

State of Minnesota

# STATE REGISTER

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# State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, official notices to the public, state and non-state public contracts, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

### Printing Schedule and Submission Deadlines

Vol. 12 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
5	Monday 20 July	Monday 27 July	Monday 3 August
6	Monday 27 July	Monday 3 August	Monday 10 August
7	Monday 3 August	Monday 10 August	Monday 17 August
8	Monday 10 August	Monday 17 August	Monday 24 August

\*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

\*\*Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the State Register editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

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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:

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Contact: House Information Office  
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# Minnesota Rules

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## Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.

After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as **Proposed Rules**. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted.

For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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 1-16; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August.

For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-652-9747 and ask for "Documents."

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**Proposed Rules**

Pursuant to Minn. Stat. of 1984, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

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*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

**Department of Agriculture**

**Notice of Withdrawal of Proposed Rules**

Notice is hereby given that the proposed rules relating to buying and storing grain, as published in the *State Register* on June 8, 1987, pages 2226-2234 (11 S.R. 2226), are withdrawn.

The department intends to redraft the rules and publish the redrafted rules and a Notice of Hearing at a later date.

Dated: 9 July 1987

Jim Nichols, Commissioner  
 Department of Agriculture

**Department of Health**

**Proposed Permanent Rules Relating to Health, Morticians, Funeral Directors, Fees, and Licensing**

**Notice of Intent to Amend Rules without a Public Hearing**

NOTICE IS HEREBY GIVEN that the Commissioner of Health (hereinafter "Commissioner") proposes to adopt amendments to *Minnesota Rules*, Chapter 4610.2800, which relates to fees concerning Morticians, Funeral Directors and Funeral Establishments.

**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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A copy of the proposed amendments is attached to this Notice. One additional free copy is available upon request from David F Schwietz at the address shown below.

The Commissioner has determined that the proposed amendments will be noncontroversial in nature and has elected to follow the provisions of *Minnesota Statutes*, sections 14.22 to 14.28 (1986). Sections 14.22 to 14.28 provide for an expedited process for the adoption of administrative rule changes without the holding of a public hearing.

The implementation of these amendments will not require the expenditure of public money by local bodies of greater than \$100,000.00 in either of the two years following their adoption, nor do the amendments have any impact on agricultural land. The small business considerations in rulemaking are not believed to apply to these amendments pursuant to *Minnesota Statutes*, section 14.115. Nevertheless, in accordance with section 14.115, subdivision 4(b), notice of this proceeding has been given to the Minnesota Funeral Directors Association for publication in their Bulletin. This Association has a membership of 95% of the state's licensed funeral establishments.

THE PUBLIC IS HEREBY ADVISED that:

1. They have 30 days in which to submit comment in support of or in opposition to the proposed amendments, and comment is encouraged;
2. Each comment should identify the portion of the proposed amendments addressed, the reason for the comment, and any change proposed;
3. If twenty-five or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held pursuant to *Minnesota Statutes*, sections 14.131 to 14.20, unless a sufficient number withdraw their request in writing.
4. All comments and any written requests for a public hearing shall be submitted to David F Schwietz, Supervisor, Mortuary Science Unit, Minnesota Department of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440;
5. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed amendments addressed, the reason for the request, and any change proposed;
6. The proposed amendments may be modified if modifications are supported by the data and views submitted and do not result in a substantial change in the proposed language;
7. Under this expedited procedure, if a hearing is not required the department must submit any action on its rules to the Attorney General for review of the form and legality of the rule change. Notice of the date of submission of the proposed amendments to the Attorney General for review will be mailed to any person who requests to receive the notice. Requests to receive notice must be submitted to David Schwietz at the above address;
8. Authority to amend *Minnesota Rules* chapter 4610 is contained in *Minnesota Statutes*, sections 16A.128, subd. 2a, 144.122, 149.04, and 149.05, subd. 4 (1986). Additionally a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed amendment has been prepared and is now available. Anyone wishing to receive a copy of this document may contact David Schwietz at the above address;
9. If twenty-five or more persons request a public hearing on this matter, notice of any such hearing will be published in the *State Register*;
10. Any amendment made pursuant to this proceeding shall be effective five working days after publication in the *State Register* of notice of the adoption of the amendment.

Dated: 13 July 1987

Sister Mary Madonna Ashton  
Commissioner of Health

### Rules as Proposed

#### 4610.2800 FEES.

Subpart 1. [Unchanged.]

Subp. 2. **Mortuary science fees.** The following fees are mortuary science fees:

- A. trainee registration and renewal fee, \$25;
- B. examination fee, \$50;
- C. original license fee, \$40;
- D. license by endorsement, \$200;

- E. renewal fee, ~~\$40~~ \$50; and
- F. renewal fee late charge, \$10.

Subp. 3. **Funeral directors.** The following fees are funeral director fees:

- A. application fee, \$50;
- B. renewal fee, ~~\$40~~ \$50; and
- C. renewal fee late charge, \$10.

Subp. 4. **Funeral establishments.** The following fees are funeral establishment fees:

- A. funeral establishment permit fee, ~~\$110~~ \$135;
- B. renewal permit fee, ~~\$110~~ \$135; and
- C. renewal permit late charge, \$15.

## Department of Veterans Affairs

### Proposed Permanent Rules Relating to Veterans Home Discharge Provisions and Fees

#### Notice of Intent to Adopt Rules without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Veterans Affairs proposes to adopt the above-entitled rules without a public hearing following procedures set forth in *Minnesota Statutes*, section 14.22 to 14.28.

Authority to adopt the proposed rules, parts 9050.0100 to 9050.3900 is contained in *Minnesota Statutes*, section 196.04, subdivision 1.

Persons interested in these rules shall have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules and comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on a rule within the 30-day comment period. IF 25 OR MORE PERSONS SUBMIT A WRITTEN REQUEST FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A PUBLIC HEARING WILL BE HELD UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Minnesota Department of Veterans Affairs  
Veterans Service Building  
20 West 12th Street  
St. Paul, MN 55155  
Attn: Terrence A. Logan  
Telephone (612) 296-2764

The proposed rules may be modified if the modifications are supported by data and views and do not result in substantial changes in the proposed rules as noticed.

A Statement of Need and Reasonableness that describes the need for reasonableness of each provision of the rules has been prepared and is available from Terrence A. Logan upon request.

If no hearing is required upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to the legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney

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## Proposed Rules

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General, or who wish to receive a copy of the adopted rule, must submit a written request to the Minnesota Department of Veterans Affairs at the address listed above.

Dated: 20 July 1987

William J. Gregg, Commissioner  
Department of Veterans Affairs

### Rule as Proposed (all new material)

#### CHAPTER 9050

#### OPERATION OF THE MINNESOTA VETERANS HOMES

##### 9050.0100 PURPOSE.

This chapter governs the administration and operation of the Minnesota veterans homes and must be interpreted to give effect to Minnesota Statutes, chapters 196, 197, and 198.

##### 9050.0200 PATIENTS RIGHTS.

The homes will implement policies and procedures as prescribed in Minnesota Statutes, chapter 148A to protect residents from sexual exploitation by psychotherapists.

##### 9050.0300 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, the terms defined in this part have the meanings given them.

Subp. 2. **Administrator.** "Administrator" means the administrator of the Minnesota veterans homes.

Subp. 3. **Admissions agreement.** "Admissions agreement" means a written contract entered into by the resident and the commissioner at the time of admission of the resident to a home, detailing charges for cost of care and the resident's agreement to pay these charges.

Subp. 4. **Annual financial status review.** "Annual financial status review" means an annual verification of income and assets that may be used to calculate a resident's ability to pay his or her cost of care.

Subp. 5. **Attending physician.** "Attending physician" means a medical doctor.

Subp. 6. **Boarding care facility.** "Boarding care facility" means a licensed facility or unit operated by the department used to provide care for aged or infirm persons who require only personal or custodial care and related services. Custodial care includes board, room, laundry, and personal services, supervision over medications that can be safely self-administered, and a program of activities and supervision required by persons who are not capable of properly caring for themselves.

Subp. 7. **Business expense.** "Business expense" means the cost of producing income from a business or firm, excluding capital expenditures and depreciation.

Subp. 8. **Campus.** "Campus" means the grounds of the Minnesota veterans homes.

Subp. 9. **Capital expenditure.** "Capital expenditure" means an investment made to purchase property or to improve property that has a useful life of more than one year.

Subp. 10. **Commissioner.** "Commissioner" means the commissioner of veterans affairs.

Subp. 11. **Cost of care.** "Cost of care" means the daily per capita cost of providing care to residents of the Minnesota veterans homes, calculated in accordance with part 9050.2450. This daily per capita cost of care must be calculated semiannually.

Subp. 12. **Department.** "Department" means the Department of Veterans Affairs.

Subp. 13. **Dependent.** "Dependent" means an individual whom a person is entitled to claim as a dependent on the Minnesota income tax return. An individual may not be claimed as a fully unallocated dependent by more than one person.

Subp. 14. **Deputy commissioner.** "Deputy commissioner" means the deputy commissioner of veterans affairs.

Subp. 15. **Determination order.** "Determination order" means the amount that the resident is determined to be able to pay towards the cost of care.

Subp. 16. **Gross income; gross earnings.** "Gross income" or "gross earnings" means all income received, including in-kind income.

Subp. 17. **Guardian.** "Guardian" means a responsible adult authorized to act on behalf of a resident and whose authority is recognized by the courts or the United States Veterans Administration.

Subp. 18. **Home.** "Home" means any one of the Minnesota veterans homes.

Subp. 19. **Homestead.** "Homestead" means the house owned and occupied by a resident as his or her dwelling place, along with the land upon which the house is located and an area no greater than two contiguous lots in a platted and laid out city or town or the smallest parcel allowed by applicable zoning regulations in unplatted land.

Subp. 20. **Household income.** "Household income" means income received by or for members of the resident's household.

Subp. 21. **In-kind income.** "In-kind income" means the annual sum of resources other than money received by a resident or dependent used to maintain the resident or resident's family and having a value of more than \$100.

Subp. 22. **Lump sum payment.** "Lump sum payment" means income received at one time. It includes windfalls, repayments of debts, payments from the sale of property, tax refunds, payments of accrued benefits, gifts, and inheritances.

Subp. 23. **Net income.** "Net income" means the amount of income remaining after deductions and exclusions from gross income.

Subp. 24. **Nursing care facility.** "Nursing care facility" means a licensed facility or unit operated by the department, used to provide care for aged or infirm persons who require nursing care and related services.

Subp. 25. **Personal fund account.** "Personal fund account" means the account maintained at a home by a resident solely for the use of that resident.

Subp. 26. **Personal property.** "Personal property" means property that is not real property.

Subp. 27. **Real property.** "Real property" means land, including the buildings and improvements on it, and its natural assets, such as mineral rights and water.

Subp. 28. **Resident.** "Resident" means a person who occupies a bed in a Minnesota veterans home for the purpose of observation, care, diagnosis, or treatment.

Subp. 29. **Resident day of care.** "Resident day of care" means any 24-hour period or fraction of that period that a resident is carried on the rolls of a home.

Subp. 30. **Resident's financial information file.** "Resident's financial information file" means financial data collected to determine the ability of the resident or guardian to pay the resident's cost of care.

#### **9050.0400 DISCRIMINATION.**

There must be no discrimination with respect to residents, employees, or staff of a home on the grounds of race, sex, age, marital status, color, or national origin.

