the asbestos work area. The sign must state: "DANGER. ASBESTOS CANCER AND LUNG DISEASE HAZARD. AUTHORIZED PERSONNEL ONLY. RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED IN THIS AREA."

4620.3569 DECONTAMINATION UNITS.

Subp. 5. **Decontamination unit other than small residential abatement.** For abatement in a facility other than small residential abatement, the decontamination unit must consist of a clean room, ~~a three-foot~~ an air lock chamber, a shower, ~~a three-foot~~ an air lock chamber, and a dirty room.

4620.3570 HEPA-FILTERED NEGATIVE PRESSURE.

Subp. 4. **HEPA-filter equipped system criteria.** The HEPA-filter equipped ventilation system must be operated according to the criteria in this subpart.

C. The negative pressure must be measured by a recording manometer.

(6) In the event of a failure of a recording manometer during a project, the following actions must be taken:

(i) an operating recording manometer must be placed in service within 24 hours of the failure of the initial recording manometer;

(ii) until an operating recording manometer is placed in service, hourly pressure readings must be documented for all work shifts; and

(iii) documentation must be available at the work site for each failure of the recording manometer.

4620.3571 REMOVAL OF ASBESTOS-CONTAINING MATERIAL.

Subpart 1. **General.** Water to which a surfactant has been added must be used before and during removal of asbestos-containing material to prevent fibers from becoming airborne during asbestos-related work. All asbestos-containing material must:

A. be adequately wet before removal;

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
--

Adopted Rules

Subp. 2. **Removal of structures and objects covered with asbestos-containing material.** A structure or object covered with asbestos-containing material must be:

- B. ~~adequately~~ wet before being sealed in six-mil clear polyethylene sheeting or comparable material;
- C. ~~adequately~~ wet during removal of the structure or object; and

4620.3572 ENCAPSULATION OF ASBESTOS-CONTAINING MATERIAL.

Encapsulation of asbestos-containing material must meet the requirements in this part.

E. Encapsulated asbestos-containing material must be ~~labeled and the label must state: "DANGER. CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST. CANCER AND LUNG DISEASE HAZARD."~~ specially designated, according to *Code of Federal Regulations*, title 29, section 1926.1101(k)(8), to warn individuals who may disturb the material.

4620.3573 PERMANENT ENCLOSURE OF ASBESTOS-CONTAINING MATERIAL.

Installation of a permanent enclosure of asbestos-containing material must meet the requirements in this part.

D. ~~Permanently enclosed asbestos-containing material must be labeled and the label must state: "DANGER. CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST. CANCER AND LUNG DISEASE HAZARD."~~ The permanent enclosure must be specially designated, according to *Code of Federal Regulations*, title 29, section 1926.1101(k)(8), to warn individuals who may disturb the enclosure.

4620.3575 COMPLETION OF ABATEMENT.

Subp. 8. **Replacement of heating, ventilating, and air-conditioning system filters.** The interior surfaces of ventilation system ductwork must be decontaminated when a visual inspection indicates the presence of asbestos-containing material. When contamination is indicated, items A to C apply.

4620.3580 GLOVE BAG PROCEDURES.

Subpart 1. **Application.** When a portion of a project includes the removal, encapsulation, or enclosure of less than 25 linear feet of asbestos-containing pipe lagging or less than ten square feet of asbestos-containing material per room, for that portion of the project the person performing abatement may use the glove bag procedures in this part instead of the procedures in parts 4620.3565 to 4620.3575, subparts 1 to 8.

In process areas of facilities not accessible to the general public and designated in Division B, D, or E of the 1987 edition of the Standard Industrial Classification Manual, asbestos-containing material may be abated in quantities up to 25 linear feet or ten square feet for each 15,000 square foot area of floor space using the glove bag procedures in this part instead of the procedures in parts 4620.3565 to 4620.3575, subparts 1 to 8. Division B, D, and E of the 1987 edition of the Standard Industrial Classification Manual are incorporated by reference and are not subject to frequent change. A copy of this material is available from the State Law Library, Minnesota Judicial Center, 25 Constitution Avenue, St. Paul, MN 55155, or for loan or inspection from the Barr Library of the Minnesota Department of Health or through the Minitex interlibrary loan system.

Subp. 2. **Placement of remote decontamination unit.** A remote decontamination unit must be available for any individual performing the glove bag operation before the glove bag is set up. The remote decontamination unit must be used whenever the individual leaves the asbestos work area. The remote decontamination unit must be:

- C. ~~The remote decontamination unit must be used whenever the individual leaves the asbestos work area.~~

Subp. 5. **Asbestos removal or encapsulation.** For each abatement project using a glove bag, the procedures in this subpart must be followed for the removal or encapsulation of asbestos-containing material using a glove bag.

- D. An airless or Hudson-type sprayer must be used to wet the asbestos-containing material.

Subp. 6. **Completion of glove bag operation.** Every glove bag operation must be completed according to the procedures in this subpart.

A. Before the glove bag is removed, the interior surfaces of the glove bag must be cleaned using an airless or Hudson-type sprayer until no visible residue is seen on the top and vertical sides of the glove bag.

- B. Tools must be removed from the glove bag as specified in this item.

(7) That portion of the ~~airless~~ sprayer that was inside the glove bag must be wet wiped as it is pulled out of the glove bag. The hole resulting from removal of the sprayer must immediately be sealed with tape.

E. The glove bag must then be cut from the pipe or other facility component and placed in a leak-tight container and the container handled according to part 4620.3575, subpart 9.

4620.3581 MINI-CONTAINMENT PROCEDURES.

Subpart 1. **Mini-containment.** When a portion of a project includes abatement of less than ~~ten~~ 25 linear feet of asbestos-containing pipe lagging or less than ~~six~~ ten square feet of asbestos-containing material per room, for that portion of the project, the person performing abatement may use the mini-containment procedures in this part instead of the procedures in parts 4620.3566 to 4620.3575.

In process areas of facilities not accessible to the general public and designated in Division B, D, or E of the 1987 edition of the Standard Industrial Classification Manual, asbestos-containing material may be abated in quantities up to 25 linear feet or ten square feet for each 15,000 square foot area of floor space using the mini-containment procedures in this part. Divisions B, D, and E of the 1987 edition of the Standard Industrial Classification Manual are incorporated by reference and are not subject to frequent change. A copy of this material is available from the State Law Library, Minnesota Judicial Center, 25 Constitution Avenue, St. Paul, MN 55155, or for loan or inspection from the Barr Library of the Minnesota Department of Health or through the Minitex interlibrary loan system.

Subp. 5. **Asbestos removal or enclosure.** All persons using a mini-containment to perform abatement must comply with this subpart.

A. Negative air pressure within the mini-containment must be maintained until the procedures in subpart 6, item ~~H~~ G, are completed.

4620.3582 REMOVAL OF ENTIRE FACILITY COMPONENTS WITH INTACT ASBESTOS-CONTAINING MATERIAL.

Subp. 3. **Procedures.** The work practices of this subpart must be followed in the sequence provided.

B. The asbestos-containing material or its covering to be removed must be ~~adequately~~ wet with amended water before wrapping.

(2) The asbestos-containing material and its covering must remain ~~adequately~~ wet until final disposal.

4620.3585 ABATEMENT FOR DEMOLITION BY DESTRUCTION TO THE GROUND.

Subp. 2. **Exceptions.** When demolition by destruction to the ground is performed as specified in subpart 1, the person performing ~~abatement~~ asbestos-related work must comply with parts 4620.3000 to 4620.3724, except for parts 4620.3568, subparts 1 to 4, ~~and~~; 4620.3575, subparts 3, 4, and 8; ~~and~~ 4620.3594.

4620.3592 INDOOR AIR MONITORING.

Subp. 2. **General.** Indoor air monitoring must be conducted outside the containment area during all asbestos-related work including preparation and cleanup from the time disturbance of asbestos-containing material occurs until the results of clearance air sampling indicate fiber levels in the air within the containment do not exceed the clearance standard or alternative clearance standard.

A. For each containment, two air samples must be collected simultaneously no less than once during every four hours zero to five-hour period while abatement personnel are ~~on site~~ performing asbestos-related work.

D. ~~Not more than 3,000 liters of air must be drawn through each sample cassette.~~ Sample collection and analysis must comply with this part and part 4620.3597, subparts 2 to 4.

Subp. 3. **Evacuation and corrective measures.** If, during the project, the fiber concentration in air measured outside the containment exceeds the indoor air standard, or the alternative indoor air standard, or one or more samples are too heavily loaded to allow for quantitative analysis, the steps in items A and B must take place.

A. Except as noted in subpart 4, the occupied area immediately adjacent to the ~~abatement~~ asbestos work area must be evacuated.

B. Evacuated areas must not be reoccupied until:

(4) following completion of subitems (1) to (3), five air samples have been collected simultaneously according to parts 4620.3596 and 4620.3597 in ~~which~~ the area where elevated fiber levels occurred; and

Subp. 4. **Suspected nonasbestos dust.** When elevated fiber concentrations in the air outside the containment are suspected to be

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

from nonasbestos dust in the air, evacuation of the occupied areas immediately adjacent to the asbestos work area may be delayed, provided the actions in this subpart are taken immediately.

A. The indoor air monitoring samples which indicate elevated fiber concentrations must be reanalyzed by transmission electron microscopy to distinguish between asbestos and nonasbestos fibers greater than five microns in length with an aspect ratio of three-to-one. Repeat analysis under this item must meet the requirements of "Mandatory Transmission Electron Microscopy Method," *Code of Federal Regulations*, title 40, chapter I, subchapter R, part 763, subpart E, appendix A, section II, Parts A, E, F, H, I, and J, amended through October 30, 1987, and as qualified in subitems (1) and (2).

(2) *Code of Federal Regulations*, title 40, part 763, subpart E, appendix A, section II, part F, is modified as follows:

(b) Paragraph 9(a), figure 2, the portion entitled "DO NOT COUNT AS STRUCTURES," is modified by changing the aspect ratio from "5:1" to "~~3:1~~" "3:1" and the micrometer length from "0.5" to "5.0."

B. If the analysis results obtained according to item A indicate the concentration of asbestos fibers in the air exceeds 0.01 fibers per cubic centimeter of air, the occupied area immediately adjacent to the ~~abatement~~ asbestos work area must be evacuated and not reoccupied until the corrective measures of subpart 3, item B, have been performed and documented.

Subp. 5. **Indoor air monitoring during glove bag or mini-containment procedures.** When the glove bag or mini-containment procedures in parts 4620.3580 and 4620.3581 are used, indoor air monitoring must be performed according to this subpart.

C. ~~The volume of air drawn through each indoor air sample cassette must not exceed 3,000 liters.~~ Sample collection and analysis must be completed according to subpart 4, item A, or part 4620.3597, subparts 2 to 4.

D. The glove bag or mini-containment operation is not complete and the asbestos work area must not be reoccupied until each of the indoor air samples has been analyzed and the result of each sample indicates a fiber level below the indoor air standard or the alternative indoor air standard.

E. Except as noted in item F, if any indoor air sample result exceeds the indoor air standard or the alternative indoor air standard, or if any indoor air sample is too heavily loaded to be quantitatively analyzed, subitems (1) to (3) must be followed.

F. When elevated fiber concentrations in the asbestos work area are suspected to be from nonasbestos dust in the air, the asbestos work area may be reoccupied if the following actions are taken:

(1) the actions required in subpart 4, item A, must be performed immediately; and

(2) if the analysis results obtained according to subpart 4, item A, indicate the concentration of asbestos fibers in the air exceeds 0.01 fibers per cubic centimeter of air, or if any indoor air sample is too heavily loaded to be quantitatively analyzed, the asbestos work area must be evacuated and the actions required in item E must be taken immediately.

4620.3594 CLEARANCE AIR SAMPLING.

Subpart 1. **General.** When enclosure, removal, or encapsulation is completed during an abatement, clearance air sampling must be performed to ensure that fiber levels in the air within the containment area do not exceed the clearance standard or alternative clearance standard.

A. The asbestos containment area must not be reoccupied until compliance with subitem (1) or (2) is achieved:

(1) each of five clearance air samples, collected according to subpart 2, ~~are~~ is less than or equal to the clearance standard or the alternative clearance standard; or

Subp. 2. **Clearance air sampling procedures.** Clearance air sampling must be conducted in the containment area after the containment has been cleaned thoroughly, dried completely, and passed the visual inspection required under part 4620.3575, subpart 4.

F. Clearance air sampling must be conducted as specified in subitems (1) to (3).

(1) Except for clearance air sampling specified in part 4620.3581, subpart 6, item G, subitem (2), before clearance air sampling, ~~floors, ceilings, and walls~~ all surfaces must be blown with the air from a one horsepower leaf blower to agitate the air and reentrain loose fibers in the air within the containment.

(2) ~~Stationary fans must be used within the containment to agitate containment air during clearance air sampling. The stationary fans must be placed in locations that do not interfere with clearance air sampling. Except for clearance air sampling specified in part 4620.3581, subpart 6, item G, subitem (2), stationary fans must be placed in locations that do not interfere with air monitoring equipment. Fan air must be directed toward the ceiling. One fan must be used for each 10,000 cubic feet of containment area.~~

4620.3596 GENERAL REQUIREMENTS FOR AIR MONITORING SAMPLE COLLECTION.

The air monitoring samples required by parts 4620.3592 and 4620.3594 must be collected as specified in this part.

A. All air monitoring sample collection must be conducted by an individual who is either an asbestos worker or asbestos site supervisor and who:

- (1) has completed a Minnesota asbestos air sampling course permitted by the commissioner under part 4620.3704; ~~or~~
- (2) is certified as a certified industrial hygienist by the American Board of Industrial Hygiene; ~~or~~

(3) before the effective date of this part, has completed the National Institute for Occupational Safety and Health (NIOSH) course number 582, entitled Sampling and Identification of Airborne Asbestos, or a course equivalent to the NIOSH 582 course.

C. The contract for air monitoring sample analysis must specify that results must be available orally or in writing no later than 48 hours after submission for analysis or before disassembly of the containment, whichever is earlier.

4620.3597 PHASE CONTRAST MICROSCOPY.

Subpart 1. **Phase contrast microscopy air sample analysis.** Analysis by phase contrast microscopy must comply with National Institute of Occupational Safety and Health (NIOSH) Method 7400, revision number 3, titled "Fibers" published in the NIOSH Manual of Analytical Methods, Third Edition, August 1994 supplement or equivalent methods. This document is incorporated by reference, is not subject to frequent change, and is available through the Minitex interlibrary loan system.

Subp. 4. **Transitional air monitoring sample analysis.** Between the effective date of this part and one year after the effective date, air monitoring samples must be analyzed by a ~~person not affiliated with the person who collected the air samples and must be:~~

A. a laboratory that is accredited by the American Industrial Hygiene Association; ~~or~~

B. an analyst ~~participating in~~ considered proficient by the American Industrial Hygiene Association's asbestos analyst registry program; ~~or~~

C. a laboratory considered proficient in asbestos analysis by the American Industrial Hygiene Association (AIHA) Proficiency Analytical Testing (PAT) Program for phase contrast microscopy.

Subp. 5. **Air sample analysis.** Beginning one year after the effective date of this part, air monitoring samples must be analyzed by:

A. a laboratory that is accredited by the American Industrial Hygiene Association; or

B. an analyst considered proficient by the American Industrial Hygiene Association's asbestos analyst registry program.

4620.3598 TRANSMISSION ELECTRON MICROSCOPY.

Subpart 1. **Use of alternative clearance standard.** When the alternative clearance standard is used, items A and B apply.

B. The volume of air drawn through a 25-millimeter filter cassette must be equal to or greater than 1,200 liters. The volume of air drawn through a 37-millimeter filter cassette must be greater than or equal to 2,800 liters. Both types of filter cassettes must contain a sample filter that has a pore size of 0.8 microns or smaller.

4620.3702 APPLICATION FOR TRAINING COURSE PERMIT.

Subpart 1. **Applications other than renewal.** Except as provided in subpart 2, to obtain a permit from the commissioner for a training course, the training course provider must submit, to be received by the commissioner at least 60 days before the course is offered:

A. a completed application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the training course meets the statutory and regulatory requirements for a permit;

B. except for an air sampling course described in part 4620.3718, subpart 5, a \$500 nonrefundable application fee of \$500, which is not in the form of a personal check, payable to the Minnesota Department of Health in the form of a business check, cashier's check, or money order unless the course is for air sampling described in part 4620.3718, subpart 5;

F. resumes of all course instructors which include information on coursework completed as specified in part ~~4620.3712~~ 4620.3716, subpart 3, item A;

Subp. 2. **Renewal.** To obtain a renewal of a training course permit, the training course provider must submit, to be received by the commissioner at least 30 days before expiration of the current permit:

A. a completed renewal application on a form provided by the commissioner, which seeks only information the commissioner

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

reasonably considers necessary to identify the applicant and to determine whether the training course meets the statutory and regulatory requirements for a permit;

B. except for an air sampling course described in part 4620.3718, subpart 5, a \$250 nonrefundable renewal fee of \$250, which is not in the form of a business personal check, cashier's check, or money order payable to the Minnesota Department of Health unless the course is for air sampling as described in part 4620.3718, subpart 5; and

4620.3710 ADVANCE NOTICE AND AMENDMENTS.

The training course provider must submit to the commissioner, by mail or facsimile, on a form provided by the commissioner, which is consistent with this part:

A. a notice of the date, time, ~~and location,~~ and training course instructors of each permitted training course to be presented by the course provider, so the commissioner receives the notice at least 14 calendar days before the training course begins;

D. a notice of any change in ~~any information~~ the course curriculum or course materials submitted to the commissioner in part ~~47720.3702~~ 4620.3702, other than the date, time, or location of the course or any information on a course instructor, so the commissioner receives the notice at least 30 calendar days before the training course begins; and

E. a notice of any change in any information submitted to the commissioner under part 4620.3702 on any training course instructor, so the commissioner receives the notice at least seven calendar days before the training course begins.

