

The Minnesota

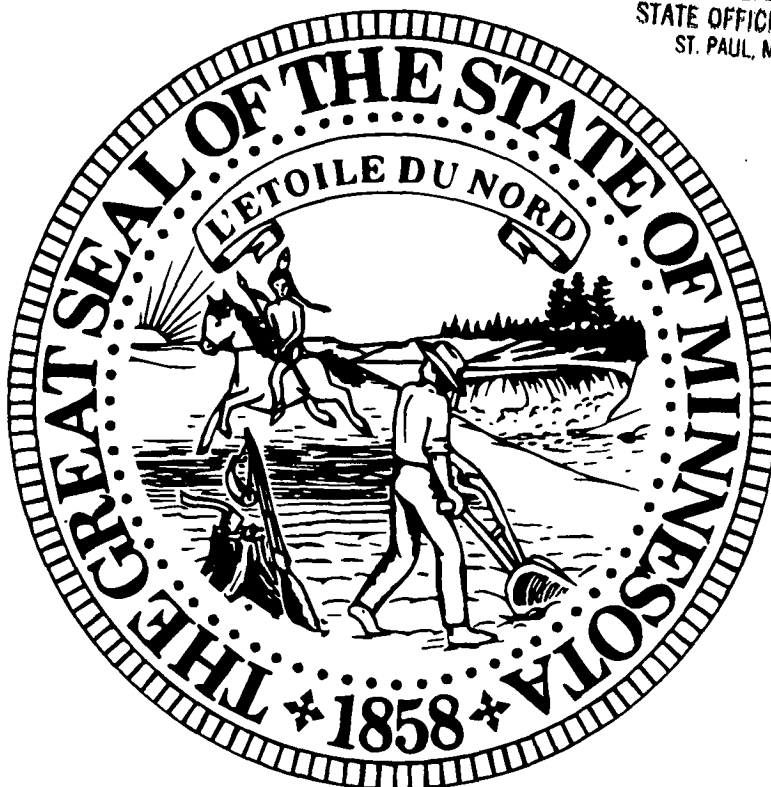
State Register

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State Register

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

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

Printing Schedule and Submission Deadlines

Vol. 21 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
# 29	Monday 13 January	Friday 27 December	Monday 6 January
# 30	Tuesday 21 January	Monday 6 January	Friday 10 January
# 31	Monday 27 January	Friday 10 January	Friday 17 January
# 32	Monday 3 February	Friday 17 January	Monday 27 January

Arne H. Carlson, Governor 612/296-3391	Hubert H. Humphrey III, Attorney General 612/297-4272	Joan Anderson Growe, Secretary of State 612/296-2079
Joanne E. Benson, Lt. Governor 612/296-3391	Judi Dutcher, State Auditor 612/297-3670	Michael A. McGrath, State Treasurer 612/296-7091
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PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 612-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. 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*. Contact the editor if you have questions.

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.

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- *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 website: <http://www.comm.media.state.mn.us> Users agree not to 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¢. Shipping is \$3.00 per order.
- "Professional, Technical and Consulting Contracts Awards Reports," – published each month listing the previous month's awards of contracts and RFPs that appeared in the Monday edition of the "*State Register*." Appears monthly in hard copy format only. Single copies are \$15.00 per report, plus \$3.00 shipping if applicable. Order stock # 99-43. Six-month subscriptions cost \$75.00. Order stock #90-15.

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:

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

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

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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 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. The current 1995 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a 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 most current edition of 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 issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

Volume 21, issues #28-29

(issues #1-27 cumulative appeared in issue #27)

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

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)	957
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Proposed Rules

Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. 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*.

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

Proposed Permanent Rules Relating to Examination, Licensing, Exempt Structures, and Professional Conduct

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendment to Rules Governing General Housekeeping, *Minnesota Rules*, 1800.0200 - 1800.5800.

Introduction. The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and 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 rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: George Iwan at Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, 85 E 7th Place, Suite 160, St. Paul, MN 55101, telephone number (612) 296-2388, and fax number (612) 297-5310. TDD users may call the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design at 1 (800) 627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about general housekeeping. The statutory authority to adopt the rules is *Minnesota Statutes*, section 326.06. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, February 12, 1997, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules 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 rules must also be made during this comment period.

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

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, February 12, 1997. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. 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 rules.

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.

Alternative Format. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

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

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules 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 rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, 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: 24 December 1996

George Iwan
Executive Secretary

1800.0200 CLASSES OF REGISTRANTS AND LICENSEES.

There shall be three classes of ~~registrants~~ licensees as follows:

A. Class 1: those who were ~~registered~~ licensed without examination prior to July 1, 1933, and by exemption subsequent to 1933. ~~Registration~~ Licensure by exemption or by mere submission of record with references was discontinued in 1938.

B. Class 2: those registered or licensed by comity under the provisions of the law.

C. Class 3: those registered or licensed following examination, either oral or written, or both.

1800.0300 IN-TRAINING CLASSIFICATIONS.

There shall be a classification of engineer-in-training, a classification of land surveyor-in-training, and a classification of landscape architect-in-training. For examination of engineer-in-training see parts 1800.2500 to 1800.3000, for land surveyor-in-training see parts 1800.3500 to 1800.3800, and for examination of landscape architect-in-training see parts 1800.1500 to ~~1800.2000~~ 1800.1900.

1800.0400 APPLICATION FOR REGISTRATION AND LICENSURE.

Subpart 1. **Form and filing.** Applications for licensure or registration shall be under oath and made on forms prescribed and furnished by the board and shall be filed with the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design and accompanied by payment of the examination fee as specified in part 1800.0500, subparts 5 and 6. Applications for certified interior designers shall be filed following passage of the applicant's National Council for Interior Design Qualification (NCIDQ) examination or meeting the requirements outlined in part 1800.0800 or 1800.2100, subpart 5.

Subp. 1a. Information required. ~~Before making formal application for examination,~~ The applicant is requested to shall submit to the board, ~~on a preliminary letter in the form provided,~~ information relative to:

- A. place and date of birth;
- B. time and place of schools attended and studies completed;
- C. status relative to graduation from such schools or completion of studies;

D. final official transcript showing the date of award of the degree or degrees received;

E. for engineer, landscape architect, and land surveyor applicants, whether the engineer-in-training, land surveyor-in-training Fundamentals of Engineering (FE), Fundamentals of Land Surveying (FLS), or landscape architect-in-training examination has successfully completed; and

F. ~~a chronological record of personal employment, with all dates and with complete information relative to duties and type of work performed, and particularly outlining the applicant's responsibilities in charge of the whole or any part thereof. The preliminary letter form will be furnished an applicant upon request to the board office.~~

Subp. 2. **Evaluation of information.** ~~This~~ The information will required by subpart 1a shall be evaluated by the appropriate member or members of the board and if the applicant is found ineligible for admission to the examination, or ineligible for certification as a certified interior designer, at that time, ~~he or she will~~ the applicant shall be so notified in writing and given the reasons therefor and ~~no expense will have been incurred by the applicant.~~ If the applicant is apparently eligible at that time for admission to the examination, such applicant will be so notified and a form will be sent on which to make formal application for licensure subject to the rules of the board. If the applicant is eligible for examination at the time for admission to the examination, the applicant shall be so notified by the board in writing.

Subp. 3. **Forms and filing In-training application.** ~~Applications for licensure shall be under oath and made on forms prescribed and furnished by the board and shall be filed with the executive secretary of the board at least 60 days before the date set for the professional examinations accompanied by the payment of the examination fee as specified in part 1800.0500, subparts 5 and 6.~~

Applications for examination as engineer-in-training, land surveyor-in-training, or and landscape architect-in-training shall be made under oath and on forms prescribed and furnished by the board and shall be filed with the executive secretary of the board at least 60 days before the date set for the fundamentals examination accompanied by the examination fee as specified in part 1800.0500, subpart 6 5.

