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**State
Register**

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

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

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

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|----------------------------|---------------------|--|---|
| # 7 | Monday 12 August | Monday 29 July | Monday 5 August |
| # 8 | Monday 19 August | Monday 5 August | Monday 12 August |
| # 9 | Monday 26 August | Monday 12 August | Monday 19 August |
| # 10 | Tuesday 3 September | Monday 19 August | Monday 26 August |

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Contact: Senate Public Information Office (612) 296-0504
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Contact: House Information Office (612) 296-2146
Room 175 State Office Building, St. Paul, MN 55155

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Helpline.

Individual copies and subscriptions for both publications are
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Vendors interested in responding to the commodity and price
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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

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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.

Board of Chiropractic Examiners

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

The rules proposed and published at *State Register*, Volume 20, Number 31, pages 2052-2055, January 29, 1996 (20 SR 2052), are adopted with the following modifications:

Rules as Adopted

2500.1200 CONTINUING EDUCATION.

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

2500.5000 RECORDKEEPING.

~~A record containing a preponderance of the information in items A to G, as determined by the board, shall constitute a complete patient record. All items in this part should be contained in the patient record. However, a record to justify patient care must contain items A, B, C, E, G, and I.~~

~~A. A description of past conditions and trauma, past treatment received, current treatment being received from other health care providers, and a description of the patient's current condition including onset and description of trauma if trauma occurred; and documentation that family history has been evaluated.~~

~~B. Examinations performed to determine a preliminary diagnosis based on indicated diagnostic tests, with an indication of all findings of each test performed. When symbols or abbreviations are used, a key that explains their meanings must accompany each file when requested by the patient or a third party.~~

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

~~H. When symbols or abbreviations are used, a key that explains their meanings must accompany each file when requested in writing by the patient or a third party.~~

~~I. Documentation that family history has been evaluated.~~

Department of Health

Adopted Permanent Rules Relating to Nursing and Boarding Care Homes

The rules proposed and published at *State Register*, Volume 20, Number 27, pages 1881-1924, January 2, 1996 (20 SR 1881), are adopted with the following modifications:

Rules as Adopted

4655.9342 REPORTING MALTREATMENT OF VULNERABLE ADULTS; FINES.

Penalty assessments for violations of *Minnesota Statutes*, section 626.557 are as follows:

D. *Minnesota Statutes*, section 626.557, subdivision 9 ~~4a~~, ~~\$250~~ \$100;

4658.0193 REPORTING MALTREATMENT OF VULNERABLE ADULTS; FINES.

Penalty assessments for violations of *Minnesota Statutes*, section 626.557, are as follows:

D. *Minnesota Statutes*, section 626.557, subdivision 9 4a, ~~\$250~~ \$100;

4658.0200 POLICIES CONCERNING RESIDENTS.

Subp. 3. **Mail.** A resident must receive mail unopened unless the resident or the resident's legal guardian, conservator, representative payee, or other person designated in writing by the resident has requested in writing that the mail be reviewed. The outgoing mail must not be censored.

Subp. 5. **Smoking in bed.** A resident must not be permitted to smoke in bed unless the resident's condition requires that the resident remain in bed, and the smoking is directly supervised by a staff member.

Subp. 6. Permitted smoking. Smoking is permitted in the nursing home only as provided by *Minnesota Statutes*, sections 16B.24, subdivision 9, and 144.411 to 144.417.

Subp. 6 7. **Pet animals.** Pet animals may be kept on the premises of a nursing home only according to part 4638.0200.

4658.0205 PROCEDURE AT DEATH.

When a resident dies in a nursing home, the administrator ~~or~~, nurse, or other employee designated by the administrator must contact a relative, guardian, legal representative, other person designated in writing by the resident, or the placement agency regarding the death and the desired funeral arrangements. The body must be accorded privacy until removed from the nursing home. Where reasonably possible, no body may remain in a nursing home for more than 12 hours.

4658.0210 ROOM ASSIGNMENTS.

Subp. 2. **Room assignment complaints.** A nursing home must develop and implement written policies and procedures for addressing resident complaints, including complaints regarding room assignments and roommates. At a minimum, the policies and procedures must include the following:

4658.0265 DEPOSIT OF PERSONAL FUNDS.

A nursing home, except for veterans homes under *Minnesota Statutes*, section 198.265, must deposit a resident's personal funds in excess of \$100 in an interest bearing account (or accounts) that is separate from any of the nursing home's operating accounts, and that credits all interest earned on the resident's account to the resident's account. Pooled accounts must separately account for each resident's share.

4658.0290 PENALTIES FOR RESIDENT RIGHTS RULE VIOLATIONS.

Penalty assessments will be assessed on a daily basis for violations of parts 4658.0200 to 4658.0280 and are as follows:

E. part 4658.0200, subpart 6 7:

I. ~~part 4658.0215, \$250~~;

J. part 4658.0220, \$500;

~~K. I.~~ part 4658.0250, \$50;

~~L. K.~~ part 4658.0255, subpart 1, \$250;

~~M. L.~~ part 4658.0255, subpart 2, \$50; and

~~N. M.~~ parts 4658.0260 to 4658.0275, \$100.

4658.0300 USE OF RESTRAINTS.

Subp. 4. **Decision to apply restraint.** The decision to apply a restraint must be based on the comprehensive resident assessment. The least restrictive restraint must be used and incorporated into the comprehensive plan of care. The comprehensive plan of care must allow for progressive removal or the progressive use of less restrictive means. A nursing home must obtain an informed consent for a resident placed in a physical or chemical restraint. A physician's order must be obtained for a physical or chemical restraint which specifies the duration and circumstances under which the restraint is to be used, including the monitoring interval. Nothing in this part requires a resident to be awakened during the resident's normal sleeping hours strictly for the purpose of releasing restraints.

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

Adopted Rules

4658.0445 CLINICAL RECORD.

Subp. 4. **Admission information.** Identification information must be collected and maintained for each resident upon admission and must include, at a minimum:

H. ~~advanced~~ advance directives, and Do Not Resuscitate (DNR) and Do Not Intubate (DNI) status, ~~Health Care Power of Attorney, or living will, if any;~~

4658.1005 SOCIAL SERVICES.

Subp. 2. **Social worker.** A nursing home must employ a qualified social worker, or a social services designee ~~who receives consultation from a qualified social worker.~~ A nursing home with more than 120 beds must ~~employ a~~ have at least one filled qualified social worker ~~on a full-time basis, no less than 35 hours per week, who is~~ position. The person or persons filling the qualified social worker position must be assigned full time to the social services of the nursing home and must fill at least one full-time equivalent position of at least 35 hours per week.

4658.1200 SPECIALIZED REHABILITATIVE SERVICES.

Subp. 3. **Qualified personnel.** Specialized rehabilitative services must be provided by qualified personnel under the written order of a physician by qualified personnel or other health care practitioner authorized to prescribe.

4658.1405 RESIDENT UNITS.

The following items must be provided for each resident:

A. A bed of proper size and height for the convenience of the resident, a clean, comfortable mattress, and clean bedding, appropriate ~~to~~ for the weather and ~~climate~~ resident's comfort, that are in good condition. Each bed must have a clean bedspread. A moisture-proof mattress or mattress cover must be provided for all residents confined to bed and for other beds as necessary. Rollaway type beds, cots, or folding beds must not be used.

B. At least one comfortable ~~A~~ chair or place for the resident to sit other than the bed.

C. A bedside table with a drawer place adjacent or near the bed to accommodate store personal possessions, and a separate compartment for storage such as a bedside table with a drawer.

4658.1410 LINEN.

Nursing home staff must handle, store, process, and transport linens so as to prevent the spread of infection according to the infection control program and policies as required by part 4658.0800. These laundrying policies must comply with the manufacturer's instructions for the laundrying equipment and products and include a wash formula addressing the time, temperature, water hardness, bleach, and final pH.

4658.1415 PLANT HOUSEKEEPING, OPERATION, AND MAINTENANCE.

Subp. 4. **Housekeeping.** A nursing home must provide housekeeping and maintenance services necessary to maintain a sanitary clean, orderly, and comfortable interior, including walls, floors, ceilings, registers, fixtures, equipment, lighting, and furnishings.

Subp. 6. **Heating, air conditioning, and ventilation.** A nursing home must operate and maintain the mechanical systems to provide comfortable and safe temperatures, air changes, and humidity levels. Temperatures in all resident areas must be maintained according to items A to C:

A. For new construction of a new physical plant, a nursing home must maintain a temperature range of 71 degrees Fahrenheit to 81 degrees Fahrenheit at all times.

B. For existing facilities, a nursing home must maintain a minimum temperature of 71 degrees Fahrenheit ~~in all resident areas~~ during the heating season.

Subp. 7. **Hot water temperature.** Hot water supplied to ~~lavatories~~ sinks and bathing fixtures must be maintained within a temperature range of 105 degrees Fahrenheit to 115 degrees Fahrenheit at the fixtures.

Subp. 9. **Storage of supplies.** Supplies must be stored ~~a minimum of six inches~~ above the floor to facilitate cleaning of the storage area. Supplies must be identified. Toxic substances must be clearly identified and stored in a locked enclosure. Sterile supplies must be stored to maintain sterility and integrity in packaging. All substances, such as cleaning agents, bleaches, detergents, disinfectants, pesticides, paints, and flammable liquids, must be stored separately from all food and drugs.

4658.1610 NURSING HOME RESPONSIBILITIES.

Subp. 7. **Site visits.** Unless it is medically inadvisable, as documented by the attending physician in the resident's care record, the resident must be assisted in making site visits to facilities to which ~~they~~ the resident may be transferred.

4658.2000 SECURED UNITS.

Subpart 1. **Secured unit, definition.** For purposes of parts 4658.2000 to 4658.2090, "secured unit" means a nursing home unit in which a resident's horizontal and vertical access in or out of the unit is restricted. ~~A secured unit is a form of physical restraint. Part 4658.0200, subpart 5, does not apply to a secured unit.~~

Subp. 4. **Approval by state fire marshal.** Fire safety systems and locking arrangements must be reviewed and approved by the state fire marshal according to part 4658.4030 before operation as a secured unit.

Subp. 5. **Approval by department.** A secured unit must be approved by the department according to part 4658.4030 before operation as a secured unit. Any significant change to the statement of operations for the secured unit, as required by part 4658.2020, must be reviewed and approved by the department before making the change.

4658.2010 PHYSICAL PLANT REQUIREMENTS.

~~A secured unit approved by the department after the effective date of this chapter must be in compliance with the new construction physical plant requirements in this chapter.~~ The physical plant of the secured unit must include, at a minimum, resident bedrooms, a central bathing area, dayroom, dining room, nurses' station, clean utility room, and soiled utility room. The dining room and dayroom spaces in the secured unit must comply with part 4658.4200. The construction of a new secured unit physical plant, or any physical plant changes that meet the definition of "new construction" in part 4658.0010, subpart 5a, must be in compliance with the requirements for new construction in parts 4658.3500 to 4658.4690.

4658.3005 COMPLIANCE WITH RULES.

Subp. 2. **Existing facilities.** All existing facilities must be ~~found to be~~ in compliance with the physical plant requirements for new construction, except as noted in this chapter. When additional beds are added to existing facilities, the required dayroom and dining room areas must be based on the bed capacity of the entire facility. Compliance with the standards for new construction for existing facilities must be for the areas involved and to the extent that the existing structure will permit. ~~Selected improvements or correction of minor deficiencies in existing facilities must not be a requirement for compliance with new construction criteria.~~

Subp. 3. **Reclassification.** As a condition for reclassification of a boarding care home to a nursing home, the physical plant must be in compliance with all new construction requirements for nursing homes in this chapter. The department shall consider waiver requests under part 4658.0040 from a facility that is in substantial compliance with the new construction requirements in parts 4658.3500 to 4658.4690.

Subp. 5. **Redecoration.** ~~The department must be notified in writing of all redecoration projects.~~ A nursing home must provide ~~maintain~~ specification sheets for all wall, floor, or ceiling covering materials, except paint. ~~All redecorating~~ The materials and installation must be done in accordance with the requirements for new construction as outlined in this chapter Life Safety Code.