#### **9050.0500 PERSONS ELIGIBLE FOR ADMISSION.**

A person seeking admission to a nursing care facility or boarding care facility must meet and comply with admission requirements in Minnesota Statutes, sections 198.01, 198.022, and 198.03.

#### **9050.0600 TYPES OF ADMISSIONS.**

Subpart 1. **Selection of residents.** The administrator, in cooperation with the attending physician, the director of nursing services in the nursing care facility, or the person in charge of the boarding care facility is responsible for exercising discretion in the type of residents admitted to the facility in accordance with these admission policies of the home.

Subp. 2. **Persons not accepted.** Maternity residents, disturbed mental residents, and residents who, in the opinion of the attending physician, have a disease endangering other residents may not be admitted to or kept in either the nursing care facility or boarding care facility, and residents may not be accepted or kept for whom care cannot be provided in keeping with their known physical, mental, or behavioral condition.

Subp. 3. **Priority admission.** Priority for admission to a home must be given to those eligible prospective residents who are being cared for in a private residence or who are requesting transfer from another nursing care domiciliary or board and care facility.

Prospective residents must provide current evidence of medical need for admission, complete financial information necessary to meet the requirements of Minnesota Statutes, section 198.03, and comply with Minnesota Statutes, sections 198.01, 198.022, and 198.03.

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## Proposed Rules

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### **9050.1000 PERSONAL FUNDS ACCOUNTS.**

The admission agreement must specify that the home will accept resident's funds for safekeeping, at the discretion of the resident or the resident's guardian. Written policies regarding the handling and protection of residents' funds must be established in accordance with parts 9050.1100 to 9050.1700.

### **9050.1100 AUTHORIZATION.**

The personal funds of a resident must not be accepted for safekeeping without written authorization from the resident or the resident's legal guardian, conservator, or designated payee. A copy of the written authorization must be kept in the resident's financial records file.

### **9050.1200 USE OF PERSONAL FUNDS.**

The personal funds of a resident are not subject to any debt or other liability of the home.

### **9050.1300 ACCOUNTING SYSTEM.**

Subpart 1. **Written system.** A written accounting system for the personal funds of residents must be developed and maintained.

Subp. 2. **Access to records.** A resident or the resident's legal guardian, conservator, representative payee, or other person designated by the resident in writing, must be allowed access to the written records of financial arrangements and transactions involving the resident's funds in accordance with Minnesota Statutes, chapter 13.

Subp. 3. **Written yearly accounting.** A resident or the resident's legal guardian, conservator, representative payee, or other person designated in writing by the resident, must be given a written annual accounting of the financial transactions made by or on behalf of the resident. A copy of this annual accounting must become part of the resident's permanent financial records file.

### **9050.1400 INDIVIDUAL WRITTEN RECORD.**

An individual written record must be maintained for each resident, including the following:

- A. the date, amount, and source of funds deposited by or on behalf of the resident;
- B. the name of the person, other than the resident, authorized in writing by the resident, legal guardian, conservator, or representative payee to withdraw or spend funds from the resident's account; and
- C. the date and amount of withdrawals from the resident's account.

### **9050.1500 PERSONAL FUNDS.**

Subpart 1. **Account.** The personal funds of a resident must be deposited in a social welfare account pursuant to Minnesota Statutes, section 198.265. This account must be in a form that clearly indicates that the home has only a fiduciary interest in the funds. Records must be maintained that clearly specify upon whose behalf funds are deposited or withdrawn from this account.

Subp. 2. **Interest on account.** Interest earned on investment of a resident's funds must be deposited into the designated contributions fund, to be used for the benefit of all residents.

Subp. 3. **Sufficient funds.** The home must maintain sufficient funds in cash, in accordance with imprest cash limits approved by the Department of Finance, to meet normal anticipated resident demands upon their accounts deposited with the home.

### **9050.1600 WITHDRAWAL OF FUNDS FROM THE ACCOUNT.**

Upon written request of a resident or the resident's guardian, conservator, or representative payee, the home shall return any of the resident's funds that have been requested.

### **9050.1700 DISCHARGE OR DEATH OF A RESIDENT.**

Subpart 1. **Discharge of a resident.** Upon discharge of a resident, unless the resident's bed is being held for anticipated readmission, that resident's funds must be returned to the resident or the resident's legal guardian, conservator, representative payee, or other person designated in writing by the resident, with a written accounting in exchange for a signed receipt. Funds maintained outside the home, in excess of imprest cash limits, must be returned within five business days.

Subp. 2. **Unclaimed personal account balances.** Unclaimed account balances must be disposed of according to Minnesota Statutes, sections 198.23 and 198.231.

### **9050.1800 REFUND OF MAINTENANCE CHARGES.**

A resident paying full cost of care charges is eligible for a refund of cost of care charges if the resident is discharged prior to the end of the paid-up period. Refunds shall be prorated based upon unused days of care.

### **9050.2000 ADMISSIONS; AGREEMENT REGARDING RATES AND CHARGES.**

At the time of a resident's admission, a written contract must be made between the home and the resident or the resident's guardian

regarding the cost of care charges made for care or services, obligations concerning payment of the rates and charges, and the refund policy.

**9050.2050 NO UNPAID LEAVE.**

Residents may not be granted unpaid leave periods from the home. A resident must pay the home's full cost of maintaining the resident's bed during any period of absence or must be discharged immediately upon unauthorized absence from the home.

**9050.2100 TIME OF DETERMINATION.**

Ability to pay the cost of care must be determined when the resident is admitted, when there is a change in the resident's financial status, when a resident, guardian, conservator, or representative payee reports a change in the financial status used in determining ability to pay, when the resident is being discharged, and at the annual financial status review.

Within the six-year period after the date of a resident's discharge, the department may, and upon the request of the resident shall, reevaluate the resident's ability to pay any balance of the charge for cost of care.

**9050.2150 DETERMINATION OF ABILITY TO PAY.**

A resident must be present at each interview held to determine that resident's ability to pay, unless the presence is medically contra-indicated. A physician's signed statement attesting to the medical contra-indication must be placed in the resident's information file.

The resident is the primary source of financial information to determine ability to pay except when the management of the resident's financial affairs is in the hands of another person. When the resident is not the source of financial information, the reason must be noted in the resident's financial information file.

When the resident is not able to act on his or her own behalf, the person interviewed must be the resident's guardian, conservator, spouse, trustee, relative, or representative payee.

**9050.2200 FINANCIAL INTERVIEW.**

When a person is interviewed for the purposes of part 9050.2150, the department shall:

- A. inform the person that he or she may choose an individual to assist in the determination process and any other contact with the department by authorizing that assistance in writing;
- B. inform the person that financial information obtained from the person will not be released without the person's written consent except pursuant to Minnesota Statutes, chapter 13;
- C. provide the person with an informational pamphlet on the cost of care, and review with the person how the department determines the charges for the resident's cost of care;
- D. inform the person of county, state, and federal financial programs that may assist in paying the cost of care and meeting personal and family needs;
- E. inform the person of the legal obligation to provide sufficient information, required documents, and proof necessary to determine ability to pay and of the consequences of the failure to do so;
- F. provide the person with the following forms which the department uses to investigate the person's financial resources: statement of income and net worth; maintenance rate affidavit; and statement of expenses of dependent spouse; and
- G. request the person to complete and sign the forms provided by the department and provide verification of financial information.

**9050.2250 VERIFICATION REQUIRED.**

To substantiate information entered on a signed financial information form, the accounts receivable office shall verify the resident's income, insurance benefits, property, deductions allowed to pay previously incurred debts, and number of dependents claimed. The accounts receivable office shall also complete necessary forms required to verify income from United States Social Security and Veterans Administration benefits. Information obtained under this part must be obtained no earlier than 60 days before admission and no later than the date of admission.

**9050.2300 APPLICATION REQUIRED.**

Residents must apply for the maximum amount of every benefit for which they may be eligible.

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## Proposed Rules

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### 9050.2350 CONSENT FORMS.

A resident must provide the accounts receivable office with a separate signed consent form for each verification that must be obtained from a third party. The name, date, and information authorized must be on the consent form before the resident's signature. A blanket authorization may be used for a group of related agencies such as banks or insurance companies.

### 9050.2400 REFUSAL TO COMPLETE FINANCIAL INFORMATION FORMS.

Failure or refusal within 30 days of the interview to complete and sign required financial information forms, apply insurance or other benefits received to pay the cost of care, or provide signatures required to assign third party benefits and release medical and financial information or verification, must result in the determination that the resident can pay the full cost of care to be charged by the department, until the resident, guardian, conservator, or representative payee takes the required action.

### 9050.2450 DETERMINATION ORDER AND NOTICE OF RATE.

A determination order and notice of rate showing the cost of care, the amount the resident is ordered to pay, and the right to a review and appeal must be sent by the department to the resident and the resident's guardian, conservator, or representative payee.

### 9050.2470 CALCULATION OF COST OF CARE.

The method used to calculate the cost of care charged to residents is as follows:

A. At six-month intervals, the cost of care is revised to reflect actual expenses incurred in providing health care services to residents.

B. Every time the cost of care charges are revised, the procedures provided in items C to E shall be used to calculate the new per diem cost of care charges.

C. Actual paid expenses for the previous 12-month period are recorded for each of the health care groups of nursing care and domiciliary care. In addition to direct care costs, indirect care costs such as food service, housekeeping services, and administrative costs are factored into the direct care costs based upon resident population.

D. The annual cost of care for each group is then reduced to a per diem rate by dividing the total annual expense by the total resident care days.

E. This revised cost of care information is provided to all residents 30 calendar days prior to the effective date of implementation.

### 9050.2500 APPEAL OF DETERMINATION.

A resident or resident's guardian, conservator, spouse, trustee, relative, or resident payee may appeal a final determination order to the commissioner. This appeal must be in the same format and time frames as a contested case proceeding under part 9050.3800. The commissioner's determination is final upon receipt by the resident.

### 9050.2550 SOURCES OF INCOME CONSIDERED TO BE PATIENT RESOURCES.

Subpart 1. **List of sources.** A resident's ability to pay towards the cost of care must be determined from insurance benefits, value of property owned, and net income from whatever source derived. Items covered under this part must be used in the annual financial status review.

Subp. 2. **Insurance benefits.** When the investigation of a resident's ability to pay discloses eligibility for insurance benefits, the resident must be determined to be able to pay the cost of care to the full extent of available insurance benefits. The amount of this coverage need not be specified in the determination order.

When the insurance benefits pay less than the cost of care, the ability of the resident to pay the remaining part of the cost of care must be determined from the resident's net income and nonexcluded property.

Subp. 3. **Net income.** The resident's net income remaining after all deductions from gross income have been made in accordance with part 9050.2600, subpart 4, is available to pay the cost of care and must be converted to a daily amount.

Subp. 4. **Property.** As long as a resident owns property not excluded under 9050.2600, subpart 3, the resident must be determined to be able to pay the full cost of care.

### 9050.2600 NET INCOME OF RESIDENT OR RESIDENT'S HOUSEHOLD.

Subpart 1. **In-kind income.** The fair market value of in-kind income included in the calculation of the resident's net income must be established by any reliable means including, but not limited to, published reference documents, statements from merchants, or appraisals.

Subp. 2. **Lump sums.** Lump sums, other than excluded property, must be treated as income in the month received and thereafter must be treated as property. The resident shall report the lump sum to the department within ten working days.

Subp. 3. **Seasonal income from business or farm.** Average monthly amounts for gross income and the deductions allowed in

subpart 4 must be used to calculate the net monthly income of farmers and other individuals who experience seasonal variations in income and business expenses.