~~Application forms will be furnished to individual applicants but will not be furnished in quantities to intermediaries.~~

1800.0500 FEES.

Subpart 1. **Requirements.** Application for examination for certification as engineer-in-training, land surveyor-in-training, landscape architect-in-training, or certified interior designer or for licensure, including renewal of licensure, as an architect, professional engineer, land surveyor, or landscape architect, shall be accompanied by a fee in the amount provided for in this part. ~~The fee for examination for certification as land surveyor-in-training shall be paid upon approval of the application by the board. A new application for registration, in such instances, may be filed at any time after the lapse of six months next succeeding the date of the previous rejection. A reexamination application shall be submitted each time the applicant applies to take the examination except as provided in subpart 2.~~

Subp. 2. **Refunds; validity of application.** ~~License or license renewal fees may not be refunded. Examination fees may be refunded except for a \$20 administrative charge. Applications for examination shall be valid for a period of one year following notification of the date of examination, except as hereinafter provided. An applicant who fails to appear for examination shall be required to resubmit an application, together with an examination fee, unless the failure to appear is due to circumstances which, in the opinion of the board, justify relief from the requirement. Any application upon which no action has been taken for three years after the date of its receipt by the board shall be void. Examination or registration fees shall not be refunded except for those circumstances when an applicant does not meet required qualifications. In those circumstances, the board shall retain a \$20 administrative fee. An applicant who fails to appear for examination, cancels, or fails to take any action relevant to the application within three years shall submit a new application with a new examination fee.~~

Subp. 3. **Initial licensure and renewal.** The fee for licensure or renewal of licensure as an architect, professional engineer, land surveyor, or landscape architect is \$70 per biennium. The fee for certification as a certified interior designer or for renewal of the certificate is \$70 per biennium. The fee for an architect applying for original certification as a certified interior designer is \$50 per biennium. ~~The initial license fee is prorated at six-month intervals during each biennium. The fee for months 24 to 18 is \$70; for months 18 to 12, \$52.50; for months 12 to 6, \$35; and for months 6 to 0, \$17.50. Beginning July 1, 1994, The initial license or certification fee for all professions is \$70. The renewal fee shall be paid biennially on or before June 30 of each even-numbered year. The renewal fee, when paid by mail, is not timely paid unless it is postmarked on or before June 30 of each even-numbered year.~~

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Proposed Rules

Subp. 4. **Delayed renewal fee.** A renewal fee is a delayed renewal fee within the meaning of *Minnesota Statutes*, section 326.10, subdivision 5, if it is not postmarked on or before June 30 of the year specified in subpart 3. The delayed renewal fee is \$30 for the first three months of the lapsed period and \$60 for months 4 to 24. A licensee who was originally licensed by examination by the board and who permits the license to lapse for more than two years must retake the appropriate professional licensing examination unless exempted by the board. The delayed renewal fee is computed from July 1 of any even-numbered year and is in addition to the renewal fee provided in subpart 3.

Subp. 5. **Certification or licensure examination fee.** The fee for examination for certification or licensure as an architect, professional engineer, land surveyor, landscape architect, or certified interior designer is as follows:

A. Architect Registration Examination (ARE), 1992 \$480.

B. Professional engineer:

(1) Fundamentals of Engineering (FE) examination, \$40, effective October 1, 1992, and thereafter;

(2) Principles and Practice of Engineering examination (PE), \$80, effective October 1, 1992, and thereafter; structural engineering, \$170.

An applicant for examination in more than one branch of engineering shall submit a separate examination fee for each additional branch of engineering for which the applicant has applied for examination.

~~An applicant, currently licensed as a professional engineer (civil) may apply for registration as a professional engineer (structural) by submitting an examination fee of \$170.~~

C. Land surveyor:

(1) Fundamentals of Land Surveying (FLS) examination, \$50, effective October 1, 1992, and thereafter;

(2) principles and practice of land surveying examination, \$100.

D. Landscape Architect Registration Examination (LARE), 1992 \$415, 1993 \$445.

~~E. Certified interior designer examination, \$475.~~

Subp. 6. **Reexamination and reexamination fees.** Applicants for reexamination shall notify the board by submitting an examination application as specified in part 1800.0900, subpart 4. The fee for retaking all or any part of any examination for certification or licensure is as follows each time the examination or any part of it is retaken:

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

C. Land surveyor:

(1) Fundamentals of Land Surveying (FLS), \$50;

(2) principles and practice of land surveying:

(a) ~~part III, \$40~~ parts I and II, \$100;

(b) ~~part IV A, \$40;~~

(c) ~~part IV B III, \$20;~~

(d) ~~parts III and IV A, \$80;~~

(e) ~~parts III and IV B, \$60;~~

(f) ~~parts IV A and IV B, \$60.~~

[For text of item D, see M.R.]

~~E. Certified interior designer reexamination:~~

~~(1) identification and application, \$150;~~

~~(2) problem solving, \$75;~~

~~(3) building and barrier free codes, \$75; and~~

~~(4) practicums:~~

~~(a) programming, \$50;~~

~~(b) three-dimensional exercise, \$50; and~~

~~(c) project scenario, \$50.~~

Subp. 7. **Additional fees.** In addition to all other fees for examination or registration, as provided in this part or *Minnesota Statutes*, section 326.10, subdivision 1, the following schedule of fees is applicable:

A. for each application for registration by comity under *Minnesota Statutes*, section 326.10, subdivision 1, paragraph (a), clause (2), applicable to any person registered in another state or territory of the United States, or in any province of Canada, or in any foreign country, a fee of \$100;

B. for reissuance of a revoked, lost, destroyed, or mutilated certificate of licensure or certificate as an engineer-in-training, land surveyor-in-training, ~~or~~ landscape architect-in-training, or certified interior designer, \$25;

C. for certified copies or reproduction of any document required to be supplied on behalf of any applicant for registration in another state, the cost of reproducing the document, will be ten cents per sheet;

D. for monitoring licensing examinations for applicants of boards of other states at ~~overseas test sites~~, the fee shall be \$25, payable by the applicant.

1800.0600 CERTIFICATE OF REGISTRATION.

Certification of an applicant's technical qualifications by the National Council of Architectural Registration Boards (NCARB), National Certification Committee of the National Council of ~~Engineering~~ Examiners ~~(NCEE)~~ for Engineers and Surveyors (NCEES), ~~or~~ the Council of Landscape Architectural Registration Boards (CLARB), or the National Council of Interior Design Qualification (NCIDQ) may be accepted by the board as establishing such qualifications, and the applicant, in such instances, will not be required to pass further examination.

1800.0800 PROOF OF QUALIFICATION TO PRACTICE.

~~It is required that the~~ An applicant shall submit evidence to the board indicating that the applicant is qualified to practice in the profession or field of major practice ~~thereof~~, in which ~~she or he~~ the applicant seeks registration licensure or certification. The burden of proof is upon the applicant who should ~~therefore~~ make every effort to present qualifications fully and clearly. Qualifications shall be established by one or more of the following methods:

A. by passing a written examination;

B. by successfully completing an oral examination;

C. by submitting satisfactory exhibits of technical qualifications;

D. by submitting a council certificate prepared by the National Council of Architectural Registration Boards (NCARB), for architect applicants only;

E. by submitting ~~an NEC~~ a National Council of Examiners for Engineers and Surveyors (NCEES) council record prepared by the National Certification of the ~~National Council of Engineering Examiners~~, NCEES for engineer applicants only;

F. by submitting a council certificate prepared by the Council of Landscape Architectural Registration Boards (CLARB), for landscape architect applicants only;

G. for registration by comity as an architect ~~or~~ engineer, or landscape architect under ~~provisions of~~ *Minnesota Statutes*, section 326.10, subdivision 1, paragraph ~~2~~ (a), clause (2), and experience as the board may ~~thereunder~~ require together with evidence of current registration and proof of good standing;

H. for registration by comity as a land surveyor, an applicant shall be subject to the ~~provisions of~~ *Minnesota Statutes*, section 326.10, subdivision 1, paragraph ~~2~~ (a), clause (2). In addition ~~thereto~~, the applicant shall be required to take ~~such~~ examinations as ~~that~~ the board deems necessary to determine qualifications, but in any event the applicant shall be required to take a written orientation examination of not less than four hours duration; or

I. for certification by comity as a certified interior designer under *Minnesota Statutes*, section 326.10, subdivision 1, paragraph ~~2~~ (a), clause (2). The applicant shall meet the certification requirements that were in effect in Minnesota at the time of the applicant's original licensure or certification in the other state, territory, or the District of Columbia. Applicants who were certified in other states prior to August 1, 1992, shall meet the requirements of part 1800.2100.

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1800.0900 QUALIFICATION PROCEDURES.

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

Subp. 2. [See repealer.]

Subp. 3. **Examination required.** An applicant must take all parts of the ~~in-training~~ fundamentals examination at one time. The applicant must pass the ~~in-training~~ fundamentals examination prior to taking the professional examination, if applicable. See part 1800.2800.

The applicant must take all parts of the professional examination at one time.

Subp. 4. **Reexamination.** An applicant who does not receive a passing grade in an examination may make application to retake that examination. ~~Such~~ The application shall be accompanied by a reexamination fee as required under part 1800.0500, subpart 6. The board may require an applicant failing an examination two or more times to submit evidence of improved qualifications before an additional retake examination is permitted. ~~Only an acceptable reason for nonappearance for a scheduled examination will permit the applicant to be rescheduled for such examination.~~

Subp. 5. **Date and place of examination.** Oral examinations may be given each year at such times as may be designated by the board. ~~Written examinations will be given twice each year for engineer and land survey applicants and once each year for architectural and landscape architectural applicants.~~ Persons who file applications for licensure by examination and are determined to be eligible for admission to the examination will be informed by letter of the date and place of the examinations.