4620.3716 TRAINING COURSE CONDITIONS.

Subp. 3. **Training course instructors.** If all instructors for a training course meet the requirements in this subpart, the commissioner shall approve the instructors as part of any permit issued for the training course.

All training course instructors must:

A. complete coursework ~~that teaches the application of methods designed to teach adults in teaching methods~~ and methods of evaluation to continually monitor the participants' progress;

Subp. 4. **Written examinations.** All training courses must include a written examination that meets the requirements in this subpart.

D. If the training course provider administers the examination, the training course provider must:

(3) ensure that any participant who passes the examination does so on the participant's own merit; and

(4) ~~ensure that there is an empty chair or at least three feet between participants; and~~

(5) ensure that no written material other than the examination materials are allowed within the participant's viewing distance.

4620.3718 COURSE CONTENT AND LENGTH.

Subp. 5. **Length and content of air sampling training.** The initial training course for asbestos air sampling must be at least two days in length and meet the requirements in this subpart. The training must address:

A. the National Institute of ~~for~~ Occupational Safety and Health's sampling method specified in part 4620.3597, subpart 1;

E. the ~~Asbestos Hazard and Emergency Response Act (AHERA)~~ Environmental Protection Agency (EPA) sampling requirements and procedures in *Code of Federal Regulations*, title 40, section 763.90(i) and subpart E, appendix A, amended through April 15, 1988;

F. a comparison of the ~~AHERA~~ EPA, OSHA, and Minnesota air sampling requirements;

4620.3724 VARIANCE.

The commissioner may grant a variance to part 4620.3710, item A, ~~subitem (4)~~, and, where space limitations prevent compliance with the specified requirements or where compliance with the specified requirements would create a greater hazard, to parts 4620.3566, 4620.3567, 4620.3568, subparts 1 to 4, 4620.3569, 4620.3571, subparts 1 and 2, and 4620.3575, subpart 3. A variance shall be considered only according to the procedures and criteria in parts 4717.7000 to 4717.7050.

4717.7000 VARIANCE REQUEST.

Subpart 1. **Request.** A party may ask the commissioner of health to grant a variance from the following rules:

C. asbestos abatement, part 4620.3710, item A, ~~subitem (4)~~, and, where space limitations prevent compliance with the specified requirements or where compliance with the specified requirements would create a greater hazard, parts 4620.3566, 4620.3567, 4620.3568, subparts 1 to 4, 4620.3569, 4620.3571, subparts 1 and 2, and 4620.3575, subpart 3;

Department of Health

Adopted Permanent Rules Governing Examination Requirements for X-ray Equipment Operators

The rules proposed and published at *State Register*, Volume 20, Number 26, pages 1675-1679, December 26, 1995 (20 SR 1675), are adopted with the following modifications:

Rules as Adopted

~~4730.5300~~ EXEMPTIONS.

An individual is exempt from the requirements in part ~~4730.5000~~ or ~~4730.5500~~ if the individual holds a current Minnesota license to practice medicine, chiropractic, podiatric medicine, osteopathic medicine, or dentistry.

Department of Human Services

Adopted Permanent Rules Relating to Child Protection

The rules proposed and published at *State Register*, Volume 20, Number 26, pages 1725-1727, December 26, 1995 (20 SR 1725), are adopted with the following modifications:

Rules as Adopted

9560.0221 CRITERIA FOR SEEKING CHILD'S REMOVAL FROM HOME.

Subp. 3. Removal of Indian child.

A. The agency ~~may~~ **must** seek emergency removal of any Indian child who is temporarily or permanently located off the reservation if necessary to prevent imminent physical damage or harm to the child. The agency must expeditiously initiate a child custody proceeding subject to the Indian Child Welfare Act, *United States Code*, title 25, chapter 21, subchapter I, section 1915, transfer the child to the jurisdiction of the appropriate tribe, or restore the child to the parent. The emergency placement must terminate immediately when it is no longer necessary to prevent imminent physical damage or harm to the child.

D. In cases involving an Indian child who is not a resident of or domiciled on a reservation, the agency may seek nonemergency removal of the child only if clear and convincing evidence can show that the child is likely to suffer serious emotional or physical damage in the care of the parent or Indian custodian.

E. An agency removing an Indian child must satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proved unsuccessful. Active efforts include, but are not limited to, soliciting the advice of tribal representatives and, if the parents do not object, members of the child's extended family.

E. Removal of an Indian child requires testimony by a qualified expert witness as to the likelihood of harm from continued residence with the parent or Indian custodian.

F. G. A "qualified expert witness" means:

(3) a professional person having substantial education and experience in the area of the professional person's specialty, along with substantial knowledge of prevailing social and cultural standards and child-rearing practices within the Indian community.

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

Adopted Rules

Department of Human Services

Adopted Permanent Rules Relating to Foster Care for Children

The rules proposed and published at *State Register*, Volume 20, Number 26, pages 1727-1738, December 26, 1995 (20 SR 1725), are adopted with the following modifications:

Rules as Adopted

9560.0521 DEFINITIONS.

Subp. 9. **Foster care.** "Foster care" means the 24-hour-a-day care of a child following placement by the commissioner or a licensed child-placing agency with legal placement responsibility pursuant to a court order or voluntary placement agreement, in any facility that regularly provides one or more children, when unaccompanied by ~~their~~ a parent or guardian, with a substitute for the care, food, lodging, training, education, supervision, or treatment they need ~~but~~ which for ~~which~~ any reason cannot be furnished by ~~their~~ a parent or guardian in ~~their~~ the child's home.

Subp. 13. **Guardian or legal guardian.** "Guardian" or "legal guardian" means a person appointed by a parent's will or by the court to have the powers and responsibilities of a parent, except that the guardian is not legally obligated to provide support for the ward out of the guardian's own funds.

9560.0523 AUTHORITY FOR CHILD'S PLACEMENT BY LOCAL AGENCY.

A local agency obtains authority to place a child in foster care:

- A. through a voluntary placement agreement; or
- B. by a court order granting legal custody; ~~or~~
- C. ~~if the child is in imminent danger of harm, pursuant to Minnesota Statutes, section 260.165.~~

9560.0525 LOCAL AGENCY GIVEN LEGAL CUSTODY BY COURT.

When a court has given legal custody of a child to a local agency, the local agency must:

D. inform the foster care providers of court hearings that pertain to any foster child in their care; by sending advance written notice by mail to the foster care providers of the date, time, location, and purpose of any court hearing. The notice shall contain a statement that receipt of the notice does not confer standing on the foster care provider to participate at the hearing.

G. obtain the written consent of the child's parent or guardian and the court if a child is to be placed in a ~~facility~~ foster care outside the state. If the child's parent or guardian refuses consent, the court's written consent is sufficient authorization for placement outside the state.

9560.0527 LOCAL AGENCY PLACING CHILD UNDER VOLUNTARY AGREEMENT.

When a local agency places a child in foster care under a voluntary placement agreement, the local agency must:

C. in addition, in the case of an Indian child, advise the parent or custodian that the child is to be returned upon demand in a written and dated statement complying with the requirements of Minnesota Statutes, section 257.351, subdivision 4, and notify the Indian child's tribe within seven working days of placement;

D. obtain the agreement of the non-Indian child's parent or guardian to notify the local agency; ~~preferably in writing, a written and dated statement~~ if the parent or guardian wishes the child returned from placement before the date specified in the voluntary placement agreement; and

D. obtain the agreement of the Indian child's parent or guardian to notify the local agency in a written and notarized statement; and

E. return the child to the child's parent or guardian within as soon as possible and no later than 24 hours of receipt of notice, preferably in writing, after receiving a written and dated demand for return of the child unless a longer response time is specified in the demand for any child, or in the voluntary placement agreement or the notice for a non-Indian child; for Indian children, the notice demand must be a written and ~~notarized~~ dated statement complying with the requirements of Minnesota Statutes, section 257.351, subdivision 4.

9560.0529 PLACEMENT IN LICENSED FACILITY.

A local agency authorized to place a child in foster care must place the child in a licensed residential facility, in the home of a relative who is undergoing or who will later undergo evaluation for an emergency license, under Minnesota Statutes, section 245A.03, subdivision 2a, or in some other facility as permitted by the licensing statute, *Minnesota Statutes*, chapter 245A.

9560.0532 REMOVAL OF CHILDREN.

An agency ~~may seek removal of children~~ seeking to remove a child from the child's home must do so pursuant to procedures specified in parts 9560.0210 to 9560.0485 and *Minnesota Statutes*, sections 260.015, 260.165, and 260.181.

9560.0535 LOCAL AGENCY SEARCH FOR RELATIVES.

Subp. 2. **Parental objection to relative search.** If a child's parent specifically objects to the search for relatives, the local agency must, without contacting relatives, evaluate and address the parent's concerns by considering:

E. in the case of an Indian child, the tribe's position on contacting the relatives.

If a parent still objects to the relative search, the agency must notify the juvenile court of the ~~parents'~~ parent's reasons for objecting. The agency must ~~tell parents~~ send each parent a copy of the notification to the court. The local agency may not contact the child's relatives unless ordered to do so by the court.

In the case of an Indian child, the agency must seek a relative placement unless the court has determined that there is good cause under the Indian Child Welfare Act, *United States Code*, title 25, chapter 21, subchapter I, section 1915, not to do so. The preference of the Indian child, parent, or ~~guardian~~ custodian must be considered in accordance with the Indian Child Welfare Act.

Subp. 3. **Initiation of search for relatives.** For ~~at least~~ at least six months following the child's first placement, the agency must search for the child's relatives, even if the first placement is with a relative; ~~and may.~~ The agency is permitted to continue the search thereafter ~~as necessary only if it determines it is in the best interests of the child~~ if the court orders it to do so. The agency must thoroughly document the search efforts. If a subsequent placement becomes necessary and other relatives might be available as foster care providers, the local agency must renew the search for those relatives. Pursuant to *Minnesota Statutes*, section 260.191, subdivision 3a, the court will review the agency's efforts to search for relatives and may order the agency to continue recruitment of relatives if the agency has not performed the search properly.

Subp. 4. **Special efforts for relative search.** As required by *Minnesota Statutes*, section 257.072, subdivision 1, a local agency must make special efforts to recruit a relative custodian or foster care provider. To make special efforts, the local agency must:

A. question the child, the child's parents or guardians, and the child's guardian ad litem, if any, about the child's relatives and their preferences about the relatives;

C. contact relatives and divulge only that information necessary for them to consider possible placement; and request names of other relatives if necessary; and

9560.0545 ~~9560.0542~~ CONSIDERATION OF THE CHILD'S HERITAGE.

~~Consideration of the race, color, or national origin of the child or foster care provider in making a placement is permissible only when a narrowly tailored, individualized determination has been made that the facts and circumstances require consideration of race, color, or national origin to advance the best interests of the child. For an Indian child, the Indian Child Welfare Act controls the placement. In all other cases, an agency may consider the cultural, ethnic, or racial background of the child and the capacity of the prospective foster care provider to meet the needs of the child as one of a number of factors used to determine the best interests of the child.~~ The agency must not delay placement of the child solely to search for a same-race family.

9560.0542 ~~9560.0545~~ DOCUMENTATION OF PLACEMENT EFFORTS.

Subpart 1. **General requirements.** The local agency must document in the child's case record:

D. ~~whether it has been determined that consideration of race, color, or national origin is necessary to advance the best interests of the child and, if so, the factors supporting the determination~~ all the factors used in making the placement decision, including race, color, or national origin if it has been determined under part 9560.0542 that consideration of such factors is in the best interests of the child; an Indian child's heritage must always be considered; and

E. in the case of an Indian child, the identity of the child's tribe and the actions taken to conduct a diligent search pursuant to the Indian Child Welfare Act, *United States Code*, title 25, chapter 21, subchapter I, section 1915.

9560.0580 SERVICE REQUIREMENTS.

A local agency that places a child in foster care must:

E. provide follow-up services to the family and child ~~when~~ if the child returns home.

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

9560.0603 PLACEMENT PLAN.

Subp. 4. **Components of placement plan; general.** A child's placement plan must set forth:

B. placement options that were considered, the reasons the specific foster care provider was chosen for the child, with ~~comments on~~ documentation of the search for the child's relatives; ~~and the child's racial or ethnic heritage.~~ If applicable, the plan must address why the child was placed in an institution or group home rather than in a family foster home. If the child was placed in another county or state, the plan must address why the child was not placed in the child's local county;

Subp. 6. **Assistance from social services, legal counsel, or guardian ad litem.** The local agency must advise the child ~~and~~, the parent or guardian, and any grandparent with the right to participate under Minnesota Statutes, section 260.155, subdivision 1a, that they may consult any person or social services agency in preparation of the placement plan; that the parent and child each has the right to legal counsel in the preparation of the placement plan; and that the child has the right to a guardian ad litem as set forth in *Minnesota Statutes*, section 260.155, subdivision 4.

9560.0606 AGENCY REVIEW.

Subpart 1. **Change in placement.** The local agency must not change a child's placement unless it determines that another placement is in the best interest of the child. For Indian children, best interests must be determined in accordance with placement preferences in the Indian Child Welfare Act. If the local agency changes the placement, it must notify the child's parent or guardian and document the reasons for the change. If placement with a specific foster care provider was ordered by the court, the local agency must request obtain the court's permission before changing that placement, except in emergencies. In emergency changes of court-ordered placement, the agency must, as soon as possible, notify the court of the change and bring the matter before the court for its approval of the change.

9560.0609 COURT REVIEW OF VOLUNTARY PLACEMENTS.

Subp. 3. **Subsequent reviews.** If the court approves the voluntary placement of a child because of either a developmental disability or emotional handicap, the local agency must petition the court under *Minnesota Statutes*, section 260.131, for one further review within two years of the initial review and for additional further reviews within every two years thereafter. In all other voluntary placements which the court has approved, the local agency must petition request that the court for conduct further review six months after the ~~initial~~ preceding review if the child continues in placement.

9560.0613 COURT REVIEW OF COURT-ORDERED PLACEMENTS.

Subpart 1. **Petition Request for court review of court-ordered placement.** For a child in court-ordered placement, the local agency must petition request the court for review six months after the initial placement. The agency must ensure that further reviews take place within each six-month period thereafter during the continuation of placement to determine whether continued out-of-home placement is necessary or whether the child should be returned home.

Subp. 2. **Filing for permanent placement determination by court.** ~~No later than 11 months after a child is placed under a court order,~~ The local agency must request the county attorney to file a pleading pleadings to establish the basis for a permanent placement determination; ~~containing in a manner that allows for court review no later than 12 months after a child is placed in a residential facility by court order.~~ Alternatively, the agency may request filing of pleadings recommending a delay in the permanent placement determination because of a circumstance specified in Minnesota Statutes, section 260.191, subdivision 3b, paragraph (b). Pleadings to establish a basis for permanent placement determination must contain the following information:

D. a recommendation for a permanent plan; and

E. a recommendation whether to delay the permanent placement determination for six months because of a circumstance specified in *Minnesota Statutes*, section 260.191, subdivision 3b, paragraph (b); and

F. A permanent placement determination is not required if a child is returned home or if a termination of parental rights petition is filed before the permanency planning determination; a permanent hearing is not required.

9560.0615 CRITERIA FOR RETURN OF CHILD TO HOME.

Subpart 1. **Return or release of non-Indian child.**

A. For a child removed from the home of a parent or guardian and placed in foster care pursuant to court order, the local agency must seek a court order to end its custody and return the child to the parent or guardian under the following circumstances:

(2) if the child was removed because of a nonemergency situation as described in part 9560.0221, subpart 2, item B, and the conditions that ~~caused the child's need for protection and services~~ led to the out-of-home placement have been mitigated.

B. For a child in foster care pursuant to a voluntary placement agreement, the local agency must return the child to the parent or guardian within as soon as possible and no later than 24 hours of a after receipt of a written and dated request from the parent or guardian unless, because of child protection concerns, the local agency secures legal authority to continue placement outside the home of the parent or guardian.

C. A local agency may seek a court order to end its custody of a child so that the child can be released into the care of a relative if the child could be safely maintained in the relative's home without formal legal authority and the relative is willing to care for the child without formal legal authority. Before releasing the child into the relative's care, the local agency must give the relative information orally and in writing about the rights and responsibilities of a relative and child in various formal and informal ~~legally sanctioned~~ relationships.

Subp. 2. Return of Indian child.

B. An Indian child who was removed because of a nonemergency circumstance must be returned to the parent or guardian custodian when the agency determines that restoring custody to the parent or guardian custodian is not likely to result in serious emotional or physical harm to the child.

C. An Indian child in voluntary placement must be returned to the parent or guardian within custodian as soon as possible and no later than 24 hours of receipt of after the agency receives a written, ~~notarized and dated~~ statement complying with the requirements of Minnesota Statutes, section 257.351, subdivision 4.

