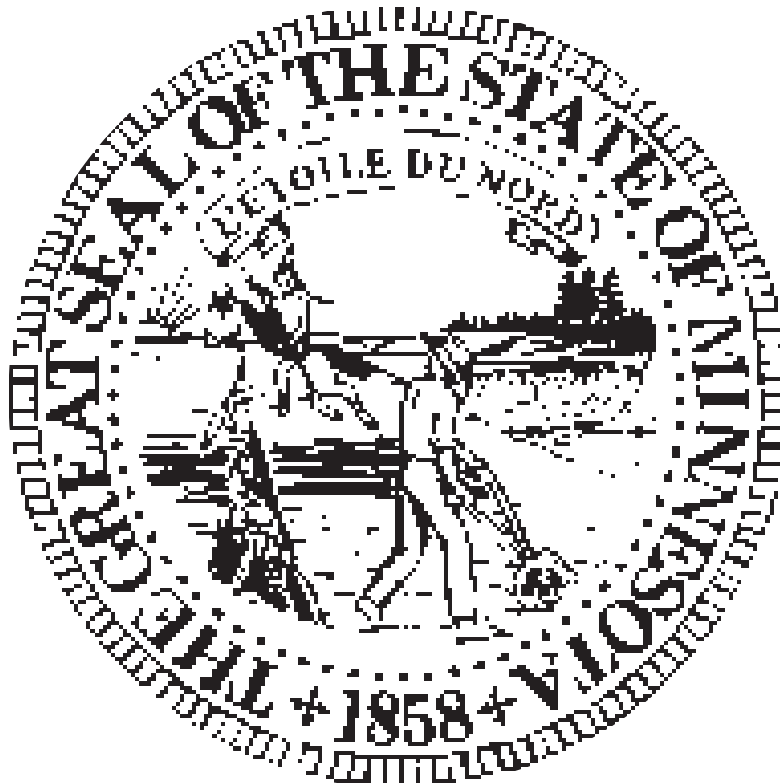


The Minnesota

# 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. 23 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
# 6	Monday 10 August	Noon Wednesday 29 July	Noon Tuesday 4 August
# 7	Monday 17 August	Noon Wednesday 5 August	Noon Tuesday 11 August
# 8	Monday 24 August	Noon Wednesday 12 August	Noon Tuesday 18 August
# 9	Monday 31 August	Noon Wednesday 19 August	Noon Tuesday 25 August
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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 (651) 296-0504  
Room 231 State Capitol, St. Paul, MN 55155

Contact: House Information Office (651) 296-2146  
Room 175 State Office Building, St. Paul, MN 55155

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## 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 1997 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 (651) 297-3000, or toll-free 1-800-657-3757.

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# Proposed Rules

## Comments on Planned Rules or Rule Amendments

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

## Rules to be Adopted After a Hearing

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

## Rules to be Adopted Without a Hearing

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

## Board of Social Work

### Proposed Permanent Rules Relating to Social Work Licensure

**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 Permanent Rules Relating to Social Work Licensure, *Minnesota Rules*, chapter 8740.

**Introduction.** The Board of Social Work intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on September 9, 1998, a public hearing will be held in Room 10, State Office Building, 100 Constitution Avenue, St. Paul, Minnesota 55155, starting at 9:00 a.m. on September 25, 1998. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the Board of Social Work after September 9, 1998 and before September 25, 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: Tom McSteen at the Minnesota Board of Social Work, 2829 University Avenue, Suite 340, Minneapolis, Minnesota 55414, (612) 617-2100, toll-free (888) 234-1320, FAX (612) 617-2103, email [tom.mcsteen@state.mn.us](mailto:tom.mcsteen@state.mn.us). TTY users may call at (800) 627-3529.

**Subject of Rules and Statutory Authority.** The proposed rules are about social work licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, section 148B.20. 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 September 9, 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 comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on September 9, 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/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 accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

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

**Cancellation of Hearing.** The hearing scheduled for September 25, 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 Board of Social Work at (612) 617-2100, toll-free (888) 234-1320, TTY (800) 627-3529 after September 9, 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 George A. Beck is assigned to conduct the hearing. Judge Beck can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7601, and FAX (612) 349-2665.

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

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

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

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the 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.

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**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 rules 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: 24 July 1998

Jane Braun, LSW  
Chair

### 8740.0100 PURPOSE.

~~Parts 8740.0100 to 8740.0310 protect~~ This chapter protects the public by:

A. setting standards of qualifications, training, and experience for those who seek ~~to represent themselves to the public as a license to practice social workers work in Minnesota;~~ and

B. ~~promoting high~~ establishing standards of ~~professional performance for those engaged in the practice of~~ practice and ethical conduct for persons who seek licenses or who are licensed to practice social work.

~~Parts 8740.0110 to 8740.0310 contain procedures and guidelines for licensing and regulating social workers.~~

### 8740.0110 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, unless the context otherwise requires, the following terms have the meanings given.

Subp. 2. **Advertising.** "Advertising" means a communication ~~to a potential client about the availability, nature, or terms of services within the scope of social work practice or any method by which the applicant or licensee makes a statement or representation concerning the applicant or licensee's licensure, qualifications, or credentials, or the nature of social work services offered.~~ Advertising includes ~~business, but is not limited to,~~ solicitations, ~~with or without limiting qualifications, in a card, sign, or device~~ business cards, letters, signs, or devices issued or offered to a person; in a sign or marking in or on a building; in a newspaper, magazine, or other print media; or via the Internet or other live or recorded electronic media.

Subp. 2a. **Alternative verification of supervised practice.** "Alternative verification of supervised practice" means evidence satisfactory to the board that an applicant cannot locate a former supervisor and which provides verification of supervised practice.

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. **Clinical social work.** "Clinical social work" means social work practice that is consistent with the definition ~~corresponds to the scope of social work practice for licensed independent clinical social workers under defined in Minnesota Statutes, section 148B.18, subdivision 11, paragraph (c).~~

Subp. 7. **Continuing education.** "Continuing education" means ~~30 continuing education hours within the biennial licensure period. Continuing education is education obtained by a professional social worker licensee to maintain, improve, or expand skills and knowledge related to the practice of social work as defined in parts 8740.0100 to 8740.0310 a program or activity that meets the requirements of part 8740.0285.~~

Subp. 8. **Council on Social Work Education.** "Council on Social Work Education" means the national accreditation body for social work education ~~as~~ recognized by the United States Department of Education and the National Commission on Accreditation.

Subp. 9. [See repealer.]

Subp. 10. [See repealer.]

Subp. 11. [See repealer.]

Subp. 12. [See repealer.]



Subp. 13. **Face-to-face supervision.** “Face-to-face supervision” means ~~a direct in-person supervision. Supervision via telephone or other live electronic media is acceptable supervision if it is logged or recorded and does not account for more than one-quarter of the total number of hours required under part 8740.0130,~~ interactive, live exchange, either in person, by telephone, or by audio or audiovisual electronic device in either individual supervision or group supervision.

Subp. 14. **Group supervision.** “Group supervision” means ~~two or more supervisees with one supervisor. Group supervision must not exceed eight hours of the supervisory time required under part 8740.0130 and more than one supervisee or one supervisor~~ and at least one supervisee and other health professionals in related professions in face-to-face supervision. Group supervision is facilitated by the supervisor and involves an exchange among all group members. The size of any group shall be limited to seven, including the supervisor.

Subp. 15. [See repealer.]

Subp. 16. [See repealer.]

Subp. 16a. **Individual supervision.** “Individual supervision” means one supervisor and one supervisee in face-to-face supervision.

Subp. 17. [See repealer.]

Subp. 18. [See repealer.]

Subp. 18a. **Legal representative.** “Legal representative” means a legal guardian; parent of a minor, as defined by law; or other person with the express legal authority to act for or on behalf of the client.

Subp. 18b. **Licensing examination.** “Licensing examination” means the examination provided by the American Association of State Social Work Boards, or a comparable examination as determined by the board.

Subp. 19. [See repealer.]

Subp. 20. **Qualified professional.** “Qualified professional” means an individual who has the authority to direct the supervisee’s practice ~~of the licensee and has the ability to provide supervision in accordance with the requirements of part 8740.0130,~~ including, but not limited to, an agency director, ~~a consulting supervisor,~~ a school principal, or a nursing home administrator whom the board ~~considers accepts as~~ appropriate when a social work supervisor, as required, is unobtainable.

Subp. 21. **Supervisee.** “Supervisee” means an ~~individual applicant or licensee~~ who is engaged in ~~professional social work practice as permitted by Minnesota Statutes, chapter 148B, or the laws of another jurisdiction under the direction~~ supervision of a supervisor for the purpose of meeting the requirements under part 8740.0130.

Subp. 21a. **Supervision.** “Supervision” means the professional relationship between a supervisor and a supervisee in which the supervisor provides evaluation of and direction over the supervisee’s practice, for the purpose of the supervisee’s professional development, in accordance with the requirements of part 8740.0130.

Subp. 22. **Supervisor.** “Supervisor” means ~~a social worker licensee, a person practicing social work without a license as permitted by Minnesota Statutes, section 148B.28, or the laws of another jurisdiction, or a qualified professional or a qualified mental health professional who is licensed or was eligible for licensure during the transition period and under the emergency rules and who has the authority to direct the practice of the licensee authorized under part 8740.0130 to provide supervision to a supervisee. The supervisor must have completed the two years or 4,000 hours of supervised social work experience required under part 8740.0130 prior to providing supervision.~~

Subp. 23. **Supervisor’s Verification of supervised practice.** ~~“Supervisor’s Verification of supervised practice” means a form supplied by the board attesting to the hours of supervision.~~ written confirmation by the supervisee’s supervisor, in a form specified by the board, of the number of hours of supervision, the number of social work practice hours completed under supervision, and the type and frequency of supervision. The supervisor shall also address the supervisee’s performance, competence, and adherence to the standards of practice and ethical conduct, and address whether the position description submitted by the supervisee is an accurate description of the supervisee’s social work practice. In addition, a supervisor verifying a supervisee’s practice of clinical social work shall provide a detailed description of the supervisee’s practice.

Subp. 24. [See repealer.]

Subp. 25. [See repealer.]

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## Proposed Rules

### 8740.0120 PROCEDURES FOR APPLICATION AND LICENSING PROCESSES.

Subpart 1. **Information required.** A person seeking a license from the board must submit to the board the information and documents in items A to E D.

A. ~~An application~~ A completed, signed, and notarized ~~on the forms~~ application form provided by the board: ~~The applicant must furnish all documentation requested on the application.~~

~~B., with the required, nonrefundable application fee as specified in part 8740.0290, payable to the Board of Social Work. An application which is not completed, signed, or notarized, or which is not accompanied by the correct fee, shall be returned to the person submitting the application and is void. A person seeking a license from the board must provide the person's legal name, prior names used, and social security number.~~

~~C. B.~~ An official copy of the applicant's transcript, ~~including verification of which verifies the major and the degree granted required for the level of licensure being applied for and the date of the degree.~~ Transcripts ~~should~~ must be sent directly to the board office from the institution granting the degree.

~~D. Where applicable, verification of two years or 4,000 hours of supervised experience in the practice of social work to be completed before the date of application. A supervisor's verification form shall be completed and signed by the supervisor and sent directly to the board office.~~

~~E. C.~~ A form provided by the board signed by the applicant's supervisor that states that the requirements for supervision under part 8740.0130 have been met. For an application for licensure as a licensed independent social worker or a licensed independent clinical social worker, verification of supervised practice in a form specified by the board from each supervisor whom the applicant has identified on the application form, verifying that the applicant has met the applicable supervised practice requirements in part 8740.0130. The supervisor shall submit the verification of supervised practice directly to the board. If an applicant cannot provide a signed statement from locate the supervisor, the board may accept alternative verification of supervision supervised practice. The burden of proof of the required supervision rests with the applicant.

D. For persons who have held or hold a social work or related license or other credential from another jurisdiction, verification of the other license or other credential, in a form specified by the board, including the effective and expiration dates of the license, whether the license was obtained by examination or another basis, and whether the license is in good standing.

Subp. 1a. **Taking licensing examination.** If the board determines that an applicant meets the degree and any supervised practice requirements, the board shall notify the applicant of the board's approval for the applicant to take the licensing examination.

Subp. 2. **Taking licensing examination prior to graduation before completing degree requirements.** ~~A person~~ An applicant enrolled in an accredited program of social work who expects to graduate within six months after the date of an examination may take the licensing examination during the six-month period before graduation if, prior to the exam date, the board receives from that person:

~~A. the date on which the applicant expects to complete the requirements of a degree if the applicant submits, with the application for licensure, a letter from the department chair or advisor at the accredited program of social work verifying:~~

~~A. that the person applicant is in good standing in an the accredited program of social work;~~

~~B. verification the date of the applicant's expected graduation date completion of the requirements of a degree; and~~

~~C. verification that the person is majoring will complete a major in social work.~~

#### Subp. 2a. Approval of application for licensure.

A. An applicant has the burden of proving that the applicant has satisfied all requirements for licensure.

B. If an applicant obtains a passing score on the appropriate licensing examination, and if the applicant has met all other requirements for licensure, including that the applicant has not engaged in any conduct warranting disciplinary action against a licensee, the board shall notify the applicant that the applicant's application for licensure has been approved. The board shall also notify the applicant of the license fee, as specified in part 8740.0290, which must be paid to the board before the board may issue a license to the applicant.

C. The applicant must pay the correct license fee within 60 days of the date of the board's notice that the application for licensure has been approved. If the board does not receive the correct license fee within 60 days, the application for licensure is void. To obtain licensure, the applicant shall submit a new application for licensure and the appropriate fee and demonstrate that the applicant has met all other requirements for licensure.

Subp. 2b. **Ineligible for licensure.** An applicant without a baccalaureate or a master's degree from an accredited program of social work or a doctoral degree in social work shall be ineligible for licensure, and the applicant's application for licensure shall be void. The board's voiding the application is not subject to judicial review.

Subp. 2c. **Denial of application for licensure.** If the board determines that an applicant has not met the licensing requirements, the board shall deny the applicant's application for licensure. An applicant who fails the licensing examination may reapply for licensure and retake the licensing examination in a time and manner specified by the board. An applicant whose application for licensure is denied on the basis of having engaged in conduct warranting disciplinary action against a licensee shall not reapply for one year from the date of the denial of the application unless a different time period is specified by the board.

Subp. 2d. **Passing score on licensing examination.** A passing score on the licensing examination shall be accepted by the board for eight years from the date of the licensing examination.

Subp. 3. **Verification of information; ~~board authority voiding an application.~~** An applicant, by submitting an application, authorizes the board to investigate ~~or contact persons to verify the applicant's background, including the information in the application~~ provided as part of the application process. The board may request that the applicant provide additional information, verification, or documentation to aid in the board's ~~decision making~~ review of the application. If an applicant does not provide the additional information, verification, or documentation in the manner and time directed by the board, the application shall be void. The applicant may reapply by submitting the application materials required under this part, including payment of the application fee.

#### **8740.0122 EFFECTIVE DATE; EXPIRATION DATE; RENEWAL; CHANGE IN LICENSE.**

Subpart 1. **Effective date of an initial license.** The effective date of an initial license is the day on which the board receives the correct and payable license fee from an applicant approved for licensure. Upon receipt of the correct and payable fee, the board shall issue a license number, a license certificate, and a license card appropriate to the initial license.

Subp. 2. **Expiration date of an initial license.** The expiration date of an initial license is the last day of the licensee's birth month in the second calendar year following the effective date of the initial license.

Subp. 3. **License renewal; effective date and expiration date.** A license may be renewed, pursuant to the requirements of part 8740.0200, for a two-year term. The effective date of a renewed license is the day following the expiration date of the license. The expiration date of a renewed license is the last day of the licensee's birth month in the second calendar year following the effective date of the renewed license. A license may be renewed for continuous two-year terms provided the requirements of part 8740.0200 are met.

Subp. 4. **Renewal cycle.** The renewal cycle is the period of time from the effective date of an initial or renewed license to the expiration date of an initial or renewed license.

Subp. 5. **Change in licensure.**

A. A licensee who applies for and is approved for a different license must pay the difference between the license fees for the two licenses, prorated from the date of the board approval of the new license to the expiration date of the initial or the renewed license, and return the license certificate and license card for the first license. The effective date of the new license is the day on which the board receives the correct and payable prorated difference in the license fees and the license certificate and license card. Upon receipt of the correct and payable fee and the license certificate and license card, the board shall issue a new license certificate and license card appropriate to the new license. The licensee shall retain the same license number.

B. The expiration date of the new license shall be the same date as the expiration date of the initial or renewed license held prior to the change in license. The licensee must document compliance with the continuing education requirements of part 8740.0200 by the expiration date as if there had been no change in license. The new license may be renewed consistent with this part and part 8740.0200.

#### **8740.0130 ~~SUPERVISION~~ SUPERVISED PRACTICE REQUIREMENTS.**

Subpart 1. **General.** An applicant for a license by the board must show that the applicant has the supervised experience required under the appropriate subpart 3 to 6. The supervised work experience required for a licensee at the licensed social worker (LSW) level under subpart 3 must be documented by the licensee's first biennial renewal. The continuing supervision required for a licensee at the licensed graduate social worker (LGSW) level under subpart 4 must be documented at each license renewal. The supervised work experience required for licensure at the licensed independent social worker (LISW) level under subpart 5 and at the licensed independent clinical social worker (LICSW) level under subpart 6 must be documented at the time of application for those levels.

A. The supervision required under this part is to meet licensing requirements. This part does not prohibit applicants or licensees from participating in other supervision relationships for purposes other than meeting the requirements of this part.

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B. The supervised social work practice must be obtained while the supervisee is employed in a paid social work position or in an unpaid social work position which meets the criteria in subpart 7.

C. If a supervisee cannot locate the supervisor for the purpose of verifying the supervised practice obtained to meet the requirements of this part, the board shall accept alternative verification of supervised practice.

D. The supervised practice required under this part shall be unacceptable if the supervisor attests in a form specified by the board that the supervisee's performance, competence, or adherence to the standards of practice and ethical conduct has been unsatisfactory.

E. The board shall not accept the verification of supervised practice required under this part or approve a supervision plan required under this part if it finds the supervisor to be unqualified or unacceptable to provide supervision.

**Subp. 1a. Types of supervision.** The supervision required under this part may consist of individual supervision and group supervision. Group supervision may not constitute more than one-half of the number of supervision hours required under this part. At least two-thirds of the number of supervision hours required under this part must be in-person supervision. At least two-thirds of the number of individual supervision hours completed must be in-person supervision, and at least two-thirds of the number of group supervision hours completed shall be in-person supervision.

**Subp. 1b. Content of supervision.** The content of supervision must include:

A. the transmission of social work knowledge, skills, values, and ethics with specific application to the practice issues faced by the supervisee;

B. the standards of practice and ethical conduct, with particular emphasis given to the social worker's role and appropriate responsibilities, professional boundaries, and power dynamics; and

C. the supervisee's permissible scope of practice, as defined by Minnesota Statutes, section 148B.18, subdivision 11.

**Subp. 1c. Supervision plan.**

A. A licensee obtaining supervision under this part shall submit, in a form specified by the board, a written plan for meeting the supervision requirements. The supervision plan must be submitted no more than 30 days after beginning a social work practice position.

