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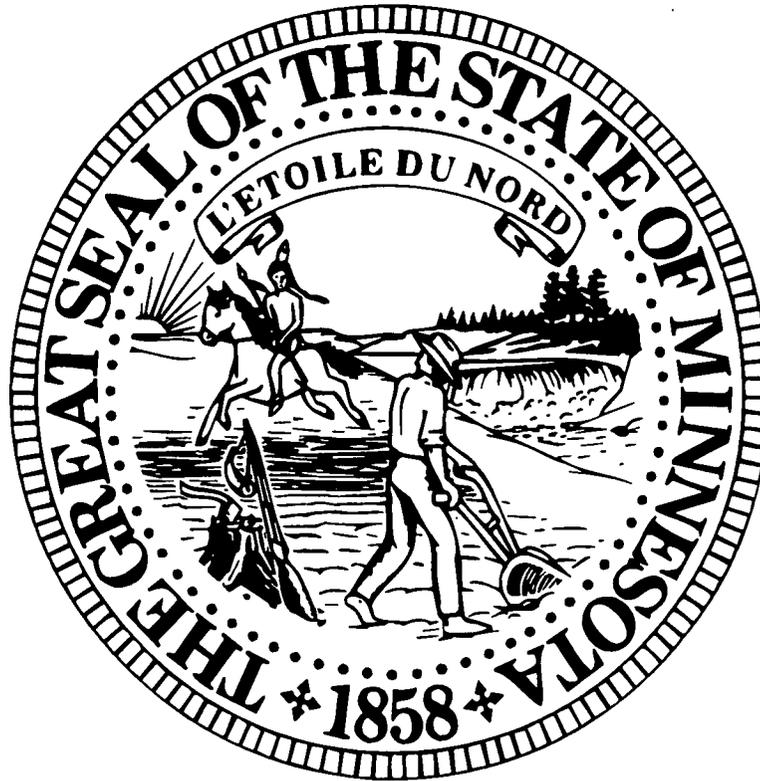
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The Minnesota

State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the
Department of Administration - Communications Media Division

Tuesday 18 February 1997

Volume 21, Number 34

Pages 1157-1190

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
# 34	Tuesday 18 February	Monday 3 February	Monday 10 February
# 35	Monday 24 February	Monday 10 February	Friday 14 February
# 36	Monday 3 March	Friday 14 February	Monday 24 February
# 37	Monday 10 March	Monday 24 February	Monday 3 March

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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Publication Number: 326630. (ISSN 0146-7751)

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FOR LEGISLATIVE NEWS

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

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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Professional, Technical and Consulting contract awards are published monthly in an <i>Awards Report</i> .	
Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.	

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.

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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*.

Department of Labor and Industry

Proposed Permanent Rules Relating to Boiler Operators

Notice of Hearing

Proposed Amendment to Rules Governing Boiler Operation and Attendance Standards, Repairs by Inspectors and Insured Coverage Reports; *Minnesota Rules*, Parts 5225.1110, 5225.1140, 5225.1180, 5225.2700, and 5225.3100.

Public Hearing. The Department of Labor and Industry intends to adopt rules after a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-entitled rules in the Minnesota Room on the first floor of the Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota, 55155, starting at 9:00 a.m. on Friday, March 21, 1997 and continuing until the hearing is completed. Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Administrative Law Judge. The hearing will be conducted by Administrative Law Judge Phyllis Reha, who can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612)341-7602, fax 612/349-2665. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

Subject of Rules, Statutory Authority, and Agency Contact Person. The subject of the hearing will be the proposed amendment of *Minnesota Rules*, parts 5225.1110, 5225.1140 and 5225.1180 governing boiler operation and attendance standards; *Minnesota Rules*, part 5225.2700 governing repairs to boilers by agency inspectors; and *Minnesota Rules*, part 5225.3100 governing the time within which an insured boiler inspection exemption certificate must be procured and displayed. The proposed rules are authorized by *Minnesota Statutes*, section 175.171, subd. 2 and sections 183.001; 183.44; 183.45; and 183.466 (1996). A copy of the proposed rule amendments is published in the *State Register* and attached to this notice as mailed. The proposed amendments can be briefly described as follows:

- The current rule, in part 5225.1110, mandates compliance with the recommendations of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, in Section VI for low pressure boilers and Section VII for high pressure boilers. The proposed amendment provides that the recommendations in those sections are truly recommendations and not mandatory, and must be considered along with other specified factors.

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

Proposed Rules

- The current rule, in part 5225.1110, requires that low pressure boilers be checked daily. The proposed amendment replaces this daily check requirement with several factors which operating engineers must consider in determining how often a low pressure boiler should be checked. The rule requiring documentation of boiler checks in the log book is made more specific.
- No substantive changes are intended to the minimum attendance requirements found in the current rules for high pressure boilers. The proposed changes are intended to consolidate existing minimum attendance requirements for high pressure boilers currently found in parts 5225.1110, 5225.1140, and 5225.1180 into one part for ease in using the rules.
- The current rule in part 5225.1180, subpart 3, is moved to part 5225.1110, subpart 2, and is expanded to require more specific reporting and monitoring of unsafe boilers, and to apply to all boilers, not just high pressure boilers.
- The amendment to part 5225.2700 eliminates an exception to the rule prohibiting state inspectors from making boiler repairs.
- The amendment to part 5225.3100 extends the time within which a boiler inspection exemption certificate must be procured and displayed from 60 to 90 days from the effective date of insurance coverage.

The agency contact persons are: Kathryn Berger, Legal Services, Department of Labor and Industry, 443 Lafayette Road, St. Paul, MN 55155, telephone (612) 297-4791, and fax (612) 296-8899; or James Larson, Chief Boiler Inspector, Department of Labor and Industry, 443 Lafayette Road, St. Paul, MN 55155, telephone (612) 296-1098, fax (612) 296-1140; or Susan Gretz, Assistant Attorney General, 525 Park Street, Suite 200, St. Paul, MN 55103-2106, telephone (612) 296-2424, fax (612) 297-1235. TDD users may call the Department of Labor and Industry at (612) 297-4198.

Statement of Need and Reasonableness. A Statement of Need and Reasonableness is now available for review at the agency offices and at the Office of Administrative Hearings. This statement contains a summary of the justification for the proposed 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 be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings. To obtain a copy of the Statement of Need and Reasonableness from the agency you may contact Joyce Arlett, Department of Labor and Industry, 443 Lafayette Rd. St. Paul, MN 55155; Telephone: (612) 297-3177; Fax: (612) 282-5293. TDD users may call the Department of Labor and Industry at (612) 297-4198. You may contact Ms. Arlett to obtain a map showing available parking in the vicinity of the Department of Labor and Industry.

Public Comment. You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed 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. The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment period also submit a copy of the written views or data to Kathryn Berger at the address stated above.

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

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

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 612/296-5148 or 1-800-657-3889.

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

Dated: 3 February 1997

Gary W. Bastian
Commissioner

5225.1110 BOILER OPERATION STANDARDS; ALL PLANTS.

Subpart 1. Safe boiler operation. All boilers, unless specifically exempted by *Minnesota Statutes*, section 183.56, must be operated, maintained, and attended by an operating engineer in a prudent and attentive manner to avoid endangering human life and property. At a minimum, all operating boilers must be checked ~~daily~~ by an operating engineer in compliance with this chapter. Specific minimum attendance requirements for hobby boilers are given in part 5225.1140 and specific minimum attendance requirements for high pressure plants are given in part 5225.1180.

In determining whether a boiler is operated, maintained, and attended in a prudent and attentive manner, the division and the chief engineer or operating engineer shall consider the recommendations of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section VI, for low pressure and Section VII, for high pressure must be complied with and a log documenting the compliance must be completed daily by the chief engineer or an operating engineer designated by the chief engineer, along with the following additional factors:

- A. the size or capacity of the boiler plant;
- B. the condition of boilers and appurtenances;
- C. the frequency of boiler checks and past maintenance history;
- D. the extent of public occupancy of the building containing the boiler plant;
- E. the operating service conditions, including weather;
- F. compliance with other statutes and rules of this division; and
- G. any other factor which would adversely affect the safety of the boiler.

A logbook must be maintained in the boiler room by the chief engineer or an operating engineer designated by the chief engineer. The log shall document when the boiler checks were made, who made the boiler checks, and what specific checks of equipment were made. This log shall be made available to the boiler inspector during inspections and at other times upon request of the boiler inspector.