9560.0665 NOTICE AND APPEAL PROCEDURES.

Subp. 2. Response to request for foster care payments. Within 30 days of receiving a request for foster care payments on the form provided under subpart 1, item B, the county must evaluate the request and provide a written notice to the relative. The notice must include:

E. a statement ~~that the issue on appeal will be based on whether the county had or has legal responsibility for the child's placement in the relative's home and therefore should have made or should make foster care payments~~ describing the scope of review; and

Subp. 3. Review of claims of erroneous benefits. Before or at the time of mailing the first foster care payment to a foster care provider, the county must give the foster care provider a written notice that includes:

G. a statement describing the scope of the appeal review; and

Subp. 4. Notice of initial assessment of difficulty of care. As soon as reasonably practicable following the initiation of foster care placement of a child, the county must perform the difficulty-of-care (DOC) assessment required under part 9560.0653. Upon completion of the assessment, the county must give the child's foster care provider a written notice that includes:

B. the method of assessment; ~~and;~~ this requirement may be satisfied by the provision giving the foster care provider a copy of the DOC assessment instrument completed for the child by the county;

Subp. 5. Review of reassessment of difficulty-of-care (DOC) rating. Upon reassessment of a child's difficulty-of-care (DOC) rating, the county must give written notice to the foster care provider. The notice must include:

C. the effective date of the rating ~~which;~~ this date may precede the request for reassessment when supported by evidence;

D. the reason for the new rating, a provision copy of the completed DOC assessment instrument will be sufficient;

I. a statement describing the scope of review; and

J. a statement that ~~if the a foster care provider who~~ a foster care provider who requests review of the proposed change in the DOC rating within ten days of the date of the notice; ~~the foster care provider may also request that foster care payments continue at the provider's current level pending fair hearing review, but if the county's proposed action is sustained upon review, the agency may recover any overpayment paid.~~

Subp. 6. Notice and review of reduction of days covered. When the county ~~issues a check for~~ reduces foster care payments or provides foster care payments for fewer days than the foster care provider requested, the county must provide a written notice to the provider. The notice must include:

A. a statement of the reduction in payment or of the number of days for which a check is being issued;

B. an explanation of the reason for the reduction or the number of days;

F. a statement describing the scope of the appeal review; and

G. in the case of reduction in payment, a statement that a foster care provider who requests review of the proposed reduction

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

in payment within ten days of the notice may request that foster care payments continue at the current level pending fair hearing review, but if the county's proposed action is sustained upon review, the agency may recover any overpayments; and

H. a name and telephone number of a contact person at the county.

Subp. 7. **Notice of termination.** When the county terminates foster care payments to a foster care provider, the county must send written notice to the foster care provider. The notice must be provided with the final voucher the county sends to the foster care provider if possible, but in all cases, at least ten days before the first month in which no payment will be made. The written notice must include:

B. the reason why the county will terminate payments, and the event on which the county bases its determination that the placement ended;

F. a statement describing the scope of the appeal review;

G. a statement that:

(1) a foster care provider who appeals requests a hearing within ten days of the date of the notice may request that the foster care payments on the child's behalf continue pending fair hearing review; but if the request indicates in writing that the child remains in the foster care provider's care;

(2) payments will continue only so long as the child remains in the foster care provider's care; and

(3) if the county's action to terminate the benefits is sustained upon review, the agency may recover from the foster care provider any amounts paid pending review; and

9560.0670 RECRUITMENT OF FOSTER CARE PROVIDERS.

Subp. 1a. **Recruitment plan.** The local agency must develop and implement a plan for diligent recruitment of foster care providers who reflect the ethnic and racial diversity of children in the state for whom foster homes are needed. A local agency may develop the plan directly or through a contract with another county, tribe, or authorized child-placing agency.

Subp. 1b. **Outreach for recruitment.** The local agency must work diligently with community and religious organizations, Indian tribes, and other individuals and groups to increase the number of families of color available as foster care providers recruit foster care providers who reflect the ethnic and racial diversity of children in Minnesota for whom foster care providers are needed. The agency may contact the Ombudsperson for Families and the state ethnic councils for assistance.

Subp. 5. **Racial bias.** The local agency must work to eliminate racial, ethnic, and national origin discrimination and bias in adoption and foster care recruitment, selection, and placement procedures. The local agency must assess the foster care applicant's or foster care provider's capacity for accepting children of diverse backgrounds. If the agency concludes that the applicant or provider lacks the capacity for accepting children of diverse backgrounds has negative attitudes toward people of a particular race, religion, color, or national origin, the agency must refuse licensure or relicensure and not place additional children with that provider.

REVISORS INSTRUCTION. The term "local agency" shall be substituted for the term "local social services agency" throughout parts 9560.0500 to 9560.0670.

Department of Natural Resources

Adopted Permanent Rules Relating to Endangered and Threatened Species

The rules proposed and published at *State Register*, Volume 20, Number 26, pages 1746-1763, December 26, 1995 (20 SR 1746), are adopted with the following modifications:

Rules as Adopted

6134.0150 PURPOSE AND SCOPE.

Minnesota Statutes, section 84.0895, subdivision 3, requires the commissioner of natural resources to adopt rules designating species meeting the statutory definitions of endangered, threatened, or species of special concern. Minnesota Statutes, section 84.0895, subdivision 5, authorizes the commissioner to adopt rules that regulate treatment of species designated as endangered or threatened. Thus, two different sets of rules have been adopted: parts 6134.0100 to 6134.0400 designate species in the three statutory categories; and parts 6212.1800 to 6212.2300 create regulations for species designated as endangered or threatened.

Species designated as species of special concern are not protected by Minnesota Statutes, section 84.0895 or rules adopted under that section. Parts 6212.1800 to 6212.2300 and Minnesota Statutes, section 84.0895, impose a variety of restrictions, a permit program, and several exemptions pertaining to species designated as endangered or threatened. Among these are that acts otherwise

prohibited may be allowed by permit issued by the commissioner; plants on certain agricultural lands and plants destroyed in consequence of certain agricultural practices are exempt; and the accidental, unknowing destruction of designated plants is exempt. Parts 6134.0100 to 6134.0400 do not address protection of habitat for species designated as endangered, threatened, or species of special concern, nor do they obligate anyone to survey lands for the presence of designated species.

Persons are advised to read the full text of parts 6134.0100 to 6134.0400 and 6212.1800 to 6212.2300 and *Minnesota Statutes*, section 84.0895, in order to understand all Department of Natural Resources regulations pertaining to species that are designated as endangered, threatened, or species of special concern.

6134.0200 ANIMAL SPECIES.

Subpart 1. **Mammals.** The scientific names and the common names in this subpart are according to the Revised Checklist of North American Mammals North of Mexico, J. K. Jones, et al., 1992. The following species of mammals are designated as:

C. Of special concern:

(8) *Myotis keenii septentrionalis*, ~~Keen's northern~~ myotis;

(9) *Perognathus flavescens*, ~~plain plains~~ pocket mouse:

Subp. 2. **Birds.** The scientific names and the common names in this subpart are according to the American Ornithologists Union Checklist, 1983, and Supplements (1985, 1987, 1989, 1991, 1993, and ~~1993~~ 1995). The following species of birds are designated as:

A. Endangered:

(4) *Athene Speotyto cunicularia*, burrowing owl;

C. Of special concern:

(1) *Ammodramus caudaeutus nelsoni*, Nelson's sharp-tailed sparrow;

Subp. 4. **Fish.** The common names in this subpart are according to A List of Common and Scientific Names of Fishes from the United States and Canada, fifth edition, American Fisheries Society, 1991. The following species of fish are designated as:

C. Of special concern:

(8) *Etheostoma microperca* Jordan & Gilbert, ~~least darter~~;

(9) *Erimystax x-punctata* (Hubbs & Crowe), gravel chub;

(9) *Etheostoma microperca* Jordan & Gilbert, least darter;

Subp. 6. **Mollusks.** The common and scientific names in this subpart are according to Common and Scientific Names of Aquatic Invertebrates from the United States and Canada: Mollusks, American Fisheries Society, 1988 and Summary Status Reports on Eight Species of Candidate Land Snails from the Driftless Area (Paleozoic Plateau), Upper Midwest (Report to USFWS), T.J. Frest, 1991. The following species of mollusks are designated as:

B. Threatened:

(12) ~~*Tritogonia*~~ *Tritogonia verrucosa* (Rafinesque), pistolgrip;

Subp. 8. **Butterflies and moths.** The following species of butterflies and moths are designated as:

C. Of special concern:

(4) *Hesperia pawnee* Dodge, ~~pawnee~~ skipper;

(5) *Lycaeides idas nabokovi* Masters, Nabokov's blue;

(6) (5) *Oarisma poweshiek powesheik* (Parker), ~~poweshiek powesheik~~ skipper;

(7) (6) *Pyrgus centaureae freija* (Warren), grizzled skipper;

(8) (7) *Schinia indiana* (J.B. Smith), phlox moth; and

(9) (8) *Speyeria idalia* (Drury), regal fritillary.

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

6134.0300 VASCULAR PLANTS.

The following species of vascular plants are designated as:

B. Threatened:

- (31) *Dryopteris marginalis* (L.) Gray, Dryopteridaceae;
- ~~(32) *Diplazium pycnocarpon* (Spreng.) M. Broun, Dryopteridaceae;~~
- (32) *Dryopteris marginalis* (L.) Gray, Dryopteridaceae;
- (34) *Eleocharis olivaceae olivacea* Torr., Cyperaceae;

C. Of special concern:

- (45) *Desmanthus illinoense illinoensis* (Michx.) MacM., Fabaceae;
- (48) *Diarrhena americana* var. *obovata* (Gleason) Brandenburg, Poaceae;
- (131) ~~Waldsteinia~~ *Waldsteinia fragarioides* (Michx.) Tratt., Rosaceae;

Department of Public Safety

Driver and Vehicle Services Division

Adopted Permanent Rules Relating to Deputy Registrars

The rules proposed and published at *State Register*, Volume 20, Number 26, pages 1808-1828, December 26, 1995 (20 SR 1808), are adopted with the following modifications:

Rules as Adopted

7406.0100 DEFINITIONS.

Subp. 13. **Deputy registrar.** "Deputy registrar" means a county auditor or registrar-appointed individual, governmental entity, American Automobile Association, or corporation including its owners, officers, and five percent shareholders.

Subp. 16. **Five percent shareholder.** "Five percent shareholder" means a person holding a direct or indirect financial interest of five percent or more in a corporation.

~~Subp. 17.~~ **Incomplete motor vehicle transaction.** "Incomplete motor vehicle transaction" means a motor vehicle transaction that has not been collected by the deputy registrar.

~~Subp. 18.~~ **17. Inventory.** "Inventory" means license plates, temporary registration permits, month sticker, and motor vehicle registration validation and weight stickers, including, but not limited to: passenger class validation sticker, gross vehicle weight validation sticker, fee validation sticker, and weight designation sticker.

Subps ~~18, 19, and 20.~~ [See renumbering instruction.]

~~Subp. 21.~~ **20. Registrar.** "Registrar" means the registrar of motor vehicles of Minnesota, acting directly or through authorized agents. Under *Minnesota Statutes*, section 168.33, the commissioner of public safety is the registrar of motor vehicles.

~~Subp. 22.~~ **21. Office.** "Office" means an existing office unless otherwise specified.

~~Subp. 23.~~ **22. Person.** "Person" means an individual, corporation, or governmental organization.

~~Subp. 24.~~ **23. Proposed office location.** "Proposed office location" means a location that has been submitted to the registrar for consideration as a deputy registrar existing office under part 7406.0300, or a move under part 7406.0330.

~~Subp. 25.~~ **24. Qualified newspaper.** "Qualified newspaper" means a newspaper that meets the requirements of *Minnesota Statutes*, chapter 331A.

~~Subp. 26.~~ **25. Sufficient cause to believe.** "Sufficient cause to believe" means grounds that are put forth in good faith; that are not arbitrary, irrational, unreasonable, or irrelevant; that make the proposition asserted more likely than not; and that are based on at least one of the following sources:

7406.0300 ESTABLISHING LOCATION OF DEPUTY REGISTRAR OFFICE.

Subp. 2. **Other areas.** In all other municipalities not included in subpart 1 or 1a, the conditions listed in items A to E must be met before a proposed office location is approved.

- A. The proposed office location must not be located within a 15-mile radius of an existing office, except that:

(1) in municipalities having a population of 25,000 to 50,000, a maximum of two existing offices may be established and the proposed office location must not be located within a ~~five-mile~~ three-mile radius of an existing office in that municipality; and

7406.0350 COUNTY AUDITOR APPOINTED AS DEPUTY REGISTRAR; PROCEDURE.

Subp. 2. **County auditor appointment.** When the registrar refers the appointment of deputy registrar to the county auditor in which the approved office location is located, the county auditor shall choose one of the options listed in items A to E:

E. regardless of whether the county auditor has been previously appointed a deputy registrar, ~~decline the deputy registrar appointment or decline to appoint a deputy registrar.~~

Subp. 4. **Failure to notify registrar; consequences.** If the county auditor ~~who has not been appointed a deputy registrar declines the appointment or~~ fails to notify the registrar within 30 days; ~~or declines to be appointed a deputy registrar and make the appointment that the county auditor will personally accept the appointment and serve as a deputy registrar, or will accept the appointment and appoint another person to serve as the deputy registrar,~~ the appointment of the deputy registrar must be considered by the registrar under part 7406.0360.

~~If a county auditor who has been appointed as a deputy registrar fails to notify the registrar within 30 days, or declines to make the deputy registrar appointment, the appointment process for that qualifying location ends.~~

Subp. 5. **General authority of county auditor as deputy registrar.** Once appointed a deputy registrar, the county auditor has ~~exclusive~~ authority to make subsequent deputy registrar appointments in the county. The commissioner may make subsequent appointments if the county auditor declines to do so.

When appointing a deputy registrar, the county auditor shall follow the appointment procedures set forth in part 7406.0360 and *Minnesota Statutes*, section 168.33, subdivision 2.

7406.0400 DEPUTY REGISTRAR OFFICE REQUIREMENTS.

Subp. 1a. **Variance.** An existing deputy registrar may apply to the registrar for a variance from complying with subparts 4 and 7 if compliance would be a substantial hardship for the deputy registrar. A deputy registrar may apply for a variance by submitting a written request, on a form prescribed by the registrar, to the registrar within six months of the effective date of this subpart. The registrar shall consider the following factors when reviewing the deputy registrar's request for a variance:

D. other information requested by the registrar or supplied by the deputy registrar.

A variance granted under this subpart expires upon the death; ~~resignation, revocation,~~ or retirement of the ~~existing~~ an individual appointed as a deputy registrar whose office does not comply with the requirements of subparts 4 and 7, the dissolution of a corporate deputy registrar, or the revocation or resignation of any deputy registrar appointment.

If the deputy registrar office moves, any variances granted with respect to the office space requirements of subparts 4 and 7 expire.

The registrar's decision and the right to review of the registrar's decision must follow the procedures in part 7406.0330, subparts 3 and 4.

7406.0450 REPORTING AND DEPOSITING PRACTICES.

Subpart 1. **Definition.** For purposes of this part, the words "next working day" mean the 24-hour period following the daily close of the deputy registrar's records. A working day does not include Saturdays, Sundays, or legal holidays listed in *Minnesota Statutes*, section 645.44, subdivision 5; nonbanking days of approved state depositories; holidays authorized under *Minnesota Statutes*, section 373.052, subdivision 1, for deputies who are county officers or employees; or days that an office is not open for business, upon approval from the registrar.

The deputy registrar shall provide written notification to the registrar of the time of the daily close of the ~~office records~~. The time of the daily close may not be changed by the deputy registrar without prior written notification to the registrar at least 15 days before the effective date of the change.

7406.0500 GENERAL OPERATING RULES FOR DEPUTY REGISTRARS.

Subp. 3. ~~{See repealer.}~~

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

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

Subp. 3a. **Service area.** A deputy registrar may promote or provide, by any means, service within an area not to exceed 75 percent of the distance to another deputy registrar. A deputy registrar or an employee or agent of the deputy registrar may not promote or provide service or by any method pick up transactions beyond 75 percent of the distance between the deputy registrar's office and the office of another deputy registrar. This subpart does not prohibit customers from delivering their transactions for processing to any deputy registrar office of their choice.

Subp. 3b. **Variance.** A deputy registrar may apply to the registrar for a variance from subpart 3a. The following conditions must be met when a deputy registrar applies for a variance:

A. A deputy registrar must apply for a variance by submitting a written request, on a form prescribed by the registrar, to the registrar.

B. The request for a variance must be submitted to the registrar within six months of the effective date of this subpart or within six months of a move of a deputy registrar office or the appointment of a new deputy registrar office that changes the distance of its current 75 percent service area.

C. Variances will only be considered for a deputy registrar office that has been providing service to a customer outside the deputy registrar's 75 percent service area for over a year before the effective date of this subpart, unless the request for a variance is made as a result of a move of a deputy registrar office or the appointment of a new deputy registrar office.

D. If the request for a variance is made as a result of a move of a deputy registrar office or the appointment of a new deputy registrar office, the request will be considered only if the service to the customer has been provided before the effective date of the move or the appointment of a new deputy registrar office.

E. The deputy registrar shall submit an affidavit from the customer who has been provided service from the deputy registrar. The affidavit must state at least:

- (1) the names and addresses of the customer and the deputy registrar who has been providing the service;
- (2) what service has been provided by the deputy registrar; and
- (3) the date on which the service from the deputy registrar office began.

F. The deputy registrar shall verify that the information provided by the customer on the affidavit is correct.

G. The deputy registrar shall make the following agreements to the registrar:

(1) that upon death, resignation, revocation, or retirement of the deputy registrar, all variances for service to a customer that have been granted expire; and

(2) that if the service of a customer listed in an affidavit in item E is discontinued or the customer changes locations, the variance for providing that service to that customer expires. The variance granted to a deputy registrar is for a particular customer at a designated location as provided in the affidavit.

This subpart applies only to a deputy registrar promoting or providing service outside the 75 percent service area and does not in any way limit the promotion or providing of service within a deputy registrar's 75 percent service area.

The registrar's decision and the right to a review of the registrar's decision must follow the procedures in part 7406.0330, subparts 3 and 4.

Subp. 3c. **Advertising.** The distance limitation in subpart 3a does not apply to advertising by the deputy registrar in any print, broadcast, or electronic media. The advertising may not contain any financial incentives for the service provided by the deputy registrar.

7406.0700 EXEMPTION.

Notwithstanding part 7406.0300, a new deputy registrar may be appointed for an existing office location upon the death, resignation, ~~discontinuance~~ revocation, or retirement of an existing deputy registrar whose office does not comply with the requirements for distance or number of applications for registration processed. However, the existing office location must meet the office requirements under part 7406.0400 before an appointment can be made under this part. If, within ~~three~~ six months, a new deputy registrar appointment is not accepted by the person to be appointed or if the office is not established by the appropriate local government, then part 7406.0300 applies.