B. If the board determines that the supervision plan submitted meets the applicable supervision requirements, then the supervisee's completion of the supervised practice, as verified under this part, will apply toward the supervised social work practice requirement provided that there was no substantial change from the approved supervision plan.

C. If the board determines that the proposed supervision plan does not meet the applicable supervision requirements, then, upon notification by the board, the licensee, if practicing social work in a setting for which licensure is required, shall comply immediately with the supervision requirements of this part and submit a revised supervision plan that complies with this subpart.

D. A licensee shall submit a new supervision plan, within 30 days of any of the following changes, when:

(1) the licensee has a new supervisor;

(2) the scope or content of the social work practice changes substantially during the course of the supervision; or

(3) the licensee begins a new social work position.

E. The board shall grant a waiver of this subpart to a supervisee who provides verification of completed supervised practice that meets the requirements of this part.

F. The supervision plan requirement shall apply only to applicants or licensees who have not yet secured an appropriate supervisor for their current social work practice position by the effective date of this subpart. Applicants or licensees who have secured an appropriate supervisor for their current social work practice by the effective date of this subpart must submit a supervision plan as required by this subpart when either or both of the following conditions occur:

(1) beginning a new social work position; or

(2) changing to a new supervisor.

Subp. 2. [See repealer.]

**Subp. 2a. Proportionate increase in supervision hours.** Applicants and licensees who have already accumulated hours of appropriate supervised practice by the effective date of subparts 3 to 6 must obtain the additional hours of supervision specified in subparts 3 to 6 on a proportionate basis for the remaining portion of the required two years of full-time or 4,000 hours of part-time social work practice; for the remaining portion, applicants and licensees must obtain at least three hours of supervision per calendar month for full-time practice or, for part-time practice, a prorated number of hours of supervision per calendar month corresponding to the number of part-time practice hours.

### Subp. 3. Licensed social worker (~~LSW~~). For

A. A licensed social worker (~~LSW~~); ~~supervision qualifying an applicant as a licensed social worker consists of face-to-face, group, peer, or interdisciplinary supervision sessions for a minimum of 50 hours of supervision during two years or 4,000 hours of social work practice;~~ must obtain, following the effective date of a license, a minimum of 75 hours of appropriate supervision for the first two years of full-time or 4,000 hours of part-time social work practice. The supervision must be continuous and the 75 hours must be evenly distributed over the course of the supervised social work practice, with at least three hours of supervision per calendar month for full-time practice or, for part-time practice, a prorated number of hours of supervision per calendar month corresponding to the number of part-time practice hours. The required supervised practice must be completed under an approved supervision plan.

B. Supervision must be ~~or have been~~ provided by:

(1) a licensed social worker ~~or who has documented the completion of the supervision requirements under this part, a licensed graduate social worker, a licensed independent social worker, or a licensed at a higher level than the applicant. The applicant must provide verification of that supervision;~~ independent clinical social worker; or

(2) a supervisor practicing social work without a social work license, as permitted by *Minnesota Statutes*, section 148B.28, ~~or the laws of another jurisdiction, who would meet the degree and supervised practice requirements, if applicable, for a license as a licensed social worker, a licensed graduate social worker, a licensed independent social worker, or a licensed independent clinical social worker.~~

~~If that supervision is found by the board to be~~ determines that appropriate social work supervision is unobtainable under this part, then the board may shall accept supervision from another a qualified professional as defined under part 8740.0110, subpart 20, or a qualified mental health professional. The burden of proof of the required supervision rests with the licensee. Experience required under this subpart does not include internships or volunteer work. The experience must have been obtained after the applicant received a bachelor's degree and must be supervised; paid; social work experience.

C. A licensed social worker must provide verification of the supervised practice completed under an approved supervision plan at the time of application for the first renewal of a license. A licensed social worker who has practiced under acceptable supervision but who has not completed the required hours of supervision by the first license renewal must continue to be supervised until completion of the required hours. The balance of supervised practice hours completed after the first renewal of a license shall be documented upon completion either before or at subsequent license renewals.

### Subp. 4. Licensed graduate social worker (~~LGSW~~). For

A. A licensed graduate social worker (~~LGSW~~); ~~supervision qualifying an applicant as a licensed graduate social worker consists of face-to-face, group, peer, or interdisciplinary supervision sessions for a minimum of 50 hours must be supervised while practicing social work. A licensed graduate social worker must provide verification of the supervised practice completed under an approved supervision plan at each two-year license renewal. A licensed graduate social worker must obtain 75 hours of appropriate supervision for each two years of full-time or 4,000 hours of part-time social work practice. The supervision must be continuous and the 75 hours must be evenly distributed over the course of the supervised social work practice, with at least three hours of supervision per calendar month for full-time practice or, for part-time practice, a prorated number of hours of supervision per calendar month corresponding to the number of part-time practice hours. The required supervised practice must be completed under an approved supervision plan.~~

B. Supervision must be ~~or have been~~ provided by a licensed independent social worker ~~at least at the level of the applicant or at a higher level than the applicant. The applicant must provide verification of supervision, by a licensed independent clinical social worker, or by a supervisor practicing social work without a social work license, as permitted by Minnesota Statutes, section 148B.28, or the laws of another jurisdiction, who would meet the degree and supervised practice requirements for a license as a licensed independent social worker or a licensed independent clinical social worker. If the licensed graduate social worker is practicing clinical social work, then the supervision must be provided by a licensed independent clinical social worker or by a supervisor practicing social work without a social work license, as permitted by Minnesota Statutes, section 148B.28, or the laws of another jurisdiction, who would meet the degree and supervised practice requirements for a license as a licensed independent clinical social worker. If that supervision is found by the board to be~~ determines that appropriate social work supervision is unobtainable under this part, then the board may shall accept supervision from another a qualified professional as defined under part 8740.0110, subpart 20 or a qualified mental health professional. If the board determines that appropriate social work supervision is

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unobtainable and the licensed graduate social worker is practicing clinical social work, only a qualified mental health professional shall be acceptable. The burden of proof of the required supervision rests with the licensee. Experience required under this subpart does not include internships or volunteer work. The experience must have been obtained after the applicant received a master's or doctorate degree and must be supervised, paid, social work experience.

### Subp. 5. Licensed independent social worker (LISW). For

A. A supervisee applying for licensure as a licensed independent social worker (LISW), supervision qualifying an applicant as a licensed independent social worker consists of face-to-face, group, or interdisciplinary supervision sessions for must provide verification of the supervised practice completed, for a minimum of 50 75 hours of appropriate supervision for two years of full-time or 4,000 hours of supervised part-time social work practice after having received the degree required for licensure as an independent social worker. The supervision must have been obtained after the applicant received a master's or doctorate degree. The while licensed as a licensed graduate social worker or while practicing social work without a license as permitted by *Minnesota Statutes*, section 148B.28, or the laws of another jurisdiction. The supervision must have been continuous and the 75 hours must have been evenly distributed over the course of the supervised social work practice, with at least three hours of supervision per calendar month for full-time practice or, for part-time practice, a prorated number of hours of supervision per calendar month corresponding to the number of part-time practice hours. Licensees must complete this required supervised practice under an approved supervision plan.

B. Supervision must be or have been provided by a licensed independent social worker or licensed independent clinical social worker, or by a supervisor practicing social work without a social work license, as permitted by *Minnesota Statutes*, section 148B.28, or the laws of another jurisdiction, who would meet the degree and supervised practice requirements for a license as a licensed independent social worker or a licensed independent clinical social worker. Experience required under this subpart does not include internships or volunteer work. The applicant must provide verification of supervision. If that supervision is found by the board to be determines that appropriate social work supervision is unobtainable under this part, the board may shall accept supervision from another a qualified professional as defined under part 8740.0110, subpart 20 or a qualified mental health professional. The burden of proof of the required supervision rests with the licensee.

C. A licensed independent social worker is not required to be supervised, except that a licensed independent social worker practicing clinical social work must be supervised for the portion of the licensed independent social worker's practice that constitutes clinical social work by:

(1) a licensed independent clinical social worker or by a supervisor practicing social work without a social work license, as permitted by *Minnesota Statutes*, section 148B.28, or the laws of another jurisdiction, who would meet the degree and supervised practice requirements for a license as a licensed independent clinical social worker; or

(2) if the board determines that appropriate social work supervision is unobtainable, by a qualified mental health professional.

### Subp. 6. Licensed independent clinical social worker (LICSW). For

A. A supervisee applying for licensure as a licensed independent clinical social worker (LICSW), supervision qualifying an applicant for an independent clinical social worker license includes review of a social worker's interaction with clients, with the goal of improving the social worker's clinical skills. Supervision must be conducted face-to-face or in group or interdisciplinary supervision sessions. The content may include but not be limited to discussion of case presentations, review of audio tapes, and direct observation of the social worker-client interaction by the supervisor. Supervision must have been provided for a minimum of 50 hours for the two years or 4,000 hours of supervised social work practice, in order to qualify the social worker for this level of licensure. The supervision must have been obtained after the applicant received a master's or doctorate degree. The must provide verification of the supervised practice completed, for a minimum of 75 hours of appropriate supervision for two years of full-time or 4,000 hours of part-time clinical social work practice after having received the degree required for licensure as an independent clinical social worker. The supervision must have been obtained while licensed as a licensed graduate social worker or a licensed independent social worker, or while practicing social work without a license as permitted by *Minnesota Statutes*, section 148B.28, or the laws of another jurisdiction. The supervision must have been continuous and the 75 hours must have been evenly distributed over the course of the supervised clinical social work practice, with at least three hours of supervision per calendar month for full-time practice or, for part-time practice, a prorated number of hours of supervision per calendar month corresponding to the number of part-time practice hours. Licensees must complete this required supervised practice under an approved supervision plan.

B. Supervision must have been provided by a licensed independent clinical social worker, or by a supervisor practicing social work without a social work license, as permitted by *Minnesota Statutes*, section 148B.28, or the laws of another jurisdiction, who would meet the degree and supervised practice requirements for a license as a licensed independent clinical social worker. Experience required under this subpart does not include internships or volunteer work. The applicant must provide verification of supervision. If that supervision is found by the board to be determines that appropriate social work supervision is unobtainable under this part, the board may shall accept supervision from a qualified mental health professional as defined in *Minnesota Statutes*, section 148B.18, subdivision 10. The burden of proof of the required supervision rests with the licensee.

**Subp. 7. Applicability of unpaid social work practice.** Supervised unpaid social work practice shall apply toward the supervised practice requirement if the supervisee demonstrates that the supervised social work practice was not part of the supervisee's academic degree program used to qualify for a social work license and that the supervised social work practice meets all other supervision requirements under this part.

**Subp. 8. Unobtainable supervision.**

A. The board may determine that appropriate social work supervision is unobtainable if the supervisee provides written documentation satisfactory to the board that the supervisee has conducted a thorough search for the supervision required under this part and that the search was unsuccessful.

B. A thorough search consists of a search for the appropriate social work supervision both within the supervisee's agency or organization and outside of the agency or organization within a reasonable geographic proximity. The supervisee must describe the extent of the search, the names and locations of the persons and organizations contacted, and the geographic limitations of the areas in which the supervisee resides and works.

C. The supervisee's request under this subpart must also include proposed alternative supervision arrangements, including the name and credentials of the qualified professional or the qualified mental health professional.

D. The board shall not consider appropriate social work supervision to be unobtainable on the grounds:

(1) that compliance with the requirements of this part would present a financial hardship;

(2) that the supervisee is unable to secure appropriate social work supervision within the supervisee's agency or organization and the agency or organization will not allow outside supervision; or

(3) that the specialized nature of the supervisee's practice requires supervision from a nonsocial work supervisor practicing in the same specialized area.

**8740.0155 RECIPROCITY.**

**Subpart 1. Eligibility.** An applicant for licensure by reciprocity must hold a current license or other credential to practice social work in another jurisdiction and demonstrate to the board that the requirements which the applicant met for the issuance of the license or credential are substantially similar to the board's requirements for licensure in Minnesota and that the license or credential is in good standing.

**Subp. 2. Application.** An applicant for licensure by reciprocity must meet all of the application requirements in part 8740.0120, and Minnesota Statutes, chapter 148B, except as specified in this part. An applicant for licensure by reciprocity must identify all of the jurisdictions in which the applicant has held or holds a license or other credential to practice social work.

**Subp. 3. Substantially similar.** The board shall compare the licensure requirements in the other jurisdiction to the requirements for licensure under Minnesota Statutes, section 148B.21, to determine whether the requirements are substantially similar. The board shall not determine that the requirements are substantially similar unless the applicant has received a degree in social work from an accredited program of social work.

**Subp. 4. Supervised practice.** An applicant for licensure by reciprocity must meet the applicable supervised practice requirements under part 8740.0130 for the license for which the applicant is applying. The supervised practice may have been obtained before or after issuance of the license or credential in the other jurisdiction.

**Subp. 5. Examination waived.** An applicant for licensure by reciprocity who demonstrates a passing score on the licensing examination is not required to take the licensing examination.

**8740.0185 NAME CHANGE; DUPLICATE LICENSE CERTIFICATE OR CARD.**

**Subpart 1. Name change.** When a licensee changes the licensee's legal name, the licensee must request a new license certificate no more than 30 days after the date of the legal name change. The board shall issue a new license certificate and license card when the licensee provides legal verification of the name change, pays the duplicate license certificate fee specified in part 8740.0290, and returns the original license certificate or submits an affidavit that the original license certificate was lost, stolen, or destroyed.

**Subp. 2. Obtaining a new license certificate or license card.** A duplicate license ~~may~~ certificate shall be issued for the fee set specified in part 8740.0290; ~~item E,~~ when the licensee ~~notifies~~ submits an affidavit to the board ~~by certified statement~~ that the original license certificate was lost, stolen, or destroyed, or when the licensee submits a written request for a duplicate license certificate

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~~for another place of practice or office location. A duplicate license card shall be issued for the fee specified in part 8740.0290 when the licensee submits a written request for a duplicate card. The duplicate license shall be marked "duplicate" and the date of its issuance indicated. If the licensee has a name change, the board shall issue a new license when the licensee provides verification of the name change, surrenders the original license, and pays a duplicate license fee.~~

### **8740.0187 CHANGE OF ADDRESS.**

~~A licensee shall notify the board in writing of any change of mailing address; home address, if different; and home and business telephone number no more than 30 days after the change.~~

### **8740.0200 LICENSE RENEWAL APPLICATION PROCEDURES.**

Subpart 1. **Application and service.** ~~The licensee must maintain a current correct mailing address with the board for receiving board communications, notices, and license renewal documents~~ board will mail an application for license renewal to a licensee at least 45 days before the expiration date of the license. Placing the renewal application for license renewal in first class United States mail, addressed to the licensee at the licensee's last known mailing address with postage prepaid, constitutes valid service mailing. Failure to receive the renewal documents does not relieve a license holder of the obligation to renew a license or to pay the renewal fee.

Subp. 2. [See repealer.]

Subp. 2a. **Applying for renewal of a license.** In order to renew a license, a licensee must submit a completed, signed application for license renewal, with the required, nonrefundable license renewal fee as specified in part 8740.0290, payable to the Board of Social Work. The application must be postmarked or received by the board by the end of the business day on the licensee's expiration date. An application which is not completed or signed, or which is not accompanied by the correct fee, shall be returned to the licensee and is void. If the application for license renewal is received after the expiration date, the licensee shall pay a late fee as specified in part 8740.0290, payable to the Board of Social Work, in addition to the renewal fee, before the application for license renewal will be considered by the board.

Subp. 2b. **License renewal requirements.** A licensee must document compliance with the continuing education requirements, pursuant to part 8740.0285, and, if applicable, the supervised practice requirements, pursuant to part 8740.0130, and provide any other information requested by the board.

Subp. 2c. **License renewal.** If a licensee meets the requirements of this part, the board shall renew the license and issue the licensee a new license card valid for one renewal cycle.

Subp. 2d. **Pending renewal.** If a licensee's application for license renewal is postmarked or received by the board by the end of the business day on the licensee's expiration date, the licensee may continue to practice after the expiration date while the application for license renewal is pending with the board.

Subp. 2e. **Practice prohibited.** A licensee who fails to submit an application for license renewal or whose application for license renewal is not postmarked or received by the board by the end of the business day on the licensee's expiration date is not authorized to practice after the expiration date and is subject to disciplinary action by the board for any practice after the expiration date.

Subp. 3. **Expired license.** ~~The~~

A. A licensee's failure to renew ~~with~~ a license within 60 days of the expiration date, failure to meet the license renewal requirements of this part, or failure to provide all of the information as directed by the board shall result in an expired license. ~~An expired license must be reinstated according to part 8740.0205.~~ An individual with an expired license must return the license certificate and the most recent license card to the board within ten days of the notice of the expired license. An individual with an expired license who desires to be licensed again must submit a new application for a license, pay the application fee, and meet all other requirements for licensure.

B. The board shall retain jurisdiction over an expired license and may take disciplinary action against an expired license based on conduct occurring before the expiration of the license.

C. The board shall reinstate an expired license when the licensee demonstrates to the board that the licensee was unable to comply with the license renewal requirements due to a mental or physical condition.

Subp. 4. [See repealer.]

### **8740.0222 INACTIVE LICENSE STATUS.**

Subpart 1. **Defined; qualifications.** A license may be placed on inactive status if a licensee is not practicing social work in Minnesota and the licensee does not wish to meet license renewal requirements every two years. A licensee qualifies for inactive status if the licensee demonstrates to the board that the licensee is not practicing social work, as defined by *Minnesota Statutes*, section 148B.18, in any setting in Minnesota.



**Subp. 2. Application.**

A. A licensee may apply for inactive status: (1) at any time by submitting a written request for inactive status; or (2) as an alternative to applying for the renewal of a license by so recording on the application for license renewal form and submitting the completed, signed form. The application for inactive status must be accompanied by the nonrefundable inactive status fee specified in part 8740.0290, payable to the Board of Social Work. An application which is not completed or signed, or which is not accompanied by the correct inactive status fee, shall be returned to the licensee and is void. If the application for inactive status is received after the expiration date, the licensee shall pay a late fee as specified in part 8740.0290, payable to the Board of Social Work, in addition to the inactive status fee, before the application for inactive status will be considered by the board.

B. The licensee shall also submit a completed, signed, and notarized affidavit in a form specified by the board. The affidavit for inactive status must verify that the licensee will not use the title social worker and will not engage in social work practice in any setting in Minnesota after the date of the board's approval of the application for inactive status.

C. The licensee shall also submit the license certificate or a completed, signed, and notarized affidavit that the license certificate was lost, stolen, or destroyed before the application for inactive status will be considered by the board. The board shall hold the license certificate while the license is on inactive status.

**Subp. 3. Approval.** The board shall approve an application for inactive status if the qualifications and application requirements have been met.

**Subp. 4. Practice prohibited.** Licensees on inactive status shall not practice, attempt to practice, offer to practice, or advertise or hold themselves out as authorized to practice social work in any setting in Minnesota and shall use only the title "social worker - inactive status."

**Subp. 5. Time limit on inactive status.** A licensee may maintain a license on inactive status for up to ten consecutive years. Within 30 days after the end of this ten-year period, the licensee must apply for reactivation of the license or the license will expire.

**Subp. 6. Continuing education requirement.** A licensee whose license is on inactive status must continue to obtain the continuing education hours required by part 8740.0285 that would be required if the licensee's license were on active status.