Subp. 2. Unsafe boiler plant. If the chief engineer or operating engineer has found the boiler to be in an unsafe condition, the engineer shall notify the owner or employer and the chief boiler inspector as soon as possible. If the unsafe boiler is not immediately taken out of service, the chief engineer or operating engineer shall ensure that the boiler is continuously monitored by an operating engineer, 24 hours per day, until the division has either sealed the object, verified that the unsafe condition has been corrected, or determined that continuous monitoring is no longer required.

5225.1140 ATTENDANCE AT HIGH PRESSURE PLANT OF HOBBY BOILERS.

Subpart 1. [See repealer.]

Subp. 2. [See repealer.]

Subp. 3. **Hobby boiler.** A hobby boiler may not be left unattended when in operation and members of the public are present. For purposes of this part, a traction engine may be considered as not being in operation when all of the following conditions exist:

- A. the water level is at least one-third of the water gage glass;
- B. the header or dome valve is in a closed position;
- C. the draft doors are closed;
- D. the fire is banked or extinguished; and
- E. the boiler pressure is at least 20 pounds per square inch below the safety valve relieving pressure.

5225.1180 ABSENCE FROM ATTENDANCE AT HIGH PRESSURE PLANT.

Subpart 1. **EXEMPTION Attendance; plant of 0 to 30 horsepower.** At a minimum, a high pressure boiler plant of 0 to 30 horsepower, when in operation, must be checked daily by an operating engineer.

Subp. 2. Attendance; plant of 31 to 200 horsepower.

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

~~A. A high pressure boiler plant of 31 to 200 horsepower may be left in operation unattended by an operating engineer for no more than two consecutive hours when the premises are occupied by employees or the public, except as permitted by item B.~~

~~B. A high pressure boiler plant of 31 to 200 horsepower is exempt from the high pressure attendance requirements of part 5225.1140, subpart 1, item A, and is subject only to the attendance provisions of part 5225.1140 but must be checked at least daily, under the following conditions:~~

~~A. (1) the boiler is equipped with dual pressure controls and dual low water fuel cutouts and the boiler does not exceed 15 pounds per square inch operating pressure at any time during the operating engineer's absence;~~

~~B. (2) the boiler is equipped with fail-safe type safety controls or valves regulating pressure, temperature, water level, and control supply lines. Fuel control and safety devices must meet at least the minimum requirements for automatically fired boilers in Sections I and IV of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code;~~

~~C. (3) the valves and controls must be manually switched over by the operating engineer, the dates and time must be entered in the boiler room log, and the entry must be signed by the operating engineer;~~

~~D. (4) the building in which the boiler is located is not occupied by the public or employees except for custodial, maintenance, or security personnel; and~~

~~E. (5) the boiler is for supplying steam directly to a low pressure header with header safety valves set at or below 15 pounds per square inch and is of adequate capacity to prevent a pressure rise above 15 pounds per square inch in the system. The shutoff valve between the high and low pressure systems must be electrically interlocked with the low pressure control system so that the crossover valve is in the open position while operating on low pressure.~~

~~Subp. 2. 3. Absence; shift engineer; Attendance; plant over 200 horsepower.~~

~~A. A high pressure boiler plant of more than 200 horsepower, when in operation, requires constant attendance, except as otherwise provided in item B.~~

~~B. The shift engineer in a high pressure boiler plant of over 200 horsepower may leave the boiler room for up to 30 minutes if all boilers are equipped with dual pressure controls and dual low water fuel cutouts, one of which must be the manual reset type. The shift engineer must stay within 500 feet of the boiler room at all times during the shift.~~

~~Subp. 3. 4. Limitations. The absences described in part 5225.1140, subpart 1, and this part subparts 2, item A, and 3, item B, may not approach nearly continuous absence from the plant. If the chief engineer or shift engineer has found the boiler to be in an unsafe condition, in addition to notifying the chief boiler inspector, absence from the plant is not allowed.~~

5225.2700 REPAIRS BY INSPECTORS PROHIBITED; EXCEPTION.

~~Boiler inspectors shall not make any of the repairs they order to boilers. If, however, no competent mechanic is available in the locality in which the boiler is located, the chief boiler inspector may grant permission to the inspector to make emergency or minor repairs.~~

5225.3100 INSURED COVERAGE REPORT.

Every insurance company insuring a boiler or pressure vessel must notify the division in writing within 30 days of the effective date of coverage (including binders). It must also mail a duplicate of the notification to the assured, who shall, until receipt of exemption certificate, display the notice in a conspicuous place near the boiler or pressure vessel. The person, firm, or corporation operating the insured boiler or pressure vessel shall procure and display an exemption certificate as provided in part 5225.3150 within a period of ~~60~~ 90 days from the date of coverage, and keep it displayed in a conspicuous place near the boiler or pressure vessel.

If the certificate is not displayed within ~~60~~ 90 days from date of coverage the boiler inspector from the division shall make the usual and customary inspection of the boiler or pressure vessel and charge the statutory fee.

REPEALER. Minnesota Rules, part 5225.1140, subparts 1 and 2, are repealed.

Adopted Rules

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

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

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

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

JOINT RULES:

Department of Health

Minnesota Pollution Control Agency

Adopted Joint Permanent Rules Relating to Certification of Water and Wastewater Operations and Classification of Facilities and Systems

The rules proposed and published at *State Register*, Volume 21, Number 18, pages 543-554, October 28, 1996 (21 SR 543), are adopted as proposed.

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Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* §§ 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

Department of Natural Resources

Adopted Exempt Rules Relating to Experimental and Special Fishing Regulations

6264.0300 DESIGNATED EXPERIMENTAL WATERS.

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

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. [See repealer.]

Subp. 7. [See repealer.]

Subp. 8. [See repealer.]

Subp. 9. [See repealer.]

Subp. 10. **Northern pike expanded limits and size restrictions - Aitkin and Itasca counties.** ~~The possession limit for northern pike taken from the following waters is six fish. All northern pike in possession while on or fishing on in these waters must be either less than 20 inches in length or greater than 30 inches in length. Not more than one northern pike in possession may be over 30 inches in length. All northern pike that are 20 to 30 inches in length, inclusive, must be immediately returned to the water immediately. A person's possession limit may not include more than one northern pike over 30 inches.~~

	Name	Location	County	End Date
A.	Sissabagamah Lake	T.46,47, R.26, S.Various	Aitkin	3/1/1997 <u>3/1/2007</u>
B.	Wilkins Lake	T.48, R.25, S.15,16,22	Aitkin	3/1/1997 <u>3/1/2007</u>
C.	Coon-Sandwick Lake	T.60,61, R.25, S.Various	Itasca	3/1/1997 <u>3/1/2007</u>

Subp. 11. **Northern pike expanded limits and size restrictions - Beltrami county.** ~~The possession limit for northern pike taken from the following waters is six fish. All northern pike in possession while on or fishing on in these waters must be less than 22 inches in length or greater than 30 inches in length. Not more than one northern pike in possession may be over 30 inches in length. All northern pike that are 22 to 30 inches in length, inclusive, must be immediately returned to the water immediately. A person's possession limit may not include more than one northern pike over 30 inches.~~

	Name	Location	County	End Date
A.	Medicine Lake	T.149, R.32, S.Various	Beltrami	3/1/1997 <u>3/1/2007</u>
B.	North Twin Lake	T.148, R.31, S.Various	Beltrami	3/1/1997 <u>3/1/2007</u>

[For text of subp 12, see M.R.]

Subp. 13. [See repealer.]

[For text of subps 14 and 15, see M.R.]

Subp. 16. [See repealer.]

Subp. 17. [See repealer.]

Subp. 18. [See repealer.]

[For text of subps 19 and 20, see M.R.]

Subp. 21. [See repealer.]

Subp. 22. [See repealer.]

[For text of subp 23, see M.R.]

Subp. 24. [See repealer.]

[For text of subp 25, see M.R.]

Subp. 26. [See repealer.]

Subp. 27. [See repealer.]

[For text of subps 28 to 30, see M.R.]

Subp. 31. ~~Clear Lake experimental Largemouth bass catch and release regulations.~~ While on or fishing in ~~Clear Lake~~ these waters, angling for largemouth bass shall be limited to catch and release only, whereby any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass shall be legal during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession or under control, regardless of where taken, any largemouth bass while ~~being on or fishing in Clear Lake.~~ Possession includes personal possession and possession in a vehicle these waters.

	Name	Location	County	End Date
A.	Clear Lake	T.107, R.22, S.4, 5,8,9,16,17	Waseca	3/1/1999
B.	<u>Jane Lake</u>	<u>T.29, R.21, S.9.10</u>	<u>Washington</u>	<u>3/1/2006</u>
C.	<u>Minnewashta Lake</u>	<u>T.116, R.23, S.4,5,8,9</u>	<u>Carver</u>	<u>3/1/2006</u>
D.	<u>Turtle Lake</u>	<u>T.30, R.23, S.11,14</u>	<u>Ramsey</u>	<u>3/1/2006</u>

[For text of subp 32, see M.R.]