Subp. 4. **Deductions from gross income to arrive at net income.** The following items must be deducted from a resident's monthly gross income to arrive at the resident's net income:

- A. state and federal tax payments, including back assessments;
- B. payments made under the Federal Insurance Contributions Act and supplemental medical insurance;
- C. child care costs paid by the resident and not reimbursed from any source;
- D. court-ordered support payments actually paid. If this deduction is taken, the individual for whom support is paid must not be included as a member of the resident's household in determining the monthly household living allowance in part 9050.2650;
- E. guardianship fees to the extent allowed by Minnesota law or by order of the court;
- F. up to \$100 total of monthly payments on previously-incurred bills for medical, dental, and hospital care, car payments, house payments, or rent and utilities;
- G. hospital and medical insurance premiums;
- H. business and farm expenses as reported on federal income tax returns. The cost of repairs and upkeep of income-producing property that may be deducted is limited, on an annual basis, to two percent of the value of the property;
  - I. an allowance of \$71 per month per boarder, \$59 per month per roomer, and \$130 per month per individual who is both a roomer and boarder. These amounts must be updated periodically by the percentage authorized by law for public assistance grants;
  - J. a personal needs allowance per resident of \$3 a day;
  - K. sixty percent of income earned from child care in the resident's own home, or, if the resident chooses, the actual itemized business expenses incurred in providing child care subject to the limitations in items H and I; and
  - L. a monthly household living allowance calculated according to part 9050.2650.

#### **9050.2650 MONTHLY HOUSEHOLD LIVING ALLOWANCE SCHEDULE.**

The monthly household living allowance must be based upon the United States Veterans Administration pension rates in Public Law Number 95-588. The maximum monthly household living allowance is one and one-half times the Veterans Administration single veteran pension rate. Each additional allowed individual in the household must be allowed an additional amount pursuant to the Veterans Administration pension rates.

#### **9050.2700 PROPERTY OF RESIDENT.**

Subpart 1. **In general.** Property must be available to pay for the cost of a resident's care to the extent it is owned by the resident, subject to the exclusions in subparts 2 to 7.

Subp. 2. **Real property.** The value of the resident's homestead must be excluded from consideration as a resource if the resident remains in the home for less than 18 months, if the spouse or a minor child lives in the homestead, or if the homestead is rented while the resident remains in the home. Real property that the resident is selling on a contract for deed and for which the resident receives payments must be considered income producing property.

Subp. 3. **Personal property.** The value of the following personal property must be excluded from consideration as a resident's resource:

- A. the value of personal property, other than stocks, bonds, and other investment instruments, that is owned by the resident and that yields or contributes to the production of a net income, such as tools, farm implements, livestock, and business inventory and fixtures acquired before residency in the home;
- B. Indian claim payments authorized by Congress to compensate for tribal land taken by the federal government;
- C. Minnesota Housing Finance Agency loans for nine months after issuance;
- D. one vehicle;
- E. household goods and furniture;

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## Proposed Rules

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F. clothing;

G. a manufactured home used as the principal residence of a resident or the resident's dependents;

H. personal jewelry;

I. bicycles;

J. cameras;

K. life insurance owned by the resident, subject to the standard for medical assistance recipients in Minnesota Statutes, section 256B.06;

L. trust funds; however, trust funds are not excluded from consideration if the trustee is required or has discretion to use the funds for paying the cost of care or the funds are designated for care, support, maintenance, or medical care even if the trust requires that public funds must first be exhausted; and

M. burial expenses, including a burial lot and prepaid burial account, subject to the standard for medical assistance in Minnesota Statutes, sections 256B.06 to 256B.07.

Subp. 4. **Waiver of property as a resource.** The department shall waive consideration of property in excess of the exemptions when the resident's equity cannot be liquidated, the offered price is less than 80 percent of the market value given by two appraisers agreeable to both parties, or the cost of repairs necessary to meet the conditions of sale exceed 35 percent of the offered price. Waivers granted under this subpart must be reviewed annually.

A waiver must be referred to the department's accounts receivable office and decided on the merits of the facts recorded in the resident's financial information file to substantiate the claim. Final decision to waive property as a resource must be made by the commissioner.

The decision to waive the consideration must be examined at least semi-annually for changes in market value, opportunity for sale or mortgage, and any other pertinent factors.

Subp. 5. **Transfer of property.** The market value of any property transferred, less any value received, must be treated as an available resource if the property is valued at more than \$1,000, if the transfer is for less than the market value, and if the transfer is made:

A. during or after admission to the home; or

B. before admission to the home, but with intent to avoid the use of the property to pay for care or in determining ability to pay for care.

Subp. 6. **Documentation required.** When property described in subpart 5 is transferred during the period between two years before admission to the home and six years following discharge, the resident or resident's representative shall provide documentation of the circumstances of the transfer.

Subp. 7. **Exemption.** Subparts 5 and 6 do not apply when a resident is not continuing to accrue charges and the full cost of care has been paid. Subparts 5 and 6 do not apply to property excluded under other provisions of subparts 2 to 7.

Subp. 8. **Verification of financial information.** The annual gross earnings of a spouse or dependent and the number of dependents must be verified from the spouse's or dependent's Minnesota income tax return, or in the case of a spouse or dependent who is not a resident of Minnesota and does not file a Minnesota income tax return, from the federal income tax return.

The amount of a premium paid by the spouse or dependent to provide dependent hospital and medical insurance coverage for the resident must be verified by the provider.

### **9050.2750 EMERGENCY MEDICAL TRANSPORTATION.**

Emergency medical transportation is the responsibility of the home and costs for emergency medical transportation must be borne by the home.

### **9050.2800 EMERGENCY MEDICAL TREATMENT.**

Costs of emergency medical treatment authorized by the administration of the home are the responsibility of the home. The home shall make every effort to collect reimbursement from any third party payees as appropriate.

### **9050.3000 RESIDENT CONDUCT.**

Subpart 1. **General.** Residents shall conduct themselves in a manner not injurious or offensive to themselves, other residents, or staff persons.

Subp. 2. **Leaving grounds of the home.** Residents may not leave the home or its grounds for any period without first obtaining written permission of the administration and signing out in the passbook. When signing out, residents shall indicate when they left

the home, destinations, scheduled times of return, and telephone numbers where they can be contacted in case of emergency. Upon return to the home, residents shall sign in, noting the time of their return.

Subp. 3. **Contraband; liquor.** Residents may not bring intoxicating beverages or contraband items onto the grounds of the home.

Subp. 4. **Financial agreements.** Residents shall meet all financial obligations agreed to under the maintenance agreement entered into with the commissioner.

Subp. 5. **Hygiene.** Residents shall maintain a reasonable state of bodily and oral hygiene so as not to produce offensive odors. Ambulant residents shall bathe at least once every three days. Residents requiring assistance shall bathe under staff supervision.

Subp. 6. **Room cleanliness.** Residents shall maintain their rooms or personal and communal areas of congregate living arrangements in a manner consistent with applicable rules of the Department of Health.

Subp. 7. **Smoking.** Smoking is permitted only in accordance with the Minnesota Clean Indoor Air Act. Smoking in rooms is prohibited except that bedridden residents may smoke with direct assistance from a staff person and only under written orders from a staff doctor. A written smoking order must be made part of a resident's health care plan.

Subp. 8. **Contraband.** Contraband articles are those that are potentially injurious to residents and staff, as determined by the administration. An agreement not to traffic in contraband must be made part of the admission agreement and must be signed by the resident.

Contraband includes, but is not limited to, firearms and other weapons, alcohol, drugs, and narcotics and other stimulants.

Subp. 9. **Privately owned vehicles.** Residents may keep or maintain only one privately owned passenger vehicle as defined by Minnesota Statutes, section 169.01, subdivision 3a, or motorcycle as defined by Minnesota Statutes, section 169.01, subdivision 4, on the grounds of the home. Vehicles must be registered with the transportation department of the home. In order to be registered with the home, residents must provide evidence of a valid operator's license, adequate insurance coverage, and current vehicle registration according to state statute.

Resident vehicles must be parked in the area designated for resident parking. Any vehicle not licensed, insured, or maintained in an operable condition is considered an "abandoned vehicle" within the meaning of Minnesota Statutes, chapter 168B, and shall be dealt with according to that chapter.

Subp. 10. **Infractions.** Infractions of this part must be documented in the resident's permanent file. Infractions could result in disciplinary action and may be used by the home as grounds for discharge.

#### **9050.3100 UTILIZATION AND REVIEW; DISCHARGE.**

Subpart 1. **Committee.** A utilization and review committee composed of a staff doctor, a member of the nursing staff, a member of the social services staff, and a member of the medical records staff shall review every resident's health care file for appropriate level of care.

Subp. 2. **Care planning.** The utilization and review committee shall develop a care plan for each resident admitted to the home. The ultimate goal of every course of treatment is the rehabilitation and discharge of each resident, if possible.

#### **9050.3200 TRANSFER.**

Residents may be transferred between the homes as medically indicated upon the recommendation of the utilization and review committee. A resident must be provided seven days notice of any intent to transfer the resident.

#### **9050.3300 RESIDENT CARE PLAN.**

Subpart 1. **Content of plan.** A written care plan must be developed and revised for each resident. Residents or their representatives shall be allowed and encouraged to participate in determining care plans. The plan must be a personalized plan of daily care based on the nature of the illness, treatment prescribed, and long and short-term goals, including:

A. the physician's orders for medications, treatment, diet, and other therapy;

B. the types of care and consultation services needed, how they can best be accomplished, how the plan meets the needs and interests of the resident, what methods are most successful, and the modifications necessary to ensure best results.

Resident care plans must be used by those involved in the care of the resident and must be reviewed periodically, but at least every

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30 days, and revised as needed. The utilization and review committee shall meet regularly to keep the plans current and shall involve all personnel engaged in the care of the resident.

### 9050.3400 ADEQUATE CARE.

Subpart 1. **Care in general.** Each resident must receive care and supervision based on individual needs. Nursing home residents shall be up and out of bed as much as possible unless it is medically contraindicated and the staff physician states the limitation in writing in the resident's chart.

Subp. 2. **Criteria for determining adequate care.** Criteria for determining adequate and proper care must include:

- A. evidence of adequate care and kind, considerate treatment at all times;
- B. safeguarding and respecting of privacy;
- C. clean skin and freedom from odors;
- D. assistance with grooming;
- E. assistance with shaving;
- F. assistance with oral hygiene;
- G. proper care of hands and feet;
- H. clean linen provided weekly or more often as needed; and
- I. clean clothing and neat appearance, with residents dressed during the day whenever possible.

### 9050.3500 ACUTE ILLNESS, SERIOUS ACCIDENT, DEATH.

In case of acute illness, serious accident, or death of a resident, the home shall immediately notify the resident's family or legal guardian. Apparent death must be reported immediately to the attending physician.

### 9050.3600 DISCHARGE.

Subpart 1. **Determination.** Residents must be discharged to a higher or lower level of care as medically indicated and determined by the utilization and review committee.

Subp. 2. **Notice.** A resident must be notified in writing by the administration of the home of its intent to discharge within 30 days, as provided in Minnesota Statutes, section 144.651, subdivision 29, unless voluntarily extended by the administration of the home.

Subp. 3. **Discharge plan.** The utilization and review committee shall, in cooperation with the resident or guardian, develop a discharge plan.

Subp. 4. **Discharge on demand.** Residents must be discharged upon written demand by themselves or their legal guardians.

