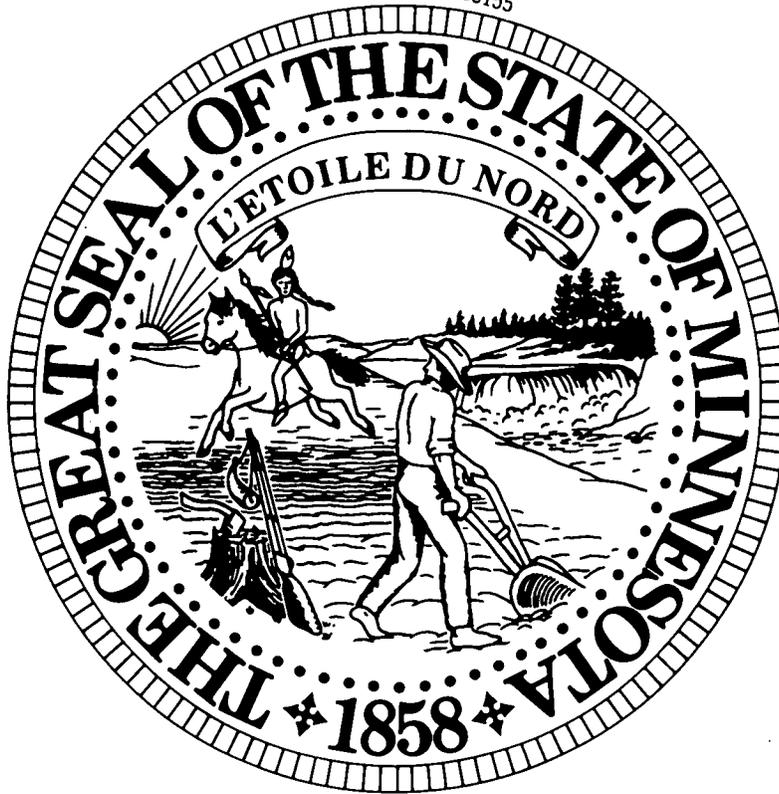


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Judicial Notice Shall Be Taken of Material Published in the *State Register*

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

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

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40	Monday 4 April	Monday 21 March	Monday 28 March
41	Monday 11 April	Monday 28 March	Monday 4 April
42	Monday 18 April	Monday 4 April	Monday 11 April

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Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
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For subscription information call 612/296-0931.

Commodity awards can be obtained from the **Materials Management Helpline** 612/296-2600.

Minnesota Rules: Amendments and Additions

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

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

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

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

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width: 50%;">B</th> </tr> </thead> <tbody> <tr> <td>7005.0116</td> <td>7011.0120</td> </tr> <tr> <td>7005.0370</td> <td>7011.0535</td> </tr> <tr> <td>7005.0500</td> <td>7011.0725</td> </tr> <tr> <td>7005.1130</td> <td>7011.0115</td> </tr> <tr> <td>7005.1400</td> <td>7011.1625</td> </tr> <tr> <td>7005.1410</td> <td>7011.1630</td> </tr> <tr> <td>7005.1500</td> <td>7011.1725</td> </tr> <tr> <td>7005.1850</td> <td>7017.1000</td> </tr> <tr> <td>7005.1876</td> <td>7019.3010</td> </tr> <tr> <td>7005.1950</td> <td>7011.0825</td> </tr> <tr> <td>7005.2040</td> <td>7011.0920</td> </tr> <tr> <td>7005.2160</td> <td>7011.1430</td> </tr> <tr> <td>7005.2230</td> <td>7011.1815</td> </tr> <tr> <td>7005.2280</td> <td>7011.1915</td> </tr> <tr> <td>7005.2330</td> <td>7011.2015</td> </tr> <tr> <td>7005.2400</td> <td>7011.1325</td> </tr> <tr> <td>7005.2590</td> <td>7011.9945</td> </tr> <tr> <td>7005.2680</td> <td>7011.9954</td> </tr> <tr> <td>7005.2790</td> <td>7011.0620</td> </tr> <tr> <td>7005.2920</td> <td>7011.1135</td> </tr> <tr> <td>7001.0020; 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Proposed Rules

Pursuant to Minn. Stat. §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

Proposed Permanent Rules Relating to Waste Pesticide Assessments

Notice of Intent to Adopt a Rule Without a Public Hearing

The Minnesota Department of Agriculture intends to adopt amendments to rules without a public hearing following the procedures set forth in the Administrative Procedures Act sections 14.22-14.28. You have 30 days to submit written comment on the proposed amendments and may also submit a written request that a hearing be held on the amendments.

Department Contact Person. Comments or questions on the amendments and written requests for a public hearing on the amendments must be submitted to:

Carol Milligan
Minnesota Department of Agriculture
90 West Plato Boulevard
St. Paul, MN 55107
(612) 296-6906
(612) 297-7678 Fax

Subject of Rules and Statutory Authority. The proposed amendments are about assessment made for the collection of waste pesticides. The statutory authority to adopt these amendments is *Minnesota Statutes*, section 18B.06, subd. 3. A copy of the proposed amendments is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. April 27, 1994, to submit written comment in support of or in opposition to the proposed amendments or any subpart of the amendments. Your comments must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed amendments addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the amendments. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on April 27, 1994. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed amendments which caused your request, the reason for the request, and any changes you want made to the proposed amendments. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their request in writing. If a public hearing is required, the department will proceed according to *Minnesota Statutes*, sections 14.131-14.20.

Modifications. The proposed amendments may be modified as a result of public comment. The modifications must be supported by the data and views submitted to the department and may not result in a substantial change in the proposed amendments as attached and printed in the *State Register*. If the proposed amendments affect you in any way, you are encouraged to participate in the rulemaking process.

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

Statement of Need and Reasonableness. A Statement of Need and Reasonableness is now available from the department contact person. This statement describes the need for and reasonableness of each provision of the proposed amendments and identifies the data and information relied upon to support the proposed amendments.

Small Business Considerations. This program is voluntary and gives small business a low or no cost way to dispose of unneeded pesticides.

Adoption and Review of the Rules. If no hearing is required, after the end of the comment period the department may adopt the amendments. The amendments and supporting documents will then be submitted to the Attorney General for review as to legality and form to the extent that form relates to legality. You may request to be notified of the date the amendments are submitted to the Attorney General or be notified of the Attorney General's decision on the amendments. If you wish to be so notified or wish to receive a copy of the adopted amendments, submit your request to the department contact person listed above.

Dated: 26 January 1994

Elton Redalen, Commissioner
Department of Agriculture

Rules as Proposed

1509.0030 ASSESSMENT SCHEDULE AND PAYMENT.

Subpart 1. **Assessment schedule.** A pesticide end-user voluntarily participating in a collection authorized under *Minnesota Statutes*, section 18B.065, may be assessed a portion of the disposal costs based on ~~gross net~~ weight in pounds of the pesticide formulation and container collected, up to a maximum of 2,200 pounds. A net weight includes the weight of the pesticide formulation and its container. The assessment of individual pesticide end-users must be based on costs described in the current hazardous pesticide waste packing, transportation and disposal service contract and invoiced at the rates determined under items A to C.

A. Agencies of government or their representatives must be assessed costs equal to 125 percent of the disposal price, but not less than ~~\$7~~ \$4 per net pound to participate in a waste pesticide collection.

B. Assessments for other participants must be based on amounts for disposal at the following rate:

(1) no cost for disposal of ~~150~~ 300 net pounds or less;

(2) costs equal to ~~15~~ 25 percent of the disposal price, but not less than \$1 per net pound for quantities greater than ~~150~~ 300 pounds, up to ~~300~~ 1,000 pounds; or

(3) costs equal to 50 percent of the disposal price, but not less than \$3 per net pound for quantities greater than ~~300~~ 1,000 pounds, up to 1,000 pounds; or

(4) ~~costs equal to 100 percent of the disposal price, but not less than \$6 per pound for quantities greater than 1,000 pounds; up to a maximum of 2,200 pounds.~~

[For text of item C, see M.R.]

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

Department of Jobs and Training

Proposed Permanent Rules Relating to Employment; Extended Employment Programs

Notice of Intent to Adopt a Rule Without a Public Hearing

The Department of Jobs and Training intends to adopt the above-entitled rules without a public hearing following the procedures set forth in The Administrative Procedures Act, *Minnesota Statutes*, §§ 14.22 to 14.28. You have until April 29, 1994 to submit written comments on the proposed rules and may also request that a hearing be held on the rule.

Agency Contact Person. Comments or questions on the rule and written requests for a hearing on the rule must be submitted to:

David Sherwood-Gabrielson
Division of Rehabilitation Services
Department of Jobs and Training
390 North Robert Street
St. Paul, MN 55101
(612) 296-9150
(612) 297-5159 Fax

Subject and Statutory Authority. The proposed rules are revisions of rules relating to the Extended Employment Program. These rules have been developed as authorized by *Minnesota Statutes*, §§ 268.021, 268.0122, subdivision 5, which permit the Commissioner of the Department of Jobs and Training to adopt rules governing programs the Commissioner administers; and *Minnesota Statutes* § 268A.09, Subd 5 which authorizes the commissioner to adopt rules for the Extended Employment Program.

Comments. Persons interested in these rules have until 3:30 p.m., April 29, 1994 to submit written comments in support of or in opposition to the rules or any part or subpart of the rules. Your comments must be in writing and received by the agency contact person listed above by the due date. Comments are encouraged. Your comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also make a request for a public hearing on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 3:30 p.m. on April 29, 1994. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a public hearing, a public hearing will be held unless a sufficient number withdraw their request in writing. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, §§ 14.131 to 14.20.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rule as mailed and published in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A Statement of Need and Reasonableness is now available from the agency contact person listed above. This statement describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been.

Small Business Considerations. Rehabilitation facilities certified to operate extended employment programs may not be a small business, as defined by *Minnesota Statutes* § 645.445.

Expenditure of Public Money by Local Public Bodies. The adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. You may request to be notified of the date the rule is submitted to the Attorney General or be notified of the date the rule is submitted to the Attorney General or be notified of the attorney general's decision on the rule. If you wish to be notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

R. Jane Brown
Commissioner

Rules as Proposed

EXTENDED EMPLOYMENT PROGRAMS

3300.2050 DEFINITIONS.

Subpart 1. **Scope.** When used in parts 3300.1950 to 3300.3050, the terms defined in this part have the meanings given them.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Jobs and Training.

Subp. 3. **Community based employment program.** "Community based employment program" means a program providing work and service hours in a position removed from a rehabilitation facility site, which:

A. is paid at a rate equal to or greater than the state or federal minimum wage, whichever is appropriate, or at a lesser rate of pay according to a certificate issued under *Code of Federal Regulations*, title 29, sections 524.1 to 524.1-13 or other federal regulations providing for exemption from federal minimum wage requirements;

B. is subsidized for training purposes by public funds or is expected to provide the services necessary to assure continued work;

C. is full time, unless work of less than 30 hours per week is determined to be appropriate due to the availability of work opportunities, or other individual circumstances;

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D. allows the participant, wherever appropriate to the work performed or work setting, the opportunity for frequent daily interactions in a work situation with people without disabilities who are not paid caregivers or providers;

E. can reasonably be expected to allow the participant to develop the participant's vocational potential; and

F. is under the supervision of the rehabilitation facility.

Subp. 4. **Competitive employment.** "Competitive employment" means employment in a position which:

A. is paid at a rate equal to or greater than the state or federal minimum wage, whichever is appropriate;

B. is not subsidized for training purposes by public funds, excluding any state or federal tax credits available to increase employment among specified groups;

C. is full time, unless employment of less than 30 hours per week is determined to be appropriate because of the availability of positions in which the participant worker can be employed or other individual circumstances;

D. can reasonably be expected to be available on a ~~permanent~~ an ongoing basis or can reasonably be expected to be followed by employment in positions not subsidized for training purposes by public funds;

E. has a majority of nondisabled individuals as the working peers of the participant worker; and

F. can reasonably be expected to allow the participant worker to develop the participant's worker's vocational potential.

Subp. 5. **Conversion point score.** "Conversion point score" means a numerical value on a scale of standard deviations above or below a mean. It is used to provide a uniform scale to which the quantifiable performance measures, the economic and geographic factors, and the disability index conversion scores can be converted for use in allocating funds.

Subp. 6. **Disability adjusted average hourly earnings factor.** "Disability adjusted average hourly earnings factor" means an average wage calculation for the extended employment program. The calculation has as its numerator the sum of the products which result from multiplying each participant's worker's disability index conversion score by each participant's worker's total wages in the reporting period. Total wages include remuneration for paid holidays and paid sick, vacation, and other paid leave. The calculation has as its denominator the total number of hours worked in the reporting period by the total unduplicated number of participants workers. Number of hours worked is defined in subpart 20. The mathematical formula for the wage calculation is represented as follows:

$$\frac{\text{Sum of (the sum of wages in the reporting period for each program } \underline{\text{participant worker}} \text{ multiplied by that } \underline{\text{participant's worker's}} \text{ disability index conversion score)}}{\text{Total number of hours worked by the total unduplicated number of } \underline{\text{participants workers}} \text{ in the reporting period}} = \text{Disability adjusted average hourly earnings factor}$$

Subp. 7. **Disability index.** "Disability index" means an index which measures the effect that disability levels have on participants workers in achieving their vocational potential. The disability index ~~incorporates by reference~~ is the total score (sum of 30 ratings) of the Functional Assessment Inventory (FAI) as revised in May 1983 August 1990 and published by the Division of Rehabilitation Services. This inventory was originally developed and authored by Nancy M. Crewe, Ph.D., and Gary T. Athelstan, Ph.D. and is published by the Materials Development Center of the University of Minnesota Wisconsin-Stout. The modified inventory is incorporated by reference and is not subject to frequent change. It is available for loan and inspection at the State Law Library and for inspection at the Minnesota Department of Jobs and Training, Division of Rehabilitation Services, 390 North Robert Street, Fifth First Floor, Saint Paul, Minnesota 55101. ~~The elements of the disability index and the relative power of each element are the following:~~

A. the total score (sum of 30 ratings) from the FAI with a relative power of 27.09;

B. the receipt of nonemployment income by participants with a relative power of 7.79;

C. the FAI adaptivity factor score which is based upon FAI items 24, 25, 26, 27, 28, and 29 with a relative power of 3-15;

D. the FAI item 30 (rating of initiative) with a relative power of 2.07.

In the formula a constant, 4.4305, is added to four products. The first product results when a factor, -.0509, is multiplied by the FAI total score. The second product results when a factor, 0.7298, is multiplied by the nonemployment income item. The third

product results when a factor, .0334, is multiplied by the FAI adaptivity score. The fourth product results when a factor, -.3091, is multiplied by FAI item 30. The values produced are then multiplied by -1. The formula is represented as follows:

$10 + [4.4305 + (-.0509 \times \text{FAI total score}) + (-.7398 \times \text{nonemployment income item}) + (-.0334 \times \text{FAI adaptivity score}) + (-.3091 \times \text{FAI item 30})] \times -1 = \text{Disability Index}$

Subp. 8. **Disability index conversion score.** "Disability index conversion score" means an expression of participants' workers' disability indexes in terms of their rank among other participants workers in a program, converted to a continuous scale from one to four.

Subp. 9. **Disability levels.** "Disability levels" means the varieties of disabling conditions affecting participants' workers' potential for rehabilitation as measured by the disability index described in subpart 7.

Subp. 10. **Economic conditions.** "Economic conditions" means those economic and geographic factors in the primary service areas surrounding rehabilitation facilities which affect extended employment programs in providing placement opportunities, paying wages, and furnishing service hours to participants workers. The factors are the following:

- A. annual average county unemployment rate;
- B. average county covered quarterly wages;
- C. county per capita income; and
- D. percent of population below the poverty level.