4658.4135 TOILET ROOMS AND SANITARY FIXTURES; NEW CONSTRUCTION.

Subpart 1. **Design and equipment.** Toilet rooms for residents, personnel, and the public must be designed and equipped according to part 4658.4145, except as noted in this part. A nursing home must have at least one water closet toilet and one lavatory sink for four beds, and at least one shower or tub for 20 beds, excluding toilets for personnel or the public, and toilets in central bathing and other service areas. At least one toilet room must be designed and equipped according to part 4658.4150 and available for public use. Each toilet room must include a lavatory sink. All lavatories sinks must be provided with hot and cold water.

4658.4140 PROVISION OF RESIDENT TOILET ROOMS; NEW CONSTRUCTION.

Each resident toilet room must be directly accessible from the bedroom. A toilet room may serve two bedrooms, but no more than four beds, if residents are of the same sex. Hinged doors must swing out, or must be double acting and provided with an emergency-type release stop. Privacy door locks must be of a type which can be opened by staff in an emergency. Sliding doors must be surface mounted. Folding doors and pocket doors are prohibited. ~~Pocket doors must be of a type which can be easily released and remounted.~~

4658.4145 TOILET ROOM LAYOUT; NEW CONSTRUCTION.

Layout:

B. The center of the water closet toilet must be located 18 inches from the side wall and there must be at least three feet of unobstructed space in front of the bowl. No basic interior room dimension may be less than 42 inches.

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Adopted Rules

C. The ~~water closet toilet~~ must be mounted at a height of not less than 17 inches nor more than 19 inches above the floor, measured to the top of the seat. The bowl must be elongated with an open-front seat.

E. The paper holder must be securely anchored on the side wall near the ~~water closet toilet~~, six inches above the seat, and six to 12 inches in front of the seat with both dimensions measured to the center of the holder.

F. A vertical grab bar, at least 18 inches long, must be provided on the side wall near the ~~water closet toilet~~. The low end must be mounted at a height of ten inches above the toilet seat and at a distance of 12 inches in front of the seat. A grab bar on each side of the ~~water closet toilet~~ is recommended.

H. The ~~lavatory sink~~, with or without a counter top, must be mounted at a height of 32 to 34 inches above the floor, measured to the top edge.

J. A shelf large enough to accommodate a resident's personal toilet accessories must be provided, unless space is provided by a suitable ~~lavatory sink~~ or a counter.

4658.4150 HANDICAPPED ACCESSIBLE TOILET ROOMS; NEW CONSTRUCTION.

Layout:

B. The door opening must have a clear opening of at least 32 inches, and must be located within an area in front of the ~~water closet toilet~~. Hinged doors must swing out, or must be double acting and be provided with an emergency-type release stop. Privacy door locks must be of a type which can be opened by staff in an emergency.

C. The center of the ~~water closet toilet~~ must be located 18 inches from the side wall and there must be at least four feet of unobstructed space in front of the bowl. All basic interior room dimensions must be at least 66 inches.

D. The ~~water closet toilet~~ must be mounted at a height of 17 to 19 inches above the floor, measured to the top of the seat. The bowl must be elongated with an open front seat.

F. The paper holder must be securely anchored on the side wall near the ~~water closet toilet~~, 19 to 25 inches above the floor, and six to 12 inches in front of the seat with both dimensions measured to the center of the holder.

G. An L-shaped grab bar, each leg at least 18 inches long, must be provided, securely anchored on the side wall near the ~~water closet toilet~~. The low end of the vertical leg must be mounted at a height of ten inches above the toilet seat and at a distance of 12 inches in front of the seat, and the horizontal grab bar must extend toward the back wall.

J. The ~~lavatory sink~~, with or without a counter top, must be accessible and must not interfere with general wheelchair movements. It must be mounted at a height of 34 inches above the floor, measured to the top edge, and must provide a vertical clearance of at least 27 inches for knee space. A standard-type ~~lavatory sink~~ which meets these conditions is acceptable.

M. A shelf large enough to accommodate a resident's personal toilet accessories must be provided at a height of 32 to 36 inches, unless space is provided by a suitable ~~lavatory sink~~ or a counter.

4658.4155 CENTRAL BATHING AREA; NEW CONSTRUCTION.

Subp. 2. General requirements.

B. If a ~~water closet toilet~~ is located within an open area with multiple bathing fixtures, the toilet area must be provided with privacy curtains or stall partitions.

4658.4170 STORAGE; NEW CONSTRUCTION.

Subpart 1. Equipment and supplies.

B. Total storage area within the nursing home for the storage of equipment and supplies must be provided in the amount of at least 15 square feet per bed including space for the storage of:

4658.4300 KITCHEN AREA; NEW CONSTRUCTION.

Subp. 6. ~~Lavatories Sinks~~. At least one ~~lavatory sink~~ with a single-service towel dispenser must be provided in the food preparation area and in the clean end of the dishwashing area. Mirrors must not be installed in food preparation areas. The use of a common towel is prohibited.

Subp. 7. ~~Toilet room~~. A toilet room must be accessible for the dietary staff. It must not open directly into any food service area. It must contain a ~~water closet toilet~~, ~~lavatory sink~~, mirror, and a single-service towel dispenser. The use of a common towel is prohibited.

4658.4335 LAUNDRY PROCESSING ROOM; NEW CONSTRUCTION.

The laundry processing room must be arranged and equipped to allow for the orderly, progressive flow of work from the soiled area to the clean area. The layout of the processing area must minimize linen transportation and avoid cross-traffic between clean and soiled operations. Laundry operations must be physically separated by a floor area. The processing room must provide space

for the storage of supplies and equipment. Space for storage of laundry carts must be provided within the laundry area. Handwashing facilities must be available for the area. A two-compartment laundry tub must be provided and must be of a material with a nonabsorbent, smooth, permanent finish. A laundry tub may be provided with fittings for the required handwashing facilities.

4658.4500 PLUMBING SYSTEMS; NEW CONSTRUCTION.

Subp. 4. **Hot water supply.** Circulating hot water must be provided in all hot water mains and in risers more than three stories high to assure hot water at the fixtures. The domestic hot water heating equipment must be installed, operated, and maintained according to chapter 4715, the Minnesota Plumbing Code. The domestic hot water heating equipment must have sufficient capacity and recovery to supply water at minimum temperatures at the point of use as follows:

A. resident bedrooms and service areas, 105 to 115 degrees Fahrenheit, with a maximum temperature at the point of use of 115 degrees Fahrenheit;

4658.4505 PLUMBING; NEW CONSTRUCTION.

Subpart 1. **Institutional fittings.** Institutional fittings must include a mixing faucet, gooseneck spout or other approved spout, wrist-action controls, and an open grid strainer on the waste in the ~~lavatories~~ sinks.

The spout must provide a minimum vertical distance of five inches from its discharge point to the rim of the fixture, and a minimum horizontal bowl clearance of seven inches between the discharge point and the inside face of the rim.

The blades on wrist-action controls must not exceed 4-1/2 inches in length, except that handles on clinical sinks must not be less than six inches long.

4658.4550 FILTERS; NEW CONSTRUCTION.

Subp. 2. **Filters.** All outside air introduced into living and service areas of a nursing home must be filtered. Return air to central ventilation systems must be filtered. All central ventilation or air conditioning systems must be equipped with filters having efficiencies that comply with subpart 3 a minimum of one filter bed. The filter bed must be located upstream of the air conditioning equipment, unless a prefilter is employed. If a prefilter is employed, the prefilter must be upstream of the equipment and the main filter may be located further downstream. Filter frames must be durable and ~~carefully dimensioned and must be proportioned to~~ provide an airtight fit with the enclosing ductwork.

Subp. 3. **Filter efficiencies.**

FILTER EFFICIENCIES FOR CENTRAL VENTILATION AND AIR CONDITIONING EQUIPMENT SYSTEMS

| Area Designation | Minimum Number of Filter Beds | Minimum Filter Efficiency (percent) Main Bed |
|--|-------------------------------|--|
| Resident care, treatment, diagnostic, and related areas | 1 | 80 |
| Food preparation areas and laundries | 1 | 80 |
| Administrative, bulk storage, soiled utility areas | 1 | 30 |

Filters installed in all central ventilation or air conditioning systems must have a minimum efficiency of 25 percent. All filter efficiencies must be average atmospheric dust spot efficiencies tested according to the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. (ASHRAE) Standard No. ~~52-76~~ 52.1-1992.

4658.5025 TOILET ROOMS AND SANITARY FIXTURES; EXISTING CONSTRUCTION.

A nursing home must have at least one ~~water closet toilet~~ toilet and one ~~lavatory sink~~ sink for eight beds, and at least one shower or tub for 20 beds. When the licensed bed capacity is increased, the requirements under part 4658.4135 apply to the new addition. In resident toilet rooms where grab bars or towel bars are not provided, bars must be installed according to part 4658.4145 to the extent that the room arrangements will permit. A toilet room must have a ~~lavatory sink~~ sink and all ~~lavatories sinks~~ sinks must be provided with hot and cold water.

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Adopted Rules

4658.5030 CENTRAL BATHING AREA; EXISTING CONSTRUCTION.

Subp. 2. Bathing areas.

C. If a ~~water closet~~ toilet is located within an open area with multiple bathing fixtures, the toilet area must have privacy curtains or stall partitions.

4658.5520 EMERGENCY ELECTRIC SERVICE; EXISTING CONSTRUCTION.

To provide electricity during an interruption of the normal electrical power supply that affects medical care, or safety of the occupants, an emergency source of electrical power must be provided and connected to certain circuits for lighting and the nurse call system. The emergency system must provide lighting for the ~~nursing areas~~ nurses' station, telephone switchboard, resident corridors, exits, the boiler or heating system room, and, if provided, the emergency generator room. The emergency electrical service must assure functioning of the fire detection, alarm, and suppression systems, and the life support systems. Emergency electrical service must be provided by one of the following methods:

4660.3900 SANITARY FIXTURES.

Subpart 1. **Existing facilities.** The number of sanitary fixtures shall not be less than: one ~~water closet~~ toilet and one ~~lavatory~~ sink for eight beds, and one shower or tub for 20 beds.

When the licensed capacity is increased, the requirement under subpart 2 shall apply to the new addition. In resident toilets where grab bars or towel bars are not provided, such bars shall be installed in accordance with part 4658.4145 to the extent that the room arrangements will permit.

Department of Labor and Industry

Occupational Safety and Health

Adopted Permanent Exempt Rules Relating to Safety and Health Standards

The rules proposed and published at *State Register*, Volume 20, Number 50, pages 2620-2622, June 10, 1996 (20 SR 2620), are adopted as proposed.

Pollution Control Agency

Adopted Permanent Rules Relating to Removal of Lead Paint from Steel Structures

The rules proposed and published at *State Register*, Volume 20, Number 24, pages 1384-1401, December 11, 1995 (20 SR 1384), are adopted with the following modifications:

Rules as Adopted

7025.0210 DEFINITIONS.

Subp. 2. **Abrasive blasting.** "Abrasive blasting" means the use of either air pressure or a centrifugal wheel and abrasive particles to remove surface coatings or to prepare a surface for paint application.

Subp. 3. **Acid digestion.** "Acid digestion" means laboratory analysis of lead concentration according to digestion method 3050 or 3051 and analytical method 6010 or 7420 as described in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods SW-846," volume 1A, United States Environmental Protection Agency (EPA), Third Edition, November 1986; or laboratory analysis according to method 3335 of the American Society for Testing and Materials as described in "Annual Book of ASTM Standards," volume 06.01, June 1984. These documents are incorporated by reference and are available at the state law library through the Minitex interlibrary loan system. They are not subject to frequent change.