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

1800.1000 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for licensure as an architect shall pass a written examination as provided in part 1800.1200. Written examinations are required of all applicants except those licensed under part 1800.0800, items D and G, that apply to those architects licensed in one or more states other than Minnesota. An applicant for licensure under part 1800.0800, items D and G, must satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original ~~licensure~~ approved application in the other state.

Subp. 1a. **Admission to written examination.** To qualify for admission to the written examination, an applicant shall present evidence that the applicant ~~has obtained at least 13 qualifying credits as provided in this part. At least ten of the qualifying credits must be for education and at least three of the qualifying credits must be for experience. The qualifying credits shall be granted as provided~~ meets the education and experience requirements described in subparts 5 and 6.

Subp. 5. **Credits for education.** ~~Qualifying credits for education shall be granted as follows:~~

A. ~~An applicant who has graduated must present evidence of graduation from an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB); shall, at the time of graduation or within two years after graduation, receive ten qualifying credits for education or architectural education equivalent to that curriculum as determined by the board.~~

B. ~~An applicant holding a four-year baccalaureate preprofessional degree in environmental design or architectural studies shall be granted credit depending on the number of years of architectural design courses successfully completed. An applicant with three years of design courses shall be granted eight qualifying credits. An applicant with two years of design courses will be granted six qualifying credits. In no case shall the applicant holding a preprofessional degree be granted less than six qualifying credits for education.~~

C. ~~An applicant holding a four-year baccalaureate degree from the following curricula shall be given six qualifying credits for education:~~

(1) ~~curricula in architectural, chemical, civil, electrical, mechanical, or structural engineering accredited by the Accreditation Board for Engineering and Technology (ABET);~~

(2) ~~curricula in landscape architecture accredited by the American Society of Landscape Architects Committee on Education; or~~

(3) ~~curricula in interior design accredited by the Foundation on Interior Design Education Research.~~

D. ~~An applicant holding a two-year associate degree in architectural technology or architectural drafting from a community college or technical college shall receive two qualifying credits for education.~~

E. ~~For the purposes of this subpart, 32 semester credit hours or 48 quarter credit hours is considered to be one year of education. Fractions of a year of education shall be given credit in the amount earned.~~

F. ~~An applicant holding a degree or having completed coursework from a foreign college or university shall be granted credit toward the requirements of this subpart on the same basis as a graduate of a United States college or university if the board determines that the educational requirements for the degree are equivalent to the requirements of this subpart. The applicant shall furnish~~

a copy of the applicant's grade transcript, including course descriptions of courses successfully completed, in English, with the initial application for evaluation by the board.

Subp. 6. **Credits for experience.** Qualifying credits for experience shall be granted as follows:

A. The applicant's total experience must meet the requirements for qualifying experience in subpart 7.

B. Experience must be acquired after graduation, except that continuous experience in periods of ten or more weeks gained before graduation shall be counted if gained as specified in subpart 7 after graduation from high school.

C. Each year of experience gained under the direct supervision and control of a licensed architect shall count for one qualifying credit.

D. Each year of architecturally related experience gained under the direct supervision and control of a licensed professional engineer, licensed landscape architect, or an interior designer certified by the American Society of Interior Designers shall count for one-half qualifying credit. Effective March 1, 1997, admission to the Architect Registration Examination (ARE) is limited to candidates that have met the training requirements in 1996-1997 Intern Development Program Guidelines (NCARB-IDP) published by the National Council of Architectural Registration Boards, July 1996, which is incorporated by reference. The document is available at the state law library and is not subject to frequent change. A person enrolled in the Minnesota Intern Development Program before March 1, 1997, may complete training in the Minnesota program.

Candidates are responsible for the establishment of their own National Council of Architectural Registration Boards - Intern Development Program (NCARB-IDP) record.

Subp. 7. **Qualifying experience defined.** As used in this part, qualifying experience consists of experience gained in each of the following areas of the practice of architecture in accordance with the minimum number of hours shown value units as required to satisfy the Intern Development Program (IDP) training requirements as defined in Appendix H of the National Council of Architectural Registration Boards - Intern Development Program (NCARB-IDP) guidelines.

A. Design and construction:

- (1) programming and client contact, 80 hours;
- (2) site and environmental analysis, 80 hours;
- (3) schematic design, 120 hours;
- (4) building code analysis, 80 hours;
- (5) code research, 120 hours;
- (6) design development, 320 hours;
- (7) construction documents, 1,240 hours;
- (8) specifications and materials, 120 hours; and
- (9) document checking, 120 hours.

B. Construction and administration:

- (1) bidding procedures, 80 hours;
- (2) construction office, 120 hours; and
- (3) construction observation, 120 hours.

C. Office management:

- (1) office procedures, 120 hours; and
- (2) professional activities, 80 hours.

The number of hours shown are minimum time requirements for the areas of practice listed and do not represent three years of experience. More experience may be gained in any of these areas of practice to total 5,600 hours or three years of experience. Persons requiring more than three years of experience shall document qualifying experience in the amount of 1,867 hours for each year required.

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Subp. 8. [See repealer.]

1800.1100 PROCEDURES.

Subpart 1. **Completion date.** An applicant may request to be admitted to an examination if the applicant has completed, or will have completed the educational and experience requirements in part 1800.1000 by the time of the examination. The applicant shall submit to the board verification of completion of the education and experience requirements in part 1800.1000 before the applicant's examination scores can be released. Applicants who fail to verify the completion of education and experience requirements within one year from the date of examination shall have their scores voided.

Subp. 2. **Preliminary Admission request for licensing examination.** Applicants shall submit to the board a ~~preliminary request completed application and an appropriate fee as described in part 1800.0500, subpart 5,~~ for admission to the licensing examination. The request application shall be submitted on a form provided by the board and must shall include a detailed listing of all architecturally related experience gained in accordance with according to part 1800.1000. The Experience listing shall include the name and mailing address of the applicant's supervising licensed architect or other supervisor for each period of employment, and a final transcript of grades showing the date of award of any degree earned shall accompany the submittal. Upon approval of the preliminary request by the board, the applicant shall be provided formal application materials except in circumstances referenced in subpart 1. The preliminary request application shall be submitted to the board by February 1 for the June examination and by August 1 for the December examination. The application shall include one signed copy of Board Rules of Professional Conduct and a fee as specified in part 1800.0500, subpart 5, item A. Upon approval of the board, the applicant shall be notified in writing.

Subp. 3. [See repealer.]

Subp. 4. **Obtaining application.** Application materials may be obtained by calling or writing the board office.

1800.1200 WRITTEN EXAMINATION.

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

Subp. 5. **Equipment during examinations.** Silent, hand-held, battery-operated nonprogrammable electronic calculators may be used as required during the Architect Registration Examination (ARE). Applicants shall only use the architect registration examination supplied reference materials during the examination.

1800.1500 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for ~~registration licensure~~ as a landscape architect shall be required to pass a written and oral examination as provided herein in part 1800.1700. Written examinations are required of all applicants except those licensed under part 1800.0800, items F and G, that apply to those landscape architects licensed in one or more states other than Minnesota. An applicant for licensure under part 1800.0800, items F and G, must satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state.

Subp. 2. **Admissions to written examination.** To qualify for such admission to the written examination, the an applicant shall present satisfactory evidence that the following requirements have been met as provided in this part:

A. Graduated Graduation from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects (ASLA) Committee on Education.

B. Completed Completion of a minimum of at least three years of satisfactory diversified qualifying experience, after graduation, under the supervision of registered licensed landscape architects, if the applicant has graduated from a five-year baccalaureate curriculum in landscape architecture accredited by the ASLA. Four years of qualifying experience is required, if the applicant has graduated from an institution with a four-year ASLA-accredited baccalaureate curriculum in landscape architecture.

C. Subp. 3. Exception for non-ASLA-accredited education.

A. An applicant who does not meet the requirements of subpart 2 may also qualify provided that satisfactory for admission to

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the examination if evidence is submitted to the board that the education and subsequent experience of such ~~the~~ applicant are ~~substantially equivalent to the above~~ meet the requirements as set forth in the following table:

Classification	Professional Education (years)	Professional Experience ^a (years)	Total Education and Experience
Graduate of ASLA Accredited Landscape Architectural Curriculum			
5-year course	5	3	8
4-year course	4	4	8
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Graduate of Nonaccredited Landscape Architectural Curriculum			
5-year course	4	5	9
4-year course	3	6	9
Other Related Field Degree Plus Graduate of Nonaccredited L.A. Curriculum	4	5	9
Graduate of NAAB Accredited Architectural Curriculum	3	7	10
Graduate of ECPD Accredited Engineering Curriculum	3	7	10
Graduate of Nonaccredited Architectural Curriculum	2	9	11
Graduate of Nonaccredited			

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Engineering Curriculum	2	9	11
Graduate of Two Years Technical College in Landscape Architecture	2	9	11
No Professional Education	0	13	13

* B. Professional experience must be acquired after graduation except that continuous experience gained in increments of 90 days or more, before graduation will be evaluated by the board. "Professional experience" is defined as means equivalent to satisfactory diversified general practice under the supervision of registered landscape architects.