Information concerning items A to D is available upon request from the Minnesota Department of Jobs and Training, Research and Statistics Office (RASO), 390 North Robert Street, Fifth Floor, Saint Paul, Minnesota 55101. Item A is computed by RASO. Item B is published by RASO in Minnesota Employment and Wages by County and is available for inspection at RASO. Item C is published in the Minnesota Labor Market Information Directory by RASO and is available for inspection at RASO. Item D is provided to RASO by the Office of the Minnesota State Demographer based on the latest United States Census estimates or actual data. Items A to D will be updated annually. If more than one county is contained in a rehabilitation facility's primary service area, data from the counties will be combined and weighted in proportion to the program participants' workers' counties of residence. The factors in items A to D are given equal weight.

Subp. 11. **Extended employment programs.** "Extended employment programs" means programs providing paid work and service hours as a step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market, or during such time as employment opportunities for them in the competitive labor market do not exist. The programs are reasonably expected to allow workers to develop their vocational potential. The programs provide pay at a rate equal to or greater than the state or federal minimum wage, whichever is appropriate, or at a lesser rate of pay according to a certificate issued under Code of Federal Regulations, title 29, sections 525.1 to 525.24, or other federal regulations providing for exemption from federal minimum wage requirements. Extended employment programs are the following:

- A. long-term employment program as defined in subpart 16; and
- B. work activity program as defined in subpart 33;
- C. work component program as defined in subpart 34;
- D. community based supported employment program as defined in subpart 33a.

Subp. 12. **Full-time employment.** "Full-time employment" means employment for an average of 30 hours per week or more in a community based supported employment program or in competitive employment.

Subp. 13. **Full-time equivalent (FTE).** "Full-time equivalent" or "FTE" means the lesser of the following calculations:

A. a count resulting when the total annual number of work and service hours for each program produced by a rehabilitation facility is divided by 1,560 hours per year for a long-term employment program or a community based employment program, by 1,040 hours per year for a work activity program, or by 520 hours per year for a work component program. Service hours may comprise no more than one-quarter of the total hours of participation for each program in a year; or

B. a count of participants workers in a program during a year. For purposes of this subpart, a participant worker is counted in

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the program where the participant worker accrued the most hours of work during the year and where the participant's worker's annual hours of work and service were at least:

- (1) 120 hours in a long-term employment program or a community based program;
- (2) 80 hours in a work activity program; or
- (3) 40 hours in a work component program.

Subp. 14. **Fundamental personnel benefits.** "Fundamental personnel benefits" means benefits for vacation, sick leave, holidays, ~~military leave, maternity leave, jury duty, overtime pay, voting time, and~~ social security, ~~and workers' compensation~~ provided to participants workers in a long-term employment program on a proportional basis as provided to the nonexempt, full-time staff of the rehabilitation facility, ~~and benefits for military leave, jury duty, overtime pay, voting time, workers' compensation, and leave as required by the federal Family and Medical Leave Act and Minnesota Statutes, sections 181.940 to 181.944, provided to workers in a long-term employment program as provided to the nonexempt, full-time staff under applicable laws and personnel policies.~~ "Nonexempt" has the meaning given it in the federal Fair Labor Standards Act of 1938, as amended. However, in no event will the participants workers be entitled annually to less than five days of paid vacation, five days of paid sick leave, and five paid holidays.

Subp. 15. **Grievance.** "Grievance" means a claim or complaint brought by a participant worker in a long-term employment program or a representative of the participant worker involving the interpretation or application of written personnel policies or other written expression of the terms and conditions of employment.

Subp. 16. **Long-term employment program.** "Long-term employment program" means a program which provides paid work to participants workers on the premises of a rehabilitation facility and service hours to participants workers on or off the premises, ~~and is distinguished from work activity in the federal Fair Labor Standards Act of 1938, as amended.~~

Subp. 18. **Net program costs.** "Net program costs" means the total direct and indirect costs calculated for each extended employment program less the dollar amount of wages paid to participants workers in each program and the dollar amount incurred for production supplies in each program.

Subp. 19. **Nonemployment income.** "Nonemployment income" means regular income that is received by the participant from human services programs or other legally obligated sources.

Subp. 20. **Number of hours worked.** "Number of hours worked" means the hours for which a participant worker receives pay for performing work, including hours of paid holidays and paid sick, vacation, and other leave, but not including service hours as defined in subpart 30.

Subp. 21. **Opportunities for participants workers to participate in decisions affecting their employment.** "Opportunities for participants workers to participate in decisions affecting their employment" means organized activities sponsored by the rehabilitation facility to encourage participants workers' participation in decisions affecting their employment and must include the following:

- A. participant worker representation on safety committees in rehabilitation facilities;
- B. at least quarterly meetings where participants workers may discuss with staff matters of concern affecting their employment; and
- C. at least semiannual consultation with participants workers' representatives at management staff meetings.

Subp. 22. **Participant.** "Participant" means a person with severe physical, mental, emotional, or behavioral disabilities who receives one or more days of service or paid work in an extended employment program during a reporting period.

Subp. 22a. **Participant productivity.** "Participant productivity" means the extent to which a participant is using his or her own current capacity for work in an extended employment program.

Subp. 23. **Placement.** "Placement" means an offer by an employer and acceptance by a participant worker of competitive employment after a written plan has been developed which specifies the number of hours per week of employment and the provision of services reasonably expected to assure continued employment or work.

Subp. 24. **Program efficiency.** "Program efficiency" means a measurement of the cost of providing a combination of paid work and service hours to program participants workers in the reporting period. The cost per hour rate results when the allocation for the extended employment program in the reporting period is divided by the combined total of the sum of the number of hours worked by program participants workers and the sum of the number of service hours provided to program participants workers in the reporting period. The mathematical calculation is represented as follows:

$$\frac{\text{Program allocation}}{\text{Total hours worked and service hours provided}} = \text{Program efficiency}$$

Subp. 25. **Rate of placement in competitive employment.** "Rate of placement in competitive employment" means a ratio in which the numerator is the sum of the disability index conversion scores of all ~~participants~~ workers placed in competitive employment during a reporting period and in which the denominator is the total unduplicated number of ~~participants~~ workers in all extended employment programs offered by a rehabilitation facility during that reporting period. ~~Participants not counted are described in part 3300.2450, subpart 1.~~ The mathematical formula for the calculation is represented as follows:

$$\frac{\text{Sum of disability index conversion scores of } \del{participants} \u{workers} \text{ placed in competitive employment}}{\text{Total unduplicated number of } \del{participants} \u{workers} \text{ in all extended employment programs}} = \text{Rate of placement in competitive employment}$$

Subp. 26. **Rate of retention in competitive employment.** "Rate of retention in competitive employment" means a ratio in which the numerator is the sum of the disability index conversion scores of ~~participants~~ workers for each extended employment program who were placed during the previous reporting period and who continued in competitive employment one year or more and in which the denominator is the total unduplicated number of ~~participants~~ workers in all extended employment programs in the previous reporting period. ~~Participants not counted are described in part 3300.2450, subpart 1.~~ The mathematical formula is represented as follows:

$$\frac{\text{Sum of disability index conversion scores for all } \del{participants} \u{workers} \text{ placed in competitive employment during the previous reporting period who were employed } \del{twelve} \u{12} \text{ months or more}}{\text{Total unduplicated number of } \del{participants} \u{workers} \text{ in all extended employment programs in the previous reporting period}} = \text{Rate of retention in competitive employment}$$

Subp. 27. **Rate of transfer to long-term employment.** "Rate of transfer to long-term employment" means a rate derived from a calculation for the work activity program and the work component program in which the numerator is the sum of the disability index conversion scores of the participants who were transferred to long-term employment during the reporting period and in which the denominator is the total unduplicated number of participants of the work activity and work component programs of the rehabilitation facility during the reporting period. The mathematical formula for the calculation is represented as follows:

$$\frac{\text{Sum of the disability index conversion scores for } \del{participants} \u{workers} \text{ transferred to long-term employment in the reporting period}}{\text{Total unduplicated number of } \del{participants} \u{workers} \text{ of the work activity and work component programs in the reporting period}} = \text{Rate of transfer to long-term employment}$$

Subp. 28. **Rate of work and service in community based supported employment.** "Rate of work and service in ~~community based supported~~ supported employment" means a ratio in which the numerator is the sum in all extended employment programs of each ~~participant's~~ worker's number of hours worked and paid service hours provided in ~~community based supported~~ supported settings multiplied by each ~~participant's~~ worker's disability index conversion score and in which the denominator is the total number of hours of work and paid service hours provided in all extended employment programs offered by a rehabilitation facility. ~~Participants not counted are described in part 3300.2450, subpart 1.~~ The mathematical formula for the calculation is represented as follows:

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Number of hours worked and paid service hours provided in ~~community based supported~~ employment multiplied by each ~~participant's~~ worker's disability index conversion score

Rate of work and service
= in ~~community based supported~~ employment

Total number of hours worked and paid service hours provided in all extended employment programs

Subp. 28a. Reconciliation period. "Reconciliation period" means a cycle of three consecutive fiscal years, consisting of:

A. the first year of the cycle, during which allocations for that fiscal year are made and data are produced and reported;

B. the second year of the cycle, during which the reported data produced during the first year are audited by the Division of Rehabilitation Services; and

C. the third year of the cycle, in which adjustments, if any, are made to the allocations for the third year of the cycle resulting from reconciliations under part 3300.2550, subpart 7.

An example of a reconciliation period is: in fiscal year 1995, allocations are made and data are produced and reported; in fiscal year 1996, the data reported for fiscal year 1995 are audited; in fiscal year 1997, the adjustments, if any, to allocations for fiscal year 1997 are made based on the reconciliation of data produced in fiscal year 1995.

Subp. 28a- 28b. Rehabilitation facility. "Rehabilitation facility" means any entity as defined in *Minnesota Statutes*, section 129A.01, subdivision 6, that provides one of the extended employment programs as listed in subpart 11, and that is operated by a city, town, county, nonprofit organization, state regional center, or any combination of these.

Subp. 29. Responsiveness to grievances. "Responsiveness to grievances" means that (1) a grievance resolution procedure has been implemented with binding arbitration as its final step, (2) education and training of ~~participants~~ workers in the use of the procedure has occurred, (3) the procedure has accommodated ~~participants' workers'~~ disabling conditions, and (4) the grievances have been responded to ~~in accordance with the~~ according to approved procedure.

Subp. 30. Service hours. "Service hours" means the hours of service which an extended employment program provides to ~~participants~~ workers to maximize their vocational potential, whether paid or unpaid, which are recognized as an expense incurred by the program. Service hours may be provided either on or off the premises of a rehabilitation facility. Each of the following categories qualifies as hours of service:

- A. money management training;
- B. training in independent living skills;
- C. ~~utilization~~ use of public transportation training and drivers training;
- D. training in grooming and personal care skills;
- E. training in job seeking skills;
- F. job and safety training;
- G. coordination of support services;
- H. behavioral management;
- I. sign language training;
- J. social skill training;
- K. simulated work training; and
- L. orientation, mobility, braille, and electronic communications training.

Subp. 31a. Supported employment program. "Supported employment program" means a program, as defined in Minnesota Statutes, section 268A.01, subdivision 11, which:

A. is under the supervision of a rehabilitation facility that provides supported employment as defined in Minnesota Statutes, section 268A.01, subdivision 13;

B. provides workers with the opportunity for social interaction with individuals who do not have disabilities and who are not paid caregivers;

C. provides ongoing support services to workers as defined by Code of Federal Regulations, title 34, section 363.6, paragraphs (c)(2)(iv), (c)(2)(v), and (c)(3); and

D. provides full-time employment, unless work of less than 30 hours per week is determined to be appropriate due to the availability of work opportunities or other individual circumstances.

Subp. 33. **Work activity program.** “Work activity program” means a program within the meaning of Minnesota Statutes, section 129A.01, paragraph (f) and which complies with state and federal law, including the federal Fair Labor Standards Act of 1938, as amended, which provides paid work and other services and which permits a level of production below that required for a long-term employment program.

Subp. 34. **Work component program.** “Work component program” means a cooperative effort agreed to between a rehabilitation facility for a long-term employment or a work activity program and a developmental achievement center licensed by the Minnesota Department of Human Services or other facility to provide a work activity program on a limited scale designed so that the primary responsibility over vocational outcomes will be vested in the long-term employment or work activity program.

Subp. 35. **Worker.** “Worker” means a person with severe physical, mental, emotional, or behavioral disabilities who receives one or more days of service or paid work in an extended employment program during a reporting period.

Subp. 36. **Worker productivity.** “Worker productivity” means the extent to which a worker is using the worker’s own current capacity for work in an extended employment program.

3300.2150 CERTIFICATION REQUIREMENTS AND TYPES OF CERTIFICATES.

Subpart 1. **Scope.** The requirements in this part govern the operation of any extended employment program engaged in, or seeking to engage in, the programs listed in part 3300.2050, subpart 11. Program certification as evidenced by a valid rehabilitation facility certificate is required before the commissioner may provide funding for an extended employment program.

Subp. 2. **Full certificate.** Requirements for a full rehabilitation facility certificate are the following:

A. The membership of the rehabilitation facility’s governing body must comply with the requirements of *Minnesota Statutes*, section 129A.07.

B. Accreditation by a national accrediting body for rehabilitation facilities must be acquired and maintained by a rehabilitation facility in order for an extended employment program to be certified. For each program seeking certification, the accrediting body must have been approved by the commissioner as appropriate for each program. The criteria the commissioner will use in determining appropriateness for accrediting bodies is:

(1) The accrediting agency is national in the scope of its operations.

(2) The accrediting agency performs no function that would be inconsistent with the formation of independent judgment of the quality of a program.

(3) The accrediting agency makes available to the public the standards and criteria it uses for accreditation purposes, makes regular reports of its operations, and lists the facilities it has accredited.

(4) The agency uses an on-site examination as a basis for securing sufficient and pertinent data concerning the quantitative and qualitative aspects of the program.

(5) The accrediting agency has an adequate organization and effective procedures to maintain its operations on an ethical basis.

(6) The agency reviews at regular intervals the standards and criteria by which it evaluates facilities.

(7) The accrediting agency has had enough experience to indicate its competence to do the job it sets out to do.

C. Each rehabilitation facility must have a risk protection program adequate to preserve its assets and to compensate its staff, volunteers, ~~participants~~ workers, and the public for reasonable claims for which the entity is liable.

D. Fundraising activities undertaken by a rehabilitation facility must conform to all requirements of state law.

E. ~~When a work component program takes place in a developmental achievement center, the developmental achievement center must be licensed by the Minnesota Department of Human Services. When a work component program takes place in another~~

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

~~type of facility the facility must meet applicable licensing or regulatory requirements~~ Each rehabilitation facility must comply with United States Code, title 42, sections 12101 to 12213, of the Americans with Disabilities Act.

F. Each rehabilitation facility must comply with the Employee Right to Know Act of 1983 (~~Laws of Minnesota 1983, chapter 316~~), Minnesota Statutes, chapter 182, and chapter 55 of the Minnesota Uniform State Building Code, chapter 1340.

G. Each rehabilitation facility or extended employment program must comply with all applicable regulations of the Minnesota Department of Labor and Industry and the United States Department of Labor.

H. Each extended employment program must be in compliance with ~~the requirements of~~ other applicable state law and federal laws.

I. Eligibility for extended employment programs must be established by rehabilitation facilities using appropriate standards and criteria. The standards and criteria must be in writing and be made available to the public. The standards and criteria by which persons with severe disabilities are to be determined eligible for participation in each program must include the following:

(1) assurances that persons with severe disabilities, including those with severe behavioral disabilities, will not be categorically denied access to, admission to, full ~~utilization use of,~~ or benefit from any extended employment program because of their severe disabilities;

(2) assurances that persons with severe disabilities seeking admission are in need of participation in an extended employment program and are reasonably expected to develop their vocational potential through participation; and

(3) assurances that persons with severe disabilities seeking admission to or being served by an extended employment program will not be discriminated against as provided in the Minnesota Human Rights Act, Minnesota Statutes, chapter 363.