Subp. 10. **Lead paint.** "Lead paint" means a coating that contains ~~more than~~:

A. one-half of one percent (0.5 percent), or 5,000 parts per million (5,000 ppm), or more of total lead by weight in the dried film as determined by acid digestion and analysis; or

B. one-half milligram per square centimeter (0.5 mg/cm²) or more of lead, as determined by X-ray fluorescence analyzer.

Subp. 12. **Owner.** "Owner" means a person, organization, corporation, or governmental or political entity, and its employees, to

whom a steel structure belongs and who performs paint removal from the structure or who contracts for its removal, or the representative of the owner who performs identification of lead in paint or notification.

Subp. 13. Playground. "Playground" means an area designated for children's play including a school playground, a child care building playground, a play area of a public park, or an area that contains permanent play equipment.

Subp. ~~13~~ 14. Power tool. "Power tool" means an electric or pneumatic rotary peening tool, needle gun, or other tool that breaks and removes a coating but does not abrade the coating, or an electric or pneumatic tool that does abrade the coating and is equipped with a high-efficiency particulate air (HEPA) filter vacuum.

Subp. ~~14~~ 15. Protected natural area. "Protected natural area" means a designated national park, national wildlife refuge, national wild and scenic river, nature center, or environmental learning center; an area designated by the Minnesota Department of Natural Resources (MnDNR) as a wildlife management area, scientific and natural area, state park, research natural area, waterfowl production area, area of special interest; a site officially registered with any unit of government through the scientific and natural area program of the Minnesota Department of Natural Resources MnDNR; or a site of occurrence of unique plant or animal life identified by the natural heritage program of the Minnesota Department of Natural Resources MnDNR.

Subp. ~~15~~ 16. Public use property. "Public use property" means property that includes a publicly owned building used by the public, a recreational area, or a public parking lot, but does not mean property that includes only a playground or only a roadway.

Subp. ~~16~~ 17. Residential property. "Residential property" means property that incorporates a single-family or multiunit building that is intended for use for human habitation.

Subp. ~~17~~ 18. School property. "School property" means property that contains a public school building as defined in *Minnesota Statutes*, section 120.05, or a nonpublic school, church, or religious organization building in which a child is provided instruction in compliance with *Minnesota Statutes*, sections 120.101 and 120.102.

Subp. ~~18~~ 19. Steel structure. "Steel structure" means a structure that has a steel surface from which lead paint might be removed in the ambient air and includes, but is not limited to:

M. locks and dams;

N. parking ramps;

~~N.~~ O. handrails, walkways, and stairways;

~~O.~~ P. vehicles that are used for commerce, industry, or construction;

P. Q. steel structures of utilities, power plants, water and waste treatment facilities, pulp and paper mills, chemical and food processing plants, petroleum refining plants, and shipyards; and

~~Q.~~ R. other industrial and commercial equipment.

Subp. ~~19~~ 20. Vacuum blasting. "Vacuum blasting" means dry abrasive blasting with either a blast module or a blast nozzle that is surrounded by a chamber under that is evacuated with negative air pressure and that is held against the coated surface.

Subp. ~~20~~ 21. Water tank. "Water tank" means a ground storage tank, standpipe, or water tower that is used as a reservoir of water.

Subp. ~~21~~ 22. Water tower. "Water tower" means an elevated multileg tank, a pedestal column spherical tank, or a fluted column tank or hydropillar used as a reservoir of water.

Subp. ~~22~~ 23. Wet abrasive blasting. "Wet abrasive blasting" means abrasive blasting with the addition of water to the air abrasive stream.

Subp. 24. X-ray fluorescence analyzer or XRF analyzer. "X-ray fluorescence analyzer" or "XRF analyzer" means a field instrument that measures lead concentration by fluorescence of lead atoms, expressed in milligrams per centimeter square (mg/cm²).

7025.0230 IDENTIFICATION OF LEAD IN PAINT.

Subp. 2. Sampling procedure and analysis. The samples collected or measured as required by this subpart shall be representa-

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Adopted Rules

tive of the coatings to be removed. Each collected sample shall include equal surface areas and the entire thickness of each coating. The lead concentration of a surface sample measured by an XRF analyzer shall be the mean value of a minimum of three different measurements of that surface. If parts of the steel structure have been painted at different times or with different paints, a sample of each coating from each of these parts must also be collected or measured.

A. Bridges. Prior to paint removal, the owner of a bridge shall determine the concentration of lead in paint on the bridge either by review of painting records or by XRF analysis or acid digestion analysis of a minimum of one paint sample from a girder bridge or one paint sample from the trusses and one from the girders of a truss bridge.

B. Storage structures. Prior to paint removal, the owner of a water tank, fuel tank, grain storage bin, or other storage structure shall determine the concentration of lead in paint on the structure by either XRF analysis or acid digestion analysis of each sample of paint.

(1) Multileg water tank. The owner shall collect or measure, at a minimum, one paint sample from the legs, one sample from the center column, and one sample from the reservoir, for a total of three samples.

(2) Other water tower. The owner shall collect or measure, at a minimum, one paint sample from the base of the column and one sample from the top of the column or the reservoir, for a total of two samples.

(3) Ground storage tank, standpipe, or grain storage bin. The owner shall collect or measure, at a minimum, one paint sample from the wall and one sample from the roof of a ground storage tank where the same paint will be removed from one or more identical structures and, for standpipes and grain storage bins, one sample from the bottom half and one from the top half of the wall, for a total of two samples.

(4) Small storage tank. The owner shall collect or measure, at a minimum, one paint sample from a fixed storage tank with less than 1,000 square feet surface area and one paint sample from a portable storage tank where the same paint will be removed from one or more identical tanks.

C. Other steel structures. Prior to paint removal, the owner of a steel structure, other than a bridge or a storage structure, or the owner of a painting facility shall determine the concentration of lead in paint on the structure either by review of painting records or by XRF analysis or acid digestion analysis of a minimum of one sample of paint.

Subp. 3. **Calculation of lead concentration.** Where samples are analyzed from different parts of one structure, the calculation of lead concentration for the structure is the sum of the following product for each of the samples:

$$\begin{array}{r} \text{surface area of part represented} \\ \text{by sample as a percent of total} \\ \text{surface area of structure} \end{array} \quad \times \quad \begin{array}{r} \text{Pb concentration of} \\ \text{sample (\% or mg/cm}^2\text{)} \end{array}$$

such that:

$$(\text{area}_A \times \text{Pb}_A) + (\text{area}_B \times \text{Pb}_B) + \dots +$$

$$+ (\text{area}_N \times \text{Pb}_N) = \text{lead concentration (\% or mg/cm}^2\text{)}$$

where "A," "B," "N" are sample areas; "area" is the surface area of the part of the structure expressed in whole percent of total surface area, so that the sum of all surface areas is equal to 100 percent; and "Pb" is the concentration of total lead expressed in percent ~~as a decimal~~ or the weight of lead per surface area expressed in mg/cm².

7025.0240 NOTIFICATION.

Subpart 1. **Notice required.** The owner of a steel structure or the owner of a painting facility shall provide notice as described in items A and B at least ten working days before the start of removal of lead paint from a total exterior surface area greater than 500 square feet on one steel structure or on more than one steel structure at one location during one calendar year. Facilities that have applied for an MPCA air quality permit as required by chapter 7007, permits and offsets rules, because of emissions only due to paint removal and repainting operations, are exempt from notification.

B. The owner must mail, facsimile, or deliver written notice to the commissioner as required in subpart 3.

If the owner or contractor postpones the beginning of paint removal more than five working days from the date stated in the written notices required by this subpart, the owner shall, within those five days, redistribute each of the notices with the revised schedule for paint removal. The commissioner must be renotified before the original starting date of paint removal by a supplemental notice.

Subp. 2. **Contents of notice to residents, administrator, and owner.** The notice required in subpart 1, item A, shall state that lead paint is present on the structure, shall specify the days and the hours during which paint removal is anticipated, and shall advise

the owner or administrator and the adult residents of buildings to prevent children under the age of ten years from entering the outdoor area within 100 feet of the structure or structures or bridge portion from the start of paint removal each day until the completion of cleanup after paint removal.

If dry abrasive blasting or wet abrasive blasting is the method of paint removal, the notice shall further advise the owner or administrator and the adult residents of buildings within 100 feet of the structure or structures or bridge portion, or within a distance equal to the height of the structure, whichever is greater, to take the following actions each day before paint removal begins:

B. turn off all air conditioning units that use outdoor air exchange on the walls that face the structure and their adjoining walls, and tightly cover these units with impermeable material; and

Subp. 3. **Contents of notice to commissioner.** The notice required in subpart 1, item B, shall include:

E. if the structure from which lead paint is to be removed is either a bridge or a steel structure in part 7025.0370, item C, a description of the bridge or structure that includes:

(2) the distance to the property nearest the bridge or structure for each kind of property designated in part 7025.0250 up to 500 feet; and

F. if the structure from which lead paint is to be removed is either a storage structure or a steel structure in part 7025.0370, item A, a description of the structure that includes:

(3) the distance to the property nearest the structure for each kind of property designated in the table in part 7025.0310 up to 500 feet; and

I. the name and location of the waste disposal site where the waste collected as required by parts 7025.0260 to 7025.0300, 7025.0320 to 7025.0350, and 7025.0360 to 7025.0370, and disposed of as required by part 7025.0380, will be deposited; or a description of the proposed disposition of waste materials that are not put in a waste disposal site; or, if the waste generator is a hazardous waste facility permitted by the MPCA, the EPA identification number of the facility; and

J. any other information that the commissioner may request to determine compliance with parts 7025.0200 to 7025.0380.

Any corrections to the information provided in the notice shall be made in writing by a supplemental notice that the owner shall mail, facsimile, or deliver to the commissioner.

7025.0260 POLLUTION CONTROL REQUIRED.

An owner or contractor who removes lead paint from a steel bridge shall use the paint removal and containment methods required in parts 7025.0260 to 7025.0300, except that paint removal conducted only for the purpose of coatings analysis is exempt. Pollution control must be used on a bridge or other structure that traverses a state boundary, as if the bridge or structure were entirely in Minnesota, unless the owner or contractor complies with requirements of the neighboring state or province that are more restrictive in preventing lead contamination than those in parts 7025.0260 to 7025.0300.

The owner or contractor who uses dry abrasive blasting for surface preparation after removing all lead paint with any other method shall use the containment methods required in part 7025.0270, subparts 2 and 3, except that the use of curtains is not required if:

7025.0270 CLASS I BRIDGE.

Subp. 5. **Cleanup of waste material.** The owner or contractor shall clean up all visible deposits of waste material containing paint or paint particles at the end of each workday from all areas on the ground and the ground covers outside the curtains and remove this material from the site or store it in containers or on top of ground cover and covered with impermeable tarpaulins. The owner or contractor shall recover this material by manual means or by vacuum with high-efficiency particulate air (HEPA) filtration, but may not use an air pressure or water stream which redistributes the waste material. Methods of handling and movement of waste material shall prevent fugitive dust and other loss of any material until final disposition of the material.

7025.0280 CLASS II BRIDGE.

Subpart 1. **Application.** An owner or contractor who removes lead paint from a class II bridge or bridge portion by dry abrasive blasting shall use the methods required in part 7025.0270, subparts 2 to 5, and in this part as minimum pollution control, or the owner or contractor shall use a method of removal from part 7025.0290. If the bridge traverses a narrow water body as stated in subpart 3, the owner or contractor shall comply with the standards specified under either subpart 2 or 3.

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Adopted Rules

The owner or contractor shall use a boom on the downstream or the downwind side of the bridge with skimming or vacuuming of the water surface to remove paint particles before they sink, except on those parts of the water surface where frequent boat navigation or water turbulence prevents effective recovery.

7025.0290 CLASS III BRIDGE.

Subpart 1. **Application.** An owner or contractor who removes lead paint from a class III bridge or bridge portion shall use the methods required in part 7025.0270, subparts 2 to 5, as minimum pollution control, except as provided in subparts 2, 3, and 5 of this part, and a method of paint removal from this part.