Subp. 33. ~~Annie Battle Lake experimental regulations. The following waters are closed to fishing. Effective March 1, 1997, while on or fishing in Annie Battle Lake, the daily and possession limit for sunfish is five, and angling for northern pike and largemouth bass shall be limited to catch and release only, whereby any northern pike or largemouth bass caught must be immediately returned to the water. Catch and release angling for northern pike and largemouth bass shall be legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any northern pike or largemouth bass while on or fishing in Annie Battle Lake. A person may not possess electronic fish finding devices while on or fishing in Annie Battle Lake. Electronic fish finding devices include depth finders, fish finders, and other sonars, global positioning systems, and temperature and pH meters.~~

	Name	Location	County	End Date
	Annie Battle Lake	T.133, R.39,40, S.13,18,19,24	Otter Tail	2/28/1997 <u>3/1/2003</u>

[For text of subps 34 to 36, see M.R.]

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Exempt Rules

Subp. 37. **Northern pike maximum size limits.** All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length. All northern pike 24 inches or greater must be immediately returned to the water immediately.

Name	Location	County	End Date
A. <u>Andrews Lake</u>	<u>T.127, R.38, S.Various</u>	<u>Douglas</u>	<u>3/1/2008</u>
B. <u>Big Birch Lake</u>	T.126,127, R.32,33, S.Various	Todd, Stearns	3/1/2006
C. <u>Big Swan Lake</u>	<u>T.128, R.32, S.Various</u>	<u>Todd</u>	<u>3/1/2008</u>
D. <u>Burgen Lake</u>	<u>T.127,128, R.37, S.4.5.33</u>	<u>Douglas</u>	<u>3/1/2008</u>
BE. <u>Melissa Lake</u>	T.138, R.41, S.Various	Becker	3/1/2006
E. <u>Rachel Lake</u>	<u>T.127, R.39, S.Various</u>	<u>Douglas</u>	<u>3/1/2008</u>
EG. <u>Sallie Lake</u>	T.138, R.41, S.Various	Becker	3/1/2006

[For text of subp 38, see M.R.]

Subp. 39. ~~Lac qui Parle Lake~~ **Experimental regulations Walleye minimum size limits.** All walleye in possession while on or fishing in ~~Lac qui Parle Lake~~ these waters must be 15 inches or greater in length. All walleye less than 15 inches must be immediately returned to the water immediately.

Name	Location	County	End Date
A. <u>Lac qui Parle Lake</u>	T.118-120, R.41,42,43 S.Various upstream to Marsh Lake Dam, including the Watson Sag (Chippewa River Diversion) upstream to the diversion dam	Lac Lac qui Parle, Chippewa	3/1/2004
B. <u>Osakis Lake</u>	<u>T.128,129, R.35,36, S.Various</u>	<u>Douglas, Todd</u>	<u>3/1/2005</u>

[For text of subps 40 and 41, see M.R.]

Subp. 42. **Smallmouth bass maximum size limits.** All smallmouth bass in possession while on or fishing in the following waters must be less than 11 inches in length. All smallmouth bass 11 inches or greater must be immediately returned to the water immediately.

Name	Location	County	End Date
A. <u>Flour Lake</u>	T.64, R.1W, S.1,2, 11,12; <u>T.64, R.1E, S.5,6</u>	Cook	3/1/2004
B. <u>Hungry Jack Lake</u>	T.64,65, R.1, S.2-4,35	Cook	3/1/2004
C. <u>Pike Lake</u>	<u>T.61, R.2, S.9,10,15-20</u>	<u>Cook</u>	<u>3/1/2005</u>
D. <u>Two Island Lake</u>	T.62, R.1, S.3-4,8,9	Cook	3/1/2004

Exempt Rules

Subp. 43. **Lake of the Woods experimental regulations.** The possession limit for northern pike taken from the following waters is three. All northern pike in possession while on or fishing in the following waters must be less than 30 inches or greater than 40 inches in length. All northern pike ~~which that~~ are 30 to 40 inches, inclusive, must be immediately returned to the water ~~immediately~~. A person's possession limit may not include more than one northern pike greater than 40 inches in length.

	Name	Location	County	End Date
A.	Lake of the Woods	T.162-168, R.32-37, S.Various	Lake of the Woods	3/1/2006
B.	Rainy River	T.162, R.31, S.19 from the U.S. Coast Guard lighthouse at Wheeler's Point upstream to the <u>Koochiching County line</u> <u>in T.160, R.30, S.12</u> <u>Boise Cascade Dam</u> <u>in T.71, R.24, S.27</u>	Lake of the Woods, <u>Koochiching</u>	3/1/2006
C.	Winter Road River	T.161, R.31, S.20 upstream to the headwaters	Lake of the Woods	3/1/2006
D.	Baudette River	T.161, R.31, S.35 upstream to the headwaters	Lake of the Woods	3/1/2006
E.	Warroad River	T.163, R.36, S.28 upstream to the headwaters	Roseau	3/1/2006

[For text of subp 44, see M.R.]

Subp. 45. **Moose Lake experimental regulations Largemouth bass maximum size limits.** All largemouth bass in possession while on or fishing in ~~Moose Lake~~ these waters must be less than 12 inches in length. All largemouth bass 12 inches and greater must be immediately returned to the water.

	Name	Location	County	End Date
A.	<u>Chisago Lake</u>	<u>T.33, R.20, S.5-9,</u> <u>16-18</u>	<u>Chisago</u>	<u>3/1/2006</u>
B.	<u>Long Lake</u>	<u>T.121,122, R.33,</u> <u>S.5,6,31,32</u>	<u>Kandiyohi</u>	<u>3/1/2006</u>
C.	Moose Lake	T.128, R.32, S.15,22	Todd	3/1/2005
D.	<u>Pierz (Fish)</u>	<u>T.40, R.31, S.13,14</u>	<u>Morrison</u>	<u>3/1/2006</u>
E.	<u>South Lindstrom Lake</u>	<u>T.33,34, R.20,</u> <u>S.4,5,32,33</u>	<u>Chisago</u>	<u>3/1/2006</u>

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Exempt Rules

[For text of subs 46 to 48, see M.R.]

Subp. 49. Northern pike maximum size limits - East Battle Lake. All northern pike in possession while on or fishing in East Battle Lake must be less than 22 inches in length. All northern pike 22 inches or greater must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>East Battle Lake</u>	<u>T.132,133, R.38,39,</u> <u>S.Various</u>	<u>Otter Tail</u>	<u>3/1/2008</u>

Subp. 50. Green Lake experimental regulations. All northern pike in possession while on or fishing in Green Lake must be less than 24 inches in length. All northern pike 24 inches or greater must be immediately returned to the water. While on or fishing in Green Lake, angling for smallmouth bass and largemouth bass shall be limited to catch and release only, whereby any smallmouth bass or largemouth bass caught must be immediately returned to the water. Catch and release angling for smallmouth bass and largemouth bass shall be legal during the open season for that species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass or largemouth bass while on or fishing in Green Lake.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>Green Lake</u>	<u>T.120,121, R.33,34,</u> <u>S.Various</u>	<u>Kandiyohi</u>	<u>3/1/2008</u>

Subp. 51. Crappie minimum size limits - Green Lake. Effective March 1, 1997, all crappie in possession while on or fishing in Green Lake must be nine inches or greater in length. All crappie less than nine inches must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>Green Lake</u>	<u>T.33, R.20,21,</u> <u>S.Various</u>	<u>Chisago</u>	<u>3/1/2005</u>

Subp. 52. Crappie minimum size limits - Maple and Spider Lakes. Effective March 1, 1997, all crappie in possession while on or fishing in these waters must be ten inches or greater in length. All crappie less than ten inches must be immediately returned to the water.

	<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
A.	<u>Maple Lake</u>	<u>T.127,128, R.38,</u> <u>S.Various</u>	<u>Douglas</u>	<u>3/1/2005</u>
B.	<u>Spider Lake</u>	<u>T.141, R.33, S.22,</u> <u>27,28,33,34</u>	<u>Hubbard</u>	<u>3/1/2005</u>

Subp. 53. Crappie minimum size limits - Otter Tail county. Effective March 1, 1997, all crappie in possession while on or fishing in these waters must be 11 inches or greater in length. All crappie less than 11 inches must be immediately returned to the water.