J. Each extended employment program, even if statutorily exempt, must develop and implement an affirmative action plan for the employment of minority persons, women, and persons with disabilities that has been approved by the commissioner of the Department of Human Rights.

K. Each rehabilitation facility must provide its long-term employment program ~~must provide participants workers~~ with fundamental personnel benefits as defined in part 3300.2050, subpart 14, with a procedure for resolution of grievances which has binding arbitration as a final step and provides responsiveness to grievances as defined in part 3300.2050, subpart 29, and with opportunities for ~~participants workers~~ to participate in decisions affecting their employment as defined in part 3300.2050, subpart 21.

L. Each rehabilitation facility must comply with the requirements of United States Code, title 29, sections 2601 to 2635, the Family and Medical Leave Act of 1993, and Minnesota Statutes, sections 181.940 to 181.943.

M. Each rehabilitation facility must provide time off to vote in accordance with Minnesota Statutes, section 204C.04.

N. Each rehabilitation facility must provide leave for jury duty as provided by United States Code, title 28, section 1875, and Minnesota Statutes, section 593.50.

O. Each rehabilitation facility must comply with the applicable overtime pay provisions of the federal Fair Labor Standards Act, United States Code, title 29, section 207, and Minnesota Statutes, section 177.25, the Minnesota Fair Labor Standards Act.

P. Each rehabilitation facility must comply with the requirements for military leave and reinstatement in employment as provided by United States Code, title 38, chapter 43, sections 2021 and 2024, and Minnesota Statutes, section 192.261, subdivision 6.

Subp. 3. **Provisional certificate.** A provisional rehabilitation facility certificate may be issued to new entities for new extended employment programs or to existing rehabilitation facilities for expanded programs for a specified period of time, not to exceed 18 months. In order to obtain a provisional certificate, all new or expanded extended employment programs covered by the certificate must be in full compliance with all the requirements of subpart 2, except item B. However, the extended employment programs must demonstrate that there is a reasonable likelihood that the programs will meet the requirements in subpart 2, item B, within 18 months. If at the end of the 18-month period all of the programs covered by the provisional certificate have not met the requirements in subpart 2, item B, or are no longer meeting any of the other requirements of subpart 2, the commissioner will not issue a full rehabilitation facility certificate for the programs. However, a rehabilitation facility has the option of removing any noncomplying program from consideration for inclusion under a full certificate. Denial of a full certificate under this subpart means the termination of program certification as provided in part 3300.2250, subpart 7, for all the programs covered by the provisional certificate.

Subp. 4. **Probationary certification status.** The commissioner may place on probationary certification status any extended employment program that has previously been fully certified where the program no longer completely meets any of the certification requirements in subpart 2, item A, or B, ~~or C~~ is not fully complying with the applicable nonquantifiable factors in part 3300.2350, subpart 2. If the program is not complying with subpart 2, items A to C, through no fault of its own, it may request instead that its full certificate be extended as provided in subpart 5. Probationary certification status permits a noncomplying program to continue to receive state funding. To qualify for probationary certification status, the rehabilitation facility must first submit a written plan

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of Minnetonka for a variance from State Aid requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Minnetonka City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on M.S.A.S. 137 (Highland Road) from Highland Place to Crown Drive in Minnetonka.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit vertical curves of 25 mph; in lieu of the required 30 mph minimum design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of St. Louis Park for a variance from State Aid requirements for PRELIMINARY ENGINEERING COSTS IN EXCESS OF ALLOWABLE AMOUNT

NOTICE IS HEREBY GIVEN that the City Council of the City of St. Louis Park has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the completed construction project on MSAS 280 (Yosemite Avenue/Brookside Avenue) over Minnehaha Creek in St. Louis Park.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.1500 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit the City to expend Municipal State Aid funds for preliminary engineering costs of \$7,816.91, which is in excess of the allowable 10% of eligible costs.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of Elk River for a variance from State Aid requirements for USE OF MUNICIPAL TURNBACK FUNDS

NOTICE IS HEREBY GIVEN that the City Council of the City of Elk River has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the construction project on M.S.A.S. 104 (Jackson Avenue) from School Street to T.H. No. 169 in Elk River.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2900 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit the City to expend Municipal State Aid Turnback funds for the construction project on Jackson Avenue from School Street to Trunk Highway No. 169 in Elk River, in lieu of the required use of Municipal Turnback funds prior to completion of any reconstruction project on the Municipal State Aid Street.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of South St. Paul for a variance from State Aid requirements for REIMBURSEMENT OF PROJECT COSTS AFTER-THE-FACT

NOTICE IS HEREBY GIVEN that the City Council of the City of South St. Paul has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the completed construction project on MSAS 109 and other various Municipal State Aid Streets in South St. Paul, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit the City to expend Municipal State Aid funds for eligible project costs for the reconstruction of pedestrian ramps on MSAS 109 and other various Municipal State Aid Streets, for which no plan was approved by the State Aid Engineer prior to construction of the project, in lieu of the required plan approval before award of contract.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the Murray County for a variance from State Aid requirements for BRIDGE WIDTH

NOTICE IS HEREBY GIVEN that the Murray County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on CSAH 29, between the North Limits of Hadley and County State Aid Highway No. 12.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit Bridge No. 51501 to remain with an in-place curb-to-curb width of 26.2 feet and an inventory load rating of H-10.8, in lieu of the required 28 foot minimum width and H-15 load rating for an in-place bridge remaining within a reconstruction project.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the Sibley County for a variance from State Aid requirements for BRIDGE WIDTH

NOTICE IS HEREBY GIVEN that the Sibley County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed grading project on CSAH 8, between CSAH 17 and 1.0 mile west of Trunk Highway No. 169.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit the rehabilitation of Bridge No. 6641 to a curb-to-curb width of 30 feet, in lieu of the required 44 foot minimum for a rehabilitated bridge within a reconstruction project.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of Moorhead for a variance from State Aid requirements for REIMBURSEMENT OF PROJECT COSTS AFTER-THE-FACT

NOTICE IS HEREBY GIVEN that the City Council of the City of Moorhead has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the completed construction project on Southeast Main Avenue (formerly Trunk Highway 231) at the I-94 bridge in Moorhead.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit the City to expend State Aid Off-System funds for the City's share of the costs of the bridge and bike path construction and other associated construction performed within the corporate City limits upon and along County State Aid Highway No. 52 (Southeast Main Avenue) from a point 300 feet north of Bridge No. 9478 to a point 500 feet south of Bridge No. 9478, for which no plan was approved by the State Aid Engineer prior to construction of the project, in lieu of the required plan approval prior to award of contract.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 3 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of Jackson County for a variance from State Aid requirements for DESIGN STANDARDS

NOTICE IS HEREBY GIVEN that the Jackson County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on CSAH 14, from approximately two miles from the Northwest Corner Section 22, Township 102N, Range 35W going East to the West City Limits of the Town of Jackson, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 6 foot shoulder width and 2:1 inslope, in lieu of the required 8 foot shoulder width and 4:1 inslope.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of Cass County for a variance from State Aid requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Cass County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed resurfacing project on County State Aid Highway No. 17, from County State Aid Highway No. 1 to the East County Line.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9925, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit one 30 mph horizontal curve, one 35 mph vertical curve and one 38 mph vertical curve; in lieu of the required 40 mph design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of Chippewa County for a variance from State Aid requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Chippewa County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on County State Aid Highway No. 9, adjacent to and in the Municipality of Watson, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit one 27 mph horizontal curve, one 34 mph horizontal curve, and one 37 mph sag vertical curve, in lieu of the required 40 mph minimum design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of Renville County for a variance from State Aid requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Renville County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on County State Aid Highway No. 8, between Buffalo Lake and County State Aid Highway No. 11.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9925, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit one 37 mph sag vertical curve, in lieu of the required 40 mph minimum design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of Steele County for a variance from State Aid requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Steele County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on County State Aid Highway No. 12, from the East City Limits of Medford to County State Aid Highway No. 13.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9910, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit one 30 mph sag vertical curve approximately 30 feet east of a railroad grade crossing at the East Limits of Medford, in lieu of the required 40 mph minimum design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of Stearns County for a variance from State Aid requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Stearns County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on County State Aid Highway No. 52, from County State Aid Highway No. 9 to County State Aid Highway No. 3.

Official Notices

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9925, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit one 39 mph vertical curve and five 38 mph vertical curves, in lieu of the required 40 mph minimum design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of Stearns County for a variance from State Aid requirements for AFTER-THE-FACT PLAN APPROVAL

NOTICE IS HEREBY GIVEN that the Stearns County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to construction of a traffic signal system on County State Aid Highway Nos. 1 and 78 in the City of Sartell.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit plan approval after award of contract, in lieu of the required State Aid plan approval prior to award of contract on the signal system project at the intersection of County State Aid Highway Nos. 1 and 78 in the City of Sartell.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of Cambridge for a variance from State Aid requirements for BRIDGE WIDTH

NOTICE IS HEREBY GIVEN that the Cambridge City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on M.S.A.S. 105 (Second Avenue Southwest) between County Road 70 and Fern Street in Cambridge.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit Bridge No. 3722 to remain with an in-place curb-to-curb width of 23.7 feet, in lieu of the required 26 foot minimum width for an in-place bridge remaining within a reconstruction project.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of Kandiyohi County for a variance from State Aid requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Kandiyohi County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on County State Aid Highway No. 30, between County State Aid Highway No. 10 (Agnes Street) in Spicer to County Road No. 144.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit one 25 mph horizontal curve, in lieu of the required 30 mph minimum design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Department of Transportation

Petition of the City of Columbia Heights for a variance from State Aid requirements for AFTER-THE-FACT PLAN APPROVAL

NOTICE IS HEREBY GIVEN that the City Council of the City of Columbia Heights has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to construction projects on Trunk Highway No. 47 (University Avenue Northeast) at M.S.A.S. 101 (37th Avenue Northeast); M.S.A.S. 104 (44th Avenue Northeast); and at M.S.A.S. 118 (53rd Avenue Northeast) in Columbia Heights.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit plan approval after award of contract, in lieu of the required State Aid plan approval prior to award of contract on the T.H. No. 47 signal project at 37th Avenue Northeast, 44th Avenue Northeast and at 53rd Avenue Northeast in Columbia Heights.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 2 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local
Transportation

Professional, Technical & Consulting Contracts

Department of Transportation

Petition of the City of Minneapolis for a variance from State Aid Administration requirements for RELEASE OF CONSTRUCTION FUNDS

NOTICE IS HEREBY GIVEN that the City Council of the City of Minneapolis has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 from requirements for release of 95% of Municipal State Aid construction funds for force account work on the following projects: S.A.P. 141-286-01 (Groveland Avenue) between Lyndale Avenue North and the North Service Road of I-94; S.A.P. 141-312-02 (Dunwoody Boulevard\Wayzata Boulevard) between I-394 and Hennepin Avenue; S.A.P. 141-313-05 (Hennepin Avenue) between Harmon Place and 16th Street South; S.A.P. 141-342-03 (Lyndale Avenue North Paving) between West Broadway Avenue and Lowry Avenue North; S.A.P. 141-342-04 (Lyndale Avenue North Signals) between West Broadway Avenue and 41st Avenue North; and S.A.P. 141-342-05 (Lyndale Avenue North Paving) between Lowry Avenue North and 41st Avenue North.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.1500 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit the release of 95% of the state aid eligible cost of the above projects upon receipt of an amendment to the force account agreement specifying that work will commence within 30 days, instead of upon receipt of partial or final estimates based on work completed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local Transportation

Professional, Technical & Consulting Contracts

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

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

Department of Administration

Division of State Building Construction

Notice of Requests for Professional Services of Architects, Engineers, Landscape Architects, Professional Testers and Programmers and Designers

1) Contracts Available for Architects, Engineers and Landscape Architects

The Department of Administration (Admin) intends to retain the services of qualified professionally registered architects, engineers, and landscape architects to design, prepare construction drawings and monitor construction of a number of projects during the year commencing July 1, 1994. These projects will be varied in nature and scope and will involve new construction, remodeling projects and facility studies. The total cost of construction or remodeling projects will be less than \$750,000.00 and the fees associated with facility studies will be less than \$60,000.00. Particular emphasis will be placed on the background and experience of the firm on similar projects as well as the firm's geographic proximity to the project.

Professional, Technical & Consulting Contracts

Firms wishing to be considered for these projects are asked to submit a short brochure or resume consisting of no more than 10 pages giving qualifications and experience of the firm. Qualified applicants will be contacted as the need arises and may be requested to appear in St. Paul for an interview. Firms which responded during the past year need only respond with a letter indicating continued interest as well as significant organization and experience changes since submission of their last brochure.

In submitting their brochures or resumes, firms shall indicate the area or areas shown below in which they possess qualifications.

- | | |
|------------------------------------|-------------------------------------|
| 1) Research and Programming | 10) Exhibition and Display |
| 2) Educational | 11) Landscape and Site Planning |
| 3) Health and Medical | 12) Interiors |
| 4) Correctional | 13) Water and Waste Facilities |
| 5) Restoration | 14) Energy Supply and Distribution |
| 6) Office and Administration | 15) Pollution Control |
| 7) Recreational | 16) Acoustics |
| 8) Service and Industrial | 17) Hazardous Substance Disposition |
| 9) Arts, including Performing Arts | |

In some cases, Admin may enter into annual contracts for investigative studies. These contracts will be prepared on the basis of the needs of Admin.

The names of firms responding will be provided to other agencies of the State and political subdivisions thereof having a need for the services described herein.

Names of qualified firms will be retained on file with Admin until June 30, 1995.

Designers for projects with estimated costs or fees in excess of those shown above will be selected by the State Designer Selection Board. Projects referred to the Board will be advertised in the *State Register*.

2) Contracts Available for Registered Professional and Technical Services.

The Department of Administration (Admin) intends to retain the services of qualified professionally registered individuals and firms to conduct site surveys, materials testing, soil borings and tests, and facility investigations. These projects will be varied in nature and scope. The fees associated with these projects will generally be in the \$3,000.00-\$5,000.00 range, although the fees for some projects may exceed this amount.

As projects arise, it is the intention of Admin to contact firms who have expressed an interest in providing such services to the State. The final selection will be made on the basis of the background and experience of the firm, the geographic proximity of the firm to the project site, and an estimate of the fees to be charged for the specific project, and the ability to meet given time frames.

Firms wishing to be considered for these projects are asked to submit a short brochure or resume consisting of no more than 10 pages outlining their background, qualifications, and fields of expertise.

Qualified applicants will be contacted as the need arises and may be requested to appear in St. Paul for an interview.

Firms which have previously responded to this request need only provide a letter expressing continued interest as well as significant organization and experience changes since submission of their last brochure.

Names of qualified firms will be retained on file with Admin until December 31, 1994. Names of firms will be provided to other agencies of the State and political subdivisions thereof having a need for the services described herein.

3) Contracts for Programming and Designing Furnishing Layouts for Public Facilities

The Department of Administration (Admin) intends to retain the services of qualified independent interior designers to program and design furnishing layouts for State facilities, both owned and leased, as well as for political subdivisions through December 31, 1997. These projects would be varied in scope; however, in no case will the fees for an individual project exceed \$35,000.00.

Firms wishing to be considered for these projects are asked to submit a brochure or resume outlining the following information:

1. Name, address, and contact person for the firm;
2. The number of staff involved in interior design and their classifications;
3. Whether the firm has CAAD capabilities;
4. A listing of the number of interior design projects in the past three years in each of the following categories:

Professional, Technical & Consulting Contracts

to 5000 square feet
5001 to 10000 square feet
10001 to 15000 square feet
15001 + square feet

5. A listing of the firms past 10 projects indicating date completed and square footage.
6. An indication of the lines of modular furnishings with which the firm has familiarity.