Subp. 3. **Power tools and hand tools.** The owner or contractor who uses power tools or hand tools shall use ground cover and curtains unless the power tools are ~~vacuum-equipped~~ equipped with HEPA filter vacuums and all parts of the vacuum equipment are in a condition that prevents emissions of particulate matter, then the use of curtains is not required.

Subp. 4. **Dry abrasive blasting in total enclosure with negative air pressure.** The owner or contractor who conducts dry abrasive blasting inside a totally enclosed work space shall:

A. maintain the enclosure at less-than-atmospheric air pressure during abrasive blasting by use of a dust collector with ~~high-efficiency particulate air (HEPA)~~ filtration of exhaust air to eliminate dust emissions; and

B. use either a recyclable or nonrecyclable abrasive, but a recyclable abrasive must be cleaned to remove nonabrasive material before it is reused.

~~The volume of air evacuated per minute must be greater than the volume of the enclosure and the combined volume of output per minute of all blast nozzles inside the enclosure.~~

7025.0300 CLASS IV BRIDGE.

The owner or contractor who removes lead paint from a class IV bridge or bridge portion shall use the methods required in parts 7025.0270, subparts 2 to 5, and 7025.0280, subparts 1 and 2 or 3, as minimum pollution control, and a method of paint removal required in part 7025.0290.

7025.0310 CLASSIFICATION OF STORAGE STRUCTURES.

Subpart 1. **Application.** The classifications in this part shall be used to determine the requirements in parts 7025.0320 to 7025.0350 that apply to a storage structure from which lead paint will be removed. The owner or contractor shall determine the class of each storage structure or structures from which more than 200 square feet of lead paint will be removed at one location during one calendar year.

Subp. 2. **Class of pollution control.** The class of pollution control necessary for lead paint removal from the storage structure is provided by the table in subpart 3. The class of pollution control is determined by the designated use of receptor properties, the distance to receptor properties, and a factor of potential risk for paint removal from the structure, where:

C. "Risk factor (RF)" is the calculation of potential risk for the steel structure and the values in the table in subpart 3 are the standards of risk factor for the designated properties.

Risk factor (RF) is the product of three variables:

(1) concentration of total lead in the exterior coatings of the steel structure, expressed in percent (%) as a decimal or the weight of lead per surface area expressed in mg/cm² divided by 100;

(3) total exterior surface area from which paint will be removed, expressed in thousands of square feet (ft²) such that:

$$RF = \text{conc. Pb (\% or mg/cm}^2) \times (\text{height}/10)^{1.4} \text{ (ft)}$$

$$\times \text{surface area}/1000 \text{ (ft}^2)$$

Subp. 3. Table of required class of pollution control.

| Receptor Property | | | |
|--|------------|------------|------------|
| Residential, Child Care, Playground, or School Property (A) | | | |
| Risk Factor (RF) | ≤ 100 | ≥ 100 | ≥ 100 |
| | and | or | and |
| Distance (ft) | ≥ 300 | ≤ 300 | ≤ 300 |
| Class | I | II | III |
| Protected Natural Area, or Public Use Area, or Commercial Property (B) | | | |
| Risk Factor (RF) | ≤ 200 | ≥ 200 | ≥ 200 |
| | and | or | and |
| Distance (ft) | ≥ 200 | ≤ 200 | ≤ 200 |
| Class | I | II | III |
| Industrial or Agricultural Property (C) | | | |
| Risk Factor (RF) | ≤ 300 | ≥ 300 | ≥ 300 |
| | and | or | and |
| Distance (ft) | ≥ 100 | ≤ 100 | ≤ 100 |
| Class | I | II | III |

7025.0320 POLLUTION CONTROL REQUIRED.

An owner or contractor who removes lead paint from the exterior surface of a steel water tank, fuel tank, grain storage bin, or other steel storage structure shall use the paint removal and containment methods required in parts 7025.0320 to 7025.0350, except that paint removal conducted only for the purpose of coatings analysis is exempt. If lead paint is removed from a total surface area less than 200 square feet on one or more structures at one location in one calendar year, the owner or contractor may apply any method of class I, II, or III in parts 7025.0330 to 7025.0350.

The owner or contractor who uses dry abrasive blasting for surface preparation after removing all lead paint with any other method shall use the containment methods required in part 7025.0330, subparts 2 and 4, except that the use of curtains is not required if:

7025.0340 CLASS II STORAGE STRUCTURE.

Subp. 3. **Power tools and hand tools.** If power tools or hand tools are used to remove lead paint, the owner or contractor shall:

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

Adopted Rules

A. use the methods required in part 7025.0330, subparts 2 to 6, except that if power tools or hand tools are used on ground storage tanks only, then the use of curtains is not required; and

7025.0350 CLASS III STORAGE STRUCTURE.

Subp. 3. Dry abrasive blasting within modular enclosure with negative air pressure. If dry abrasive blasting inside a modular enclosure is used to remove lead paint, the owner or contractor shall use the cleanup method required in part 7025.0330, subpart 6, and shall:

B. maintain the enclosure at less-than-atmospheric air pressure during abrasive blasting by use of a dust collector with high-efficiency particulate air (HEPA) filtration of exhaust air to eliminate dust emissions;

D. use either a recyclable or nonrecyclable abrasive, but a recyclable abrasive must be cleaned to remove nonabrasive material before it is reused.

~~The volume of air evacuated per minute must be greater than the volume of the enclosure and the combined volume of output per minute of all blast nozzles inside the enclosure.~~

Subp. 6. Power tools with vacuum recovery. If power tools that are ~~vacuum-equipped~~ equipped with HEPA filter vacuums are used to remove lead paint, the owner or contractor shall:

7025.0360 POLLUTION CONTROL REQUIRED.

An owner or contractor who removes lead paint from the exterior surface of a steel structure that is not included in parts 7025.0260 to 7025.0300 and 7025.0320 to 7025.0350 shall use the methods required in part 7025.0370, except that paint removal conducted only for the purpose of coatings analysis is exempt. These structures include, but are not limited to, railcars, pipelines, boats and barges, transmission towers, transformers, light poles, exterior metal components of buildings, parking ramps, handrails, and vehicles that are used for commerce, industry, or construction. Paint removal from any other vehicle by the vehicle owner who does not act as a contractor, and who is not a licensed vehicle dealer, is exempt.

The owner or contractor may apply a method of paint removal and containment of any class of bridge in parts 7025.0260 to 7025.0300, or any class of storage structure in parts 7025.0320 to 7025.0350 if:

A. lead paint is removed from a total surface area less than 200 square feet on one or more structures at one location in one calendar year; or

B. the risk factor (RF) calculation for the steel structure or structures is less than 1.0 and the structure is not within 300 feet of group A properties or 200 feet of group B properties in part 7025.0310, subparts 2 and 3.

7025.0370 LEAD PAINT REMOVAL REQUIREMENTS.

If lead paint is removed from a steel structure not included in parts 7025.0260 to 7025.0300 and 7025.0320 to 7025.0350 that is neither a bridge nor a storage structure, the owner or contractor shall:

C. if the steel structure traverses a water body or is in or above a water body, apply a method of removal and containment according to parts 7025.0250, 7025.0260, and either 7025.0280 or 7025.0300, as if the structure were a bridge or a bridge portion.

7025.0380 RESTRICTIONS.

Subpart 1. Testing and disposal of waste materials. The owner or contractor shall evaluate and dispose of waste materials that contain lead paint or lead paint particles generated by the removal of lead paint from steel structures as required by either chapter 7035, solid waste rules, or 7045, hazardous waste rules, whichever applies.

Subp. 2. Use of lead paint. An owner or contractor shall not apply paint that contains more than one-half of one percent (0.5 percent) total lead by weight in the dried film to the exterior surface of any new steel structure or of any steel structure that is repainted, except by written permission of the commissioner.

Emergency Rules

Proposed Emergency Rules

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

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

Adopted Emergency Rules

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

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

Continued/Extended Emergency Rules

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

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; 1996 Early Goose Season

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.401, subdivision 4, and 97B.803.

Dated: 5 August 1996

Rodney W. Sando
Commissioner

By Eugene Gere,
Assistant Commissioner of Administration

Rules as Adopted

6240.1200 SPECIAL PROVISIONS ON TAKING GEESE DURING EARLY SEASONS.

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

Subp. 2. **Taking on public roads and rights-of-way.** Taking Canada geese on public roads and their rights-of-way is prohibited during the early seasons; ~~except in the Southwest Twin Cities Metro Canada Goose Zone and in goose refuges open to goose hunting.~~

6240.1500 TAKING GEESE IN TWIN CITIES METROPOLITAN METRO CANADA GOOSE ZONE.

Subpart 1. **Open season.** Canada geese may be taken in the Twin Cities Metropolitan Metro Canada Goose Zone during the ten-day period beginning the first Saturday in September to September 15.

Subp. 2. **Daily limits.** A person may not take more than ~~four~~ five Canada geese per day during the early season.

Subp. 3. **Zone description.** The Twin Cities Metropolitan Metro Canada Goose Zone is described as follows:

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

6240.1600 TAKING GEESE IN SOUTHWEST FOUR GOOSE ZONE.

Subpart 1. **Open season.** Canada geese may be taken in the Southwest Canada Four Goose Zone during the ten-day period beginning the first Saturday in September to September 15.

Subp. 2. **Daily limits.** A person may not take more than ~~two~~ four Canada geese per day during the early season.

Subp. 3. **Zone description.** The Southwest Canada Four Goose Zone is described as follows:

A. All of Blue Earth, Faribault, LeSueur, Lincoln, Lyon, Martin, McLeod, Nicollet, Sibley, Waseca, and Watonwan counties.

B. All of Cottonwood, Jackson, Murray, and Nobles counties except the area within the following described boundary:

Beginning at the junction of County State Aid Highway (CSAH) 42 and CSAH 6, Murray County; thence east along CSAH 6 to CSAH 13, Cottonwood County; thence east along CSAH 13 to CSAH 5, Cottonwood County; thence south along CSAH 5 to

Emergency Rules

CSAH 9, Jackson County; thence south along CSAH 9 to CSAH 32, Jackson County; thence west along CSAH 32 to CSAH 18, Nobles County; thence west along CSAH 18 to CSAH 3, Nobles County; thence north along the township road to the Murray County line; thence west to CSAH 42, Murray County; thence north to the point of beginning.

C. That part of Brown County lying south and west of the following described line:

Beginning at the junction of U.S. Highway 14 and the east Brown County line; thence west on U.S. Highway 14 to Cobden; thence due west one mile on U.S. Highway 14 and the township road to the Redwood County line.

D. That part of Renville County east of State Trunk Highway 4.

E. That part of Meeker County south of U.S. Highway 12.

F. In Scott County, the Townships of Belle Plaine, Blakely, and Helena, including municipalities located therein.

G. That part of Carver County lying west of the following described line:

Beginning at the northeast corner of San Francisco Township; thence west along the north San Francisco Township line to the east boundary of Dahlgren Township; thence north on the east Dahlgren Township line to U.S. Highway 212; thence west on U.S. Highway 212 to State Trunk Highway (STH) 284; thence north on STH 284 to County State Aid Highway (CSAH) 10; thence north and west on CSAH 10 to CSAH 30; thence north and west on CSAH 30 to STH 25; thence east and north on STH 25 to CSAH 10; thence north on CSAH 10 to the Carver County line That portion of the state lying west of Interstate Highway 35 and south of Interstate Highway 94, except that area included in the Twin Cities Metro Canada Goose Zone described in part 6240.1500, subpart 3.

Subp. 4. Closed area. The Lac qui Parle controlled hunting zone, as described in part 6230.0600, subpart 3, is closed to the taking of geese during the early season described in this part.

6240.1700 TAKING GEESE IN FERGUS FALLS/BENSON CANADA TWO GOOSE ZONE.

Subpart 1. **Open season.** Canada geese may be taken in the Fergus Falls/Benson Canada Two Goose Zone during the ten-day period beginning the first Saturday in September to September 15.

Subp. 2. **Daily limit.** A person may not take more than two Canada geese per day during the early season.