RENUMBERING INSTRUCTION. In the next edition of *Minnesota Rules*, the revisor of statutes shall renumber each part or subpart listed in column A as the part or subpart listed in column B:

A	B
7406.0100, subp. 5	7406.0100, subp. 4 <u>18</u>
7406.0100, subp. 6	7406.0100, subp. 20 <u>19</u>

REPEALER. *Minnesota Rules*, parts 7406.0100, subparts 2, 3, and 4; 7406.0450, subpart 1a; 7406.0500, ~~subparts 3 and subpart 4~~; and 7406.0600, are repealed.

Secretary of State

Adopted Permanent Rules Relating to Housekeeping

The rules proposed and published at *State Register*, Volume 20, Number 26, pages 1829-1838, December 26, 1995 (20 SR 1829), are adopted with the following modifications:

Rules as Adopted

8200.6100 COPIES OF PUBLIC INFORMATION LISTS.

Persons requesting copies of public information lists ~~of~~ shall provide the secretary of state or county auditor with a written request stating the information required by *Minnesota Statutes*, section 201.091, subdivision 4. The secretary of state may provide forms for these requests.

8210.3000 MAIL BALLOTING.

Subp. 7. **Undeliverable ballots.** Ballots returned by the post office as undeliverable to the voter at the address of registration must be securely retained. If the auditor, municipal clerk, or school district clerk is able to verify the voter's residence at that address, the ballot may be reissued. A ballot undeliverable to the voter at the address of registration must be considered a returned notice of verification as provided in *Minnesota Statutes*, section 201.12, and the voter's registration must be challenged. The auditor shall maintain a record of all undeliverable ballots.

If the ballot is returned by the post office with notification of the voter's new address within the county, municipality, school district, or unorganized territory holding the mail election, the auditor or clerk shall resend ~~the a~~ ballot to the voter along with a voter registration card, an absentee ballot return envelope as provided in part 8210.9930, and a notice explaining the need and the procedure to register at the voter's new address. The auditor or clerk shall keep a list of individuals who are sent the second mailing and will provide a copy of that list to the election judges for use in processing the returned ballots. The list of voters sent the second mailing will take the place of the absentee ballot request form specified in part 8210.0200.

Subp. 8. **Returning ballots.** Mail ballots may be returned to the county auditor, municipal clerk, or school district clerk, by mail, in person, or by designated agent. Ballots returned in person, or by designated agent, must be accepted until 8:00 p.m. on the day of the election.

Subp. 9. **Polling place and election judges.** The only polling place required for mail balloting is the office of the election official conducting the election. The governing body shall designate a suitable location where the election judges can meet on election day to receive and count ballots. The location must be open for public observation of the counting of ballots. The governing body shall appoint election judges as provided in *Minnesota Statutes*, sections 204B.19 to 204B.21. During the day of the election at least three election judges must be present at the office of the official conducting the election to accept mail ballots delivered in person and to process persons registering on election day. Additional judges may be appointed as needed. If paper ballots are used, at least one judge must be appointed for the counting of ballots for every ~~150~~ 500 persons from whom ballots are expected to be returned.

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

Subp. 10. **Receiving and counting ballots.** On or before election day, ~~at the time stated in the notice,~~ the election judges shall receive from the county auditor, municipal clerk, or school district clerk, ~~all~~ returned ballots, applications for absentee ballots, affidavits for replacement ballots, and the list of voters sent a second mailing of the ballot. The judges shall arrange to receive from the election official any additional ballots received in the mail or returned by a voter prior to 8:00 p.m. on election day. Ballots must be transported to the location where ballot processing and counting will occur in a sealed transfer case by two or more election judges. During the receiving and counting of ballots, the ballots must at all times remain in the custody of two or more election judges.

Prior to 8:00 p.m. on election day, the election judges may examine the return envelopes, mark them "accepted" or "rejected" and remove the ballot envelopes from the "accepted" return envelopes. The ballot envelopes must be placed unopened in a locked ballot box or other sealed container. At 8:00 p.m. on election day, the election judges shall open the ballot box, remove the ballots from the ballot envelopes, and count the ballots.

8230.4350 OPTICAL SCAN VOTING SYSTEMS.

Subp. 7. **Ballots at counting center.** The vote totals for central count optical scan systems may be certified by either the election judges who served in the precinct or a set of election judges specifically appointed to serve at the counting center. When the polling place closes, the appropriate election judges shall complete the steps in items A to I.

A. At the polling place, count the number of ballots in the ballot box and either identify ballots that will need to be remade at the counting center, or process ballots requiring duplication prior to transporting them to the counting center.

D. Transport the transfer case to the counting center, or to a collection point for transportation to the counting center, by two election judges of different political parties.

8250.1800 FORMAT OF BALLOT CARDS FOR OPTICAL SCAN SYSTEMS.

Subpart 1. **Type sizes.** The type sizes in items A to E must be used in the printing of ballot cards.

B. The office titles must be printed in upper case and bold face in as large as practicable but no smaller than 10-point type. Immediately under each office title, the instruction "VOTE FOR ONE" or "VOTE FOR ONE TEAM" must be printed in upper case and bold face in as large as practicable but no smaller than 8-point type. The office titles must either be shaded with a screen of ten percent or less, or printed white on black.

Office of the Governor**Executive Order 96-9: Providing for State Agency Coordination of the Americans with Disabilities Act**

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, the Americans with Disabilities Act and the Minnesota Human Rights Act require employers to make reasonable accommodations for known disabilities of qualified applicants or employees; and

WHEREAS, the Americans with Disabilities Act requires public entities to ensure that all programs, services, and activities are readily accessible to and usable by persons with disabilities;

NOW, THEREFORE, I hereby order that:

1. State agencies strive to eliminate barriers to employment, programs, services, and activities for persons with disabilities, and charge all staff members with the same objective.
2. Each state agency distribute to its managers and supervisors the policies and procedures designed to comply with the Americans with Disabilities Act and the Minnesota Human Rights Act, including the following from the Department of Employee Relations, and others that may from time to time become available from the department:
 - Notice to the Public
 - External Grievance Policy and Procedures
 - Internal Grievance Policy and Procedures
 - Reasonable Accommodation Policy and Procedures
 - Auxiliary Aid Policy and Procedures
3. State agencies conduct all public meetings in physically accessible sites, provided such space is available, and auxiliary aids be provided upon request to ensure fair and equal access to all attendees.
4. Each agency perform a self-evaluation of all programs, services, and activities and develop a plan to correct all items identified in the self-evaluation that do not comply with the Americans with Disabilities Act.
5. State agencies allocate funds to provide reasonable accommodations for employees and modifications for the public, and report these amounts as part of the agency's affirmative action plan, in accordance with *Minnesota Statutes*, section 43A.191.
6. Each agency head appoint an ADA coordinator and communicate that appointment to the state ADA/Disability Coordinator. The agency coordinator shall assume the following responsibilities:
 - A. Direct and coordinate agency compliance with Title I of the Americans with Disabilities Act. The coordinator's duties under Title I are to:
 1. Review agency employment practices; report to the agency head and state ADA coordinator on any which discriminate or tend to discriminate against qualified individuals with disabilities; and propose necessary changes to statutes, rules, or administrative procedures to remove identified barriers.
 2. Post the Internal Grievance Procedures to provide prompt and equitable resolution of complaints, and investigate complaints alleging noncompliance.
 3. Deliver training and provide technical assistance to agency managers and supervisors on interviewing, providing reasonable accommodations, completing job analyses, identifying essential functions, and writing position descriptions that do not have the effect of discriminating on the basis of disability.
 4. Complete an annual report that documents compliance with Title I and submit the report to the state ADA coordinator by September 1 each year.
 5. Act as the designated agency resource for information and technical assistance regarding compliance with Title I, including case-by-case interventions as required.
 6. Assist employees with disabilities, who because of undue hardship cannot be accommodated within their current position, to relocate to a vacant position within the designated agency. When reassignment within the current employing agency is not possible, the agency ADA coordinator shall refer the employee to the Department of Employee Relations in accordance with Administrative Procedure 13.1.
 7. Distribute the bi-monthly ADA Bulletin and the ADA Tool Box to managers and supervisors. Managers and supervisors shall post the ADA Bulletin on the employee bulletin board where other state and federal postings are currently required to be posted.

Executive Orders

- B. Direct and coordinate agency compliance with Title II of the Americans with Disabilities Act. The coordinator's duties under Title II are to:
1. Review agency procedures on program, activity, and service delivery accessibility; report to the agency head and state ADA coordinator any which discriminate or tend to discriminate against individuals with disabilities; and propose necessary changes in statutes, rules, administrative procedures, or other agency procedures to remove identified barriers.
 2. Post the Notice to the Public and Grievance Procedures to provide prompt and equitable resolution of complaints and investigate complaints alleging noncompliance.
 3. Utilize the Procedures Template, developed by the Department of Employee Relations and contained in the ADA Tool Box, to develop processes to provide reasonable modifications to programs, services, and activities. Distribute the completed Procedures Template to managers and supervisors.
 4. Provide training and technical assistance to agency managers and supervisors on the requirements of Title II compliance.
 5. Complete an annual report to document agency compliance with Title II, and submit the report to the agency head and state ADA coordinator by September 1 each year.
7. Agency heads and their designated ADA coordinators may call upon the state ADA coordinator within the Department of Employee Relations to receive assistance in compliance with the provisions of Title I and Title II of the Americans with Disabilities Act.

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 twelfth day of June, 1996

Arne H. Carlson
Governor

Filed According to Law:
Joan Anderson Growe
Secretary of State

Office of the Governor

Emergency Executive Order 96-10: Providing for Assistance to Officials in Washington County

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, the Sheriff of Washington County has requested assistance in searching for a missing 17-year-old boy in the vicinity of William O'Brien State Park; and

WHEREAS, previous and ongoing search efforts have been unsuccessful; and

WHEREAS, Washington County does not have adequate personnel and equipment to continue an effective search;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to active duty on or about June 8, 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 Washington County Sheriff in the search effort.
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.

Official Notices

Pursuant to *Minnesota Statutes* 1994, section 4.035, subd. 2, this Order is effective June 8, 1996, 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 eleventh day of June, 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.

Department of Agriculture

Rural Finance Authority

Notice of Change in Meeting Dates and Meeting Site

The April meeting of the Rural Finance Authority Board has been postponed from April 3 to April 17, 1996. This meeting will start at 1:00 P.M. in the Conference Room of the MNDot Office of Aeronautics, 222 E. Plato Blvd., St. Paul. The May 1, 1996 meeting is canceled. Future monthly meetings will return to the normal meeting location at 90 West Plato Blvd. in St. Paul, MN.

Jim Boerboom
RFA Director

Department of Commerce

Correction to Adjustment of Dollar Amounts for the Minnesota Uniform Consumer Credit Code and Regulated Loan Act

An error occurred in the Official Notice, titled *Minnesota Uniform Consumer Credit Code and Regulated Loan Act Adjustment of Dollar Amounts*, published in the *State Register* April 29, 1996, Vol 20, # 44, pages 2448-2449. A minimum refund under the Uniform Consumer Credit Code, *Minnesota Statutes*, Section 47.59 Subdivision 3 (e)(f), was incorrectly listed. It will not be effective until August 1, 1996, and therefore, is not subject to indexing and should not be included in the adjustment of dollar amounts that will be effective July 1, 1996.

The next published adjustment is scheduled on or before April 30, 1998, for July 1, 1998 based on the December 1997 index.

Minnesota Department of Commerce and the Minnesota Comprehensive Health Association

Notice of Continuing Education Courses for Insurance Agents

The Minnesota Department of Commerce, in cooperation with the Minnesota Comprehensive Health Association, is sponsoring three hours of continuing education for insurance agents in greater Minnesota, regarding the purpose and operations of MCHA. The topics covered will be identical to the continuing education course that was held last October for insurance agents in the Twin Cities. There is no charge for the course, but *pre-registration is mandatory*. The dates and locations are listed below.

To register or for additional information, please call the following special telephone numbers: (800) 711-9868 or (612) 456-5540.

CITY/DATE	LOCATION	TIME
DULUTH Wednesday, July 10, 1996	Best Western Edgewater 2400 London Road Duluth, MN	10-1 P.M.
BEMIDJI Thursday, July 11, 1996	Northern Inn Conference Center 3600 Moberg Drive Bemidji, MN	1-4 P.M.
ST. CLOUD Tuesday, July 16, 1996	Americanna Inn & Conference Center 520 Highway 10 South St. Cloud, MN	9-12 P.M.
FERGUS FALLS Tuesday, July 16, 1996	Best Western Fergus Falls Interstate 94 & Highway 210 Fergus Falls, MN	4-7 P.M.
REDWOOD FALLS Thursday, July 18, 1996	Redwood Inn 1305 East Bridge St. Redwood Falls, MN	1-4 P.M.
MANKATO Friday, July 19, 1996	Garden Inn Highway 169 North 1111 Range St. North Mankato, MN	1-4 P.M.
ROCHESTER Tuesday, July 23, 1996	Best Western Apache 1517 16th Street S.W. Rochester, MN	1-4 P.M.

Department of Human Services

Health and Continuing Care Strategies

Public Notice Regarding Changes in the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, and the MinnesotaCare Program

NOTICE IS HEREBY GIVEN to recipients and providers of services under the Medical Assistance (MA), the General Assistance Medical Care Programs (GAMC) and MinnesotaCare, and to the public, of certain changes affecting the above programs that were enacted by the 1996 Minnesota Legislature. This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires public notice of any significant proposed change in the methods and standards for payment rates for services. The changes to the MA Program are expected to result in a net decrease in MA Program expenditures of \$2,920,000 for state fiscal year 1997.

The actual text of these changes is contained in 1996 Minnesota Session Laws at the chapters cited below. Minnesota Session Laws are available at most libraries. Also you may obtain a copy of the bills summarized in this notice by calling the House or Senate Index at (612) 296- 6646 or (612) 296-0504. It is important to note that not all changes made to these programs by the 1996 Legislature are mentioned in this notice. For example, only eligibility changes that are considered of interest to providers are represented in this notice.

Information related to implementation of these provisions will be sent to local human services agencies through instructional and informational bulletins and manual updates, to MA, GAMC, and MinnesotaCare enrollees through written notice, and to health care providers through newsletters and updates to the provider manuals.

Changes were made in the following areas:

- I. MA, GAMC, and MinnesotaCare Eligibility
- II. MA, GAMC and MinnesotaCare Services
- III. MA, GAMC and Minnesota Care Payment Rates
- IV. Services and Payment Rates related to MA long term care
- V. Changes to services and rates related to MA home care and home and community based waivers.
- VI. MinnesotaCare Health Care Reform Waiver
- VII. Health Care Service Delivery
- VII Other

I. MA and GAMC Eligibility

TEFRA

- Effective July 1, 1996, the MA eligibility category known as the "TEFRA Option" is amended to provide a report to the 1997 Legislature regarding the number of children found eligible for MA under TEFRA as a result of changes in the TEFRA law. The report must include the medical condition of ineligible children, services provided for those children, and recommendations for changes. The Department of Human Services (DHS) must consult with families, clients, providers and counties in preparing the report. Chapter 451, Article 1, Section 2.
- Effective April 13, 1996 through July 1, 1996, for denial of eligibility under the TEFRA Option that is related to lack of information on the child's condition, DHS must provide 60 days notice prior to termination. All denial notices from April 13, 1996 through July 1, 1996 must contain DHS phone numbers to contact about alternative coverage. Chapter 451, Article 1, Section 2.
- Effective July 1, 1996, a family may receive a reduction of \$300 in their parental fee if they are denied insurance coverage for their child if their child is receiving MA under the TEFRA Option, and the family successfully appeals the denial of insurance. Chapter 451, Article 2, Section 3.
- Effective April 13, 1996 the TEFRA Option is amended to provide that DHS may make disability and level of care determinations for up to four years for certain disability groups. Other eligibility criteria is redetermined annually. Chapter 451, Article 2, Section 7.
- Effective April 13, 1996, the TEFRA Option is amended to provide that DHS will use the Wisconsin Katie Beckett criteria for children with severe emotional disabilities as a second level of care. Chapter 451, Article 2, Section 7.
- Effective April 13, 1996, the requirement that children eligible under TEFRA receive home care and personal care assistant services through the Prepaid Medical Assistance Program (PMAP) is repealed. Chapter 451, Article 5, Section 32.
- Effective July 1, 1996, the language eliminating certain requirements related to requests for proposals regarding for TEFRA children to PMAP is repealed. Chapter 451, Article 5, Section 39.

Residency

- Effective upon receipt of federal approval and publication of such approval in the *State Register*, there is a 30 day residency requirement for MA eligibility. The 30 day requirement may be waived for emergency or unusual hardship. Counties must leave open the application until the residency requirement is met. Chapter 451, Article 2, Section 8.
- Effective April 13, 1996, a 30 day residency requirement will be imposed in General Assistance Medical Care. Chapter 451, Article 2, Section 38.
- Effective July 1, 1996, the definition of "excluded time" will be expanded to include training habilitation programs, rehabilitation facilities, work and employment programs, receiving Personal Care Attendant (PCA) services, SILS, DT&H

Official Notices

and community based services for persons with mental retardation or mental illness, and assisted living services, and placement in indeterminate commitment including independent living. Chapter 451, Article 2, Section 44.

Income

- Effective upon receipt of federal approval, in kind contributions to or payments on behalf of a recipient by an obligor in satisfaction of and in addition to a temporary or permanent order for child support or maintenance would be considered income to the recipient. Chapter 451, Article 2, Section 9.
- Effective upon receipt of state plan amendment approval, law authorizing income deductions for institutionalized persons is amended to permit monthly allowance for children only to the extent the allowance is not included in the personal needs allowance under *Minnesota Statutes* 256B.35(1) as child support garnished under court order. Chapter 451, Article 2, Section 10.
- Effective January 1, 1996 if approved as a state plan amendment, the personal needs allowance for a person in long term care can include income garnished for child support under a court order, up to a maximum of \$250 per month, so long as the amount garnished is not deducted as a monthly allowance under spousal impoverishment protection provisions at *Minnesota Statutes* 256B.0575. Chapter 451, Article 2, Section 31.