Designers' Services and Responsibilities Will Include the Following Tasks:

1. Interview key personnel and survey existing facilities to collect programming data.
2. Inventory existing equipment and systems furnishings to be reused.
3. Develop prototype workstations.
4. Develop furnishings budget.
5. Prepare (as each individual project requires) space plans and/or furniture, modular furniture and related equipment layouts for Agency approval.
6. Investigate existing conditions and make all necessary field verifications and should they occur, resulting changes to plans.
7. Develop color and finishes for systems furnishings to coordinate with building finishes.
8. Prepare written specifications where applicable for all new furniture, new or refurbished.
9. Prepare a preliminary list cost estimate for all new modular furniture.
10. Based on the approved design, the Designer shall prepare for the Agency's approval, documents consisting of drawings, specifications indicating quantity, product number, description, and list price, and any other document(s) necessary to describe the quantity and the placement of the furnishings and related equipment. The modular furniture will require the following:
 - a. Panel plan(s) to indicate panel height, width, finish information, panel type (i.e.; acoustical, fabric wrapped, powered, etc.) and critical dimensions.
 - b. Electrical plan(s) to indicate dimensioned location of power entry points where panel system interfaces with building power and type of power entry (i.e.; power pole, base power entry, etc.). The plan must indicate the number, location and type of duplex receptacles to be used, and must also locate all voice and data locations.
 - c. Component plan(s) to indicate size, type, finish information, and any instructions necessary for complete installation (i.e.; install heights, special conditions, etc.).
 - d. Reconfiguration plan(s) shall be developed when existing modular furniture is to be reused in a new floor plan(s), and when reconfigured in phases the phases must be indicated on the floor plan(s).
11. Documents shall be prepared to include, but not limited to:
 - a. Floor plans showing functional relationships between work units.
 - b. Floor plans indicating furniture types and arrangements.
 - c. Furniture specifications.
 - d. Furniture/furnishings installation schedule, including critical dimensions.
12. Prepare move documents indicating the location of all existing furniture to be reused and any special instructions necessary for moving and placement of existing furnishings. Where existing modular furniture is to be reused, a list must be provided to installers indicating existing product to be reused, excess existing product, and new product required. If the reconfiguration is to be completed in phases the list must be broken down into their respective phases.
13. Review with the Dealer/Manufacturer the schedules for delivery and installation of the modular furniture. The Designer shall not be held responsible for any malfeasance, neglect or failure of the supplier or installer to meet completion schedules or to perform respective duties and responsibilities.
14. All interpretations necessary for the installation of those portions of the work where the Designer is responsible, shall be supplied by the Designer.
15. Review and respond to the suppliers submittals of shop drawings, product data, samples, etc., but only for those portions of the design for which the Designer is responsible, and for conformance only with the information given in the documents. The Designer's review of shop drawings, product data and samples shall not relieve the Agency and its suppliers and/or installers of

which has been approved by the commissioner and which will bring the program into compliance with the certification requirements or the nonquantifiable factors or both within a reasonable time. If the program is not in full compliance within the time specified by a written plan, certification for the program will be terminated as provided in part 3300.2250, subpart 7. Probationary certification status for one program does not affect program certification for any other complying programs under a full certificate.

Subp. 5. Extension of certificate. Upon written request of any rehabilitation facility, the commissioner may grant an extension of a certificate beyond the certificate's expiration date. The extension may not exceed one year and no consecutive extensions of a certificate may be granted. A request for an extension should normally be made before the certificate's expiration date. The commissioner may grant an extension if the commissioner finds that a program, through no fault of its own, no longer completely meets any of the certification requirements in subpart 2, item A or B, because:

A. a natural disaster such as a tornado or a flood, or a material change in circumstances such as a labor strike or the loss of a building lease, has adversely affected or completely halted program operations; or

B. convincing evidence is submitted showing that the national accrediting body responsible for accreditation cannot schedule a timely review.

3300.2250 CERTIFICATION PROCEDURE.

Subpart 1. **Purpose.** The purpose of certification is to ensure that all extended employment programs meet minimum requirements for operation.

Subp. 2. **Subminimum wage payments.** A rehabilitation facility certificate issued under the certification procedure provided by this part does not replace or modify any certificates issued by the United States Department of Labor or the Minnesota Department of Labor and Industry for purposes of subminimum wage payments.

Subp. 3. **Single certificate.** A single rehabilitation facility certificate will be issued to a rehabilitation facility, and the certificate will specify the type and location of all approved programs. Entities seeking a certificate, including a provisional certificate as provided in part 3300.2150, subpart 3, must complete an official application form available from the Division of Rehabilitation Services in the Minnesota Department of Jobs and Training.

~~Subp. 4. **Responsible organization.** When an extended employment program other than a community based employment program is operated cooperatively with a separate entity, the rehabilitation facility certificate will be held by either the extended employment program or the entity whichever meets the requirements of part 3300.2150 and is responsible for payment of wages.~~

Subp. 5. **Time limitation.** A rehabilitation facility certificate may not be issued for more than three years unless an extension is granted as provided in part 3300.2150, subpart 5.

Subp. 6. **Additional programs under certificate.** Programs may be added under a rehabilitation facility certificate. However, any additional program must fully comply with all the requirements of part 3300.2150, subpart 2. Once an additional program has met all applicable requirements and is accepted for state funding, the rehabilitation facility certificate must be amended to reflect its inclusion and to specify the type and location of the approved program.

Subp. 7. **Termination of program certification.** Certification for programs not complying with the requirements of part 3300.2150 will be terminated and allocated state funds will be withdrawn as provided in part 3300.2650. The withdrawal of state funds creates the right of appeal as provided in part 3300.2650, subpart 3. Once a program's certification has been terminated and any right of appeal has been exhausted, the rehabilitation facility certificate must be amended to show the termination. Termination of program certification occurs where:

A. a program covered by a full certificate no longer meets all of the requirements of part 3300.2150, subpart 2; or

B. one or more of the programs covered by a provisional certificate is not successfully brought into compliance as provided in part 3300.2150, subpart 3, resulting in termination of certification for all the programs covered by the certificate; or

C. a program in probationary certification status is not successfully brought into compliance as provided in part 3300.2150, subpart 4.

3300.2350 STANDARDS FOR STATE FUNDING.

Subpart 1. **Evaluation factors in general.** After fulfilling the certification requirements of part 3300.2150 and submitting approved plans and budgets as provided in *Minnesota Statutes*, section 129A.08, subdivision 2, extended employment programs are

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eligible to receive state funding. Funding of extended employment programs by the commissioner must take into consideration an evaluation of individual program effectiveness. The evaluation factors to be considered are the following:

- A. the disability adjusted average hourly earnings paid to participants workers as defined in part 3300.2050, subpart 6;
- B. the fundamental personnel benefits provided to long-term employment program participants;
- C. the rate of retention in competitive employment;
- D. the rate of placement in competitive employment as defined in part 3300.2050, subpart 4;
- E. C. the rate of work and service in community based supported employment as defined in part 3300.2050, subpart 31a;
- F. the opportunities for participants to contribute to decisions affecting their employment;
- G. the responsiveness to grievances of long-term employment program participants;
- H. the increases in participant productivity;
- I. D. the rate of retention in competitive employment as defined in part 3300.2050, subpart 26;
- E. program efficiency as defined in part 3300.2050, subpart 24;
- J. E. the disability levels, as defined in part 3300.2050, subpart 9, of the participants workers served, as measured by the average of their disability index conversion scores as defined in part 3300.2050, subpart 8;
- K. G. economic conditions as defined in part 3300.2050, subpart 10; and
- L. the rate of transfer to long-term employment.
- H. whether or not fundamental personnel benefits, as defined in part 3300.2050, subpart 14, are provided to long-term employment program workers;
- I. whether or not opportunities for workers to participate in decisions affecting their employment, as defined in part 3300.2050, subpart 21, are provided;
- I. whether or not the responsiveness to grievances, as defined in part 3300.2050, subpart 29, of long-term employment program workers is adequate; and
- K. the increases in worker productivity as defined in part 3300.2050, subpart 36.

Subp. 2. **Nonquantifiable evaluation factors.** Before an individual program offered by a rehabilitation facility, except a new or expanded program as provided in subpart 6, may receive state funding under part 3300.2550, the individual program must be in full compliance with the nonquantifiable evaluation factors listed in subpart 1, items B, F, G, and H to K. An individual program, except a new or expanded program as provided in subpart 6, must remain in full compliance with the nonquantifiable evaluation factors during the reporting period as established by audit or have all allocated funds withdrawn as authorized by part 3300.2650, item C the program will be placed on probationary certification status as provided in part 3300.2150, subpart 4.

Subp. 3. **Quantifiable evaluation factors.** The quantifiable evaluation factors are listed in subpart 1, items A, C, D, E, I, J, and L to G. The quantifiable evaluation factors applicable to a long-term employment program and a community based employment program are those at subpart 1, items A, C, D, E, I, and J. The quantifiable evaluation factors applicable to a work activity program and a work component program are listed in subpart 1, items A, C, D, E, I, J, and L. An individual program, except a new or expanded program as provided in subpart 6, must attain the applicable minimum standard as provided in subpart 4 or have all allocated funds withdrawn as authorized by part 3300.2650, item D.

Subp. 4. **Minimum standard for quantifiable evaluation factors.** A program will fail to meet minimum standards when its performance on quantifiable evaluation factors appropriate to the program averages more than one half of one standard deviation below the mean or in the bottom 31 percent compared with similar programs. The minimum standard is one half of one standard deviation below the mean on a scale which averages the conversion point scales for the quantifiable evaluation factors. A new or expanded program is exempt from attaining the applicable minimum standard during its initial two years of operation as described in subpart 6.

Subp. 5. **Audit and allocation adjustments.** Before the end of each state fiscal year, Using generally accepted auditing standards, the Division of Rehabilitation Services will assess each individual program at least once on its effectiveness as measured by all the both:

- A. a comparison of reported and actual data attributable to the quantifiable evaluation factors listed in subpart 1, the number of FTEs, the FAI data, and the nonemployment income data items A to D; and
- B. a comparison of reported and actual FTEs, and hours of work.

The audit of data from quantifiable evaluation factors will be conducted each fiscal year and will cover the previous 12-month

period. The applicable audited figures from the evaluation factors listed in subpart 1, items A to D, and the audited number of FTEs FAI data will be used to adjust allocations as found in part 3300.2550, subpart 7 6. If the total disability indexes resulting from the audited FAI and nonemployment income data vary more than ten percent plus or minus from disability indexes calculated by each individual program, the audited data will be used as the basis to adjust allocations as found in part 3300.2550, subpart 7. If the results of an audit reveal that an individual program, except a new or expanded program as provided in subpart 6, is not fully complying with the nonquantifiable factors in subpart 2, allocated funds will be withdrawn as authorized by part 3300.2650, item C. If the results of an audit reveal that an individual program, except a new or expanded program as provided in subpart 6, has not attained the applicable minimum standard as described in subpart 4, the individual program will be placed on funding probation. After two continuous years on funding probation as established by audit, the individual program must attain the applicable minimum standard by the end of the following year or have all allocated funds withdrawn as authorized by part 3300.2650, item D. The audit of FAI data will be limited to a random sampling of disability index conversion scores of workers who have entered the program since the program's last FAI audit. However, if random samplings of any individual program reveal a pattern of significant deviation from statewide averages, all FAI data on newly entered workers will be audited for all individual programs. A significant deviation means a variation in reported FAI data of ten percent or more plus or minus from statewide averages.

Subp. 6. **New program evaluation.** An entity offering a new or expanded extended employment program must have been issued a provisional certificate as provided in part 3300.2250 and have submitted an approved plan and budget before it may be eligible to receive state funding and be evaluated under this part. A new or expanded program from its start up must be in full compliance with the nonquantifiable factors listed in subpart 1, items B, F, and G H and I, and must remain in full compliance with those factors during the reporting period as established by audit or have all allocated funds withdrawn as authorized by part 3300.2650, item C. As measured at the end of the first year of operation, a new or expanded individual program must also be in full compliance with the nonquantifiable evaluation factor listed in subpart 1, item H K, as established by audit, or have all allocated funds withdrawn as authorized by part 3300.2650, item C. As measured at the end of the second year of operation, a new or expanded individual program must meet the applicable minimum standard in subpart 4 or the new or expanded program will be placed on funding probation. After two continuous years on funding probation as established by audit, a new or expanded program must attain the applicable minimum standard by the end of the following year or have all its allocated funds withdrawn as authorized by part 3300.2650, item D. If a new or expanded program under a provisional certificate is not in full compliance with the nonquantifiable factors in subpart 1, items H to K, at the end of the first year of operation, a written plan specifying how and when compliance will be achieved must be submitted to and approved by the commissioner. However, the time specified may not extend beyond the 18-month period authorized by the provisional certificate. If the program is not complying fully with the nonquantifiable factors within the time approved by the commissioner, the program will be denied full certification and be terminated as provided in part 3300.2250, subpart 7, item B. If a new or expanded program after the expiration of its provisional certificate is not in compliance with all the certification requirements in 3300.2150, subpart 2, full certification will also be denied and the program terminated. However, a provisional certificate may be extended as provided in part 3300.2150, subpart 5.

3300.2450 OPERATIONAL POLICIES FOR FUNDING STANDARDS.

Subpart 1. **Exclusions in calculating rates of placement in competitive employment, retention in competitive employment, and work and service in community based employment.** For purposes of the formulas in part 3300.2050, subparts 25, 26, and 28, for rates of placement in competitive employment, retention in competitive employment, and work and service in community based employment, respectively, participants who are over the age of 60 or who have physically degenerative diseases may be excluded from the denominators in the formulas if:

- A. each participant so excluded or that participant's guardian/conservator determines that placement in competitive employment or work and service in community based employment would not be an appropriate outcome for the participant;
- B. the rehabilitation facility reports the number of persons so excluded and the program in which the participant participates;
- C. each rehabilitation facility maintains a record of the names of participants so excluded and the basis of that action; and
- D. the physically degenerative disease, where applicable, makes placement in competitive employment or work and service in community based employment clearly improbable and undesirable based upon a thorough evaluation by appropriate professionals, including at least one professional not employed by the rehabilitation facility.

Subp. 2. **Policies for calculating the rate of placement in competitive employment.** If a participant worker is placed twice in competitive employment in a given year, both placements may be included in calculating the placement rate as defined in part

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3300.2050, subpart 25. Any subsequent placement of that participant worker in the reporting period will not be considered in calculating the rate of placement. When a participant worker is placed in competitive employment but also continues on a part-time basis with an extended employment program, the participant worker will be considered to have been placed in competitive employment if the participant's worker's wages from participation in the extended employment program are at or above 100 percent of the prevailing wage rate for the work performed.

Subp. 3. **Policies for calculating rate of retention in competitive employment.** A participant worker who changes from one position to another or one employer to another without returning to the status of participant worker in an extended employment program is considered to have been retained in competitive employment, as long as no period of unemployment intervenes which lasts longer than one month. When a participant worker returns to the status of participant worker in an extended employment program, the participant worker can no longer be counted as retained in competitive employment. When a participant worker is placed in competitive employment but also continues on a part-time basis with an extended employment program, the participant worker will be considered to have been retained in competitive employment if the participant's worker's wages from participation work in the extended employment program are at or above 100 percent of the prevailing wage rate for the work performed.