Subp. 3. **Zone description.** The Fergus Falls/Benson Canada Two Goose Zone is described as follows:

Beginning at the intersection of State Trunk Highway (STH) 55 and the western border of Minnesota; thence south along the Minnesota border to a point due south of the intersection of STH 7 and County State Aid Highway (CSAH) 7, Big Stone County; thence due north to CSAH 7; thence north along CSAH 7 to CSAH 6, Big Stone County; thence east along CSAH 6 to CSAH 21, Big Stone County; thence south along CSAH 21 to CSAH 10, Big Stone County; thence east along CSAH 10 to CSAH 22, Swift County; thence east along CSAH 22 to CSAH 5, Swift County; thence south along CSAH 5 to U.S. Highway 12; thence east along U.S. Highway 12 to CSAH 17, Swift County; thence south along CSAH 17 to the south border of Swift County; thence east along the south border of Swift County to the east border of Swift County; thence north along the east border of Swift County to the south border of Pope County; thence east along the south border of Pope County to the east border of Pope County; thence north along the east border of Pope County to STH 28; thence east on STH 28 to CSAH 33, Pope County; thence north along CSAH 33 to CSAH 3, Douglas County; thence north along CSAH 3 to CSAH 69, Otter Tail County; thence north along CSAH 69 to CSAH 46, Otter Tail County; thence east along CSAH 46 to the eastern boundary of Otter Tail County; thence north along the east boundary of Otter Tail County to CSAH 40, Otter Tail County; thence west along CSAH 40 to CSAH 75, Otter Tail County; thence north along CSAH 75 to STH 210; thence west along STH 210 to STH 108; thence north along STH 108 to CSAH 1, Otter Tail County; thence west along CSAH 1 to CSAH 14, Otter Tail County; thence north along CSAH 14 to CSAH 44, Otter Tail County; thence west and north along CSAH 44 to CSAH 35, Otter Tail County; thence north along CSAH 35 to STH 108; thence west along STH 108 to CSAH 19, Wilkin County; thence south along CSAH 19 to STH 55; thence east and south along STH 55 to the point of beginning the southern border of the state and Interstate Highway 35, thence north on Interstate Highway 35 to Interstate Highway 35-W, thence north on Interstate Highway 35-W to Interstate Highway 94, thence west on Interstate Highway 94 to the western boundary of the state, thence following the west, north, east, and south boundaries of the state to the point of beginning, excluding that portion of the Twin Cities Metro Canada Goose Zone as described in part 6240.1500, subpart 3, and excluding the Northwest Goose Zone as described in part 6240.0860.

6240.1800 EARLY GOOSE HUNT APPLICATION AND PERMIT.

Subpart 1. **Application process.** Permits are A permit is required to take Canada geese during the early seasons described in parts 6240.1500, 6240.1600, and 6240.1700. A person may obtain a permit by submitting an application, provided by the commissioner, to the address indicated on the form.

Subp. 2. **Application fee.** An applicant must submit a \$3 fee for with each application. A separate application and fee is required for each hunt.

Subp. 3. **Possession of permit required.** A person participating in the early Canada goose hunting season must possess a valid permit validated for the zone in which they are hunting.

6240.1850 GAME REFUGES OPEN TO THE TAKING OF GEESE.

The Douglas County Goose Refuge in Douglas County, the Otter Tail County Goose Refuge in Otter Tail County, ~~the Fox Lake Game Refuge in Martin County;~~ and the Sauk Rapids-Rice Goose Refuge in Benton County; ~~and the St. James Game Refuge in Watonwan County~~ are open to Canada goose hunting during the early goose season and as follows:

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

EFFECTIVE PERIOD. The emergency amendments to *Minnesota Rules*, parts 6240.1200, 6240.1500, 6240.1600, 6240.1700, 6240.1800, and 6240.1850 expire December 31, 1996. After the emergency amendments to *Minnesota Rules*, parts 6240.1200, 6240.1500, 6240.1600, 6240.1700, 6240.1800, and 6240.1850 expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule.

Pursuant to the provisions of Minnesota Statutes §14.101, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

Department of Administration

InterTechnologies Group

Telecommunications Division / 9-1-1

Request for Comments on Planned Amendment to Rules Governing Design Standards for the Emergency 9-1-1 Telephone Systems (*Minnesota Rules* Chapter 1215.0800)

The Minnesota Department of Administration requests comments on a planned amendment to the rules governing Design Standards for the Emergency 9-1-1 Telephone Systems (*Minnesota Rules* Chapter 1215.0800). The department is considering a rule amendment to incorporate data and network standards for the 9-1-1 systems into the rule pursuant to *Minnesota Statutes* 403.07, Subdivision 2. Data and Network standards have been developed by the Metropolitan 9-1-1 Board, successor to the Metropolitan Council, in cooperation with U.S. West Communications, Inc., the public utility maintaining the metropolitan area 9-1-1 systems data base. The Metropolitan 9-1-1 Board submitted a petition for rulemaking to the Department of Administration with their proposed data and network standards as an attachment to the petition.

The amendment to the rules could affect all telephone companies and all cellular/non-wire providers serving the Minnesota 9-1-1 systems, all 9-1-1 Public Safety Answering Points in Minnesota, Minnesota Counties, the Minnesota Public Utilities Commission, the Minnesota Department of Public Service, Minnesota Department of Finance, consultants, and interested citizens.

Minnesota Statutes, Section 403.07, Subdivision 2, requires the department to incorporate the standards for the metropolitan 9-1-1 system into the rules governing the 9-1-1 emergency telephone systems. Additionally, under the provisions of *Minnesota Statutes* 14.09, any person may petition an agency requesting the adoption, amendment, or repeal of any rule.

Interested persons or groups may submit comments or information on this planned rule amendment in writing or orally until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. A series of meetings will be held regarding this, the first of that series on August 20, 1996, from 9:30 AM to 12:30 PM at the Metro Counties Government Center, 2099 University Avenue West, Saint Paul, Minnesota 55104. Notice of this meeting and any successive meetings will be mailed to all interested persons or groups.

Official Notices

The department has not yet prepared a draft of the planned rules amendment. Written or oral comments, questions, requests to receive a draft of the rule when it has been prepared, and requests for more information on this planned rule should be addressed to:

James R. Beutelspacher, 9-1-1 Product Manager
Department of Administration
500 Centennial Office Building, 658 Cedar Street
St. Paul, Minnesota 55155
Telephone: 612-296-7104
Facsimile: 612-297-5368
TTY/TDD: 612-296-9911

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

Dated: 31 July 1996

Elaine S. Hansen, Commissioner
Department of Administration

Board of Animal Health

Notice of Board of Animal Health Quarterly Meeting

The Board of Animal Health quarterly meeting will be Friday, September 27, 1996. The meeting will convene at 9:30 a.m. at the Sawmill Inn in Grand Rapids, Minnesota.

Department of Commerce

Request for Comment on Planned Rules Governing Debt Prorating Organizations - *Minnesota Rules 2675.7100 - 2675.7140*

Subject of the Rule. The Minnesota Department of Commerce requests comments on its planned adoption of rules amendments governing the licensing and operation of debt prorating services in Minnesota. The Department recognizes that the existing rules adopted in 1970 are in need of modernization consistent with the changes and developments in the industry and its clientele. Proposed rules are intended to remove unnecessary duplication with existing law, clarify and define terms and procedures, update antiquated and obsolete requirements for debt prorate contracts with clientele including advance payments, record keeping, reports to the Commissioner and related examinations, and licensing requirements for out-of-state prorate services conducted through systematic personal solicitation to Minnesota residents.

Persons Affected. The adoption of the planned debt prorating rules would affect existing and potential licensees, Minnesota residents currently receiving the service including those involved with unlicensed out-of-state providers, financial institutions, and other creditors of existing and potential clientele of prorate services.

Statutory Authority. *Minnesota Statutes*, Sections 47.71, 45.023 and 332.25 permit the Commissioner of Commerce to promulgate rules as are reasonably necessary to carry out the provisions and purposes of *Minnesota Statutes*, Sections 332.12 to 332.29.

Rules Drafts. The Department does not anticipate that a draft of the rules amendments will be available before the publication of the proposed rules.

Public Comment. Interested persons or groups may submit comments in writing or orally until 4:30 p.m. on September 30, 1996. The Department does not contemplate appointing any additional advisory committee on the planned rule. Written or oral comments, questions, and requests for more information on the development of the planned rules should be addressed to:

Terry R. Meyer, Chief Examiner
Financial Examinations Division
Department of Commerce
133 East Seventh Street
St. Paul, Minnesota 55101
(612) 296-2297

Alternative Format. Upon request, this Request for Comments can be made available in alternative format, such as large print and recorded message. To make a request for large print, please contact the agency contact person at the address or telephone number listed and to listen to it on the recorded message, twenty-four hours a day, telephone (612) 297-7053.

Note: Comments submitted in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge when a proceeding to adopt rules is started.

COMBINED NOTICE:**Minnesota Housing Finance Agency,
Department of Trade and Economic Development, and
Department of Economic Security****1997 Minnesota Consolidated Housing and Community Development Plan Public Meetings
Notice**

The Minnesota Housing Finance Agency (MHFA), the Minnesota Departments of Economic Security (DES) and Trade and Economic Development (DTED) are in the process of preparing the 1997 Minnesota Consolidated Plan. This Plan is a condition of funding for several U.S. Department of Housing and Urban Development (HUD) grants. The Consolidated Plan combines applications for several federal grants and the requirements of the Comprehensive Housing Affordability Strategy (CHAS).

The Consolidated Plan serves as: a housing and community development planning document for non-entitlement areas of the state; an application for several HUD grants; a strategy to be followed in carrying out HUD programs; and, an action plan that provides a basis for assessing performance.

The Minnesota Consolidated Plan serves as a condition of funding for non-entitlement areas of the state for the following HUD grants:

- The Community Development Block Grant (CDBG) programs;
- The Emergency Shelter Grants (ESG) program; and
- The HOME Investment Partnerships (HOME) program.

In conjunction with the Minnesota Housing Partnership's Regional Network Project, the three state agencies have scheduled three public meetings. These meetings will give interested parties an opportunity to voice their opinions about the state's housing and community development needs, and on the formulation of the state's housing and community development priorities.

The meetings' locations are handicap accessible; however, persons in need of other special accommodations for the meetings or interpretation services should contact Denise Rogers at 612/296-8206. All other questions can be directed to C.J. Eisenbarth Hager at 612/296-8147. The MHFA number of its Telecommunications Device for the Deaf (TDD) is 612/297-2361.

| DATE | TIME | CITY | LOCATION |
|--------------|-------------|--------------|--|
| September 10 | 1:00 P.M. | Little Falls | Morrison County Government Center 213 SE First Avenue |
| September 17 | 10:00 A.M. | Mankato | River Hills Mall Intersection of Highways 14 and 22 Community Room |
| September 24 | 1:00 P.M. | Bemidji | Bemidji City Council Chambers 317 Fourth Street NW |

Department of Labor and Industry**Labor Standards Division****Notice of Prevailing Wage Certifications for Commercial Construction Projects**

Effective August 12, 1996 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Anoka: MCF Lino Lakes Administration Building-Lino Lakes; Wiring Computer Room - ISD #11-Andover.

Cass: Walker School Burner Replacement-Walker.

Fillmore: Southeastern Minnesota Forest Resource Environmental Learning Center-Lanesboro.

Hennepin: Center for Magnetic Resonance Research-Minneapolis; Anwatin Middle School Reroofing-Minneapolis; North High School Ceiling Replacement-Minneapolis.

Official Notices

Hubbard: Akeley School Boiler Replacement-Akeley.

Polk: Apartment Dormitory - U of M Crookston-Crookston.

Ramsey: Replacement of Paver Pedestals - NW Terrance - Minnesota History Center-St. Paul; St. Paul Technical College Customized Training Center Air Conditioning-St. Paul; Murray Jr. High School Science Lab Safety Improvements-St. Paul; Installation of Overhead Crane & Repair/Replace Hoist at AASF-St. Paul; NE Metro Technical College Lighting Retrofit-White Bear Lake.

