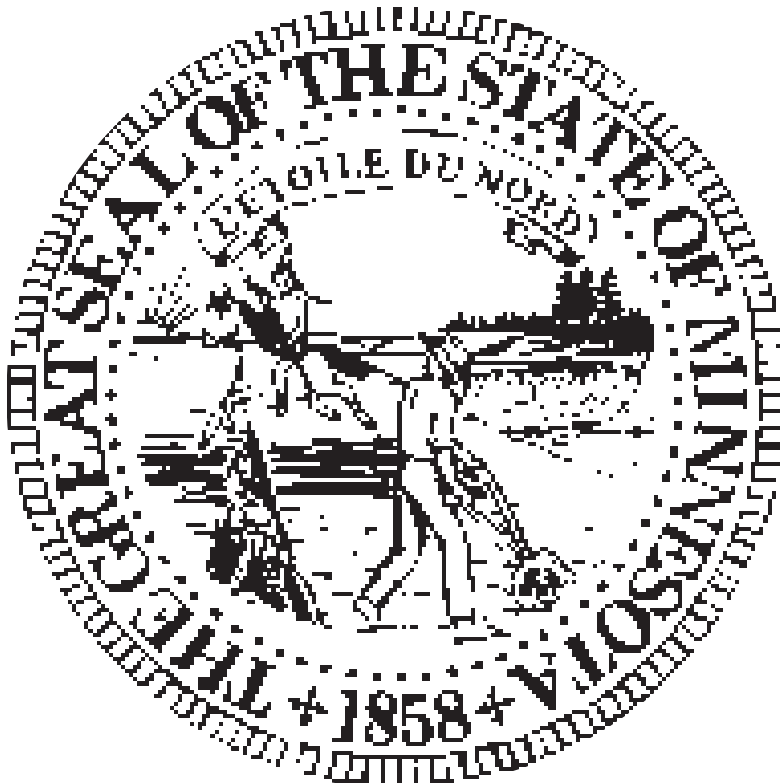


The Minnesota

State Register

Rules and Official Notices Edition



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State Register

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

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

Printing Schedule and Submission Deadlines

Vol. 22 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 48	Monday 1 June	Noon Wednesday 20 May	Noon Tuesday 26 May
# 49	Monday 8 June	Noon Wednesday 27 May	Noon Tuesday 2 June
# 50	Monday 15 June	Noon Wednesday 3 June	Noon Tuesday 9 June
# 51	Monday 22 June	Noon Wednesday 10 June	Noon Tuesday 16 June

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Joanne E. Benson, Lt. Governor 612/296-3391	Judi Dutcher, State Auditor 612/297-3670	Michael A. McGrath, State Treasurer 612/296-7091
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An "Affidavit of Publication" can be obtained at a cost of \$10.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

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- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- *Contracts Supplement* (published every Tuesday, Wednesday, Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
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FOR LEGISLATIVE NEWS

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

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

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

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Minnesota Rules: Amendments and Additions

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

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

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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(issues #1-39 cumulative appeared in issue #39)

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Board of Dietetics and Nutrition Practice

Proposed Permanent Rules Relating to License Renewal Fees

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendment to Rules Governing License Renewal Fee, *Minnesota Rules*, 3250.0050, Subp. 3.

Introduction. The Board of Dietetics and Nutrition Practice intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Laurie Mickelson, Executive Director at Board of Dietetics and Nutrition Practice, 2829 University Avenue SE, Suite 555, Minneapolis, MN 55414, (612) 617-2175. TTY users may call the Board of Dietetics and Nutrition Practice at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about the license renewal fee. The statutory authority to adopt the rules is *Minnesota Statutes*, 148.624, Subd. 4, 148.623 (1) and 214.06, Subd. 1, 2. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Monday, July 6, 1998, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Monday, July 6, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

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

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

Dated: 19 May 1998

Laurie Mickelson
Executive Director

3250.0050 FEE SCHEDULE.

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

Subp. 3. **License renewal fee.** Annual renewal fees are due by November 30 of each year. Renewal requests postmarked after November 30 shall be assessed a late penalty fee. The fees are as follows:

- A. annual renewal, ~~\$125~~ \$100; and
- B. late renewal penalty, \$50.

Board of Optometry

Proposed Permanent Rules Relating to Continuing Education and Obsolete Technical Provisions

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendment to Rules Governing Continuing Education, *Minnesota Rules*, 6500.0100, 6500.0150, 6500.0900, 6500.1000, 6500.1100, 6500.1200, 6500.1300, 6500.1400, 6500.1500, 6500.1600.

Introduction. The Board of Optometry intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Laurie Mickelson, Executive Director at Board of Optometry, 2829 University Avenue SE, Suite 550, Minneapolis, MN 55414, (612) 617-2173. TTY users may call the Board of Optometry at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about continuing education. The statutory authority to adopt the rules is *Minnesota Statutes*, section 214.12, subdivision 1 and 148.53. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Monday, July 6, 1998, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Monday, July 6, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

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

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

Dated: 19 May 1998

Laurie Mickelson
Executive Director

6500.0100 DEFINITIONS.

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

Subp. 2a. **Board-recognized reviewer.** “Board-recognized reviewer” means an organization, approved by the board, that has and maintains current knowledge of the optometric profession to determine whether the program content meets the criteria in part 6500.1200.

[For text of subs 3 and 4, see M.R.]

Subp. 4a. **Contact hour.** “Contact hour” means an instructional session or clinical round, or both, of at least 50 consecutive minutes, excluding coffee breaks, registration, meals without a speaker, and social activities. The minimum credit which may be approved for any continuing education credit course is one hour. Further increments must be in 30-minute minimums.

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

Subp. 6. **Home study.** “Home study” means the utilization of educational programs and materials outside the classroom setting, the preparation and presentation of a lecture, and preparation and publication of optometry-related subjects.

6500.0150 CONTINUING EDUCATION HOME STUDY AND OTHER PROGRAMS.

Subpart 1. **Home study and contact hours.** Licensees may acquire ~~nine~~ 15 hours of continuing education credits through home study in each ~~three-year~~ two-year compliance period. Licensees may utilize self-instruction components presented in vision care periodicals, the Internet, audio and audiovisual taped programs, and other program materials specifically designed for self-instruction. All programs must include a self-test. One continuing education credit may be earned for each hour of self-instruction activity. Continuing education credits may include both instructional and testing activities. Licensees may also earn continuing education credits through contact hour equivalents. One contact hour is equivalent to one continuing education credit. Contact hour equivalents include: the activities in items A to C.

~~A.~~ Licensees may utilize self instruction components presented in vision care periodicals, audio, and audiovisual taped programs, and other program materials specifically designed for self instruction. All programs must include a self test. One contact hour may be earned for each hour of self instruction activity. Contact hours may include both the instructional and testing activity.

~~B.~~ A. The presentation of a lecture before an audience of optometric or other health professionals will result in one contact hour for each hour of presentation. For one time only, the lecturer can also acquire two contact hours for preparation of the lecture for each hour of presentation. A syllabus or lecture manuscript shall be furnished to the board to document the presented program.

~~C.~~ B. Licensees may earn continuing education credits for the preparation of articles accepted for publication in optometric journals or other health-related journals and for the preparation of books accepted for publication. A maximum of three hours of continuing education credits will be granted for acceptance and publication of articles in optometric or health-related journals. A maximum of nine hours of continuing education credits will be granted for acceptance and publication of books on optometry-related subjects.

~~D.~~ Each hour spent in clinical rounds will be granted one contact hour equivalent C. Licensees may earn continuing education credits for participation in organized volunteer programs helping underserved people throughout the world by providing medical eye care and eyeglasses. A maximum of seven continuing education credits may be granted for each volunteer program.

Subp. 2. **Approval of other home study education programs.** Upon written request, the board may approve the use of ~~home study education~~ methods not listed in subpart 1, and may determine the number of earned contact hours. Board approval will be determined on the following criteria:

A. Whether or not the program is likely to contribute to the advancement and extension of professional skill and knowledge in the practice of optometry.

B. Whether the sponsor or author of the program is recognized by the board as being qualified to design a program ~~of home study~~ for education in the field of optometry.

C. As a condition of approval of a program of self-instruction, the board may require that the author, sponsor, or licensee furnish the board with copies of instructional materials and testing tools.

6500.0900 REQUIRED CONTINUING EDUCATION.

All optometrists ~~now or hereafter~~ licensed in this state are ~~and shall be~~ required, as a prerequisite to license renewal, to attend within a ~~three-year~~ two-year period courses totaling at least ~~45~~ 40 clock hours of study of educational optometric programs approved by the board under parts ~~6500.0900~~ 6500.1000 to 6500.1700. The first two-year period shall include the calendar years 2000 and 2001. On becoming ineligible for license renewal for failure to comply with continuing education requirements, an optometrist shall be suspended from further practice. The board shall reinstate any such suspended license upon receipt of satisfactory proof that the suspended licensee has made up the deficient hours of study.

6500.1000 STUDY COMPLIANCE PERIOD.

The optometric study compliance period must begin on January 1 and encompass ~~three~~ two calendar years, concluding on December 31 of the ~~third~~ second year. No credit for attendance shall be given unless the board determines that an educational program complied with the criteria in part 6500.1200.

6500.1100 CONTINUING EDUCATION PROGRAMS.

A program sponsor requesting approval by the board must submit a program, schedule, and course description to the board executive secretary not less than ~~45~~ 21 days prior to the date of the program. The board shall respond to all applications within a reasonable time. The board may, upon application ~~of any by a Minnesota licensee~~ and for good cause shown, waive the requirement for the submission of advance information and request for prior approval ~~of courses not previously denied.~~ Nothing ~~herein in this part~~ shall permit the board to approve of an educational program which has not complied with the criteria in part 6500.1200. Courses not eligible for credit shall be so identified by the program sponsor.

6500.1200 CRITERIA FOR JUDGING AND APPROVING ~~EDUCATIONAL PROGRAMS~~ CONTINUING EDUCATION.

Board approval of continuing education programs ~~will~~ shall be determined ~~on the following basis:~~ as described in items A to G.

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

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

Proposed Rules

D. Whether or not the tuition fee charged for courses conducted within the state of Minnesota is the same for nonmembers of the course sponsoring organization as it is for members. Any difference in tuition charged to nonmembers as opposed to members of the sponsoring organization shall be reasonably reasonable and directly related to the sponsoring organization's expense in operating the course continuing education.

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

G. Courses meeting approval criteria standards and receiving approval from a board-recognized reviewer of continuing education shall be accepted for credit by the board.