3300.2550 ALLOCATION OF FUNDS.

Subpart 1. **Statewide program allocation.** From the total grant funds available each state fiscal year, the commissioner will establish a statewide program allocation for each of the four extended employment programs program unless otherwise directed by the legislature and will determine the number of full-time equivalents for each individual program. The total of the individual program FTEs will constitute the statewide FTE level. The elements of the statewide allocation for each of the extended employment programs and the weighted relative power of each element in terms of percentages are the following:

- A. the net program costs for each statewide program in the previous state fiscal year, with a relative power of ten percent;
- B. the net program costs for each statewide program based on budgets submitted for the current state fiscal year, with a relative power of ten percent;
- C. the number of FTEs for each statewide program at the end of the previous state fiscal year, with a relative power of 20 percent;
- D. the number of hours worked in each statewide program in the previous state fiscal year, with a relative power of ten percent;
- E. the need for the services of each statewide program in the current state fiscal year as demonstrated by periodic surveys of the incidence of disability levels and disability types, by periodic surveys of rehabilitation counselors and staff, by research and by waiting lists maintained by rehabilitation facilities, with a relative power of 40 percent; and
- F. the effect on services provided to current participants workers in each statewide program of changes in the level of statewide allocation from the previous state fiscal year, with a relative power of ten percent.

Subp. 2. **Statewide program allocation base rate.** The commissioner will use 50.5 percent of each statewide program allocation as calculated in subpart 1 to provide a base rate allocation to each individual program offered by a rehabilitation facility in direct proportion to the number of FTEs in these individual programs. The base rate per FTE is determined by dividing 50.5 percent of the statewide program allocation by the total number of full-time equivalents for the statewide program. The mathematical calculation is represented as follows:

$$\frac{(.505 \times \text{statewide program allocation})}{\text{full-time equivalents}} = \text{Uniform per FTE base rate}$$

The base rate allocation for each individual program is determined by multiplying the per FTE base rate from the above formula by the number of FTEs in the individual program.

Subp. 3. **Statewide program allocation set aside.** The commissioner will set aside 49.5 percent of each statewide program allocation in each current state fiscal year as determined in subpart 1 in order to distribute allocations to individual programs as provided in subpart 4. The distribution in subpart 4, will be based on evaluation factors found in part 3300.2350, subpart 1. The evaluation factors applicable to each statewide program will be weighted in terms of percentages of each statewide program allocation. The factors and percentages applicable to the extended employment programs are the following:

Funding Factor Weightings by Program, Expressed as Percentages of Total Program Allocation

Factor	Program			
	Long-Term	Work Activity	Work Comp.	Community Based Supported
1. Disability Level	7	7.5	7.5	7
2. Economic Conditions	15	15	15	15
3. Program Efficiency	2.5	2.5	2.5	2.5
4. Hourly Earnings	7.5	7.5	7.5	7.5
5. Community based <u>Supported</u> Employment Rate	7.5	7.5	7.5	7.5
6. Competitive Employment Placement Rate	5	3.5	3.5	5
7. Competitive Employment Retention Rate	5	3.5	3.5	5
8. Transfer Rate to <u>Long-Term</u> Total	49.5	2.5	2.5	49.5

Subp. 4. **Total individual program allocation.** The base rate allocation, calculated in subpart 2, will be increased for each individual program by the program's relative share of the set-aside funds as provided in subpart 3. The commissioner will distribute the set-aside funds according to the individual program's relative standing on each applicable factor. The program's conversion point score for each factor will be calculated when budgets are submitted for the current state fiscal year and will be based on the program's reported performance in the previous year 12-month period. On each factor, the individual programs whose performance or evaluation value is lowest will receive no additional funds, with the funding level for other individual programs related directly to their standing on the factor.

Subp. 5. **Phase-in period and adjustment.** For all individual programs, except new programs initially accepted for funding in state fiscal year 1987, each total individual program allocation for fiscal year 1988, as calculated in subpart 4, cannot be adjusted more than 30 percent above or below the previous year's program allocation. For all individual programs, except new programs initially accepted for funding in state fiscal year 1988, each individual program allocation for state fiscal year 1989 as calculated in subpart 4 cannot be adjusted more than 75 percent above or below the previous year's individual program allocation. In all subsequent state fiscal years there will be no limitation on the level of change possible for each individual program allocation. When total phase-in adjustments result in a net gain or loss to a statewide program, that amount will be applied as an addition or reduction to individual program allocations in proportion to their relative FTE size until the applicable 30 percent and 75 percent limitations have been achieved for all programs.

Subp. 6. **New or expanded program funding.** The commissioner will ~~accept~~ consider a new or expanded individual program for funding based upon the following:

- A. the need for the new or expanded individual program;
- B. the relationship of the new or expanded individual program to any current programs in terms of defined needs;
- C. the performance of current individual programs; and
- D. the geographic distribution of current programs and the new or expanded program in relationship to geographic needs.

When a new or expanded individual program offered by a rehabilitation facility is accepted for funding, the commissioner will

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fund its first and second years of operation based upon its relative percentage of the statewide FTE in that program. A new or expanded program's funding will be determined by dividing its FTE by the statewide FTE, and multiplying that fraction times the statewide allocation for that program. A new or expanded individual program has the right to appeal the commissioner's denial of initial funding as provided in part 3300.3050. The mathematical calculation is represented as follows:

$$\frac{\text{New or expanded individual program FTE}}{\text{Total program FTE}} \times \text{Total program allocation} = \text{New or expanded program allocation}$$

A new or expanded individual program has the right to appeal the commissioner's denial of initial funding as provided in part 3300.3050.

Beginning with their third year of operation, new or expanded programs will be funded in the same manner as all other programs.

Subp. 7. **Reconciliation.** Allocations based on the contracted number of FTEs each fiscal year, the reported data on quantifiable evaluation factors each fiscal year, and the reported FAI data, and the nonemployment income data will be reconciled with the actual numbers and data at the end of the reconciliation period as provided in part 3300.2350, subpart 5. Adjustments to the allocations resulting from reconciliations, if any, will be made to allocations for the following state fiscal year. Any rehabilitation facility aggrieved by a decision of the commissioner under this subpart has the right to appeal using the procedures of part 3300.3050.

3300.2650 WITHDRAWAL OF ALLOCATED STATE FUNDS.

Subpart 1. **Criteria for withdrawal of allocated state funds.** The commissioner may withdraw allocated state funds from an individual extended employment program which has been accepted for state funding. A program is eligible to receive allocated state funds after it has fulfilled the certification requirements of part 3300.2150 and submitted an approved plan and budget. Allocated state funds will be withdrawn when:

- A. unencumbered but allocated state funds are not needed for the individual program to which they were allocated; or
- B. an individual program is not being administered in accordance with according to its approved plan and budget as provided in *Minnesota Statutes*, section 129A.08, subdivision 2; or
- C. an individual program, including a new or expanded individual program as provided in part 3300.2350, subpart 6, has not fully complied with the nonquantifiable evaluation factors found in part 3300.2350, subpart 2, as established by audit; or
- D. an individual program, including a new or expanded individual program as provided in part 3300.2350, subpart 6, which has been placed on funding probation, has failed to meet the applicable minimum standard of effectiveness in part 3300.2350, subpart 4, as established by audit for three continuous years following the onset of probation; or
- E. C. program certification has been terminated as provided in part 3300.2250, subpart 7; or
- F. D. an individual program is not being administered in accordance with these rules.

Subp. 2. **Notice of withdrawal.** In situations governed by subpart 1, the commissioner must give written notice at least 45 days before allocated state funds may be withdrawn from an individual program or programs in a rehabilitation facility, except where there is an imminent danger to the health or safety of program participants workers. The notice must state the grounds for the withdrawal of funds and must allow a reasonable period of time to remedy the noncompliance. If program certification is to be terminated in addition to the withdrawal of funds, the notice must also state the grounds for the termination. An opportunity for a remedy must be given except where the withdrawal is based on inadequate past performance that cannot be presently corrected, including situations governed by subpart 1, item C; and D; or E.

Subp. 3. **Right of appeal.** Any rehabilitation facility, including a new entity or existing rehabilitation facility operating an extended employment program under a provisional certificate, has the right to appeal the commissioner's withdrawal of allocated state funds from any of its individual programs. The appeal procedure is provided for in part 3300.3050.

Subp. 4. **Reinstatement of eligibility to receive funds.** After allocated funds have actually been withdrawn from an individual extended employment program and any right of appeal has been exhausted, reinstatement of eligibility to receive funds can only occur when at least one calendar year has elapsed from the date of the withdrawal of funds. Furthermore, a program seeking reinstatement, as measured at the end of the calendar year following withdrawal of funds, must fully satisfy parts 3300.2150, 3300.2250, and 3300.2350.

Subp. 5. **Reallocation.** Withdrawn funds will be reallocated by the commissioner whenever possible. The commissioner will reallocate by increasing the number of full-time equivalents for extended employment programs capable of serving additional persons.

3300.2750 ELIGIBLE APPLICANTS FOR STATE FUNDING.

An application for state funding may be submitted at times the commissioner specifies by a city, town, county, nonprofit organization, state regional center, or any combination of those, which operates or proposes to operate a public or nonprofit extended employment program.

3300.2850 NET PROGRAM COSTS.

The net program costs attributable to each individual program will be derived from each rehabilitation facility's plan and budget. A plan and budget must be submitted at times specified by the commissioner for the commissioner's approval.

3300.2950 STATE FUNDING APPLICATION CONTENT.

All applications for state funding must be made on official application forms available from the Division of Rehabilitation Services in the Minnesota Department of Jobs and Training. Applicants must use application forms for the appropriate fiscal year. Assistance in completing the forms may be requested directly from the division at its central office.

3300.3050 APPEAL PROCEDURE.

Subpart 1. **Scope.** The procedure in this part governs all appeals initiated by ~~an aggrieved party~~ rehabilitation facilities having a right of appeal under:

A. part 3300.2650, subpart 3, or 3300.2550, subpart 6 or 7, which provides for appealing the commissioner's withdrawal of allocated state funds from a rehabilitation facility's individual programs;

B. part 3300.2550, subpart 6, which provides for appealing the commissioner's denial of initial funding to a new or expanded individual program; or

C. part 3300.2550, subpart 7, which provides for appealing a decision of the commissioner concerning reconciliations.

Subp. 2. **Notice of intent to appeal.** ~~An aggrieved party~~ A rehabilitation facility appealing a preliminary determination concerning withdrawal of allocated state funds as provided in part 3300.2650, subpart 2 under subpart 1, item A, B, or C, must ~~do so in writing~~ send a written notice of intent to appeal to the Division of Rehabilitation Services in the Minnesota Department of Jobs and Training. The written notice of intent to appeal must be received by the Division of Rehabilitation Services within 30 days from the date that ~~a notice of withdrawal is sent~~ the rehabilitation facility received written notice from the Division of Rehabilitation Services of the action that the rehabilitation facility wishes to appeal. If the notice of intent to appeal is not received from the appellant within the 30-day period the preliminary determination of the Division of Rehabilitation Services is final. The notice of intent to appeal must state the grounds for the appeal including relevant facts and issues that could be addressed at a contested case hearing.

Subp. 3. **Informal contact.** No more than 15 days after the Division of Rehabilitation Services receives a notice of intent to appeal, a representative of the commissioner, will contact the ~~appellant~~ rehabilitation facility and discuss the grounds for the appeal. The contact by the commissioner's representative may be oral or written. Before the end of the 15-day period, the commissioner's representative must make a decision concerning the ~~appellant's~~ rehabilitation facility's appeal. The decision by the commissioner's representative must be made in writing, must contain a summary of the nature and basis of the decision and must describe the ~~appellant's~~ rehabilitation facility's appeal rights under subpart 4.

Subp. 4. **Contested case appeal.** If ~~an appellant~~ a rehabilitation facility has first informally discussed the appeal as provided in subpart 3 and has not been completely satisfied, the ~~appellant~~ rehabilitation facility may request in writing a contested case hearing before an administrative law judge as provided in *Minnesota Statutes*, sections 14.57 to 14.62. The written request for a contested case hearing must be received by the Division of Rehabilitation Services no more than 15 days after the date when the rehabilitation facility received written notice of the decision of the commissioner's representative under subpart 3. Within 15 days from the date the Division of Rehabilitation Services receives the rehabilitation facility's request for a contested case hearing, the Division of Rehabilitation Services must request the Office of Administrative Hearings to schedule a hearing. The contested case hearing will be initiated and conducted according to parts 1400.5100 to 1400.8500.

Subp. 5. **Proposal for decision.** When an initial decision is rendered, the administrative law judge will prepare a proposal for decision that will be recommended for the commissioner's adoption.

Subp. 6. **Decision and order.** The commissioner must notify the appellant of a final decision as provided in *Minnesota Statutes*, section 14.62.

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

Revenue Notices

Subp. 7. **Legal representation.** Any party may be represented by legal counsel at any step of the appeals process.

REPEALER. *Minnesota Rules*, parts 3300.2050, subparts 3, 19, 22, 22a, 27, 33, and 34; 3300.2250, subpart 4; 3300.2350, subpart 4; 3300.2450, subpart 1; and 3300.2550, subpart 5, are repealed.

Revenue Notices

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

Department of Revenue

Revenue Notice # 94-5: Minnesota Unfair Cigarette Sales Act—Meeting Competition

This is a correction to the Revenue Notice #94-5 that appeared on 3/21/94 Volume 18, Number 38.

Under the subheading “**Meeting Competition**” the corrected sentence should read: “Meeting” the legal price of a competitor means that one cigarette wholesaler may sell or offer to sell cigarettes at a price based on another wholesaler’s filed and approved cost of doing business.

Dated: 28 March 1994

Debra L. McMartin
Assistant Commissioner for Tax Policy

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.

Department of Agriculture

Agronomy Services Division

ADDENDUM to Notice of Determination / Future ACRRA Surcharges, published in the *Minnesota State Register*, Monday 11 January, 1993.

The Agricultural Chemical Response Compensation Board (ACRRA Board) and the Commissioner of the Minnesota Department of Agriculture (MDA) have determined that the amount of the annual response and reimbursement fee (surcharges) for the Agricultural Chemical Response And Reimbursement Account (ACRRA) will remain at the same amounts for 1993 as was determined and collected for 1992, in order to maintain the statutory-required ACRRA balance.

The Commissioner of Agriculture is hereby notifying affected and other interested persons that omitted from the listing of various surcharges for licensees, registrants, or distributors of agricultural chemicals in the *State Register* Notice published 11 January, 1993, was the following:

For sites where pesticides are stored and sold for use outside of the state, with certain exceptions, under *Minnesota Statutes* Chapter 18E.03, Subd. 4.(e) (1993 *Laws of Minnesota*, Chapter 367, Section 21): \$2,000 per site.

This particular ACRRRA surcharge is for pesticides stored and sold for use outside of the state during calendar year 1993. Persons needing further information may contact the MDA at (612) 297-4872.

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 12 1994, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the construction of a hog finishing barn located in Section 14, Township 113, Redwood County, Minnesota on behalf of Greg Mertens, a single person (the Borrower). The maximum aggregate face amount of the proposed bond issue is \$210,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 8 March 1994

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 12 1994, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the construction of a hog nursery barn located in Section 14, Township 113, Redwood County, Minnesota on behalf of Todd Mertens, a single person (the Borrower). The maximum aggregate face amount of the proposed bond issue is \$90,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 8 March 1994

LaVonne Nicolai
RFA Executive Director

Official Notices

Department of Agriculture

Agronomy Services Division

Notice of Special Local Need Registration

Pursuant to *Minnesota Statutes* 18B.27 and Parts 1505.0870 - 1505.0930, the Minnesota Department of Agriculture, on March 17, 1994, issued a Special Local Need 24(c) registration for Micro Flo Malathion 5E, EPA Reg. No. 51036-104, manufactured by Micro Flo Company, Lakeland, FL, for the control of wild rice worm and midge in cultivated wild rice.