Subp. 5. **Emergency discharge.** The home shall discharge residents in an emergency situation as the situation demands. Discharges shall be made with as much notice as the situation permits.

### 9050.3700 DISCHARGE PLAN.

Discharge planning must be conducted by the social work staff of the home, at the direction and under the supervision of the utilization and review committee. The discharge plan must be used to assist the resident in securing appropriate living arrangements outside the home. Discharge plans must be approved by the utilization and review committee.

### 9050.3800 INVOLUNTARY DISCHARGE.

Residents must be discharged for any one of the following reasons:

- A. failure to comply with the terms of the maintenance agreement entered into at the time of admission;
- B. substantial violation of the rules of resident conduct;
- C. noncompliance with the treatment plan;
- D. continued stay is not medically indicated;
- E. discharge to a treatment facility for treatment that cannot be provided at the home;

F. stay in a hospital in excess of 30 days. A resident discharged under subpart F must be offered the next available bed, commensurate with the required level of care, following hospital treatment. Residents can guarantee availability of their beds during hospital treatment in excess of 30 days by paying the home's full cost of maintaining that bed in an unoccupied status during their absence.

A resident who objects to a planned transfer or discharge may request a contested case hearing within the 30-day time limit before discharge as set forth in Minnesota Statutes, section 144.651, subdivision 29. The administration of the home shall grant the request for a contested case hearing and proceed in accordance with chapter 1400 and Minnesota Statutes, chapter 14.

A resident may remain at the home until the administration has acted upon the administrative law judge's recommendation if all conditions of eligibility for residency continue to be met except those under contention.

After the administrative law judge has made his report, the administration of the home shall make the final determination whether or not to discharge a resident.

Residents refusing to leave the premises of the home, if so directed by the outcome of a contested case hearing, may be evicted by the administration of the home and the appropriate civil authorities.

#### **9050.3900 POLICIES CONCERNING RESIDENTS.**

Subpart 1. **Visiting hours.** Visiting hours must be prominently displayed; visiting is encouraged unless it is medically contraindicated.

Subp. 2. **Visits by pastor.** A resident's spiritual advisor must be permitted to visit at any time. Privacy for these visits is a resident's privilege.

Subp. 3. **Visits to critically ill residents.** Relatives or guardians must be allowed to visit critically ill residents at any time.

Subp. 4. **Telephone.** There must be at least one noncoin-operated telephone accessible at all times in case of emergency. Residents must have access to a coin-operated telephone at a convenient location.

Subp. 5. **Mail.** Residents must receive their mail unopened unless the resident or legal guardian requests in writing that a resident's mail be opened. That written request must be maintained in the resident's permanent file.

Subp. 6. **Funds and possessions.** Neither the home nor an employee of the home may handle the major personal or major business affairs of a resident.

Subp. 7. **Pets.** Pet animals may not be kept on the grounds or premises of a home without written consent of the commissioner.

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## **Official Notices**

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

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### **Department of Administration**

#### **Building Codes & Standards**

#### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing the Construction of Manufactured Home Park Storm Shelters**

Notice is hereby given that the State Department of Administration, Building Codes and Standards Division is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rule governing the construction of manufactured home park storm shelters. The adoption of the rule is authorized by *Minnesota Laws 1987*, chapter 195, which requires the agency to adopt rules for the construction of manufactured home park storm shelters by March 1, 1988.

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## Official Notices

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The Building Codes and Standards Division requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing. Written statements should be addressed to:

Mr. Richard I. Hauck  
Supervisor, Manufactured Homes Sections  
Building Codes and Standards Division  
408 Metro Square Building  
7th and Robert Streets  
St. Paul, Minnesota 55101

All statements of information and opinions shall be accepted until 4:30 p.m., August 28, 1987. Any written material received by the State Building Codes and Standards Division shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 17 July 1987

Richard A. Brooks, Director  
State Building Codes & Standards Division

## Minnesota Agricultural and Economic Development Board

### Notice of Public Hearing on Proposed Project and the Issuance of Bonds under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on August 19, 1987, at 3:00 p.m. o'clock, at 900 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf of Metro Recovery Systems, a Minnesota partnership (the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this meeting.

The project to be financed consists of the development, construction and operation of a hazardous waste recovery, treatment, temporary storage and transfer facility in the City of Roseville, Ramsey County, Minnesota (general description of the location being an I-2a zoned undeveloped 4½ acre parcel on Rose Place near Walnut Street and County Road C in Roseville, Minnesota) (the "Project"). The initial owner of the Project will be the Applicant and the Project is expected to be operated and managed by the Applicant, Metropolitan Recovery Corporation, Lancy Recovery, Inc. or a related person or agent. It is contemplated that the Project will accept inorganic hazardous waste from, primarily, metal finishing and printed circuit fabrication firms which are mainly located in the Minneapolis-St. Paul area and will also accept organic hazardous waste for temporary storage transfer. The estimated amount of the Board's proposed bond issue is an amount equal to \$6,060,000 and, in any event, the principal amount of bonds will not exceed \$6,500,000. The Bonds shall be limited obligations of the Board, shall be taxable, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, a limited guaranty fund (which may be established and funded by the Board in an amount equal to maximum annual debt service on the Bonds) and a mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 900 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

Dated: 13 July 1987

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

Commissioner, Department of  
Trade and Economic Development,  
Chair, Minnesota  
Agricultural and Economic  
Development Board

## **Board of Architecture, Engineering, Land Surveying and Landscape Architecture**

### **Notice of Solicitation of Outside Information Regarding Proposed Changes to Board Rules Governing Examination and Licensing Fees**

Notice is hereby given that the Board of Architecture, Engineering, Land Surveying and Landscape Architecture is seeking information from sources outside the agency in preparing a proposal to modify certain examination and licensing fees. The Board proposes to increase examination fees for each profession it regulates and to increase the biennial license fee.

Interested persons and groups may submit information either in writing or orally to:

Lowell E. Torseth, Executive Secretary  
Board of Architecture, Engineering, Land Surveying and Landscape Architecture  
402 Metro Square  
St. Paul, Minnesota 55101  
(612) 296-2388

by September 15, 1987.

## **Department of Finance**

### **Maximum Interest Rate for Municipal Obligations in August**

Pursuant to Minnesota Statutes, Section 475.55, Subdivision 4, Commissioner of Finance, Jay Kiedrowski, announced today that the maximum interest rate for municipal obligations in the month of August would be nine (9) percent per annum. Obligations which are payable wholly or in part from the proceeds of special assessments or which are not secured by General Obligations of the municipality may bear an interest rate of up to ten (10) percent per annum.

Dated: 21 July 1987

Peter Sausen, Assistant Commissioner  
Cash and Debt Management

## **Department of Health**

### **Services for Children with Handicaps**

### **Notice of Cost-Sharing Schedule for Use in Providing Services for Children with Handicaps**

Notice is hereby given that the Cost-Sharing Schedule, prepared according to *Minnesota Rules*, chapter 4700.0600 subp. 3 and published here will be effective September 2, 1987.

#### **SCH Cost-Sharing Schedule**

The applicant's share is one percent of cost for each \$1,000 or fraction of \$1,000 of income above 60 percent of the state gross median income for a household of the same size as the applicant's. The applicant's percent share is found on the schedule by looking under the number which is the number of members of applicant's household to find the income level which includes the applicant's annual household income. The applicant's percent share is shown on the far left of that income level. For each additional household member greater than 10, add 3% to 144% for each additional household member and multiply the new percentage by the state's dollar amount for 4-person households.

## Official Notices

Percentage which eligible applicants share in the cost of treatment	Income Levels by Number of Members In Household				
	1	2	3	4	5
0	0-10,548	0-13,793	0-17,039	0-20,284	0-23,529
1	10,549-11,548	13,794-14,793	17,040-18,039	20,285-21,284	23,530-24,529
2	11,549-12,548	14,794-15,793	18,040-19,039	21,285-22,284	24,530-25,529
3	12,549-13,548	15,794-16,793	19,040-20,039	22,285-23,284	25,530-26,529
4	13,549-14,548	16,794-17,793	20,040-21,039	23,285-24,284	26,530-27,529
5	14,549-15,548	17,794-18,793	21,040-22,039	24,285-25,284	27,530-28,529
6	15,549-16,548	18,794-19,793	22,040-23,039	25,285-26,284	28,530-29,529
7	16,549-17,548	19,794-20,793	23,040-24,039	26,285-27,284	29,530-30,529
8	17,549-18,548	20,794-21,793	24,040-25,039	27,285-28,284	30,530-31,529
9	18,549-19,548	21,794-22,793	25,040-26,039	28,285-29,284	31,530-32,529
10	19,549-20,548	22,794-23,793	26,040-27,039	29,285-30,284	32,530-33,529
11	20,549-21,548	23,794-24,793	27,040-28,039	30,285-31,284	33,530-34,529
12	21,549-22,548	24,794-25,793	28,040-29,039	31,285-32,284	34,530-35,529
13	22,549-23,548	25,794-26,793	29,040-30,039	32,285-33,284	35,530-36,529
14	23,549-24,548	26,794-27,793	30,040-31,039	33,285-34,284	36,530-37,529
15	24,549-25,548	27,794-28,793	31,040-32,039	34,285-35,284	37,530-38,529
16	25,549-26,548	28,794-29,793	32,040-33,039	35,285-36,284	38,530-39,529
17	26,549-27,548	29,794-30,793	33,040-34,039	36,285-37,284	39,530-40,529
18	27,549-28,548	30,794-31,793	34,040-35,039	37,285-38,284	40,530-41,529
	6	7	8	9	10
0	0-26,775	0-27,383	0-27,992	0-28,600	0-29,209
1	26,776-27,775	27,384-28,383	27,993-28,992	28,601-29,600	29,210-30,209
2	27,776-28,775	28,384-29,383	28,993-29,992	29,601-30,600	30,210-31,209
3	28,776-29,775	29,384-30,383	29,993-30,992	30,601-31,600	31,210-32,209
4	29,776-30,775	30,384-31,383	30,993-31,992	31,601-32,600	32,210-33,209
5	30,776-31,775	31,384-32,383	31,993-32,992	32,601-33,600	33,210-34,209
6	31,776-32,775	32,384-33,383	32,993-33,992	33,601-34,600	34,210-35,209
7	32,776-33,775	33,384-34,383	33,993-34,992	34,601-35,600	35,210-36,209
8	33,776-34,775	34,384-35,383	34,993-35,992	35,601-36,600	36,210-37,209
9	34,776-35,775	35,384-36,383	35,993-36,992	36,601-37,600	37,210-38,209
10	35,776-36,775	36,384-37,383	36,993-37,992	37,601-38,600	38,210-39,209
11	36,776-37,775	37,384-38,383	37,993-38,992	38,601-39,600	39,210-40,209
12	37,776-38,775	38,384-39,383	38,993-39,992	39,601-40,600	40,210-41,209
13	38,776-39,775	39,384-40,383	39,993-40,992	40,601-41,600	41,210-42,209
14	39,776-40,775	40,384-41,383	40,993-41,992	41,601-42,600	42,210-43,209
15	40,776-41,775	41,384-42,383	41,993-42,992	42,601-43,600	43,210-44,209
16	41,776-42,775	42,384-43,383	42,993-43,992	43,601-44,600	44,210-45,209
17	42,776-43,775	43,384-44,383	43,993-44,992	44,601-45,600	45,210-46,209
18	43,776-44,775	44,384-45,383	44,993-45,992	45,601-46,600	46,210-47,209

## Department of Human Services

### Assistance Payments Division

### Notice of Intent to Solicit Outside Opinion Concerning Proposed Emergency Rules Governing Aid to Families with Dependent Children

Notice is hereby given that the Minnesota Department of Human Services is seeking opinions or information in preparing to propose emergency rules governing the aid to families with dependent children (AFDC) program, *Minnesota Rules*, parts 9500.2000 to 9500.2880.