**Subp. 7. Reactivating a license.**

A. To reactivate a license, a licensee must complete an application for reactivation of a license, in a form specified by the board; document compliance with the continuing education hours required by subpart 6 and any continuing education hours not reported by the last expiration date of the license; submit a supervision plan under part 8740.0130, if required; pay a prorated license renewal fee for the balance of the biennial renewal cycle; and pay the duplicate license certificate fee specified in part 8740.0290, if the original license certificate was not returned to the board with the application for inactive status.

B. If a licensee who reactivates a license has been on inactive status for five or more consecutive years and has not practiced social work during this period, the licensee must receive at least 38 hours of supervision for the first year of full-time practice or 2,000 hours of part-time practice, in accordance with the supervised practice requirements in part 8740.0130 for application to the licensee's current level. A licensee must submit a supervision plan before beginning practice, in accordance with part 8740.0130. A licensee must have the supervisor submit verification of the supervised practice in a form specified by the board within 30 days of completing this supervised practice requirement. This supervision requirement shall be waived if the licensee can document at least two years of social work practice, outside of Minnesota, within the previous five-year period.

C. For licensed social workers, the completed hours of supervised practice required under this subpart apply toward any remaining hours required by part 8740.0130, subpart 3.

D. Licensed graduate social workers and licensed independent social workers shall complete this supervised practice requirement before applying for another social work license. Supervised practice hours obtained to meet this requirement may be applied toward the supervised practice requirement for another social work license.

**Subp. 8. License or renewal fee.** A licensee who is approved for inactive status before the end of the renewal cycle may not receive a refund for any portion of the license fee or renewal fee.

**Subp. 9. Disciplinary or corrective action.** The board shall retain jurisdiction over a license on inactive status and may take disciplinary or corrective action against the license based on conduct occurring before inactive status was granted or during the inactive status period.

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### **8740.0227 EMERITUS LICENSE.**

**Subpart 1. Defined; qualifications.** A licensee may apply for an emeritus license if the licensee is retired from social work practice and does not intend to practice social work in any setting in Minnesota. A licensee shall qualify for an emeritus license if the licensee demonstrates to the board that the licensee is not practicing social work, as defined in *Minnesota Statutes*, section 148B.18, and verifies that the licensee is retired from social work practice.

#### **Subp. 2. Application.**

A. A licensee may apply for an emeritus license: (1) at any time by submitting a written application for an emeritus license; or (2) as an alternative to applying for the renewal of a license by so recording on the application for license renewal form and submitting a completed, signed form. The application for an emeritus license must be accompanied by the one-time, nonrefundable emeritus license fee specified in part 8740.0290, payable to the Board of Social Work. An application which is not completed or signed, or which is not accompanied by the correct emeritus license fee shall be returned to the licensee and is void.

B. The licensee shall also submit a completed, signed, and notarized affidavit, in a form specified by the board, either with the written application for an emeritus license or the application for license renewal form, or upon request from the board. The affidavit for an emeritus license must verify that the licensee will not use the title social worker and will not engage in social work practice in any setting in Minnesota after the date of the board's approval of the application for an emeritus license.

C. The licensee shall also submit the license certificate or a completed, signed, and notarized affidavit that the license certificate was lost, stolen, or destroyed before the application for an emeritus license will be considered by the board.

**Subp. 3. Approval.** The board shall approve an application for an emeritus license if the qualifications and application requirements have been met. Upon approval of an application for an emeritus license, the board shall issue an emeritus license certificate.

**Subp. 4. Practice prohibited.** A licensee with an emeritus license shall not practice, attempt to practice, offer to practice, or advertise or hold out as authorized to practice social work in any setting in Minnesota, and shall use only the title "social worker emeritus."

**Subp. 5. Reactivating a license.** A licensee with an emeritus license may reactivate a license by meeting the requirements of part 8740.0222, subpart 7.

**Subp. 6. License or renewal fee.** A licensee who applies for and is approved for an emeritus license before the end of the renewal cycle may not receive a refund for any portion of the license fee or renewal fee.

#### **Subp. 7. Disciplinary action.**

A. The board may resolve any pending complaints against a licensee before approving an application for an emeritus license.

B. The board shall retain jurisdiction and may take disciplinary action against a licensee holding an emeritus license based on conduct occurring before issuance of the emeritus license.

### **8740.0240 VOLUNTARY TERMINATION OF LICENSE.**

**Subpart 1. Voluntary termination.** A licensee may request voluntary termination of a license by notifying the board in writing if a licensee is not practicing social work, as defined by *Minnesota Statutes*, section 148B.18, in a setting in Minnesota for which licensure is required. The board shall notify the licensee in writing if the request is approved or denied. A licensee who has voluntarily terminated a license must return the license certificate and the most recent evidence of renewal to the board within ten days after the effective date of the voluntary termination. An individual whose request for voluntary termination has been accepted by the board or whose license has expired shall not use the title for which the license was issued and shall not practice, offer to practice, advertise, or otherwise represent the person as authorized to practice social work. A licensee who voluntarily terminates a license may reapply for a license according to the requirements in parts 8740.0120 to 8740.0310.

#### **Subp. 2. Process.**

A. A licensee may request voluntary termination: (1) at any time by submitting a written request for voluntary termination; or (2) as an alternative to applying for the renewal of a license by so recording on the application for license renewal form and submitting the completed, signed form. A written request which is not completed or signed shall be returned to the licensee and is void.

B. The licensee shall also submit the license certificate or a completed, signed, and notarized affidavit that the license certificate was lost, stolen, or destroyed before the request for voluntary termination will be considered by the board.

**Subp. 3. Approval.** The board shall approve a request for voluntary termination if the licensee is not practicing social work in a setting in Minnesota for which licensure is required and all requirements have been met.

**Subp. 4. Practice prohibited.** A person whose license has been terminated under this part shall not practice, attempt to practice, offer to practice, or advertise or hold out as authorized to practice social work in Minnesota, except that the person may practice in a setting in which licensure is not required, and shall not use the title social worker, except as permitted by *Minnesota Statutes*, section 148B.27, or any designation which indicates social work licensure.

Subp. 5. **License or renewal fee.** A licensee who applies for and is approved for voluntary termination of a license before the end of the renewal cycle may not receive a refund for any portion of the license or renewal fee.

Subp. 6. **Disciplinary action.** ~~Nothing in this part shall preclude~~ The board ~~from taking~~ shall retain jurisdiction over the license and may take disciplinary action against a licensee based on conduct occurring before the voluntary termination of the license.

#### 8740.0260 SUSPENDED OR REVOKED LICENSE.

A licensee whose license has been suspended or revoked must return the license certificate and the most recent ~~evidence of renewal license card~~ to the board within ten days after the effective date of the suspension or revocation. Failure to comply with this part ~~constitutes grounds for~~ may result in the denial of any subsequent request for reinstatement after suspension or the denial of an application for licensure after revocation. A licensee whose license has been suspended or revoked shall not practice, attempt to practice, offer to practice, or advertise or hold out as authorized to practice social work in a setting in Minnesota for which licensure is required, and shall not use the title social worker or any designation which indicates social work licensure.

#### 8740.0285 CONTINUING EDUCATION REQUIREMENTS.

Subpart 1. **Continuing education requirements.** At the time of application for license renewal, ~~each~~ a licensee shall provide evidence satisfactory to the board that the licensee has completed 30 ~~continuing education~~ hours of ~~approved~~ acceptable continuing education during ~~each biennium of licensure~~ the licensee's current renewal cycle. If a licensee's renewal cycle is prorated to be less or greater than 24 months, then the required number of hours of acceptable continuing education must be prorated accordingly. The licensee may attend continuing education programs ~~approved~~ or complete continuing education activities which have been preapproved by the board of Social Work or other programs or activities that meet the requirements in subparts 4 and 6 and are documented as indicated in subpart 8 of this part.

A person licensed during the transition period under part 8740.0195 may include and count continuing education programs from January 1989 for credit at the time of the first license renewal if the program meets the requirements in subparts 2 to 11.

Subp. 2. [See repealer.]

Subp. 3. [See repealer.]

Subp. 4. **Acceptable content areas for continuing education.**

A. Continuing education programs ~~approved under subparts 6 to 11~~ or activities must ~~contain~~ address at least one of the following content areas related to social work practice:

~~A. (1) theories and concepts of human behavior and the social environment as used in social work practice;~~

~~B. (2) social work practice/knowledge knowledge and skills;~~

~~C. (3) social work research, program evaluation, or practice evaluation;~~

~~D. (4) management/administration/social policy management and administrative skills related to the provision of social work services;~~

(5) social policy related to social work practice or services provided to clients; or

~~E. (6) social work ethics; or,~~

~~F. an area, chosen by the board, deemed to be of current importance.~~

B. In determining whether the content of a program or activity is acceptable continuing education, the board may consider the presenter's qualifications and knowledge of social work practice and the intended audience for the program or activity.

Subp. 5. **~~Nonacceptable subject~~ Unacceptable content areas.** ~~Final determination of the acceptability of approved content areas rests with the board. Nonacceptable subjects include, but are not limited to, subjects contrary to the code of ethics, Programs or activities relating to marketing, business practices, personal development, time management, and supervisory sessions procedural issues are not acceptable content areas. Supervision or consultation provided or received does not constitute continuing education. Staff orientation and agency activities that address procedural issues are ineligible. Where there is any question about the acceptability of a program, a licensee should inquire of the board.~~

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Subp. 6. **Continuing education program types programs and activities.** Continuing education ~~must be earned in at least two of the program areas in items A to G; may be obtained through the following programs or activities, provided the content is in at least one of the areas listed in subpart 4:~~

A. Academic course work:

(1) ~~graduate and undergraduate courses and seminars given by which~~ are part of an accredited social work ~~programs~~ program;

(2) ~~postgraduate~~ graduate and undergraduate courses from a university, college, or other institution of higher education; ~~in a field other than social work, upon proof that the course is relevant to social work practicee accredited by a national or regional accrediting body; and~~

(3) ~~undergraduate courses from a university, college, or other institution of higher education, if they can be shown to update or enhance the licensee's social work competency. Course and supporting information must accompany the request; and~~

(4) ~~up to ten hours of self study, including correspondence work, distance learning, televised or audiovisual courses, audiovisual, video tapes, and other forms of self study, shown to update or enhance competency. These activities must be preapproved by the board. No more than ten hours from this category will be acceptable as continuing education for each renewal cycle.~~

B. ~~Continuing education presentations at national, international, regional, or subregional Educational workshops or institutes at conferences or association meetings.~~

C. ~~Workshops or institutes, including approved workshops at conventions.~~

~~D. Public or private agency staff development training programs that contribute to the enhancement of social work practices or knowledge and that are not primarily procedural or administrative.~~

~~E. D. Individual activities such as lectures, publications of professional articles, course or conference presentation presentations, or research leading to publication or presentation, or independent study. The activities must be approved by the board on an individual basis. No more than ten hours from this category will be acceptable as continuing education for each renewal cycle.~~

~~F. Informal study carried on individually and documented by the name of the topic, the title and author of resources or books used in the informal study, and the time spent in informal study. Informal programs of study must be approved by the board. No more than ten hours from this category will be acceptable as continuing education for each renewal cycle.~~

~~G. Continuing education hours completed by licensees to meet the requirements of other boards or authorities will be accepted by the board as long as the program types and content areas are consistent with those in subpart 4.~~

Subp. 7. **Continuing education hours.** Continuing education hours are determined according to items A to ~~E~~ C.

A. "One continuing education hour" means ~~at least 60 minutes containing a minimum of 50 minutes of uninterrupted learning in each hour.~~

B. One semester credit equals 15 continuing education hours. One quarter credit equals ten continuing education hours. Credit for auditing ~~will a course must be awarded up to the~~ actual clock hours attended not to exceed the academic credit.

C. ~~Presenters will~~ Licensees presenting a continuing education program ~~will~~ be credited with two continuing education hours of research time for every hour of a presentation ~~at a conference, workshop, or institute. Credit will be given~~ Research time may apply only once regardless of the number of times the ~~course is presented presentation is made. The actual presentation of the continuing education program will not apply toward the requirement.~~

~~D. Multiday, convention type meetings, national or local, that meet the criteria of subpart 6, items B and C, are credited the hours given by the sponsor.~~

~~E. Individual study hours may be approved by the board at the request of the licensee.~~

Subp. 8. **Documentation of ~~courses~~ continuing education hours.**

~~A. A licensee must document report completion of continuing education requirements according to items A to D.~~

~~A. When the licensee applies at the time of application for license renewal of the license, the licensee must submit documentation of completion of the required continuing education hours on an appropriate form furnished or at the time of application for reactivation of a license on inactive status or of an emeritus license by recording the following information in a form specified by the board:~~

~~B. Documentation must include the following information:~~

(1) the title and topic of the program or activity;

(2) the number of ~~credit~~ continuing education hours for the program or activity;

- (3) the name of the ~~provider or~~ sponsor of the program or activity, if applicable; and
- (4) the date ~~and location of the course or~~ dates the licensee attended or completed the program or activity; and
- (5) the continuing education number or individual continuing education number, if applicable.

B. The board may grant a licensee a variance to the continuing education requirements when a licensee demonstrates an inability to complete the required number of acceptable continuing education hours by the expiration date of the license or upon applying for the reactivation of a license on inactive status or of an emeritus license. A variance may allow the licensee additional time, as determined by the board, to complete the required number of acceptable continuing education hours, but it may not allow the licensee to complete less than the required number of acceptable continuing education hours.

C. Licensees must ~~keep in their records~~ maintain the following documentation of their participation in continuing education programs or activities ~~according to subitems (1) to (4):~~

(1) for academic coursework at an accredited social work program or at another university, college, or other institution of higher education accredited by a national or regional accrediting body, a copy of the transcript demonstrating successful completion;

(2) for workshops, institutes, and conferences as described in public or private agency staff development programs, under subpart 6, items B to D and C, at least one of the following is required:

- ~~(a) a copy of the a certificate, if any, of attendance issued by the provider presenter or sponsor issued to the participants;~~
- ~~(b) the certificate of attendance, if any, provided by the program sponsor with all information completed; which states the name, date, and number of hours of the workshop, institute, or program and the name of the licensee, or~~
- ~~(c) an affidavit signed by the program or course instructor presenter or sponsor verifying that the licensee attended the workshop, conference, or institute, or program and the date and hours of the workshop, institute, or program which the licensee attended;~~

~~(2) (3) for individual activities as described in under subpart 6, item E D, are verified by:~~

- ~~(a) a copy of the program for the lecture or presentation;~~
- ~~(b) a notice of publication of the written material;~~ or
- ~~(c) other material that may be requested by the board;~~ and

~~(3) Academic course work as described in subpart 6, item A, is verified by:~~

- ~~(a) a copy of the transcript; or~~
- ~~(b) a report signed by the instructor of hours attended.~~

(4) Informal studies as defined in for independent study under subpart 6, item F D, are verified by a written summaries of course work with title, instructors' names, course content, and summary of the study, including the topic studied and the title and author of resources or books used in informal study; a statement as to the applicability of the study to the acceptable content areas in subpart 4; the time spent in informal study; and the time period during which the study was done. Such activities must be approved by the board to be considered for continuing education hours.

D. The board ~~shall~~ may audit a ~~random~~ sample of continuing education reports applications for license renewal for compliance with the continuing education requirements of this part. It is the responsibility of the licensee to keep copies of all documentation required under this part for an audit. The licensee must keep all records of evidence or proof of continued education activities for the four years following the license renewal. A licensee being audited by the board must provide verification of the required number of acceptable continuing education hours, by submitting the appropriate documentation of the programs or activities reported. Licensees must keep appropriate documentation of the programs or activities reported for one year following the expiration date of a license.

Subp. 9. [See repealer.]

Subp. 10. Sponsor application request for preapproval of continuing education programs. Board approval of a continuing education program must be obtained according to items A and B.

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## Proposed Rules

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~~A. Application may be made by an association, corporation, educational institution, organization, or person to have a program preapproved by the board. In order to advertise that the program is approved for continuing education by the board, the sponsor must have received board approval.~~

~~The request must be submitted to the board, typed on the appropriate forms, and must contain A person or entity sponsoring a continuing education program may request the board to decide in advance of the program whether the program constitutes acceptable continuing education by submitting the following information:~~

~~(1) a statement of the objectives and goals of the program or course, including the knowledge and skills each participant is expected to gain upon completion;~~

~~(2) a description of the content of the program or course, including a detailed agenda;~~

~~(3) a description of the teaching method or methods to be used; and~~

~~(4) a copy of the evaluation form to be used by the participants; and~~

~~(5) a listing of the qualifications of each instructor as evidence of the instructor's current knowledge and skill in the program or course subject.~~

~~B. The request for approval for single programs of a program must be submitted to the board at least 60 45 days before the date of the program, and must include with the appropriate application fee; before the application will be considered. Requests for approval of multiple programs must be submitted to the board at least 90 days before the programs begin.~~

~~B. The board's approval of a program approval shall remain in effect is valid for one year from the date of approval provided there is no substantive change in the program. Sponsors of approved courses programs shall retain a list of participants to whom continuing education hours are granted for four three years following the date of the program. Proposed content changes in any approved program or course must be submitted to the board for its approval.~~

~~C. The board shall issue a decision on the request for approval in advance of the date of the program. A sponsor of a program may not advertise that the program has been approved by the board until receipt of the board's written decision. The board's decision is not subject to judicial or administrative review.~~

~~D. The board may revoke or suspend approval of a program, or refuse to approve a program upon reapplication, if the board finds that the program fails to conform in any manner to the materials submitted by the sponsor in its request for approval. The board's decision is not subject to judicial or administrative review.~~

Subp. 11. [See repealer.]

Subp. 12. [See repealer.]

### 8740.0290 FEES.

The fees in items A to ~~G L~~ shall be paid by ~~cash~~, personal check, bank draft, cashier's check, or money order made payable to the Board of Social Work. All fees are nonrefundable.

A. Application fee, \$30.

B. ~~Initial~~ Criminal background check fee, as determined by the Bureau of Criminal Apprehension.

C. License fee, payable in addition to application fee:

(1) licensed social worker, \$80;

(2) licensed graduate social worker, \$140;

(3) licensed independent social worker, \$210;

(4) licensed independent clinical social worker, \$230.

~~C. Biennial~~ D. License renewal fee:

(1) licensed social worker, \$80;

(2) licensed graduate social worker, \$140;

(3) licensed independent social worker, \$210;

(4) licensed independent clinical social worker, \$230.

~~D. E.~~ Emeritus license fee, \$30.

~~E. F.~~ Duplicate license certificate, \$15.

~~F. G.~~ Inactive status fee:

- (1) licensed social worker, \$80;
- (2) licensed graduate social worker, \$140;
- (3) licensed independent social worker, \$210;
- (4) licensed independent clinical social worker, \$230.

~~G. H.~~ Application fee for continuing education program sponsor:

- (1) for one to four continuing education hours applied for, \$30;
- (2) for five to eight continuing education hours applied for, \$45;
- (3) for nine to 16 continuing education hours applied for, \$60;
- (4) for 17 to 24 continuing education hours applied for, \$75;
- (5) for more than 24 hours applied for, \$100.

~~I.~~ Duplicate license card, \$5.

~~J.~~ Written licensure verification requested by the licensee for other jurisdictions, \$10.