A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

Objections may be submitted to: Calvin E. Blanchard, Minnesota Department of Agriculture, Agronomy Services Division, 90 West Plato Boulevard, St. Paul, MN 55107. Comment deadline is April 27, 1994.

Department of Agriculture

Agronomy Services Division

Notice of Special Local Need Registration

Pursuant to *Minnesota Statutes* 18B.27 and Parts 1505.0870 - 1505.0930, the Minnesota Department of Agriculture, on March 17, 1994, issued a Special Local Need 24(c) registration for Tree Guard, manufactured by Nortech Forest Products, St. Louis Park, MN, to be used to prevent animal browsing on woody plants.

A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

Objections may be submitted to: Calvin E. Blanchard, Minnesota Department of Agriculture, Agronomy Services Division, 90 West Plato Boulevard, St. Paul, MN 55107. Comment deadline is April 27, 1994.

Minnesota Comprehensive Health Association

Notice of Meeting of the Enrollee Appeal Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Enrollee Appeal Committee will be held at 9:30 a.m. on Tuesday, April 5, 1994 at the Colonnade Building, 5500 Wayzata Boulevard, St. Louis Park, in Suite 1400, a conference room on the 14th floor.

Portions of this meeting may be closed to the public.

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

Minnesota Comprehensive Health Association

Notice of Meeting of the Board of Directors

NOTICE IS HEREBY GIVEN that the Minnesota Comprehensive Health Association (MCHA) Board of Directors will meet on Monday, April 11, 1994 at 6:00 p.m. at the Holiday Inn Metrodome, 1500 Washington Avenue South, Minneapolis, Minnesota. The meeting will be in the Aragon Ballroom located on the main floor.

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

Departments of Education and Health and Human Services

Interagency Early Childhood Intervention Project

Notice of Public Hearings and Public Comment on the Year 5 State Plan, for Part H, PL 102-119

NOTICE IS HEREBY GIVEN that the three state agencies, the Minnesota Departments of Education, Health and Human Services, seek public comment through a public hearing on the Year 5 State Plan for Part H, PL 102-119 for Infants and Toddlers Birth Through Age Two with Disabilities and Their Families. Representatives from the State Agency Committee (composed of representatives from the Departments of Education, Health and Human Services) and the Governor's Interagency Coordinating Council on Early Childhood Intervention will be present at the public hearings. Copies of the Year 5 State Plan are available from the Interagency Early Childhood Intervention Project, 987 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101; (612) 297-7366. Written and oral comments will be received at the public hearings listed below:

Wednesday, May 11, 1994
4:00 PM - 7:00 PM
Kelly Inn
1161 St. Anthony
St. Paul, MN 55103

Friday, May 20, 1994
8:30 AM - 10:30 AM
Brainerd Technical College
300 Quince Street
Brainerd, MN 56401

For those unable to attend the public hearings, please FAX - (612) 297-5695 or send written comments relative to the plan to the Interagency Early Childhood Intervention Project at the address listed above, **ATTENTION:** Jan Rubenstein, through June 6, 1994.

Ethical Practices Board

Request for Advisory Opinion Re: Lobbyist Principal

The Ethical Practices Board solicits comments regarding the following request for an advisory opinion received from William P. Donohue, Esq. Written comments should arrive at the Board office, 1st Floor South, Centennial Building, 658 Cedar Street, St. Paul, MN 55155-1603, prior to April 12, 1994, for consideration at the Board's meeting of April 22, 1994. March 10, 1994 - The University of Minnesota has received from the Ethical Practices Board a copy of the Annual Report of Lobbyist Principal. I enclose a copy of the documents that we received. It appears there is a question about whether public entities are required to submit this report. We would request that the Board provide us clarification with respect to the University's responsibility to submit the report.

If the Board determines that we should file the report, would you also please advise us as to what expenses should be reported. Virtually all of our contacts with the Legislature are done through the work of the individuals in our State Relations Office. However, there is a small amount of work that is done for us by persons outside the University. Do we report our payments to outside persons or all the costs of our State Relations Office? Please advise us as soon as you can with respect to these matters so that we may submit the appropriate reports. Thank you for your help with this matter.

Minnesota Health Care Commission

Health Technology Advisory Committee

Solicitation of Nominations for Technology Evaluation

The Health Technology Advisory Committee (HTAC) of the Minnesota Health Care Commission seeks nominations to be considered for technology evaluation. The criteria used by HTAC to select technologies for evaluation are as follows:

- 1) The level of controversy within the medical or scientific community, including questionable or undetermined efficacy;
- 2) the cost implications;
- 3) the potential for rapid diffusion;
- 4) the impact on a substantial patient population;

Official Notices

- 5) the existence of alternative technologies;
- 6) the impact on patient safety and health outcome;
- 7) the public health importance;
- 8) the level of public and professional demand;
- 9) the social, ethical, and legal concerns; and
- 10) the prevalence of the disease or condition.

Nominations may be submitted in writing within 30 days from the publication of this notice to Mary Fahey at:

121 East 7th Place, Suite 400
P.O. Box 64975
St. Paul, MN 55164-0975
Fax 612/282-5628
Phone 612/282-6355

The submission of supporting information such as relevant medical literature and the names of experts is encouraged.

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of **Minneapolis College of Art and Design**, a Minnesota nonprofit corporation and institution of higher education (the "College"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on April 20, 1994 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$1,800,000 to provide financing for the acquisition, construction and equipping of an approximately 13,500 square foot addition to the College's main building, including adding a floor, for studio and other educational purposes (the "Project"), located at 2501 Stevens Avenue South, Minneapolis, Minnesota 55404 and to be owned and operated by the College.

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

Dated: 4 April 1994

By Order of the Minnesota Higher
Education Facilities Authority
Joseph E. LaBelle
Executive Director

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective March 28, 1994 prevailing wage rates were determined and certified for commercial construction projects in:

Anoka County: Lino Lakes Correctional Facility Metal Pole Building.

Beltrami County: Bangsberg & Deputy Halls Sanitary Sewer Lines-Bemidji State University.

Blue Earth County: MSU/Morris Hall Asbestos Removal-Mankato.

Cass County: Remer High School-Remer.

Clay County: Sludge Storage Tank-Moorhead. Dilworth/Glyndon School Additions-Dilworth & Glyndon.

Cook County: Cook County Senior Citizens Center-Grand Marais.

Dakota County: Mn/DOT Lakeville Truck Station (Exterior Remodeling)-Lakeville.

Goodhue County: Zumbrota-Mazeppa Public Schools Accessibility Improvements.

Hennepin County: U of M Mulling Hall & Williamson Hall Phase I Remodeling, MN Veterans Home Building "15" Remodeling-Minneapolis. County Parks Dust Collection Installation-Bloomington, Plymouth & Maple Plain. Brooklyn Jr. High School Swimming Pool-Brooklyn Park. Thorson Family Resource Center 1994 Masonry Restoration-Crystal.

Itasca County: Bigfork Fire Department-Bigfork. Grand Rapids Middle School-Grand Rapids.

Meeker County: Litchfield High School-Litchfield.

Ramsey County: U of M Raze North Hall, MWWTP 1994 Roof Replacement, Cherokee Heights Elementary/Como Park Sr. High/Cleveland Jr. High/Hazel Park Elementary/Prosperity Heights Elementary/Sheridan Elementary/Webster Magnet Asbestos Abatement-St. Paul.

Renville County: Hector Wastewater Treatment Facilities-Hector.

St. Louis County: Olcott Park House Renovation-Virginia. Town of Ellsburg & Bass Lake Fire Hall-Melrude.

Wabasha County: 1994 Bluff View Elementary Addition & Alterations-Lake City.

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

John B. Lennes, Jr.
Commissioner

Metropolitan Council

Public Hearing on "Draft" Regional Blueprint

The Metropolitan Council will hold a public hearing on its *Regional Blueprint*, a "draft" action plan outlining steps to:

- promote the economic growth of the region
- guide the growth of the region, including containing urban sprawl and strengthening the distressed parts of the region
- increase economic opportunity for people and break the cycle of poverty
- preserve and enhance the natural environment
- promote the effective and efficient delivery of public services

The hearing will be held on Thurs., May 19, 1994, 7 p.m., and continued on Fri., May 20, 1994, 9 a.m., in the Metropolitan Council Chambers, Mears Park Centre, 230 E. Fifth St., St. Paul. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling 291-6611 or 291-0904 (TDD). Persons with disabilities may contact the Council at 291-6611 or 291-0904 (TDD) to request reasonable accommodations for the public hearing.

The hearing record will close at 5 p.m., Mon., June 6, 1994. Written comments, which must be received by 5 p.m., June 6, should be sent to Jan Gustafson, Metropolitan Council, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101. Copies of the public hearing draft of the Council's *Regional Blueprint* may be obtained by calling the Council's Data Center at 291-8140 or 291-0904 (TDD).

Department of Revenue

Notice of Counties Which Have Adopted the Local Option Sales Tax

The Commissioner of the Department of Revenue announces that the counties listed below did adopt a local option sales tax of one-half percent, which became effective in each county on January 1, 1992. The Commissioner has not received a notice of rescission as provided under *Minnesota Statutes* § 297A.021, subd. 3; therefore, the local option sales tax in each county shall remain in effect through June 30, 1995. The 87 counties imposing the tax, in alphabetical order, are:

Aitkin
Anoka
Becker

Crow Wing
Dakota
Dodge

Kittson
Koochiching
Lac Qui Parle

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Beltrami	Douglas	Lake
Benton	Faribault	Lake of the Woods
Big Stone	Fillmore	Le Sueur
Blue Earth	Freeborn	Lincoln
Brown	Goodhue	Lyon
Carlton	Grant	McLeod
Carver	Hennepin	Mahnomen
Cass	Houston	Marshall
Chippewa	Hubbard	Martin
Chisago	Isanti	Meeker
Clay	Itasca	Mille Lacs
Clearwater	Jackson	Morrison
Cook	Kanabec	Mower
Cottonwood	Kandiyohi	Murray
Nicollet	Redwood	Swift
Nobles	Renville	Todd
Norman	Rice	Traverse
Olmsted	Rock	Wabasha
Otter Tail	Roseau	Wadena
Pennington	St. Louis	Waseca
Pine	Scott	Washington
Pipestone	Sherburne	Watsonwan
Polk	Sibley	Wilkin
Pope	Stearns	Winona
Ramsey	Steele	Wright
Red Lake	Stevens	Yellow Medicine

The publication of this notice is required by *Minnesota Statutes* § 297A.021, subdivision 4.

Teachers Retirement Association

Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, April 13, 1994, at 9:30 a.m., in Suite 500, Gallery Building, 17 W. Exchange St., St. Paul, MN to consider matters which may properly come before the Board.

Department of Transportation

Notice of Appointment and Meeting of State Aid Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Wednesday, March 30, 1994 at 9:30 a.m. in Room 148 Water's Edge Building, 1500 West County Road B-2, Roseville Minnesota, 55113.

This notice is given pursuant to *Minnesota Statute* 471.705.

The purpose of this open meeting is to investigate and determine recommendations for variances from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3100 and 8820.3300 adopted pursuant to *Minnesota Statutes* 161 and 162.

The agenda will be limited to these questions:

1. **Petition of the City of Minneapolis** for a variance from *Minnesota Rules* as they apply to construction projects on Hennepin Avenue and Dunwoody Boulevard to allow the extent of state-aid participation in landscaping for the state-aid eligible costs of one percent of the total construction allocations for 1991 through 1993, less any state-aid eligible landscaping cost encumbered or paid

for between 1991 and 1993, in lieu of the limit of eligible landscaping eligible costs of one percent of the total construction allocation for a given year.

2. Petition of the City of Minnetonka for a variance from *Minnesota Rules* as they apply to a proposed reconstruction project on M.S.A.S. 137 (Highland Road) from Highland Place to Crown Drive in Minnetonka to allow vertical curves of 25 mph, in lieu of the required 30 mph design speed.

3. Petition of the City of St. Louis Park for a variance from *Minnesota Rules* as they apply to the completed construction project on M.S.A.S. 280 (Yosemite Avenue/Brookside Avenue) over Minnehaha Creek in St. Louis Park, to allow the expenditure of Municipal State Aid funds for preliminary engineering costs of \$7,816.91, which is in excess of the allowable 10% of eligible costs.

4. Petition of the City of Elk River for a variance from *Minnesota Rules* as they apply to the construction project on M.S.A.S. 104 (Jackson Avenue) from School Street to T.H. No. 169 in Elk River, too allow the expenditure of Municipal State Aid Turnback funds, in lieu of the required use of Municipal Turnback funds prior to completion of any reconstruction project on the Municipal State Aid Street.

5. Petition of the City of South St. Paul for a variance from *Minnesota Rules* as they apply to the completed construction project on M.S.A.S. 109 and other various State Aid Routes in South St. Paul, to allow the expenditure of Municipal State Aid funds for eligible project costs for the reconstruction of pedestrian ramps, for which no plan was approved by the State Aid Engineer prior to construction of the project, in lieu of the required plan approval before award of contract.

6. Petition of Murray County for a variance from *Minnesota Rules* as they apply to the proposed reconstruction project on CSAH No. 29 between the North Limits of Hadley and CSAH No. 12, to allow Bridge No. 51501 to remain in place with a curb-to-curb width of 26.2 feet and inventory load rating of H-10.8, in lieu of the required 28 foot minimum width and H-15 load rating.

7. Petition of Sibley County for a variance from *Minnesota Rules* as they apply to a proposed grading project on CSAH No. 8 between CSAH No. 17 and 1.0 mile west of TH No. 169, to allow the rehabilitation of Bridge No. 6641 to a curb-to-curb width of 30 feet, in lieu of the required 44 foot minimum.

8. Petition of the City of Moorhead for a variance from *Minnesota Rules* as they apply to the completed construction project on Southeast Main Avenue (formerly T.H. No. 231) at the I-94 bridge in Moorhead, to allow the expenditure of State Aid Off-System funds for the City's share of the costs of the bridge and bike path construction and other associated construction performed within the corporate City limits upon and along CSAH No. 52 from a point 300 feet north of Bridge No. 9478 to a point 500 feet south of Bridge No. 9478, for which no plan was approved by the State Aid Engineer prior to construction of the project, in lieu of the required plan approval prior to award of contract.

9. Petition of Jackson County for a variance from *Minnesota Rules* as they apply to a proposed reconstruction project on CSAH No. 14 from approximately two miles from the northwest corner Section 22, Township 102N, Range 35W going East to the West City Limit of the Town of Jackson, Minnesota, to allow a 6 foot shoulder width and 2:1 inslope, in lieu of the required 8 foot minimum shoulder width and 4:1 minimum inslope.

10. Petition of Cass County for a variance from *Minnesota Rules* as they apply to a proposed resurfacing project on CSAH No. 17, from CSAH No. 1 to the East County Line, to allow one 30 mph horizontal curve, one 35 mph and one 38 mph vertical curve, in lieu of the required 40 mph minimum design speed.

11. Petition of Chippewa County for a variance from *Minnesota Rules* as they apply to a proposed reconstruction project on CSAH No. 9 adjacent to and in the Municipality of Watson, Minnesota, to allow one 27 mph horizontal curve, one 34 mph horizontal curve, and one 37 mph vertical curve, in lieu of the required 40 mph minimum design speed.

12. Petition of Renville County for a variance from *Minnesota Rules* as they apply to a proposed resurfacing project on C.S.A.H. No. 8 between Buffalo Lake and C.S.A.H. No. 11, to allow a 37 mph vertical curve, in lieu of the required 40 mph minimum design speed.

13. Petition of Steele County for a variance from *Minnesota Rules* as they apply to a proposed reconstruction project on C.S.A.H. No. 12 from the East City Limits of Medford to C.S.A.H. No. 13, to allow a 30 mph vertical curve approximately 30 feet east of the railroad tracks at Medford, in lieu of the required 40 mph minimum design speed.