D. C. For nongraduates, each year of approved landscape architectural education successfully completed at college level shall receive full credit.

E. D. Employment by government agencies, engineering firms, and general contractors, in areas directly related to landscape architectural construction, may be substituted for professional experience, as defined above in item A; one full year of such experience will be considered the equivalent of one-half year of full-time professional experience, but not over two years of credit toward professional experience will be given for such experience.

F. E. Employment by government agencies, including the military, when diversified and comparable to employment in the office of a registered landscape architect with a verified record of substantial practice shall receive full credit with no time limitation. Such The work shall be directly related to landscape architecture and shall be under the direct supervision of a registered landscape architect. This provision shall also apply to those registered landscape architects employed in a capacity of manager.

G. F. Employment by organizations that have employees performing landscape architectural services in connection with projects owned or used by that organization when said the employment is directly related to landscape architectural work and is under the direct supervision of a registered landscape architect shall receive full credit with no time limitation. This provision shall also apply to those registered landscape architects employed in a capacity of manager.

H. G. Employment or practice in such fields as interior design, architecture, engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps, and advocacy planning shall receive full credit up to a maximum of two years when such the work is related to landscape architecture.

I. H. An advanced degree from ASLA Committee on Education accredited landscape architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ASLA Committee on Education Accredited Curriculum shall also receive full credit as determined by the board.

J. I. Other training, education, teaching, or practical experience of a landscape architectural nature will be subject to review and determination by the board.

1800.1600 APPLICATION AND ORAL EXAMINATION.

The board shall review the applicant's experience and education record and may, at its option to ensure the applicant's qualifications, conduct a personal interview of each applicant for admission to the examination process. The personal interview shall consist of direct examination by the board to and shall include such additional exhibits of drawings, specifications, photographs of work, and letters of reference, as the board may direct directs.

1800.1700 WRITTEN EXAMINATIONS.

Subpart 1. Landscape architect registration examination. Written examinations shall be provided by the National Council of Landscape Architectural Registration Boards (CLARB).

Subp. 2. Equipment during examination. Handbooks, tables, reference books, bound notes, and hand-held, nonprogrammable, battery-operated, electronic calculators are permitted when authorized by the board.

1800.1900 PROFESSIONAL PRACTICE EXAMINATION.

An applicant for registration as landscape architect by examination shall be admitted to the professional practice examination in

landscape architecture provided the applicant has successfully completed the landscape architect-in-training examination and completed total combined education and experience as noted in table contained in part 1800.1500, item ~~E~~ subpart 2 or 3.

1800.2100 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for certification as a certified interior designer shall pass a written examination ~~prepared~~ administered by the National Council for Interior Design Qualification (NCIDQ) except that a written examination is not required of an applicant certified under subpart 5 or part 1800.0800, item I, ~~or 1800.2300~~.

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

Subp. 4. **Qualifying credits for experience.** Qualifying credits for experience shall be granted as follows:

A. one qualifying credit shall be granted for each year of experience under the direct supervision of a certified interior designer, interior designer, or licensed architect. This does not apply to those individuals granted certification under ~~part 1800.2300~~ subpart 5; and

[For text of item B, see M.R.]

Subp. 5. Applicants licensed as architects. A person licensed as an architect in Minnesota who seeks certification as an interior designer shall submit an application to the board together with the required fee and shall be certified with no further requirements.

1800.2200 PROCEDURES.

Subpart 1. **Written examinations.** The written examination shall be the examination as provided by the National Council for Interior Designer ~~Qualifications~~ Qualification (NCIDQ).

Subp. 2. **Admission to examination.** An applicant shall be admitted to the examination, if, by the date of the examination, the applicant has completed the education and experience requirements in part 1800.2100. The applicant shall ~~submit verification of completion of the experience requirements in part 1800.2100 to the board before the applicant is permitted to sit for the examination~~ apply for examination directly to the National Council for Interior Designer Qualification (NCIDQ) and follow the procedures outlined by the NCIDQ.

Subp. 3. **Admission Application for certification examination.** Applicants shall submit to the board a completed application; ~~the according to part 1800.0400 and the appropriate fee as described in part 1800.0500, subpart 5; a final official transcript showing the date of award of the degree earned; and a list of experience no later than 90 days before the first day of the examination.~~ The application shall be submitted on a form provided by the board and shall include a detailed listing of all interior design related experience gained as provided in part 1800.2100. The list of experience shall include the name and mailing address of the applicant's supervising interior designer or other supervisors for each period of employment. ~~The application shall include the applicant's acknowledgment that the applicant has read, understands, and shall abide by the rules of professional conduct, parts 1805.0100 to 1805.1600.~~

1800.2500 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for licensure as a professional engineer shall pass a written ~~exam-~~ examination ~~examinations~~ as provided in this subpart. Written examinations are required of all applicants except those licensed under part 1800.0800, items E and G, that apply to those professional engineers licensed in one or more states other than Minnesota. An applicant for licensure under part 1800.0800, items E and G, ~~must shall~~ satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state. The written Fundamentals of Engineering ~~(EFF)~~ (FE) examination shall be waived by the board if the applicant meets the requirements in part 1800.2800.

Subp. 2. **Admission to written Fundamentals of Engineering (FE) examination.** To qualify for admission to the written examination, the applicant shall present evidence of one of the following:

A. graduation from an engineering curriculum accredited by the Engineering Accrediting Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET) at the time of graduation or is within 32 semester or 48 quarter credits of obtaining an engineering degree meeting the requirements of this subpart; and

B. Completion of a minimum of four years of qualifying engineering experience, if the applicant has graduated from a baccalaureate curriculum in engineering accredited by the ABET-EAC. Three years of qualifying engineering experience is required, if the applicant has graduated from a masters or doctoral curriculum in engineering from an institution with an ABET-EAC acce-

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ited baccalaureate curriculum in that discipline of engineering- graduation from an engineering curriculum that receives ABET accreditation within five years of the applicant's graduation:

C. graduation from a non-ABET-accredited or nonengineering degree curriculum with the minimum number of engineering science and design credits as required in an ABET-accredited degree (32 semester or 48 quarter credit hours of engineering science and 16 semester or 24 quarter credits of engineering design); or

D. has a graduate degree from an engineering program where the bachelor's degree is ABET-accredited, even though the applicant's bachelor's degree was earned in a nonengineering program, or is currently enrolled in a graduate program working toward a graduate degree and has completed a minimum of 36 quarter or 24 semester credit hours.

Subp. 2a. Admission to written professional engineering examination. To qualify for admission to the written examination, the applicant shall present evidence of meeting the educational and qualifying experience requirements in items A and B.

A. Education:

(1) graduation from an ABET-accredited engineering curriculum;

(2) graduation from an engineering curriculum that receives ABET accreditation within five years of the applicant's graduation;

(3) has a non-ABET-accredited or nonengineering bachelor's degree with the minimum number of engineering science and design credits as required in an ABET-accredited degree (32 semester or 48 quarter credit hours of engineering science and 16 semester or 24 quarter credits of engineering design);

(4) has a graduate degree from an engineering program where the bachelor's degree in that discipline of engineering is ABET-accredited, even though the applicant's bachelor's degree was earned in a nonengineering program; or

(5) graduation from an engineering curriculum that has ABET accreditation and a graduate degree in engineering from an institution with an ABET-accredited bachelor's curriculum in that discipline of engineering.

B. Qualifying experience:

(1) completion of a minimum of four years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitems (1) and (2);

(2) completion of a minimum of six years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (3);

(3) completion of a minimum of five years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (4); or

(4) completion of a minimum of three years of qualifying engineering experience if the applicant meets the educational requirements of item A, subitem (5).

Not more than two years credit shall be allowed for qualifying engineering experience, gained before graduation from an accredited engineering curriculum. The two years experience before graduation must have been gained after completion of the second year of approved engineering education. The experience shall be credited at the rate of 50 percent up to the maximum allowable credit of two years.

Subp. 3. [See repealer.]

1800.2600 ORAL EXAMINATION.

An applicant shall appear before the board for oral examination and shall submit two exhibits of engineering work the applicant has performed if:

A. the applicant's experience record, in the sole opinion of the board, does not clearly indicate the required qualifying engineering experience;

B. the applicant does not hold a degree from an approved engineering curriculum; or

C. the applicant qualifies for waiver of the fundamentals of engineering examination as provided in part 1800.2800.

The applicant shall furnish a letter to the board from the applicant's employer verifying the degree of involvement and responsibility displayed by the applicant in the conduct of the project exhibited.

An applicant residing in an overseas area shall submit one exhibit of the applicant's engineering work with a written critique of that exhibit in lieu of the oral examination.