~~K.~~ Late fee, one-third of the applicable license renewal fee or inactive status fee.

~~L.~~ Nonsufficient funds check, \$20.

**8740.0300 ~~CODE OF ETHICS~~ STANDARDS OF PRACTICE AND ETHICAL CONDUCT.**

Subpart 1. **~~Code of ethics~~ Standards of practice and ethical conduct.** The ~~code of ethics~~ applies to the standards of practice in parts 8740.0310 to 8740.0345 apply to all applicants and licensees ~~and applicants who practice social work and applies to their conduct during the period of education, training, and employment which is required for licensure.~~

Subp. 2. **~~Purpose~~ Social worker.** The ~~code of ethics~~ constitutes the standards by which the professional conduct of a licensee is ~~measured~~ use of the term social worker in parts 8740.0310 to 8740.0345 includes all applicants and licensees.

Subp. 3. [See repealer.]

**8740.0310 ~~ETHICAL STANDARDS~~ GENERAL REQUIREMENTS.**

Subpart 1. **~~Responsibility to clients.~~** A ~~licensee's~~ social worker's primary professional responsibility is to the client. ~~The licensee shall make every effort to advance the welfare and best interests of families, individuals, groups, and communities. A licensee must respect the rights, including the right to self-determination, of those persons seeking assistance. A licensee must perform professional duties on the highest levels of integrity and confidentiality and shall not hesitate to ask for assistance from other professional disciplines when circumstances dictate. A licensee must protect the public against, and shall report, unethical, incompetent, and dishonorable practices by social workers and other regulated health professionals to the board or other appropriate authority, as required under Minnesota Statutes, section 626.556, governing reporting of maltreatment of minors, or 626.557, governing reporting of maltreatment of vulnerable adults, and as required under Minnesota Statutes, section 148B.07, subdivision 4, governing reporting unprofessional conduct or mental incompetence, or other incompetence of licensed professionals. A social worker shall always act to protect or preserve the client's interests, including the interest in self-determination, when making decisions that affect a client.~~

Subp. 2. **~~Nondiscrimination.~~** ~~In the treatment of clients, a licensee must~~ A social worker shall not discriminate against a client, student, supervisee, or social work intern on the basis of age, ~~sex~~, gender, sexual orientation, race, color, national origin, religion, physical handicap, diagnosis, disability, political affiliation, or social or economic status. ~~In addition, a licensee must not discriminate on the basis of affectional preference, or choice of lifestyle. When If the social worker is unable to offer services for any reason, a licensee because of potential discrimination against a client, student, supervisee, or social work intern, the social worker shall make an appropriate and timely referral. When a referral is not practical, the social worker shall obtain supervision or consultation to address the potential discrimination.~~

**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

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Subp. 2a. Information for clients. A social worker shall display at the social worker's primary place of practice, or make available as a handout for all clients, information that the client has the right to the following:

A. to be informed of the social worker's license status, education, training, and experience;

B. to examine public data on the social worker maintained by the board;

C. to report a complaint about the social worker's practice to the board, and to be informed of the board's address and telephone number.

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. [See repealer.]

Subp. 7. [See repealer.]

### **8740.0315 COMPETENCE.**

Subpart 1. Continued competence. A social worker shall take any appropriate and reasonable steps to ensure continued competence in the practice of social work.

Subp. 2. Limits on practice. A social worker shall limit practice to the permissible scope of practice for the social worker's license and competence.

Subp. 3. Supervision or consultation. A social worker shall obtain supervision or engage in consultation when appropriate or necessary.

Subp. 4. Referrals. A social worker shall make a referral to other professionals when the services required are beyond the social worker's competence.

Subp. 5. Delegation and assignment. A social worker shall not delegate a responsibility or assign a task to another individual when the social worker knows or reasonably should know that the other individual is not licensed or competent to assume the responsibility or to perform the task.

### **8740.0320 PRACTICE REQUIREMENTS.**

Subpart 1. Assessment or diagnosis. A social worker shall base treatment and intervention services on an assessment or diagnosis. A social worker shall evaluate, on an ongoing basis, the appropriateness of the assessment or diagnosis.

Subp. 2. Assessment or diagnosis instruments. A social worker shall not use an assessment or diagnostic instrument without adequate training. A social worker shall follow standard and accepted procedures for using an assessment or diagnostic instrument. A social worker shall inform a client of the purpose before administering the instrument and shall make the results available to the client.

Subp. 3. Plan. A social worker shall develop a plan for services which includes goals based on the assessment or diagnosis. A social worker shall evaluate, on an ongoing basis, the appropriateness of the plan and the client's progress toward the goals.

Subp. 4. Informed consent.

A. A social worker shall obtain valid, informed consent, appropriate to the circumstances, before providing services to clients. When obtaining informed consent, the social worker must determine whether the client has the capacity to provide informed consent. If the client does not have the capacity to provide consent, the social worker shall obtain consent for the services from the client's legal representative. The social worker shall not provide services, unless authorized or required by law, if the client or the client's legal representative does not consent to the services. The social worker shall provide appropriate referrals upon request.

B. A social worker shall use clear and understandable language, including using the client's primary language as necessary, to inform clients of the plan of services, risks related to the plan, limits to services, relevant costs, reasonable alternatives, the client's right to refuse or withdraw consent, and the time frame covered by the consent.

Subp. 5. Records. A social worker shall make and maintain current and accurate records, appropriate to the circumstances, of all services provided to a client. At a minimum, the records shall contain documentation of:

A. the assessment or diagnosis and of the plan;

B. progress with the plan and of any revisions of the assessment, diagnosis, or plan;

C. any fees charged and related billing information;

D. copies of all client authorizations for release of information; and

E. other information necessary to provide appropriate services.

These records shall be maintained by the social worker or by the social worker's agency for at least seven years after the last date of service, or for the time period required by law.



Subp. 6. **Reports.** A social worker shall submit current, accurate, and complete reports or other required documentation.

Subp. 7. **Termination of services.** A social worker shall terminate a professional relationship with a client when the client is not likely to benefit from continued services or the services are no longer needed, unless required by law to provide services. The social worker who anticipates terminating services shall give reasonable notice to the client. The social worker shall take reasonable steps to inform the client of the termination of the professional relationship. The social worker shall provide appropriate referrals as needed or upon request of the client.

Subp. 8. **Research.** When undertaking research activities, the social worker shall adhere to accepted protocols for the protection of human subjects, including establishing appropriate safeguards to protect the subjects' vulnerability and to obtain the subjects' informed consent.

#### **8740.0325 RELATIONSHIPS WITH CLIENTS; FORMER CLIENTS; STUDENTS; SOCIAL WORK INTERNS; AND SUPERVISEES.**

Subpart 1. **Maintaining professional boundaries.** A social worker shall maintain appropriate professional boundaries with a client. A social worker shall not engage in practices with a client that create an unacceptable risk of client harm or of impairing a social worker's objectivity or professional judgment. A social worker shall not act or fail to act in a way that, as judged by a reasonable social worker, inappropriately encourages the client to relate to the social worker outside of the boundaries of the professional relationship, or in a way that interferes with the client's ability to benefit from social work services.

Subp. 2. **Misuse of professional relationship.** A social worker shall not use the professional relationship with a client, student, supervisee, or social work intern for or to further the social worker's personal, emotional, financial, sexual, religious, political, or business benefit or interests.

Subp. 3. **Improper termination.** A social worker shall not terminate a professional relationship for the purpose of beginning a personal, sexual, or business relationship with a client.

Subp. 4. **Personal relationship with a client.** A social worker shall not engage in a personal relationship with a client that creates an unacceptable risk of client harm or of impairing a social worker's objectivity and professional judgment. When a social worker is unable to avoid a personal relationship with a client, the social worker shall take appropriate precautions, such as consultation and supervision, to address the potential for unacceptable risk.

Subp. 5. **Personal relationship with a former client.** A social worker may engage in a personal relationship with a former client after appropriate termination of the professional relationship, except:

A. as prohibited by subpart 8; or

B. if a reasonable social worker would conclude after appropriate assessment that the former client continues to be emotionally dependent on the social worker or continues to relate to the social worker as a client.

Subp. 6. **Sexual conduct.** "Sexual conduct" includes any physical contact or act or any verbal, written, interactive, or electronic conduct, act, or communication that a client, former client, student, supervisee, or social work intern may reasonably interpret as sexual.

Subp. 7. **Sexual conduct with a client.** A social worker shall not engage in or suggest sexual conduct with a client.

Subp. 8. **Sexual conduct with a former client.** A social worker shall not engage in or suggest sexual conduct with a former client for two years following the appropriate termination of the professional relationship. After the two-year period, a social worker shall not engage in or suggest sexual conduct with a former client if a reasonable social worker would conclude after appropriate assessment that the former client continues to be emotionally dependent on the social worker or continues to relate to the social worker as a client.

Subp. 9. **Business relationship with a client.** A social worker shall not engage in a business relationship with a client. Business relationships do not include purchases made by the social worker from the client when the client is providing necessary goods or services to the general public, and a reasonable social worker would determine that it is not possible to obtain the necessary goods or services from another provider.

Subp. 10. **Business relationship with a former client.** A social worker may engage in a business relationship with a former client after appropriate termination of the professional relationship, except that the social worker shall not engage in a business relationship with a former client if a reasonable social worker would conclude after appropriate assessment that the former client continues to be emotionally dependent on the social worker or continues to relate to the social worker as a client.

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## Proposed Rules

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**Subp. 11. Previous sexual, personal, or business relationship.** A social worker may not engage in a social worker/client relationship with an individual with whom the social worker had a previous sexual relationship. A social worker may not engage in a social worker/client professional relationship with an individual with whom the social worker had a previous personal or business relationship if a reasonable social worker would conclude after appropriate assessment that the previous relationship creates an unacceptable risk of client harm or that the social worker's objectivity or professional judgment may be impaired.

**Subp. 12. Social worker responsibility.** A social worker shall be solely responsible for acting appropriately in relationships with clients or former clients. A client or a former client's initiation of or attempt or request to engage in a personal, sexual, or business relationship shall not be a defense to a violation of this part.

**Subp. 13. Client's family or significant other.** This part also applies to a social worker's relationship with a family member or significant other of a client when a reasonable social worker would conclude after appropriate assessment that a relationship with a family member or significant other would create an unacceptable risk of harm to the client.

**Subp. 14. Sexual conduct with a student, supervisee, or social work intern.** A social worker shall not engage in or suggest sexual conduct with a student while the social worker has authority over any part of the student's academic program. A social worker practicing social work as a supervisor, as defined by these rules, shall not engage in or suggest sexual conduct with the social worker's supervisee, as defined by these rules, during the period of supervision. A social worker supervising a social work intern as part of the intern's academic program shall not engage in or suggest sexual conduct with the intern during the course of the internship.

**Subp. 15. Sexual harassment.** A social worker shall not engage in any physical, verbal, written, interactive, or electronic behavior that a client, former client, student, supervisee, or social work intern may reasonably interpret as sexually harassing or sexually demeaning.

### **8740.0330 CLIENT CONFIDENTIALITY.**

**Subpart 1. General.** A social worker shall ensure the confidentiality of all information provided by or obtained about a client. "Client information" includes the social worker's personal or other knowledge of the client and client records. Except as provided in this part, client information may be disclosed or released only with the client's written informed consent. The written informed consent must explain to whom the client information may be disclosed or released and the purpose for the release of information. The written informed consent must also state an expiration date for the authorized disclosure or release.

**Subp. 2. Release of information without written consent.** A social worker shall disclose client information, including client records, without the written consent of the client or the client's legal representative only under the circumstances described in items A to C.

**A.** When mandated or authorized by federal or state law, including the mandatory reporting requirements under the maltreatment of minors and vulnerable adult laws.

**B.** When the client communicates to the social worker a specific, serious threat of physical violence against a clearly identified or identifiable potential victim, or against the client's self or against society in general. In fulfilling this duty to warn, the social worker may release only the information that is necessary to avoid the infliction of physical violence. The social worker shall release this information to law enforcement and other appropriate authorities and to the potential victim or, as appropriate, to the victim's legal representative.

**C.** When the board issues a subpoena to the social worker.

**Subp. 3. Release of information under court order.** A social worker may release client information, including client records, when a court of competent jurisdiction orders release of the client information or records.

**Subp. 4. Limits of confidentiality.** The social worker shall inform the client of the limits of confidentiality under other applicable standards or law, both at the beginning of a professional relationship and during the professional relationship as necessary and appropriate.

**Subp. 5. Third-party billing.** A social worker shall provide client information to a third party for the purpose of payment for services rendered only with the client's written informed consent.

**Subp. 6. Client information to remain confidential.** A social worker shall continue to maintain confidentiality of client information upon termination of the professional relationship including upon the death of the client, except as provided under this part or other applicable law.

**Subp. 7. Limited access to client information.** A social worker shall limit access to client information in a social worker's agency to appropriate agency staff whose duties require access.

**Subp. 8. Photographs and audio or video recordings.** Unless otherwise authorized by law to do so in the social worker's professional capacity, a social worker shall obtain a client's written informed consent before taking a photograph of the client or before making an audio or video recording of the client, or allowing a third party to do the same. If the photograph or recording is to be

published, distributed, or used in any way outside of the professional relationship with the client, the written informed consent must explain to the client the purpose of the photograph or the recording and how the photograph or recording will be used, how it will be stored, and when it will be destroyed. The written informed consent must also explain to the client how the client may have access to the photograph or recording.

#### **8740.0335 PERSONAL CONDUCT.**

**Subpart 1. Giving alcohol or other drugs to client.** Unless permitted by law, a social worker shall not offer medication or controlled substances to a client, or accept these substances from a client for personal use or gain. If permitted by law, the social worker may accept medication or controlled substances from a client for purposes of disposal or to monitor use. A social worker shall not offer alcoholic beverages to a client or accept such from a client.

**Subp. 2. Investigation.** A social worker shall not do anything to obstruct the investigation by the board or by another state or federal regulatory or law enforcement authority of the social worker or of another social worker.

#### **8740.0340 REPRESENTATION TO PUBLIC; ADVERTISING.**

**Subpart 1. Required use of license designation.** A social worker shall use the license designation of LSW for licensed social worker, LGSW for licensed graduate social worker, LISW for licensed independent social worker, or LICSW for licensed independent clinical social worker, after the social worker's name in all written communications related to social work practice, including any advertising, correspondence, and entries to client records.

**Subp. 2. Information to clients or potential clients.** A social worker shall provide accurate and factual information concerning the social worker's credentials, education, training, and experience upon request from a client or potential client. A social worker shall not misrepresent directly or by implication the social worker's license level, degree, professional certifications, affiliations, or other professional qualifications in any oral or written communication or permit or continue to permit any misrepresentations by others. A social worker shall not misrepresent, directly or by implication, affiliations, purposes, and characteristics of institutions and organizations with which the social worker is or has been associated.

**Subp. 3. Representation.** Licensure status must not be used as a claim, promise, or guarantee of successful service. Public statements or advertisements may not be untruthful, misleading, or potentially exploitative of clients or former clients.

**Subp. 4. Display of license.** A social worker shall conspicuously display a current license issued by the board at the social worker's places of practice or office locations.

#### **8740.0345 FEES AND BILLING PRACTICES.**

**Subpart 1. Fees and payments.** A social worker who provides a service for a fee shall inform a client of all fees at the initial session or meeting with the client. Payment must be arranged at the beginning of the professional relationship, and the payment arrangement must be provided to a client in writing. A social worker shall provide in a timely manner, upon request from a client or a client's legal representative, a written explanation of the charges for any services rendered.

**Subp. 2. Necessary or appropriate services.** A social worker shall bill only for services which have been provided except that, with prior notice to the client, a social worker may bill for failed appointments or for cancellations without sufficient notice. A social worker shall provide only services which are necessary and appropriate.

**Subp. 3. Bartering.** A social worker may accept only monetary payments for social work services provided. A social worker may not accept goods or services in exchange for the social work services provided.

**Subp. 4. No payment for referrals.** A social worker shall neither accept nor give a commission, rebate, fee split, or other form of remuneration solely or primarily for the referral of a client.

**REPEALER.** Minnesota Rules, parts 8740.0110, subparts 3, 4, 5, 9, 10, 11, 12, 15, 16, 17, 18, 19, 24, and 25; 8740.0130, subpart 2; 8740.0140; 8740.0145; 8740.0150; 8740.0160; 8740.0170; 8740.0180; 8740.0190; 8740.0195; 8740.0200, subparts 2 and 4; 8740.0205; 8740.0210; 8740.0220; 8740.0225; 8740.0230; 8740.0250; 8740.0270; 8740.0285, subparts 2, 3, 9, 11, and 12; 8740.0300, subpart 3; and 8740.0310, subparts 3, 4, 5, 6, and 7, are repealed.

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

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

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

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

### Exempt Rules

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

### Emergency Expedited Rules

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

## Department of Natural Resources

### Adopted Permanent Rules Relating to Fishing

The rules proposed and published at *State Register*, Volume 22, Number 34, pages 1427-1449, February 23, 1998 (22 SR 1427), are adopted with the following modifications:

#### **6262.0200 FISHING REGULATIONS FOR INLAND WATERS.**

~~Subp. 3: Fishing regulations for Pool 3 of the Mississippi River. On Pool 3 of the Mississippi River, from the confluence with the St. Croix River at Prescott, Wisconsin, upstream to the dam at Hastings, Minnesota, the open seasons, daily and possession limits, size limits, and other fishing regulations are the same as fishing regulations for the boundary water portion of Pool 3 as provided by part 6266.0500, subparts 3, 4, 7, 8, and 9.~~

## Exempt Rules

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

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

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

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

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

## Department of Commerce

### Adopted Exempt Permanent Rules Governing Uniform Conveyancing Forms

#### **2820.0201 FORM NO. 1-M: INDIVIDUAL TO INDIVIDUAL.**

Subpart 1. **Recommended form.** The recommended form for a warranty deed, individual(s) to individual(s) is contained in subpart 2.

Subp. 2. **Contents.**

WARRANTY DEED <small>Individual(s) to individual(s)</small>	Form No. 1-M	<small>Minnesota Uniform Conveyancing Blanks (6/1/97)</small>
<p>No delinquent taxes and transfer entered; Certificate of Real Estate Value (      ) filed (      ) not required. Certificate of Real Estate Value No. _____</p> <p style="text-align: center;">(Date)</p> <p style="text-align: right;">County Auditor</p> <p>by: _____ Deputy</p>	<div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p style="text-align: center;">(reserved for recording data)</p>	
<p>DEED TAX DUE: \$ _____</p> <p>Date: _____</p>		
<p>FOR VALUABLE CONSIDERATION, _____, Grantor, hereby conveys and warrants to _____, Grantee, real property in _____ County, Minnesota, described as follows:</p>		
<p>together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:</p> <p>_____</p> <p>_____</p>		
<p><small>Check box if applicable:</small></p> <p><input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property.</p> <p><input type="checkbox"/> A well disclosure certificate accompanies this document.</p> <p><input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.</p>		
<p style="text-align: center;">_____ Tax Stamp Here</p>		
<p>STATE OF MINNESOTA } ss. COUNTY OF _____</p>		
<p>This instrument was acknowledged before me on _____, (Date) by _____</p>		
<div style="border: 1px solid black; height: 40px; width: 100%;"></div> <p style="text-align: center; font-size: small;">NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)</p>	<p style="text-align: center; font-size: small;">SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</p> <p>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></p> <p style="font-size: x-small;">Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):</p>	
<div style="border: 1px solid black; height: 80px; width: 100%;"></div> <p style="text-align: center; font-size: x-small;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</p>		

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Exempt Rules

2820.0301 FORM NO. 2-M: EXCEPT ASSESSMENTS, INDIVIDUAL TO INDIVIDUAL.

Subpart 1. Recommended form. The recommended form for a warranty deed, except assessments, individual(s) to individual(s), is contained in subpart 2.