	<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
A.	<u>North Lida Lake</u>	<u>T.135,136, R.42,</u> <u>S.32,33</u>	<u>Otter Tail</u>	<u>3/1/2005</u>
B.	<u>South Lida Lake</u>	<u>T.136, R.42,</u> <u>S.32,33</u>	<u>Otter Tail</u>	<u>3/1/2005</u>
C.	<u>Venstrom Lake</u>	<u>T.135, R.42, S.5.8</u>	<u>Otter Tail</u>	<u>3/1/2005</u>

Subp. 54. Little Mantrap Lake experimental regulations. All largemouth bass in possession while on or fishing in these waters must be less than 12 inches or greater than 18 inches in length. All largemouth bass that are 12 to 18 inches in length, inclusive, must be immediately returned to the water.

	<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
	<u>Little Mantrap Lake</u>	<u>T.142, R.35,36,</u> <u>S.Various</u>	<u>Hubbard,</u> <u>Becker</u>	<u>3/1/2005</u>

Exempt Rules

Subp. 55. Northern pike maximum size limits - Sturgeon and Ten Mile Lakes. All northern pike in possession while on or fishing in these waters must be less than 20 inches in length. All northern pike 20 inches or greater must be immediately returned to the water.

	Name	Location	County	End Date
A.	<u>Sturgeon Lake</u>	<u>T.45, R.19, S.Various</u>	<u>Pine</u>	<u>3/1/2008</u>
B.	<u>Ten Mile Lake</u>	<u>T.140,141, R.30,31, S.Various</u>	<u>Cass</u>	<u>3/1/2008</u>

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

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

Subp. 3. Winter trout stream season. The following These waters are open to angling during a winter trout season from January 1 through March 31. The following restrictions apply to the winter season. While on or fishing in the following these waters, angling for trout shall be limited to catch and release only, whereby any trout caught must be immediately returned to the water. It is unlawful for anyone to have in possession, regardless of where taken, any trout while on or fishing in the following these waters. All legal methods of taking trout are allowed, except that barbed hooks are prohibited. A hook from which the barb has been removed by crimping or filing is allowed.

	Name	Location	County
A.	Middle Branch Whitewater River	T.107, R.10, S.9, 16,17,20, from the upstream side of State Highway 74 bridge mouth in the SW NE 1/4 SE 1/4, S.9 upstream approximately 2.9 4.2 miles to the confluence with Trout Run, SE 1/4 SE 1/4, S.20 State Highway 74 bridge crossing in the SE 1/4 SW 1/4, S.20	Winona
B.	South Branch Whitewater River	T.107, R.10, S.3,10,11, 14,24, from the confluence with the Whitewater River in the SW 1/4 SE 1/4, S.3 upstream approximately 2.0 3.8 miles to the downstream side of Winona County Highway 37 bridge in the NW 1/4 NE 1/4, S.14 state land boundary in the NW 1/4, S.24, 1.0 mile upstream of the closed Winona County Road 112 bridge crossing	Winona

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Exempt Rules

- C. Beaver Creek T.108, R.10, S.15,16,19,20, 21, and T.108, R.11, S.24, from the Whitewater Wildlife Management Area Sanctuary boundary at the north section line of S.21 to T.108, R.10 mouth in the NW 1/4 SE 1/4, S.15 upstream approximately 3.9 6.3 miles to the source in the NE 1/4 NW 1/4, S.24 of T.108, R.11
Winona, Wabasha
- D. Hay Creek T.112, R.15, S.23,24,26,27, from the posted boundary at the point where Hay Creek crosses the SW 1/4 SE 1/4 section line of S.24 upstream approximately 4.2 miles to the posted boundary in the SW 1/4 SE 1/4, S.27
Goodhue
- E. Main Branch Whitewater River T.108, R.10, S.15,22,23,26, 27,35, and T.107, R.10, S.2,3,9,10, from the Winona County Highway 30 bridge crossing in the SE 1/4, S.15, upstream approximately 6.9 miles to the confluence of the North and Middle Branches of the Whitewater River in the NE 1/4 SE 1/4, S.9
Winona
- E. North Branch Whitewater River T.107, R.10, S.8,9, from the mouth in the NE 1/4 SE 1/4, S.9 upstream approximately 2.2 miles to the first bridge crossing in Fairwater at the boundary between sections 5 and 8 of T.107, R.10
Winona

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

Subp. 6. Zumbro River special regulations. While on or fishing in these waters, angling for smallmouth bass shall be limited to catch and release only, whereby any smallmouth bass caught must be immediately returned to the water. Catch and release angling for smallmouth bass shall be legal during the open season for that species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in these waters. The possession and use of live or dead minnows, leeches, or worms while angling on these waters is prohibited.

Name	Location	County
Zumbro River	T.109, R.14, S.22,27, from the upstream side of the bridge at Wabasha County State Aid Highway 7 upstream approximately 1.9 miles to the posted boundary below the Zumbro Lake dam plunge pool	Wabasha

Withdrawn Rules

Subp. 7. Foster Arend Lake special regulations. The season for trout in Foster Arend Lake is open continuously. Effective March 17, 1997, the possession limit for trout taken from Foster Arend Lake is three and a person's possession limit may not include more than one trout over 16 inches.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Foster Arend Lake</u>	<u>T.107, R.14, S.14.23</u>	<u>Olmsted</u>

REPEALER. Minnesota Rules, part 6264.0300, subparts 4, 5, 6, 7, 8, 9, 13, 16, 17, 18, 21, 22, 24, 26, and 27, are repealed effective March 1, 1997.

Department of Trade and Economic Development

Adopted Exempt Rules Relating to Repeal of Septic System Grant Rules

REPEALER. *Minnesota Rules*, parts 4290.0010; 4290.0020; 4290.0030; 4290.0040; and 4290.0050, are repealed.

Withdrawn Rules

Minnesota Board of Dentistry

Notice of Withdrawal of Proposed Rules Governing Limited Registration

Minnesota Rules 3100.2000, subparts 1 and 2; 3100.4100, subparts 2 and 2a; and 3100.8500, subparts 3 and 4.

The proposed rules published by the Minnesota Board of Dentistry in the *State Register* on December 9, 1996, relating to limited registration (*Minnesota Rules* 3100.2000, subparts 1 and 2; 3100.4100, subparts 2 and 2a; and 3100.8500, subpart 3 and 4) were withdrawn by the Board at a public meeting held on January 25, 1997. More than 25 requests for a public hearing were received by the Board during the open comment period which ended on January 10, 1997. After consideration by the Board's Rules Committee, the Board voted to withdraw the proposed rule rather than attempt to obtain a sufficient number of retractions or proceed to a public hearing.

Dated: 27 January 1997

Patricia H. Glasrud
Executive Director

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.

Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* §270.0604.

Department of Revenue

Revenue Notice #97-02: MinnesotaCare - Sale of Medical Supplies to a Patient or Consumer

This revenue notice supplements and clarifies revenue notices # 93-26 and # 94-03.

The MinnesotaCare tax is imposed on gross revenues received from the sale, rent or repair ("sale") of medical supplies, appliances and equipment ("supplies") by health care providers and pharmacies to patients and consumers. For purposes of the tax on the sale of medical supplies, a consumer is a buyer who purchases the product for purposes other than for resale. The law also states that payments received from hospitals, surgical centers and health care providers ("providers") for goods and services on which liability for the MinnesotaCare tax is imposed, are excluded from the gross revenues subject to tax. This means that a person who sells medical supplies to another provider, may exclude those receipts from the tax (the other provider is subject to tax). If the supplies are sold to a person who is not included in the definition of a hospital, surgical center or health care provider, the receipts are taxable unless the funds originated with Medicare, medical assistance, general assistance medical care, MinnesotaCare or the chemical dependency fund. If a person sells supplies to other providers exclusively, that person need not register with the MinnesotaCare Tax Division.

Examples

The tax is imposed on payments received by the seller of the supplies; it is not imposed on the purchaser.