14. Petition of Stearns County for a variance from *Minnesota Rules* as they apply to a proposed resurfacing project on C.S.A.H. No. 52 between C.S.A.H. No. 9 and C.S.A.H. No. 3, to allow one 39 mph vertical curve and five 38 mph vertical curves, in lieu of the required 40 mph minimum design speed.

15. Petition of Stearns County for a variance from *Minnesota Rules* as they apply to a traffic signal project at the intersection of C.S.A.H. Nos. 1 and 78 in the City of Sartell, to allow plan approval after award of contract, in lieu of the required State Aid plan approval prior to award of contract.

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16. **Petition of the City of Cambridge** for a variance from *Minnesota Rules* as they apply to a proposed reconstruction project on M.S.A.S. No. 105 (Second Avenue Southwest), to allow Bridge No. 3722 to remain in place with a curb-to-curb width of 23.7 feet, in lieu of the required 26 foot minimum curb-to-curb width.

17. **Petition of Kandiyohi County** for a variance from *Minnesota Rules* as they apply to a proposed reconstruction project on County State Aid Highway No. 30, between County State Aid Highway No. 10 (Agnes Street) in Spicer to County Road No. 144, to allow one 25 mph horizontal curve, in lieu of the required 30 mph minimum design speed.

18. **Petition of the City of Columbia Heights** for a variance from *Minnesota Rules* as they apply to construction projects on T.H. No. 47 (University Avenue Northeast) at M.S.A.S. 101 (37th Avenue Northeast); M.S.A.S. 104 (44th Avenue Northeast); and at M.S.A.S. 118 (53rd Avenue Northeast) in Columbia Heights, to allow plan approval after award of contract, in lieu of the required plan approval by the State Aid Engineer prior to award of contract.

19. **Petition of the City of Minneapolis** for a variance from *Minnesota Rules* as they apply to various construction projects on M.S.A.S. 286 (Groveland Avenue); M.S.A.S. 312 (Dunwoody Boulevard/Wayzata Boulevard); M.S.A.S. 313 (Hennepin Avenue); M.S.A.S. 342 (Lyndale Avenue); and M.S.A.S. 342 (Lyndale Avenue North) in Minneapolis, to allow the release of 95% of the state-aid eligible cost of the above project upon receipt of an amendment to the force account agreement specifying that work will commence within 30 days, in lieu of upon receipt of partial or final estimates based on work completed.

The cities and counties previously listed are requested to follow the following time schedule when appearing before the Variance Committee:

9:30 a.m.	City of Minneapolis
9:45 a.m.	City of Minnetonka
10:30 a.m.	City of St. Louis Park
10:45 a.m.	City of Elk River
11:00 a.m.	City of South St. Paul
11:15 a.m.	Murray County
12:30 p.m.	Sibley County
1:00 p.m.	City of Moorhead
1:15 p.m.	Jackson County
1:30 p.m.	Cass County
1:45 p.m.	Chippewa County
2:00 p.m.	Renville County
2:15 p.m.	Steele County
2:30 p.m.	Stearns County
3:00 p.m.	City of Cambridge
3:15 p.m.	Kandiyohi County (Spicer, Minnesota)

Dated: 15 March 1994

Julie A. Skallman
Acting Division Director
State Aid for Local Transportation

Department of Transportation

Petition of the City of Minneapolis for a variance from State Aid Administration requirements for EXTENSION OF ELIGIBILITY FOR LANDSCAPE ITEMS

NOTICE IS HEREBY GIVEN that the City Council of the City of Minneapolis has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3100 from requirements to allow the extent of state-aid participation in landscaping for the state-aid eligible costs on S.A.P. 141-312-02 and 141-313-05, Hennepin Avenue and Dunwoody Boulevard of one percent of the total construction allocations for 1991 through 1993, less any state-aid eligible landscaping costs encumbered or paid for between 1991 and 1993, in lieu of the limit of eligible landscaping costs of one percent of the total construction allocation for a given year.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

Professional, Technical & Consulting Contracts

responsibility for any deficiencies in, or deviations from the requirements of the Documents, unless written notice is given to the Designer at the time of submittal.

16. The Designer shall review the placement of all items to determine that the modular furniture and related equipment have been installed in accordance with the Documents, or shall provide directions to alter locations.

Firms wishing to be considered for one or more of the contracts described in this announcement may send their brochure of no more than 10 pages and other pertinent information to Division of State Building Construction, Room G-10, State Administration Building, St. Paul, Minnesota 55155, ATTN: George Iwan.

Minnesota Historical Society

Notice of Request for Proposals for Professional Auditing Services

The Minnesota Historical Society is seeking proposals from qualified firms to provide professional services for the auditing of the Society's fiscal year 1994 financial statements.

In order to be qualified to submit a proposal for this engagement, the firm must meet at least the following requirements:

1. Be an independent, Minnesota licensed Certified Public Accounting firm with no conflict of interest related to the engagement.
2. Be able to demonstrate experience auditing financial statements for nonprofit corporations using a fund accounting system and with annual operating budgets exceeding \$15,000,000.

The Request for Proposals is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. Telephone (612) 297-5863.

Details concerning submission requirements, including due dates are included in the Request for Proposals.

Department of Human Services

Brainerd Regional Human Services Center

Request for Proposals for Medical Services

NOTICE IS HEREBY GIVEN that Brainerd Regional Human Services Center is seeking the following services for the period July 1, 1994 through June 30, 1995. These services are to be performed as requested by the administration of the Brainerd Regional Human Services Center.

1. **Services of Board Certified or Board Eligible Psychiatrists** to provide consultation services in psychiatry in Timberland Mental Health Adult and Children's Programs, LARC Developmental Disabilities Program, and Woodhaven Senior Community - five days per week, 52 weeks per year, plus on-call when assigned. Perform and record psychiatric diagnostic evaluations on newly admitted mentally ill adult and adolescent patients, provide treatment recommendations, review patient progress, meet regularly with treatment teams. On-call assignments are made on an "on-call/call-in" basis for one-week time periods, i.e., 4:30 P.M. to 8:00 A.M. (15.5 hours) each Monday, Tuesday, Wednesday, Thursday and Friday; and 8:00 A.M. to 8:00 A.M. (24 hours) each Saturday, Sunday, and Holiday if a Holiday occurs during the assignment. During on-call coverage contractor must be reachable by phone at all times, and if called in, must be able to respond within twenty (20) minutes. Multiple contracts will be awarded in order to provide the total required psychiatric services. If a contract is entered into with a locum tenens company, this company must assign psychiatrists for a minimum of six (6) weeks. The amount of the contracts is estimated not to exceed \$400,000.00.

2. **Services of a radiologist** to interpret X-Ray films taken by the center's X-Ray Technician. The amount of the contract is estimated not to exceed \$16,000.00.

Direct inquiries and responses to:

Keith R. Bernard, Hospital Services Director
Brainerd Regional Human Services Center
1777 Highway 18 East
Brainerd, MN 56401
218/828-2220

Professional, Technical & Consulting Contracts

Responses on the above services must be received by 11:00 a.m., April 18, 1994.

For copies of the full Request for Proposals, please contact Keith R. Bernard.

Award of any of these contracts is contingent upon the availability of funds. This request does not obligate the State, and the State reserves the right to cancel this solicitation.

Department of Labor and Industry

Workers' Compensation Special Compensation Fund

Request for Proposals for Investigative Services

I. Introduction and Background.

The Minnesota Department of Labor and Industry, Special Compensation Fund has long been involved in the administration of workers' compensation claims brought by uninsured injured workers pursuant to *Minnesota Statutes* 176.183. The Special Claims Unit of the Special Compensation Fund is to review claims made by uninsured employees and also conduct an investigation to determine liability.

Pursuant to its grant of authority, if the Special Compensation Fund makes a determination that there is liability, the Department will accept the claim and begin paying appropriate workers' compensation benefits to the injured employee of an uninsured employer.

The Department is considering various options to improve the quality, the efficiency, and the ability of the special claims unit to receive, analyze, investigate and make determination on workers' compensation liability. The overall goal is to minimize the impact of work related illnesses and injuries on employers and employees.

An essential element of any claim is the questions of primary and continued liability and lesser questions regarding the employee's prior claim history, circumstances surrounding the injury, witnesses and the subsequent activities of the employee. Proper, expert investigative services are crucial in enabling the staff of the Special Claims Unit to handle and assess uninsured claims.

The options that the Department of Labor and Industry have considered, including, but are not limited to:

1. Increasing the number of Departmental staff in order to efficiently and professionally provide all services and tasks for proper functioning of the special claims unit;
2. Contracting with a firm to provide investigation series for the Special Compensation Fund regarding the investigation of workers' compensation cases.

The Minnesota Department of Labor and Industry, Special Compensation Fund, is soliciting proposals from firms or businesses providing investigative services to provide those services required to investigate and report on workers' compensation uninsured or bank-bankrupt self-insured workers' compensation claims at the Department of Labor and Industry, Special Compensation Fund in accordance with all applicable laws, administrative rules, and specifications provided in a later section of this request for proposals.

Disclaimer:

Issuance of this request for proposals in no way commits the Department of Labor and Industry to enter into a contract for services outlined in the request for proposals. The State reserves the right to reject any or all proposals submitted in response to this request for proposals. This request for proposals does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interests.

II. The Scope of the Project.

The Department of Labor and Industry, Special Compensation Fund, Special Claims Unit, investigates all reports of uninsured/bankrupt self-insured claims to determine workers' compensation liability.

Investigation of uninsured/bankrupt self-insured employees/employers includes taking statements from all relevant parties, producing asset checks on alleged uninsured employers, and production of all medical records.

At the present time, it is unknown what the volume of individual cases of workers' compensation uninsured claims will be on a monthly or yearly basis. Therefore, proposal should evidence the ability to be flexible and accommodating.

If the Department of Labor and Industry, Special Compensation Fund, decides to contract for investigative services, such services will be requested on a case by case basis. It is envisioned that files will be assigned to the investigative services contractor with specified parameters and instructions regarding the investigative services required and requested.

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The contractor will be expected to maintain close contact with the Special Claims Unit Adjuster regarding any case that it is assigned to investigate. **Expected results of investigative services will include but are not limited to:**

1. All investigations initiated by a First Report of Injury will have a preliminary report submitted to the claims manager no later than 5 days from assignment to investigator.
2. All investigations initiated by Claim Petition will have a preliminary report submitted to the claims manager no later than 14 days from assignment to investigator.
3. All investigations which entail surveillance will have prior approval from the claims manager, supervisor or Special Compensation Fund director.
4. Other investigatory services may be assigned as needed by the claims manager, supervisor or director of the Special Compensation Fund.
5. Investigation initiated by either First Report of Injury or Claim Petition will include interviewing the alleged injured employee, alleged employer, any witnesses. Further all related medical records will be gathered and submitted. Other records or interviews may be required as case appropriate.
6. Asset checks may be assigned as needed by the claims manager, supervisor, or director. All asset checks will be completed and returned within 10 days of assignment.

III. Proposal Format and Minimum Content.

- A. The name and address of your company;
- B. The name and telephone number of the contact person for your proposal;
- C. How long your company has been in continuous business providing investigative services, and whether or not those investigative services have been provided in the workers' compensation area. (If your company is a subsidiary, please provide this information for both the entity that will actually provide the services and the parent company.);
- D. Provide the most recent annual statement or other documentation of the financial position of your company and any parent company;
- E. What percentage of your business revenue is derived from the following services:
 1. Investigation of workers' compensation matters.
 2. Investigation of insurance matters of a general nature;
 3. Private investigation regarding such matters as private surveillance, searches for lost persons, and other such sundry investigative services;
- F. Address and telephone number of the office from which you will provide the services to the Department of Labor and Industry Special Compensation Fund;
- G. How many members your firm or company will have available to provide services, and your ability to expand or contract your staff to meet the Department's needs and requests.
- H. Identify the individual or individuals who would be assigned to the Department of Labor and Industry account, with relevant work histories, functions and levels of responsibility.
- I. Identify any subcontractors that would be used to provide services to the Department of Labor and Industry, and provide the same information for those subcontractors that you provided for your company in the items above;
- J. Provide at least five references of major accounts handled by the office that would provide services to the Department of Labor and Industry Special Compensation Fund with the name and telephone number of the contact person for each reference provided;
- K. Please provide any and all licensing authority and affiliations with professional organization of your company;
- L. Specify the fee or cost per services or other mode of payment for full investigation services fees, including all incidentals, as defined in a later section of this request for proposals;
- M. Provide any other information that you feel would demonstrate special capabilities or services your company would be able to provide, provided all information must be contained in the maximum of a four page single spaced document with at least one inch margins.

IV. General Conditions.

- A. The contract will be approximately 36 months in duration, commencing on or about May 1, 1994 and continuing through April 30, 1997 subject to annual review and approval by the State of Minnesota. The ability to extend and renew is retained by the Department of Labor and Industry. The Department of Labor and Industry would reserve the right to immediately recover any materials assigned or provided to your company, and to resume direct administration of the file if the Department chooses to;

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B. All matters assigned to your company are to remain confidential and to be handled in accordance with general business practices of an investigative company or agency;

C. Your company shall provide a complete explanation, in writing, of any deviation from the specifications outlined herein. The State of Minnesota, Department of Labor and Industry shall have the sole authority to weigh the merits of any such deviation and to accept or reject any bid which deviates;

D. The Department of Labor and Industry Special Claims Unit shall have the right to approve the assignment of the personnel that are providing the services pursuant to this request for proposals throughout the term of the contract;

E. Affirmative Action: In accordance with the provisions of *Minnesota Statutes* 363.073, for all contracts estimated to be in excess of \$50,000, 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 the proposal may be accepted. Your proposal will not be accepted unless it includes one of the following:

1. A copy of your company's current certification of compliance issued by the Commissioner of Human Rights; or
2. A notarized statement certifying that your company has not had more than 20 full time employees at anytime during the previous 12 months.
3. The Department of Administration has set a 10% sub-contracting goal for this contract. Prime contractors are required to sub-contract at least 10% of their contract to certified Targeted Group businesses or individuals. A listing of certified Targeted Group businesses may be obtained by contacting the Materials Management Division at 612-297-4412 or 612-296-2600 (TDD relay 612-297-5353, as for 297-4412 or 296-2600).

This provision does not apply to those businesses which are certified Target Group businesses.

A listing of the Targeted Group Businesses or individuals to be utilized, and the percentage of utilization on this contract must be submitted with the proposal in order for the proposal to be considered. The total percent to be subcontracted must be equal to or in excess of the stated goal.

Prime contractors may request a waiver from this subcontracting goal by submitting documented unsuccessful efforts to obtain certified subcontractors to Material Management Division, 112 Administration Building, St. Paul, MN 55155.

F. It shall be the proposer's responsibility to satisfy himself/herself as to the accuracy of any data included in the specifications;

G. Your company, the proposer, shall furnish to the State of Minnesota, Department of Labor and Industry, a certification of insurance, which shall be proof of workers' compensation coverage on your employees.

V. Submission of Proposals.

A. All proposals must be sent to and received by: Deborah L. Cordes, Special Compensation Fund, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota 55155-4317; (612) 296-2117.

B. All proposals must be received by the Department of Labor and Industry, no later than 4:30 p.m., April 8, 1994. Late proposals will not be accepted.

C. Six copies of the proposals must be submitted. Proposals are to be sealed in mailing envelopes or packages with the responders name and address clearly specified on the outside. Each copy of the proposal must be signed in ink by an authorized member of the company submitting the proposal. Prices and terms of the proposal as stated must be valid for the length of the contract.