1800.2700 WRITTEN EXAMINATION.

Subpart 1. Two-part examination. The written examination consists of the two parts described in subparts 1a and 2.

Subp. 1a. **Fundamentals examination.** Part I is the fundamentals of engineering examination that may be taken upon graduation from an engineering curriculum meeting the requirements of part 1800.2500, subpart 2. The applicant shall submit an official transcript from the college or university the applicant is attending. An applicant taking the Fundamentals of Engineering (FE) examination shall be notified of the score in writing, provided the applicant has met the criteria in this subpart. An applicant failing this examination shall retake the entire examination. A final official transcript showing the degree and the date awarded shall be submitted to the board before the Engineer-in-Training certificate is released to the applicant. The passing of this examination and providing proof of the degree and the award date gives the applicant the status of engineer-in-training as defined in *Minnesota Statutes*, section 326.10, subdivision 7. The applicant shall not again be required to take this examination. The applicant shall take and pass the Fundamentals of Engineering (FE) examination ~~(EFF)~~ before being permitted to take the professional examination.

Subp. 2. **Professional examination.** ~~Part II is~~ The applicant shall take and pass the Fundamentals of Engineering (FE) examination before being permitted to take the professional examination. The professional examination covering the principles and practice of engineering examination, ~~is an examination in a the~~ field of major practice and is required as outlined in this subpart. Examinations are presently offered in the following fields of major practice in engineering: aeronautical/aerospace, agricultural, ceramic, chemical, civil, controls systems, electrical, environmental, fire protection, geological, industrial, manufacturing, mechanical, metallurgical, mining/minerals, nuclear, petroleum, ~~sanitary~~, and structural I and II. A person failing the professional examination shall retake the entire examination.

Subp. 3. **Scope of examinations.** The scope of the Fundamentals of Engineering (FE) examination, ~~EFF~~ and the principles and practice of engineering examination is as follows:

A. Fundamentals of Engineering (FE) examination, ~~EFF~~: multiple-choice questions in mathematics and the basic and engineering sciences as presented in accredited college or university engineering curriculum. Allotted time: eight hours.

B. Principles and practice of engineering examination: problems embracing knowledge of professional practice and applied economics as acquired in connection with the planning, design, and construction of engineering work during the required period of qualifying engineering experience. ~~This part of the examination, together with the oral examination or exhibit with written critique, shall not be permitted until the full required period of qualifying engineering experience has been completed.~~ Allotted time: eight hours.

Subp. ... [See repealer.]

Subp. 5. **Equipment during examination.** Handbooks, reference books, bound tabular material and notes, and silent, hand-held, electronic calculators are permitted for use during examinations when authorized by the board. Applicants shall only use the reference handbook supplied by the National Council of Examiners for Engineering and Surveying (NCEES) during the Fundamentals of Engineering (FE) examination.

1800.2800 ENGINEERS QUALIFIED BY GRADUATION, LONG EXPERIENCE, AND EXAMINATION.

The fundamentals of engineering examination must be waived in those cases where the applicant furnishes evidence of:

A. ~~graduation from an accredited engineering curriculum, or receipt of a graduate degree based upon at least one academic year of resident study in a department whose undergraduate curriculum is accredited by the Accreditation Board for Engineering and Technology (ABET); being at least 40 years of age; and having a verified professional engineering record of 20 years or more of qualifying engineering experience; being at least 40 years of age, having a verified professional engineering record of 20 years or more of qualifying engineering experience and meeting one of the educational requirements of part 1800.2500, subpart 2a;~~

B. holding membership in a British Institute of Engineering as a chartered engineer by examination or other national certification by examination as approved by the board; or

C. having a doctorate degree in engineering from an educational institution whose baccalaureate curriculum is accredited by ABET-EAC or whose education is equivalent thereto.

An applicant qualifying under item A, B, or C shall pass a written professional practice examination of at least eight hours duration. To qualify for waiver of the fundamentals of engineering examination under item A, the applicant's engineering experience shall show responsible charge of engineering projects for at least ten years and advancement in the character of the work performed. The experience gained before reaching the age of 20 years shall not be credited as a part of the required engineering experience, except that graduation from an accredited baccalaureate engineering curriculum shall be considered equivalent to four years of engi-

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neering experience. Credit shall not be given for more than a total of four years experience because of undergraduate educational qualifications.

1800.2900 PROCEDURES.

Subpart 1. **Application deadline.** An applicant shall submit an application for admission to the fundamentals of engineering examination explained in part 1800.2700, subpart 1a, ~~by February 1 for the April examination or by August 1 for the October examination.~~ Application shall be made on a form provided by the board and shall include postmarked not later than 60 days prior to the first day of the date set for the fundamentals of engineering examination and accompanied by payment of the fee specified in part 1800.0500, subpart 5, item B, subitem (1). A transcript of grades showing the date of award of the degree earned shall be submitted before the applicant may be certified as engineer-in-training.

Subp. 2. **Preliminary Request for professional examination.** An applicant shall submit ~~a preliminary request~~ an application for admission to the principles and practice of engineering examination explained in part 1800.2700, subpart 2, ~~by November 1 for the April examination or by June 1 for the October examination~~ postmarked not later than 60 days prior to the first day of the date set for the professional examination and accompanied by payment of the fee specified in part 1800.0500, subpart 5, item B, subitem (2). The ~~request application~~ shall be made on a form provided by the board and shall include a detailed listing of engineering experience gained. The experience listing shall include the name and mailing address of the applicant's supervisor for each period of employment. The board shall ~~verify listed experience by sending~~ provide the applicant an employer employment reference form to ~~each listed supervisor which shall be signed and certified.~~ This form shall be submitted to the board by the employer. A final official transcript of grades showing the date of award of the degree earned shall accompany the completed form, unless previously submitted. Upon approval of the ~~preliminary request application~~ by the board, the applicant will be so notified ~~and provided formal application materials in writing.~~ The applicant shall submit one signed copy of Board Rules of Professional Conduct prior to receipt of the certificate and license.

Subp. 3. [See repealer.]

Subp. 4. **Obtaining application material.** Application materials may be obtained by calling or writing the board office.

1800.4000 CERTIFICATES OF RECORD.

The board shall issue to each applicant who successfully completes the fundamentals of engineering examination, or fundamentals of land surveyor-in-training surveying examination, a certificate indicating that the applicant's name has been recorded as ~~such engineer-in-training or land surveyor-in-training~~ in the office of the board. The board shall, upon written application, issue to each applicant who holds a degree from a landscape architectural curriculum approved by the board a certificate indicating that the applicant's name has been recorded as a landscape architect-in-training in the office of the board. The certificates of record as engineer-in-training, land surveyor-in-training, or landscape architect-in-training are permanent, subject only to suspension or revocation discipline for cause in the manner provided by law.

1800.4100 CERTIFICATE OF LICENSURE AND REGISTRATION.

Subpart 1. Licensure as professional engineer. The board shall issue to each applicant who has successfully completed the fundamentals of engineering examination, unless the fundamentals of engineering examination is waived as stated under part 1800.2800, ~~applying only in the case of engineer applicants, or land surveyor-in-training examination, or has been certified as a landscape architect-in-training, or has successfully completed the professional practice examination,~~ a certificate of registration properly filled out, signed, and sealed, ~~giving the licensee proper authority to practice the profession of architecture, professional engineering, land surveying, or landscape architecture under the Registration Act of the state of Minnesota and~~ has successfully completed the professional practice examination, a certificate of licensure giving the licensee authority to practice engineering as defined by Minnesota Statutes, section 326.02, subdivision 3. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are ~~registered licensed~~ by comity from other states, having met the Minnesota ~~registration licensure~~ requirements, shall be issued certificates of registration licensure in the same manner as provided in this part.

Subp. 2. Licensure as land surveyor. The board shall issue to each applicant who has successfully completed the fundamentals of land surveying examination and the professional practice examination a certificate of licensure giving the licensee authority to practice land surveying as defined by Minnesota Statutes, section 326.02, subdivision 4. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 3. Licensure as architect. The board shall issue to each applicant who has successfully completed the requirements in part 1800.1000 and has successfully completed the professional practice examination a certificate of licensure giving the licensee authority to practice architecture as defined by Minnesota Statutes, section 326.02, subdivision 2. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the cer-

tificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 4. Licensure as landscape architect. The board shall issue to each applicant who has successfully completed the requirements in part 1800.1500 and has successfully completed the professional practice examination a certificate of licensure giving the licensee authority to practice landscape architecture as defined by *Minnesota Statutes, section 326.02, subdivision 4a*. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 5. Certification as interior designer. The board shall issue to each applicant who has successfully completed the requirements of part 1800.2100 and has successfully completed the National Council of Interior Design Qualifications examination a certificate authorizing the certificate holder to use the title "Certified Interior Designer." This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which the certificate shall expire unless renewed. A person whose certificate expires shall not use the title "Certified Interior Designer" until a certificate is reissued. Applicants who are certified by comity under part 1800.0800 shall be issued certificates as provided in this part.