Asset Transfers

- Effective retroactive to October 1, 1993, to comply with the federal Omnibus Budget Reconciliation Act of 1993 (OBRA 1993), trusts are deleted from list of transferred assets for which the value of the asset transferred is reduced by the expected return to the person over a person's estimated life expectancy. Chapter 451, Article 2, Section 11.
- Effective upon receipt of federal approval, a 72 month "lookback period" for transfers of any asset or income for less than fair market value would apply, to transfers made on or after March 1, 1996. Chapter 451, Article 2, Section 12.
- Effective April 13, 1996, the law is clarified to provide that an uncompensated transfer includes reducing ownership or control of income or assets. Chapter 451, Article 2, Section 12.
- Effective April 13, 1996, regarding the period of ineligibility, the monthly total of uncompensated transfers that are disregarded for purposes of calculating an MA penalty period are reduced from \$1000 to \$500. The disregard does not apply if the transfers involved are made during an existing penalty period. Chapter 451, Article 2, Section 13.
- Effective upon receipt of federal approval, there would be a new method of determining ineligibility when an uncompensated transfer occurs within 72 months of applying for MA or after application or while eligible for MA. During a penalty period, the person would be ineligible for all MA services, not just long term care services. The penalty period would be determined by dividing the amount of uncompensated transfer by the statewide average per person nursing facility payment made by the state. For applicants, the period of ineligibility would begin in the month the person applied for MA and satisfied all other requirements of eligibility, or the month the agency becomes aware of the transfer, if later. For recipients, the period of ineligibility in the month the agency becomes aware of the transfers or following any period of ineligibility existing when the transfer is made. Chapter 451, Article 2, Section 14.
- Effective July 1, 1996, the homestead exception to transfer prohibition is clarified to permit homestead transfers to specified relatives on the basis that the recipient of the homestead provided care, as certified by the person's attending physician, that permitted the applicant to reside at home. The section also requires local agencies to inform persons denied eligibility due to transfers that they may request an undue hardship waiver, and sets out standards for granting undue hardship waivers. Chapter 451, Article 2, Section 15.
- Effective upon receipt of federal approval, the homestead exception would be amended to permit transfer of homesteads to specified relatives only when they are residing in the homestead. Chapter 451, Article 2, Section 16.
- Effective upon receipt of federal approval, transfers to spouses after eligibility is established would be limited to the amount allowed under provisions relating to protections against spousal impoverishment. Transfers to disabled children would be limited to trusts for the sole benefit of the disabled child which must revert to the state after death of the disabled child to repay any MA paid, but only as to those trusts established after the receipt of federal waiver approval has been published in the *State Register*. Transfers to trusts for other disabled persons under age 65 would no longer be considered an exception to transfer prohibitions. Chapter 451, Article 2, Section 18.
- Effective July 1, 1996, when a period of ineligibility is imposed, the local agency must inform the applicant or recipient of new penalties against the person who advised the transfer under the various consumer fraud statutes. Chapter 451, Article 2, Section 19.
- Effective July 1, 1996, supplemental civil penalties will be allowed in actions brought by the state created under the several consumer fraud statutes for conduct causing a senior citizen or handicapped person to make an uncompensated transfer of assets that resulted in the person being found ineligible for MA. Chapter 451, Article 2, Section 53.

Estate Claims

- Effective July 1, 1996, claims for the cost of care under MA, GAMC, public institutions and county poor relief statutes, are given precedence over rights granted to a deceased person's surviving adult children. Chapter 451, Article 2, Section 54.
- Effective upon federal approval, a claim will be allowed against the estate of the spouse of an individual for the cost of care paid by MA during the individual's lifetime, despite the fact that there is a surviving spouse. Chapter 451, Article 2, Section 29.
- Effective July 1, 1996, appeal rights are created for persons who are denied hardship waivers under MA estate claims statute. Chapter 451, Article 5, Section 9.

II. MA, GAMC and MinnesotaCare Services

- Effective July 1, 1996, MA coverage for special transportation services includes driver assisted services. Chapter 451, Article 5, Section 15.

III. MA, GAMC and MinnesotaCare Payment Rates

- Effective April 13, 1996, the requirement that PMAP and PGAMC capitation rates for non-metro counties be no less than 85% of metro rates is extended through calendar year 1998. Chapter 451, Article 2, Section 35.
- Effective July 1, 1997, personal representatives are required to notify the state of its right to file an estate claim if the deceased person received services through MA, GAMC, public institutions, or county poor relief. Chapter 451, Article 2, Section 55.
- Effective July 1, 1996, MA payment for augmentative communication devices approved for coverage between July 1, 1995 and December 31, 1996 shall be at charges as limited to retail price. Chapter 451, Article 2, Section 60.
- Effective July 1, 1996, the requirement to rebase inpatient hospital payment rates in MA and MinnesotaCare on January 1, 1997 is eliminated. Chapter 451, Article 5, Section 12.
- Effective July 1, 1996, the hospital cost index is effective through calendar year 1997.

IV. Services and Payment Rates Related to MA Long Term Care Coverage

- Effective July 1, 1996, a one-time adjustment of \$.06 per resident day was added to the all nursing facilities(Rule 50), except for those participating in alternative payment contracts. Chapter 451, Article 1, section 2.
- Effective July 1, 1996, two exceptions to the nursing home moratorium law were permitted: a) permits certification of four existing licensed beds in Winona, b) permits a 36 bed relocation project in Brainerd. Chapter 451, Article 3, sections 1 and 2.
- Effective July 1, 1996, two nursing facilities were exempted from the spend-up limits. Chapter 451, Article 3, section 3.
- Effective July 1, 1996, for the rate year beginning July 1, 1996, the following nursing facility reimbursement changes were made. Chapter 451 Article 3, section 11:
 - New spend-up limits were established for freestanding and nonfreestanding facilities within each geographic group array:
 - * At or above the median +1 standard deviation = DRI +0%(DRI denotes the Nursing Home Market Based Index as forecast for DHS by Data Resources Inc.)
 - * Between +.5 and +1 standard deviation above the median = DRI +1%
 - * Equal to or below +.5 standard deviation = DRI +2%
 - The high cost limits shall not apply.
 - The operating cost limits shall be indexed by the DRI inflation factor, however, these limits shall be used only for efficiency incentive computation purposes.
 - The operating cost limits in *Minnesota Statutes*, section 256B.431, subdivisions 2b, 2i, and 3c, shall not apply (\$325/bed maintenance care- related & other operating cost limits).
 - Rule 80 nursing facilities are exempt from care related limits
 - Reductions to the combined operating per diems are to be divided proportionally between care-related and other operating per diems.
 - The commissioner must compute nursing facility payment rates without regard to the forgoing rate setting changes, and shall use the resulting allowable care-related and other operating cost per diems as the basis for the spend-up limits for the following rate years.

Official Notices

- Effective July 1, 1996, key assessment points were added to facility conducted NF case mix assessments to determine whether a person is classified as a high-functioning case mix A. Chapter 451, Article 5, section 3.

ICF's/MR

- Effective July 1, 1996, the mortgage equity requirement can be waived during fiscal year 1997 where the interest rate does not exceed state agency tax exempt financing. Chapter 451, Article 1, section 2.
- Effective July 1, 1996, and during fiscal year 1997, a facility in receivership that is sold to an unrelated organization can be considered a new facility for rate setting purposes, and that facility's purchase price is limited to the historical cost of the prior owner's cost for physical plant, land, and land improvements. Chapter 451, Article 1, section 2.
- Effective October 1, 1996, facilities which meet the specified criteria shall be exempt for the rate year from the spend-up limits. Chapter 451, Article 1, section 2.
- Effective October 1, 1995, facilities that have converted their Class A beds to Class B beds shall be exempt from high cost limits for six years after completion of the project. Chapter 451, Article 3, section 4.
- Effective October 1, 1996, a facility involved in a bed relocation project which meets certain conditions shall be exempt from the spend-up and high cost limits for one rate year. Chapter 451, Article 3, section 4.
- Effective April 1, 1996, a facility authorized to develop crisis services in 1992 shall be eligible for a modification to its maintenance cost limitation beginning April 1, 1996, and that adjustment shall continue each rate year thereafter. Also, for rate years beginning on and after October 1, 1996, that facility's crisis service costs shall be excluded from the high cost limit computation. Chapter 451, Article 3, section 6.
- Effective April 1, 1996, a facility shall receive a temporary rate reduction to cover the costs of 24 hour LPN coverage for one client, and the rate adjustment shall remain in effect until the client is discharged. Chapter 451, Article 3, section 7.
- Effective July 1, 1996, authority was granted for the Commissioner to downsize an ICF/MR program located in Pennington County. Chapter 451, Article 3, section 10.
- Effective July 1, 1996, for the rate year beginning October 1, 1996, the following ICF/MR payment rate changes were made:
 - General operating costs per resident day shall be the basis for review for the spend-up limit. Facilities above the median may get up to the Consumer Price Index (CPI) plus 3 percent. Facilities with increased spending above this amount shall be limited (by facility size) as follows:

Number of Beds	Limit
1 - 8	1.0%
9 - 16	2.0 %
Over 16	3.0%

- The high cost limits shall not apply.
- The commissioner must compute facility payment rates without regard to the foregoing rate setting changes, and shall use the resulting allowable operating cost per diems as the basis for the spend-up limits for the following rate years. Chapter 451, Article 3, section 12.

Day Training & Habilitation Services

- Effective July 1, 1996, a vendor of day training and habilitation services in Hennepin County may be eligible for a rate variance if certain conditions are met. Chapter 451, Article 3, section 9.

V. Changes to Services and Rates Related to MA Home Care and Home and Community-Based Waivers

- Effective July 1, 1996, the payment for public health nurse visits related to the provision of personal care assistant services is \$204.36 for the initial assessment visit and \$102.18 for each reassessment visit. Chapter 451, Article 1, section 2.
- Effective July 1, 1996, personal care service coverage provisions are reinstated related to responsible parties for persons who cannot direct their own care. Chapter 451, Article 2, section 20.
- Effective July 1, 1996, this provision clarifies that all third-party coverage, including Medicare, shall have been used prior to MA coverage for home care services. Chapter 451, Article 2, section 21.
- Effective July 1, 1996, a Medicare Maximization program is established for home care services. These provisions:
 - require the commissioner to provide technical assistance to providers;
 - require referral of persons eligible for both Medicare and MA to certified providers for qualifying services and equipment (upon federal approval);

- require all MA enrolled home care service providers to become Medicare certified within a specified time period; and
- establish an advisory committee. Chapter 451, Article 2, section 22.
- Effective the day following final enactment, retroactive to January 1, 1996, Anoka County's maximum allowed rate for home health aide service under the (AC) alternative care program shall be increased to \$4.39 per 15 minute unit and homemaker services under AC to \$2.90 per 15-minute unit. Any adjustments in fiscal year 1997 to the maximum allowed rates for home health aide or homemaker services for Anoka County shall be calculated from the maximum rate in effect on January 1, 1996. Chapter 451, Article 2, section 23.
- Effective April 1, 1996, the AC payment rates in Aitkin County for in-home respite care shall be increased to \$6.62 per 30-minute unit. Chapter 451, Article 2, section 24.
- Effective July 1, 1996, the maximum rate for homemaker services under the AC program in Polk and Pennington counties shall be increased to \$6.18 per 30-minute unit. Chapter 451, Article 2, section 25.
- Effective July 1, 1996, the maximum home health aide service rate under Elderly Waiver (EW) per 15-minute unit shall be increased to \$4.43 and the maximum homemaker service rate under EW shall be increased to \$2.93 per 15 minute service unit. Chapter 451, Article 2, section 26.
- Effective April 1, 1996, the maximum payment rate in Aitkin county for in-home respite under EW shall be increased to \$6.67 per 30-minute unit. Chapter 451, Article 2, section 27.
- Effective July 1, 1996, the maximum payment rate in Polk and Pennington counties for homemaker services under EW shall be increased to \$6.25 per 30 minute unit. Chapter 451, Article 2, section 28.
- Effective July 1, 1996, this provision clarifies that Medicare benefits are to be exhausted before MA will pay for home health care, PCA, hospice, or waived services. Chapter 451, Article 2, section 32.
- Effective July 1, 1996, changes were made to the law regarding MA coverage of PCA services. Some changes clarified language enacted in 1995 while other changes reinstated language that had been repealed in 1995. Chapter 451, Article 5, section 17.
 - Clarifies that assessments for MA home care for mental retardation or related conditions and alternative care services for developmental disabilities DD waiver recipients may be conducted by the county public health nurse;
 - provides that a 16-18 year old who participated in an applicable school- based job training program or completed a certified home health aide competency evaluation may be a PCA;
 - clarifies criteria for communication skills required to be a PCA;
 - clarifies criminal background check provisions;
 - defines "responsible party;"
 - inserts "responsible party" language; and
 - defines skilled nurse visits.
- Effective July 1, 1996, personal care services which are eligible for payment are reinstated in law. These provisions had been repealed from statute in 1995. These area include intervention and redirection for behavior, intervention for seizures, assisting, monitoring, or prompting to complete services, and providing medically necessary redirection, monitoring, and observation. Foster care providers may be designated as the responsible party for recipients in that home who cannot direct their own care if the provision of services is monitored by a case manager. Chapter 451, Article 5, section 18.
- Effective July 1, 1996, limits on services without prior authorization are effective. Changes were made in these provisions:
 - eliminate the exemption for prior authorization of the first 40 home health or skilled nurse visits and establishes a request process.
 - permit one assessment and up to two reassessments per year to determine need for personal care services;
 - increase the maximum number of hours that can be authorized;
 - add to the home care rating an assessment of seizure activity;
 - provide a higher authorization level for persons with level I behaviors.
 - Define level I and level II behavior
 - contain certain limitations for authorization of home care for persons in foster care settings. Chapter 451, Article 5, section 19.

Official Notices

- Effective July 1, 1996, AC covers telemedicine devices. This section also provides that a county may use AC funds to purchase medical supplies and equipment without prior approval under certain conditions. It repeals a provision requiring prior approval from the commissioner for purchase of supplies and equipment exceeding \$150 per month and adds a provision providing counties with greater flexibility in such purchases. Chapter 451, Article 5, section 21.
- Effective July 1, 1996, the county case manager is permitted to delegate certain case management activities funded through the AC program. Chapter 451, Article 5, section 22.
- Effective July 1, 1996, and upon federal approval, the county case manager is permitted to delegate certain case management activities funded through the Elderly Waiver (EW). Chapter 451, Article 5, section 23.
- Effective July 1, 1996 the following clarifications related to limits of cases, rates, and forecasting are effective:
 - Clarifies that private duty nursing costs must be included when determining total monthly costs for a waiver client.
 - Provides that a county may use EW and disabled waiver funds to purchase medical supplies and equipment without prior approval under certain conditions. - Deletes a provision requiring prior approval from the commissioner for purchase of supplies and equipment exceeding \$150 per month and adds a provision providing counties with greater flexibility in such purchases. Chapter 451, Article 5, section 24.
- Effective July 1, 1996, and upon federal approval, the county case manager is permitted to delegate certain case management activities funded by Community Alternatives for Disabled Individuals (CADI), Community Alternative Care (CAC), or Traumatic Brain Injury (TBI) waivers. DHS is required to submit a waiver amendment. Chapter 451, Article 5, section 31.

Group Residential Housing (GRH)

- Effective July 1, 1996, a rate increase was granted for GRH facilities that meet certain criteria. This provision affects four non-certified boarding care homes. Chapter 451, Article 3, section 8.
- Effective July 1, 1996, GRH housing agreements may be terminated with two calendar months prior notice. Chapter 451, Article 5, Section 35.
- Effective July 1, 1996, language was added to an existing GRH demonstration project provision. It states that the GRH funding for the demonstration will end on June 30, 1997 if federal matching funds are available and the services can be provided through a managed care entity. If federal matching funds are not available, then service funding will continue under section 256I.05, subdivision 1a. Chapter 451, Article 5, section 36.
- Effective August 1, 1996, this law clarifies the method for establishing rates paid to the Andrew Boarding Care Home in Hennepin county. Chapter 312, SF 2317.

VI. Changes Related to Health Care Service Delivery

- Effective April 13, 1996, DHS and county boards are required to develop mutually agreeable timetables for PMAP expansion. Chapter 451, Article 2, Section 33
- Effective upon receipt of federal approval and publication of such approval in the *State Register*, 90 days before enrollment begins in a county where prepaid programs have not been established, the commissioner of human services must report to the legislature that DHS has complied with the requirements for county involvement. Chapter 451, Article 2, Section 33.
- Effective April 13, 1996, recipients with SPMI or SED who receive case management are exempted from PMAP under certain conditions. Chapter 451, Article 2, Section 34.

VII. MinnesotaCare Health Care Reform Waiver

- Effective October 1, 1996 or upon receipt of federal approval and publication of such approval in the *State Register*, federally recognized Indian tribes in Minnesota are permitted to negotiate alternative funding mechanisms for MA and GAMC health care coverage for American Indian people who reside on or near reservations. Chapter 451, Article 5, Section 14.

VIII. Other

- Effective July 1, 1996, an MA disproportionate population adjustment is to be paid to a hospital that was formally the primary hospital affiliated with the University of Minnesota. Chapter 451, Article 2, Section 5.
- Effective July 1, 1996, in the event of an intergration agreement, Fairview Hospital is required to pay the University of Minnesota the intergovernmental transfer received from the state. Chapter 451, Article 2, Section 6.