The adoption of these emergency rules is authorized by *Minnesota Statutes*, section 256.736, subdivision 7 and governs the administration of financial assistance to families which meet at least one of the deprivation factors authorized in Minnesota law.

These emergency rules are intended to establish requirements and standards related to employment and training programs which provide AFDC applicants and recipients with the education, training, and job search skills necessary to locate and secure employment.

All interested or affected persons or groups are requested to participate. Statements of information and comment or questions may be made orally or in writing.

Written statements of information and comment should be addressed to:

Dan Lipschultz  
Rules Unit  
Minnesota Department of Human Services  
4th Floor, Centennial Office Building  
St. Paul, Minnesota 55155

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 297-4302 and in person at the above address.

All statements of information and comment will be accepted until further notice is given or the Notice of Hearing or Notice of Intent to Adopt without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record.

## **Metropolitan Waste Control Commission**

### **Public Notice for Prequalifications for MWCC Projects and Annual Engineering Services**

Notice is hereby given that the Metropolitan Waste Control Commission is soliciting prequalifications for engineering services for the following:

Metro WWTP Energy Study, Step I, Project No. 83-54  
Stillwater WWTP Expansion, Step II, Project No. 86-53  
Joint Interceptor Rehabilitation, Step I, Project No. 86-58  
Anoka WWTP Phaseout, Step II, Project No. 87-51  
MWWTP Effluent Pump Station Improvements, Project No. 87-52

The prequalification should include the firm's interest to provide services, background data, qualifications and disciplines of employees and the demonstratable experience of the firm.

The prequalification should include information on the firm's programs for compliance with equal employment opportunities, affirmative action and utilization of minority firms. The prequalifications will be used by the Commission as a mechanism for selecting firms to provide engineering services.

Firms not currently on the Commission's prequalification list should submit a letter stating their interest in the projects or services and one copy of its prequalifications. Firms presently on the Commission's prequalification list need only to submit a letter stating their interest in the projects or services and the necessary information, if any, to update their prior prequalifications, to the Metropolitan Waste Control Commission, 350 Metro Square Building, St. Paul, Minnesota 55101. Inquiries regarding the solicitations should be directed to Mr. Ray Payne, Assistant Director of Engineering, (612) 222-8423.

By Order of the  
METROPOLITAN WASTE CONTROL COMMISSION  
Mr. Louis J. Breimhurst  
Chief Administrator

## **Office of the Secretary of State**

### **Notice of Vacancies in Multi-Member State Agencies**

Notice is hereby given to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* § 15.0597, subd. 4. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul 55155-1299; (612) 296-2805. Application deadline is August 25, 1987.

## Official Notices

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**COUNCIL ON AFFAIRS OF SPANISH-SPEAKING PEOPLE** has 1 vacancy open for a member who must be from the city of Minneapolis and should be interested in issues and concerns affecting the state's Hispanic community and migrant agricultural workers. The council advises the Governor and legislature on issues affecting the Spanish-speaking community. Members are appointed by the Governor and confirmed by the Senate. Monthly meetings. Members receive \$35 per diem. For specific information contact the Council on Affairs of Spanish-Speaking People, 504 Rice St., St. Paul 55101; (612) 296-9587.

**BOARD ON AGING** has 1 vacancy open for a member. The board develops, coordinates, evaluates, and administers federal and state funds for programs for the aging 17 million; makes grants to 14 area agencies on aging and non-profit agencies; serves as an advocate for older persons, programs and legislation for older persons in Minnesota. Members are appointed by the Governor. Members receive \$35 per diem plus expenses. Monthly meetings. For specific information contact the Board on Aging, Suite 204, Metro Square Bldg., St. Paul 55101; (612) 296-2770.

**MEDICAL SERVICES REVIEW BOARD** has 1 vacancy open for a medical practitioner. The board advises the department on medical matters relating to workers compensation and hears appeals under chapter 14. Members are appointed by the Commissioner of Labor and Industry. Members receive \$35 per diem plus expenses. Members must file with the Ethical Practices Board. For specific information contact the Medical Services Review Board, Dept. of Labor and Industry, 444 Lafayette Rd., St. Paul 55101; (612) 297-3467.

**MINNESOTA PROPERTY INSURANCE PLACEMENT FACILITY (FAIR-PLAN GOVERNING BOARD)** has 1 vacancy open for a public member. The board administers the Fair-Plan Act to make property or liability (including homeowners and commercial multiperil) insurance available in urban areas. Members are appointed by the Commissioner of Commerce. Three to four meetings per year. Members receive a per diem of \$35 and are reimbursed for expenses. For specific information contact Minnesota Property Insurance Placement Facility (Fair-Plan Governing Board), Gena Doyscher, Dept. of Commerce, 500 Metro Square Bldg., St. Paul 55101; (612) 296-4026.

**BOARD OF WATER AND SOIL RESOURCES** has 12 vacancies open for the following: a) 3 county commissioners; b) 3 soil and water conservation district supervisors; c) 3 watershed district or watershed management organization representatives; d) 3 unaffiliated citizens. One member must come from each of the current soil and water conservation administrative regions throughout the state. At least 3 but no more than 5 members must come from the seven-county metropolitan area. All members shall be knowledgeable of soil and water problems. The board shall coordinate the water and soil resources management activities of local units of government through educational activities, approved by local plans and administration of state grants and cost-sharing contracts. An additional four soil and water conservation supervisors will be appointed by the Governor to serve through December 1989. Members are appointed by the Governor. Only the Chair requires senate approval. Members receive \$35 per diem plus expenses. Monthly meetings in St. Paul. For specific information contact the Board of Water and Soil Resources, John Wells, 90 W. Plato Blvd., St. Paul 55107; (612) 296-1424.

## Department of Trade & Economic Development

### Correction to Notice on Designation of Distressed Counties

#### Errata

The *State Register* incorrectly reported in its July 13 issue (Volume 12, #2 page 77) that counties can qualify as distressed counties under *Minnesota Statutes* 297A.257 if the Commissioner of Trade and Economic Development has reason to believe that the average annual unemployment rate will exceed 20 percent for the one-year period beginning April 30. The correct figure is 10 percent unemployment for the one-year period.

## Minnesota Public Utilities Commission

### Notice of Intent to Solicit Outside Information Regarding Proposed Rule Governing Delinquency Charges

Notice is hereby given that the Minnesota Public Utilities Commission is seeking information or opinions from outside sources in preparing to propose the adoption of rules governing delinquency charges by telephone utilities and the amendment of rules governing delinquency charges by gas and electric utilities. The adoption and amendment of the rules is authorized by *Minnesota Statutes* § 216B.01, 216B.03, 216B.04, 216B.05, 216B.08, 216B.09, 237.02, 237.06, 237.075, 237.09, 237.10, and 237.28 (1986), which allows the Commission to prescribe rules pertaining to delinquency charges.

### Telephone Companies

The Commission will be considering to what extent rules governing delinquency charges for telephone companies should be patterned after the existing rules for gas and electric utilities, *Minnesota Rules*, parts 7820.5100 to 7820.5600. The Commission requests information and opinions on whether each section of the existing delinquency rules for gas and electric utilities are applicable to telephone utilities and what changes, deletions or additions would be appropriate to each section.

The Commission would also like comments on the following more specific questions:

1. Should local exchange companies subject to the requirements of *Minnesota Statutes* § 237.075 (1986) be required to first institute delinquency charges only in general rate cases?
2. Should a customer's account be declared delinquent only after the end of the service period for which the customer is being billed?
3. Should there be a required number of days between the last day of the local service period and the date on which the delinquency charge is assessed? If so, how many?
4. What should the minimum number of days before assessing a late payment charge be for all customers or different customer groups? Please indicate which alternative is appropriate and why it is appropriate or describe an alternative.
  - a. 22 days
  - b. 24 days
  - c. 30 days
5. Should the amount of time between assessment of delinquency charge and mailing of the bill by the telephone utility be set at a different level for the month of February than for the rest of the year?
6. Should the delinquency charge finance fee be set in one of the following ways? Please indicate which one and why or describe an alternative.
  - a) A specific rate, no greater than 1½ percent per monthly billing period, on the delinquent amount.
  - b) A rate that is tied to the prime rate (or some similar rate) and is subject to annual review by the PUC.
7. The PUC may prohibit a telephone utility from assessing a delinquency charge until the delinquent amount exceeds a given dollar amount. Should the minimum delinquent amount be set at one of the following levels: \$0, \$10, \$20, or \$25? Please indicate which one and why.
8. The PUC may prohibit telephone utilities from setting a minimum delinquency charge at levels greater than a given dollar amount. Should the amount, at which the minimum delinquency charge may not exceed, be set at one of the following levels: \$0, \$.50, \$1, or \$1.50? Please indicate which one and why.
9. Some governmental agencies cannot pay bills in advance of the end of the period for which service is being rendered and, therefore, must always pay a delinquency charge. Should this problem be solved in one of the following ways? Please indicate which one and why or describe an alternative solution.
  - a) Exempt governmental agencies from paying delinquency charges.
  - b) Exempt governmental agencies from paying the delinquency charge for one year, to allow the State Legislature time to consider legislation to permit governmental agencies to pay bills before the service is completely rendered.
  - c) Give governmental agencies at least three days after the end of the service period in which to pay bills without being assessed a delinquency charge.

### Telephone Companies and Gas and Electric Utilities

The Commission would like comments on the following questions, which apply to both telephone companies, as well as gas and electric companies.

1. How should customers be informed of the application of the delinquency charge?
2. Should the due date of the bill be set at a different date than the date of assessment of the delinquency charge?
3. Should the minimum number of days between the date of mailing the bill and assessing the delinquency charge be the same for all customers or should residential, business, and/or governmental units have different standards applied?
4. The PUC is considering a rule, similar to NSP's current program, which waives the delinquency charge for individuals on limited fixed incomes. What criteria should be used to determine whether a customer qualifies for waiver of delinquency charge due to limited fixed income?

## Official Notices

5. Should limited fixed income customers be required to self-select the waiver of delinquency charge by contacting the utility before taking advantage of the extended grace period?
6. How much extra time should limited fixed income individuals have in which to pay their bills before a delinquency charge is assessed?
7. Should the waiver of delinquency charge rule be different during the cold weather months than during the rest of the year?

### Gas and Electric Companies

The Commission will be considering to what extent the existing delinquency rules for gas and electric utilities should be amended. The Commission would like comments on the following more specific questions:

1. Should governmental agencies be treated differently than other nonresidential customers concerning delinquency charges?
2. Should the number of days, constituting the grace period (in *Minnesota Rules*, part 7820.5300, subp. 2-3), be changed?
3. The current delinquency charge rule requires the finance fee to be no greater than 1½ percent per monthly billing period on the delinquent amount. Should the rate of the finance fee be changed? Should the rate of the finance fee be subject to annual review by the PUC? Should the rate of the finance fee be tied to the prime rate (or some similar rate)?