D. The Department has determined that the cost on an annual basis shall not exceed \$350,000.

VI. Evaluation and Award.

A. All proposals received by the deadline will be evaluated by a committee selected by the Department of Labor and Industry;

B. Up to ten finalists may be selected, at the discretion of the committee, and provided an opportunity to provide a supplementary presentation of up to 30 minutes each and/or to answer direct questions from the committee;

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

1. Knowledge of, and experience in providing investigation services in workers' compensation matters, and/or insurance fraud.
2. Responses of the client references provided by the proposer; experience in working with governmental agencies.
3. Knowledge and demonstrated skills of persons specified by the proposer to provide services to the Department of Labor and Industry Special Compensation Fund.
4. Knowledge of the Minnesota workers' compensation law and administrative rules.

Professional, Technical & Consulting Contracts

5. The selection committee's confidence in the ability and willingness of the proposer to perform the Department's work, and work with the Department staff.
6. Agreement of the proposer with the Department to implement management and utilization of review programs as an integral part of file management; overall cost of service available.
7. Evaluation and selection will be completed by April 20, 1994 or as soon thereafter as possible. The results will be sent to all responders as soon as possible after a decision has been made.

VII. Minimum Service Contract or Responsibilities.

- A. Initial acknowledgment of receipt of assignment and activities requested with expected completion dates in written form;
- B. Oral and/or written reports, status reports or summary of activities as requested;
- C. Periodic updates and reports as are reasonable with all requests of the Department;
- D. Specific tasks and expertise requirements;
 1. Accurate, concise and complete report writing skills;
 2. Professional interviewing skills;
 3. Professional interrogation skills;
 4. Demonstrated ability along with established procedures to gather records and/or data from sources, including but not limited to places of employment, businesses, other governmental agencies, business entities such as attorney's offices, doctors records, chiropractic records, insurance records, and other records and/or data as requested;
 5. Surveillance and trailing skills, with the requisite state of the art technological equipment such as video and photography equipment;
 6. Taking recorded and/or written statements and transcribing them;
 7. Knowledge of privacy law and data privacy law, in matter of etiquette, professionalism and ethical behavior.
 8. Database access to investigation and information sources and services;
 9. Licensure and/or ability to travel out of state, or in the alternative contract with approved out of state vendors and/or services;
 10. Experience and ability to testify in court as required as a witness or expert;
 11. Ability to partake in undercover operations and/or stings;
 12. Knowledge of workers' compensation system and other aspects of system regarding benefits so as to enable understanding of possible types of fraud and/or illegal behavior;
- E. It shall be the responsibility of the proposer to clarify any provision of the specifications above that the proposer does not understand. Only the Department of Labor and Industry's Special Claims Unit may authorize deviation from these minimum specifications of performance and/or required tasks expertise.

Pollution Control Agency

Air Quality Division

Request for Proposals for Outside Assistance in Support of Chemical Emergency Response Planning

The Air Quality Division of the Minnesota Pollution Control Agency is requesting proposals for outside assistance in support of chemical emergency response planning. The division is seeking proposals for two technical reports. The first report is a hazard analysis of potential accidental chemical releases to air, including fires. The hazard analysis would consider the probability and potential consequences of various chemical release scenarios, and would rank hazards in terms of risk. The second report consists of protective action distance charts, with supporting documentation, for 12 chemicals or mixtures. These charts will be used by emergency responders to make recommendations for evacuation of the public. The contract is not to exceed \$39,000 and is to be complete by June 30, 1994.

A copy of the "Request for Proposals for Outside Assistance in Support of Emergency Response Planning" may be obtained by contacting Fred Adams at (612) 296-7921. Proposals must be submitted to Fred Adams, Minnesota Pollution Control Agency, Air Quality Division, 520 Lafayette Road, St. Paul, MN 55155 and must be received by 4:30 PM on Monday, April 18, 1994. Proposals received after the deadline will not be accepted. All proposals shall follow the format stated in the Request for Proposal.

Non-State Public Bids and 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.

Hennepin County

Notice of Potential Availability of a Contract for Preparation of a Bicycle Transportation Plan for Hennepin County

Hennepin County Department of Public Works may require the services of a qualified consultant to participate with County staff in the preparation of a Bicycle Transportation Plan (Plan) for Hennepin County. Work by the consultant may include, but not be limited to:

- A. Establish an inventory of the bicycle trail system adopted by individual municipalities in Hennepin County and by Hennepin Parks.
- B. The Plan will include goals, guidelines and recommendations for development of a Primary Bicycle Transportation System.
- C. The Plan will define the specific role Hennepin County and its municipalities will play in the overall bicycle transportation system.
- D. The Plan will be the basis for a program to effectively utilize federal and other funding sources.

Qualified consultants who wish to be considered will be invited to participate in a consultant selection process. The consultant selection panel will make a recommendation of a consulting firm, subject to approval by the County Board. Development of the Bicycle Transportation Plan should begin around the Summer of 1994.

This is not a request for proposal. Six copies of expression of interest in being considered shall be delivered to the address below not later than four o'clock (4:00) PM, April 18, 1994.

The expression of interest should include the following information:

1. Your firm's brochure, if one is available.
2. Indicate the qualifications of key personnel.
3. Indicate whether or not your firm is an Equal Opportunity employer and has an Affirmative Action Plan.

Hennepin County Department of Public Works
Transportation Division
ATTN: B. Lindgren
320 Washington Avenue South
Hopkins, MN 55343
Phone: (612) 930-2526

Consultants wishing a copy of the "Work Plan for Development of a Hennepin County Bicycle Transportation Plan" should also contact the above address.

Dated: 7 February 1994

Lake Superior Center Authority

Request for Proposals for Contract Project Management Services

Lake Superior Center Authority intends to retain services of a project manager during project design. A description of the project follows. Interested parties are to respond to Bob Bruce, administrator, Lake Superior Center Authority, 353 Harbor Drive, Duluth, MN 55802 no later than April 15, 1994. Questions may be referred to Mr. Bruce at (218) 720-3033. It is anticipated that these services will commence about May 15, 1994.

The Project

Lake Superior Center Authority intends to select a project manager to act through the completion of schematic design and design development phases of the Lake Superior Center project. It is anticipated that this role will continue through contract documents, bidding and construction phases of the project, but at this time no authorization beyond design development can be made. Holt Hinshaw Architects, San Francisco, is the prime contractor with a variety of sub-contractor specialists. This team is currently completing schematic design.

The project is an aquarium/science center with a construction budget of \$20 million (exclusive of site). This budget includes exhibits which will be a combination of live specimens in replicated habitats as well as physical models, computer interactives and graphics. Extensive exhibit work including research, content development and design will be part of this phase in parallel with building design. The building program was completed in the first portion of schematics. It provides for about 40,000 GSF of new construction on a site acquired for the project on the Duluth Harbor.

The design team for this phase is comprised of nine firms located in Minnesota, California, Washington and British Columbia. Although the prime contractor is responsible for overall team coordination and product delivery, the complexity of the project requires additional client capacity. The client requires assistance in the coordination of the work of the team to include: timely response to the flow of materials submitted for approval, contract administration, construction and fee budget monitoring, coordination of presentations to various funding sources and interested parties, reporting to the administrator and Board of Directors of Authority and in general, increasing the capacity of the client side of the team engaged in the design of Lake Superior Center. The project manager will act at the direction of the administrator.

Qualifications and Conditions

The firm or individual selected for this position will have experience in the administration of architectural design contracts, design process, construction, cost estimating and general business procedures utilized in the public and private sectors. This service through design development will be a part time, contract activity. Over the life of this phase, it is expected to require in the order of 20-30 hours per week, with some weeks more intense than others. These services will be provided in the offices of Lake Superior Center Authority in Duluth. Some travel will be required - meeting and presenting with the design team, administrator and board of directors. These services will be provided on a contract basis, this is not an advertisement for employment.

Proposal Submittal

Submittal to include experience of vendor relative to required qualifications, identification of proposed project personnel, basis of compensation, references and any other information in support of selection. Several respondents will be selected for interviews based on these materials. Eight (8) copies of the submittal are required.

Dated: 9 March 1994

Lake Superior Center Authority

Request for Proposals for Contract Live Exhibits Curator Services

Lake Superior Center Authority intends to retain services of a curator during project design. A description of the project follows. Interested parties are to respond to Bob Bruce, administrator, Lake Superior Center Authority, 353 Harbor Drive, Duluth, MN 55802 no later than April 25, 1994. Questions may be referred to Mr. Bruce at (218) 720-3033. It is anticipated these services will commence about May 15, 1994

The Project

Lake Superior Center Authority intends to select a curator familiar with the design and operation of exhibits containing live animals to act through the completion of schematic design and design development phases of the Lake Superior Center project. It is anticipated that this role will continue through contract documents, bidding and construction phases of the project, but at this time no authorization beyond design development can be made. Holt Hinshaw Architects, San Francisco, is the prime contractor with a variety of sub-contractor specialists. This team is currently completing schematic design.

The project is an aquarium/science center with a hard construction budget of \$20 million (exclusive of site). This budget includes exhibits which will be a combination of live specimens in replicated habitats as well as physical models, computer interactives and graphics. Species to be exhibited are expected to include fish, birds and aquatic mammals found in and around Lake Superior. The services of a curator will help guide the design of the exhibits, in particular the exhibits utilizing live specimens. Extensive exhibit work including research, content development and design will be part of this phase in parallel with building design. The building program was completed in the first portion of schematics. It provides for about 40,000 GSF of new construction on a site acquired for the project on the Duluth Harbor.

Non-State Public Bids and Contracts

The client feels it is important to include the knowledge of an experienced curator to represent its interests in the process of design for this specialized building type. Duties will include acting at the direction of the project administrator and the board of directors in working with the architects, exhibit designers and life support engineers to insure exhibit design that communicates the desired message to the visitor, is engaging and easy for the visitor to grasp, provides for healthy specimens in the exhibit and can be serviced and maintained in a manner that is not dangerous or difficult for curatorial staff and at reasonable ongoing cost. The curator will act at the direction of the administrator.

Qualifications and Conditions

The individual selected for this position will have experience in the care of the specimens anticipated to be exhibited, including day to day maintenance, feeding and quarantine procedures and utilization of veterinarians. Operation of life support systems, knowledge of exhibit techniques, general aquarium operations, specimen acquisition and permitting procedures is also required. This service through design development will be a part time, contract activity. It is expected to require 5-10 hours per week. It is preferred that these services be provided at the offices of Lake Superior Center Authority in Duluth, however, accommodation can be made for this service to be conducted elsewhere. Some travel will be required - meeting with the design team, administrator and board of directors. These services will be provided on a contract basis, this is not an advertisement for employment.

Proposal Submittal

Submittal to include experience of vendor relative to required qualifications, basis of compensation, references and any other information in support of selection. Several respondents will be selected for interviews based on these materials. Eight (8) copies of the submittal are required.

Dated: 9 March 1994

Northern States Power Company

Qualification Statements Sought from Manufacturers of Energy Management Systems for Installation in State of Minnesota Owned or Leased Buildings in NSP's Service Territory

Northern States Power Company (NSP), in conjunction with the Department of Administration, requests qualification statements from manufacturers of Energy Management Systems for use in the State of Minnesota Energy Retrofit Program.

Background

NSP, with the Commissioner of Administration, in consultation with the Department of Public Service, is conducting an energy conservation program on state-owned buildings and wholly-leased buildings. More than 300 buildings and as many as 20 million square feet will be retrofitted under this program.

Scope of Services

Manufacturers, through their local installation contractors, will be engaged to design, furnish and erect Energy Management Systems.

Program Timing

Completed Qualification Statements must be mailed to NSP at the address listed below by May 1, 1994. This program is continuous and it is not necessary to repeat the qualification process unless there are significant changes in the capabilities of your firm.

Selection of EMS Manufacturers

1. Interested EMS Manufacturers (NOT distributors, suppliers or installation contractors) should mail a letter of interest with descriptive information on the company to NSP at the address below.
2. NSP will return a qualification statement form to request more specific information.
3. EMS Manufacturers will be evaluated and a limited number will be invited to submit specific proposals for those projects where their qualifications and size are appropriate. The request for proposals for specific projects is a separate process.
4. NSP specifically invites minority, women-owned and disabled person-owned firms to submit Qualification Statements.

Request for Qualification Statement forms and letter of interest should be sent to:

Northern States Power Company
414 Nicollet Mall, RS-9
Minneapolis, MN 55401
Attn.: Ernest Suronen

Any questions must be directed to Ernest Suronen directly at (612) 330-6941.



ATTENTION: Minnesota Business Leaders

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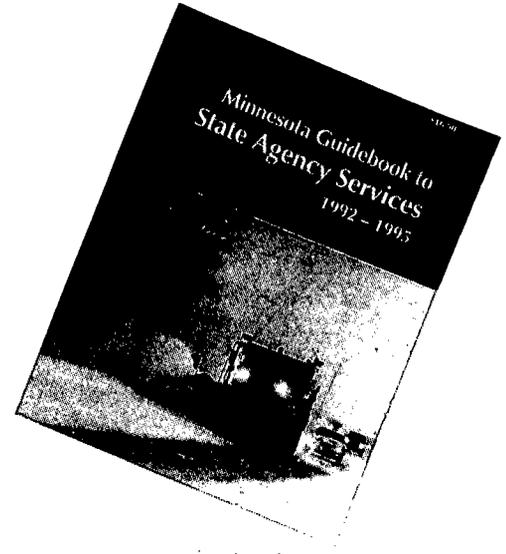
Business & Professional Directories -----

Minnesota Guidebook to State Agency Services 1992-95

An obvious "headliner" on any list for the business reference desk. The perfect "owner's manual" to Minnesota state government is a great reference tool for:

- * applying for grants, bidding on contracts
- * addresses, phone numbers and key contact people for each agency
- * license requirements and fees
- * gaining access to government services
- * participating in state policy making and service delivery
- * understanding the structure of Minnesota government with detailed descriptions of state agencies, their functions and services.

A MUST for the Minnesota business person. 710 pp. **Stock No. 1-11 SR REDUCED PRICE -- ~~\$16.00~~ NOW \$9.95**



Minnesota Manufacturer's Directory 1994

Lists companies alphabetically, by community, and by type of product manufactured. Includes name, address, phone number, sales volume, market products, area sales, marketing and purchasing. Also FAX numbers, data processing managers and chief engineers, when available. 742 pp. **Stock No. 40-2 SR \$95.00**

Healing Arts (Physician's) Directory 1991

Names and addresses in alphabetical order for licensed physicians, chiropractors, osteopaths, optometrists, podiatrists and registered physical therapists. 426 pp. **Stock No. 1-1 SR \$19.95**

State Agency Telephone Directory

Orders are now being taken for the 1994 Directory.

This directory lists all State of Minnesota government agencies. Features a greatly expanded FAX section with over 250 numbers, alphabetical employee listings, a classified section, organized by department, and "yellow pages" listing state offices in Greater Minnesota. 264pp. **Stock No. 1-87 SR \$12.95**

Airport Directory 1993

List of airports throughout the state. Approaches, rivers, all detailed markings, and much more. 178 pp. (pocket-size) **Stock No. 1-8 SR \$5.95**

Law Enforcement Directory 1993

Directory of state law enforcement agencies, sheriffs and police departments 51pp. **Stock No. 1-6 SR \$ 7.00**

Directory of Chemical Dependency Programs '92-93

Comprehensive listing of chemical dependency treatment programs in Minnesota. Information on services provided, funding and staff, and a map are also included. 282 pp. **Stock No. 1-12 SR \$17.00**

Mailing Lists ---

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Minnesota's Bookstore

117 University, St Paul, Minnesota 55155 (located 1/2 block west of the State Capitol)
612/297-3000 (Metro area) 1-800-657-3757 (Toll Free)

TDD (Telecommunications Device for the Deaf): 612/282-5077 1-800-657-3706 (Toll Free)
FAX 612/296-2265 Online computer access: 612/821-4096 (8-N-1, 1200/2400 bps)