Stearns: St. Cloud Technical College 1996 Partial Reroofing-St. Cloud.

Copies of the certified wage rate for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

Gary W. Bastian, Commissioner

Metropolitan Council

Notice of Intent to Amend the *Aviation Development Guide/Policy Plan*

The Metropolitan Council will undertake an amendment to its *Aviation Development Guide/Policy Plan* prior to December 31, 1996. The amendment involves deletion or modification of Guide policy and/or information that is no longer relevant, or requires updating due primarily to actions taken in the 1996 Minnesota Legislative session. Areas affected are those relating to:

- Repeal of statutory language concerning Metropolitan Council planning and land use control around potential new major airports;
- Removal of all outdated references to the major airport dual-track process, especially concerning the potential new major airport search area/site as a result of Metropolitan Council and Metropolitan Airports Commission (MAC) dual-track recommendations to the legislature;
- Legislature limiting Council authority over local comprehensive plans for purposes of ensuring availability of land for a new major airport; and
- Including new statutory information concerning prohibitions and directives to the MAC as it affects Regional Aviation System Plan (RASP) planning, review and implementation activities.

Key objectives of the amendment are to bring the Guide into compliance with state law, provide up-to-date information for users, allow for proper referral reviews, and clarify any amendments that may be needed to the aviation system statements in order to meet the *Regional Blueprint* and Land Planning Act requirements.

At this time the Council anticipates adopting the amendments in November, 1996. A public hearing on the "draft" is anticipated in the September/October time period. This is a preliminary schedule and is subject to change. The schedule should be verified with the project manager.

Interested parties may submit written or oral data or views on the proposed revision. Those persons wanting to be added to the Council's mailing list for material related to the amendment should send their name and mailing address to the project manager. This notice is prepared and published in accordance with the Metropolitan Council's Administrative Procedures dated June 26, 1992.

Project Manager:

Chauncey Case, Senior Transportation Planner
Metropolitan Council
230 East Fifth Street
St. Paul, Minnesota 55101

612 - 229-2724 (Project Manager)

612 - 291-0904 (TTY)

FAX comments to: 612 - 229-2739

Record comments on Council's Public Comment Line 612 - 291-6536

Send comments electronically to: data.center@metc.state.mn.us

Department of Trade and Economic Development

Business and Community Development Division

Minnesota Agricultural and Economic Development Board Gives Notice of Public Hearing on Proposed Project on Behalf of The Evangelical Lutheran Good Samaritan Society and the Issuance of Bonds Under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on August 27, 1996, at 9:00 a.m. o'clock, at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of one or more series of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf The Evangelical Lutheran Good Samaritan Society, a North Dakota nonprofit corporation (the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project to be financed consists of the refinancing of existing debt, debt incurred or assumed in connection with the purchase of nursing homes, senior housing, assisted living and related facilities (the "Project") at the following locations and in amounts not to exceed the following: (i) Waconia Good Samaritan Center, 333 Fifth Street West, Waconia, Minnesota; \$2,000,000; (ii) Maplewood Good Samaritan Center, 550 East Roselawn Avenue, St. Paul, Minnesota; \$3,000,000; (iii) Howard Lake Good Samaritan Center, 413 13th Avenue, Howard Lake, Minnesota; \$1,200,000; (iv) Stillwater Good Samaritan Center, 1119 Owens Street North, Stillwater, Minnesota; \$2,300,000; (v) Crystal Lake Good Samaritan Center, 3815 West Broadway Avenue, Robbinsdale, Minnesota; \$2,700,000; (vi) Golden Valley Good Samaritan Center, 5411 Circle Drive, Golden Valley, Minnesota; \$2,000,000; (vii) Sunwood Good Samaritan Center, 200 DeKalb Street, Redwood Falls, Minnesota; \$1,600,000; (viii) Inver Grove Good Samaritan Center, 1301 50th Street East, Inver Grove Heights, Minnesota; \$1,400,000; and (ix) Ambassador Good Samaritan Center, 8100 Medicine Lake Road, New Hope, Minnesota; \$2,300,000.

The initial owner of the Project is the Applicant and the Project will be owned, operated and managed by the Applicant. It is contemplated that the Project will be used as nursing homes, senior housing, assisted living or related facilities. The total estimated amount of the Board's proposed bond issues is an amount not to exceed \$18,500,000. The Bonds shall be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and a mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

This Notice of Public Hearing is being given pursuant to Section 147(f) of the *Internal Revenue Code* of 1986, as amended.

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

Dated: 1 August 1996

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

Paul Moe
Executive Director
Minnesota Agricultural and Economic
Development Board

State Grants

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

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

Department of Economic Security

Rehabilitation Services Branch

Notice of Availability of New Funding Available for Coordinated Employment Services for Persons with Serious and Persistent Mental Illness (SPMI)

The Minnesota Department of Economic Security-Rehabilitation Services Branch (formerly DRS) is requesting proposal to develop and implement new or enhanced coordinated community-based employment services for adults with SPMI. This funding is available through the Department of Economic Security (DES)-Rehabilitation Services Branch (RS) in collaboration with the Department of Human Services-Mental Health Division (MHD) through a joint interagency cooperative agreement, and as a part of the adult mental health pilot project initiative.

Projects considered for funding must develop or enhance linkages and interagency collaboration to provide integrated community-based employment for adults with SPMI. The approach should be designed to improve the acquisition, quality and permanence of employment. Services should include: functional assessment, individualized career planning, job development and job placement, job coaching and the provision of non-time-limited supports necessary to obtain, maintain and advance in employment in the community.

Organizations which provide Vocational Rehabilitation Services leading to community employment for individuals with disabilities may apply for these funds. Eligible applicants must meet the definition of a community rehabilitation program as defined in the Rehabilitation Act (P.L. 93-112 as amended by P.L. 102-569) and be organized as a non-profit. Applicants must also have a current operating agreement with DES/RS or be certified by DES/RS as a limited-use vendor eligible to apply for the variance under DES/RS vendor standards.

Applications must evidence coordination and collaboration with the local adult mental health pilot project planning initiative. Planning for this grant should include stakeholders from the mental health pilot planning group including the county or counties, consumers of mental health services, local Community Support Services, Regional Treatment Center, and local RS office. Applications involving multiple counties or with a regional focus are encouraged.

A total of \$258,000 annually is available through the federal establishment grant authority for a maximum of 51 months. A 21.3% cash match is required to receive grant funds. Federal funds may not be used for the cash match. Examples of cash match could include: MH pilot project funding, foundation funding, integrated MH funds, Rule 78 funds, CSSA or county funding or any other non-federal funding source.

Grants will be awarded on a calendar year basis starting January 1, 1997 for 12 months. Renewal of projects for continuation funding will be based on performance of the grantee in meeting grant objectives and the availability of funds. Since these projects are being funded under the Federal VR establishment grant authority, they are time-limited to a maximum of four years of on-going funding. Therefore, applicants must document plans for long term funding and continuation of the project once grant funding ends.

It is anticipated that 4-5 projects will be funded statewide. Priority for these grants will be given to regions or counties that incorporate this employment grant into the pilot project initiative, have consumer involvement in the design, and have a primary focus of individualized, community integrated placement in jobs with competitive pay.

Applicants are encouraged to examine creative ways to demonstrate new service models and systems change. Possible options include: converting a day treatment program to a supported employment model, reallocating county-paid Employment slots in work activity or sheltered employment to supported employment, incorporating an employment focus into an assertive community treatment team model (e.g. as a part of the Adult MH service system redesign in the pilots), convert existing "pre-vocational" programs to placement and support in the community, implement or strengthen employment services in clubhouse or drop-in programs, utilize RTC resources (staff) as an integrated part of the program services (follow-along support or job coaching, placement, etc.).

Applications in the form of a Request for proposals are available from: Claire Courtney, M.S., CRC, Rehabilitation Specialist, Department of Economic Security, Rehabilitation Services, 390 North Robert Street, St. Paul, Minnesota 55101, (612) 296-0219 (voice) (612) 296-3900 (TTY). Completed applications are due no later than 12:00 on Friday, November 8, 1996.

Department of Economic Security

Office of Economic Opportunity

Notice of Request for Proposal for Purchase, Construction, or Rehabilitation of Facilities for: Head Start or Other Early Childhood Learning Programs, Child Protection Programs, and Homeless Youth Programs

The Office of Economic Opportunity in the Department of Economic Security announces the availability of a Request for Proposals (RFP) for a total of \$3,500,000 in funds authorized by the 1996 Minnesota Legislature to purchase, construct, or rehabilitate facilities for Head Start and other early childhood learning programs; crisis nurseries; child visitation centers; and drop-in centers, recreational centers and other facilities to serve homeless and at-risk youth (*Minnesota Laws*, Chapter 463, Sec. 21).

Grants for facilities for Head Start, early childhood learning programs, crisis nurseries, or child visitation centers shall not be for more than \$200,000. Grants for facilities for homeless youth shall not be for more than \$250,000. The sources and corresponding amounts of all funds needed to complete the project must be listed in the application for the grant. At least 25% of monies in each grant must be used for related youth employment and training activities which must be documented in the grant proposal.

Special consideration will be given to proposals that demonstrate interagency collaboration, particularly in the form of family resource centers. Priority will be given to programs in counties or municipalities with the highest concentration of children living in poverty. Geographic distribution throughout the state will be a factor in selection.

All such facilities must be owned by, and construction contracts let by, a state agency or political subdivision (e.g., city or school district). Proposals may be written in collaboration with non-profit programs which may then lease space. All construction contracts must comply with uniform municipal contracting law and appropriate Minnesota statutes.

The Request for Proposal and further information regarding the process may be obtained by contacting:

Elizabeth Roe — (612) 297-7850
Minnesota Department of Economic Security
Office of Economic Opportunity
390 North Robert Street
St. Paul, Minnesota 55101

All grant applications must be postmarked by Friday, November 1, 1996.

Minnesota Technology

Notice of Pilot Program Funds Available Through the Minnesota Technology, Inc.'s Technology Partnership Fund

Minnesota Technology, Inc., announces a new pilot program called the Technology Partnership Fund. The primary objective of this program is to stimulate relationships between academia and the private sector for the research and development of technologies leading to the commercialization of new or improved products. Awards will be made in December, 1996 to small and mid-sized companies which have arranged joint research projects with individuals representing the University of Minnesota or another post-secondary institution within Minnesota. Awards will range from \$20,000 to \$100,000 per proposal. To apply to the Technology Partnership Fund, please follow the Proposal Guidelines outlined below and submit the cover page to Minnesota Technology, Inc. prior to October 1, 1996. Complete proposals must be submitted no later than November 1, 1996.

If you have any questions or would like additional information regarding the Technology Partnership Fund, please contact either Kim Hoop or Kindra Halvorson at (612) 338-7722 or (800) 325-3073.

Request for Proposals for Technology Partnership Fund 1996 Pilot Program

Overview

This pilot program of the Technology Partnership Fund has been established by Minnesota Technology Inc. A nonprofit corporation established to assist Minnesota companies in becoming more competitive, Minnesota Technology, Inc., is part of the state's strategy to strengthen its economy.

State Grants

The primary purpose of the Technology Partnership Fund is to stimulate relationships between academia and the private sector for research and development of technologies leading to the commercialization of new or improved products. Up to \$500,000 in funding is available for projects which will achieve one or more of the following:

- Increase university-industry relationships within the state of Minnesota
- Grow Minnesota's economy through the application and/or development of university resources and technologies
- Retain technology-oriented talent pool within the state of Minnesota

Awards will be made to small and mid-sized businesses which have arranged joint research projects with individuals representing the University of Minnesota or another post-secondary institution within Minnesota. Awards can range from \$20,000 to \$100,000. Matching funds from the company are required.

To apply to the Technology Partnership Fund, follow the Proposal Guidelines outlined below and submit the cover sheet on page 9 to Minnesota Technology, Inc. prior to October 1, 1996. **Complete proposals must be submitted no later than November 1, 1996.** Successful proposals will be announced December 20, 1996, and may be funded for up to one year from receipt of award.