Interested persons or groups may submit data or views in writing or orally. The data and views do not necessarily have to be limited to the areas defined in the previous paragraphs. Drafts of proposed rules are encouraged. When submitting comments, please specify whether your comments apply to telephone companies or to gas and electric utilities. Written or oral statements or comments should be directed to:

Diane Dietz  
Minnesota Public Utilities Commission  
780 American Center Building  
150 East Kellogg Boulevard  
St. Paul, Minnesota 55101  
Telephone: 612/297-3900

Oral statements will be received during regular business hours, 8 a.m. to 12:00 p.m., Monday through Friday after August 9, 1987.

All statements of information and opinion will be accepted until September 11, 1987. Any written materials received by the Commission shall become part of the rulemaking record in the event that the rules are adopted and amended.

Dated: 3 August 1987

Mary Ellen Hennen  
Executive Secretary

## Business and NonProfit Corporation Act

Laws governing establishment and conduct of for-profit and non-profit businesses and corporations. Covers incorporation, bylaws, mergers, dissolution, franchises, and definitions. Laws in effect on January 1, 1985. Contains Minnesota Statutes Chapters 80B, 302A, and 317. Paperbound, 102 papers, Code # 2-87, \$10.00.



TO ORDER: Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for "DOCUMENTS." Please include 6% sales tax, and \$1.50 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard orders accepted over phone.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

# State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

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

Commodities contracts with an estimated value of \$15,000 or more are listed under the Procurement Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

## Department of Administration: Procurement Division

### Contracts and Requisitions Open for Bid

Call 296-6152 for Referral to Specific Buyers, whose initials are next to each commodity.

Commodity for Bid (and Buyer)	Bid Closing Date at 2 pm	Department or Division	Delivery Point	Requisition #
Pulling wire within asbestos contaminated area (BV)	August 5	Transportation	St. Paul	79 000 80385
Bus transportation (DM)	August 5	State University	Marshall	26 175 07113
Micom equipment (PA)	August 6	State University	Mankato	26 071 17725
Influenza virus vaccine	August 7	Various	Various	Contract
Custom interior furnishings (LP)	August 7	Governor's residence	St. Paul	02 303 82531
Crushed rock salt (DO)	August 7	Various	Various	Price Contract
Blasting material (EFS)	August 7	Various	Various	Price Contract
Office furniture & misc. furnishings (LP)	August 10	State University	Mankato	26 071 17745
Oscilloscope (PA)	August 10	Transportation	St. Paul	79 000 81493
Air compressors (DM)	August 10	Transportation	Various	79 000 74341

## Department of Administration: Printing & Mailing Services

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

Commodity for Bid (and Buyer)	Bid Due Date at 2 pm	Department or Division	Delivery Point	Requisition #
Community College Prospectus	August 5	Community College System	Minneapolis	1084
Letterhead	August 5	Energy Division	St. Paul	102
Boiler Application form	August 5	Labor & Industry	St. Paul	115
Continuing Education Bulletin: tabloid	August 5	State University	Marshall	144
Inmate envelopes	August 5	Correctional Facility	St. Cloud	184
BAC Cards	August 5	Public Safety	St. Paul	169
<i>Nordic News</i>	August 6	Giants Ridge	Biwabik	244
Preprinted envelopes	August 6	Human Services	St. Paul	290
Viewbook, folder-poster & mailing envelope	August 7	State University	Marshall	1081

## State Contracts and Advertised Bids

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Commodity for Bid (and Buyer)	Bid Closing Date at 2 pm	Department or Division	Delivery Point	Requisition #
Registration, I.D. cards and decals	August 10	Natural Resources	St. Paul	1083
Renewal notices for watercraft, snowmobile and all-terrain vehicles	August 10	Natural Resources	St. Paul	1082

## State Designer Selection Board

### Request for Proposal for a Project at Southwest State University

#### To Registered Professionals in Minnesota:

The State Designer Selection Board has been requested to select a designer for a project at Southwest State University, Marshall, Minnesota. Design firms who wish to be considered for this project should submit proposals on or before 4:00 P.M., August 25, 1987, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

#### The proposal must conform to the following:

1. Six copies of the proposal will be required.
2. All data must be on 8½"x11" sheets, soft bound.
3. The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 8 below, together with the designer's firm name, address, telephone number and the name of the contact person.

#### 4. Mandatory Proposal contents in sequence:

a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.

b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.

c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.

d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall **list and total** all fees associated with these projects whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects listed pursuant to the above.

e) A section containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel named were, at the time of the work, employed by other than their present firms.

The proposal shall consist of no more than twenty (20) faces. **Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.**

#### 5. Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted. **The proposal will not be accepted unless it includes one of the following:**

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or

b) A statement certifying that firm has a current certificate of compliance issued by the Commissioner of Human Rights;  
or

c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or

d) A statement certifying that the firm has an application pending for a certificate of compliance.

6. In accordance with the provisions of *Minnesota Statutes*, 16B.19, Subdivision 6, at least 10% of the amount of any contract in excess of \$200,000.00 must be subcontracted to certified small businesses owned and operated by S/E/D persons as defined by *Minnesota Statutes* 645.445. Alternatively, the requirement may be met by purchasing materials or supplies from S/E/D businesses. Any combination of subcontracting and purchasing that meets the 10% requirements is acceptable. If there are no S/E/D persons able to perform subcontracting or provide supplies and materials, other small businesses as defined are to be utilized instead of small businesses owned and operated by S/E/D persons.

7. Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:

a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or

b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures or their schedule for the project herein described may be referred to George Iwan at (612) 296-4656.

#### **8) PROJECT—25-87**

Multi-Purpose Facility  
Southwest State University  
Marshall, Minnesota

#### **Appropriation:**

The CIP appropriation was \$139,000.00 for planning a facility that will cost approximately \$6,630,000.00.

#### **Projected Total Gross Square Footage:**

The facility will contain approximately 90,000 gross square feet of new construction and up to 18,900 gross square feet of remodeling, consistent with authorized funding.

#### **Project Scope, Type and Purpose:**

The scope of the project includes the preparation of plans, specifications and construction documentation to construct and equip a multi-purpose facility combining new construction and remodeling of existing facilities. The proposed facility is intended to be used as a multi-purpose facility suitable for but not limited to track, basketball, tennis, volleyball, baseball practice, convocations, assemblies, conferences and musical performances.

The remodeling of the existing facilities will consist of renovating the men's locker room and laundry area. Additional remodeling will occur on the second floor of the P.E. building to improve space utilization for classrooms/offices and accommodate new construction to be attached to the existing P.E. building.

#### **Program Summary:**

The proposed facility would contain the following:

- |                            |                        |
|----------------------------|------------------------|
| • Basketball               | 4 multi-purpose courts |
| • Parking facilities       | 25 spaces              |
| • Track facility           | 6 lane track           |
| • Field event facility     |                        |
| • Volleyball               | 4 multi-purpose courts |
| • Tennis facility          | 4 multi-purpose courts |
| • Weight training facility | 1 room                 |
| • Racquetball              | 5 courts               |
| • Aerobics facility        | 1 room                 |
| • Archery/golf facility    | 1 room                 |
| • Classroom                | 1                      |

## State Contracts and Advertised Bids

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- HPE performance lab 1 room
- Office space 2 offices
- Musical performance facility
- Storage
- Lobby, lounge & ticket area
- Seating capacity 4,000
- Concession stand 1
- Baseball/softball training area

### Site:

The facility should be located on the campus of Southwest State University and attached to the existing Physical Education facility.

### Building Construction:

The new construction will consist of a variety of materials such as block, concrete, steel and brick of a similar type and style used in the existing facilities on campus. Special attention should be given to developing a facility which provides for good heating, venting and air conditioning and permits the use of natural lighting whenever possible, without the use of skylights. Remodeling of the physical education facility will require the restoration of the men's locker room and remodeling a portion of the second floor.

### Architectural Responsibilities:

The architectural firm will be responsible for but not limited to the preparation of schematic designs, working drawings and building specifications, to include cost estimates required in the bidding process. In addition it will also be the responsibility of the architectural firm to prepare supplemental agreements, review and approve shop drawings and payment requests. It is also expected that weekly supervision and oversight for the project construction will be done for the owner by the architectural firm.

It is desirable that the architectural firm selected have prior experience in the design and construction of facilities of the type proposed.

### Architectural Fee:

Legislative appropriation assumed fees at 6% of construction costs.

### University Contact:

George Seldat  
Acting Vice President for Administration  
Southwest State University, Marshall, MN 56258  
(507) 537-7118

### State University Contact:

David Hardin  
555 Park Street, Suite 230  
St. Paul, MN 55103  
(612) 296-6624

Dated: 3 August 1987

Damon Farber, Chairman  
State Designer Selection Board

## Department of Health

### Maternal and Child Health Division

### Notice of Request for Proposals for Technical Services Contract

Services for Children with Handicaps (SCH) aims to improve the health of Minnesota children and youth with diabetes by assuring the availability of contemporary diabetes health care throughout the state. Therefore, SCH is requesting proposals from organizations providing both health care and educational services. The overall purpose of the contract is to provide continuing educational programs in the health care management of children and youth with diabetes.

The contractor's duties shall be to provide a nurse practitioner, nutritionist, pediatrician, podiatrist and psychologist skilled in the understanding and clinical management of juvenile diabetes mellitus. This team will provide a diabetes continuing education program

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## State Contracts and Advertised Bids

for physicians, health professionals, and families of children with diabetes in six (6) regions of the state. These programs shall include the following, at minimum:

1. A list of objectives for the programs.
2. A definition of optimal health care plans for the management of diabetes in children and youth.
3. An update on diabetes management, including the importance of accuracy and quality assurance in diabetes control measures such as blood glucose monitoring.
4. A description of treatment measures that promote optimal eating behaviors in children and youth.
5. A description of current diabetes research findings and their application to the clinical management of diabetes.
6. A discussion of the importance and rationale of preconception planning for people with diabetes.
7. A discussion of resources available to assist primary care physicians with the health care of children and youth with diabetes.
8. The provision of appropriate written educational materials for program participants.

The contractor will be required to provide the state a report which shall include at least the following for each of the six regions:

1. Information showing the extent to which the program objectives were met.
2. The number of participants at each program broken out by professional discipline and family member.
3. Participants' evaluation of each session broken out by professional discipline and family member.

The report shall also include an overall summary of evaluations and accomplishments as well as recommendations for further improvement of diabetes health care for Minnesota children and youth.

The total obligation of the state for all compensation and reimbursements to contractor shall not exceed fourteen thousand five hundred twenty-five dollars (\$14,525.00).

Proposals shall be submitted to Alpha Adkins, Section Chief, Services for Children with Handicaps, 717 Delaware Street, S.E., P.O. Box 9441, Minneapolis, Minnesota, 55440, three weeks following publication of this request. The contract period shall extend from October 15 through June 30, 1988.

## Department of Human Services

### Chemical Dependency Program Division

#### Request for Proposals for Initiation and Development of Service Alternatives for Chronic Chemically Dependent Persons

The Chemical Dependency Program Division (CDPD) of the Department of Human Services is soliciting proposals for development, improvement or expansion of chronic alcoholism services. Funding of up to three grantees in the amount of up to \$30,000 is contemplated. There will be no continuation funding. Funded proposals may begin on or after November 1, 1987, and must terminate funded activity by June 30, 1988.

Further information and copies of the RFP can be obtained by contacting Dorrie Hennagir at (612) 296-4617.

Proposals in response to this RFP must be submitted on the CDPD grant application form. A copy of the application form may be obtained by contacting Dorrie Hennagir at 612/296-4617. Six copies of the proposal must be received at the CDPD Office, 444 Lafayette Road, St. Paul, Minnesota 55155, no later than 4:20 PM, September 10, 1987.