1. Receipts from the sale of medical supplies to a home health agency are *exempt* from tax. Home health agencies are included in the definition of a health care provider. While payments received for home health care services are exempt from tax, home health care agencies are health care providers, so the receipts from the sale of medical supplies to them are exempt from the tax.
2. Receipts from the sale of medical supplies to boarding care homes are *taxable*. Boarding care homes are excluded from the definition of a health care provider and since they consume the supplies they purchase as part of the service they provide, the gross revenues received from boarding care homes are subject to tax.
3. Receipts from the sale of medical supplies to a nursing home are *taxable* (nursing homes are not health care providers). If the source of the payment for the supplies can be traced back to an exempt source of payment such as Medicare, the receipts are exempt. If the taxpayer is unable to determine which of the payments he or she receives come from an exempt source, the taxpayer may estimate this amount by using a sample method (e.g. if 30% of the residents of the nursing home are Medicare patients, 30% of the amounts received from the nursing home are exempt).
4. Receipts from the sale of medical supplies to community residential mental health facilities are *exempt*. While payments received for services provided by these facilities are exempt, the facilities are included in the definition of health care provider, so the receipts from the sale to them are exempt.
5. Receipts from the sale of medical supplies distributed by a home health agency are *exempt* if provided at a recipient's residence since home health care services are exempt from the tax. The supplies are taxable if provided to a person residing in a hospital, nursing facility or intermediate care facility with mental retardation.
6. Receipts from the sale of medical supplies to the Veterans Administration (VA) hospital are *taxable* since the VA is not included in the hospital definition for purposes of the MinnesotaCare tax.

Dated: 18 February 1997

Jennifer L. Engh
Assistant Commissioner for Tax Policy

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.

Department of Commerce

Policy Analysis Division

Notice of Vicarious Liability Limits Applied to Owners of Rented Motor Vehicles

NOTICE IS HEREBY GIVEN that the following Vicarious Liability limits apply to owners of rented motor vehicles as of January 1, 1997 (c.f. *Minnesota Statutes* § 65B.49, subd 5a(i), for details):

- \$100,000 for bodily injury to any one person in any one accident
- \$305,000 for bodily injury to two or more persons in any one accident*
- \$50,000 for property damage to others in any one accident

*This amount represents an increase in \$5,000 (from \$300,000 to \$305,000). Other amounts remain unchanged from what they were previously.

Minnesota Comprehensive Health Association

Notice of Meeting of the Actuarial Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Actuarial Committee will be held at 1:00 p.m. on Thursday, February 27, 1997. The meeting will take place at Blue Cross Blue Shield, River Park Bldg., First Floor, Private Dining Room, 3400 Yankee Drive, Eagan, MN 55122.

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

Gambling Control Board

Notice of Membership of Public Advisory Committee to Assist the Minnesota Gambling Control Board in the Promulgation of Rule Amendments Concerning *Minnesota Rules* 7861.0020, Licensed Organization, *Minnesota Rules* 7861.0030, Gambling Manager, *Minnesota Rules* 7861.0040, Premises Permits, *Minnesota Rules* 7861.0050, Illegal Gambling, and *Minnesota Rules* 7861.0120, Organization Operations, Accounts, and Reports

NOTICE IS HEREBY GIVEN that the Minnesota Gambling Control Board has formed a Public Advisory Committee (PAC) to offer assistance to the Board in drafting the above-captioned rule amendments. This PAC consists of John Bergeland, Sgt. Steve Erickson, Dave Nelmark, Doug Holtz, Norm Pint, King Wilson, Mary Magnuson, Robert Matson, Sheryl McGlynn, Jack Nelson, and Roger Swanson. Also participating in the PAC are the Gambling Control Board Rules Committee Chair, Peggy Moon, Gambling Control Board members Patricia Fischer and James Richter, and Gambling Control Board staff Harry Baltzer, Sharon Beighley, Bernice Caruth, Cliff Emmert, Gary Danger, Steve Pedersen and Karen Bednarczyk, and Assistant Attorney General E. Joseph Newton.

Written or oral comments regarding the membership of the PAC may be directed to:

Sharon Beighley, Rules Program Coordinator
Minnesota Gambling Control Board
1711 W. County Rd B #300S
Roseville, MN 55113
Telephone: 612-639-4035

Dated: 6 February 1997

Harry W. Baltzer, Executive Director
Minnesota Gambling Control Board

Department of Health

Health Policy and Systems Compliance Division

Request for Comments or Outside Information Regarding Implementation and Modification of Minnesota Statutes, Sections 62J.50 to 62J.61, Concerning Standardization of Formats for Paper Billing Procedures

Introduction. Notice is hereby given that the Minnesota Department of Health (MDH) and the Administrative Uniformity Committee (AUC) are seeking information or opinions from sources outside these groups in modifying and/or developing more uniform billing formats for use in paper billing procedures. The persons or groups likely to be affected by this are health care providers and payers.

Summary of Issues. *Minnesota Statute* sections 62J.50-61, known as the Health Care Administrative Simplification Act, requires development of greater uniformity in billing and other administrative activities in health care. The statute addresses use of standard paper formats, use of standard electronic data interchange formats, use of universal identifiers for health care system participants, and use of a standard identification card for health care plan enrollees. This solicitation concerns only use of the paper HCFA 1500 claim form, and potential standardization of provider remittance advice.

HCFA 1500 Manual. As of January 1, 1996, all providers and payers in Minnesota have been required to use one of two standard paper billing forms. The AUC and its Technical Advisory Groups (TAGs) developed a manual to provide standard methods of completing one of the forms, and have published two editions of the "Minnesota Standards for Use of the HCFA 1500 Claim Form" manual. The second edition of this manual is available at Minnesota's Bookstore at (612) 297-3000. This HCFA 1500 manual is under continuous review and will be updated again in 1997.

Persons interested in commenting on the 1997 edition of the HCFA 1500 manual may contact the chair of the AUC Data Definitions TAG, David Moertel of the Mayo Clinic, at (507) 284-1762; or write to David Moertel, Accounts Receivable Department, Mayo Clinic, 200 South West First Street, Rochester, Minnesota, 55905; or internet at <moertel.david@mayo.edu>.

The HCFA 1500 manual will be revised, then made available for public comment, before its publication. There will be a series of meetings of the Data Definitions TAG from January 1997 through September 1997. Locations and times for the meetings can be obtained from David Moertel at the above address.

Standard Remittance Advice and Patient Explanation of Benefits. The AUC has been made aware that non-standard remittance advice formats cause significant effort and expense on the part of providers and patients, and will evaluate the feasibility of implementing a standard data set for remittance advices and patient explanations of benefits. A remittance advice is the information returned to the provider from the payer that tells the provider how a health care claim was paid. An explanation of benefits is the information returned from the payer to the patient that tells how a claim was paid. The AUC has convened a TAG to consider the standard data set, other standardization efforts such as Wisconsin's standard remittance advice statute, and potentially to develop a similar statute for Minnesota.

Persons interested in contributing to the standard remittance advice TAG may contact Kathleen Kuha of the Minnesota Department of Health, Health Policy and Systems Compliance Division, at (612) 282-3822; or write to Kathleen Kuha, Minnesota Department of Health, Health Policy and Systems Compliance Division, 121 East Seventh Place, P.O. Box 64975, St. Paul, Minnesota 55164-0975; or internet at <kathleen.kuha@health.state.mn.us>.

The standard remittance advice TAG will meet an undetermined number of times starting February 4, 1997, and continuing until September 1997. Locations and times for the meetings can be obtained from Kathleen Kuha at the above address.

Dated: 4 February 1997

Minnesota Department of Health

Health Policy and Systems Compliance Division

Notices Related to Essential Community Provider Designation

NOTICE IS HEREBY GIVEN that applications for Essential Community Provider designation have been received from the applicants listed below. Pursuant to *Minnesota Statutes* section 62Q.19, subdivision 1, the public has 30 days from the date of this publication to submit written comments regarding these applications. Written comments should be submitted to: Tom Johnson, Minnesota Department of Health, Health Policy and Systems Compliance Division, 121 East Seventh Place, P.O. Box 64975, St. Paul, Minnesota 55164-0975. Telephone inquiries may be directed to Mr. Johnson at (612) 282-6333.

Health Services Center
401 Third Avenue North
Fargo, North Dakota 58102
Date received: January 15, 1997

Southeast Medical Center
420 South Seventh Street
Oakes, North Dakota 58474
Date received: January 21, 1997

**Winona Community Health/
Public Health Nursing Service**
60 West Third Street
Winona, Minnesota 55987
Date received: January 14, 1997

The following applications for designation as Essential Community Providers have been found to be in compliance with *Minnesota statutes* and rules and have been approved:

Aitkin County Public Health
Aitkin, Minnesota

Cottonwood-Jackson Community Health
Jackson, Minnesota

Madison Lutheran Home/
Lac Qui Parle Clinic of Madison
Madison, Minnesota

Southwest Mental Health Center
Luverne, Minnesota

The following applications for designation as Essential Community Providers have been found to be inconsistent with *Minnesota statutes* and rules and have been denied:

MeritCare Clinic — Bagley
Bagley, Minnesota

MeritCare Clinic — Cass lake
Cass lake, Minnesota

MeritCare Clinic — Hawley
Hawley, Minnesota

Dated: 31 January 1997

Anne M. Barry, Commissioner
Minnesota Department of Health

Department of Human Services

Addition to Organ Transplant Coverage List for Services Covered by Minnesota Health Care Programs

Effective for services provided on or after December 20, 1996 the Department of Human Services (DHS) will cover the following transplant service for recipients of Minnesota Health Care Programs (MHCP).