6500.1300 NOTICE OF ADDITION OR DELETION OF APPROVED PROGRAMS.

The board may, after due consideration ~~and by mailing, mail~~ written notice thereof stating the reason to each licensed optometrist ~~on or before January 1 of each year, either a continuing education sponsor, within 30 days of program presentation, to add to or delete programs from the list continuing education credit hours of previously approved programs for the ensuing study compliance year continuing education due to change in content or actual hours of presentation.~~

6500.1400 PROOF OF ATTENDANCE.

Certificates of attendance of continuing education courses shall be submitted by the optometrist to the board executive secretary at the time the optometrist applies for license renewal and shall contain the following information:

- A. the name of the sponsoring organization;
- B. the name, signature, and address of the licensee;
- C. the ~~subject of the educational topic~~ course title and instructor name;
- D. number of hours in attendance;
- E. the date of the educational program; and
- F. such other evidence of attendance as the board may deem necessary.

~~The use of the board certificate form is recommended for all educational programs approved by the board pursuant to part 6500.1200 herein. Such forms shall be made available by the board executive secretary upon request.~~

6500.1500 CREDIT HOURS.

The board reserves the right to determine the number of hours credit for any ~~course or program~~ continuing education under part 6500.1100.

Credit shall not be given for more than six hours' attendance ~~in courses of office management or administration of continuing education in practice management~~, or more than ~~nine~~ 15 hours of home study ~~courses continuing education~~, in the ~~three-year~~ two-year compliance period.

6500.1600 EXEMPTIONS FROM REQUIRED ATTENDANCE.

~~The following licensees shall be exempt from the requirements of this part:~~

~~A.~~ Any licensee serving in the regular armed forces of the United States during any part of the 12 months immediately preceding the annual license renewal date; ~~and is exempt from continuing education requirements.~~

~~B. those licensees as the board, in its discretion, determines were unable to attend sufficient hours of continuing education courses because of illness, incapacity, or other unavoidable circumstances.~~

Any licensee first licensed by examination or reciprocity in the first year of the compliance period is exempt from continuing education requirements for the ~~calendar year in which the license is issued that year~~, but is responsible ~~proportionately for the remainder~~ 20 hours of continuing education for the second year of the compliance period ~~as follows: one year, 15 hours; two years, 30 hours. Any licensee first licensed by examination or reciprocity in the second year of the compliance period is exempt from continuing education requirements for the entire compliance period.~~

6500.1700 REQUIREMENTS IN SPECIFIED SUBJECTS.

The board may, when compelled by advancement in scope of practice or emerging public health issues, and by mailing written notice thereof to each licensed optometrist on or before January 1 ~~of each year~~, require all optometrists to attend specified subjects of continuing education ~~for credit toward the annual hourly requirement.~~

Any specified subject credit hours shall be applied to the compliance period requirement.

RENUMBERER. *Minnesota Rules*, part 6500.0150, shall be renumbered as *Minnesota Rules*, part 6500.0950.

REPEALER. *Minnesota Rules*, part 6500.0200, is repealed.

Department of Public Safety

Proposed Permanent Rules Relating to Information on Drivers' Licenses, Permits, Identification Cards, and Vehicle Records

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

Proposed Amendments to and New Rules Governing Driver Licenses and Vehicle Records, *Minnesota Rules*, parts 7410.0100 to 7410.0500.

Introduction. The Department of Public Safety, Driver and Vehicle Services Division intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on July 1, 1998, that are not subsequently withdrawn, a public hearing will be held July 20, 1998 in the NCL Tower Training Room, Town Square Skyway Level, 445 Minnesota Street, St. Paul, MN 55101, starting at 9 a.m. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after July 1, 1998 and before July 20, 1998.

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

Jane A. Nelson
Department of Public Safety
Driver and Vehicle Services Division
445 Minnesota Street, Suite 196
St. Paul, Minnesota 55101-5196
(612) 296-2608 E-Mail: Jane.Nelson@state.mn.us
FAX (612) 296-3141

TTY users may call the Department of Public Safety at (612) 282-6555.

Subject of Rules and Statutory Authority. The proposed rules are about the information you must present when applying for a state driver's license, instruction permit, Minnesota identification card, motorized bicycle operator's permit, or to register a full name as an owner on a vehicle title. Amendments to existing rules are proposed to require two forms of identification be presented if the individual does not currently have a driver's license, identification card or permit that is expired one year or less. The rules also address what is required to change a name on the state-issued documents, and what must be presented for a duplicate document.

The statutory authority to adopt the rules is contained in *Minnesota Statutes*, section 299A.01, subdivision 6; section 14.06, and sections 168.10, 168.105, 168A.04, 168A.24, 171.02, 171.06, 171.061 and 171.07.

A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is also available on request from the agency contact person listed above.

Comment. You have until 4:30 p.m. on July 1, 1998, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comment you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comment, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on July 1, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the

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Proposed Rules

agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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

Modifications. The proposed rules may be modified. They may be modified as a result of public comment without a public hearing or as a result of the rule hearing process. Modifications must be supported by data and views submitted in comment to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for July 20, 1998, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person after July 1, 1998 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge is assigned to conduct the hearing. Judge Steve M. Mihalchick can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 349-2544, and FAX (612) 349-2665.

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

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

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

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

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

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

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

Dated: 18 May 1998

Donald E. Davis, Commissioner
Department of Public Safety

CHAPTER 7410
DEPARTMENT OF PUBLIC SAFETY
DRIVER AND VEHICLE SERVICES DIVISION
DRIVER LICENSES AND ~~MOTOR~~ VEHICLE RECORDS
INFORMATION ON LICENSES, PERMITS, IDENTIFICATION
CARDS, AND VEHICLE RECORDS

7410.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 7410.0100 to 7410.0600, the following terms have the meaning given them.

Subp. 1a. **Department.** “Department” means the Minnesota Department of Public Safety, Driver and Vehicle Services Division, and includes those persons appointed as deputy registrars and agents of the department.

Subp. 2. **Driver’s license and ~~motor~~ vehicle registration records.** “Driver’s license and ~~motor~~ vehicle registration records” includes all applications for:

- A. ~~all applications for~~ drivers’ licenses;
- B. instruction permits; ~~and;~~
- C. Minnesota identification cards;
- D. motorized bicycle operator permits; and
- ~~B. all applications for motor~~ E. vehicle certificates of title and vehicle registration.

Subp. 3. **Full name.** “Full name” means the:

A. for drivers’ licenses, permits, identification cards, and vehicle certificates of title and registration by an owner who is an individual, an individual’s first name, one or more middle name names if listed on the primary document, and surname. one or more last names as they appear on a primary document; and

B. for vehicle certificates of title and registration by an owner that is an entity or organization other than an individual, the full name of the sole proprietorship, unincorporated association, partnership, limited partnership, limited liability partnership, corporation, limited liability company, cooperative, business trust, or other private or governmental organization, which is that name attested to by the applicant and either:

(1) the name filed or registered with the Secretary of State; or

(2) if no filing or registration has been made or none is required with the Secretary of State, the name listed as the federal taxpayer identification name.

Subp. 4. **First name.** “First name” means the name given at birth that appears first in a person’s an individual’s full name or is the individual’s first given name.

Subp. 4a. **Identification card.** “Identification card” means the card issued by the department under Minnesota Statutes, section 171.07, subdivision 3, to provide identification. An identification card does not provide for any driving privileges.

Subp. 4b. **Last name.** “Last name” means the final name or surname on a primary document. When the final two names are connected with a hyphen, it is both names connected by the hyphen.

Subp. 5. **Middle name.** “Middle name” means:

- A. the name given at birth or names between a person’s an individual’s first name and surname last name; or
- B. pursuant to Minnesota Statutes, section 171.06, subdivision 3a, the applicant’s last name before marriage.

Subp. 6. [See repealer.]

Subp. 7. **Owner.** “Owner” has the meaning given in Minnesota Statutes:

- A. section 168.011, subdivision 5a, for purposes of vehicle registration, taxation, and sale; and

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Proposed Rules

B. section 168A.01, subdivision 13, for purposes of vehicle certificates of title.

Subp. 8. Permit. “Permit” means:

A. an instruction permit issued under *Minnesota Statutes*, section 171.05; or

B. a motorized bicycle permit issued under *Minnesota Statutes*, sections 171.02, subdivision 3, and 171.05, subdivision 3.

Subp. 9. Person. “Person” has the meaning given in *Minnesota Statutes*:

A. section 171.01, subdivision 5, with respect to vehicle registration; and

B. section 168A.01, subdivision 14, with respect to vehicle titles.

Subp. 10. Primary document. “Primary document” means a document listed in part 7410.0400, subpart 2, containing an individual’s full name and date of birth and verifiable with the issuing entity.

Subp. 11. Registration. “Registration” means the issuance of vehicle license plates and tabs according to *Minnesota Statutes*, chapter 168.

Subp. 12. Residence address and permanent mailing address. For purposes of drivers’ licenses, permits, and identification cards, “residence address” and “permanent mailing address” mean the postal address of the permanent domicile within this state where an individual:

A. resides;

B. intends to reside within 30 calendar days after the date of application; or

C. intends to return whenever absent.

Subp. 13. Secondary document. “Secondary document” means a document listed in part 7410.0400, subpart 3.

Subp. 14. Title. “Title” means the certificate of title issued by the Minnesota Department of Public Safety under *Minnesota Statutes*, chapter 168A.

Subp. 15. Vehicle. “Vehicle” has the meaning given in *Minnesota Statutes*, section 168A.01, subdivision 24.

7410.0200 PURPOSE AND SCOPE.

Subpart 1. **Purpose.** ~~The purpose of Parts 7410.0100 to 7410.0600 is to provide general standards for the administration of the laws;~~

A. ~~*Minnesota Statutes*, sections 171.02, 171.06, and 171.07, requiring that the full ~~names~~ name, date of birth, residence address, and permanent mailing address if different, a description of the licensee, and the applicant’s usual signature appear on driver licenses and motor~~ the driver’s license, identification card, or permit;

B. ~~*Minnesota Statutes*, chapters 168 and 168A, requiring the full name of owners on vehicle registration and title records; and to provide standards for~~

C. subsequent name changes on these documents.

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

7410.0300 NAME, NAME COMBINATION, LENGTH.

Subpart 1. **Full name required.** ~~Except as otherwise provided in this part, the full name is required on driver drivers’ licenses, identification cards, permits, and motor vehicle title and registration records. It is comprised of the first name, one or more middle names, and one or more surnames.~~

Subp. 2. **Length of full name.** ~~The space provided for recording a full name may not exceed 28~~ 32 characters and spaces.

A. ~~If the full name exceeds 28~~ 32 characters and spaces ~~on a new application, it will be abbreviated~~ truncated by the department of Public Safety in a manner that will permit proper record storage and printing on the ~~record~~ license.

B. If the full name of an individual must be shortened, each middle name will be truncated beginning with the last character of the middle name and proceeding, as necessary, through the second letter of the middle name. Each middle initial must be recorded. If the full name still exceeds 32 characters, truncation will continue starting with the last character of the first name and proceeding, as necessary, through the second letter of the first name. The first initial of the first name must be recorded.