- Effective upon receipt of federal approval and publication of such approval in the *State Register*, the Department of Human Services must seek a federal waiver to allow a fee for service plan option to MinnesotaCare enrollees. Chapter 451, Article 2, Section 33.
- Effective July 1, 1996, subsidized adoptions, people with private HMO coverage, people living near the border in Itasca County who use a health care provider in another county, people in foster care, and children in the child protection system, are no longer exempted from PMAP. Chapter 451, Article 2, Section 34.
- Effective July 1, 1997, the Department of Human Services must develop a waiver request to pursue a federal reimbursement of food and nutritional costs. Chapter 451, Article 2, Section 52.
- Effective July 1, 1996, the law regarding participation in MA programs is changed to provide that Health Maintenance Organizations (HMO's) must submit proposals if public enrollees in a geographic region are less than the percentage of total individuals enrolled in the HMO in the same region. Chapter 451, Article 5, Sections 1&2.
- Effective July 1, 1996, the current exemption from qualifications for refugee mental health case management is extended until June 30, 1999. Chapter 451, Article 5, Sections 4&5.
- Effective July 1, 1996, for Regional Treatment Center hold orders, the Department of Human Services is required to bill the appropriate health plan first if the person is enrolled in a PMAP and the hospitalization is medically necessary. Chapter 451, Article 5, Section 8.
- Effective July 1, 1996, the Department of Human Services is permitted to require individuals enrolled in MinnesotaCare to pay premiums by the 8th day prior to the end of the month. Chapter 451, Article 5, Section 10.
- Effective July 1, 1996, to be eligible for separate billing by certified registered nurse anesthetists, hospitals must notify the commissioner of the Department of Human Services by October 1 of even numbered years. Chapter 451, Article 5, Section 13.
- Effective July 1, 1996, there is a clarification that for profit rural health centers (RHC's) that apply to be recognized as an essential community provider (ECP) are included in the three year cost based payment transition period. The three year transition period for RHCs and federally qualified health centers (FQHCs) begins upon application for ECP status (changed from date ECP status is granted). Chapter 451, Article 5, Section 16.
- Effective July 1, 1996, the portion of Rule 101 relating to HMO participation in MA, GAMC, and MinnesotaCare is repealed. Chapter 451, Article 5, Section 39.
- Effective July 1, 1996, \$150,000 is appropriated to the Department of Human Services
- for new HIV/AIDS drug reimbursements. Chapter 451, Article 1, Section 2.
- Effective July 1, 1996, the commissioners of health and human services are required to seek federal waivers to eliminate the 3 day hospital stay requirement before a skilled nursing facilities (SNF's), and allow for Medicare reimbursement for respiratory therapists providing services at an SNF may receive Medicare payment. Chapter 296, Section 2.
- (Chapter 335) Effective August 1, 1996, health plans must provide a minimum of 48 hours inpatient care following vaginal delivery, and 96 hours inpatient care following a caesarean section.
- (Chapter 446, Article 1, Section 51) Effective August 1, 1996, health plans must provide coverage of periodic prostate cancer screening.

Department of Labor and Industry

Notice of Correction to the Notice of Hearing in the Matter of the Proposed Adoption of Amendments to the Rule of the Minnesota Department of Labor and Industry, Labor Standards Division, Governing Prevailing Wage Determinations

PLEASE TAKE NOTICE that the Notice of Hearing In the Matter of the Proposed Adoption of Amendments to the Rule of the Minnesota Department of Labor and Industry, Labor Standards Division, Governing Prevailing wage Determinations, published in the June 17, 1996 edition of the *State Register*, on page 2713, 20 S.R. 2713, contained the incorrect address and phone number for Administrative Law Judge Allen E. Giles, the judge assigned to the hearing.

The correct address and phone number for Judge Giles are:

Allen E. Giles
Administrative Law Judge
Office of Administrative Hearings
Suite 1700, 100 Washington Square
Minneapolis, MN 55401
Phone: (612) 349-2543

The date, time and place for the hearing remain unchanged so the hearing will be held on Wednesday, July 17, 1996 in Room 10 (Ground Floor) of the State Office Building, 100 Constitution Avenue, St. Paul, Minnesota, and continue until all interested groups have had an opportunity to be heard concerning the proposed amendments to the above captioned rule. The proposed rule amendments were published in the *State Register* on November 13, 1995 at 20 S.R. 1148.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective June 24, 1996 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Douglas: Alexandria West Arena-Alexandria.

Hennepin: Chemical Dependency Building Signage-Minneapolis; South High School Asbestos Abatement-Minneapolis; North Hennepin County Community College Infrastructure Improvements-Brooklyn Park.

Lake: Two Harbors Liquor Store Renovation-Two Harbors.

Rice: Faribault Jr. High Phase II 1996 Mechanical Modification-Faribault.

Washington: Oakdale Salt Storage Building Interior Painting-Oakdale.

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

Metropolitan Council

Public Hearing on Proposed 1997 Metropolitan Council Environmental Services Budget

On Thursday, July 25, 1996, the Metropolitan Council will hold a public hearing on the proposed 1997 budget for the Council's Environmental Services Division. This hearing will be held as part of the 4 p.m. Metropolitan Council meeting in the Council Chambers, Mears Park Centre, 230 E. Fifth St., St. Paul.

All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Katie Elliott at 229-2016 or 229-3760 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities. Written comments, which must be received by 4 p.m., August 7, 1996, should be sent to Lois Spear, Controller, Metropolitan Council Environmental Services, 230 E. Fifth St., St. Paul, MN 55101. Copies of the public hearing draft of the proposed 1997 Environmental Services budget may be obtained from the Council's Data Center by calling 291-8140 or 291-0904 (TTY).

Department of Natural Resources

Division of Fish and Wildlife

Request for Comments on Planned Rule and Rule Amendments Governing Harmful Exotic Species, *Minnesota Rules*, parts 6126.0100-.0600

Subject of Rule. The Minnesota Department of Natural Resources requests comments on its planned rule and rule amendments governing harmful exotic species. Exotic species are wild animal species or aquatic plant species that are not native species. Harmful exotic species are those exotic species that can naturalize and either: (1) cause or may cause displacement of, or otherwise threaten native species in their natural communities, or (2) threaten or may threaten natural resources or their use in the state.

The department is considering a rule and rule amendments that:

- (1) designate prohibited, regulated and unregulated exotic species;
- (2) provide the conditions and procedures for the issuance of permits for the propagation, possession, importation, purchase, or transport of a prohibited exotic species for the purposes of disposal, control, research or education;
- (3) provide the conditions and procedures for the issuance of permits for the introduction of a regulated exotic species;
- (4) provide for exceptions to the need for permits to introduce a regulated exotic species;
- (5) provide the notification procedure requirements for a person that allows or causes the introduction of an animal that is prohibited, regulated, or unlisted exotic species;
- (6) designate and govern the market and use of, limited infestations of Eurasian water milfoil;
- (7) regulate the possession, importation, purchase, sale, propagation, transport, and introduction of harmful exotic species; and
- (8) regulate the appropriation, use, and transportation of water from infested waters.

Persons Affected. The rules may affect weed harvesters, boaters, anglers and other water recreationists that boat on, or remove boats and related equipment from, waters infested with harmful exotic species. Individuals and businesses that harvest bait and commercial fishing operators who work in infested waters may be affected. Lake associations, riparian owners, or others who desire to divert water from waters with populations of harmful exotic species for the purposes of managing water levels may be affected. Irrigators, businesses, industries, and government agencies who desire to take or transport water from infested waters for uses such as fire suppression, agriculture, watering roadside plantings, and transporting live fish may be affected.

Businesses, zoos, pet stores, the aquarium trade, private aquaculture, horticultural interests, individuals, and other parties who possess, import, purchase, sell, propagate, transport, or introduce exotic species would likely be affected by the designation of species as prohibited exotic species. Research and educational institutions that desire to conduct research on prohibited exotic species will be affected by the designation of prohibited exotic species and related permitting requirements and procedures. Parties who transport aquatic prohibited exotic species as part of harvest or control activities may be affected.

Businesses, game farm licensees and their customers, shooting preserves, zoos, pet stores, bird rehabilitation organizations, organizers of exotic animal sales and their participants, individuals, and other parties that possess or intend to introduce exotic species of wild animals in the state may be affected by the designation of species as regulated exotic species or as unregulated exotic species. Horticultural interests, their customers, and others that buy, sell, transport, or introduce exotic species of aquatic plants into a free living state will be affected by these designations as well.

Official Notices

Parties possessing exotic species of wild animals will likely be affected by notification provisions to be established for release or escape of exotic species into free-living state. Businesses and individuals dealing with private aquaculture will likely be affected by processes established to approve or reject importation of exotic aquatic species and genetically altered aquatic species. Individuals, businesses, groups, or any other parties whose actions are identified in the future as pathways of introduction and spread of harmful exotic species will likely be affected.

Advisory Committee. The department does not contemplate appointing an advisory committee to comment on the planned rule. In addition to direct communication with interested and affected parties, an existing state interagency exotic species committee will be used to review and provide comment on the rules. The committee includes members from: Minnesota Department of Agriculture, Minnesota Pollution Control Agency, Minnesota Sea Grant Extension Service, Minnesota Department of Natural Resources, Minnesota Board of Animal Health, Minnesota Department of Transportation, U.S. Army Corps of Engineers, Environmental Protection Agency, National Park Service, U.S. Fish and Wildlife Service, U.S. Department of Agriculture - Animal Plant Health Inspection Service (APHIS), and the U. S. Coast Guard. Additionally, a 35 member regional committee, the Great Lakes Panel on nonindigenous aquatic nuisance species, will also be contacted to provide comments from the perspective of state and federal agencies, industry, sporting and conservation groups, and Tribal representatives.

Statutory Authority. *Minnesota Statutes*, section 84D.12, subdivision 1, requires the department to adopt rules: (1) designating prohibited, regulated, and unregulated exotic species; (2) governing the application and issuance of permits, including a fee schedule for the permits; (3) governing notification requirements for escape of exotic species; and (4) designating and governing the marking and use of, limited infestations of Eurasian water milfoil. *Minnesota Statutes*, section 84D.12, subdivision 2, authorizes the department to adopt rules: (1) regulating the possession, importation, purchase, sale, propagation, transport, and introduction of harmful exotic species; and (2) regulating the appropriation, use and transportation of water from infested waters.

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 September 30, 1996. The department has not yet prepared a draft of the planned rule. Written or oral comments, questions, requests to receive a draft of the rule when it has been prepared, and requests for more information on this planned rule should be addressed to:

Jay Rendall
Department of Natural Resources
500 Lafayette Road, Box 20
St. Paul, Minnesota 55155-4020
Telephone: (612) 297-1464

Comments submitted in response to this notice will be considered in drafting rules, but 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.

Dated: 11 June 1996

Rodney W. Sando, Commissioner
Department of Natural Resources

By

Gail Lewellan, Assistant Commissioner of
Human Resources and Legal Affairs

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

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

Minnesota Department of Agriculture

Market Development and Promotion Division

Notice of Authority to Make Grants

The Minnesota Department of Agriculture announces its authority for fiscal year 1997 to make agricultural market development grants to encourage and promote marketing of Minnesota agricultural products as provided for in *Minnesota Statutes*, sections 17.101, subd 2, and 17.102, and *Minnesota Rules*, chapter 1552.

Grant applications may be received throughout the fiscal year and awarded at such time as funds may become available. Publication of this notice does not obligate the Minnesota Department of Agriculture to award grant funds. Copies of the rules governing the program and other related application materials are available. The rules describe eligibility criteria, application content, application procedures. The grant award for any project may not exceed \$70,000, and the total of all grants to any grantee may not exceed \$70,000 for the biennium ending June 30, 1999.

Other information may be obtained by contacting:

Chris Canaday
Market Development and Promotion Division
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 297-4648

Minnesota Department of Corrections

Notice of Availability of Funds for Services to Victims of Crime

The Minnesota Department of Corrections, Victims Services Unit, announces the availability of state and federal grant funds for community-based programs, programs serving traditionally underserved populations and special time-limited projects that provide services to battered women, general crime and sexual assault victims.

The following grants are for the nine-month period from October 1, 1996, through June 30, 1997. Applications are due on **Thursday, August 22, 1996.**

Battered Women Services

1. **Regional Training:** Two grants of \$7,500 each are available to provide regional training sessions on child welfare and domestic abuse for rural battered women's programs. Nonprofit organizations that have a primary mission of serving battered women are eligible to apply.
2. **Older Battered Women:** One grant of \$10,000 is available to improve services to older battered women through outreach, training and systems change. Nonprofit organizations that have a primary mission of serving battered women are eligible to apply.
3. **Criminal Justice Intervention Training:** One grant of \$10,000 is available to provide training and technical assistance for up to four new battered women criminal justice intervention programs. Nonprofit organizations that have a primary mission of serving battered women are eligible to apply.
4. **Criminal Justice Intervention Services:** One grant of \$21,000 is available to establish criminal justice intervention services for battered women in the unserved judicial assignment district encompassing Freeborn and Mower Counties. Nonprofit organizations that have programming specifically designed to address the needs of battered women are eligible to apply. The successful applicant may be eligible to apply for continued funding of \$27,000 in FY98.

State Grants

Sexual Assault Services

1. **Services For Asian, Southeast Asian and Pacific Islander Communities:** One grant of \$60,000 is available to strengthen leadership and sexual assault advocacy skills in Asian, Southeast Asian and Pacific Islander communities through the development and implementation of training and internship opportunities for advocates and potential advocates from those communities. Nonprofit or governmental organizations that 1) have a primary mission of serving Asian, Southeast Asian or Pacific Islander communities or 2) work in collaboration with one or more of these communities are eligible to apply.
2. **Develop Resources and/or Training Sessions:** Five grants of \$6,000 each are available to develop resources and/or training sessions on sexual assault. Priority for grants to develop resource materials will be given to products that address one or more of the following areas: youth; incest; disabilities; secondary victimization; issues affecting women of color; culturally appropriate resources; generic materials that can be adopted by other sexual assault programs; and materials that can be used in preschool settings. Priority for training grants include: issues affecting gay, lesbian, bisexual and transgender people in rural communities; training for women of color; issues related to disabilities; inservice training sessions for professionals; and community education/outreach efforts. Nonprofit organizations, Indian tribal organizations and local units of government are eligible to apply.
3. **Organize Sexual Assault Services:** A total of \$33,800 is available for one or more grants to organize community-based sexual assault services for the following underserved populations or unserved geographic areas: communities of color; people with disabilities; people who are gay, lesbian, bisexual and transgender; and/or unserved counties. Nonprofit organizations, Indian tribal organizations and local units of government are eligible to apply.
4. **Services for Metro-area American Indian Communities:** One grant of \$30,000 is available to establish new services to American Indian communities in the Minneapolis/St. Paul metropolitan area. Nonprofit organizations that have a primary mission of serving American Indian communities, Indian tribal organizations and nonprofit sexual assault programs that work in collaboration with American Indian women are eligible to apply. The successful applicant may be eligible to apply for continued funding of \$37,000 in FY98.

General Crime Services

1. **Services for Communities of Color:** One grant of \$25,275 is available to establish general crime victim services for one or more of the following communities: African American; Hispanic; American Indian; and/or Asian. Nonprofit organizations with a primary mission of serving communities of color, Indian tribal governments and nonprofit or governmental general crime victim programs that work in collaboration with communities of color are eligible to apply. Successful applicants may be eligible to apply for continued funding of \$33,700 in FY98.

The following grants are for the eight-month period from October 1, 1996, through May 31, 1997. Applications are due **Thursday, August 8, 1996.**

Federal Violence Against Women Act Grant Program

1. **Services in Communities of Color:** One grant of \$25,000 is available for a project designed to develop and/or expand the availability and utilization of sexual assault and/or battered women services in communities of color. Nonprofit organizations with a primary mission of serving communities of color and nonprofit or governmental battered women and sexual assault programs that work in collaboration with women of color are eligible to apply.
2. **Statewide Services for American Indian Women:** One grant of \$35,000 is available to develop and improve the delivery of victim services to American Indian women through a statewide training, organizing and networking project for responding to sexual and domestic violence against American Indian women. Indian tribal organizations, nonprofit organizations with a major program focus of serving American Indian women, and nonprofit or governmental battered women and sexual assault programs that work in collaboration with American Indian women are eligible to apply.

To receive a request for proposals that provides complete information and describes how to apply, contact: **Minnesota Department of Corrections, Victim Services Unit, 1450 Energy Park Drive, Suite 200, St. Paul, Minnesota 55108-5219** or call (612) 642-0251, (800)657-3679 outside the Twin Cities metropolitan area, or TDD at 612/643-3589.

Professional, Technical & Consulting Contracts

Department of Children, Families and Learning

Notice of Grant Availability for Technology Enhancement in After School Programs

The Department of Children, Families and Learning announces the availability of grants for technology enhancement in after school programs as described in *Laws for Minnesota, 1996*, Chapter 412, Article 12, Sections 9 and 13. Approximately 100 grants of up to \$10,000 will be available to enhance the use of technology in after-school programs. Eligible organizations include school districts, private schools, nonprofit community organizations, public housing agencies, and other successful programs that serve youth. Priority will be given to after school programs presently operating.

The Request for Proposal and application information will be available on June 24, 1996. This information can be downloaded from the Department's home page on the World Wide Web at <http://www.educ.state.mn.us/> or requested from Kathy Gaida at (612) 297-2443 or Lorraine Swenson at (612) 296-2752. Applications are due on September 9, 1996, by 4:00 p.m. Questions regarding this program should be directed to Catharine Cuddeback at (612) 296-1436 (School Age Care) or Theresa Mish at (612) 296-6312 (Technology).

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

Governor's Council on Development Disabilities

Request for Proposal for a Contract Relating to Employment for People with Disabilities

The Governor's Council on Developmental Disabilities is pleased to announce that it is seeking proposals from nonstate agencies and organizations that serve the community at large and are committed to working with people with disabilities to achieve employment outcomes in inclusive community settings.

This grant, "Choice in Achieving Employment," is a demonstration grant that will cover at least a two-year period beginning as soon as possible after August 7, 1996. Funds must be used by individuals with developmental disabilities, with assistance from their families and other appropriate persons, to identify and purchase the supports needed to become employed in integrated jobs in the community.