Subp. 2. Contents.

WARRANTY DEED Except Assessments  
Individual(s) to Individual(s)

Form No. 2-M

Minnesota Uniform Conveyancing Blanks (6/17/97)

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required.  
Certificate of Real Estate Value No. \_\_\_\_\_  
(Date) \_\_\_\_\_  
County Auditor  
by: \_\_\_\_\_ Deputy

(reserved for recording data)

DEED TAX DUE: \$ \_\_\_\_\_  
Date: \_\_\_\_\_

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, Grantor,  
hereby conveys and warrants to \_\_\_\_\_, Grantee,  
real property in \_\_\_\_\_ County, Minnesota, described as follows:

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon;

Check box if applicable:  
☐ The Seller certifies that the Seller does not know of any wells on the described real property.  
☐ A well disclosure certificate accompanies this document.  
☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, by \_\_\_\_\_

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RATIO)

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens) ☐

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

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State Register, Monday 10 August 1998

(CITE 23 S.R. 350)

**2820.0401 FORM NO. 3-M: INDIVIDUALS TO CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY.**

Subpart 1. **Recommended form.** The recommended form for a warranty deed, individual(s) to corporation, partnership, or limited liability company is contained in subpart 2.

Subp. 2. **Contents.**

WARRANTY DEED Individual to Corporation, Partnership or Limited Liability Company	Form No. 3-M	Minnesota Uniform Conveyancing Blanks (6/1797)
<p>No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required. Certificate of Real Estate Value No. _____</p> <p>(Date) _____</p> <p style="text-align: right;">County Auditor</p> <p>by: _____ Deputy</p>	<div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p style="text-align: center;">(reserved for recording data)</p>	
<p>DEED TAX DUE: \$ _____</p> <p>Date: _____</p>		
<p>FOR VALUABLE CONSIDERATION, _____, Grantor,</p> <p>hereby conveys and warrants to _____, Grantee,</p> <p>a _____ under the laws of _____,</p> <p>real property in _____ County, Minnesota, described as follows:</p>		
<p>together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:</p>		
<p>Check box if applicable:</p> <p><input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property.</p> <p><input type="checkbox"/> A well disclosure certificate accompanies this document.</p> <p><input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.</p>		
<p style="text-align: center;">Min. Deed Tax Stamp Here</p>		
<p>STATE OF MINNESOTA } ss.</p> <p>COUNTY OF _____</p> <p>This instrument was acknowledged before me on _____ (Date)</p> <p>by _____</p>		
<p>NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR NAME)</p>	<p>SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</p>	
<p>THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</p>	<p>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></p> <p>Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):</p>	

**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.

## Exempt Rules

### **2820.0501 FORM NO. 4-M: EXCEPT ASSESSMENTS, INDIVIDUAL TO CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY.**

Subpart 1. **Recommended form.** The recommended form for a warranty deed, except assessments, individual(s) to corporation, partnership, or limited liability company is contained in subpart 2.

#### Subp. 2. Contents.

WARRANTY DEED Except Assessments Individual(s) to Corporation, Partnership or Limited Liability Company	Form No. 4-M	Minnesota Uniform Conveyancing Blanks (6/17/97)
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">No delinquent taxes and transfer entered; Certificate of Real Estate Value (      ) filed (      ) not required. Certificate of Real Estate Value No. _____ <div style="text-align: center;">(Date)</div></div> <div style="text-align: right; margin-bottom: 5px;">County Auditor</div> by: _____ <div style="text-align: right;">Deputy</div>	(reserved for recording data)	
DEED TAX DUE: \$ _____		
Date: _____		
FOR VALUABLE CONSIDERATION, _____, Grantor, hereby conveys and warrants to _____ (marital status), a _____, Grantee, under the laws of _____, real property in _____ County, Minnesota, described as follows:		
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon;		
Check box if applicable: <input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property. <input type="checkbox"/> A well disclosure certificate accompanies this document. <input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.		
Deed Tax Stamp Here		
STATE OF MINNESOTA } COUNTY OF _____ ss.		
This instrument was acknowledged before me on _____ (Date), by _____		
<div style="border: 1px solid black; height: 40px; margin-bottom: 5px;">NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)</div> <div style="border: 1px solid black; height: 80px;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</div>	<div style="border: 1px solid black; height: 40px; margin-bottom: 5px;">SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</div> <div>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></div> <div style="font-size: x-small;">Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):</div>	



**2820.0601 FORM NO. 5-M: INDIVIDUAL TO JOINT TENANTS.**

Subpart 1. **Recommended form.** The recommended form for a warranty deed, individual(s) to joint tenants is contained in subpart 2.

Subp. 2. **Contents.**

WARRANTY DEED Individual(s) to Joint Tenants	Form No. 5-M	Minnesota Uniform Conveyancing Blanks (6/17/97)
<p>No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required. Certificate of Real Estate Value No. _____ (Date) _____  County Auditor by: _____ Deputy</p>	<div style="border: 1px solid black; height: 150px; margin-bottom: 5px;"></div> <p style="text-align: center; font-size: small;">(reserved for recording data)</p>	
<p>DEED TAX DUE: \$ _____ Date: _____</p>		
<p>FOR VALUABLE CONSIDERATION, _____ _____ (marital status), Grantor, hereby conveys and warrants to _____, tenants, real property in _____ County, Minnesota, described as follows:</p>		
<p>together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:</p> <hr/> <hr/>		
<p>Check box if applicable:  <input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property.  <input type="checkbox"/> A well disclosure certificate accompanies this document.  <input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.</p>		
<div style="text-align: center; margin-bottom: 10px;"> <p>Affix Deed Tax Stamp Here</p> <hr/> <hr/> <hr/> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>STATE OF MINNESOTA } COUNTY OF _____ } ss.</p> <p>This instrument was acknowledged before me on _____ (date) by _____</p> </div> <div style="width: 50%;"> <div style="border: 1px solid black; height: 40px; margin-bottom: 5px;"></div> <p style="text-align: center; font-size: x-small;">NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RATIO)</p> <div style="border: 1px solid black; height: 120px; margin-bottom: 5px;"></div> <p style="text-align: center; font-size: x-small;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</p> </div> <div style="width: 45%;"> <p style="text-align: center; font-size: x-small;">SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</p> <p>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></p> <p style="font-size: x-small;">Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):</p> </div> </div>		

**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.

Exempt Rules

2820.0701 FORM NO. 6-M: EXCEPT ASSESSMENTS, INDIVIDUAL TO JOINT TENANTS.

Subpart 1. Recommended form. The recommended form for a warranty deed, except assessments, individual(s) to joint tenants is contained in subpart 2.

Subp. 2. Contents.

WARRANTY DEED Except Assessments  
Individual(s) to Joint Tenants

Form No. 6-M

Minnesota Uniform Conveyancing Blanks (6/17/97)

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required.  
Certificate of Real Estate Value No. \_\_\_\_\_  
(Date) \_\_\_\_\_  
County Auditor  
by: \_\_\_\_\_ Deputy

DEED TAX DUE: \$ \_\_\_\_\_  
Date: \_\_\_\_\_

FOR VALUABLE CONSIDERATION, \_\_\_\_\_  
hereby conveys and warrants to \_\_\_\_\_, Grantor,  
\_\_\_\_\_, Grantees, as joint  
tenants, real property in \_\_\_\_\_ County, Minnesota, described as follows:

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon;  
  

Check box if applicable:  
☐ The Seller certifies that the Seller does not know of any wells on the described real property.  
☐ A well disclosure certificate accompanies this document.  
☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_  
by \_\_\_\_\_

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

THIS INSTRUMENT WAS DRAFTED BY (NAME & ADDRESS)

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens) ☐  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

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State Register, Monday 10 August 1998

(CITE 23 S.R. 354)

**2820.0801 FORM NO. 7-M: CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY TO INDIVIDUAL.**

Subpart 1. **Recommended form.** The recommended form for a warranty deed, corporation, partnership, or liability company to individual(s) is contained in subpart 2.

Subp. 2. **Contents.**

WARRANTY DEED <small>Corporation, Partnership or Limited Liability Company to Individual(s)</small>	Form No. 7-M	Minnesota Uniform Conveyancing Blanks (6/17/97)
<p>No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required. Certificate of Real Estate Value No. _____ (Date) _____</p> <p style="text-align: right;">County Auditor</p> <p>by: _____ Deputy _____</p> <p>DEED TAX DUE: \$ _____</p> <p>Date: _____</p> <p>FOR VALUABLE CONSIDERATION, _____, a _____, under the laws of _____, Grantor, hereby conveys and warrants to _____, Grantee, real property in _____ County, Minnesota, described as follows:</p> <p>_____</p> <p>_____</p> <p>together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:</p> <p>_____</p> <p>_____</p> <p><small>Check box if applicable:</small>  <input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property.  <input type="checkbox"/> A well disclosure certificate accompanies this document.  <input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.</p> <p style="text-align: right;">By _____ Its _____</p> <p style="text-align: right;">By _____ Its _____</p> <p>STATE OF MINNESOTA } COUNTY OF _____ } ss.</p> <p>This instrument was acknowledged before me on _____ (Date), by _____ and _____, the _____ and _____, of _____, a _____, under the laws of _____, on behalf of the _____.</p> <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div> <p style="text-align: center; font-size: small;">NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)</p> <div style="border: 1px solid black; height: 70px; margin-top: 5px;"></div> <p style="text-align: center; font-size: small;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</p>	<div style="border: 1px solid black; height: 130px; margin-bottom: 10px;"></div> <p style="text-align: center; font-size: small;">(reserved for recording data)</p> <p style="text-align: center; font-size: small;">SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</p> <p>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></p> <p style="font-size: x-small;">Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):</p>	

**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.

## Exempt Rules

### 2820.0901 FORM NO. 8-M: EXCEPT ASSESSMENTS, CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY TO INDIVIDUAL.

Subpart 1. **Recommended form.** The recommended form for a warranty deed, except assessments, corporation, partnership, or limited liability company to individual(s) is contained in subpart 2.

Subp. 2. **Contents.**

WARRANTY DEED Except Assessments Corporation, Partnership or Limited Liability Company to Individual(s)	Form No. 8-M	Minnesota Uniform Conveyancing Blanks (6/17/97)
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required. Certificate of Real Estate Value No. _____ (Date) _____  County Auditor by: _____ Deputy</div> <div>DEED TAX DUE: \$ _____ Date: _____</div>	<div style="border: 1px solid black; height: 150px; margin-bottom: 10px;"></div> <div style="text-align: center; font-size: small;">(reserved for recording data)</div>	<div>FOR VALUABLE CONSIDERATION, _____, \$ _____ under the laws of _____, Grantor, hereby conveys and warrants to _____, Grantee, real property in _____ County, Minnesota, described as follows:</div> <div style="margin-top: 20px;">together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon;</div> <div style="margin-top: 10px;">Check box if applicable: <input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property. <input type="checkbox"/> A well disclosure certificate accompanies this document. <input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.</div> <div style="margin-top: 20px;">By _____ Its _____  By _____ Its _____</div> <div style="margin-top: 10px;">STATE OF MINNESOTA } COUNTY OF _____ } ss.</div> <div style="margin-top: 10px;">This instrument was acknowledged before me on _____ (Date), by _____ and _____, the _____ and _____, of _____, a _____, under the laws of _____, on behalf of the _____.</div> <div style="margin-top: 10px;"><div style="border: 1px solid black; height: 50px; width: 100%;"></div><div style="font-size: x-small; text-align: center;">NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)</div></div> <div style="margin-top: 10px;"><div style="border: 1px solid black; height: 100px; width: 100%;"></div><div style="font-size: x-small; text-align: center;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</div></div>
		<div style="margin-top: 20px;">SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL _____</div> <div style="margin-top: 10px;">Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></div> <div style="margin-top: 5px; font-size: x-small;">Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):</div>



## Exempt Rules

### 2820.1101 FORM NO. 10-M: EXCEPT ASSESSMENTS, CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY TO CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY.

Subpart 1. **Recommended form.** The recommended form for a warranty deed, except assessments, corporation, partnership, or limited liability company to corporation, partnership, or limited liability company is contained in subpart 2.

Subp. 2. **Contents.**

WARRANTY DEED Except Assessments	Form No. 10-M	Minnesota Uniform Conveyancing Blanks (6/17/97)
<b>Corporation, Partnership or Limited Liability Company to Corporation, Partnership or Limited Liability Company</b>		
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">No delinquent taxes and transfer entered; Certificate of Real Estate Value (     ) filed (     ) not required. Certificate of Real Estate Value No. _____  (Date) _____  County Auditor by: _____ Deputy</div> <p>DEED TAX DUE: \$ _____</p> <p>Date: _____</p> <p>FOR VALUABLE CONSIDERATION, _____, a _____ under the laws of _____, Grantor, hereby conveys and warrants to _____, Grantee, a _____ under the laws of _____, real property in _____ County, Minnesota, described as follows:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon;</p> <p>_____</p> <p>_____</p> <p>Check box if applicable:</p> <p><input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property.</p> <p><input type="checkbox"/> A well disclosure certificate accompanies this document.</p> <p><input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.</p> <div style="margin-top: 20px;"><div style="text-align: center; font-size: x-small;">Affix Deed Tax Stamp Here</div><div style="display: flex; justify-content: space-between;"><div style="width: 40%;">STATE OF MINNESOTA } COUNTY OF _____</div><div style="width: 55%;">By _____ Its _____  By _____ Its _____</div></div></div>	<div style="border: 1px solid black; height: 150px; margin-bottom: 10px;"></div> <p style="text-align: center; font-size: x-small;">(reserved for recording data)</p>	
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p>This instrument was acknowledged before me on _____ (Date),</p><p>by _____ and _____,</p><p>the _____ and _____,</p><p>of _____, a _____,</p><p>under the laws of _____, on behalf of the _____.</p></div><div style="width: 50%;"><div style="border: 1px solid black; height: 50px; margin-bottom: 10px; font-size: x-small; text-align: center;">NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)</div><div style="border: 1px solid black; height: 80px; font-size: x-small; text-align: center;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</div></div><div style="width: 50%;"><p style="text-align: center; font-size: x-small;">SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</p><p>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></p><p style="font-size: x-small;">Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):</p></div></div>		

**2820.1201 FORM NO. 11-M: CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY TO JOINT TENANTS.**

Subpart 1. **Recommended form.** The recommended form for a warranty deed, corporation, partnership, or limited liability company to joint tenants is contained in subpart 2.

Subp. 2. **Contents.**

WARRANTY DEED Corporation, Partnership or Limited Liability Company to Joint Tenants	Form No. 11-M	Minnesota Uniform Conveyancing Blanks (6/17/97)
<p>No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required. Certificate of Real Estate Value No. _____ (Date) _____  County Auditor by: _____ Deputy</p> <p>DEED TAX DUE: \$ _____ Date: _____</p> <p>FOR VALUABLE CONSIDERATION, _____, a _____ under the laws of _____, Grantor, hereby conveys and warrants to _____, Grantees, as joint tenants, real property in _____ County, Minnesota, described as follows:</p> <p>_____</p> <p>_____ together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:</p> <p>_____</p> <p>Check box if applicable:  <input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property.  <input type="checkbox"/> A well disclosure certificate accompanies this document.  <input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.</p> <p>_____ (to be Used Tax Stamp Here)</p> <p>By _____ Its _____</p> <p>By _____ Its _____</p> <p>STATE OF MINNESOTA } ss. COUNTY OF _____</p> <p>This instrument was acknowledged before me on _____ by _____ and _____ (Date) _____ the _____ and _____ of _____, a _____ under the laws of _____, on behalf of the _____.</p> <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div> <p style="text-align: center; font-size: small;">NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)</p> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div> <p style="text-align: center; font-size: small;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</p>	<p style="text-align: center;">(reserved for recording data)</p> <p style="text-align: center; font-size: small;">SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</p> <p>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></p> <p style="font-size: x-small;">Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):</p>	

**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.

**2820.1301 FORM NO. 12-M: EXCEPT ASSESSMENTS, CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY TO JOINT TENANTS.**

**Subpart 1. Recommended form.** The recommended form for a warranty deed, except assessments, corporation, partnership, or limited liability company to joint tenants is contained in subpart 2.

**Subp. 2. Contents.**

WARRANTY DEED Except Assessments		Form No. 12-M		Minnesota Uniform Conveyancing Blanks (9/17/97)	
Corporation, Partnership or Limited Liability Company to Joint Tenants					
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">No delinquent taxes and transfer entered; Certificate of Real Estate Value (     ) filed (     ) not required. Certificate of Real Estate Value No. _____  (Date) _____  County Auditor  by: _____ Deputy</div> <div style="border: 1px solid black; height: 150px; margin-bottom: 10px;"></div> <div>DEED TAX DUE: \$ _____ Date: _____</div> <div>FOR VALUABLE CONSIDERATION, _____ _____, a _____ under the laws of _____ _____, Grantor, hereby conveys and warrants to _____, Grantees, as joint tenants, real property in _____ County, Minnesota, described as follows: _____</div>				<div style="border: 1px solid black; height: 150px; margin-bottom: 10px;"></div> <div>(reserved for recording data)</div>	
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon; _____ _____					
Check box if applicable: <input type="checkbox"/> The Seller certifies that the Seller does not know of any wells on the described real property. <input type="checkbox"/> A well disclosure certificate accompanies this document. <input type="checkbox"/> I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.					
_____ [Notary Seal Area]					
By _____ Its _____  By _____ Its _____					
STATE OF MINNESOTA } COUNTY OF _____ } ss.					
This instrument was acknowledged before me on _____ by _____ and _____ (Date) the _____ and _____ of _____, a _____ under the laws of _____, on behalf of the _____					
NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)					
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL					
Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/>					
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee): _____					
THIS INSTRUMENT WAS DRAFTED BY (NAME & ADDRESS): _____					



2820.2754 FORM 40.3-M: AFFIDAVIT OF TRUSTEE.

Subpart 1. **Recommended form.** The recommended form for an affidavit of trustee is contained in subpart 2 2a.

Subp. 2. [See repealer.]