ALLOGENEIC BONE MARROW TRANSPLANT FOR SICKLE CELL DISEASE

Coverage of this procedure is limited to the investigational setting under research protocol. Criteria in the August 8, 1996 New England Journal article (Walters et.al. "Bone Marrow Transplantation for Sickle Cell Disease") was also adopted by the DHS Transplant Advisory Committee.

The transplant facility must: 1) be approved by DHS as meeting American Society of Hematology and Clinical Oncology criteria to perform bone marrow transplants; 2) be a participating provider of services in the Medicare program; 3) be located in the State of Minnesota; 4) submit a written authorization request to Care Delivery Management, Inc. (CDMI) for each transplant; and 5) meet all other program requirements as described in the MHCP Manual.

Department of Human Services

Request for Comments on Planned Repeal of Various Obsolete Rules

Subjects of Rules Repeal. The Department of Human Services requests comments on its planned repeal of rules that are obsolete. Rules become obsolete for such reasons as a statute or another rule supersedes the rule or rules or statutory authority for the rule is repealed or the need originally addressed by the rule no longer exists or is met in an alternative way.

Rules being considered for repeal are listed and described below, along with the reasons for consideration.

Parts 9500.0650 to 9500.0710, Administration of the Minnesota Supplemental Aid Program (informally known as DHS Rule 57). Promulgated in 1976, these rules are superseded by the Minnesota supplemental aid act, *Minnesota Statutes*, sections 256D.33 to 256D.54 which were enacted in 1989 and amended in 1995. The supplemental aid act is current and addresses in more detail than these obsolete rules such points as eligibility, standards of aid and state participation, and other areas necessary to administer the program.

Parts 9505.1100 to 9505.1380, Catastrophic Health Expense Protection Program (CHEPP) (informally known as DHS Rule 60). Rules are obsolete because the program no longer exists. *Laws of Minnesota 1994*, chapter 625, article 10, section 49 repealed the statutory authority and statutory parameters for CHEPP.

Parts 9555.2100 to 9555.2300, Home-Delivered and Congregate Dining Meals (informally known as DHS Rule 205) and **9555.3100 to 9555.3300, Chore Services** (informally known as DHS Rule 201). Promulgated in 1976, these rules pre-date *Minnesota Statutes*, chapter 256E, which outlines county board responsibilities for administering, planning, and funding social services according to a community social services plan. Changes in how the programs are funded and delivered makes the rules as written unnecessary.

Parts 9555.4100 to 9555.5010, Employability Services (informally known as DHS Rule 202). This rule set standards for local service agencies to administer and provide employment to AFDC recipients under the WIN program and to GA recipients unable to find employment through existing resources. The federal Family Support Act of 1988 created a new jobs program which replaced WIN; *Minnesota Statutes*, section 256.736 sets the parameters needed to implement the program and is sufficiently specific that the department has relied on the statute to implement the program.

Parts 9560.0750 to 9560.0820, Day Care for Children (informally known as DHS Rule 209). This rule no longer applies because its requirements have been incorporated into and superseded by parts 9565.5000 to 9565.5200 which set standards for county administration of child care funds.

Parts 9565.0100 to 9565.0900, Family Planning Services (DHS Rule 208)

9565.1400 to 9565.1600, Counseling Services for Families and Individuals (DHS Rule 210)

9565.1700 to 9565.1900, Educational Assistance (DHS Rule 211)

9565.2000 to 9565.2200, Housing Services (DHS Rule 212)

9565.2300 to 9565.2600, Information and Referral Services (DHS Rule 213)

9565.2700 to 9565.2900, Legal Services (DHS Rule 214)

9565.3000 to 9565.3400, Money Management Services (DHS Rule 215)

9565.3500 to 9565.3700, Residential Treatment Service (DHS Rule 216)

9565.3800 to 9565.4000, Social and Recreational Services (DHS Rule 217)

9565.4100 to 9565.4300, Transportation Services (DHS Rule 218)

In the 20 years since nine of the ten rules above were promulgated in 1977 (DHS Rule 215 was promulgated in 1983), different funding mechanisms and different ways of administering county social services have made the rules irrelevant. Now each county submits its CSSA plan to the commissioner for approval and parts 9550.0010 to 9550.0092 (DHS Rule 160) set the standards for administering publicly funded social services.

Parts 9566.0010, Support Payments. This rule part is really a form that was designed (but not mandated) for use by people who pay child support or maintenance and people who receive it to request modifications in existing court orders. New child support collection and enforcement procedures and forms have made this form outdated.

Parts 9570.4000 to 9570.4300, Services for the Deaf (DHS Rule 178). Promulgated in 1976, this rule is superseded by the language of the Hearing Impaired Services Act of 1980, *Minnesota Statutes*, section 256C to 256C.27. The rule is unnecessary and out-of-date

Persons Affected. No persons will be affected by repealing these rules because the repeals do not change the current status of any of the programs to which the rules are related. Programs themselves have either been replaced or are administered under a different rule or in statute.

Statutory Authority. Repealing rules is consistent with authority given the commissioner in *Minnesota Statutes*, section 256.01 and with the requirement in *Minnesota Statutes*, section 14.05, subdivision 5, that agencies identify and repeal rules that are obsolete

Public Comment. Interested persons or groups may submit comments or information on the planned repeals in writing or orally until further notice is published in the *State Register* that the department intends to complete or withdraw the planned repeals. The department does not anticipate that a draft of the repealers will be available before the repealers are published. Written or oral comments, questions, and requests for more information on these planned repeals should be addressed to:

Alice Weck
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816
Phone: 612-297-4302

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

David S. Doth
Commissioner

Official Notices

Department of Human Services

Minnesota Family Investment Program

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

Effective January 1, 1997, the Transitional Standard for an assistance unit size one to ten increased to the following amounts:

Number of Eligible Children	Child Only	Plus One Adult	Plus Two Adults	Special Child	Adult Only (No Child)
1	\$370	\$641	\$787	\$457	One Adult: \$307
2	\$565	\$803	\$939	\$641	
3	\$734	\$950	\$1,076	\$803	Two Adults: \$480
4	\$872	\$1,078	\$1,224	\$950	
5	\$1,000	\$1,226	\$1,337	\$1,078	
6	\$1,149	\$1,340	\$1,481	\$1,226	
7	\$1,256	\$1,476	\$1,618	\$1,340	
8	\$1,390	\$1,611	\$1,752	\$1,476	
9	\$1,519	\$1,740	\$1,881	\$1,611	
10	\$1,647	\$1,868	\$2,009	\$1,740	

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective February 18, 1997 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Aitkin: DNR Aitkin Area Consolidated Headquarters Cold Storage Addition-Aitkin.

Anoka: Reroofing Forest Lake Public Schools-Forest Lake; 1997 Reroofing St. Francis Senior High School/East Bethel Community School-St. Francis/Cedar; Steam Piping Revisions in Boiler Room at Anoka RTC-Anoka.

Benton: St. Cloud MTC Garage HVAC Project-St. Cloud.

Carver: Carver Park Reserve - Maintenance Facility-Victoria.

Cottonwood: Southeast Expansion Project/Schedule 4 Southeast Booster Station-Red Rock.

Crow Wing: Brainerd Regional Treatment Center Electrical Panel Replacement-Brainerd; HVAC/Electrical Replacement Building #1 Brainerd Human Services Center-Brainerd.

Faribault: 1997 Asbestos Abatement Elmore Public School-Elmore.

Hennepin: Minnetonka High School Phase I-Minnetonka; Brooklyn Park Flow Capacity Improvements-Brooklyn Park; New Wayzata High School Re-bid Bid Package-Plymouth; Reroofing St. Louis Park Junior & Senior High School-St. Louis Park; Asbestos Removal Phase 2 Minnesota Veterans Home-Minneapolis; 1997 Roof Replacement FVW Cancer Research & Masonic Hospital-Minneapolis; Braemer Arena Third Ice Sheet Addition Bid Packages A, B & C-Edina.

Lake: Addition to the Minnesota Veterans Home-Silver Bay.

Mower: Asbestos Removal Lower Level Library & Gymnasium Mechanical Room Riverland Community College-Austin.

Olmstead: General Improvements Pine Island School-Pine Island; General Improvements Bryon Schools-Bryon.