1800.5100 DEFINITIONS.

Subpart 1. Uniform Minnesota State Building Code (UBC) (MSBC). All Terms used herein shall be in parts 1800.5100 to 1800.5800 are as defined in the *Uniform Minnesota State Building Code, 1976 edition chapter 1305*, unless otherwise specified in these rules this chapter. The abbreviation ~~UBC MSBC~~ as used in this rule chapter means the *Uniform Minnesota State Building Code, 1976 edition*.

Subp. 2. Occupancy. Occupancy shall be specified by the owner and ~~verified~~ classified by the building official in the manner provided in the ~~UBC MSBC~~.

1800.5200 GENERAL REQUIREMENT AND EXCEPTIONS.

Subpart 1. Requirement. Plans and specifications for the erection, enlargement, alteration, or remodeling or renovation of any building, structure, or other work shall be prepared and certified by an architect or engineer licensed and practicing pursuant to *Minnesota Statutes, sections 326.02 to 326.15*, except as set forth in subparts 2 to 4.

Subp. 2. Statutory exception. Building components or classes of buildings enumerated in *Minnesota Statutes, sections 326.02, subdivision 5, and 326.03, subdivision 2, clauses (a) to (d)*.

Subp. 3. Remodeling or renovation exception.

A. Any remodeling or renovation to part or all of an existing building, structure, or work which does not:

(1) change the load on its mechanical or electrical systems or change the live or dead load on its structural systems, in either case, in such a manner that a violation of the ~~Uniform Building Code, 1976 edition, MSBC~~ might occur;

(2) change the building's access or exit pattern in such a manner that a violation of the ~~Uniform Building Code, 1976 edition, MSBC~~ might occur; or

(3) change the ~~Uniform Building Code (UBC) MSBC~~ occupancy classification of the building.

B. Any remodeling or renovation, of any kind, in a building in the ~~UBC MSBC~~ occupancy classes and consistent with the size, dwelling unit, and number of stories and basement thresholds specified in part ~~1800.5700, table 1~~ 1800.5800.

Subp. 4. Classes of buildings exceptions. Any new construction of or new addition to a building in the specified UBC occu-

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pancy classes and consistent with the size, dwelling unit, and number of stories and basement thresholds specified in part 1800.5700, table 4 1800.5800. Provided that an exemption under this subpart shall not apply:

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

1800.5800 CLASSES OF BUILDINGS.

M.S.B.C. OCC'Y GROUP	USE	NO. STORIES AND BASEMENT	MAXIMUM GROSS SQUARE FOOTAGE (GSF)
A	1	ASSEMBLY - 1000 OR MORE PERSONS, W/STAGE.	NONEXEMPT
	2	ASSEMBLY - LESS THAN 1000 PERSONS, W/STAGE.	
	2.1	ASSEMBLY/EDUC. - 300 OR MORE PERSONS, W/O STAGE.	
	3	ASSEMBLY/EDUC - LESS THAN 300 PERSONS W/O STAGE.	
	4	ASSEMBLY - STADIA, REVIEWING STANDS, ETC.	
B	BUSINESS - OFFICE, SERVICE (Other than Group H Occupancies below).	2-STORY AND BASEMENT	2250 GSF
	BUSINESS - DINING/DRINKING - LESS THAN 50 PERSONS (Other than Group A Occupancies above).	1-STORY, NO BASEMENT	SEATING FOR NOT MORE THAN 20 PERSONS OR 1000 GSF

E	1	EDUCATIONAL. 50 OR MORE PERSONS THROUGH 12TH GRADE FOR MORE THAN 12 HRS/WEEK OR 4 HRS/DAY.	NONEXEMPT	
	2	EDUCATIONAL - LESS THAN 50 PERSONS THROUGH 12TH GRADE FOR MORE THAN 12 HRS/WEEK OR 4 HRS/DAY.		
	3	EDUCATIONAL - DAY CARE FOR MORE THAN 6 PERSONS.		
F	1	FACTORY/INDUSTRIAL-MODERATE HAZARD.	NONEXEMPT	
	2	FACTORY/INDUSTRIAL -LOW HAZARD.	1-STORY, NO BASEMENT	3000 GSF
H	1	HAZARDOUS - EXPLOSIVE HAZARD.	NONEXEMPT	
	2	HAZARDOUS - MODERATE EXPLOSIVE HAZARD.		
	3	HAZARDOUS - HIGH FIRE OR MATERIAL HAZARD.		
	4	HAZARDOUS - REPAIR GARAGE (Other than Group S-3 Occupancies).		
	5	HAZARDOUS - AIRCRAFT HANGER/HELIPORT (Other than Group S-5 Occupancies).		

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H	6	HAZARDOUS - SEMICONDUCTOR FABRICATION W/HAZARDOUS PRODUCTION MATERIALS.	NONEXEMPT
	7	HAZARDOUS - OTHER HEALTH HAZARD.	
I	1.1	INSTITUTIONAL - FULL-TIME NURSERIES FOR CHILDREN UNDER 6 YEARS OF AGE, HOSPITALS, SANITARIUMS, NURSING HOMES, AND SIMILAR BUILDINGS (each accommodating more than 4 persons).	NONEXEMPT
	1.2	INSTITUTIONAL - DETOXIFICATION CENTERS, HOMES FOR CHILDREN 6 YEARS OF AGE OR OVER (each accommodating more than 5 persons).	
	2	INSTITUTIONAL - NURSING HOMES, HOMES FOR CHILDREN UNDER 6 YEARS (each accommodating more than 4 patients or children).	
	3	INSTITUTIONAL - MENTAL HOSPITALS, JAILS, SANITARIUMS, ETC.	

M		MERCANTILE - RETAIL/WHOLESALE DISPLAY AND SALES.	2-STORY, BASEMENT	1500 GSF
R	1	RESIDENTIAL - HOTELS, APARTMENT HOUSES/ CONDOMINIUMS (4 units or more), AND CONGREGATE RESIDENCES (each accommodating more than 10 persons).	NONEXEMPT	
	3	RESIDENTIAL - DWELLINGS, LODGING HOUSES, ATTACHED SINGLE-FAMILY DWELLINGS/ TOWNHOUSES, AND CONGREGATE RESIDENCES (each accommodating 10 persons or less).	EXEMPT	
S	1	STORAGE - MODERATE HAZARD (Other than Group S-2 or Group H Occupancies).	NONEXEMPT	
	2	STORAGE - LOW HAZARD AND NONCOMBUSTIBLE.	1-STORY, NO BASEMENT	5000 GSF
	3	STORAGE - REPAIR GARAGE AND PARKING (Other than Group S-4 Occupancies).	NONEXEMPT	
	4	STORAGE - OPEN PARKING GARAGE.	NONEXEMPT	
	5	STORAGE - AIRCRAFT HANGERS AND HELISTOPS.	1-STORY, NO BASEMENT	3000 GSF

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U	1	UTILITY - PRIVATE GARAGES, BARNs, CARPORTS, SHEDS AND AGRICULTURAL BUILDINGS. (See 1800.5200 Subp. 2 Statutory Exception above.)	1-STORY, NO BASEMENT	1000 GSF
	2	UTILITY - FENCES HIGHER THAN 8'-0", TANKS AND TOWERS.	NONEXEMPT	
MIXED USE OR OCCUPANCY		NONEXEMPT		
		Exception: Buildings containing only R-3 and U occupancies may be considered exempt subject to the limitations listed above. See MSBC for further information regarding buildings of mixed use or occupancy.		
BUILDINGS AND STRUCTURES REQUIRING SPECIAL INSPECTIONS IN ACCORDANCE WITH MSBC		NONEXEMPT		
		Exception: Exempt buildings and structures requiring special inspections for limited structural elements may be considered exempt for the purposes of architectural design only. Those limited structural elements requiring special inspections shall be designed by an engineer licensed and practicing pursuant to Minnesota Statutes, sections 326.02 to 326.15.		

REVISOR'S INSTRUCTION. The revisor of statutes shall change all references in *Minnesota Rules* from part 1800.5700 to part 1800.5800.

REPEALER. *Minnesota Rules*, parts 1800.0700; 1800.0900, subpart 2; 1800.1000, subpart 8; 1800.1100, subpart 3; 1800.2000; 1800.2300; 1800.2500, subpart 3; 1800.2700, subpart 4; 1800.2900, subpart 3; and 1800.5700, are repealed.

Minnesota Racing Commission

Proposed Permanent Rules Regulating Trifecta Wagering and Claiming Races

Dual Notice: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received

Proposed Amendment to Rules Governing Trifecta Wagering, *Minnesota Rules* Chapter 7873.0185, Subp. 7 and Claiming Races, *Minnesota Rules* Chapter 7883.0140, Subp. 22.