Subp. 2a. **Contents.**

<p style="font-size: small; margin: 0;">Affidavit of Trustee</p> <p style="text-align: center; font-weight: bold; font-size: small; margin: 0;">Form No. 40.3-M</p> <p style="text-align: right; font-size: small; margin: 0;">Minnesota Uniform Conveyancing Blanks (12/97)</p> <p style="font-size: x-small; margin: 5px 0;">Affidavit of Trustee regarding Certificate of Trust or Trust Instrument pursuant to Minn. Stat. § 601B.57</p> <p style="text-align: center; font-weight: bold; margin: 20px 0;">AFFIDAVIT OF TRUSTEE</p> <p style="margin-top: 40px;">STATE OF MINNESOTA</p> <p>COUNTY OF _____ } ss.</p>	<div style="border: 1px solid black; height: 150px; margin-top: 20px;"></div> <p style="text-align: center; font-size: x-small; margin-top: 5px;">(reserved for recording data)</p>
--	---

\_\_\_\_\_, being first duly sworn on oath says:

1. Affiant is a Trustee named in: (check one) ☐ the Certificate of Trust dated \_\_\_\_\_ or ☐ the Trust Instrument dated \_\_\_\_\_ and filed for record \_\_\_\_\_ as Document No. \_\_\_\_\_ (or in Book \_\_\_\_\_ of \_\_\_\_\_, page \_\_\_\_\_) in the office of the (County Recorder)(Registrar of Titles) of \_\_\_\_\_ County, Minnesota, regarding the Trust named \_\_\_\_\_, which Certificate of Trust or Trust Instrument was executed by Affiant, another Trustee or the Grantor of the Trust and which relates to real property in \_\_\_\_\_ County, Minnesota, legally described as follows:
 

\_\_\_\_\_
2. The name and address of each Trustee empowered to act under the Trust Instrument at the time of the execution of this Affidavit is:
 

\_\_\_\_\_
3. The Trustee(s) who have executed that certain instrument, relating to the real property described above, between \_\_\_\_\_, as Trustee(s), and \_\_\_\_\_, dated \_\_\_\_\_:
  - (a) are empowered by the provisions of the Trust Instrument to sell, convey, pledge, mortgage, lease, or transfer title to any interest in real property held in trust; and
  - (b) are the requisite number of Trustee(s) required by the provisions of the Trust Instrument to execute and deliver such an instrument.
4. The Trust ☐ has not terminated or been revoked. (check one) ☐ has terminated or been revoked, but the execution and delivery of the instrument described in paragraph 3 were made pursuant to the provisions of the Trust Instrument prior to its termination or revocation.
5. There has been no amendment to the Trust Instrument which limits the power of Trustee(s) to execute and deliver the instrument described in paragraph 3.
6. The Trust ☐ is not supervised by any Court. (check one) ☐ is supervised by the \_\_\_\_\_ Court of \_\_\_\_\_ County, \_\_\_\_\_, and all necessary approval has been obtained from the Court for the Trustee(s) to execute and deliver the instrument described in paragraph 3.
7. Affiant does not have actual knowledge of any facts indicating the Trust is invalid.

THIS INSTRUMENT WAS DRAFTED BY (NAME & ADDRESS):

Subscribed and sworn to before me on \_\_\_\_\_

(Date)

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK):

**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.



**2820.4095 FORM NO. 32-1/2-M: WELL DISCLOSURE OF GRANTEE IN DEED PURSUANT TO CONTRACT FOR DEED.**

Subpart 1. **Recommended form.** The recommended form for a well disclosure of grantee in deed pursuant to contract for deed is contained in subpart 2.

Subp. 2. **Contents.**

Well Disclosure of Grantee in Deed  
Pursuant to Contract for Deed

Form No. 32<sup>1/2</sup>-M

Minnesota Uniform Conveyancing Blanks (6/17/97)

**WELL DISCLOSURE OF GRANTEE IN DEED  
PURSUANT TO CONTRACT FOR DEED**

Check one:

- ☐ The Grantee certifies that the Grantee does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document.
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

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**This form cannot be recorded independently. It must be attached to a deed given pursuant to a contract for deed.**

**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.

## Exempt Rules

**2820.5060 FORM NO. 95-M: AFFIDAVIT OF SERVICE OF AMENDMENT TO NOTICE TO THE COMMISSIONER OF HUMAN SERVICES REGARDING POSSIBLE CLAIMS UNDER MINNESOTA STATUTES, SECTION 246.53, 256B.15, 256D.16, OR 261.04 AFTER CLOSING OF ESTATE.**

Subpart 1. **Recommended form.** The recommended form for an affidavit of service of amendment to notice to the commissioner of human services regarding possible claims under *Minnesota Statutes*, section 246.53, 256B.15, 256D.16 or 261.04, after closing of estate is contained in subpart 2.

Subp. 2. **Contents.**

Minn. Stat. § 524.3-801(d)(4)	Form No. 95-M	Minnesota Uniform Conveyancing Blanks (12/97)
<p><b>STATE OF MINNESOTA</b> <b>COUNTY OF _____</b></p> <p style="text-align: center;"><b>DISTRICT COURT</b> <b>PROBATE DIVISION</b> <b>JUDICIAL DISTRICT</b></p> <p>Court File No. _____</p> <p>In Re: Estate of _____</p> <p style="text-align: center;">Deceased</p> <p><b>AFFIDAVIT OF SERVICE OF AMENDMENT TO NOTICE TO THE COMMISSIONER OF HUMAN SERVICES REGARDING POSSIBLE CLAIMS UNDER MINN. STAT. §§ 246.53, 256B.15, 256D.16 OR 261.04 AFTER CLOSING OF ESTATE</b></p>	<p>(reserved for recording data)</p>	
<p><b>STATE OF MINNESOTA</b> } <b>COUNTY OF _____</b> } ss.</p> <p>being first duly sworn, on oath, says I have personal knowledge of the facts stated in this affidavit and on _____, at _____, I served a copy of the attached (Date) (City/State)</p> <p>Amendment to Notice upon the Commissioner of Human Services by mailing it in a sealed envelope, postage prepaid by depositing the same with the United States Postal Service, addressed to <b>Commissioner of Human Services, Attention: Special Recovery Unit/Estate Notice, 444 Lafayette Road, St. Paul, Minnesota, 55155-3863.</b></p> <p>The real property affected by the Notice is located in _____ County, Minnesota, and is legally described as follows:</p> <p>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></p> <p>Dated: _____</p> <div style="display: flex; justify-content: space-between;"><div style="width: 45%; border: 1px solid black; padding: 5px; min-height: 80px;"><p style="font-size: x-small; margin-top: 0;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</p></div><div style="width: 50%; padding-top: 20px;"><p style="text-align: center; font-weight: bold;">Affiant</p><p>Subscribed and sworn to before me on _____ (Date)</p><p style="text-align: center; font-size: x-small;">SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</p><p style="text-align: center; font-size: x-small;">NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)</p></div></div> <p>(NOTE: Attach Amendment to Notice to Commissioner)</p>		

**2820.5070 FORM NO. 96-M: AFFIDAVIT OF SERVICE OF AMENDMENT TO NOTICE TO THE COMMISSIONER OF HUMAN SERVICES REGARDING POSSIBLE CLAIMS UNDER MINNESOTA STATUTES, SECTION 246.53, 256B.15, 256D.16, OR 261.04 PRIOR TO CLOSING OF ESTATE.**

Subpart 1. **Recommended form.** The recommended form for an affidavit of service of amendment to notice to the commissioner of human services regarding possible claims under Minnesota Statutes, section 246.53, 256B.15, 256D.16 or 261.04 prior to closing of estate is contained in subpart 2.

Subp. 2. **Contents.**

<p><small>Minn. Stat. § 524.3-801(d)(3)</small></p> <p><b>STATE OF MINNESOTA</b>  <b>COUNTY OF _____</b></p> <p style="text-align: center;"><b>DISTRICT COURT  PROBATE DIVISION  _____ JUDICIAL DISTRICT</b></p> <p>Court File No. _____</p> <p>In Re: Estate of _____</p> <p style="text-align: center;">Deceased</p> <p><b>AFFIDAVIT OF SERVICE OF AMENDMENT TO  NOTICE TO THE COMMISSIONER OF HUMAN  SERVICES REGARDING POSSIBLE CLAIMS  UNDER MINN. STAT. §§ 246.53, 256B.15, 256D.16  OR 261.04 PRIOR TO CLOSING OF ESTATE</b></p>	<p style="text-align: right;"><small>Minnesota Uniform Conveyancing Blanks (12/97)</small></p> <div style="border: 1px solid black; height: 150px; margin-top: 10px;"></div> <p style="text-align: center; font-size: small;">(reserved for recording data)</p>
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**STATE OF MINNESOTA**  
**COUNTY OF \_\_\_\_\_ } ss.**

\_\_\_\_\_, being first duly sworn, on oath,  
says I am the Personal Representative or Attorney for the Personal Representative or I have personal knowledge  
of the facts stated in this affidavit and on \_\_\_\_\_, at  
\_\_\_\_\_,  
\_\_\_\_\_, I served a copy of the attached Amendment to Notice upon the  
Commissioner of Human Services by mailing it in a sealed envelope, postage prepaid by depositing the same with the  
United States Postal Service, addressed to **Commissioner of Human Services, Attention: Special Recovery Unit/  
Estate Notice, 444 Lafayette Road, St. Paul, Minnesota, 55155-3863.**

The real property affected by the Notice is located in \_\_\_\_\_ County, Minnesota,  
and is legally described as follows:

Check here if part or all of the land is Registered (Torrens) ☐

Dated: \_\_\_\_\_

THIS INSTRUMENT WAS DRAFTED BY (NAME & ADDRESS):

(NOTE: Attach Amendment to Notice to Commissioner)

**Affiant**

Subscribed and sworn to before me on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

**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.

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Subpart 1. Recommended form. The recommended form for an affidavit of service of notice to the commissioner of human services regarding possible claims under *Minnesota Statutes*, section 246.53, 256B.15, 256D.16, or 261.04 is contained in subpart 2.

(CITE 23 S.R. 366)

**2820.5090 FORM NO. 99-M: NOTICE TO COMMISSIONER REGARDING POSSIBLE CLAIMS UNDER MINNESOTA STATUTES, SECTION 246.53, 256B.15, 256D.16, OR 261.04.**

Subpart 1. **Recommended form.** The recommended form for a notice to commissioner regarding possible claims under Minnesota Statutes, section 246.53, 256B.15, 256D.16, or 261.04 is contained in subpart 2.

Subp. 2. **Contents.**

Minn. Stat. § 524.3-801 **Form No. 99-M** Minnesota Uniform Conveyancing Blanks (12/97)  
**STATE OF MINNESOTA** **DISTRICT COURT**  
**COUNTY OF \_\_\_\_\_** **PROBATE DIVISION**  
**JUDICIAL DISTRICT \_\_\_\_\_**

Court File No. \_\_\_\_\_

In Re: Estate of \_\_\_\_\_

**NOTICE TO COMMISSIONER REGARDING  
 POSSIBLE CLAIMS UNDER MINN. STAT. §§ 246.53,  
 256B.15, 256D.16 OR 261.04**

Deceased

**TO THE COMMISSIONER OF HUMAN SERVICES:**

1. Attached and served upon you pursuant to Minn. Stat. § 524.3-801(d), is a copy of the \_\_\_\_\_ (title of document) and Notice to Creditors which has been or will be published according to law in the above referenced matter.

(INSTRUCTIONS: Include the full name, all aliases and former names of the decedent and spouse(s) in paragraphs 2 and 3 and attach copy of Notice to Creditors.)

2. Decedent's Name(s) Date of Birth Social Security Number

3. Spouse(s) Name(s) Date of Birth Social Security Number

4. Following a reasonably diligent inquiry, I:  
☐ have determined the decedent had no predeceased spouse(s).  
☐ cannot determine the following for the predeceased spouse(s) named below:  
 spouse(s) name \_\_\_\_\_  
☐ full name  
☐ former names  
☐ aliases  
☐ date of birth  
☐ Social Security number  
☐ have determined this paragraph does not apply.

5. This notice is given pursuant to Minn. Stat. § 524.3-801(d), in case the decedent or a predeceased spouse of decedent might have received assistance for which a claim could be filed under one or more of the following Minnesota Statutes: §§ 246.53, 256B.15, 256D.16 or 261.04.

Dated: \_\_\_\_\_ Personal Representative or Attorney for Personal Representative

Attorney for Personal Representative  
 Name:  
 Address:

Attorney License No.:  
 Telephone:  
 Fax:

This form cannot be recorded independently. It must be attached to Affidavit of Service of Notice to the Commissioner of Human Services (Form No. 98-M).

**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.

## Exempt Rules

### 2820.5201 FORM NO. 116-M: AFFIDAVIT REGARDING SELLER(S).

Subpart 1. Recommended form. The recommended form for an affidavit regarding seller(s) is contained in subpart 2.

Subp. 2. Contents.

<small>AFFIDAVIT REGARDING SELLER(S) Individual</small>	<small>Form No. 116-M</small>	<small>Minnesota Uniform Conveyancing Blanks (5/21/97)</small>
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STATE OF MINNESOTA	}	ss.	Affidavit Regarding Seller(s)
COUNTY OF _____			

being first duly sworn, on oath say(s) that:

1. (They are) (\_\_\_ he is) (\_\_\_ he knows) \_\_\_\_\_  
\_\_\_\_\_ the Person(s) named as \_\_\_\_\_  
\_\_\_\_\_ in the document dated \_\_\_\_\_, \_\_\_\_\_  
and filed for record \_\_\_\_\_, as Document No. \_\_\_\_\_, \_\_\_\_\_  
(or in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_) in the office of the (County  
Recorder) (Registrar of Titles) of \_\_\_\_\_ County, Minnesota.

2. Person(s) (is) (are) of legal age and under no legal disability with place of business(es) (respectively) at \_\_\_\_\_  
\_\_\_\_\_ and for the last ten years (has) (have) resided at: \_\_\_\_\_

3. There have been no:  
a. Bankruptcy, divorce or dissolution proceedings involving the Person(s) during the time the Person(s) (have) (has) had any interest in the premises described in the above document ("Premises");  
b. Unsatisfied judgments of record against the Person(s) nor any actions pending in any courts, which affect the Premises;  
c. Tax liens against said person(s);  
except as herein stated:

4. Any bankruptcy, divorce or dissolution proceedings of record against parties with the same or similar names, during the time period in which the above named person(s) (has) (have) had any interest in the Premises, are not against the above named person(s).

5. Any judgments, or tax liens of record against parties with the same or similar names are not against the Person(s).

6. There has been no labor or materials furnished to the Premises for which payment has not been made.

7. There are no unrecorded contracts, leases, easements, or other agreements or interests relating to the Premises except as stated herein:

8. There are no persons in possession of any portion of the Premises other than pursuant to a recorded document except as stated herein:

9. There are no encroachments or boundary line questions affecting the Premises of which Affiant(s) (has) (have) knowledge.

10. The Person(s) (has) (have) not received medical assistance from the State of Minnesota or any county medical assistance agency.

Affiant(s) know(s) the matters herein stated are true and make(s) this Affidavit for the purpose of inducing the acceptance of title to the Premises.

Subscribed and sworn to before me \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

<small>SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL</small>  <small>NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)</small>	<small>THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</small>
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## Exempt Rules

### **2820.6020 FORM NO. 95-1/2-M: AMENDMENT TO NOTICE TO COMMISSIONER REGARDING POSSIBLE CLAIMS UNDER MINNESOTA STATUTES, SECTION 246.53, 256B.15, 256D.16, OR 261.04 AFTER CLOSING OF ESTATE.**

Subpart 1. **Recommended form.** The recommended form for an amendment to notice to commissioner regarding possible claims under *Minnesota Statutes*, section 246.53, 256B.15, 256D.16, or 261.04 after closing of estate is contained in subpart 2.

#### Subp. 2. Contents.

<small>Minn. Stat. § 524.3-801(d)(4)</small>	<b>Form No. 95<sup>1</sup>/<sub>2</sub>-M</b>	<small>Minnesota Uniform Conveyancing Blanks (12/97)</small>
<b>STATE OF MINNESOTA</b>		<b>DISTRICT COURT</b>
<b>COUNTY OF _____</b>		<b>PROBATE DIVISION</b>
		<b>JUDICIAL DISTRICT _____</b>
In Re: Estate of _____		Court File No. _____
Deceased	<b>AMENDMENT TO NOTICE TO COMMISSIONER REGARDING POSSIBLE CLAIMS UNDER MINN. STAT. §§ 246.53, 256B.15, 256D.16 OR 261.04 AFTER CLOSING OF ESTATE</b>	
<b>TO THE COMMISSIONER OF HUMAN SERVICES:</b>		
1. <u>Decedent's Full Name</u>	<u>Date of Birth</u>	<u>Social Security Number</u>
2. The estate served the Commissioner of Human Services with the notice which is being amended on _____ <small>(Date)</small>		
3. An order or decree under Minn. Stat. §§ 524.3-1001 or 524.3-1002, was entered in this estate, or a closing statement under Minn. Stat. § 524.3-1003, was filed in this estate on _____ <small>(Date)</small>		
4. My name is _____, and I have an interest in the following described property which was subject to administration by this estate:		
5. The estate's Notice to the Commissioner is amended as follows (check and complete all applicable paragraphs; if paragraph C is checked, supply <u>all</u> items of information for each omitted spouse):		
<input type="checkbox"/> A. Decedent:		
<u>Variations/Other Names</u>	<u>Omitted/Corrected Date of Birth</u>	<u>Omitted/Corrected Social Security Number</u>
<input type="checkbox"/> B. Predeceased spouse named in notice:		
<u>Spouse's Name</u>	<u>Variations/ Other Names</u>	<u>Omitted/Corrected Date of Birth</u>
		<u>Omitted/Corrected Social Security Number</u>
<input type="checkbox"/> C. Predeceased spouse not named in notice:		
<u>Name</u> <small>(include all aliases, former names)</small>	<u>Date of Birth</u>	<u>Social Security Number</u>
Dated: _____		
(Name of Person Filing Amendment)		
Address: _____		
Telephone: _____		

This form cannot be recorded independently. It must be attached to Affidavit of Service of Amendment to the Commissioner of Human Services (Form No. 95-M).

**2820.6092 FORM NO. 96-1/2-M: AMENDMENT TO NOTICE TO COMMISSIONER REGARDING POSSIBLE CLAIMS UNDER MINNESOTA STATUTES, SECTION 246.53, 256B.15, 256D.16, OR 261.04, PRIOR TO CLOSING OF ESTATE.**

Subpart 1. **Recommended form.** The recommended form for an amendment to notice to commissioner regarding possible claims under *Minnesota Statutes*, section 246.53, 256B.15, 256D.16, or 261.04 prior to closing of estate is contained in subpart 2.