C. If an individual has only one name, that name must be recorded as the individual’s last name.

D. If the individual’s first name is unknown, no first name may be recorded.

E. Multiple middle names must be recorded with a space separation and, if necessary, according to item B.

F. No titles or forms of address such as “Mr” or “Ms” may be recorded.

Subp. 3. **Name combinations.** If a ~~person~~ an individual has more than one middle name or more than one ~~surname~~ last name, ~~they may be used~~ the last name must be recorded in combination separated by a hyphen only if that is how it is recorded on the presenting primary document. ~~If only one name in a combination is to be used on the document, the name used must be the first name of the combination name.~~

Subp. 4. **Name difference.** The full name of an individual on a driver's license, permit, identification card, or vehicle certificate of title or registration when the owner is an individual, must be the full name as listed on a primary document unless:

- A. the applicant submits a document, as specified in part 7410.0500, subpart 2, verifying a name change; or
- B. the name has been truncated following the policy in subpart 2.

7410.0400 DOCUMENTATION OF PROOF OF FULL NAME, DATE OF BIRTH, AND IDENTITY.

Subpart 1. **In general.** At the time of application for a driver's license, permit, identification card, or ~~motor~~ vehicle registration record certificate of title or registration by an owner who is an individual, the applicant shall present a Minnesota driver's license, permit, or Minnesota identification card if ~~either~~ one of these has been issued to the applicant.

A. The Minnesota driver's license, identification card, or permit must not have expired more than one year before it is presented.

B. If the applicant for a Minnesota driver's license, identification card, or permit possesses a driver's license, ~~chauffeur's license,~~ identification card, or ~~instruction~~ permit from any other jurisdiction, it must be ~~surrendered~~ invalidated and returned to the individual.

C. The applicant must present one primary document as proof of full name, date of birth, and identity and one secondary document if the applicant cannot present:

(1) a Minnesota driver's license, identification card, or permit that is current or has been expired for one year or less; or

(2) a driver's license, identification card, or permit issued by a United States state, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, or a Canadian province or territory that:

(a) is current or not expired for more than one year; and

(b) has a color photograph or electronically produced or digitized image of the applicant.

D. The individual applicant for a vehicle certificate of title or registration shall present one primary document as proof of full name and date of birth.

Subp. 1a. **Residence address on license, permit, or identification card.** A Minnesota driver's license, permit, or identification card must be issued only to an individual who has a residence address, in the state, at the time of application.

A. The applicant must indicate on the application form for a Minnesota driver's license, identification card, or permit, the applicant's residence address in the state.

B. An individual may have only one residence address where the individual is domiciled at any particular time.

C. The residence address of the individual is presumed to continue until the contrary is shown.

D. The applicant shall indicate a residence number, street name, street type, directional if any, city or town, state, and zip code.

Subp. 1b. **Physical description.** When applying for a driver's license, identification card, or permit, the individual must indicate on the application form, the individual's height in feet and inches, weight in pounds, eye color, and sex.

Subp. 2. **~~Other documentation~~ Primary documents.** If the applicant for a driver's license, permit, or identification card, or an individual who is applying as the owner for a vehicle title or registration, cannot ~~supply the documentation specified in subpart 1;~~ ~~one of the following will be accepted~~ present a Minnesota driver's license, identification card, or permit that is current or expired for one year or less at the time of application, or a driver's license, identification card, or permit issued by a United States state, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, or a Canadian province or territory that is current or not expired for more than one year and has a color photograph or electronically produced or digitized image of the applicant, then the applicant must present one legible, unaltered, primary document that contains the applicant's full name and date of birth as proof of name, date of birth, and identity, which are described as follows:

A. ~~an original or certified copy of the birth certificate of the applicant;~~ A driver's license, identification card, or permit issued by a United States state, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, or a Canadian province or territory that is current or not expired for more than one year may be presented.

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Proposed Rules

B. A copy of the applicant's certificate of birth certified by the issuing government jurisdiction of the United States, Canada, District of Columbia, Guam, Puerto Rico, or Virgin Islands may be presented if it satisfies the following conditions:

(1) A certificate of birth issued by a hospital or a baptismal certificate is not acceptable.

(2) The certified copy of the certificate of birth must bear the raised or authorized seal of the issuing government jurisdiction or a protective equivalent.

(3) The certified certificate of birth must be issued by:

(a) a government bureau of vital statistics or board of health;

(b) the United States Department of State as a Certificate of Birth Abroad (FS-545, DS-1350); or

(c) a United States embassy as a Report of Birth Abroad of A United States Citizen (FS-240).

C. A certified copy of an adoption certificate with the applicant's full name and date of birth from a United States or Canadian court of competent jurisdiction that bears the raised court seal or other court certification may be presented.

~~B. D.~~ An unexpired identification card (Form DD-2) issued to the applicant by the United States ~~Armed Services;~~ Department of Defense for active duty, reserve, or retired personnel may be presented.

~~C.~~ an alien identification card form 194 or E. A valid unexpired passport issued to the applicant if it meets the full name requirement specified in part 7410.0300; by the United States Department of State or by the Canadian government may be presented.

~~D.~~ a certificate of motor vehicle title or registration issued to the applicant by another jurisdiction if it meets the full name requirement specified in part 7410.0300;

~~E.~~ a certified school record of the applicant;

~~F.~~ baptismal record of the applicant; or

~~G.~~ confirmation of the name and identity of an applicant under 19 years of age by a parent, spouse, or guardian who must accompany the applicant and furnish proof of his or her name and identity as provided in items A to F or subpart 1.

E. An applicant or owner may present a valid, unexpired passport issued to the applicant from a jurisdiction other than the United States Department of State or the Canadian government with either:

(1) a United States Department of Justice, Immigration and Naturalization Service (INS) Arrival and Departure Form I-94 attached, bearing the same name as that on the passport and containing an unexpired endorsement of the alien's nonimmigrant status; or

(2) an unexpired I-551 stamp.

G. An applicant or owner may present one of the following documents issued by the United States Department of Justice, Immigration and Naturalization Service:

(1) Certificate of Naturalization (Form N-550, N-570);

(2) Certificate of Citizenship (Form N-560, N-561);

(3) United States Citizen Identification card (Form I-179 or I-197);

(4) Permanent Resident or Resident Alien card (Form I-551 or I-151) that is valid;

(5) Northern Mariana card (Form I-551 with "Northern Mariana" imprinted instead of "Resident Alien");

(6) American Indian card (Form I-551 with "American Indian" imprinted instead of "Resident Alien");

(7) unexpired record of Arrival and Departure Form I-94 without a valid passport but stamped "Refugee" with a photo affixed;

(8) employment authorization document with a photograph (Form I-688, I-688A, I-688B, or I-766) that has not expired; or

(9) unexpired Re-entry Permit/Refugee Travel Document (I-571).

Subp. 3. **Secondary documents.** If an applicant for a driver's license, permit, or identification card cannot present a Minnesota driver's license, identification card, or permit that is current or expired for one year or less, or a driver's license, identification card, or permit issued by a United States state, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, or a Canadian province or territory that is current or not expired for more than one year and has a color photograph or electronically produced or digitized image of the applicant, then, in addition to presenting a primary document, the applicant must also present a secondary document, described as follows:

A. a second primary document listed in subpart 2;

B. a driver's license, identification card, or permit that has expired for more than one year but not more than five years;

C. a certified copy of a court order or judgment from a United States or Canadian court of competent jurisdiction containing the applicant's full name and date of birth and bearing the raised court seal or other court certification;

D. a current United States or Canadian government jurisdiction employee photo identification card;

E. a certified copy of a certificate of birth issued by a government jurisdiction other than one in the United States, Canada, the District of Columbia, Guam, Puerto Rico, or the Virgin Islands;

F. a current identification card or document issued to the applicant by the United States Department of Defense, described as:

(1) DD-1173 series, for dependents of active duty personnel; or

(2) DD-214, Certificate of Release or Discharge;

G. a copy of a marriage certificate certified by the issuing government jurisdiction;

H. an unexpired permit to carry a firearm or concealed weapon issued by a chief of police in an organized, full-time United States Police Department or by a United States County Sheriff, bearing a color photo of the applicant;

I. a current pilot's license issued by the United States Department of Transportation, Federal Aviation Administration;

J. a copy of records or a transcript containing the applicant's full name and date of birth certified by the issuing secondary or postsecondary school;

K. the certificate of completion containing the applicant's full name, date of birth, and signature issued by a driver education program licensed or certified by the Minnesota Department of Public Safety under chapter 7411;

L. a United States nonmetal social security card or a Canadian social insurance card; or

M. a current secondary school student identification card with the student's name, a photograph or electronically produced image of the student, and the student's date of birth or unique student identification number.

Subp. 4. Identification of owners other than individuals. The agent or employee applying for a vehicle certificate of title or registration for a person other than an individual must provide a Minnesota driver's license at the time of application if the agent or employee holds one.

Subp. 5. Non-English documents; translation. For all documents submitted to the department in a language other than English:

A. The document must be accompanied by a translation of that document into the English language.

B. The translation must be sworn to by the translator as being a true and accurate translation.

C. The translator must not be related by blood or marriage to the applicant.

D. The translator must be:

(1) certified by the American Translators Association;

(2) recognized by the Minnesota Translation Laboratory;

(3) certified by a court of competent jurisdiction;

(4) approved by an embassy or consulate of the United States or diplomatic or consular official of a foreign country assigned or accredited to the United States;

(5) affiliated with or approved by the United States Department of Justice, Immigration and Naturalization Service, or a government jurisdiction within the United States; or

(6) an attorney licensed to practice in the United States or affiliated with that attorney.

7410.0425 ADDITIONAL DOCUMENTATION.

Subpart 1. When required. Additional documentation may be requested by the department if the documents provided by the applicant appear to be altered or fraudulent, or there is reason to believe the applicant is not who the applicant claims to be.

Subp. 2. Refusal. The department may refuse to accept suspected fraudulent documents.

Subp. 3. Effect of acceptance. Acceptance by the department of copies of documents or review at the time of application is not acknowledgment of authenticity or veracity of those documents.

Subp. 4. Title and registration. An owner that is an entity with a name that is not one listed in part 7410.0100, subpart 3, items A and B, may be required to provide evidence to verify the authority of the individual to sign on behalf of the entity if the authority of the individual signing is unknown.

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

Proposed Rules

Subp. 5. Rules of evidence. A primary or secondary document subject to dispute must comply with the *Minnesota Rules of Evidence, Rule 902*.

7410.0450 DUPLICATES.

If a driver's license, identification card, or permit is lost, stolen, destroyed, illegible, or mutilated beyond recognition, the applicant for a duplicate must:

A. attest to that fact in writing on the back of the application form; and

B. present documentation of full name, date of birth, and identity as required in part 7410.0400 unless an individual's digital image and signature from the previous application is on file with the department and the technology is available to retrieve that information at the application site.

7410.0500 DOCUMENTATION FOR CHANGE OF NAME ON DRIVER'S LICENSE OR MOTOR VEHICLE REGISTRATION AND TITLE APPLICATION RECORDS.