Introduction. The Racing Commission intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on February 12, 1997, a public hearing will be held in the Board Room, Canterbury Park, 1100 Canterbury Road, Shakopee, Minnesota 55379, starting at 8:30 am on Wednesday, February 26, 1997. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 12, 1997 and before February 26, 1997.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Richard Krueger at the Minnesota Racing Commission, P.O. Box 630, Shakopee, Minnesota 55379, telephone (612) 496-7950, fax (612) 496-7954. TDD users may call the Racing Commission at TDD phone (800) 627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about Trifecta Wagering and Claiming Races. The statutory authority to adopt the rules is *Minnesota Statutes*, section 240.23, general rulemaking authority and 240.13, Subd. 3, types of betting. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, February 12, 1997, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on February 12, 1997. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. 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 rules.

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.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for February 26, 1997, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the

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Proposed Rules

scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (612) 496-7950 after February 12, 1997 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Howard L. Kaibel, Jr. is assigned to conduct the hearing. Judge Kaibel can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7608, and fax (612) 349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

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

Other Notices. The Commission published a Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules in the *State Register* on September 9, 1996. The Commission will publish the proposed rules and a dual notice of adoption in the *State Register* on January 13, 1997. Three business days prior to publication, the Commission will mail a copy of the proposed rules and the notice to all persons who have registered their names with the Commission for the purpose of receiving rulemaking notices; there are 98 individuals on that mailing list. Three business days prior to publication, the Commission will mail a copy of the proposed rules and the notice to the heads of various horseperson's organizations in Minnesota. These include the Minnesota Thoroughbred Association, Horsemen's Benevolent and Protective Association, Minnesota Quarter Horse Racing Association, Minnesota Arabian Racing Association, Minnesota Harness Racing, Inc., and the Traverse County Fair Board. A notice of the adoption of these rule amendments will be printed in the November-December issue of the Minnesota Thoroughbred Association newsletter. In addition the Commission's Rules Committee Chairman will provide announcements as to the status of the rules during each monthly meeting of the full Commission and the Commission's rulemaking docket will be updated and posted as necessary to reflect the status of the proposed rules.

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 Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (612) 296-5148 or 1 (800) 657-3889.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules 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 rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law 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 rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

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

Dated: 12 December 1996

Richard G. Krueger, Executive Director

7873.0185 TRIFECTA.

[For text of subs 1 to 6, see M.R.]

Subp. 7. **Restrictions on trifecta races.** ~~The restrictions in items A and B apply to trifecta races.~~

A. ~~Coupled or uncoupled entries and mutuel fields are prohibited from starting in trifecta races.~~

B. ~~At least eight betting interests must remain after scratch time. However, should a scratch occur after the horses leave the paddock, trifecta wagering shall be allowed. In no event shall trifecta wagering be allowed on a race with fewer than seven betting interests and all trifecta wagering must be refunded. If, for any reason, trifecta wagering is canceled, all trifecta wagers must be refunded.~~ If time permits, the association may schedule exacta wagering in place of trifecta wagering.

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

7883.0140 CLAIMING RACES.

[For text of subs 1 to 20, see M.R.]

Subp. 22. **Claimed horse shall race at track claimed.** No claimed horse shall race at any other racetrack until after the close of the race meeting at which it was claimed, or for 60 days, whichever is shorter, except to fulfill a ~~previously committed one or more stakes engagement or with permission of the association engagements.~~

[For text of subs 23 to 30, see M.R.]

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Board of Psychology

Adopted Permanent Rules Relating to Continuing Education Sponsor Fees

The rules proposed and published at *State Register*, Volume 21, Number 4, pages 113-114, July 22, 1996 (21 SR 113), are adopted as proposed.

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Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rule-making proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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

Minnesota State Agricultural Society

Minnesota State Fair

Notice of Annual Meeting

The 138th annual meeting of the Minnesota State Agricultural Society, governing body of the State Fair, will be held January 17, 18 and 19 at the Radisson South Hotel. The society's general business session is scheduled for 8:30 a.m. Sunday January 19, followed by a meeting of the society's board of managers.

Complete programs of all scheduled events will be available at the hotel.

Department of Finance

Cash and Debt Management Division

Notice of Available Tax Exempt Bonding Authority

NOTICE IS HEREBY GIVEN pursuant to *Minnesota Statute* 474A.14 that on January 1, 1997 the total sum of \$232,887,000 of tax exempt bonding authority was available for calendar year 1997. Of this amount, \$59,027,000 was available for the Small Issue Pool; \$60,100,000 was available for the Housing Pool; \$10,732,000 was available for the Public Facilities Pool; and \$103,028,000 was available for entitlement issuers.

Available tax exempt bonding authority for entitlement issuers in 1997 consists of \$16,098,000 for the City of Saint Paul; \$21,464,000 for the City of Minneapolis; \$54,734,000 for the Minnesota Housing Finance Agency; and \$10,732,000 for Dakota County. For further information please contact Mr. Lee Mehrkens at (612) 296-1700.

Wayne Simoneau
Commissioner

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective January 13, 1997 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Faribault: Winnebago Elementary School Asbestos Abatement-Winnebago.

Hennepin: ISD 281 Exterior Renovations-Plymouth/Crystal; ISD 281 Interior and Life Safety Projects-Robbinsdale/Plymouth/New Hope; ISD 281 1997 Reroofing Projects-Robbinsdale/Plymouth/New Hope; Cooper High School ISD 281 Technologies Improvement-New Hope; Robbinsdale Armstrong Gymnasium Addition-Plymouth.

Martin: Truman High School Asbestos Abatement of Light Fixture Heat Shields-Truman.

Ramsey: Lighting Upgrade City of St Paul Public Housing-St Paul; Franklin Elementary School Asbestos Abatement-St. Paul; Elevator Repairs MN/DOT Metro Division Headquarters-Roseville.

Redwood: Reede Gray Inter Generational Center Expansion-Redwood Falls.

Rice: Faribault Senior High School Rooms 122-123-124 Asbestos Abatement-Faribault.

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

Board of Pharmacy

Request for Comments on Planned Amendment to Rules Governing Pharmacy Practice, Minnesota Rules Part 6800.0100 et. seq.

Subject of Rule. The Minnesota Board of Pharmacy requests comments on its planned amendment to rules governing pharmacy practice. The Board is proposing to eliminate several outdated rules, amend rules relating to fees for licensure of pharmacists, pharmacies, and examinations, amend rules relating to space requirements of a pharmacy, pharmacy technicians, automated medication management systems, electronic prescription transmission, emergency kits for long-term care facilities, and other practice-related issues. It is likely that the fee increase rules will be addressed separately from the other rules. Separate proposals will be published for the increase rules and the other rules.

Persons Affected. The amendment to the rules would affect pharmacists, pharmacy owners, pharmacy technicians, and candidates for licensure as pharmacists.

Statutory Authority. *Minnesota Statutes*, sections 151.06 and 214.06 authorize the Board to establish and adjust fees and to develop rules regulating the practice of pharmacy.

Public Comment. Interest persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on Friday, March 21, 1997.

Rule Drafts. The Board has not yet prepared a final draft of the planned amendments.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules when they have been prepared, and requests for more information on these planned rules should be addressed to:

David E. Holmstrom, RPh, Executive Director
Minnesota Board of Pharmacy
2829 University Avenue SE, #530
Minneapolis, MN 55414
(612) 617-2201

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

Dated: 3 January 1997

David E. Holmstrom
Executive Director

Public Employees Retirement Association

Board of Trustees, Notice of Meetings

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, January 16, 1997, at 9:30 a.m. in the offices of the association, 514 St. Peter Street, Suite 200, Saint Paul, Minnesota.

A meeting of the Legislative Committee of the Board of Trustees will be held on Wednesday, January 15, 1997, at 2:00 p.m. in the offices of the association.

Official Notices

Minnesota State Retirement System

Notice of Regular Meeting of the Board of Directors

The regular meeting of the Board of Directors, Minnesota State Retirement System, will be held on Thursday, January 16, 1997, at 9:00 a.m. in the office of the System, 175 W. Lafayette Frontage Road, St. Paul, Minnesota.

Teachers Retirement Association

Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Friday, February 7, 1997, at 9:30 a.m. in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1299; (612)297-5845, or in person at Room 174 of the State Office Building. In accordance with the Minnesota Open Appointments Law, the Secretary of State acts as an administrator in publishing vacancies, receiving applications, and recording appointments.

Applications will be reviewed and appointments made by the Appointing Authorities for these various agencies. **Completed applications are to be submitted to the Secretary of State January 28, 1997.** Appointing Authorities for these agencies may also choose to review applications received by the Secretary of State after that date. Applications are kept on file for a one year period.

The 1996 Annual Compilation is now available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the 1996 fiscal year.

To order copies of the 1996 Annual Compilation please call the Minnesota Bookstore at (612)297-3000 or 1-800-657-3757. Press release is available on the Internet Web site location: www.sos.state.mn.us.