Subp. 2. **Contents.**

Minn. Stat. § 524.3-801(d)(3) **Form No. 96<sup>1</sup>/<sub>2</sub>-M** Minnesota Uniform Conveyancing Blanks (12/97)  
**STATE OF MINNESOTA** **DISTRICT COURT**  
**COUNTY OF \_\_\_\_\_** **PROBATE DIVISION**  
**JUDICIAL DISTRICT \_\_\_\_\_**

Court File No. \_\_\_\_\_

In Re: Estate of \_\_\_\_\_

**AMENDMENT TO NOTICE TO COMMISSIONER  
REGARDING POSSIBLE CLAIMS UNDER MINN.  
STAT. §§ 246.53, 256B.15, 256D.16 OR 261.04 PRIOR  
TO CLOSING OF ESTATE**

Deceased

**TO THE COMMISSIONER OF HUMAN SERVICES:**

1. Decedent's Full Name Date of Birth Social Security Number
2. The estate served the Commissioner of Human Services with the notice which is being amended on \_\_\_\_\_  
(Date)
3. No order or decree under Minn. Stat. §§ 524.3-1001 or 524.3-1002, has been entered in this estate and no closing statement under Minn. Stat. § 524.3-1003, has been filed in this estate.
4. The estate's Notice to the Commissioner is amended as follows (check and complete all applicable paragraphs; if paragraph C is checked, supply all items of information for each omitted spouse):  
  
☐ A. Decedent:  

<u>Variations/Other Names</u>	<u>Omitted/Corrected Date of Birth</u>	<u>Omitted/Corrected Social Security Number</u>
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☐ B. Predeceased spouse named in notice:  

<u>Spouse's Name</u>	<u>Variations/ Other Names</u>	<u>Omitted/Corrected Date of Birth</u>	<u>Omitted/Corrected Social Security Number</u>
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☐ C. Predeceased spouse not named in notice:  

<u>Name</u> (include all aliases, former names)	<u>Date of Birth</u>	<u>Social Security Number</u>
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Dated: \_\_\_\_\_ Personal Representative/Attorney for Personal Representative

Attorney for Personal Representative  
Name:  
Address:

Attorney License No.:  
Telephone:  
Fax:

**This form cannot be recorded independently. It must be attached to Affidavit of Service of Amendment to the Commissioner of Human Services (Form No. 96-M).**

**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.

## Exempt Rules

### **2820.6094 FORM NO. 97-M: CERTIFICATE OF CONSENT TO AN EARLY DISTRIBUTION OF ASSETS PURSUANT TO MINNESOTA STATUTES, SECTION 524.3-801(d)(6).**

Subpart 1. **Recommended form.** The recommended form for a certificate of consent to an early distribution of assets pursuant to Minnesota Statutes, section 524.3-801(d)(6), is contained in subpart 2.

Subp. 2. **Contents.**

Minn. Stat. § 524.3-801	Form No. 97-M	Minnesota Uniform Conveyancing Blanks (11/97)
<b>CERTIFICATE OF CONSENT TO AN EARLY DISTRIBUTION OF ASSETS PURSUANT TO MINN. STAT. § 524.3-801(d)(6)</b>		
(reserved for recording data)		
<p>1. The undersigned is the (check one) <input type="checkbox"/> Director or <input type="checkbox"/> Director's Duly Authorized Designee of _____ (The Local Agency)</p> <p>2. _____, the Personal Representative of the Estate of _____, deceased, Court File No. _____, now pending in District Court, Probate Division, _____ Judicial District has asked the Local Agency to consent to a distribution of property subject to administration by the estate during the 70 day period after service of a Notice to the Commissioner of Human Services pursuant to Minn. Stat. § 524.3-801(d)(1).</p> <p>3. The Local Agency (check and complete one of the following paragraphs):</p> <p><input type="checkbox"/> Consents to the distribution of any or all of the property subject to administration by the estate during the 70 day period following service of the Notice;</p> <p><input type="checkbox"/> Consents only to the distribution of the following specific property subject to administration by the estate during the 70 day period following service of the Notice (List each item of personal property and legally describe the real property):</p> <p>4. This Consent is subject to the following terms and conditions (check one of the following paragraphs):</p> <p><input type="checkbox"/> This Consent is unconditional;</p> <p><input type="checkbox"/> This Consent is subject to the following terms and conditions (list all):</p> <p>5. This Consent is effective (check one of the following paragraphs):</p> <p><input type="checkbox"/> As of the date this Consent is dated;</p> <p><input type="checkbox"/> As of (specify the date or circumstances upon which this Consent becomes effective):</p> <p>Check here if part or all of the land is Registered (Torrens) <input type="checkbox"/></p> <p>Dated _____ (Date), _____ (Name of Local Agency)</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="border: 1px solid black; width: 200px; height: 60px; margin-bottom: 5px; font-size: x-small; text-align: center;">THIS INSTRUMENT WAS DRAFTED BY (NAME &amp; ADDRESS):</div><div style="text-align: right;">By: _____ (Director/Director's Designee)</div></div> <p style="font-size: x-small;">(Note: This instrument is recordable without an acknowledgment pursuant to Minn. Stat. §524.3-801(d)(6))</p>		

**REPEALER.** Minnesota Rules, parts 2820.0200; 2820.0300; 2820.0400; 2820.0500; 2820.0600; 2820.0700; 2820.0800; 2820.0900; 2820.1000; 2820.1100; 2820.1200; 2820.1300; 2820.2754, subpart 2; 2820.4030, subpart 2; 2820.5200; 2820.6040; and 2820.6050, are repealed.

## Department of Natural Resources

### Adopted Exempt Permanent Rules Relating to Fishing Regulations in Inland Waters

#### 6262.0200 FISHING REGULATIONS FOR INLAND WATERS.

Subpart 1. **General inland fishing regulations.** Fish may be taken in inland waters by angling during the time specified for each of the following species, however, certain waters of the state are subject to experimental regulations, special regulations, or are closed for the taking and possession of fish:

Species and Open Season	Daily and Possession Limits
A. Largemouth and smallmouth bass.	6 in aggregate.
<p>(1) In all waters lying east and north of U.S. Highway 53 from Duluth to International Falls and Pelican and Ash Lakes, St. Louis county.</p> <p>Saturday two weeks prior to <u>the Saturday of Memorial Day weekend up to, but not including, to the third Monday Sunday</u> in February.</p> <p><del>Starting in 1998,</del> From the second Monday in September <del>through</del> to the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.</p> <p>(2) In all other waters.</p> <p><del>In 1997, Saturday nearest May 29 up to, but not including, the third Monday in February.</del></p> <p><del>Starting in 1998,</del> Saturday of Memorial Day weekend <del>up to, but not including, to the third Monday Sunday</del> in February.</p>	

**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.

## Exempt Rules

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~~Starting in 1998,~~ From the second Monday in September ~~through~~ to the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.

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

- G. Walleye and sauger. 6 in aggregate.

Saturday two weeks prior to ~~the~~ Saturday of Memorial Day weekend ~~up to, but not including, to~~ the third ~~Monday~~ Sunday in February.

- H. Northern pike. 3

Saturday two weeks prior to ~~the~~ Saturday of Memorial Day weekend ~~up to, but not including, to~~ the third ~~Monday~~ Sunday in February.

The limit also applies to the taking by dark house spearing.

- I. Muskellunge (including muskellunge-northern pike hybrid). 1. The minimum size limit will be 40 inches in length, except on Shoepac Lake, St. Louis county, where a 30-inch minimum size limit will apply.
- The first Saturday in June ~~up to, but not including, to~~ the third ~~Monday~~ Sunday in February.

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

When the closing date of a season falls on a Saturday, the season will extend ~~through~~ to the following Sunday.

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

**EDITORIAL CHANGE.** The term “through” where it appears in *Minnesota Rules*, part 6262.0200, subpart 1, shall be changed to “to.”

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

## Department of Revenue

### Revenue Notice # 98-13: Solid Waste Management Tax Waiver

Construction debris is normally considered mixed municipal solid waste when it is not maintained as a separate waste stream and its collection and disposal would therefore be taxed accordingly. The department takes the position that there is authority to waive the solid waste management tax for certain construction debris generated from repair and demolition activities due to tornado and other weather damage on March 29, 1998 and disposed of in a mixed municipal solid waste cell.

#### Statutory Authority

*Minnesota Laws 1998*, Chapter 383, Sec. 15. [Solid Waste Management Tax Waiver]. Notwithstanding any law to the contrary, the commissioner of revenue may waive solid waste management taxes under *Minnesota Statutes*, chapter 297H, for construction debris generated from repair and demolition activities in the area designated under Presidential Declaration of Major Disaster, DR1212, whether included in the original declaration or added later by federal government action due to tornado and other weather damage on March 29, 1998, and disposed of in a waste management facility designated by the commissioner of the pollution control agency. The commissioner of revenue's authority under this section to waive the taxes expires for waste transported to the designated facilities after March 31, 1999

*Minnesota Statutes*, § 297H.01, subdivision 5. Mixed municipal solid waste. "Mixed municipal solid waste" means mixed municipal solid waste as defined in section 115A.03, subdivision 21.

*Minnesota Statutes*, § 297H.01, subdivision 6. Non-mixed municipal solid waste. "Non-mixed municipal solid waste" means:

- (1) infectious waste as defined in section 116.76, subdivision 12;
- (2) pathological waste as defined in section 116.76, subdivision 14;
- (3) industrial waste as defined in section 115A.03, subdivision 13a; and
- (4) construction debris as defined in section 115A.03, subdivision 7.

*Minnesota Statutes*, § 115A.03, subdivision 7, contains the following definition: "Construction debris. "Construction debris" means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads.."

*Minnesota Statutes*, § 115A.03, subdivision 21, defines mixed municipal solid waste as: Subdivision 21. Mixed municipal solid waste.

- (a) "Mixed municipal solid waste" means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, except as provided in paragraph (b).
- (b) Mixed municipal solid waste does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams, but does include source-separated compostable materials.

#### Discussion

The intent of the 1998 legislation is to provide relief from the solid waste management tax for construction debris generated in areas designated as disaster areas due to tornado and other weather damage occurring on March 29, 1998. A strict reading of the law would result in construction debris which is not collected processed, and disposed of in a separate waste stream, to be considered mixed municipal solid waste and taxed as such. The department takes the position that construction debris will not be subject to the tax if it is disposed of in a waste management facility designated by the commissioner of the pollution control agency. This will be the case even if the construction debris is not processed separately from mixed municipal solid waste.

Dated: 10 August 1998

Jennifer L. Engh  
Assistant Commissioner for Tax Policy

## Official Notices

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### Department of Revenue

#### Revenue Notice # 98-14: Tobacco Products Tax - Wholesale Price Includes Cost of Any Packaging or Boxes

Tobacco products are all packaged in some manner prior to sale. The Department of Revenue takes the position that the whole-sale price of tobacco products includes the cost of any packaging or boxes. The tobacco products tax is imposed on the total whole-sale price of the tobacco products including any pricing related to packaging.

##### Statutory Authority

Pursuant to *Minnesota Statutes*, § 297F.05, subdivision 3, the tax is imposed on all tobacco products in this state and upon any person engaged in business as a distributor, at the rate of 35 percent of the wholesale sales price of the tobacco products....”

**Wholesale price** is defined in *Minnesota Statutes*, § 297F.01, subdivision 23, as “the established price for which a wholesaler sells a tobacco product to a distributor, exclusive of any discount or other reduction.”

**Tobacco products** are defined in *Minnesota Statutes*, § 297F.01, subdivision 19, as “cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing and smoking in a pipe or otherwise, or both for chewing and smoking; but does not include cigarettes as defined in this section.”

Dated: 10 August 1998

Jennifer L. Engh  
Assistant Commissioner for Tax Policy

## Official Notices

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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.

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### Board of Animal Health

#### Notice of Quarterly Meeting of the Board of Animal Health

The Board of Animal Health quarterly meeting will be on Friday, September 11, 1998. The meeting will convene at 9:30 a.m. at the Eagle Bluff Center, Lanesboro, MN.

### Department of Finance

#### Cash and Debt Management Division

#### Notice of Available Tax Exempt Bonding Authority

**NOTICE IS HEREBY GIVEN** pursuant to *Minnesota Statute* 474A.14, as amended, regarding the availability of tax exempt bonding authority. Due to significant activity and allocations within the Small Issue Pool, Housing Pool, and Public Facilities Pool since January 1 of this year, the total sum \$1,705,551 was available in the Unified Pool for allocation under the Minnesota Bond Allocation Act when the Unified Pool was established on July 28, 1998.

For further information please contact Mr. Lee Mehrkens at (612) 296-1700.

Wayne Simoneau  
Commissioner



## Department of Health

### Division of Environmental Health

#### Request for Comments on Rulemaking to Update Regulations Pertaining to Explorers and Exploratory Borings, *Minnesota Rules* Chapter 4727

**Subject of Rules.** The Minnesota Department of Health requests comments on its planned rulemaking governing exploratory borings. The Department is considering adopting and amending rules related to exploratory borings in order to make the rules more consistent with the statutory authority found in *Minnesota Statutes*, section 103I and the companion rules on Wells and Borings found in *Minnesota Rules*, chapter 4725.

The rulemaking may address issues such as standards for the design, location, construction, maintenance, repair, sealing, and safety of exploratory borings. It may also address licensing of explorers and qualifications of responsible individuals. The scope of the rulemaking includes *Minnesota Rules*, chapter 4727, and may involve the drafting of new rule sections, the revision of existing rules, and the reorganization of adopted rules for clarity and consistency.

**Persons Affected.** New or amended rules will affect any individual or corporation licensed to perform exploratory borings in the state of Minnesota.

**Statutory Authority.** The Department of Health is authorized under *Minnesota Statutes*, section 103I to adopt rules that establish licensing requirements and standards for exploratory boring operations.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the Department intends to adopt or withdraw the rules.

**Rules Drafts.** The Department has not yet prepared a draft of the planned rules amendments.

**Agency Contact Person.** Written or oral comments, questions, and requests for more information on these planned rules should be addressed to:

**Ron Thompson**

*ron.thompson@health.state.mn.us*

Phone: (651) 215-0831

Division of Environmental Health

Department of Health

121 East Seventh Place, Suite 220

P.O. Box 64975

St. Paul, Minnesota 55164-0975

FAX: (651) 215-0978

TTY: (651) 215-0707

**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 received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 3 August 1998

Patricia A. Bloomgren, Director  
Division of Environmental Health

## Official Notices

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### Health Technology Advisory Committee (HTAC)

#### Notice of Solicitation of Nominations for Technology Evaluation

HTAC seeks nominations to be considered for technology evaluation. The criteria used by HTAC to select technologies can be located under *Minnesota Statute* 62J.15, Section 17, subdivision 2.

Nominations must be submitted in writing within 60 days from the publication of this notice. In order for HTAC to consider any topic for evaluation/re-evaluation, nominations must be accompanied by the following specific supporting information:

Name and description of technology. Specify condition/application. Incidence/prevalence of condition and relevance to Minnesota. Safety and efficacy of this technology. Include alternative technology(ies). Provide cost of technology per use and/or aggregate. Provide cost of alternative technology(ies) per use and/or aggregate. Describe how health outcomes with this technology compare to health outcomes with alternative technology(ies). Has any other group addressed/evaluated/assessed the technology in a comprehensive manner? Are any significant clinical trials in progress? Are there any social, ethical, and/or legal issues that need to be addressed/considered?

A nomination form is available on our web site at <http://www.health.state.mn.us/htac/index.htm>

All other nominations and supporting information should be directed to:

Brenda Holden, HTAC Director  
P.O. Box 64975  
St. Paul, Minnesota 55164-0975  
FAX: (651) 282-5628 Phone: (651) 282-6374

### Housing Finance Agency

#### Notice of Hearing on Bond Issues for Single Family Mortgage Bond Program

The Minnesota Housing Finance Agency will hold a public hearing at 10:00 a.m. on Tuesday, September 1, 1998, at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purposes of taking public testimony regarding the issuance of Single Family Mortgage Bonds, composed of one or more series, in an aggregate principal amount not exceeding \$200,000,000. The bonds will be issued as qualified mortgage bonds subject to the mortgage eligibility requirements of Section 143 of the *Internal Revenue Code* of 1986, and, after payment of expenses and funding of reserves, will provide up to \$190,000,000 of mortgage loans to certain low and moderate income, first-time homebuyers of single family owner-occupied residences located throughout the State of Minnesota, which homebuyers qualify under the Agency's Single Family Mortgage Bond Program and applicable federal tax law. The Agency's Single Family Mortgage Bond Program is further described in the MHFA Mortgage Program Procedural Manual, a copy of which may be obtained from the Agency. Said bonds may be issued either as refunding bonds to refund certain outstanding bonds of the Agency or as new money bonds using a portion of the Agency's state bond volume allocation. A portion of the total principal amount of bonds to be issued may be composed of convertible option bonds issued at short-term rates with an option retained by the Agency to subsequently remarket the bonds in whole or in part on a long-term, fixed-rate basis. The bonds covered by this hearing notice, up to an aggregate principal amount not exceeding \$200,000,000, are anticipated to be issued periodically to fund the Program during the remaining portion of 1998 and during 1999, until fully utilized.

Parties wishing to comment on the financing program may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing, which comments will be considered at the hearing. Parties desiring additional information should contact Ms. Sharon Strelow at MHFA (612-296-7608).

Katherine G. Hadley,  
Commissioner

## **State Board of Investment**

### **Meeting Notice for the State Board of Investment Administrative Committee**

The State Board of Investment Administrative Committee will meet on Monday, August 17, 1998 in the SBI Conference Room, MEA Building, Room 105, 55 Sherburne Avenue, St. Paul, MN from 9:00 A.M. to 10:30 A.M.

## **Department of Labor and Industry**

### **Labor Standards Division**

#### **Notice of Addition to Prevailing Wage Rates**

An additional class of labor, **Code 405, Carpet Layers (Linoleum)**, has been determined for the Commercial Prevailing Wage Rates in **Beltrami County** which were certified 10/20/97.

An additional class of labor, **Code 430, Wiring System Technician, and 431 Wiring System Installer**, has been determined for the Commercial Prevailing Wage Rates in **Freeborn County** which were certified 10/20/97.

Copies of the additional certification may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306 or by calling (651) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.50 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich  
Commissioner

# State Grants & Loans

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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.

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## Minnesota Center for Crime Victim Services

### Notice of Availability of Funds for General Crime Victims

The Minnesota Center for Crime Victim Services announces the availability of state grant funds for special time-limited projects for general crime victims.

The following grants are for the nine-month period from October 1, 1998, through June 30, 1999. **Applications are due on Monday, September 14, 1998.**

**1. Restorative Justice Project:** One grant of \$20,000 is available to provide start-up funds to hire a coordinator to develop a program of healing circles and advocacy services for general crime victims who choose to utilize the restorative justice process in the Summit-University/Thomas-Dale neighborhoods. Applicants will be expected to develop a collaborative with agencies that provide victim services. Nonprofit organizations and local units of government are eligible to apply.

**2. School-based Services:** One grant of \$20,000 is available to provide additional staffing for a school-based general crime victim program in the Bloomington School District. Nonprofit organizations with a major program focus of serving general crime victims and local units of government are eligible to apply.

**3. Technical Assistance and Networking Project:** One grant of \$20,000 for Northern Minnesota, and one grant of \$30,000 for Southern Minnesota, are available to provide networking, program development, and technical assistance opportunities to existing and developing general crime victim service providers. Nonprofit organizations with a major program focus of serving general crime victims, Indian tribal governments, and local units of government are eligible to apply.

**Applications are due Monday, September 14, 1998.** To receive a request for proposals that provides complete information and describes how to apply, contact:

Minnesota Center for Crime Victim Services  
245 E. Sixth Street, Suite 705  
St. Paul, MN 55101-1819  
(651) 282-6256 or 1-888-622-8799 outside the Twin Cities metropolitan area  
TTY (hearing impaired): (651) 205-4827

## Department of Human Services

### Request for Proposals (RFP) for Initiation or Enhancement of Social Services for Tornado Victims in Presidentially Declared Disaster Counties under FEMA 1212-DR-MN

The Minnesota Department of Human Services is soliciting proposals for the initiation or enhancement of social services or support for those social services for tornado victims in the counties included in FEMA 1212-DR-MN: Blue Earth, Brown, Cottonwood, LeSueur, Nicollet, Nobles and Rice Counties. The amount of \$200,000 is available for the grants. The funds are available to the affected counties and nonprofit social service agencies through the Tornado Relief Act of 1998, Chapter 383. The funds are available until June 30, 1999.