Subpart 1. **In general.** When a change of name is required by ~~law~~ *Minnesota Statutes, section 171.11*, or requested by an applicant who is an individual, the documentation in subparts 2 and 3 is ~~required~~ must be presented by the applicant.

Subp. 2. **Specific documentation.** If the applicant is required by ~~law~~ *Minnesota Statutes, section 171.11*, or desires to change his or her surname the last name, add an additional middle name or ~~surname~~ last name, or change any name:

A. The applicant ~~shall supply the most appropriate document from~~ must first present a Minnesota driver's license, identification card, or permit that is current or expired for one year or less, or a driver's license, identification card, or permit issued by a United States state, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, or a Canadian province or territory that is current or not expired for more than one year and has a color photograph or electronically produced or digitized image of the applicant.

B. If the applicant cannot present a document specified in item A, then the applicant must present a primary and secondary document as specified in part 7410.0400, subparts 2 and 3, to verify the identity of the applicant before the name change.

C. To verify the name change, the applicant must then present one of the following documents:

~~A. (1) a copy of the applicant's certificate of marriage or a certified copy by the issuing government jurisdiction;~~

~~B. applicant's marriage license or certified copy;~~

~~C. (2) a certified copy of a court order specifying the name change;~~

~~D. (3) a certified copy of a divorce decree or dissolution of marriage granted the applicant that specifies the name changes requested; or~~

~~E. (4) a certified copy of naturalization papers a United States Department of Justice, Immigration and Naturalization Service, Certificate of Naturalization (Form N-550, N-570) issued to the applicant.~~

Subp. 3. **Surname Last name in place of middle name.** ~~After December 31, 1982,~~ An applicant may use the applicant's ~~surname~~ last name prior to marriage on the driver's license, identification card, permit, or title in place of the middle name. ~~The following~~ A certified copy of the applicant's certificate of birth from a United States or Canadian jurisdiction as specified in part 7410.0400, subpart 2, item B, is acceptable as proof of that name.

~~A. an original or certified copy of the applicant's birth certificate;~~

~~B. the baptismal record of the applicant; or~~

~~C. a driver's license or instruction permit of the applicant showing the surname of the applicant prior to marriage.~~

Subp. 4. **Title, registration, name changes for person other than individual.** To change the owner's full name on a vehicle title or registration:

A. for a person other than an individual, the owner must present to the department:

(1) the index receipt number where the change of name is registered or filed with the Secretary of State; or

(2) the name listed as the federal taxpayer identification name if no filing or registration has been made or none is required with the Secretary of State; or

B. for an owner that is an entity other than those listed in part 7410.0100, subpart 3, items A and B, the owner must present to the department the name of the entity attested to by the applicant.

REPEALER. *Minnesota Rules, part 7410.0100, subpart 6, is repealed.*

EFFECTIVE DATE. These amendments to *Minnesota Rules, chapter 7410, are effective November 1, 1998.*

Department of Revenue

Revenue Notice # 98-09: Corporate Franchise Tax - Minnesota Taxation of Qualified Subchapter S Subsidiaries (QSSS)

General Information

For federal income tax purposes, the Small Business Job Protection Act of 1996 permitted "S" corporations to own subsidiaries if the parent "S" corporation elects to treat such a subsidiary as a "Qualified Subchapter "S" Subsidiary" (QSSS). This federal law change is effective for tax years beginning after December 31, 1996. For federal tax purposes, a QSSS is not treated as a separate corporation. The assets, liabilities, income, deductions, and credits of a QSSS are treated as though they were the assets, liabilities, income, deductions, and credits of the "S" corporation parent. Minnesota will conform to this federal treatment and accommodate the filing of a single return for "S" corporations and QSSSs as described in this revenue notice.

The Small Business Job Protection Act of 1996 also permitted certain banks to elect "S" corporation status. Minnesota does not permit either banks or bank holding companies to be treated as "S" corporations, but does allow a series of credits and deductions on the state tax.

Non-Resident Shareholders

In determining the amount of income to be included on a non-resident shareholder's Minnesota individual income tax return, a determination must be made as to whether the "S" Corporation and the QSSS are engaged in a single unitary business.

Non-resident shareholders must report to Minnesota an apportioned share of the combined income for those entities that are part of the same unitary business. The weighted three-factor formula, determined under *Minnesota Statutes*, § 290.191, must be used to apportion the combined income of the "S" corporation and QSSS. The apportionment formula is computed by adding the apportionment percentages of all unitary entities with nexus in Minnesota. The numerators of these apportionment factors would include the property, payroll and sales (or receipts) attributed to Minnesota for each entity having nexus (a sufficient connection to the state in order for the state to have jurisdiction to tax the entity) with Minnesota. The denominators of the apportionment factors include the property, payroll and sales (or receipts) in all locations for all the entities in the unitary business. A separate minimum fee computation must also be computed for each entity having nexus with Minnesota.

If the "S" corporation parent or any of the QSSS's are not engaged in a single unitary business, a non-resident shareholder is only subject to tax on an apportioned share of the income earned by those entities that have nexus with Minnesota. The income from such entities for non-resident shareholders is apportioned to Minnesota using the weighted three-factor apportionment formula determined under *Minnesota Statutes*, § 290.191. A separate apportionment formula is calculated for each entity with nexus in Minnesota. Only the property, payroll and sales (receipts) numerators and denominators for that entity are used to apportion the shareholder's income for that entity.

An "S" corporation parent that owns a QSSS must file a single M-3S-4 reporting the income, deductions and credits for both the "S" corporation and the QSSS. The filing of "S" Corporation returns is governed by *Minnesota Statutes*, § 289A.12. The return is due on the 15th day of the third month following the close of the business year. The return must be filed using the parent "S" corporation's federal and state identification number if the parent has nexus with Minnesota. If the parent does not have nexus with Minnesota, the return must be filed under the federal and state identification number of a QSSS with nexus in Minnesota. In any event, a complete copy of the Federal Form 1120S must be attached to the filing. In addition, a worksheet should be attached to Schedule A of the Minnesota return, separately identifying the income and factors of all the entities included in the filing, along with an explanation of how the factors on schedule A were determined. A schedule M-KS must be completed for each non-resident shareholder.

Resident Shareholders

The above section does not apply to shareholders who are residents of Minnesota. Under *Minnesota law*, the entire income of Minnesota residents is subject to Minnesota income tax.

This revenue notice is effective for tax years beginning after December 31, 1996.

Dated: 1 June 1998

Jennifer L. Engh
Assistant Commissioner for Tax Policy

Official Notices

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

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

Administration Department

Communications Media Division

State Register Available Free on the Internet Beginning July 6, 1998

The *State Register* will be available free on the Internet beginning with the first issue of Volume 23 on July 6, 1998. The website address is: www.comm.media.state.mn.us

For reliability, ease of service, and convenience, paper copies will continue to be available at current prices: \$5.00 per individual copy, \$10.00 per copy with an "affidavit of publication," and \$160 for a full year's subscription, including cumulative indices.

In addition, the "State Register Contracts Supplement" will appear free of charge on the Internet website listed above, beginning July 1, 1998 with issue # 775, as well as the text of the *Minnesota Guidebook to State Agency Services 1996-1999*. Paper copies will be sold for both items.

To assist those with busy schedules, limited time, and occasional "forgetfulness," the print versions of these publications will remain available through subscriptions, as well as FAX for the "State Register Contracts Supplement." These will continue to provide reliable, convenient, and easy ways of notifying you of important information, rather than leaving the burden of searching up to you and your staff.

The "State Register Contracts Supplement" will be available for an annual paper subscription at \$135 per year (156 issues), and by FAX for \$150 per year. Individual paper copies cost \$1.00.

The *Minnesota Guidebook to State Agency Services 1996-1999* has been reduced to half-price for paper copies (\$14.98 for either spiral-bound or looseleaf [binder sold separately at \$7.95]). Compact disks of the Guidebook have also been marked half-price: \$29.98 for single user, \$117.98 for small network CD (2-10 users), and \$499.98 for large network CD (11-unlimited use).

For more information, call Minnesota's Bookstore at (612) 297-3000, or toll-free: 1-800-657-3757, FAX: (612) 297-8260.

Minnesota State Agricultural Society

Minnesota State Fair

Notice of Board of Managers Meeting

The board of managers of the Minnesota State Agricultural Society, governing body of the State Fair, will conduct a business meeting at 10 a.m. Tuesday, June 2 at the Libby Conference Center on the fairgrounds. The business meeting will follow a 9:30 a.m. meeting of the board's commercial space sales committee. Agendas are available upon request; phone the Minnesota State Fair at (612) 642-2200.

Board of Animal Health

Notice of Availability of Funds for Controlling Johne's Disease

The Board of Animal Health has received additional funds from the 1998 Minnesota Legislative session for a program to control Johne's disease. These funds will be used to continue an educational campaign and to assist herd owners with the laboratory cost of testing for Johne's disease. The assistance with the laboratory cost of testing will be in the following format. The Board will pay for the laboratory cost of samples submitted to the Minnesota Veterinary Diagnostic Laboratory for Johne's ELISA testing. Samples will be paid for using the following protocol:

1. 30 samples per herd per year
 - The board will pay the entire \$6.00 laboratory cost

- No prior authorization is necessary
2. Additional samples
- The Board will pay one-half (\$3.00) of the laboratory cost
 - A herd cleanup plan and prior authorization by a district veterinarian will be required

Payment will be only for the laboratory cost on cattle herds located in Minnesota. This part of the program will begin June 1, 1998 and will continue as long as funds are available.

The goals of the Johne's Disease Program are to identify test negative herds, identify infected herds and to decrease the prevalence of the disease in infected herds. The Board recognizes the importance of identifying test negative herds as sources of negative replacement cattle. It is for this reason that 30 samples per herd per year will be paid for without authorization. If all 30 samples are negative it would qualify the herd for level one of the National Johne's Herd Classification Program.

If you have any questions contact your district veterinarian or Dr. Hartmann at (612) 296-2942 Extension 27.

Department of Health

Minnesota Children with Special Health Needs (MCSHN) Cost-Sharing Schedule

The applicant's share is one percent of cost for each \$1,000 or fraction of income above 60 percent of the State gross median income for a household of the same size as the applicant's. The applicant's percent share is found on the schedule by looking under the number of members in the applicant's household shown on the far left of that income level. For each additional household member greater than ten, add three percent to 144 percent for each additional household member and multiply the new percentage by the State's dollar amount for four-person households.