Ramsey: 1997 Roof Replacement Kaufert Lab-St. Paul; Reroofing Various Schools-North St. Paul; Construction of Circulation & Reference Desks County Libraries-Arden Hills/White Bear Lake/North St. Paul; 1997 Asbestos Removal Abatement Chelsea Hts Elementary School & Boiler Room Tunnel-St. Paul; Additions/Remodeling Central Middle School-White Bear Lake.

State Grants and Loans

Rice: Asbestos Abatement Academy for the Blind Dow Hall-Faribault.

St. Louis: Orr Family Housing-Orr; Hibbing High School Fire Alarm & Emergency Lighting-Hibbing.

Stearns: Education Animal Room Partition St. Cloud University-St. Cloud.

Watsonwan: Madelia High School Gym Tunnel Asbestos Abatement-Madelia.

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

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 Corrections

Notice of Availability of Funds under the Federal STOP Violence Against Women Act

The Minnesota Department of Corrections, Victim Services Unit, announces the availability of grant funds to develop and strengthen effective law enforcement and prosecution responses to violent crimes against women and to develop and strengthen victim advocacy services for women who have been battered or sexually assaulted. Funds are made available through the STOP Violence Against Women Formula Grants Program of the U. S. Department of Justice.

Approximately \$1,535,550 is available for the 12 month grant period from July 1, 1997 through June 30, 1998. *Applications are due on Thursday, April 24, 1997.* Grants are available for the following:

- 1) Approximately \$586,850 is available to develop and implement more effective police and prosecution responses to violent crimes against women. State offices and agencies, local units of government, Indian tribal governments, governmental battered women's and sexual assault programs, nonprofit organizations and legal services organizations are eligible to apply. Applicants must demonstrate that the proposed project is a joint effort between sexual assault or battered women's programs and law enforcement or prosecution agencies.
- 2) Approximately \$476,850 is available to develop or improve the delivery of battered women's and sexual assault advocacy services for women of color. Nonprofit organizations with a major program focus of serving women of color and governmental and nonprofit battered women's and sexual assault programs that work closely with women of color are eligible to apply. Applicants must demonstrate that the proposed project is a joint effort between the applicant agency and women of color.
- 3) Approximately \$471,850 is available to develop or improve the delivery of battered women's and sexual assault advocacy services for American Indian women. Nonprofit organizations with a major program focus of serving American Indian women, Indian tribal governments and governmental and nonprofit battered women's and sexual assault programs that work closely with American Indian women are eligible to apply. Applicants must demonstrate that the proposed project is a joint effort between the applicant agency and American Indian women.

Applications are due on April 24, 1997. To receive application materials, contact:

Minnesota Department of Corrections
Victim Services Unit
1450 Energy Park Drive, Suite 200
St. Paul, Minnesota 55108
Telephone numbers: 612-642-0251
1-800-657-3679 Outside the Twin Cities area
TTY: 612-643-3589

Professional, Technical & Consulting Contracts

Department of Corrections

Notice of Availability of Funds to Develop a Training Curriculum for People of Color Involved with Services to General Crime Victims in Communities of Color

The Minnesota Department of Corrections, Victim Services Unit, announces the availability of grant funds to develop a training curriculum for people of color who provide or wish to provide services to general crime victims in communities of color.

One grant of \$6,000 is available for a three-month grant for the period April 1, 1997, through June 31, 1997, to develop a statewide training curriculum to improve the availability and delivery of services to general crime victims in communities of color. The curriculum will include information related to organizational development, program management and direct service delivery to general crime victims. Nonprofit organizations that have a primary mission of providing training in the areas of fundraising and organizational management to community of color agencies are eligible to apply.

Applications are due March 10, 1997. To receive a request for proposals that provides complete information and to apply, contact: Minnesota Department of Corrections, Victim Services Unit, 1450 Energy Park Drive, Suite 200, St. Paul, Minnesota 55108-5219 or call 612/642-0251, 800/657-3679 outside the Twin Cities metropolitan area, or TTY at 612/643-3589.

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].

Department of Children, Families and Learning

Office of Community Services

Notice of Request for Proposal for Caring for Children with Special Health Needs in Child Care Settings

The Department of Children, Families and Learning is soliciting proposals from qualified vendors to coordinate activities that will impact the availability of quality child care arrangements for children with special health needs.

The Department of Children, Families and Learning has applied for and received federal funds under the Health Systems Development in Child Care priority from the Maternal and Child Health Bureau. The Department's goals for this project are to: 1) Build on Project EXCEPTIONAL regional training teams working to recruit child care providers who are willing and able to care for children with special health needs. 2) Identify, understand and develop cross training opportunities and resources among disciplines serving young children with special health needs and their families. 3) Identify strategies to involve legal non-licensed child care providers in training to ensure basic health and safety needs are being met.

The Department has estimated the cost of this project should not exceed \$50,000 for the purposes of this project. The project period will be from April 1997 through September 1997 with continuation after this date contingent on federal funding. Based upon continued funding, satisfactory performance and with the agreement of both parties, separate subsequent annual contracts for up to a maximum of five years for conducting this project may be awarded.

The following provisions will be the tasks of the vendor:

1. Identify multi-disciplinary resources and materials and establish a data base.
2. Facilitate coordination of efforts related to caring for children with special health needs through ongoing projects including: respite child care, Project EXCEPTIONAL training, child care special needs projects, regional child care resource and referral agencies and local public health nurse consultants.
3. Plan and implement electronic network system to provide technical assistance to child care providers and child care consultants with access to child care health resources at the national, state, regional and local levels.

Professional, Technical & Consulting Contracts

4. Purchase materials and resources to disseminate to child care providers, in conjunction with the library system and child care resource and referral toy and equipment lending libraries.
5. Convene a statewide work group to plan ongoing support and resources for providers who care for children with special health needs.
6. Prepare federal reports and applications for continued funding.

For complete information on the Request for Proposal, please contact Barbara O'Sullivan, Department of Children, Families and Learning 550 Cedar Street, St. Paul, Minnesota 55101, telephone (612)296-8540, fax (612)297-5695.

Completed proposals must be received by 4:00 p.m., Monday, March 17, 1997. Late proposals will not be accepted.

In compliance with *Minnesota Statutes* 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this Request for Proposal.

Minnesota State Colleges and Universities (MnSCU)

Notice of Request for Bids on Printing and Distributing "MnSCU Innovations" Newsletter

Minnesota State Colleges and Universities (MnSCU) is seeking bids on the printing and distribution of "MnSCU Innovations," a newsletter. Please submit a written bid (fax, mail, or drop-off) by **Tuesday, February 25, at 4:30 p.m.** Address to: Ann Silgen, MnSCU, 550 Cedar Street, Suite 100, St. Paul, MN 55101 (Phone: 296-1417, Fax: 296-0872).

Specifications

- Project: *MnSCU Innovations newsletter*
- Quantity: 22,000 (please specify cost per 1,000 additional copies on press; also, cost decrease per 1,000 fewer copies.)
- Frequency: Up to 6 issues from 2/97 through 12/97—please bid on cost per issue.
- Pages: 12 pages or 16 pages (please submit alternate bids).
- Size: Sheet size: 22" x 12"; finished size: 11" x 12" (no fold).
- Paper: 70# Frostbrite Matte.
- Ink: 2 pms colors plus black; some bleeds.
- Artwork: Color-broken document furnished on disk in Quark Xpress; photographs scanned for position only.
- Halftones: Specify price per halftone.*
- Duotones: Specify price per duotone.*
- * Printer to scan photographs as halftones or duotones, then place in document for final output or return scanned or low-res files to designer for placement.
- Note: Photography in first issue includes: 15 photographs—various sizes.
- Finishing: Trim, fold, saddle stitch and bulk carton.
- Shipping: Bundle and label for up to 50 campuses, ship to campuses by UPS or other service; bundle and label additional copies for direct delivery to four locations in St. Paul. Postage and shipping is added to invoice for each issue.
- Turnaround: Six working days. (Note: Because of time-sensitive nature of newsletter, service and speed are essential).
- Bid: Specify price for printing, labeling and bundling. Shipping and postage will be reimbursed to customer at cost.
- Samples: Available at Minnesota State Colleges and Universities (contact: Ann Silgen).

Professional, Technical & Consulting Contracts

Department of Commerce

Petroleum Tank Release Compensation Fund Division

Request for Proposal to Solicit Proposals from Private Environmental Companies to Provide Performance Audit Services for Leak Sites

The Minnesota Department of Commerce, Petroleum Tank Release Compensation Fund Division, is requesting proposals from qualified private environmental companies to provide performance audit services for leak sites that meet the criteria specified in *Minnesota Statutes* 115C.093.