During the first year, a total of \$124,000 in federal funds is available under provisions of the Developmental Disabilities Assistance and Bill of Rights Act of 1994 (P.L. 103-230). Agencies and organizations that *do not* provide employment services will be considered and are welcome to apply.

The Rehabilitation Act of 1992 contained specific authority for a major national demonstration on the feasibility of choice-driven vouchers for people with disabilities who receive services from state vocational rehabilitation agencies. This grant is designed to extend the spirit of the national demonstrations to Minnesota.

For further information or to request a copy of the Request for Proposal, please contact:

Governor's Council on Developmental Disabilities
300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
(612) 296-4018 (voice) or (612) 296-9962 (TDD)

Professional, Technical & Consulting Contracts

State Board of Investment

Notice of Request for Private Money Management Firms to Manage a Portion of the Board's Pension Assets and Other Accounts

The Minnesota State Board of Investment (MSBI) retains private money management firms to manage a portion of the pension assets and other accounts under its control. Firms interested in managing domestic stock, international stock, domestic bond or global bond portfolios for the MSBI are asked to write to the following address for additional information:

External Manager Program
Minnesota State Board of Investment
Suite 105 MEA Building
55 Sherburne Avenue
St. Paul, MN 55155

Please refer to this notice in your written request.

Department of Natural Resources

Division of Forestry

Notice Request for Consulting Services Needed for School Forest Program

Background about School Forests

School forests provide a natural setting for students to learn about the environment. In these outdoor classrooms, they can learn firsthand about the complex interrelationships between soil, water, air, trees, wildlife, and people. With the knowledge and guidance of professional natural resource personnel and teachers, they can learn how to care for and manage the state's natural resources.

NOTICE IS HEREBY GIVEN that the Division of Forestry is looking for a contractor to help maintain its School Forest Program. Consulting services will be used from August 1, 1996, through June 30, 1997. Contractor must have an education background and working experience with natural resource and environmental education programs.

Services needed by the Division of Forestry include, but are not limited to: setting up active school forest communities in designated school districts, in-servicing educators and resource people for forestry-related environmental education programs, guiding the content and writing of the "DiaLOGue" newsletter, and attending environmental education meetings and conferences as directed.

Estimated dollar amount: \$14,000. This includes salary, travel and lodging, and miscellaneous expenses like postage, supplies, and telephone.

For more information contact:

Meg Hanisch
Public Affairs Specialist
DNR Forestry
500 Lafayette Road
St. Paul, MN 55155-4044
(612) 296-5958

This is the only person designated to answer questions regarding this request for interested contractors.

Interested parties should submit letter of interest and resume to the aforementioned contact person by Friday, July 12, 1996.

Dated: 10 June 1996

Gerald A. Rose, Director
Division of Forestry
Department of Natural Resources

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 Airports Commission

Submittal of Qualifications for Environmental Consulting Services

The Metropolitan Airports Commission invites a Submittal of Qualifications for environmental consulting services at their six reliever airports. Support services are required in the areas of hydrogeology, storm water management, soil and groundwater contamination, hazardous materials handling, solid waste cleanup, audits and investigation of releases by others.

Deadline for receipt of qualifications submittals is July 12, 1996.

A copy of the invitation is available from Richard B. Keinz, Director of Environment, Metropolitan Airports Commission, 6040 28th Avenue South, Minneapolis, MN 55450 (612/726-8134).

Index

Volume 20, Numbers 1-52
3 July, 1995 - 24 June, 1996

Agency Index
Executive Orders
Revenue Notices
Commissioner's Orders

TABLE OF CONTENTS	
Agency Rule Index (alpha by agency and subject)	
Proposed	
Withdrawn	
Adopted	
Opinion Sought.....	2808
Executive Orders (numerical)	2816
Revenue Notices (numerical).....	2816
Commissioner's Orders (by agency and numerical).....	2816

AGENCY INDEX

The following is a list by subject of all rules published in the *State Register*, Volume 20, Issue Numbers 1-52.

ACCOUNTANCY BOARD

Uniform CPA examination changes	
Proposed	855
Adopted.....	2033

ADMINISTRATIVE HEARINGS OFFICE

Rule adoption proceedings	
Proposed.....	1012
Adopted.....	2058

Workers' compensation proceedings	
Opinion sought.....	2126

ADMINISTRATION DEPARTMENT

Accessibility	
Adopted.....	1991
Building code changes	
Proposed	1509
Adopted.....	2290
Proposed rule errata (judge specified)	1959
Industrialized/modular buildings	
Proposed	1514
Adopted.....	2290
Licensing of elevator contractors	
Opinion sought.....	499
National Electrical Code	
Opinion sought.....	501
Payment of recurring costs of Emergency 911 telephone system	
Adopted.....	303
Prefabricated buildings and the adoption of the interstate compact for industrialized modular buildings	
Opinion sought.....	499

Prefabricated buildings			
Proposed.....	1514		
Adopted.....	2290		
Prefabricated buildings and industrialized/modular buildings			
Proposed errata.....	2015		
Rule adoption proceedings			
Proposed.....	1012		
State Building Code			
Opinion sought.....	500		
AGRICULTURE DEPARTMENT			
Agricultural business enterprise loans			
Opinion sought.....	834		
Agricultural development bond beginning farmer program			
Opinion sought.....	830		
Agricultural improvement loan program			
Opinion sought.....	833		
Agricultural inspectors			
Adopted.....	63		
Anhydrous ammonia			
Proposed.....	1521		
Beginning farmer loans			
Opinion sought.....	830		
Certified seed potatoes			
Opinion sought.....	862		
Commodity councils			
Opinion sought.....	2704		
Ethanol production facility loan program			
Opinion sought.....	832		
General storage warehouse bonds			
Proposed.....	1426		
Licensure			
Opinion sought.....	2068		
Livestock expansion loan program			
Opinion sought.....	832		
Local implementation of state pesticide control regulations			
Opinion sought.....	468		
Management practices for nitrogen use on irrigated potatoes			
Opinion sought.....	2320		
Release of genetically engineered agriculturally related organisms			
Adopted.....	1037		
Restricted use pesticides			
Adopted.....	759		
Restructure II program			
Opinion sought.....	833		
RFA agricultural improvement loans			
Proposed.....	1560		
Adopted.....	2427		
RFA beginning farmer loans			
Proposed.....	1549		
Adopted.....	2251		
RFA livestock expansion loan program			
Proposed.....	1575		
Adopted.....	2427		
RFA programs			
Proposed.....	1553		
Adopted.....	2251		
RFA restructure participation program			
Proposed.....	1571		
Adopted.....	2427		
RFA seller-sponsored loans			
Proposed.....	1565		
Adopted.....	2251		
RFA value-added agricultural products loans			
Proposed.....	1580		
Adopted.....	2290		
Seller-sponsored loan participation			
Opinion sought.....	831		
Value-added agricultural product ('stock') loan program			
Opinion sought.....	831		
ANIMAL HEALTH BOARD			
Animal carcasses			
Opinion sought.....	172		
Proposed.....	897		
Adopted.....	2033		
Testing of horses for exhibition			
Opinion sought.....	5		
ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE, AND INTERIOR DESIGN BOARD			
Examination and licensing of geoscientists			
Opinion sought.....	2598		
Examination, licensing, exempt structures, and professional conduct			
Opinion sought.....	442		
Proposed.....	1863		
ARTS BOARD			
Receiving and reviewing requests for, and standards for distribution of, grants or other forms of assistance			
Opinion sought.....	440		
Opinion sought.....	1845		
Proposed.....	2346		
CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD			
Capitol area zoning and design			
Opinion sought.....	936		
CHILDREN, FAMILIES AND LEARNING DEPARTMENT			
Graduation standards			
Proposed.....	961		
Adopted.....	2375		
Education; administrative and supervisory licensure; general revision			
Proposed.....	2739		
CHIROPRACTIC EXAMINERS BOARD			
Advertising, continuing education, and definition			
Adopted.....	1245		
Advertising, licensing, and continuing education			
Proposed.....	2052		
Chapter 2500: miscellaneous recommendations			
Opinion sought.....	323		
Opinion sought.....	834		
Continuing education			
Opinions sought.....	2069		
Graduate preceptorship program			
Opinions sought.....	2069		
Infection control standards			
Opinion sought.....	2256		
Licensure, fees and charges, suspension, late renewal penalty			
Opinion sought.....	323		
Opinion sought.....	2068		
Retired status license			
Opinion sought.....	1170		
COMMERCE DEPARTMENT			
Consolidation of preclicensing and continuing education requirements for appraisers, building contractors, real estate, and insurance licenses			
Opinion sought.....	238		
Proposed.....	1585		
Credit involuntary unemployment insurance			
Adopted.....	1925		

State Register INDEX

Cosmetology salons and schools
 Opinion sought..... 728

Electronic funds transfer terminals
 Opinion sought..... 440

Extension of comment period on rules for credit involuntary unemployment insurance
 Opinion sought..... 42

Interstate banking
 Opinion sought..... 441
 Opinion sought..... 727

Operational requirements for cosmetology salons
 Adopted..... 227

Real estate loans
 Adopted..... 168

Uniform conveyancing blanks
 Adopted..... 916

CORRECTIONS DEPARTMENT
 Uniform licensing and programming rules for secure and nonsecure juvenile residential facilities
 Opinion sought..... 405

CRIME VICTIMS REPARATIONS BOARD
 Crime Victims Reparations Board
 Proposed..... 1328
 Adopted..... 2376

DENTISTRY BOARD
 Administration of nitrous oxide and anesthesia
 Proposed..... 490
 Proposed..... 1196

Advertising, CPR, licensure by credentials, and reinstatements
 Proposed..... 1614
 Adopted..... 2316

Anesthesia and sedation
 Opinion sought..... 68

Continuing dental education
 Opinion sought..... 343
 Proposed..... 1606
 Withdrawn..... 2506

Credentials, reinstatement, CPR, advertising
 Opinion sought..... 345

Duties of dental hygienists and registered dental assistants
 Proposed..... 1611
 Adopted..... 2474

Expanded duties, RDA/HYG
 Opinion sought..... 345

Faculty and resident dentist license
 Opinion sought..... 344
 Proposed..... 1602
 Adopted..... 2623

Fees
 Opinion sought..... 67
 Proposed..... 493

Health professionals services program
 Opinion sought..... 1404

Infection control standards
 Opinion sought..... 2256

License and registration
 Adopted..... 1163

Limited registration
 Opinion sought..... 344

Recordkeeping
 Opinion sought..... 343

DIETETICS AND NUTRITION PRACTICE BOARD
 Licensure
 Proposed..... 372
 Adopted..... 1288

ECONOMIC SECURITY DEPARTMENT
 Economic Security; wages
 Adopted..... 197

Unemployment benefits, unemployment compensation procedures, and employer taxes
 Opinion sought..... 2123

Vocational rehabilitation services
 Adopted..... 168

EDUCATION BOARD
 Certification of school interpreters/translators for the deaf and hard of hearing
 Opinion sought..... 2215

Commercial and public school driver training programs
 Opinion sought..... 409

Desegregation/integration
 Opinion sought..... 2323

Educational diversity
 Opinion sought..... 993

Graduation standards for a basic requirement in writing
 Opinion sought..... 2323

Licensure of school personnel
 Opinion sought..... 346

ELECTRICITY BOARD
 Electrical licensing requirements for electrical work on certain class 2 and class 3 circuits and equipment
 Opinion sought..... 2599

ENVIRONMENTAL QUALITY BOARD
 Application for a site permit for large wind energy conversion system
 Opinion sought..... 2256

Environmental Review Program
 Opinion sought..... 6
 Opinion sought..... 2255

ENVIRONMENTAL ASSISTANCE OFFICE
 Pollution prevention grant program
 Proposed..... 1616
 Adopted..... 2285

Solid waste source reduction, waste reduction and pollution prevention grant programs
 Opinion sought..... 43

ETHICAL PRACTICES BOARD
 Ethics in government act
 Opinion sought..... 937

Ethics rules revisions
 Proposed..... 1623
 Adopted..... 2504

GAMBLING CONTROL BOARD
 Bingo
 Proposed..... 2150
 Adopted..... 2624

Gambling managers
 Proposed..... 2156
 Adopted..... 2625

HEALTH DEPARTMENT

Administrative penalty orders and cease and desist orders

Opinion sought..... 795

Aggregate health care financial and statistical data

Opinion sought..... 201

Proposed..... 1030

Proposed..... 1427

Adopted..... 2185

Adopted..... 2405

APO/Cease and Desist plan

Opinion sought..... 69

Asbestos-related work

Opinion sought..... 502

Proposed..... 1633

Adopted..... 2765

Cancer surveillance system

Opinion sought..... 2294

Certification of environmental laboratories

Opinion sought..... 2294

Collection of financial, utilization, and services data from freestanding outpatient surgical centers

Opinion sought..... 2706

Disease and syndrome reporting

Adopted..... 858

EMT, EMT-intermediates and EMT-paramedics certification ending dates and timing of EMT refresher courses

Opinion sought..... 172

EMT certification expiration dates

Proposed..... 821

Adopted..... 1482

Essential community providers

Opinion sought..... 346

Proposed..... 1142

Examination of an individual operating an x-ray machine

Opinion sought..... 239

Proposed..... 1675

Adopted..... 2777

Exceptions to nursing home moratorium

Adopted..... 340

Health risk values for air pollutants

Opinion..... 443

Home care and licensure

Opinion sought..... 2476

Integrated service networks

Opinion sought..... 203

Opinion sought..... 347

Ionizing radiation

Opinion sought..... 729

Licensure of alcohol and drug counselors

Opinion sought..... 728

Merit system

Opinion sought..... 874

Proposed..... 2092

Adopted..... 2592

Nursing and boarding care homes

Proposed..... 1881

Nursing home regulatory reform

Adopted..... 303

Registration of occupational therapists and occupational therapy assistants

Opinion sought..... 200

Proposed..... 1330

Adopted..... 2625

Special supplemental nutrition program for WIC

Opinion sought..... 796

Unique identifiers for health care providers and group purchasers

Opinion sought..... 797

Water and wastewater treatment operator certification

Opinion sought..... 1170

Wellhead protection for public water supplies

Opinion sought..... 1172

HIGHER EDUCATION COORDINATING BOARD

Minnesota State Postsecondary Review Board

Adopted..... 303

HIGHER EDUCATION SERVICES OFFICE

Child Care Grant Program

Opinion sought..... 244

Proposed..... 1439

Adopted..... 2284

Definitions for Higher Education Programs

Opinion sought..... 241

Higher education programs; financial assistance

Proposed..... 1439

Adopted..... 2284

Minnesota State Postsecondary Review Board

Adopted..... 303

Nursing Grant Program for Persons of Color

Opinion sought..... 243

Proposed..... 1226

Adopted..... 2214

Private business, trade and correspondence schools

Opinion sought..... 244

Proposed..... 1435

Adopted..... 2214

Private institution registration

Opinion sought..... 444

Registration and name approval

Proposed..... 1354

Adopted..... 2214

Satisfactory academic programs

Proposed..... 1439

Adopted..... 2284

State grant program.

Opinion sought..... 242

Proposed..... 1439

Adopted..... 2284

Student Educational Loan Fund (SELF) Program

Opinion sought..... 240

Supplemental student loans

Proposed..... 1229

Adopted..... 2214

Errata - contents correction..... 1303

Work study program

Opinion sought..... 994

Proposed..... 2055

Adopted..... 2572

HOUSING FINANCE AGENCY

Home ownership program

Opinion sought..... 245

Home ownership assistance fund

Proposed..... 1234

Adopted..... 2252

Housing finance: capital contribution of investors; certain loan programs clarification and updates

Adopted..... 41

State Register INDEX

HUMAN SERVICES DEPARTMENT

Administration of community social services	
Opinion sought.....	794
Proposed.....	1263
Adopted.....	2427
Chemical dependency care for public assistance recipients	
Proposed.....	2183
Adopted.....	2474
Child protection	
Proposed.....	1725
Adopted.....	2777
Family planning	
Opinions sought.....	2512
Foster care for children	
Proposed.....	1727
Errata - page correction.....	1959
Adopted.....	2778
Homemaker services.	
Proposed.....	1262
Adopted.....	2248
Inpatient hospital admission certification	
Opinion sought.....	71
Licensure for chemical dependency programs	
Opinion sought.....	7
Licensure of the Minnesota Sexual Psychopathic Personality Treatment Center	
Proposed.....	84
Adopted.....	935
Medical assistance, general assistance medical care and Minnesota Care	
Opinion sought.....	70
Adopted.....	495
Mental health center and mental health clinic standards	
Proposed.....	1692
Adopted.....	2702
Mental health centers and mental health clinics for purpose of insurance and subscriber contract reimbursement	
Opinion sought.....	874
Merit system on rules for the compensation plan and salary adjustments and increases	
Opinion sought.....	874
Proposed.....	2027
Adopted.....	2592
MinnesotaCare	
Adopted.....	495
Payment rates for intermediate care facilities with mental retardation or related conditions	
Proposed.....	1694
Opinion sought.....	2098
Providers of services under the medical assistance program	
Opinion sought.....	2379
Residential treatment programs for children with severe emotional disturbance	
Adopted.....	526
Second medical opinion	
Proposed.....	1680
Adopted.....	2405
State Adoption Assistance Program	
Opinion sought.....	348
State Child Welfare Services Plan	
Opinion sought.....	730
Uniform licensing and programming rules for secure and nonsecure juvenile residential facilities	
Opinion sought.....	405