INCOME LEVELS BY NUMBER OF MEMBERS IN HOUSEHOLD 7/1/98 TO 6/30/99						
	%	1	2	3	4	5
	0	0-17534	0-22930	0-28325	0-33720	0-39115
%	1	17535-18534	22931-23930	28326-29325	33721-34720	39116-40115
which	2	18535-19534	23931-24930	29326-30325	34721-35720	40116-41115
Eligible	3	19535-20534	24931-25930	30326-31325	35721-36720	41116-42115
Applicants	4	20535-21534	25931-26930	31326-32325	36721-37720	42116-43115
Share	5	21535-22534	26931-27930	32326-33325	37721-38720	43116-44115
Cost of	6	22535-23534	27931-28930	33326-34325	38721-39720	44116-45115
Treatment	7	23535-24534	28931-29930	34326-35325	39721-40720	45116-46115
	8	24535-25534	29931-30930	35326-36325	40721-41720	46116-47115
	9	25535-26534	30931-31930	36326-37325	41721-42720	47116-48115
	10	26535-27534	31931-32930	37326-38325	42721-43720	48116-49115
	11	27535-28534	32931-33930	38326-39325	43721-44720	49116-50115
	12	28535-29534	33931-34930	39326-40325	44721-45720	50116-51115
	13	29535-30534	34931-35930	40326-41325	45721-46720	51116-52115
	14	30535-31534	35931-36930	41326-42325	46721-47720	52116-53115
	15	31535-32534	36931-37930	42326-43325	47721-48720	53116-54115
	16	32535-33534	37931-38930	43326-44325	48721-49720	54116-55115
	17	33535-34534	38931-39930	44326-45325	49721-50720	55116-56115
	18	34535-35534	39931-40930	45326-46325	50721-51720	56116-57115

Official Notices

INCOME LEVELS BY NUMBER OF MEMBERS IN HOUSEHOLD 7/1/98 TO 6/30/99

	%	6	7	8	9	10
	0	0-44510	0-45522	0-46534	0-47545	0-48557
	1	44511-45510	45523-46522	46535-47534	47546-48545	48558-49557
	2	45511-46510	46523-47522	47535-48534	48546-49545	49558-50557
	3	46511-47510	47523-48522	48535-49534	49546-50545	50558-51557
%	4	47511-48510	48523-49522	49535-50534	50546-51545	51558-52557
which	5	48511-49510	49523-50522	50535-51534	51546-52545	52558-53557
Eligible	6	49511-50510	50523-51522	51535-52534	52546-53545	53558-54557
Applicants	7	50511-51510	51523-52522	52535-53534	53546-54545	54558-55557
Share	8	51511-52510	52523-53522	53535-54534	54546-55545	55558-56557
Cost of	9	52511-53510	53523-54522	54535-55534	55546-56545	56558-57557
Treatment	10	53511-54510	54523-55522	55535-56534	56546-57545	57558-58557
	11	54511-55510	55523-56522	56535-57534	57546-58545	58558-59557
	12	55511-56510	56523-57522	57535-58534	58546-59545	59558-60557
	13	56511-57510	57523-58522	58535-59534	59546-60545	60558-61557
	14	57511-58510	58523-59522	59535-60534	60546-61545	61558-62557
	15	58511-59510	59523-60522	60535-61534	61546-62545	62558-63557
	16	59511-60510	60523-61522	61535-62534	62546-63545	63558-64557
	17	60511-61510	61523-62522	62535-63534	63546-64545	64558-65557
	18	61511-62510	62523-63522	63535-64534	64546-65545	65558-66557

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations on Behalf of the College of St. Benedict

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of the College of St. Benedict, a Minnesota nonprofit corporation (the "College"), as owner and operator of the College of St. Benedict, an institution of higher education, at the Authority's offices at Suite 450, Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on June 17, 1998 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$27,500,000 to finance a project generally described as (a) the construction of an approximately 10,000 square foot bookstore and student development offices within and renovation of Mary Hall Commons (the "Mary Hall Commons Project"); (b) the relocation of the bus stop ("Bus Stop"); (c) the construction of a central chilling tower ("Chilling Tower"); (d) renovation of the present Loft building for academic services ("Loft Building"); (e) renovation and expansion of the East Apartments ("East Apartments"); (f) renovation of first and second floors and addition of air conditioning to Gertrude Hall ("Gertrude Hall") and (g) the refunding of the Authority's outstanding Revenue Bonds, Series Three-W (College of Saint Benedict) dated March 15, 1994, originally issued to finance a project generally described as (i) the acquisition, construction, furnishing and equipping of a residence hall for approximately 242 students, including appurtenant site improvements; (ii) the refunding of the Authority's outstanding Variable Rate Demand Revenue Bonds, Series Three-D (College of Saint Benedict), dated May 2, 1991 originally issued to finance the acquisition, construction, furnishing and equipping of an approximately 41,000 square foot science facility including site improvements; and (iii) the refunding of the Authority's outstanding Mortgage Revenue Bonds, Series Two-Q (College of Saint Benedict), dated May 1, 1988 originally issued to finance construction, furnishing and equipping of Margretta Hall, a residence hall, with appurtenant site improvements and adjacent parking; the renovation of St. Teresa Hall for faculty and administrative offices and a reception area; the installation of air conditioning in Claire Lynch Hall, a gymnasium; and the installation of a storm sewer (the "Refundings" and collectively, the "Project"), owned or to be owned and operated by the College and located on its main campus, the principal street address of which is 37 South College Avenue, St. Joseph, Minnesota 56374.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 1 June 1998

By Order of the Minnesota Higher
Education Facilities Authority
J. Luther Anderson
Executive Director

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations on Behalf of Gustavus Adolphus College

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of Gustavus Adolphus College, a Minnesota nonprofit corporation (the "College"), as owner and operator of Gustavus Adolphus College, an institution of higher education, at the Authority's offices at Suite 450, Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on June 17, 1998 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$4,800,000 to finance a project generally described as the acquisition and installation of energy management equipment and energy retrofitting equipment (the "Project"), owned or to be owned and operated by the College and located on its main campus, the principal street address of which is 800 West College Avenue, St. Peter, Minnesota, 56082-1498.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 1 June 1998

By Order of the Minnesota Higher
Education Facilities Authority
J. Luther Anderson
Executive Director

Minnesota Housing Finance Agency

Notice of Hearing on Bond Issue

The Minnesota Housing Finance Agency will hold a public hearing at 9:00 a.m. on Wednesday, June 17, 1998, at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purpose of taking public testimony regarding the issuance of its tax-exempt Rental Housing Bonds in a principal amount not to exceed \$6,000,000. The Bonds will be issued to refinance certain outstanding multifamily housing revenue bonds of the Agency and refinance the developments described below which are owned by Crossroads of New Brighton, an Illinois Limited Partnership. The developments to be refinanced are as follows:

Facility	Address
108 unit elderly housing facility	2287 Palmer Drive New Brighton, MN 55112
64 family housing units located in 9 detached buildings	2192-2320 County Road E New Brighton, MN 55112

In addition to the issuance of the tax exempt bonds referred to above, the Agency may also issue its taxable Rental Housing Bonds in the approximate amount of \$4,000,000 to assist in the refinancing. Additional information related to this financing may be obtained from the Minnesota Housing Finance Agency, Attn: Sharon Strewlow. Parties wishing to comment on the issuance of the Rental Housing Bonds may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing.

Katherine Hadley
Commissioner

Department of Human Services

Authorization List for Minnesota Health Care Programs

The following is a listing of adds, deletes and changes to the current authorization list. The newly added and changed codes will require authorization on or after July 1, 1998. As authorized by *Minnesota Statutes*, section 256B.0625, subdivision 25, the following list includes all health services that have been added, changed, or deleted from authorization as a condition of Minnesota Health Care Programs (MHCP) payment. The list is presented in sections: Dental Services, Vision Care Services, Medical Supplies and Equipment, Prosthetics and Orthotics, Hearing Aids, Drugs, Rehabilitative Services, and All Other Services. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health services needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health services are generally available.
- D. The health service is newly developed or modified.
- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- H. The health service could be considered cosmetic.

These newly added or changed codes will require Authorization for services provided on or after July 1, 1998.

- I. Dental
No updates this publication.
- II. Vision Care Services
No updates this publication
- III. Medical Supplies and Equipment; Prostheses and Orthoses

ADDED CODES

<u>Service Code</u>	<u>Service Description</u>
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- | | |
|-------|---|
| A4245 | Alcohol wipes (per box). Authorization is required in excess of 5 boxes per month. |
| A4358 | Urinary leg bag, vinyl, with or without tube, each. Authorization required in excess of 8 per month. |
| A4554 | Disposable underpads, all sizes. Authorization required in excess of 100 per month. |
| A4670 | Automatic blood pressure monitor. Authorization is required if more than one per year. |
| A4927 | Gloves, sterile or nonsterile gloves, per pair. Authorization is required in excess of 100 pairs of gloves per month. |
| A5131 | Appliance cleaner, incontinence and ostomy appliance, per 16 oz. Authorization required in excess of 3 bottles per month. |
| E0753 | Implantable neurostimulator electrodes/leads |

- IV. Hearing Aids
No updates this publication

- V. Drugs
For services performed in physician office: (Authorization request comes from physician)

ADDED CODES

<u>Service Code</u>	<u>Service Description</u>
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- | | |
|--------------|---|
| J1440 | Injection, Filgrastim (G-CSF) 300 mcg. |
| J1441 | Injection, Filgrastim (G-CSF) 480 mcg. |
| Q0136 | Injection, Epoetin Alpha, per 1,000 units |
| Q9920- Q9940 | Injection, Epoetin Alpha, per 1,000 units |

Authorization requests for drugs which do not appear on the above list will not be accepted by CDMI.

VI. Rehabilitative Services

CHANGED

Legislation effective on 4/22/98 restored the authorization threshold limits for physical therapy, occupational therapy and speech language pathology to the limits in place prior to 1/1/98.