## Department of Human Services

### Income Maintenance Bureau

#### Request for Proposals for Services to Refugees under the Key State Initiative (KSI)

Notice is hereby given that the Income Maintenance Bureau, Minnesota Department of Human Services, is seeking proposals concerning the delivery of services to refugees in Olmsted and Ramsey Counties in Minnesota.

The goal of this funding is to assist refugees in reducing dependency on public assistance through:

- Strategies and approaches designed to work with entire family units to plan and secure resources including support from ethnic communities and maximum utilization of employment and training programs;

## State Contracts and Advertised Bids

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- Intensive English language training programs and/or time limited vocational English language training programs;
- Cross cultural independent living skills training and interventions.

The estimated total amount of federal funds is approximately \$500,000. We must receive all proposals by 4:20 P.M. CDT, Friday, September 4, 1987. We reserve the right to not act on this RFP.

Please contact request for the complete information package, questions and proposals to:

Refugee Program Office  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, MN 55101  
612/296-1381

## Department of Human Services

### Chemical Dependency Program Division

#### Request for Proposals for a Specialized Media Campaign

The Chemical Dependency Program Division (CDPD) of the Department of Human Services is requesting proposals for a specialized media campaign to promote a chemically healthy environment in Minnesota and encouraging positive behavioral changes that alter or replace chemical use behaviors. A total of \$50,000 is available for one or more grantees. The funded media campaign(s) would begin on or about December 1, 1987 and continue for a minimum of 12 months.

All requests for further information or copies of the complete RFP form can be obtained by contacting Dorrie Hennagir, CDPD Grants Manager, at 612/296-4617.

Proposals in response to this RFP must be submitted on the CDPD grant application form that can be obtained by contacting Ms. Hennagir at the above number. Eight copies of the proposal must be in the CDPD Office, 444 Lafayette Road, St. Paul, MN 55155, no later than 4:20 PM on October 1, 1987. Proposals which are mailed in must have a legible postmark date of no later than September 28, 1987 to be accepted.

## Iron Range Resources and Rehabilitation Board

### RFP for Ski Rental/Sales Shop/Ski School Concessionaire

The IRRRB is seeking proposals from a qualified retail concessionaire to operate a ski rental, sales shop and a ski school at the Giants Ridge Recreational Complex.

#### Proposed Scope

It is the objective of this request for proposal to identify and analyze existing and potential individuals and/or businesses that may be able to operate a ski rental and sales shop and a ski school at the Giants Ridge complex.

- A. A space of over 3,000 square feet will be offered by Giants Ridge for these operations.
- B. Giants Ridge expects to operate the facility from mid-November through the end of March each year.
- C. Giants Ridge will be operating 5 days a week and every day for 2 weeks during Christmas vacation.
- D. The concessionaire shall provide its own equipment and display facilities (However, such details shall be worked out with the Giants Ridge staff to insure continuity with the facility).

#### Cost of Contract

This is a negotiable item. However, the IRRRB suggests that respondent's propose a flat fee plus a percentage of gross ski rental/sales shop/ski school receipts.

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## State Contracts and Advertised Bids

### Submission of Proposals

Proposals must be submitted no later than **4:30 P.M., Tuesday, August 25, 1987**, at the IRRRB Administration Building, located westerly adjacent to Highway #53, four miles south of Eveleth, Minnesota.

Mailing Address:  
RRRB

P.O. Box 441  
Highway #53 South  
Eveleth, MN 55734

**Information:** Giants Ridge (218) 865-4143 (Jeff Spolar)

**Formal RFP Documents:** IRRRB Eveleth (218) 744-2993 (Cheryl Klein)

**NOTE:** Please provide (1) original and seven (7) photo copies of the Food and Beverage Service proposals. Each copy of the proposal must have an original signature of an authorized representative of the responding firm. Proposals are to be sealed in mailing envelopes or packages with the respondent's name and address clearly noted on the outside of each envelope and package. Proposals should also clearly note in bold letters: **GIANTS RIDGE SKI RENTAL/SALES SHOP/AND SKI SCHOOL PROPOSAL—DO NOT OPEN.**

Late proposals will not be accepted and the IRRRB is not liable for any costs associated with responding to this RFP.

### Tentative Proposal/Contract Time Lines

Publication in *State Register*: Monday, August 3, 1987.

Response Period: August 4, 1987-Tuesday, 4:30 P.M., August 25, 1987.

Tentative Interviews: Week of 8/31/87.

Anticipated Date of Contract Award: September 15, 1987.

Effective Contract Date: October 1, 1987.

Term of Contract: October 1, 1987-July 1, 1988. May be renewed for four one-year options at the State's discretion.

### Statutory Proposal Requirements

In accordance with the provisions of *Minnesota Statutes* § 363.073, for state contracts in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have a certificate of compliance issued by the Commissioner of Human Rights before a proposal may be accepted. **The proposal will not be accepted unless it includes one of the following:**

- A. A copy of the firm's current certificate issued by the Commissioner of Human Rights.
- B. A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights.
- C. A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

Any questions concerning a Certificate of Compliance may be referred to the Contract Compliance Unit of the Minnesota Department of Human Rights at (612) 296-5663.

### Cancellation of Solicitation

This request for proposal does not obligate the State of Minnesota (IRRRB) to complete the project, and the State (IRRRB) reserves the right to cancel this solicitation if it is considered to be in the State's best interest.

## Iron Range Resources and Rehabilitation Board

### RFP for Food/Beverage Concessionaire at Giants Ridge

The Iron Range Resources and Rehabilitation Board is seeking proposals from Minnesota food/beverage concerns to operate comprehensive food and beverage services at the Giants Ridge Chalet, training center and sun decks for the various users of the Giants Ridge Recreation Area, located in the Town of White, near Biwabik, Minnesota.

# State Contracts and Advertised Bids

## Scope of the Contractual Service

The purpose of this contractual service is to provide food and beverage (including liquor) service for all users of the Giants Ridge Recreation Area, which will:

- A. Support skiing and any other activities, competitions, or events staged at Giants Ridge.
- B. Enhance the user's enjoyment and increase the utilization of the facility.

## Objectives

The principal objectives of this contractual service are:

- A. To prepare and serve food and beverages (including liquor) to skiers and other users of Giants Ridge.
- B. To prepare and serve food to athletes utilizing the Giants Ridge facilities (menu and schedule shall be determined as per the requirements of the United States Ski Association).
- C. To prepare and serve food and beverages (including liquor) to participants or spectators for any special competitions, events, or gatherings held at Giants Ridge, as mutually agreed upon by the contractor and the IRRRB.
- D. To prepare and serve food and beverages (including liquor) to those members of the general public that might choose to utilize these services apart from the general recreational scope of the facility.

## Cost of Contract

This is a negotiable item. However, the IRRRB suggests that respondents propose a flat fee based on square footage utilized plus a percentage of gross food and beverage sales.

## Submission of Proposals

Proposals must be submitted no later than **4:30 P.M., Tuesday, August 25, 1987**, at the IRRRB Administration Building, located westerly adjacent to Highway #53, four miles south of Eveleth, Minnesota. Mailing address: IRRRB, P.O. Box 441, Eveleth, MN 55734. **INFORMATION: GIANTS RIDGE, 218-865-4143 (JEFF SPOLAR). FORMAL RFP DOCUMENTS: IRRRB—EV-ELETH, 218-744-2993 (CHERYL KLEIN).**

**NOTE:** Please provide one (1) original and seven (7) photocopies of the Food and Beverage Service proposals. Each copy of the proposal must have an original signature of an authorized representative of the responding firm. Proposals are to be sealed in mailing envelopes or packages with the respondents name and address clearly noted on the outside of each envelope and package. Proposals should also clearly note in bold letters: **GIANTS RIDGE FOOD AND BEVERAGE PROPOSAL—DO NOT OPEN.**

## Tentative Proposal/Contract Timelines

Publication in *State Register*: Monday, August 3, 1987.

Response Period: August 4, 1987-4:30 P.M., Tuesday, August 25, 1987.

Tentative Interviews: Week of August 31, 1987

Anticipated Date of Contract Award: September 15, 1987.

Effective Date of Contract: October 1, 1987.

Term of Contract: October 1, 1987-July 1, 1988. May be renewed for four one-year options at the State's discretion.

## Statutory Proposal Requirements

In accordance with the provisions of *Minnesota Statutes* § 363.073, for state contracts in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have a certificate of compliance issued by the Commissioner of Human Rights before a proposal may be accepted. **The proposal will not be accepted unless it includes one of the following:**

- A. A copy of the firm's current certificate issued by the Commissioner of Human Rights.
- B. A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights.
- C. A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

Any questions concerning a Certificate of Compliance may be referred to the Contract Compliance Unit of the Minnesota Department of Human Rights at (612) 296-5663.

**Cancellation of Solicitation**

**“THIS REQUEST FOR PROPOSAL DOES NOT OBLIGATE THE STATE OF MINNESOTA TO COMPLETE THE PROJECT, AND THE STATE RESERVES THE RIGHT TO CANCEL THIS SOLICITATION IF IT IS CONSIDERED TO BE IN THE STATE’S BEST INTEREST.”**

**Department of Labor and Industry****Request for Proposals for Management Development Consultant**

The Minnesota Department of Labor and Industry is requesting proposals from consultants to perform a comprehensive management development project, the goal of which is to achieve optimal working relationships and coordination within groups of agency managers. This Request for Proposal does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

This project will provide affected agency managers with the skills to function effectively and in coordination with other managers working in the same division to pursue the strategies of the individual manager’s unit, the division, and the agency to achieve the stated goals and mission of the Department. The anticipated result of the project is demonstrable improvement in the ability of agency managers in the same division to work together as a group in a constructive, cooperative and mutually beneficial manner.

The consultant must provide: division and/or unit goal definition assistance, as required; needs assessment of division managers as a group and individually; training on team building and group problem solving; development of strategies or action plans to reach goals of project; and, follow through consultation to monitor and evaluate the progress of the managers toward project goals. Responder may propose additional tasks or activities if they will substantially improve the results of the project.

Prospective responders who have any questions regarding this Request For Proposal may contact:

Ann Clayton, Assistant Commissioner  
Workers’ Compensation Division  
MN Department of Labor and Industry  
444 Lafayette Road  
St. Paul, Minnesota 55101

OR

David Abrams  
Director, Agency Administration  
MN Department of Labor and Industry  
444 Lafayette Road  
St. Paul, Minnesota 55101

All proposals must be sent to and received by:

Ann Clayton  
Assistant Commissioner  
Workers’ Compensation Division  
MN Department of Labor and Industry  
444 Lafayette Road  
St. Paul, Minnesota 55101

Proposals must be received no later than 4:30 p.m., Friday, August 7, 1987. Late proposals will not be accepted. Submit four (4) copies of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder’s name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

The Department has estimated that the cost of this project should not exceed \$10,000.00

The project will be completed within four (4) months from the date of project authorization.

**Minnesota Office of Tourism****Request for Proposal for Marketing Consultant****I. Scope of Project**

The Minnesota Office of Tourism is seeking proposals for a company to provide marketing consultation in the creation and implementation of strategies to market Minnesota’s travel related products and services to the travel trade industry, specifically the group tours and meeting and convention industry.

**II. Goal**

Create demand and market for Minnesota’s travel-related products and services through businesses and communities that market to consumers.