Eligible Activities

The Technology Partnership Fund (TPF) is open to all areas of technological innovation for the following types of projects:

- Applied research leading to the near-term commercialization of new or improved products or processes by Minnesota companies.
- Transfer of a new process or product technology from the University or another academic institution to Minnesota companies.

Basic research is not an eligible activity, nor is the transfer of technologies already in common use. Project funds may be used for salaries, wages, stipends, consultants, student salary and fringe benefits, and all other activities directly associated with and necessary for the successful completion of the project. Funds may not be used to pay university overhead, to purchase equipment or for construction.

Eligible Applicants

Applicants must be for-profit companies with a maximum of 250 employees, and must submit the proposal jointly with a faculty member at any University of Minnesota campus, or any other Minnesota academic institution.

When necessary and possible, Minnesota Technology, Inc. will assist companies and faculty members in finding appropriate academic or industry partners.

The work of a project may be carried out at a company site, or at university facilities.

Evaluation and Selection Criteria

Proposals will be evaluated on a competitive basis by peer reviewers with expertise related to each particular project. The following factors will be used to evaluate and select proposals:

- Strength of proposed commercialization plan
- Potential for near-term commercialization of product/process, size of potential market and competitive advantage
- Technical feasibility and design of research plan
- Strength of management team
- Potential for significant company growth and job creation within Minnesota
- Contribution to strengthened relationships between industry and academia
- Utilization of academic resources and students
- Level of matching support

Terms of the Awards

Funding Arrangements

All awards will be made directly to companies. Faculty and university expenses will be paid to the institution by the company. The level of private sector matching support is a necessary criteria in the selection of projects. A minimum of a 1:1 cash match is required. In-kind contributions are also welcome. An authorized letter of intent to contribute cash or in-kind contributions from each committed matching funds contributor must be submitted with the proposal.

Royalty or Payback

Awards will be accompanied by payback agreements based on the outcome of the project. The payback requirement will be at least 25% of the award amount, but will not exceed 150% of the total award.

Rights to Technology

Technology developed prior to the start of a Technology Partnership Fund project will continue to be owned by the party that developed the technology. In those cases where intellectual property ownership is an issue, agreements will be negotiated between the company and academic institution prior to distribution of an award from the Technology Partnership Fund.

Proposal Guidelines and Application Procedures

Submit the cover sheet on page 9 to Minnesota Technology, Inc. no later than **October 1, 1996**. Please ensure that the release and indemnification form, provided on the back of the cover sheet, is completed and signed. To ensure that your proposal is accurately reviewed, also categorize the project utilizing the classification system on the back of the cover sheet.

Complete proposals must be submitted by **November 1, 1996**, and should include:

- Copy of the cover sheet
- Completed Release and Indemnification form
- Executive summary
- Project Development Plan
- Budget
- Letter(s) of matching fund commitment

Executive Summary (maximum 2 pages)

The Executive Summary is basically a two page summary of the Project Development Plan. It should include adequate information for each of the following six topics. These topics should become immediately apparent to a reviewer upon reading the Executive Summary. It is acceptable and efficient to copy text from your Project Development Plan into the Executive Summary.

Executive Summary Topics:

1. Description of the project
2. Summary of technical development plan
3. Market need
4. Commercialization plan
5. Project team and operations
6. Project outcome

Project Development Plan

The Project Development Plan is the most complete and detailed explanation of the project. Please be as concise and complete as possible. The Project Development Plan must include the following sections in the order below:

Background and History (max 1 page)

Give a brief history of work leading up to this project and describe the potential for company growth and job creation.

Partnership Plan (max 1 page)

Detail the scope of the partnership between the company and university faculty member(s). Please identify the role of each partner, and any other joint efforts undertaken in the past, if any. Also state how your relationship will assist in the retention of a technology-oriented talent pool within Minnesota.

Technology Description (max. 2 pages)

Provide a summary of the technology you propose to develop. Include in the description of your technology 1) what problem your product or process solves and/or what is the opportunity it addresses; 2) what makes your product or process better so that customers will buy from you rather than your competitors; and 3) an estimate of the benefits to the customer based upon your calculations or experience.

Technical Development Plan (max 5 pages)*Stage of R&D*

Identify the stage of research or development into which your project could be currently classified.

Technical Background

Include a review of previous technical work leading up to the proposed project and work currently being carried out. Discuss the efforts you are taking to protect the intellectual property underlying this technology. **If the technology you propose received a patent(s), please include a copy of the patent as an appendix to the proposal.**

State Grants

Research Plan

Define precisely your plan for developing the technology and how it will be incorporated into a commercial product or process. Include a brief description of what you are proposing to do, how you will accomplish the scope of the work; and include any future work if the project will continue beyond one year.

Commercialization Plan (max 3 pages)

This section discusses the potential for near-term commercialization of your new product or process, the environment in which you intend to compete and the methods and tools you will use to establish a position in that environment. Your response to this section should address all of the factors associated with understanding your customers and markets, developing strategies to enter the markets, and forecasts of your product's or process' performance in the market.

Market Potential

Identify the potential for near-term commercialization of the product/process. Include a marketing plan describing the size of the potential market, the competitive advantage of your product/process against your competitors, benefits to customers and end-users, the estimated selling price per unit, the estimated direct costs per unit, estimated gross profit margins, the methods you will be using to promote your product, and distribution plans.

Financing Plan

Identify additional investments which will be necessary to carry this product/process to commercialization. Describe your plans for financing those investments.

Manufacturing and Operations (max 1 page)

Highlight your current manufacturing and production operations (if any). Discuss what impact the products or process proposed will have on your existing operations.

Management and Key Personnel (max 4 pages, including brief resumes)

The competency of Management, and the project's key personnel plays a crucial role in the success of the project/process. Please summarize the composition, characteristics and capabilities of the project personnel.

Project Budget

An assessment of a company's ability to meet the requirement to match funds on a 1:1 minimum cash basis, and additionally to contribute in-kind goods and services, evaluated in that order of preference, will be determined based on the submission of a budget. Sales or commitments to buy goods and services will not be counted as matching funds. Any expenditures of qualifying matching funds must begin after the proposal is approved, thus any previous investment in research and development is not acceptable as matching funds.

When preparing the project budget use standard categories such as personnel, supplies, contractual services, overhead, etc., itemizing expenditures in as much detail as possible. Use the following format in presenting the budget:

| Expenses | | Income | | |
|-------------|--------|-----------|------------|---------|
| Items | Amount | MTI Funds | Cash Match | In-Kind |
| Salaries | | | | |
| Title | | | | |
| Title | | | | |
| Supplies | | | | |
| Line Item | | | | |
| Line Item | | | | |
| Rent | | | | |
| Consultants | | | | |
| Etc. | | | | |

Proposed expenses should be limited to the expenses of the actual project.

Equipment expenses may be included only to the extent of depreciation assigned to the usage over the course of the award period or actual rental amount to be paid to a third party supplier. A portion of the company's overhead may be assigned to the project, however, funds may not be used to pay university overhead. Application, publication and patenting costs are not to be considered project expenses.

Letter(s) of Matching Fund Commitment

Matching funds cannot be counted unless appropriate documentation is submitted to Minnesota Technology, Inc. Authorized letters of matching fund commitment from each contributor must be received before the proposal will be considered.

Evaluation and Funding Criteria

Applications will be evaluated by merit reviewers selected by MTI. Reviewers will include industry representatives who will be able to assess the commercialization potential and marketability of the proposed technology. Applicants may specify organizations that should not be involved in reviewing the proposal for proprietary reasons. Reviewers' names shall remain anonymous. By law, any director, employee, or officer of Minnesota Technology, Inc. may not participate in a decision of the board relating to an organization in which that individual has a direct or indirect financial interest.

Final recommendations on funding will be made by the Technology Partnership Fund Advisory Panel. Selections will be based on project review recommendations, an on-site company visit by MTI staff and the Panel's own review of proposals. MTI's decisions are final and it reserves the right to turn down any and all proposals. Proposals not meeting TPF application requirements may be returned to the applicant without initial merit review. It may not be possible to fund all meritorious proposals or to fund them at the levels requested. In this event, preference may be given to applicants which do not have ready access to sufficient other sources of funding. If the merit reviewers or Advisory Panel recommends a smaller award than requested, MTI's staff will confer with the applicant to determine if reduced funding would alter the project's feasibility.

Administration and Monitoring

A successful applicant is expected to adhere to all the conditions outlined in these guidelines, including submission of required reports, or the recipient could risk funding penalties or discontinuation of the award.

To protect its investment, MTI will sign a contract with each recipient company to cover such items as schedules for submission of reports, audits and repayments. MTI may request an audit of the company to verify accounting of project expenditures and total sales of products developed under this program.

Confidentiality

The Minnesota Statutes stipulate that information provided to or gathered by MTI related to these award programs can be treated as private data with regard to individuals under *Minnesota Statutes* Section 13.02, subdivision 12, or as non-public data with regard to data not on individuals under Section 13.02, subdivision 9.

Information provided to or gathered by Minnesota Technology in relation to the Technology Partnership Fund will be treated as private data. The dissemination of such information will be limited to Minnesota Technology, Inc. staff, advisory panel members and proposal reviewers. However, Minnesota Technology, Inc., its staff and the advisory panel members will not sign non-disclosure agreements and cannot guarantee the confidentiality of any material submitted under the terms of this program. We therefore discourage the inclusion of proprietary information in proposals unless such information is necessary for evaluation of the proposed activities. Merit reviewers will be required to sign confidentiality agreements before they receive proposal materials.

Once a project is funded, to the extent permitted by law, MTI will not make public any information disclosing an invention funded under the program until a patent is secured or for two years after the completion of the project, whichever comes first. Again, MTI does not assume any liability for inadvertent disclosure.

The partners may copyright and publish material developed under the TPF program. At the request of MTI, the partners will provide copies of any articles, pamphlets, books or other publications or materials that result from the project. Acknowledgment of MTI's support must appear on all such publications and materials.

Reporting Requirements

Fund partnerships are required to submit the following reports on the progress of their projects:

Interim and Financial Reports

Quarterly progress reports are required of all TPF recipients. These reports will be brief (one to two pages), summarizing project accomplishments and expenditures to date.

Special Milestone Report

If substantial progress on a research project occurs earlier than anticipated, a special milestone report must be filed noting the accomplishment. On the basis of such a report, the use of the remaining funds for additional research may be negotiated.

Final Report

A comprehensive final report is required of all recipients. The final report must include a single page project summary describing the purpose of the research, the research carried out, any findings obtained, and the potential applications of the research. The balance of the report must describe in detail the research objectives, the work accomplished, the results of the project, the total expenditures of the project and the company's plan for further developing or commercializing the results of the research.

State Grants

**MINNESOTA TECHNOLOGY, INC.
TECHNOLOGY PARTNERSHIP FUND
COVER SHEET**

Company Name: _____

Date of Incorporation or Start-Up: _____

Primary Contact Person: _____ Title: _____

Address: _____
(City, State, Zip)

Phone: _____ Fax Number: _____

Name of Academic Institution: _____

Primary Contact Person: _____ Title: _____

Address: _____
(City, State, Zip)

Phone: _____ Fax Number: _____

Project Title: _____

Briefly describe the product or process to be commercialized, including target industry(ies) and anticipated time to commercialization:

Briefly describe the level of university contribution to the development of the product or process:

Is a prior agreement of ownership already in place for the technology to be developed through this program?