OCCUPATIONAL THERAPY

Any combination of the following codes that exceed 6 units per calendar year:

<u>Service Code</u>	<u>Service Description</u>
97003	Occupational therapy evaluation, initial
97004	Occupational therapy reevaluation, periodic

The following occupational therapy codes always require authorization:

<u>Service Code</u>	<u>Service Description</u>
X4511	Unlisted occupational therapy
97150	Occupational therapy group sessions
97750	Physical performance test, functional capacity
97770	Sensory integration or cognitive skills

The following occupational therapy code requires authorization:

<u>Service Code</u>	<u>Service Description</u>
X5511	Occupational therapy supplies that exceed \$32.00 per calendar year

Any combination of the following codes that exceed 50 hours per year:

<u>Service Code</u>	<u>Service Description</u>
X4515	Occupational therapy, motor skills
X4524	Occupational therapy, preventive skills
X4526	Occupational therapy, therapeutic adaptations
97535	Self care home management training, (e.g., Activities of Daily Living [ADL's] compensatory, training, meal preparation, safety procedures, and instruction in use of adaptive equipment)
97537	Community work reintegration training (e.g., shopping, transportation, money management, avocational activities and/or work environment/modification analysis, work task analysis)

PHYSICAL THERAPY

Any combination of the following codes that exceed 8 units per calendar year:

<u>Service Code</u>	<u>Service Description</u>
97001	Physical therapy evaluation, initial
97002	Physical therapy evaluation, periodic

Any combination of the following codes that exceeds 30 hours per calendar year:

<u>Service Code</u>	<u>Service Description</u>
97032	Electrical stimulation
97033	Iontophoresis
97034	Contrast baths
97035	Ultrasound

Official Notices

Service Code	Service Description
97036	Hubbard tank
97110	Therapeutic procedure, exercises
97112	Therapeutic procedure, neuromuscular
97113	Therapeutic procedure, aquatic therapy
97116	Therapeutic procedure, gait training
97122	Therapeutic procedure, traction
97124	Massage
97504	Orthotics fitting and training; upper and lower extremity
97520	Prosthetics, initial
97530	Therapeutic activities
97542	Wheelchair management propulsion training
97703	Checkout for orthotic/prosthetic use
X5515	PT wound care

Any combination of the following modalities that exceed 30 per calendar year:

Service Code	Service Description
90901	Biofeedback training by any modality
97010	Hot or cold packs
97012	Traction
97014	Electric stimulation
97016	Vasopneumatic devices
97018	Paraffin bath
97020	Microwave
97022	Whirlpool
97024	Diathermy
97026	Infrared
97028	Ultraviolet
97250	Myofascial release
97265	Joint mobilization

Any combination of the following codes that exceed two services per calendar year require authorization:

Service Code	Service Description
95831	Muscle testing, manual extremity
95832	Hand
95833	Total evaluation of body without hands
95834	Total evaluation of body with hands

Any combination of the following codes that exceed 12 sessions per calendar year:

<u>Service Code</u>	<u>Service Description</u>
95851	Range of motion measurements
95852	Range of motion measurements - hand with comparison to normal side.

The following codes always require authorization:

<u>Service Code</u>	<u>Service Description</u>
97039	Unlisted modality
97139	Unlisted therapeutic procedure
97150	Therapeutic procedures, group, two or more persons
97545	Work hardening/conditioning; initial 2 hours
97546	Work hardening, additional hour
97750	Physical performance test or measurement (functional capacity)
97799	Unlisted physical med/rehab service

SPEECH-LANGUAGE PATHOLOGY

The following codes always require authorization:

<u>Service Code</u>	<u>Service Description</u>
92598	Modification of voice prosthetic or augmentative/ alternative communication device to support oral speech
92599	Unlisted otorhinolaryngological services

The following codes require authorization:

<u>Service Code</u>	<u>Service Description</u>
92506	Medical evaluation of speech that exceeds 6 units per calendar year
92525	Evaluation of swallowing or oral function for feeding that exceeds four sessions per calendar year
92597	Evaluation for use and/or fitting of voice prosthetic or augmentative/alternative communication device to support oral speech that exceed eight units per calendar year
V5362	Speech screenings (articulation) that exceeds four units per calendar year.
V5363	Language screenings (receptive or expressive) that exceeds four units per calendar year.
V5364	Dysphagia screenings that exceeds four units per calendar year.

Any combination of the following codes that exceeds 50 hours per calendar year:

<u>Service Code</u>	<u>Service Description</u>
92507	Individual speech, language and hearing treatment
92508	Group speech language or hearing treatment
92510	Aural rehab following cochlear implant
92526	Treatment of swallowing dysfunction and/or oral function for feeding

Official Notices

VII. All Other Services

1. Non-investigative Services

ADDED CODES

<u>Service Code</u>	<u>Service Description</u>
17340	Cryotherapy (CO2 slush, liquid N2) for acne
52510	Transurethral balloon dilation of the prostatic urethra, any method
61850	Twist drill or burr hole(s) for implantation of neurostimulator electrodes, cerebral; cortical
61855	subcortical
61860	Craniectomy or craniotomy for implantation of neurostimulator electrodes, cerebral; cortical
61865	subcortical
61870	Craniectomy for implantation of neurostimulator electrodes, cerebellar; cortical
61875	subcortical
61885	Incision and subcutaneous placement of cranial neurostimulator pulse generator or receiver, direct or inductive coupling.
63650	Percutaneous implantation of neurostimulator electrodes; epidural
G0125	PET lung imaging of solitary pulmonary nodules following CT (71250, 71260 or 71270)
G0126	PET lung imaging of solitary pulmonary nodules using 2 fluoro (FD6) following CT (71250, 71260, 71270) initial staging of pathologically diagnosed non-small cell lung cancer.

2. Investigative List (Alpha Order)

ADDED

Balloon transurethral divulsion of prostate gland
Bone grafts from animal sources
Cold laser treatment
Coma stimulation
Cranial sacral therapy
Gravity lumbar reduction
Neurometric encephalogram
Perfusion - isolated limb
Photodynamic therapy
Red blood cell substitutes
Scanning laser technologies for glaucoma testing and monitoring
Ventricular reduction surgery

CHANGED

Autograft skin culture and culture transplants for severe burns and patients with giant hairy nevus

3. Investigative List (Numeric)

CHANGED CODES

<u>Service Code</u>	<u>Service Description</u>
36520	Therapeutic apheresis (plasma and or cell exchange). The use of apheresis is considered accepted medical practice for the following conditions when having failed conventional therapy:

Dermatologic

Pemphigus vulgaris: refractory (P)

Hematologic

ABO- incompatible bone marrow transplantation (P)

Coagulation factor inhibitors (hemophilia, nonhemophilia): failed conventional therapy, significant hemorrhage, or planned elective surgery (P)

Hemophilia with factor VIIIc inhibitors: failed conventional therapy, significant hemorrhage, or planned elective surgery (P)

Hyperviscosity syndrome (P)

Leukemia: acute debulking or blast crisis (LE)

Leukemia: chronic myelogenous (CML) (LE)

Leukemia: hairy-cell (LE)

Maternal fetal incompatibility: high risk of fetal demise, and early delivery or intrauterine transfusion is not possible (P)

Multiple myeloma; renal failure (P)

Posttransfusion purpura (P)

Sickle-cell disease (E)

Thrombotic thrombocytopenic purpura (TTP) (P)

Thrombocytosis: symptomatic or presurgical (T)

Waldenstrom's macroglobulinemia (P)

Metabolic Disease

Hypercholesterolemia: familial type IIA homozygous form (P)

Hyperlipoproteinemia: familial type IIA homozygous form (P)

Refsum's disease (P)

Musculoskeletal and Connective tissue

Cryoglobulinemia: refractory (P)

Dermatomyositis: refractory (P)

Polymyositis: refractory (P)

Vasculitis: life threatening or organ threatening (P)

Neurologic

Chronic inflammatory demyelinating polyradiculoneuropathy (CIPD) (P)

Eaton - Lambert syndrome (P)

Guillain-Barre syndrome: severe (P)

Myasthenia gravis (P)

Progressive systemic sclerosis (scleroderma): refractory (P)

Renal

Glomerulonephritis: rapidly progressive type, either idiopathic or secondary to vasculitis (P)

Miscellaneous

Cholestasis: with intractable pruritus (P)

Drug overdose/poisoning (P)

thyroid storm, thyroid hormone overdose

Official Notices

DELETED CODES (no longer needs authorization)

Service Code	Service Description
36468, 36469, 36470, 36471	Silicone Injection - when used for pediatric procedures.
53850	Transurethral destruction of prostate tissue; by microwave or thermography
53852	Transurethral destruction of prostate tissue; by radiofrequency thermography
65760, 65765, 65767	Located on the Non-Investigative list.
93799	Cardiomyography

*20 Acupuncture is covered for chronic pain. Authorization is required in excess of 10 sessions, and must be performed by an M.D. or by a licensed acupuncturist who is employed and supervised by an M.D.

Department of Human Services

Vacancy on the Medicaid Drug Utilization Review (DUR) Board

The Minnesota Department of Human Services is seeking applications from Minnesotans interested in serving on the Medicaid Drug Utilization Review Board. The purpose of the Board is to advise the Department on the development, implementation and assessment of the prospective and retrospective drug utilization review program. There is an opening on the 9-member board for a consumer representative. Members serve three year terms and volunteer their time and service to the board. The Department will reimburse members for mileage expenses to and from board meetings. For more information, or to send a letter of interest along with a resume or curriculum vitae, please contact Kim Strickland, RN, DUR Investigator/Advisor, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3865, or (612) 297-5297. Applications will be accepted until July 1, 1998.

Department of Natural Resources

License Bureau

Request for Comments on Planned Rule and Rule Amendments Governing Electronic Licensing System for Watercraft, All-terrain Vehicles, Off-highway Motorcycles, Off-road Vehicles, and Snowmobiles

Subject of Rule. The Minnesota Department of Natural Resources requests comments on its planned rule and rule amendments governing electronic issuance of watercraft licenses and registrations for all-terrain vehicles, snowmobiles, off-highway motorcycles and off-road vehicles by deputy registrars. The department is considering adopting rules under *Minnesota Statutes* section 84.027, subd. 15 for the following:

- 1) registration agent contracts and conditions;
- 2) contract cancellation, suspension and reinstatement;
- 3) required records, reports, and payments for issuance of licenses and registrations; and
- 4) issuance of new, renewal, transfer, and duplicate licenses/registrations.

This rule is being combined with rules for the electronic licensing system for game and fish licenses and cross country ski passes. The request for comment on the planned rules for game and fish licenses and cross country ski passes were published in the *State Register* on September 15, 1997.

Person Affected. The rules will first be used for a pilot project that will cover up to four volunteer counties, of which not more than two may be in the metropolitan area. It is likely that the electronic licensing system will be expanded beyond four counties in the future and the rules would apply statewide. Up to four counties with deputy registrars that sell licenses/registrations will initially be affected. When the electronic licensing system is expanded in the future, all 87 counties and 172 deputy registrars will be affected. The rules may affect deputy registrars, dealers and the public who license or register vehicles and watercraft.

Advisory Committee. The department does not contemplate appointing an advisory committee to comment on the planned rule. Direct communication with interested and affected parties and meetings with organizations of affected parties will provide adequate input for the proposed rule.

Statutory Authority. The adoption of these rules is authorized by *Minnesota Statutes*, 1997, section 84.027, subdivision 15.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on July 31, 1998. The department has not yet prepared a draft of the planned rule. Written or oral comments, questions, requests to receive a draft of the rule when it has been prepared, and requests for more information on this planned rule should be addressed to:

Karen Beckman
Department of Natural Resources
License Bureau
500 Lafayette Road, Box 26
St. Paul, Minnesota 55155-4026
Telephone (612) 297-4941

Alternative Format. 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.

Note: Comments submitted in response to this notice will be considered in drafting rules, but comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 26 May 1998

Karen Beckman
Assistant Administrator
License Bureau

Department of Natural Resources

Bureau of Real Estate Management

Notice of Intent to Establish a List of Qualified Individuals for the Appraisal and Review of 576 State Lakeshore Lease Lots Located in 11 Counties

NOTICE IS HEREBY GIVEN that the Department of Natural Resources, Bureau of Real Estate Management will establish a list of qualified individuals to appraise and review the completed appraisals of 576 State Lakeshore Lease Lots located in 11 counties. Interested individuals must hold a valid Minnesota real estate appraisal license. Applicants must be acceptable to the County Board in which the subject property is located and the Commissioner of Natural Resources to be considered for appraisal assignments. Work will be completed prior to June 1, 1999.