LABOR AND INDUSTRY DEPARTMENT

Arbitration of equitable apportionment in workers' compensation cases	
Opinion sought.....	406
Boiler operators	
Proposed.....	268
Boiler operation standards, repairs by inspectors and insured coverage reports	
Opinion sought.....	2506
Opinion sought.....	2513
Collectively bargained agreements program	
Opinion sought.....	349
Equitable apportionment arbitration	
Proposed.....	1236
Adopted.....	2286
High pressure piping business licenses	
Opinion sought.....	995
Occupational safety and health	
Proposed.....	1242
Adopted.....	2122
Occupational Safety and Health Review Board	
Opinion sought.....	327
Proposed.....	986
Proposed - errata.....	2406
Adopted.....	2428
OSHA; administrative procedures	
Opinion sought.....	326
OSHA; Federal standards incorporated by reference	
Proposed.....	426
Adopted.....	1040
OSHA; general revision	
Proposed.....	970
Adopted.....	2428
OSHA; incorporation by reference	
Adopted.....	198
OSHA; Standard Industrial Classifications	
Proposed.....	376
Adopted.....	1994
Prevailing wage determination	
Opinion sought.....	473
Proposed.....	1148
Opinion sought.....	2712
Roll-over protective structures for tractors	
Opinions sought.....	2382
Safety and health standards exempt rules	
Proposed.....	2620
Workers' compensation department rules of practice	
Opinions sought.....	2075
Workers' compensation; medical services and fees	
Adopted.....	530
Adopted.....	858
Adopted.....	1163
Opinion sought.....	2074
Workers' compensation proceedings	
Opinion sought.....	2126
LOTTERY	
Lottery retailers	
Opinion sought.....	2296
Proposed.....	2528
MARRIAGE AND FAMILY THERAPY BOARD	
Health professionals services program	
Opinion sought.....	1404

MEDIATION SERVICES BUREAU

Arbitration roster
 Opinion sought..... 45
 Proposed 350
 Proposed 2210

MEDICAL PRACTICE BOARD

Fees changes
 Opinion sought..... 351
 Proposed..... 1160
 Adopted 2376
 Health professionals services program
 Opinion sought..... 1404
 Infection control standards
 Opinion sought..... 2256

NATURAL RESOURCES DEPARTMENT

Appraisal methods and appeal for lakeshore lease lots
 Opinion sought..... 9
 Proposed..... 1740
 Aquatic nuisance control
 Opinion sought..... 12
 Proposed 1780
 Designating endangered, threatened, and special concern species
 Opinion sought..... 48
 Designated experimental waters and designated special management waters
 Adopted 2248
 Ecologically harmful exotic species and infested waters
 Opinion sought..... 13
 Ecologically harmful exotic species
 Proposed 1764
 Adopted..... 2292
 Endangered and threatened species
 Proposed 1746
 Adopted 2782
 Floodplain management
 Opinion sought..... 475
 Proposed 1738
 Adopted 2287
 Game and fish rules; 1995 Camp Ripley deer hunt
 Emergency (adopted)..... 198
 Game and fish rules; bear quotas
 Emergency (adopted) 2255
 Game and fish rules; Fall turkey season
 Emergency (adopted)..... 2703
 Game and fish rules
 Opinion sought..... 407
 Proposed 1447
 Adopted 2287
 Game and fish rules; game refuges
 Emergency (adopted)..... 321
 Game and fish rules; hunting regulations on public lands; deer hunting regulations; furbearer hunting and trapping
 Emergency (adopted) 429
 Game and fish rules; moose season quotas
 Emergency (adopted)..... 2675
 Game and fish rules; raccoon and fox hunting and trapping seasons
 Emergency (adopted) 2505
 Game and fish rules; taking of ducks, coots, moorhens, geese and brant
 Emergency (adopted)..... 496
 Game and fish rules; taking of wild turkeys during Spring of 1996; December snow goose hunting in Douglas and Otter Tail County refuges
 Emergency (adopted)..... 1303

Harmful exotic species
 Opinion sought..... 2801
 National emission standards for hazardous air pollutants mineland reclamation
 Opinion sought..... 2536
 Proposed 1790
 Odorous emissions
 Proposed 1795
 Off-highway motorcycles, off-road vehicles and all-terrain vehicles
 Opinion sought..... 2017
 Errata - date change 2123
 Optional Federal corrective action management units
 Adopted 714
 Personal flotation devices
 Adopted 759
 Procedures for deputy registrars
 Opinion sought..... 205
 Rehabilitation permits for wild animals
 Opinion sought..... 10
 Snowmobile registration, numbering, use during hunting season, and accident reporting
 Opinion sought..... 47
 Trout lake and stream designation
 Adopted..... 1288
 Used oil and misc
 Adopted..... 715
 Water, watercraft speed limit zones
 Proposed 1196
 Wildlife rehabilitation permits
 Proposed 1768
 Adopted..... 2291
NURSING BOARD
 Experimental nursing programs.
 Adopted 2429
 Health professionals services program
 Opinion sought..... 1404
 Infection control standards
 Opinion sought..... 2256
 Nursing program approval and licensure fees
 Opinion sought..... 876
 Program approval and licensure registration fees
 Proposed 1788
PEACE OFFICER STANDARDS AND TRAINING BOARD
 Professional peace officer education
 Opinion sought..... 2292
 Violations of standards of conduct and disciplinary actions for violations of administrative rules
 Adopted 828
PETROLEUM TANK RELEASE COMPENSATION BOARD
 Petroleum tank releases
 Adopted..... 227
PHARMACY BOARD
 Controlled substance schedules
 Opinion sought..... 352
 Controlled substances
 Proposed 1275
 Adopted 2592
 Health professionals services program
 Opinion sought..... 1404
 Placement of certain drugs into schedule I of the
 Controlled substance schedules
 Opinion sought..... 352

State Register INDEX

PODIATRIC MEDICINE BOARD		
Health professionals services program		
Opinion sought.....	1404	
Infection control standards		
Opinion sought.....	2256	
Miscellaneous amendments		
Adopted.....	168	
POLLUTION CONTROL AGENCY		
Above ground storage of products capable of pollution the waters of the state		
Opinion sought.....	2678	
Air emissions		
Adopted.....	2316	
Air emission facility state general permit		
Opinion sought.....	944	
Opinion sought.....	2326	
Air emission fees, definitions, permit requirements, notification and emission inventory requirements		
Opinion sought.....	800	
Air quality rules		
Proposed.....	270	
Proposed.....	1358	
Air quality continuous monitoring systems		
Opinion sought.....	943	
Air quality; incorporation of Federal National emission standards for hazardous air pollutants		
Proposed.....	1790	
Proposed.....	2254	
Air pollution National emission standards for hazardous air pollution for source categories		
Opinion sought.....	949	
Animal feedlots		
Opinion sought.....	16	
Opinion sought.....	206	
Clean Water Partnership Program		
Adopted.....	1245	
Clean Water Partnership Financial Assistance		
Opinion.....	2191	
Composting		
Proposed.....	2282	
Compost facilities		
Opinion sought.....	207	
Federal regulations		
Adopted.....	1167	
Hazardous waste		
Opinion sought.....	1847	
Health risk values for air pollutants		
Opinion sought.....	443	
Hot mix asphalt plants		
Opinion sought.....	802	
Proposed.....	1375	
Proposed.....	2253	
Individual sewage treatment systems program		
Withdrawn.....	83	
Individual septic tank systems		
Proposed.....	93	
Adopted.....	1995	
Landfill gas emissions from municipal solid waste landfills		
Opinion sought.....	2409	
Lead paint removal from steel structures		
Opinion sought.....	801	
Management of used oil and miscellaneous amendments		
Withdrawn.....	237	
National emission standards for hazardous air pollution for source categories		
Opinion sought.....	949	
Noise pollution control and mobile and indirect sources		
Opinion sought.....	2601	
Odorous emissions		
Proposed.....	1795	
Odorous emissions and processing animal matter		
Opinion sought.....	410	
Opinion sought.....	2293	
Optional Federal corrective action management units		
Adopted.....	714	
Procedural rules		
Opinion sought.....	248	
Proposed.....	1475	
Adopted.....	2629	
Removal of lead paint from steel structures		
Proposed.....	1384	
Section 401 water quality certifications		
Withdrawn rule.....	2429	
Sewage sludge		
Opinion sought.....	2102	
Opinion sought.....	2129	
Solid waste management and facility operator/inspection certification rules		
Opinion sought.....	2103	
State water quality standards		
Opinion sought.....	1119	
Tank systems		
Proposed.....	395	
Used oil and miscellaneous		
Adopted.....	715	
Vision requirements for driver's license applicants		
Adopted.....	2122	
Waste combustors		
Opinion sought.....	2384	
Wastewater treatment assistance		
Opinion sought.....	208	
Wastewater and storm assistance		
Proposed.....	2245	
Water and wastewater treatment operator certification		
Opinion sought.....	1170	
PRIVATE DETECTIVES AND PROTECTIVE AGENTS BOARD		
Training for private detectives and protective agents		
Opinion sought.....	2260	
PSYCHOLOGY BOARD		
Continuing education sponsorship fee		
Opinion sought.....	2299	
Special fees		
Opinion sought.....	2260	
PUBLIC SAFETY DEPARTMENT		
Commercial and public school driver training programs		
Opinion sought.....	409	
Crime Victims Reparations Board claims procedures and eligibility for reparations		
Opinion sought.....	476	
Deputy registrars		
Proposed.....	1808	
Adopted.....	2784	
Issue and transfer of license plates		
Opinion sought.....	2432	

<p>License plates Proposed..... 2763</p> <p>Merit system on rules for the compensation plan and salary adjustments and increases Opinion sought..... 874 Proposed..... 2234 Adopted..... 2592</p> <p>Minnesota Uniform Fire Code Opinion sought..... 175</p> <p>Preliminary screening breath test devices Opinion sought..... 353</p> <p>School bus driver qualifications Opinion sought..... 2514</p> <p>School bus safety Adopted..... 722</p> <p>Vision requirements for driver's license applicants Proposed..... 824 Adopted..... 2122</p> <p>PUBLIC SERVICE DEPARTMENT</p> <p>Public utilities' investments in energy conservation improvements Opinion sought..... 330</p> <p>Weights and measures Adopted..... 1928 Opinion sought..... 1937</p> <p>PUBLIC UTILITIES COMMISSION</p> <p>Contract approval in affiliated interest transactions Opinion sought..... 841</p> <p>RACING COMMISSION</p> <p>Horse racing, pari-mutuel wagering, occupational licensing, security officers, Class D licensure, breeder funds, etc. by industry groups Opinion sought..... 446</p> <p>Horse racing Proposed..... 2236 Adopted..... 2592</p> <p>REVENUE DEPARTMENT</p> <p>Constitutional exemptions Opinion sought..... 354 Proposed..... 1035 Proposed repeal..... 2288</p> <p>Lawful gambling; annual audits and reviews Proposed..... 292 Adopted..... 1482</p> <p>Sales and use tax on capital equipment and replacement capital equipment Withdrawn..... 1959</p> <p>Tax Court procedures Opinion sought..... 2717</p> <p>Valuation and assessment of electric, gas distribution, and pipeline companies Opinion sought..... 176</p> <p>Valuation and assessment of utility line property Proposed..... 2399</p> <p>SECRETARY OF STATE</p> <p>Housekeeping Proposed..... 1829 Adopted..... 2787</p>	<p>Voting process Opinion sought..... 209</p> <p>TEACHING BOARD</p> <p>Licensure fees Opinion sought..... 452 Opinion sought..... 1314 Proposed..... 2403 Adopted..... 2702</p> <p>TRADE AND ECONOMIC DEVELOPMENT</p> <p>Business and community development grants Proposed..... 1839 Proposed..... 2254</p> <p>Community block grants Opinion..... 950</p> <p>TRANSPORTATION</p> <p>Bridge inspections Opinion sought..... 51 Proposed..... 905 Adopted..... 2287</p> <p>Establishment, vacation, relocation, consolidation, and separation of grades at public grade crossings, minimum standards for visibility at public and private grade crossings, and railroad operation Opinion sought..... 1314</p> <p>Highway state-aid operations Proposed..... 143 Adopted..... 1041</p> <p>Personal transportation services Opinion sought..... 1490</p> <p>Special transportation services Opinion sought..... 452</p> <p>VETERANS AFFAIRS DEPARTMENT</p> <p>Soldiers Assistance Program Opinion sought..... 807 Proposed..... 1284</p> <p>VETERANS HOMES BOARD</p> <p>General Revisions Proposed..... 747 Adopted..... 2095</p> <p>VETERINARY MEDICINE BOARD</p> <p>Facility construction and identification; conduct and records Opinion sought..... 23</p> <p>License fees Adopted..... 340</p> <p>Licensure and practice Adopted..... 860</p> <p>WATER AND SOIL RESOURCES BOARD</p> <p>State cost-share program Opinion sought..... 52 Proposed..... 906 Adopted..... 2185</p> <p>Wetlands Adopted..... 2629</p>
---	--

State Register INDEX

REVENUE NOTICES

REVENUE DEPARTMENT

Order	Title	Page
95-5	Sales and use tax - construction contracts -purchasing agent exemption.....	65
95-6	M4-NP 1994 filers: automatic abatement of penalties.....	498
95-7	In regard to property tax homesteads.....	760
95-8	Sales and use tax: gravel sale.....	829
95-9	Sales and use tax: building, cleaning and maintenance services.....	829
95-10	Sales and use tax - natural gas pipelines and transporter use gas.....	1485
96-1	Collection; revocation of licenses; definition.....	2319
96-2	Solid waste assessment conversions for mixed municipal solid waste.....	2319
96-3	Insurance premium tax - bail bonds.....	2430
96-4	Unfair cigarette sales act - unlawful for wholesaler to give rebates, concessions or discounts; revocation of Revenue Notice 92-11.....	2446

COMMISSIONERS' ORDERS

TRANSPORTATION DEPARTMENT

Order	Title	Page
81092	Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed.....	170
81154	Rescinding the prohibition of hazardous materials transportation within the Lake Place tunnels, City of Duluth.....	402
81371	Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed under Minnesota Statute 169.825.....	1403
81511	Amended order and notice of street and highway routes gross weight designation in Winona County.....	2186
81551	Amended uniform traffic control device manual.....	2377
81557	Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed under Minnesota Statute 169.825.....	2377
81641	Amended order and notice of street and highway routes designated and permitted to carry the gross weights.....	2475
81657	Maximum lawful speeds for streets and/or highways in the State of Minnesota.....	2507

EXECUTIVE ORDERS

EXECUTIVE DEPARTMENT

Order	Title	Page
95-4	Providing assistance to the Minnesota DNR in Northeastern Minnesota.....	169
95-6	Providing for assistance to Clay and Becker county sheriffs.....	199
95-7	Declaring a state of emergency in the State of Minnesota.....	237
95-9	Providing for assistance to Carlton County sheriff.....	341
95-10	Providing for assistance to the Minnesota Department of Natural Resources in Northeastern Minnesota.....	402
95-11	Providing authority for the Minnesota Department of Natural Resources to extend certain timber harvesting permits in northern Minnesota forests.....	471
95-12	Declaring a state of emergency in the state of Minnesota.....	1307
95-13	Providing for the establishment of the Governor's Workforce Development Council; rescinding Executive Order 92-3.....	1402
95-14	Providing for emergency assistance to west central Minnesota farmers.....	1960
96-1	Providing for assistance to the Polk County sheriff.....	2067
96-2	Providing for relief to Minnesota State Colleges and Universities from certain state regulatory mandates.....	2067
96-3	Providing for personnel and equipment for the Prairie Island Nuclear Power Plant drill and exercise.....	2376
96-4	Providing for emergency assistance to officials of Polk County and East Grand Forks.....	2475
96-6	Providing for emergency assistance to officials in Marshall County.....	2593
96-7	Providing for the establishment of a Governor's Construction Codes Advisory Council.....	2593
96-8	Providing for the establishment of the Office of Technology Coordination.....	2595
96-9	Providing for state agency coordination of the Americans with Disabilities Act.....	2789
96-10	Providing for assistance to officials in Washington County.....	2790



**Coming Soon to a Bookcase
or Computer Screen Near You....**

**Minnesota Guidebook
to State Agency Services
1996-99**



Due for release the week of June 17*

Your "One-Stop" service center & personal guide to the State of Minnesota.

An indispensable desk reference, the Guidebook will open the doors to State of Minnesota services---

- access and link-up with government services and service-delivery systems
- obtain maps, videos, reports, statistics, publications, guides, brochures and information resources
- learn license requirements, permits and fees, renewal information and continuing education programs
- discover state parks, trails, canoe routes and campgrounds, hunting, fishing, boating, snowmobiling, RV touring

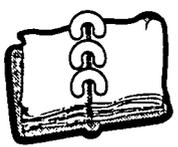
The Guidebook directs you to videos, publications, audio tapes, maps, guides, reports, grants, scholarships, low-interest loans, housing and family assistance, business and community development programs, museums, historical sites, libraries, health care activities, animal care, agricultural services, arts information, schools and education programs, travel and tourism services, plus:

- key contact people, phones, e-mail, addresses and Internet numbers for each agency
- applying for grants, bidding on state contracts, making solid business connections
- citizen participation in state policy-making and appointment on boards, councils and task forces

Have at your fingertips the most complete listing of licenses and permits required in Minnesota, for professions and occupations, as well as for recreation and enjoyment of the state's natural resources.

For the first time, available in 3 formats

Looseleaf



3-ring/8-1/2" x 11"
Stock No. 1-3L \$29.95
Binder sold separately.

Spiralbound



Spiralbound/8-1/2" x 11"
Stock No. 1-3S \$29.95

CDROM



Compact disk (single/multiple user)
 Single user Stock No. 1-3 \$ 59.95
 Small network Stock No. 1-3 \$235.95 (2-10 users)
 Large network Stock No. 1-3 \$999.95* (11-unlimited use)
 *price includes 1 spiralbound edition



Enjoy the advantages of BOTH hardcopy and CDROM and SAVE with these package offers:

One spiralbound OR looseleaf copy & one single user CD
Stock No. 1-3 \$74.95

One spiralbound OR looseleaf copy & one small network CD
Stock No. \$249.95 *Binder sold separately.*

* Please Note: The CDROM edition of the Guidebook is currently in production. Anticipated delivery Sept. 16. Checks/credit card orders for CDROM purchases will NOT be processed until CDROM available.