The following information is a correction to the *State Register* publication of January 6, 1997.

There are no current vacancies for the Metropolitan Airports Commission, but there are vacancies for the following:

METROPOLITAN SPORTS FACILITIES COMMISSION HUBERT H. HUMPHREY METRODOME, 900 S. 5th St., MINNEAPOLIS, MN 55415. (612) 332-0386. *MINNESOTA STATUTES* 473.553.

APPOINTING AUTHORITY: Governor

COMPENSATION: \$50 per diem.

THREE VACANCIES: Appointments made by the Minneapolis City Council.

The commission is responsible for the location, design, construction, and operation of the Hubert H. Humphrey Metrodome. The commission also owns a 53 acre parcel of land in Bloomington, MN, former site of the Met Center. The chair is appointed by the Governor, and six commissioner members are appointed by the Minneapolis city council. Members must file with the Ethical Practices Board. Regular commission meetings are held on the third Wednesday of the month at 9:30 a.m. in the commission office conference room. Committee meetings are scheduled on an "as needed" basis. The commission does not expire.

U.S. Department of Agriculture

Natural Resources Conservation Service

Revision of Conservation Practice Standards 590 (Nutrient Management) and 633 (Waste Utilization)

NOTICE IS HEREBY GIVEN that the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture (USDA) is revising its Minnesota Conservation Practice Standards for nutrient management and waste utilization.

The NRCS is now seeking comments on the proposed revisions. The revisions may be modified according to the comments submitted.

Please direct comments, questions, or requests for copies of the proposed revisions to:

Dennis Neffendorf, State Resources Conservationist
USDA-Natural Resources Conservation Service
375 Jackson Street, Suite 600
St. Paul, Minnesota 55101-1854
Telephone: 612/290-3670 FAX 612/290-3375

Comments will be accepted until February 14, 1997.

Dennis W. Neffendorf
State Resource Conservationist

State Grants and Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan 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 and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Administration

Governor's Council on Developmental Disabilities

Request for Proposal for a Contract Relating to Employment for People with Disabilities

The Governor's Council on Developmental Disabilities is please 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 second year demonstration grant that will begin as soon as possible after August 18, 1997. 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.

A total of \$90,000 in federal funds is available under provisions of the Developmental Disabilities Assistance and Bill of Rights Act of 1996 (P.L. 104-183). 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 intended 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:

Colleen Wieck, Executive Director
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

Department of Human Services

Chemical Dependency Program Division

Notice of Request for Proposals for the Provision of Treatment Services for Adult Individuals Experiencing Coexisting Mental Health and Chemical Dependency Disorders

The Chemical Dependency Program Division (CDPD) of the Department of Human Services is requesting proposals to encourage treatment programs to expand their diagnostic methods and treatment scope to treat individuals experiencing coexisting mental health and chemical dependency disorders. A total of \$62,500 from Federal Alcohol and Drug Abuse Block Grant is available to potentially fund one or two projects. The funded project(s) would begin on or about July 1, 1997, or upon such date as executed by the Commissioner of Finance, whichever occurs later, and continue for a minimum of one year. The funded project(s) may continue beyond the initial grant period based on satisfactory performance and the availability of funds.

Proposals in response to this RFP must be submitted on the CDPD grant application form that can be obtained by contacting the Chemical Dependency Program Division at (612) 296-3991. The applicant(s) must submit one (1) original and seven (7) copies of parts I-V of the completed application for review. Submit one (1) copy of Part VI (Appendices). Applications must be stapled and all pages numbered. Applicants must also submit either a certificate of compliance from the Commissioner of Human Rights pursuant to *Minnesota Statutes*, section 636.073, or an Affidavit of Exemption. Proposals must be received by the CDPD no later than 3:00 p.m. on February 21, 1997. Proposals which are mailed must be postmarked no later than February 19, 1997 (NO EXCEPTIONS). All applications should be submitted to:

State of Minnesota
Department of Human Services
Chemical Dependency Program Division
444 Lafayette Road
Saint Paul, Minnesota 55155-3823
ATTN: Sheila Big Bear

Inquiries regarding this Request for Proposal should be directed to Nick Vega Puente, Grants Officer, Chemical Dependency Program Division, at (612) 296-4620 or a written correspondence may also be mailed to the address previously listed. Interested applicants are requested to advise Nick Puente by telephone of intent to submit an application as soon as possible. Copies of the DAANES and CDTAP client data forms required for use under this request for proposals can be obtained by calling the CDPD (612) 296-3991.

For TTY, contact the Minnesota Relay Service at (612) 297-5353 or 1-800-627-3529.

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, and final submission date of completed contract proposal.

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

Minnesota Departments of Corrections and Human Services

Requests for Proposals for Juvenile Facility Rulemaking Community Outreach Activities

Goal/Purpose of Project:

To solicit input from a diverse group of constituencies that are directly impacted by the proposed juvenile facility rules being developed and promulgated by DOC and DHS by utilizing members of the appointed advisory committee comprised of juvenile justice system stakeholders.

All proposals must address four (4) specific objectives as outlined in project description information packet and cannot exceed a budget of \$7,500.00. To obtain information packet please contact issuing office staff noted below:

Issuing Officer:

DAVID A. JOHNSON, Director
Juvenile Detention Services
1450 Energy Park Drive, Suite 200
St. Paul, Minnesota 55108-5219
Telephone: (612) 642-0334
FAX: (612) 642-0314

Eligibility:

Any organization or person who has demonstrated experience in working with, and who is acutely aware of the needs of diverse community groups or individuals that would be directly impacted by the juvenile facility rules being developed and promulgated may apply. In addition, all applicants should have knowledge of the juvenile justice system and how out-of-home placement systems impact different constituencies, specifically those placement facilities that are presently being licensed by DOC and DHS.

Timeline and Submission Deadline:

Completed proposals must be received by the issuing officer noted above no later than 4:00 P.M., Friday, January 24, 1997. Awarding of the contract for services will be made by January 31, 1997.

Project will begin immediately upon official signing of the contract for services and end June 30, 1997.

State Board of Investment

Notice of Request for Interested Private Money Management Firms to Manage Pension Assets

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.

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.

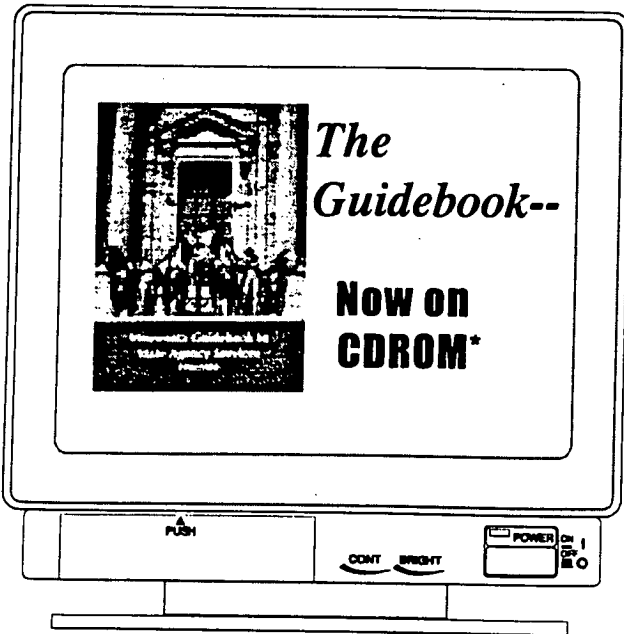
It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication 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.

University of Minnesota

Notice of Request for Proposals for Campus Shuttle Bus Service RFP No. 782-61055910

The University of Minnesota is requesting proposals to provide no-fare campus shuttle bus service beginning July 1, 1997 around and between the Minneapolis and St. Paul Campuses. Services will include drivers and at least 25 full size, 40-50 passenger, two-door, wheelchair-accessible transit coaches and at least 6 wheelchair-accessible mini-buses. Estimated annual service hours are 33,000 (26,500 by full size coaches and 6,500 by mini-buses). The provider will be required to oversee street operation, provide ridership statistics, and comply with all State and Federal regulations.

Proposals are due by 3:00 PM (CST), February 5, 1997. To obtain a RFP packet, contact Kathleen Stoner at University of Minnesota, Purchasing Services, Ste 560, 1300 South Second Street, Minneapolis, MN 55454 or phone (612) 624-1696. A pre-proposal session for questions and answers will be held on Wednesday, January 15, 1997 from 9-11 AM at the University of Minnesota, Minneapolis Campus.



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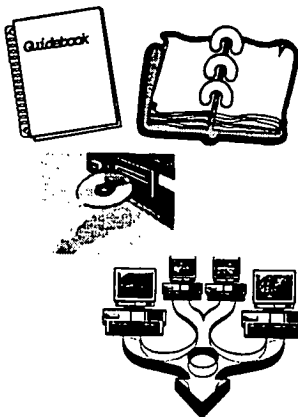
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