Contract requirements may include but are not limited to: inspection of subject properties, inspection and verification of recent sales, and preparation and delivery of a self contained appraisal report that meets USPAP requirements. All appraisals must be completed for each subject property within 90 days; all reviews of completed reports must be completed within 30 days of receipt. Contracts will contain a payment penalty clause for work completed after the date due. Interested individuals should submit a letter of interest, including qualifications, prior to June 17, 1998, to:

Mike Miller
Department of Natural Resources
Bureau of Real Estate Management
500 Lafayette Road - Box 30
St. Paul, MN 55155-4030
(612) 296-0237

Dated: 20 May 1998

Department of Transportation

Transportation Research and Investment Management Division
Office of Investment Management

Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 1999-2000-2001 (July 1, 1998 to June 30, 2001)

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a proposed *State Transportation Improvement Program* (STIP) for state fiscal years 1999-2000-2001 (July 1, 1998 to June 30, 2001). The program of transportation projects annually utilizes about \$320 million of federal funds, \$240 million of state trunk highway funds, plus funds from local and other sources. (The amount of federal funds may need to be revised depending upon the new federal transportation bill. Revisions will be incorporated into a STIP update). Projects include local road and bridge projects utilizing federal funds, transit capital investments, state highway road and bridge projects, enhancement projects, congestion mitigation and air quality projects, scenic by-way projects and other projects intending to utilize federal transportation funds or state trunk highway funds. The proposed *State Transportation Improvement Program* is available for review at Department of Transportation District Offices:

District 1 - Duluth, 1123 Mesaba Avenue, Duluth, MN 55811;

District 2 - Bemidji, Box 490, Bemidji, MN 56601;

District 3 - Brainerd, 1991 Industrial Park Road, Baxter, MN 56401;

District 4 - Detroit Lakes, P.O. Box 666, 1000 W. Hwy. 10, Detroit Lakes, MN 56502;

District 6 - Rochester, Box 6177, 2900 48th Street N.W., Rochester, MN 55903-6177;

District 7 - Mankato, P.O. Box 4039, Mankato, MN 56001

District 8 - Willmar, P.O. Box 768, 2505 Transportation Road, Willmar, MN 56201;

Metro Division - Water's Edge Building, 1500 W. Co. Rd. B2, Roseville, MN 55113-3174;

or the Office of Investment Management, Room 211, Mail Stop 440, 395 John Ireland Boulevard, St. Paul, MN 55155.

You have 30 days to submit comments. Comments must be received by **4:30 p.m. on July 2, 1998**. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed. Please direct all correspondence to:

Office of Investment Management
Minnesota Department of Transportation
Room 211 - Mail Stop 440
395 John Ireland Boulevard
St. Paul, MN 55155
Phone: (612) 296-8521
Fax: (612) 296-3019

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

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

Department of Corrections

Notice of Availability of Funds for Remote Electronic Alcohol Monitoring of Domestic Abuse Offenders

The Minnesota Department of Corrections, Community Services Division, Alternative Programs Unit announces the availability of \$60,000 for remote electronic alcohol monitoring programs for Domestic Abuse offenders.

The grant period will be for the 9-month period from October 1, 1998 - June 30, 1999. This is the final term of a pilot program. There is no assurance of continued funding for following fiscal years.

This funding is authorized under *Minnesota Laws 1997*, Chapter 239, Article 1, Section 12, Subdivision 4.

The deadline for proposal submission is July 24, 1998, 4:30 p.m. To receive a copy of the request for proposal which describes in detail how to apply for this funding, contact:

Lynda Davis,
Minnesota Department of Corrections
Community Services Division
1450 Energy Park Drive, Suite 200
St. Paul, Minnesota 55108-5219
Telephone: (612) 642-0235 or TTY: (612) 643-3589

Department of Corrections

Notice of Availability of Funds for Remote Electronic Alcohol Monitoring for DWI Offenders

The Minnesota Department of Corrections, Community Services Division, Alternative Programs Unit announces the availability of \$706,250 for remote electronic alcohol monitoring programs for DWI offenders.

The grant period will be for the 9-month period from October 1, 1998 - June 30, 1999. While there is no assurance of continued funding for following fiscal years, successful applicants may be eligible to apply for continued funding after the initial grant period.

This funding is authorized under *Minnesota Laws 1998*, Chapter 367, Article 1, Section 7, Subdivision 4.

The deadline for proposal submission is July 24, 1998, 4:30 p.m. To receive a copy of the request for proposal which describes in detail how to apply for this funding, contact:

Lynda Davis,
Minnesota Department of Corrections
Community Services Division
1450 Energy Park Drive, Suite 200
St. Paul, Minnesota 55108-5219
Telephone: (612) 642-0235 or TTY: (612) 643-3589

Professional, Technical & Consulting Contracts

Human Services Department

Request for Proposals for Birth to Three Projects to Prevent Fetal Alcohol Syndrome Births

The Chemical Dependency Program Division (CDPD) of the Minnesota Department of Human Services is soliciting proposals for development of hospital-based outreach programs based on Washington State's successful model, the Birth to Three Project, to reduce the incidence of Fetal Alcohol Syndrome, Fetal Alcohol Effects, or other prenatal substance abuse. CDPD anticipates allocating approximately \$400,000 to this effort. Persons to be served are pregnant women who are heavy drinkers or drug abusers, who have previously given birth to at least one baby affected by prenatal substance abuse, who have had multiple treatment failures and previous experiences with case management. The funding of two or more proposals is anticipated. Preferred proposals will implement a home visitation model with para-professional advocates to assist each woman to obtain treatment, stay in recovery and plan any future pregnancies. Eligible applicants are private or non-profit organizations which are or can become hospital-based.

The full Request for Proposals and grant application forms are available on request from:

Sue Marinkov
Chemical Dependency Program Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3823
(612) 296-4618

Proposals must be received no later than 3:30 p.m. on Wednesday, July 1, 1998.

Professional, Technical & Consulting Contracts

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

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

Department of Administration

Requests for Proposals for a Recreational Watercraft Gasoline Consumption Study

The Department of Administration, in consultation with the Departments of Natural Resources, Revenue and Transportation, requests proposals for a study by a qualified consultant to determine the actual percentage of all gasoline produced or brought into Minnesota, except gasoline used for aviation purposes, that is being used as fuel for recreation watercraft in Minnesota. The study must include a determination of the amount of gasoline consumed by vehicles in the course of transporting recreational watercraft on Minnesota highways. The study will provide information to the Minnesota Legislature on the allocation of fuel tax dollars to recreational boating programs. A similar study was done in 1987, and this study is an update. However, the methodology used in 1987 cannot be replicated today because of data limitations. Thus, a different methodology will need to be developed. It is anticipated that the study could begin by mid-July; a draft of the conclusions of the data gathering would be available for review by November 1, 1998; a written draft of the final report would be available by December 15, 1998; and the final report must be available by February 1, 1999. Responses must be submitted by 2:30 p.m. (CDT) June 19, 1998. The Legislature appropriated \$50,000 for completion of this study.

In compliance with *Minnesota Statutes* 16B.167, the availability of this contracting opportunity will be announced to state employees. There are restrictions on the affiliations of any potential state employees who wish to respond.

Prospective responders should request a copy of the complete Request for Proposal by calling (612) 297-4357. For more information, contact Scott Simmons, Office of the Commissioner, 200 Administration Building, St. Paul, Minnesota 55155, at (612) 297-4357 or FAX at (612) 297-7909.

Department of Agriculture

Farm Advocate Program

Notice of Availability of Contracts for Minnesota Farm Advocates

The Minnesota Department of Agriculture announces the availability of contracts for farm advocates for the period of July 1, 1998, through June 30, 1999. Applicants must be farmers or former farmers; be familiar with or experienced in farm financial planning (cash flows through financial statements); be knowledgeable of farmers' borrowers rights and responsibilities with the ability to comprehend state and federal rules and regulations governing agricultural credit; have good communications skills (written, oral and listening); and have compassion for and an interest in helping other farmers. Resumes will be accepted through June 19, 1998.

For more information contact:

Pat Schuna
Farm Advocate Program
Minnesota Department of Agriculture
90 W. Plato Blvd.
St. Paul, MN 55107
(612) 296-1484

Colleges and Universities, Minnesota State (MnSCU)

Rochester Community and Technical College

Notice of Request for Bids for a Computerized Inventory and Point of Sale System

The Rochester Community and Technical College (RCTC) is announcing that we will be accepting bids for our bookstore's computerized inventory and point of sale system.

Interested organizations should send a letter of inquire requesting a copy of the bid specifications. All such inquiries must be received by **Wednesday, June 10, 1998**.

Bids will need to be submitted no later than Friday, June 26th, 1998.

All inquiries should be addressed to:

June Meitzner
Purchasing
851 30th Ave SE
Rochester, MN 55904-4999
(507) 285-7213
jmeitzner@ucrpo.roch.edu

Professional, Technical & Consulting Contracts

Colleges and Universities, Minnesota State (MnSCU)

Winona State University

Request for Bid for Cardiovascular Equipment

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed bids for cardiovascular exercise equipment.

Bid specifications will be available June 2, 1998 from Sandra Schmitt, Purchasing Director, PO Box 5838, 205 Somsen Hall, Winona State University, Winona, MN 55987 or by calling 507/457-5067.

Sealed bids must be received by Sandra Schmitt, PO Box 5838 or Somsen 205C, Business Office, Winona State University, Winona, MN 55987 by 12 noon on June 16, 1998.

Winona State University reserves the right to reject any or all bids or portions thereof, or to waive any irregularities or informalities in proposals received.

Department of Corrections

Request for HIV/STD Health Educators to be Considered for Professional/Technical Contracts to Teach HIV/STD Prevention Education within Minnesota Statewide Correctional Facilities

1). The Minnesota Department of Corrections announces the availability of funds to select three individuals who will develop, implement, and evaluate a model HIV/STD education and risk reduction program designed to facilitate behavior change among inmates in the statewide Minnesota Department of Corrections facilities as assigned by both the Minnesota Dept. of Corrections and the Minnesota Department of Health.

2). The individuals selected will be compensated at \$35.00 per hour for a maximum of 18 hours per month for the period of July 1, 1998 - June 30 1999.

Key Dates

- Resumes and cover letters must be postmarked by June 15, 1998.
- Awards will be made by July 1, 1998.

Submit resumes and cover letters to:

James P. Losinski
Minnesota Department of Corrections
Institutions Division
1450 Energy Park Drive suite 200
St. Paul, MN 55108-5219
(612) 603-0012

Department of Finance

Notice of Request for Proposals for Major Revenue/Deposit Services and Custodial Services

The Minnesota State Board of Investment, Department of Finance and State Treasurer are seeking proposals from financial institutions to establish a banking relationship for the purpose of:

- (1) expediting processing and collection of various items for thirty Major Revenue/Deposit accounts and subaccounts; and
- (2) providing custody services for the securities clearing account.