Copies of the full Request for Proposals and grant application forms are available on request from:

Proposal Requests  
Glenn Olson  
Department of Human Services  
444 Lafayette Road  
St. Paul Minnesota 55155-3820  
(651) 297-8742

Proposals must be received no later than 4:30 p.m., August 31, 1998.

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## 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].

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### Minnesota State Colleges and Universities (MnSCU)

#### Metropolitan State University

#### Request for Proposals for Bookstore Services

Metropolitan State University (Metro State) is one of seven state universities which are under the umbrella of the Board of Trustees of the Minnesota State Colleges and Universities. Metro State offers comprehensive Baccalaureate and graduate programs at five major sites strategically located in the Twin Cities seven county metropolitan area (population 2.6 million) 70% of classes are offered during evening hours. The two largest campuses are in leased facilities in Minneapolis and state owned property in St. Paul where the current Bookstore operation is located. In FY98 Metro State had a headcount of approximately 8,500 students enrolled (3,237 FYE). A typical Metro State student is a working adult (average age, 34 years) and takes four credit hours per semester. Approximately 59% of students are women and 15% are minorities.

Metropolitan State University is soliciting proposals from qualified firms to assist the university by providing contracted management and operation of the university's bookstore. Specifically, the Contractor will provide for all academic and popular texts and supply items required for the universities courses as well as soft good sales and other services usually associated with a bookstore operation.

The contract award is for at least, a five year period for July 1, 1999 to June 30, 2004.

To receive a full Request for Proposal write or call:

Matt Marchetti  
Metropolitan State University  
700 East Seventh Street  
St. Paul, MN 55106-5000  
phone: (651) 772-7605  
FAX: (651) 772-7631

Completed proposals must be received by 2 p.m., August 28, 1998.

### Minnesota State Colleges and Universities (MnSCU)

#### Student Affairs

#### Request for Proposal for Program Coordinator/Facilitator for the Minority Exposure to Corporate America (MECA) Program

#### Background Information

The Minnesota State Colleges & Universities (MnSCU) are requesting proposals for a coordinator/facilitator for the Minority Exposure to Corporate America Program (MECA). The MECA Program is a joint venture undertaken by 3M and the Minnesota State Colleges and Universities and provides a framework for career development for Minnesota state university minority students enrolled in business related fields of study. The goal of the program is to better prepare minority college graduates for the corporate environment. Academic success is a requirement of the program. At the same time, it is clearly understood that academic success is not the sole indicator of career success. Success in corporate and organizational environments requires additional skills such as critical listening, interviewing, work habits, time management, enhanced oral and written communication skills, interpersonal relationships, and demeanor unique to a given company or organization. These topics are also explored within the context of multicultural differences which may impact the students experiences in the corporate environment. The leadership seminars and the internship opportunity are designed to make these minority students more comfortable in a work environment in which they may be among a few minority employees.

## Professional, Technical & Consulting Contracts

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The program includes the following components:

1. **Scholarship Award** - Each student chosen for the MECA program receives a \$1,000 scholarship at the beginning of his/her junior year, and another \$1,000 scholarship at the beginning of his/her senior year.
2. **Paid Internship** - Each MECA participant is provided a 13-week paid internship at 3M during the summer between his/her junior and senior years.
3. **Leadership Development** - MECA students participate in eight leadership seminars over the two-year program.
4. **Mentorship Opportunities** - Mentorship relationships are encouraged between MECA students and 3M employees who share similar cultural backgrounds and career goals.

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

### GOALS

MnSCU's goal is to retain and graduate students of color and assist Minnesota employers in their efforts to establish a pool of educated, appropriately prepared minority employees from which employers can draw.

3M recognizes the importance of the MECA program as a method by which to increase representation of people of color in its evolving workforce and thereby achieve concrete results toward its cultural diversity goals, objectives and commitments.

### OBJECTIVES

MnSCU's objectives are:

- to provide overall coordination of the program
- to deliver a leadership development program consisting of eight seminars per year which provide opportunities for participants to be exposed to and develop specific skills regarding successful and positive outcomes in the world of work; to establish a mentor program which provides one-on-one relationships between a student and a business/professional person; and to prepare participants for a quality summer internship experience
- to communicate and coordinate aspects of the program with the seven MECA campus coordinators; as well as, develop a strong support relationship with 3M staff who are involved with the program .

To achieve these objectives, MnSCU expects the contractor to accomplish the following:

- DESIGN AND PRESENT EIGHT (8) LEADERSHIP SEMINARS
- COORDINATE AND FACILITATE PROGRAM OPERATION
- DEVELOP AND IMPLEMENT THE MECA RECRUITMENT PROCESS
- CONDUCT RECIPIENT INTERVIEW PROCESS
- COORDINATE/FACILITATE RECIPIENT SELECTION PROCESS
- COORDINATE SUMMER INTERNSHIP ACTIVITIES
  1. ADMINISTER PROGRAM SUMMER WORK PLANS
  2. STUDENT EVALUATION — evaluate students on their internship success, as well as obstacles and challenges overcome.
  3. SUMMER MEETINGS — coordinate two summer meetings with students, at beginning and end, to go over work plans and determine progress.
- DEVELOP PROGRAM MATERIALS
- CONVENE QUARTERLY MECA ADVISORY COMMITTEE MEETINGS

### Skills & Experience Necessary

In order to successfully provide these services, the contractor must be knowledgeable of today's Corporate environments, possess experience with a variety of minority groups and their cultures, as well as be able to develop the curriculum and conduct leadership seminars that incorporates the Stephen Covey principles of leadership or similar principles of leadership development.

### Procedures for Responding

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

Mike López, Associate Vice Chancellor for Student Affairs  
Minnesota State Colleges & Universities  
500 World Trade Center  
30 East Seventh Street  
St. Paul, MN 55101  
Phone: (651) 296-9447  
FAX: (651) 296-3214  
E-Mail: [mike.lopez@so.mnscu.edu](mailto:mike.lopez@so.mnscu.edu)

**NOTE:** Other department personnel are NOT allowed to discuss this request for proposal with anyone, including responders, before the proposal submission deadline.

**Proposals must be sent to Mike López at the above address and must be received not later than 4:00 p.m. on August 21, 1998 as indicated by the date and time indicated on each response package by the Student Affairs secretary. Late proposals will NOT be accepted.**

**Submit four copies of your 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 any resulting contract.**

### Estimated Contract Costs

MnSCU has estimated that the cost of this project should not exceed \$24,000.

### Estimated Completion Time

The project will be completed within 12 months of the time the contract begins. MnSCU reserves the right to extend the contract to 36 months if it will substantially improve the results of the project.

### Contents of the Proposal

The following will be considered the minimum contents of the proposal:

1. A restatement of objectives, goals and tasks to show or demonstrate the responder's view of the nature of the program;
2. Identification and description of the deliverables to be provided by the responder;
3. An outline of the responder's background and experience with particular emphasis on diversity, corporate America and Stephen Covey's principles of leadership or similar principles of leadership development.
4. A detailed work plan that will identify all of the services to be provided as well as the basis for invoicing.

### Evaluation Criteria

Representatives of MnSCU and 3M will evaluate all proposals received by the deadline. If necessary, an interview may be part of the evaluation process.

Factors on which proposals will be judged include, but are not limited to, the following:

1. Expressed understanding of proposal objectives;
2. Work plan;
3. Cost detail;
4. Qualifications and experience of the responder; identification of the personnel to conduct the project, with details on training and work experience. No change in personnel assigned to the project will be permitted without the approval of the project manager.
5. Demonstrated knowledge of Stephen Covey principles or similar principles of leadership development.

**It is expected that the evaluation and selection process will be completed by September 15, 1998.**

## Professional, Technical & Consulting Contracts

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### Workers Compensation Compliance

The successful responder will be required to submit acceptable evidence of compliance with Minnesota workers' compensation insurance coverage requirements prior to execution of the contract.

### Human Rights Compliance

The successful respondent will be required to submit proof that it has received a certificate of Compliance from the Commissioner of Human Rights pursuant to *Minnesota Statutes*, Section 363.073. It is hereby agreed between the parties that *Minnesota Statutes*, Section 363.073 is incorporated into this contract by reference.

### Contract Terms and Conditions

MnSCU's contract language includes the following terms and conditions (summarized here) which you should be aware of in preparing your response.

1. Compensation will be for ALL services performed, unless a specific payment schedule is mutually agreed upon. MnSCU DOES NOT make regular payments based on the passage of time, it only pays for services performed or work delivered AFTER it is accomplished.
2. Payment is only made after the submission of an authorized invoice.
3. Reimbursement for travel and subsistence expenses actually incurred in performance of a contract is limited to the current "Commissioner's Plan" promulgated by the Commissioner of Employee Relations. Travel outside of Minnesota must have received PRIOR written approval BEFORE it takes place. The Minnesota Department of Employee Relations may be contacted to obtain copies of this plan.

## Minnesota State Colleges and Universities (MnSCU)

### Winona State University

#### Request for Proposals for Lease of 40 Apple MacIntosh G3 Powerbooks

**NOTICE IS HEREBY GIVEN** that Winona State University will receive sealed RFP's for the lease of 40 Apple MacIntosh G3 Powerbooks.

Bid specifications will be available August 10, 1998 from Sandra Schmitt, Purchasing Director, P.O. 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, P.O. Box 5838 or Somsen 205C, Business Office, Winona State University, Winona, MN 55987 by 4:00 PM August 24, 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.

## Minnesota House of Representatives

#### Request for Bid (RFB) for Financial Audit for Fiscal Year 1998

The Minnesota House of Representatives is requesting proposals to audit the financial statements of the House for the fiscal year ending June 30, 1998. The audit is to be performed by an independent certified public accounting firm licensed to do business in the State of Minnesota.

The deadline for receipt of proposals is 2:30 p.m., September 8, 1998. Copies of the RFB are available from:

Minnesota House of Representatives  
Room 198 State Office Building  
100 Constitution Avenue  
St. Paul, MN 55155-1298  
(612) 296-3572  
Attention: Helen Arend



## Department of Trade and Economic Development

### Minnesota Agricultural and Economic Development Board

#### Request for Proposals for Investment Banker

##### Introduction

Request for Proposal for Investment Banker for the Minnesota Agricultural and Economic Development Board (the "Board"). The Board is seeking proposals from investment banking firms for its pooled small issue industrial revenue bond program, the Minnesota Small Business Development Loan Program (the "Loan Program"). The Board consists of the Commissioner of Finance as chair, the Commissioner of Trade and Economic Development, the Commissioner of Agriculture, the Commissioner of Pollution Control Agency, the President of Minnesota Technology, Inc. or the President's designee, and two public members with experience in finance, appointed by Minnesota Technology, Inc.

*This Request for Proposal does not obligate the State to hire an Investment Banker, and the State reserves the right to cancel the solicitation if it is not considered to be in its best interest. The State will not be liable for any expenses incurred by firms in preparing and submitting proposals or any costs incurred prior to the complete execution of a contract.*

*In compliance with Minnesota State Statute 16C.08, 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.*

All proposals must be sent to and any responders who have any questions regarding this RFP may fax or write questions to:

Paul Moe, Executive Director  
Minnesota Agricultural and Economic Development Board  
MN Department of Trade and Economic Development  
500 Metro Square  
121 7th Place East  
Saint Paul, MN 55101-2146  
Phone: (651) 297-1391  
Fax: (651) 296-5287

**Note:** No contact may be made with other staff or Board members after the date of this Request for Proposal on behalf of any firm.

##### Submission of Proposals

Proposals must be submitted no later than 4:00 p.m. August 28, 1998. Late proposals will not be accepted. Submit eight (8) copies of the proposal. Proposals are to be sealed in mailing envelopes or packages with responder's name and address clearly written on the outside. To facilitate proper handling, proposals should be marked with the words "SEALED PROPOSAL- INVESTMENT BANKER" prominently displayed on the outside of the envelope. Proposals are to be limited to 20 pages, including cover letter and any exhibits. 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 resulting contract, which is expected to be for two years with an option of extending for an additional two years. Firms that request confirmation of receipt will be notified by fax that their proposal has been received.

The Board reserves the right to require oral presentations if deemed necessary after the proposals are reviewed and evaluated.

The Board reserves the right to select more than one firm to undertake assigned tasks associated with the Loan Program.

##### Background

The Minnesota Agricultural and Economic Development Board (the "Board") was created in 1987 under *Minnesota Statutes*, Chapter 41A, (Attachment A) and is the legal successor to the Minnesota Energy and Economic Development Authority. The State of Minnesota Department of Trade and Economic Development provides administrative staff support to the Board. The Board was created to provide financial assistance to qualified businesses in the form of loans, guarantees and other financial obligations including the issuance of tax-exempt or taxable revenue bonds.

##### Loan Program

The Board administers the Minnesota Small Business Development Loan Program (the "Loan Program") which are secured loans to businesses to finance capital expenditures, including land, buildings and other capital improvements. Businesses that qualify for loans are generally small businesses as defined by the United States Small Business Administration (13 *Code of the Federal Regulations* Part 121) and must meet certain qualifications established by rules adopted by the Board. Businesses applying for assistance under the Loan Program are reviewed and evaluated by the staff and Board to determine feasibility and financial condition to determine repayment ability of the loans.

## Professional, Technical & Consulting Contracts

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Since 1984 the Board has issued over \$70,000,000 in loans and guarantees in connection with the Loan Program for 42 business. The Board currently has 24 loans outstanding totaling \$42,600,000 ranging in size from \$345,000 to \$7,145,000. The Board currently has the capacity to issue an additional \$13,700,000 in bonds. The current obligations are listed in the most recent Official Statement (Attachment B).

### General Guarantee Fund

In connection with the Loan Program, a guarantee fund has been created pursuant to the Loan Program requirements. Bonds issued in connection with the Loan Program are entitled to the benefits of the guarantee fund. As of June 10, 1998 the General Guaranty Fund has a balance of approximately \$13,072,000.

### Request for Proposal

The Board anticipates issuing additional obligations in the form of taxable and tax-exempt bond issues, loans and guarantees. The Board is requesting proposals for the assistance of an investment banker to provide investment banking services. The scope of the work to be performed would include, but may not be limited to:

1. Recommend bond structure, pricing and marketing strategy which will achieve the lowest interest rates, lowest issuance costs coupled with the most favorable bond redemption provisions.
2. Recommend financing terms and loan structure for individual borrowers and general underwriting guidelines for the Program.
3. Purchase and offer for sale all bonds pursuant to Official Statements prepared for each issue.

### Proposal Content:

Proposal should contain the following information:

1. **Finance Team.** Please include the name, resume and role description of each member of your finance team. Specifically, identify the lead banker, and include in his or her resume the list of financing which he or she has acted as the book running manager for the period 1/1/96 to present.
2. **Experience and Expertise.** Please provide a description of your firms experience with underwriting and marketing industrial revenue bonds, both on a stand alone basis and on a pooled program basis. For all bond issues described, include the amount, date of issue, interest rate, tax status, rating, issuer and borrower.
3. **Distribution.** Please provide a description of your firms retail and institutional sales force, with a break out of the Minnesota sales force from the national sales force. For the last three years, list the amount of bonds sold for similar programs, with a breakdown of those sold by Minnesota sales force and national sales force.
4. **Compensation.** Please provide a proposed underwriter's spread with the following components; takedown, management fee, net (if any), and out of pocket expenses. Please provide all compensation on a dollar per thousand basis.
5. **Firm Description.** Please provide a description of your firm including a description of ownership, net capital figures, total number of employees, and number of employees in Minnesota.
6. **Program Review.** Please review the Loan Program and provide suggestions on how the Board could improve it, including your thoughts on the costs and benefit of pursuing and receiving from one or more of the principal national rating agencies.
7. **Indicate which law firm you would consider for Underwriter Counsel.** The Board would require Underwriter's Counsel have public finance experience and tax law experience related to the issuance of bonds and to have actively served as either Bond Counsel or Underwriters' Counsel for other issuers.
8. **Submit a completed copy of the Affirmative Action Data Page** (Attachment C) and a copy of your current certificate of Compliance from the Minnesota Department of Human Rights, or a letter of affidavit certifying that your business has submitted an affirmative action plan to the Commissioner of Human Rights or a letter of affidavit certifying your business has not more than 40 full-time employees, within or outside the State of Minnesota, on a single working day during the previous twelve months. For further information, contact the Department of Human Rights, 190 E. 5th Street, Suite 700, St. Paul, MN 55101 or call 651-296-5663.
9. **Public Agency or Other References**
10. **Provide the name, address, phone number, and FAX number of the contact person for responder.**

Proposals shall be submitted on an individual basis (joint proposals will not be accepted), the Board reserves the right to form an underwriting syndicate, select a book running manager and to determine the participation of each firm, should more than one firm be selected to underwrite the program bonds. Please include in your proposal your recommendations as to the need for a co-manager and/or selling group.

### Evaluation and Award

The Board reserves the right to accept or reject any and all proposals, in whole or in part, or to permit cure of minor irregularities and to conduct discussions with all qualified responder in any manner necessary to serve the best interest of the Board. All proposals received will be evaluated for the purpose of selecting the proposal that most closely meets the requirements of the Board. The following areas of consideration will be used in making the selection:

1. **Firm Qualifications** - This criterion includes the ability of the investment banking firm to meet the terms of the request especially experience in the area of industrial development bonds or similar markets.
2. **Team Qualifications** - This refers to the competence of professional personnel who would be assigned to the job by the Contractor. Qualifications will be measured by education and experience, with particular reference to experience on projects similar to that described in the request.
3. **Cost** - While this is weighed heavily, it will not normally be the deciding factor in the selection process.

### Public Status

Pursuant to *Minnesota Law*, all proposals submitted in response to the request become property of the State of Minnesota. Such proposal shall also constitute public records and shall be available for viewing and reproduction by any person.

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# Non-State Public Bids, Contracts & Grants

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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.

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## Anoka-Hennepin Independent School District (ISD) #11

### Notice of Request for Proposals for Property and Casualty Insurance Coverage (P99012)

This communication is to announce a forthcoming request for proposal (RFP) process for Property & Casualty Insurance Coverage in the Anoka-Hennepin ISD #11. The District seeks competitive proposals for Property & Casualty Insurance Coverage. If you are interested in receiving an informational sheet, call Linda Steinbauer at (612) 506-1117.

Specifications may be obtained in the Administrative Services Office, Anoka-Hennepin Independent School District No. 11, District Office, Educational Service Center, 11299 Hanson Blvd. NW, Coon Rapids, Minnesota.

Activity or Point of Action	Date
RFP specification release date to Proposers	on or after 10:00 A.M., August 3, 1998
Deadline for submission of Proposals	3:00 P.M., November 19, 1998

## Metropolitan Council

### Invitation for Bids on Sanitation and Cleaning Supplies

Bids must be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, for sanitation and cleaning supplies on or before 2:00 P.M., Tuesday, August 25, 1998.

Copies of the specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling (651) 602-1499 or via FAX request at (651) 602-1083. All bids to be considered must be submitted on **Council approved bid forms**.

The award will be based upon, but not necessarily limited to, factors of price, lead time, agreement to the terms and conditions and past experience with the Metropolitan Council.

The Metropolitan Council reserves the right to accept or reject any and all bids, or any part of any bid and to waive any minor irregularities and deviations from requirements outlined in the technical specifications.

## 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.fino.p.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.