## State Contracts and Advertised Bids

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### III. Projects to Be Completed by Marketing Consultant

**Objective:** Investigate new and evaluate past marketing strategies in order to promote Minnesota as a destination to domestic meeting and convention planners and the group tour market with emphasis on North America, German-speaking countries, United Kingdom, Japan, and Scandinavia.

The strategies listed below encompass all program areas:

A. Develop and implement a program to identify the percentage of Minnesota's total economic impact on tourism that can be attributed to meetings and conventions and group tours. This will involve collection, tabulation and analysis of data followed by recommending and implementing marketing strategies to be completed in year two of this contract.

B. Develop an evaluation model to measure effectiveness of strategies used to generate travel into Minnesota. This includes measuring return on investment as a result of direct mail, familiarization tours, advertorials, advertising, tour catalog placement and trade shows.

C. Establish computer applications for monitoring evaluation of promotion and sales activities in the group tour, meeting and convention and travel trade public relations area.

The following programs described are in addition to the strategies listed above. They address specific program areas and need to be handled individually.

#### A. Meetings and Conventions

Determine most effective approach and implement strategies to encourage Meeting and Convention promoters and planners to extend a convention visit in other areas of Minnesota as a pre- or post-visit vacation.

#### B. Group Tours

Develop sales strategies to place Minnesota itineraries in tour operator catalogs and other travel trade and consumer publications.

#### C. Travel Trade Public Relations

Evaluate current strategies and develop and implement new strategies for reaching travel trade media in Minnesota's domestic and international target markets.

**NOTE:** Copies of detailed work plan for Fiscal Year 1988 are available to prospective consultants upon request.

### IV. Submission of Proposals

Questions about this Request for Proposal (RFP) may be directed to:

Marcia Naber  
612/297-2333

Other office personnel are not allowed to discuss proposals before the deadline.

All proposals must be sent to and received by:

Marcia Naber  
Minnesota Office of Tourism  
Attn: Marketing Consultant Proposal  
375 Jackson Street, 250 Skyway Level  
St. Paul, MN 55101-1810

Not later than 5:00 p.m., August 24, 1987.

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

### V. Proposal Contents

The following will be considered minimum contents of the proposal:

A. A restatement of the objective to show or demonstrate the responder's view of the nature of the project. Please describe a suggested course of action for each of the program areas described in the contents of the proposal. (Your response to each program area should not exceed 200 words per area.)

B. Identify and describe the deliverables including budget breakdown.

C. Attach samples of collateral used to support recent projects.

D. Completion of an application/questionnaire available from the Minnesota Office of Tourism.

**VI. Length and Amount of Contract**

The contract will be for an estimated \$50,000 per fiscal year covering marketing agency time, production and advertising costs. The contract will extend from September 30, 1987 through June 30, 1988, with two one-year options to extend to June 30, 1990, subject to satisfactory performance and availability of funds. The Minnesota Office of Tourism reserves the right to reject any and all bids.

**VII. Evaluation Procedure**

A. All proposals/applications received by the deadline will be evaluated by office personnel. All proposals will be retained by the Office of Tourism.

B. Companies will be evaluated primarily on their responses to items outlined under proposal contents and the personnel the company expects to assign to the account.

C. Companies may be requested to make oral presentations.

**State University System****Notice of Availability of State Contracts**

From time to time the State University System has part-time positions available for educational technical instruction faculty in a wide variety of academic areas or specialties. These positions are not regular faculty or part of the bargaining unit and are contracted for individually by the University needing the service. For further information on specific availabilities contact the Academic Vice Presidents as follows:

Bemidji State University  
Dr. Leslie Duly  
Bemidji, MN 56601

Moorhead State University  
Dr. F.C. Richardson  
Moorhead, MN 56560

Winona State University  
Dr. Charles Sorenson  
Winona, MN 55987

Southwest State University  
Dr. Randy Abbott  
Acting Vice President  
Marshall, MN 56258

Mankato State University  
Dr. Philip Kendall  
Mankato, MN 56001

Metropolitan State University  
Academic Vice President  
St. Paul, MN 55101

St. Cloud State University  
Dr. Stephen Weber  
St. Cloud, MN 56301

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**Non-State Public Contracts**

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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**Metropolitan Council****Notice of Request for Proposal for Aviation Consulting Services for the Metropolitan Council of the Twin Cities Area**

Notice is hereby given that the Metropolitan Council is requesting proposals for technical and professional planning services for a study to determine the long-term adequacy of Minneapolis-St. Paul International Airport. The Study will analyze aviation forecasts,

## Non-State Public Contracts

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determine airport capacity, assess economic impacts, evaluate alternative ways to meeting long-term aviation needs, and propose a decision-making and implementation process. The project should commence by October 1, 1987 and should be completed by September 1, 1988. All proposals must be received no later than 4:00 p.m. on August 28, 1987. (Attention: Chauncey Case-Transportation Planning)

Copies of the Request for Proposals may be obtained from the Metropolitan Council, 300 Metro Square Building, St. Paul, Minnesota 55101. Inquiries should be directed to Chauncey Case, (612) 291-6342.

## State Grants

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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 grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

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

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## Department of Public Safety

### Notice of Availability of a Grant to Establish a Child Abuse Toll-Free Professional Consultation Telephone Line

The Notice of Availability which follows is applicable to a grant to be awarded by the Minnesota Department of Public Safety under the authority of *Minnesota Laws 1987*, Chapter 358, Section 128.

#### Purpose, Scope, and Eligibility

The purpose of a statewide, toll-free 24 hour telephone line is to provide consultative and training services for physicians, therapists, child protection workers, and other professionals involved in child protection. Services provided shall include emergency and longer-term consultation on individual child protection cases.

Only agencies which agree to match through cash or in-kind donations 30 percent of the contract amount will be considered eligible applicants.

Approximately \$88,000 will be awarded for the purposes of this grant for a two year period. Applicants must describe their funding plans for continuation of the child abuse toll-free professional consultation telephone line following this grant period.

Applicants must have a clearly stated policy and procedures ensuring that a communication with the telephone line established under this grant by a person mandated to report child abuse or neglect does not satisfy the obligation to report under *Minnesota Statutes 626.556*.

The agency receiving this grant award will be required to submit periodic reports describing the manner in which it has performed specific services.

In addition to the above stated criteria, an applicant must describe:

- a marketing plan;
- the qualifications of persons providing telephone coverage, consultations, and training services;
- plans to subcontract any portion of the services (if applicable);
- continuing education and/or inservice training plans for staff affiliated with the child abuse consultation telephone line services;
- each budget line item in a clear and concise narrative format that explains and justifies each expenditure; and
- the source(s) of their matching funds.

#### To Receive Application Materials

In order to receive application materials, please contact:

The Children's Trust Fund  
333 Sibley Street, Suite 567  
St. Paul, MN 55101  
Attention: Maureen Cannon, Executive Director  
Telephone: 612/296-KIDS

**Application Submission Requirements**

The original plus five additional copies of the application must be received in the office of the Children's Trust Fund, 333 Sibley Street, Suite 567, St. Paul, MN 55101 no later than 4:00 p.m., August 31, 1987.

An award decision will be made by the Commissioner with the advice of a task force, by September 11, 1987.

Applicant agencies will be notified in writing of the status of their application.

**Duration of Funding**

Funds for a child abuse toll-free 24 hour professional consultation telephone line will be awarded for a twenty-four month period beginning October 1, 1987. No further funds will be available from this source at the conclusion of this grant period.

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**Supreme Court Decisions****Decisions Filed Friday 24 July 1987****C4-86-1312 State of Minnesota, petitioner, Appellant, v. Earl William Crocker. Court of Appeals.**

Trial court did not prejudicially err in admitting evidence of other crimes under Minn. R. Evid. 404(b).

Nine-year-old offense was relevant because defendant was in prison, in interval between prior offense, and charged offense was one of a pattern of similar offenses.

Trial court properly admitted certified copy of conviction to establish commission of prior offense.

Admission of prior offense was not error; however, even assuming it was error, it did not prejudice defendant.

Evidence that defendant "confined" or "removed" victim incident to raping her was sufficient to support kidnapping conviction.

Reversed and judgment of conviction reinstated. Yetka, J.

**C0-86-1081 Craig A. Salmon v. Wheelabrator Frye, (Consolidated Printing) Employer-Relator, and Aetna Casualty & Surety Company, Insurer-Relator, and Minnesota Department of Human Services, et al. Workers' Compensation Court of Appeals.**

The Workers' Compensation Court of Appeals correctly applied the standard of review in setting aside the finding of the compensation judge and appropriately determined that a further hearing of the issue before a compensation judge was necessary.

Affirmed. Wahl, J.

**C2-86-1695 State of Minnesota v. James Allen Dwire, petitioner, Appellant, Lowell Dale Kramer, petitioner, Appellant, Fred Hendrickson, petitioner, Appellant. Court of Appeals.**

In this case, the trial court had jurisdiction to issue complaints while indictments for the same offenses were pending. After the indictments were dismissed for curable defects, the prosecutor's continuance of the prosecution under the complaints was in compliance with Minn. R. Crim. P. 17.06, subd. 4(3), and was proper.

Affirmed. Simonett, J.

**C7-82-81 In the Matter of the Application for the Discipline of Marshall G. Anderson, an Attorney at Law of the State of Minnesota. Supreme Court.**

Indefinitely suspended. Per Curiam.

**Orders****C8-87-1338 In Re Petition for Disciplinary Action Against Paul F. Wojciak, an Attorney at Law of the State of Minnesota. Supreme Court.**

Publicly reprimanded. Amdahl, C.J.

**Decisions Filed Friday 31 July 1987****C3-86-1415 State of Minnesota v. Brian James Kasper, Appellant. Court of Appeals.**

Trial court did not err in basing decision to admit other-crime-evidence on offer of proof made by prosecutor.

Affirmed. Amdahl, C.J.

## Supreme Court Decisions

### C2-87-119 *State of Minnesota v. Wayne C. Rubin, petitioner, Appellant. Court of Appeals.*

Under Minn. R. Crim. P. 5.02 a trial court may not accept a guilty plea to felony or gross misdemeanor charge from a defendant not represented by counsel unless the defendant has consulted with counsel about waiving counsel and pleading guilty.

Affirmed. Amdahl, C.J.

Took no part, Kelley, J.

### C0-86-1002 *Robert W. Myers, et al. v. City of Oakdale, petitioner, Appellant. Court of Appeals.*

A veteran is removed from his or her position when the effect of the employer's action is to make it unlikely that the veteran will be able to return to the job. The hearing requirement of the Minnesota Veterans Preference Act, Minn. Stat. § 197.46 (1986), applies when the reason for removal is the employee-veteran's alleged physical inability to perform the job.

Affirmed. Wahl, J.

### C3-87-355 *Paul H. Johnson, Relator v. Paul's Auto & Truck Sales, Inc. and State Automobile & Casualty Underwriters, Insurer, Prudential Insurance Company of America, Insurer, Minnesota Department of Human Services, intervenor. Workers' Compensation Court of Appeals.*

Mental injury caused by work-related mental stress is not a compensable personal injury within the coverage of the Workers' Compensation Act.

Physical symptoms or manifestations which accompany a mental injury caused by work-related mental stress and which are amenable to treatment only as an inseparable aspect of the mental injury and are not susceptible to independent medical treatment, do not constitute compensable personal injuries within the coverage of the Workers' Compensation Act.

Affirmed. Coyne, J.

Dissenting, Yetka, J.



## Woodworking for Wildlife

*Woodworking for Wildlife*, delightfully written and carefully illustrated with a variety of game bird and mammal box designs. Includes important information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Code #9-14, \$6.00.

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