To receive a complete Request for Proposal and background information, please call or write:

Susan E. Gurrola
Cash and Debt Management
Minnesota Department of Finance
458 Cedar Street
4th Floor Centennial Office Building
Saint Paul, Minnesota 55155
(612) 296-8373

NOTE: Details concerning submission requirements, including due dates are included in the Request for Proposal. No other Minnesota Department of Finance personnel are authorized to discuss the project with responders before the submittal of the proposal.

Responses are due by 1:00 p.m. on July 16, 1998.

Board of Medical Practice

Call for Consultants to Provide Independent Opinion on Physician Care in Complaints

The Minnesota Board of Medical Practice regularly retains physicians as consultants to provide independent opinion regarding the care rendered by physicians who are the subject of complaints.

The bulk of the work of consulting physicians consists of a review of patient records and other records pertaining to the matter reported to the Board. The consulting physician is expected to provide the Board a written report of the review within four to six weeks of receipt of the materials.

The written report consists of:

- A summary of the care provided
- A statement of the expected or appropriate care
- An opinion as to whether the care provided met the minimum standard of care

The consultants may expect to attend one meeting of the Board's Complaint Review Committee, with the subject physician present. The consultant may be requested to testify at an administrative disciplinary hearing on behalf of the Complaint Review Committee.

The Board is currently expanding its consultant resource base. If you are interested in acting as a consultant for the Board, please send name, area(s) of practice and expertise, curriculum vitae, address, telephone number, and hourly rate to:

Board of Medical Practice
Attn: Mary Leinberger
2829 University Avenue SE, Suite 400
Minneapolis, MN 55414-3246

Professional, Technical & Consulting Contracts

Department of Trade and Economic Development

Notice of Request for Proposals for a Cost/Benefits Analysis Relative to the Design, Development, and Maintenance of a Data Warehouse

The Department of Trade and Economic Development (DTED) is requesting proposals for a cost/benefit analysis relative to the design, development and maintenance of a data warehouse. A detailed Request for Proposals has been prepared by DTED. It describes the purpose, provides background information on DTED information technology, describes the current databases that contain information that might be considered for data warehousing, deliverables, deadlines and the desired proposal format.

Vendors interested in submitted a proposal on this project should request the detailed RFP through the contact person below. Proposals may also be submitted in person and must be received no later than 4:00 P.M., Tuesday, June 23, 1998.

Contact Person: Dan Quillin
DTED
500 Metro Square Building
121 East 7th Place
St. Paul, MN 55101-2146

Telephone: (612) 296-8282
FAX: (612) 296-8833
E-Mail: dan.quillin@state.mn.us

Department of Transportation

Request for Proposal for Employee Ear Examinations, Audiometric Testing, and Written Evaluation of Test Data

This proposal is being requested by the Department of Transportation (Mn/DOT) to provide ear examinations, audiometric testing, and written evaluations of test data in accordance with applicable O.S.H.A. regulations for designated Mn/DOT employees. This request for proposal does not obligate the state to complete the project and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

A. Scope of Project:

To provide for all Mn/DOT employees who are or have been exposed to noisy environments (over 85 DBA's) an annual hearing test performed in a soundproof booth that meets OSHA requirements.

B. Goals and Objectives:

Selected vendor will visit all Mn/DOT districts and perform ear examinations and audiometric testing on all designated employees. Upon completion of testing, will submit to the state an evaluation of tests and a written explanation of test data on each employee tested.

C. Project Tasks:

- a. Contact responsible person in each district to set up date and times for employee testing.
- b. Check ear canals for obstruction prior to audiometric testing.
- c. Perform audiometric testing on all employees which have been designed by the responsible person at each district.
- d. Provide to the state an evaluation of the test results for each employee tested.
- e. Provide to the state written explanation of the test data.

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

D. Department Contacts:

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

Barbara J. Gibson, Acting Supervisor, Budget & Finance Unit
395 John Ireland Blvd., M.S. #700
St. Paul, MN 55155
(612) 296-6079

Professional, Technical & Consulting Contracts

Please note that other department personnel are not allowed to discuss the project with responders before the submittal of proposed deadlines.

E. All proposals must be sent to and received by:

Barbara J. Gibson, Acting Supervisor, Budget & Finance Unit
395 John Ireland Blvd., M.S. #700
St. Paul, MN 55155

no later than 4:00 P.M. June 15, 1998.

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

F. Project Costs:

The department has estimated that the cost of this project should not exceed \$15,000.00 per fiscal year.

G. Project Completion Date:

OSHA requires annual hearing exams, all affected employees must be tested by the end of each fiscal year. Fiscal years end June 30.

H. Proposal Contents:

The following will be considered minimum contents of the proposal:

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

I. Evaluation Criteria:

All proposals received by the deadline will be evaluated by representatives of the Department of Transportation. In some instances, an interview may be part of the evaluation process. Factors upon which proposals will be judged, but are not limited to, the following:

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

Professional, Technical & Consulting Contracts

Department of Transportation

Engineering Services Division

Request for Qualifications and Interest Statements for Drain Inspections

The Minnesota Department of Transportation (Mn/DOT) is seeking Qualification and Interest Statements from contractors interested in performing storm drain inspections of centerline culverts, parallel culverts under bridge abutments on Mn/DOT's Right of Way, and other Trunk Highway storm drains throughout the State of Minnesota.

These services will include locating storm drains and culverts with GPS system compatible with Mn/DOT standards, arranging traffic control, cleaning storm drains and culverts as required, performing video inspection and completing inspection reports. All data collected must be compatible with Mn/DOT's GIS data base standards in an Arc/View format.

It is anticipated that a Mn/DOT T-Contract program will be set up to include several companies with master agreements, under which specific projects would be assigned as a need is identified. This program is estimated at about \$1,000,000.00 dollars for a duration of three years.

Requests for Qualification and Interest Statements will be available by mail from the address indicated below through June 15, 1998. A written request (direct mail or FAX) is required to receive the Request for Qualifications and Interest Statements. After June 15, 1998, the Requests for Qualification and Interest Statements must be picked up in person from our offices.

Requests for Qualification and Interest Statements can be obtained from:

Joseph D. Pignato, P.E.
Sr. Agreements Administrator
Minnesota Department of Transportation
395 John Ireland Boulevard, Mail Stop 680
St. Paul, MN 55155-1899
Phone: (612) 297-1172, Fax: (612) 282-5127

The Qualification & Interest Statement must be received no later than 2:00 PM on June 22, 1998. Late Submittals will not be accepted. No Time extensions will be granted.

Firms will be selected and placed on the T-Contract program list from this solicitation. Selected firms may be requested to demonstrate the skills identified above prior to receiving a master contract.

The successful responders will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting as prime contractors will receive the equivalent of a 6% preference in the evaluation, and certified Economically Disadvantaged Businesses submitting as prime contractors will receive the equivalent of 4% preference in evaluation.

This request does not obligate the Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation at any time. All expenses incurred by submitting contractors responding to this notice will be borne by the responder.

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

Non-State Public Bids, Contracts & Grants

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

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

Metropolitan Council

Request for Proposal for an Electronic Card Access System

Request for Proposals will be accepted at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, until 4:00 P.M., on Tuesday, June 16, 1998, for an electronic card access system to be installed at the Metropolitan Council, Environmental Services (MCES) Metro Wastewater Treatment Plant, St. Paul, Minnesota.

Information packets are available and can be obtained by calling (612) 602-1499 or via fax request at (612) 602-1083.

It is mandatory that any proposers interested in providing this service attend a pre-proposal conference and plant site tour on June 9, 1998, at 10:00 A.M., which will be held at the MCES Metro Plant, 2400 Childs Road, St. Paul, Minnesota 55106. Please call (612) 602-1499 to receive further instructions and to confirm attendance.

The award will be based upon, but not necessarily limited to, factors of price, agreement to the Metropolitan Council's terms and conditions, ability to meet the specifications as outlined, and past experience with the Metropolitan Council.

The Metropolitan Council reserves the right to reject any and all proposals, or any part of any proposal, to waive minor defects or technicalities or to advertise for new offers as it deems in its best interest.

Minnehaha Creek Watershed District

Notice of Request for Qualifications for Consulting Engineering Services

Pursuant to *Minnesota Statutes*, Section 103B.277, Subdivision 5, the Minnehaha Creek Watershed District is soliciting Qualifications Statements for professional engineering services for a period of two years commencing July 1, 1998.

To obtain a copy of the Request for Qualifications (RFQ) mail or fax a letter that clearly states the name and full address to which the RFQ should be mailed or faxed. The mailing address is: Minnehaha Creek Watershed District; 2500 Shadywood Road; Excelsior, MN 55331-9578. The FAX number is: 612-471-0682.

Qualifications Statements will be due at the District office by June 12, 1998 at 4:00 P.M.

Non-State Public Bids, Contracts & Grants

Minnesota Health Data Institute

Notice of Request for Proposals for Survey Data Collection and Analysis

The Minnesota Health Data Institute (MHDI) is requesting proposals from qualified vendors to conduct survey data collection and analysis for its 1998 clinic survey project. This project will use the new Provider Services CAHPS instrument to survey people who visited about 30 clinics in northeast Minnesota. MHDI will supply the vendor with the survey questionnaire and will coordinate the timely submission of clinic patient data files to the vendor. The vendor will complete the following tasks by January 5, 1999: 1) check and clean the clinic data files and draw random samples from these data files; 2) perform mail data collection (three wave protocol) with telephone follow-up to nonrespondents, to obtain 200 completed surveys for up to 30 clinics (for a total of up to 6,000 completed surveys); 3) prepare summary stub and banner tables and datasets on diskettes of the survey items collected. The vendor will also conduct statistical analyses of the data to produce reports useful for clinics to priority identify areas for improvement; these reports will be produced by no later than March 3, 1999.

Vendors should have extensive skills and experience in large-scale mail and telephone data collection methods. Experience in administering health care surveys is strongly desired.

Prospective vendors may obtain full details of this Request for Proposals by contacting:

Walter Suarez, MD, MPH
Executive Director
Minnesota Health Data Institute
2550 University Avenue West
Suite 345 North
Saint Paul, MN 55114
phone: (612) 917-6700
fax: (612) 917-6720
e-mail: walter.suarez@mhdi.org

This is a competitive RFP. Proposals are due by 5:00 p.m. (CST), Monday, June 29, 1998.

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Requests for Bids/Proposals through its fax back Bid Information Service (BIS). Subscriptions to BIS are \$75/per fiscal year (not prorated). Call 612-625-5534 for information or visit our web site at <http://purchserv.finop.umn.edu>. Choose BID Information Service.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. - 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls, MN 55454.