Copies of the complete Request for Proposal may be obtained at the Department of Commerce, 133 East Seventh Street, St. Paul, MN 55101-2362, or by calling Marabeth Timmers at (612) 297-1119. Final date for submitting proposals is Monday, March 10, 1997, 4:00 p.m., central standard time.

Department of Human Services

Deaf and Hard of Hearing Services Division

Professional Technical Contract Available for Assessing Aftercare Accessibility for People Who Are Deaf, Hard of Hearing, Deafblind or Late Deafened

The State of Minnesota, Department of Human Services Deaf and Hard of Hearing Services Division is soliciting proposals from qualified individuals and organizations interested in assessing aftercare accessibility statewide for people who are deaf, hard of hearing, deafblind or late deafened. This statewide assessment will include half-way homes, regional/state events, and Alcoholics Anonymous, Cocaine Anonymous, and Narcotics Anonymous support groups. Outcomes will minimally include: 1) design a survey to measure communication accessibility of Minnesota aftercare services, 2) target 50 statewide aftercare service or events to assess on a regional basis, and 3) a statistical and narrative description of the current state of accessibility of aftercare services to Minnesotans who are deaf, hard of hearing, deafblind or late deafened. \$20,000 has been allocated to fund this activity. The program is anticipated to begin April 1, 1997 with the completion date of September 30, 1997.

For a copy of the full text of the Request For Proposal, including the application packet, contact:

Mary Bauer, Program Planner
Department of Human Services
Deaf and Hard of Hearing Services Division
444 Lafayette Road
St. Paul, Minnesota 55155-3814
612/297-4526 (Voice)
612/297-4528 (TTY)

Minnesota Department of Revenue

Notice of Request for Proposals for Market Research of Methods of Electronic Tax Filing

The Department of Revenue is seeking proposals for quantitative market research to help determine the feasibility of offering various methods of electronic filing as a taxpayer service.

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

I. SCOPE OF PROJECT

Inquiry #1

The department wants to discover the extent to which various methods of electronic filing would be used by the universe of all individual income taxpayers who prepare their own returns (approximately 1 million persons) if the state were to offer such services. The department also wants "customer" information to help it design services should sufficient demand be identified to warrant developing new services.

Professional, Technical & Consulting Contracts

This research will assess market demand defined as the predisposition to use electronic filing for the audience described in the paragraph above. The project would further identify the demographic characteristics of those likely to use specific types of electronic filing technology. The demographic characteristics include age, gender, geographic area, income, household size, marital status and others to be identified by the project team. The technology types to be examined include filing by: telephone; computer to computer; the World Wide Web (internet) and others that would be identified by the project team.

Finally the research will identify the circumstances under which those likely to file electronically would actually use electronic filing services. This would include such issues as cost, refund eligibility, software requirements and other factors as determined by the project team.

Inquiry #2

The department now offers electronic income tax filing services for individuals only through tax preparers. Approximately 1 million income tax returns are filed through preparers, but only about 15 percent of those returns are filed electronically. There are approximately 8,000 tax preparers accessible through the Revenue Department's mailing list.

The department wants to know what can be done to increase the proportion of electronically filed returns filed through preparers. It wishes to approach this by assessing, from the preparer's view, what they believe could be done to accomplish this. It is important to point out here that only about 600 preparers currently offer electronic filing as an option to their customers. The department would like to assess what could be done to increase the number of preparers offering this service.

Inquiry #3

The department wants to assess the capability and willingness of all businesses (approximately 200,000) doing business in the state to file sales and withholding taxes electronically.

II. GOALS AND OBJECTIVES

The objective of the project is to provide the department with market information which will be used as a factor in deciding whether, and under what circumstances, electronic filing should be offered to the audiences described above.

III. PROJECT TASKS

- 1) Project Design
- 2) Sampling Design
- 3) Questionnaire Design
- 4) Data Collection
- 5) Data Analysis
- 6) Reporting of results
 - written report and recommendations for action
 - two oral presentations
 - contractor will provide this report, the research instruments, and data collected to the department in an electronic format to be designated by the department's project team.

For further information or a copy of the full RFP contact Michael Dean at the Department of Revenue, 296-1942.

Proposal deadline: 3:00 p.m., March 10, 1997.

Non-State Public Bids, Contracts & Grants

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

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

Metropolitan Airports Commission

Public Notice for Qualifications Statements for Legal Services

The Metropolitan Airports Commission (MAC) is requesting qualifications statements from firms or persons interested in representing MAC as outside counsel as set forth in the Request for Qualifications, which is available for review at the Commission offices.

To request a copy of the "Request for Qualifications for Legal Services" which outlines the selection process, contact the Legal Department of the MAC at 726-8197. The deadline for submission of qualifications statements is Friday, March 7, 1997.

Metropolitan Council Environmental Services

Public Notice for Letters of Interest for Professional Services for Step II Design Services and Step III Construction Support for the Blue Lake Waste Water Treatment Plant Grit Removal Project

NOTICE IS HEREBY GIVEN that the Metropolitan Council Environmental Services (MCES) is soliciting proposals for professional services for Step II Design Services and Step III Construction Support for the Blue Lake WWTP Grit Removal project, MCES Project Number 9704. The Step II Design Services are to be completed within 120 calendar days after issuance of Notice To Proceed. The cost for both Step II Design Services and Step III Construction Support is estimated to be less than \$200,000.

The services to be provided include design and construction support for grit removal at the Blue Lake WWTP following screening and prior to primary sedimentation installation of two vortex grit removal tanks and associated process equipment, and modifications to existing facilities.

The tentative schedule for selecting a consulting firm for this project is as follows:

Receive Letters of Interest	February 1997
Request for Proposals (RFP) issued	February 1997
General Informational Meeting	February 1997
Proposals Received	March 1997
Select Consultant	March 1997
Negotiate final Contract Agreement	March/April 1997
Notice To Proceed given	April 1997

All firms interested in being considered for this project are invited to submit a Letter of Interest asking for the Request For Proposals package.

All inquiries are to be addressed to:

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

Metropolitan Council Environmental Services

Public Notice for Letters of Interest for Professional Services for Step I Facility Planning for the Metropolitan Waste Water Treatment Plant Solids Processing Improvements Project

NOTICE IS HEREBY GIVEN that the Metropolitan Council Environmental Services (MCES) is soliciting qualifications for professional services for Step I Facility Planning for the MWWTP Solids Processing Improvements project. This project is to be completed within 3 years after issuance of Notice To Proceed. The cost for this Step I Facility Plan is estimated to be less than \$2,500,000.

This project has the following components: (i) investigation of fluidized bed incineration and heat drying with a marketable product for utilization of wastewater biosolids; (ii) high torque centrifuges for dewatering; (iii) market analysis for the heat dried product; (iv) major modifications to the existing air permit in a PM10 Nonattainment area, including mercury emission reductions; (v) examine various project delivery options including design-bid-construct, design-build, design-build-operate, and design-build-own-operate; and (vi) coordination with public and regulatory agencies.

The tentative schedule for selecting a consulting firm for this project is as follows:

Receive Letters of Interest	February 1997
Request for Qualifications (RFQ) issued	February 1997
Statement of Qualifications (SOQ) received	March 1997
Short list of firms developed	March 1997
Request for Proposals (RFP) Issued	March 1997
General Informational Meeting	April 1997
Proposals Received	April 1997
Select Consultant	May 1997
Negotiate final Contract Agreement	May 1997
Notice To Proceed given	June 1997

All firms interested in being considered for this project are invited to submit a Letter of Interest asking for the Request For Proposals package.

All inquiries are to be addressed to:

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

Minnesota Historical Society

Notice of Request for Proposals for Air Handling System Revision at Historic Fort Snelling

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to design the HVAC replacement at Historic Fort Snelling. The estimated budget for this proposal is \$25,000.

The Request for Proposals is available by calling or writing Deane M. Roe, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

A mandatory on-site visit at Fort Snelling will be held for all potential vendors on Tuesday, February 25, 1997 at 10:00 a.m. Proposals must be received not later than 2:00 p.m. on Friday, February 28, 1997.

Details concerning submission requirements are included in the Request for Proposals.

Minnesota Historical Society

Notice of Request for Bids for Alteration of the Fire Tower at The Historic Forest History Center

The Minnesota Historical Society is seeking bids from qualified firms and individuals to provide all labor, materials and equipment for construction and restoration services according to the written specifications.

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

Bids must be received not later than 2:00 P.M. Central Time on March 7, 1997.

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



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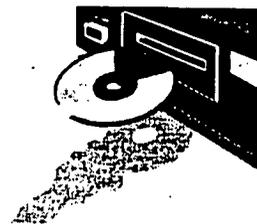
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