Total Amount of Funds Requested _____
(not to exceed \$100,000.00 per proposal)

By affixing their signature to this application, the applicants certify that they have read and understand the guidelines governing the award of these grants and agree to all conditions set forth therein and that all information contained in this application package is true to the best of each applicants knowledge, information and belief. Minnesota Technology, Inc., reserves the right to modify or terminate any subsequent agreements with applicants if at a future date Minnesota Technology, Inc. becomes aware of misrepresentation(s) contained in this application.

| | |
|------------------------------|-----------------------------|
| Company: | Academic Institution: |
| Name: (Type or Print): _____ | Name (Type or Print): _____ |
| Signature: _____ | Signature: _____ |
| Date: _____ | Date: _____ |
| Title: _____ | Title: _____ |

INFORMATION ON THIS PAGE MAY BE MADE PUBLIC

Release and Indemnification

The undersigned, in order to induce Minnesota Technology, Inc., to consider its request for funding of the project submitted by the undersigned to Minnesota Technology, Inc., hereby releases and discharges Minnesota Technology, its directors, officers, employees and agents, and any third person with whom Minnesota Technology may consult, from any and all liability for any use, misappropriation or disclosure to third parties of any information, including confidential information and trade secrets, furnished to Minnesota Technology, its directors, officers, employees or agents, or such third parties by or on behalf of the undersigned.

The undersigned further agrees to indemnify and hold harmless Minnesota Technology, Inc., its directors, officers, employees or agents, and any third persons with whom Minnesota Technology, Inc., might consult, against any claims, damages, cost and expenses arising out of disclosure of information furnished to Minnesota Technology, Inc., its directors, officers, employees or agent or such third parties by or on behalf of the undersigned including, but not limited to, any purported misuse, misappropriation or improper disclosure of confidential information or trade secrets; provided, however, that the undersigned shall have no duty to indemnify an employee or consultant of Minnesota Technology, Inc., with respect to any claim by Minnesota Technology against such employee or consultant.

Dated this ____ day of _____, 199__.

Applicants:

(Company)

(Institution)

Company: _____

Employment Title: _____

Institution: _____

Employment Title: _____

CLASSIFICATION

Which of the following best describes your product technology and/or process? Please check only one.

- 1. () Agricultural Engineering
- 2. () Chemicals/Chemical Products
- 3. () Electronic Components/Controls
- 4. () Environmental Technologies
- 5. () Industrial Machinery/Equipment
- 6. () Instruments & Measurement
- 7. () Medical Technology
- 8. () Optical Engineering
- 9. () Plant Automation Initiatives
- 10. () Recreational Equipment
- 11. () Biotechnology R&D
- 12. () Communications/Telecommunications
- 13. () Energy and Power Production
- 14. () Food Technology
- 15. () Information Technology
- 16. () Materials
- 17. () Metallurgical Products
- 18. () Pharmaceutical Formulation
- 19. () Pulp Processing & Papermaking Paper Mills
- 20. () Technology Service Providers
- 21. () Transportation

Due Date for Cover Sheet: Tuesday, October 1, 1996

Due Date for Proposals: Friday, November 1, 1996

All proposals are due in the Twin Cities office of Minnesota Technology, Inc. by 4:00 p.m.

Minnesota Technology, Inc.
400 Mill Place
111 Third Avenue South
Minneapolis, MN 55401

For further information, please call Kim Hoop or Kindra Halvorson at Minnesota Technology, Inc. at (612) 338-7722 or 1-800-697-1511.

Professional, Technical & Consulting Contracts

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

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

Department of Economic Security

Workforce Preparation Branch

Notice of Request for Proposals for Evaluation of Minnesota's Dislocated Worker Program

The Minnesota Department of Economic Security, Workforce Preparation Branch, is seeking interested parties to conduct a comprehensive evaluation of the Dislocated Worker Program. The evaluation is to include all activity funded under Job Training Partnership Act, Title III Economic Dislocation and Worker Adjustment Assistance, Public Law 102-367 and the *Laws of Minnesota, 1993*, Chapter 369 (except Section 268.978, "Pilot Projects").

The award of this contract is expected to be from October 1, 1996 through January 31, 1997. In order to be considered, response to this Request for Proposals must be received by the Workforce Preparation Branch no later than 2:00 p.m., September 9, 1996.

Interested parties wishing to obtain the full Request for Proposals package are to contact:

John M. Harvanko
Workforce Preparation Branch
Minnesota Department of Economic Security
390 North Robert Street
Saint Paul, MN 55101
(612) 297-3416

Minnesota House of Representatives

Request for Bids for Installation of Electrical and Category 5 Connections in the House Chamber

The Minnesota House of Representatives is seeking bids for installation of 129 floor electrical outlets and 134 Category 5 (10BaseT) computer jacks in the House Chamber utilizing existing underfloor raceways. No work will commence until September 3, 1996 and the project must be completed no later than September 30, 1996.

The deadline for receipt of proposals is 4:30 p.m. August 26, 1996. Copies of the Request for Bid are available from:

Minnesota House of Representatives
Room 35A State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1298
(612) 297-7502
Attention: Laurie Lashbrook

Department of Public Service

Notice of Request for Proposals for Instructors to Provide Training on Energy Efficient Design and Construction of Buildings

The Department of Public Service is seeking proposals from qualified firms and individuals to provide training on energy efficient design and construction of buildings to stakeholders in Minnesota, North Dakota, and South Dakota. The estimated total budget for this project is \$66,000. Deadline for receipt of proposals is 1:00 p.m., Monday, September 16, 1996.

The contract is anticipated to extend from October, 1996 until June 30, 1997. Details concerning submission requirements are included in the Request for Proposals. A copy of the Request for Proposals is available by contacting Bruce Nelson, Department of Public Service, 121 7th Place E, Suite 200, St. Paul MN 55101, telephone (612) 297-2313, FAX (612) 297-1959, or email bruce.nelson@dpsv.state.mn.us.

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.

Anoka-Hennepin Independent School District #11

Notice of Request for Proposals for Self-Insured Administrative and Managed Care Services Workers' Compensation Program

This fax communication is to announce a forthcoming request for proposal (RFP) process for Self-Insured Administrative and Managed Care Services Workers' Compensation Program in the Anoka-Hennepin ISD #11. The District seeks competitive proposals for third party administrative services for its Self-Insured Workers' Compensation programs including certain managed care services.

If you are interested in receiving the RFP to issue proposals for the Self-Insured Administrative and Managed Care Services Workers' Compensation Program, contact Nancy Reddy by FAX (612-506-1333), no later than 4 p.m. Thursday, August 15th, 1996 to request that the RFP document be sent to you. Please be sure to provide your Fed X number and phone number and name of the person who should receive the RFP document.

| Activity or Point of Action | Date |
|--|---------------------|
| RFP release date to Proposers | August 8 1996 |
| Deadline for questions | August 15 (10 a.m.) |
| RFP addendum issued | August 16, 1996 |
| Deadline for submission of proposals | August 23 (10 a.m.) |
| Finalist interviews | August 29-30 |
| Recommendation of Vendor to School Board | September 24, 1996 |

Minnesota Historical Society

Notice of Historic Preservation Grant Application Deadlines

The Minnesota Historical Society announces a fall grants cycle for two state grants programs to assist historic preservation projects.

State Bond-Funded County and Local Preservation Project Grants:

In the 1996 Session, the Minnesota Legislature approved a total of \$750,000 in the bonding bill for a state bond-funded grants program for historic preservation projects. The primary recipients are county and local jurisdictions eligible to state bond funds or projects sponsored by an eligible governmental unit. To be funded, projects must serve a public purpose and the property must be in public ownership. Grant recipients must match state funds on at least an equal basis. Up to \$350,000 will be awarded during the fall cycle.

State Grants-in-Aid:

A total of \$48,000 in Fiscal Year 1997 operating funds was allocated by the Minnesota Legislature for the Minnesota Historical Society's Grants-in-Aid program. This program has been supporting projects conducted by local and county organizations that interpret and preserve Minnesota's history since 1969. The primary recipients are regional, county, and local nonprofit organizations whose primary purpose is historic preservation and/or interpretation.

Informational meetings are scheduled at two regional locations: August 27 at the Itasca County Historical Society, 10 - 5th Street N.W., Grand Rapids; and August 29 at the Blue Earth County Historical Society, 415 Cherry Street, Mankato. The meetings will begin at 3:30 p.m.

Deadlines for the fall grants cycle are:

- September 20, 1996: Pre-application due.
 - October 11, 1996: Application due.
 - November 7, 1996: Grants Review Committee meets.
- Projects may begin in March, 1997.

To request grant information materials and application forms or for more information, call (612) 296-5451 or write to the Grants Office, Minnesota Historical Society, 345 West Kellogg Blvd., Saint Paul, Minnesota 55102-1906.

Non-State Public Bids, Contracts & Grants

Metropolitan Council Environmental Services (MCES)

Public Notice for Letters of Interest for Professional Design Services or Design/Build Services Empire WWTP Expansion - MCES Project No. 940100

The MCES is soliciting qualifications from parties interested in providing professional design or design/build services for the Empire Wastewater Treatment Plant Expansion project.

The project will be a modular 3 million gallons per day (mgd) expansion to the advanced secondary treatment plant facilities.

The project Facility Plan is being completed. The plant expansion schedule is to have some facilities operational as early as 1997 and to be fully completed in 1999. A tentative schedule for consultant selection is:

| | |
|------------------------------------|----------------|
| Receive Letters Of Interest | August 1996 |
| Issue Request For Qualifications | September 1996 |
| Receive Statement Of Qualification | September 1996 |
| Shortlist Consultants | September 1996 |
| Issue Request For Proposals | October 1996 |
| Informational meeting | October 1996 |
| Receive Proposals | November, 1996 |
| Evaluate and Rank Proposals | December, 1996 |
| Metropolitan Council authorization | January, 1997 |
| Contract Negotiated, executed, NTP | January, 1997 |

All firms interested in being considered for this project and wishing to receive a Request For Qualifications (RFQ) package are invited to submit a Letter Of Interest (LOI) to:

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

Your letter of interest should indicate the alternative(s) (design services or design/build services) that you are interested in. All inquiries regarding the LOI and the RFQ are to be addressed to Rick Biddle at (612) 229-5012.

Minnesota Workers' Compensation Assigned Risk Plan

Notice of Request for Proposals ("RFP") for General Administrative and Managed Care Services to be Provided to the Minnesota Workers' Compensation Assigned Risk Plan ("Plan")

The Plan is seeking joint proposals, submitted by two partnered entities, to provide general administrative and managed care services. Only proposals which provide both general administrative and managed care services will be accepted. An entity may participate in more than one proposal. General administrative services include but are not limited to: policy issuance and premium collection services; premium audit services; and loss control services. Managed care services include but are not limited to: medical management and disability management. Claims administration services, which have historically been provided to the Plan by the general administrative services vendors, may be provided by either vendor or a combination of both.

An entity proposing to provide general administrative services must either be an insurance company licensed pursuant to *Minnesota Statutes* Sect. 60A.06 subd. 1, clause (5), paragraph (b), or a self-insurance administrator licensed pursuant to *Minnesota Statutes* Sect. 176.81, subd. 2, clause (2), paragraph (a). An entity proposing to provide managed care services must, at a minimum, have an application for certification pending at the Minnesota Department of Labor and Industry.

Minnesota Statutes Sect. 79.251, subd. 1, clause (6) specifies that the Plan is not a state agency. Accordingly, the RFP process is not governed by the contracting procedures applicable to state agencies set forth in *Minnesota Statutes* and Rules. Any entity which responds to this RFP must expressly acknowledge in its proposal its understanding that the contracting procedure requirements which apply to state agencies do not apply to the Plan.

Interested parties may obtain the RFP by written request to Mark R. Sheehan, Plan Administrator, Minnesota Workers' Compensation Assigned Risk Plan, 4500 Park Glen Road, Suite 410, Minneapolis, MN 55416. Written requests will be accepted by fax at (612) 922-5423. Interested parties may request the RFP be available for pick up at the Plan Administrator's Office; otherwise the RFP will be sent by regular first class mail. A conference for parties interested in responding to the RFP will be held August 23, 1996 from 9:00-11:00 a.m. at the Department of Commerce. Response to the RFP will be due at 4:00 p.m., October 7, 1996.



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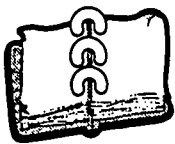
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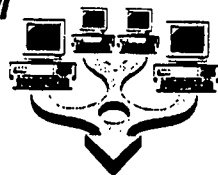
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