

87, February 16

STATE OF MINNESOTA

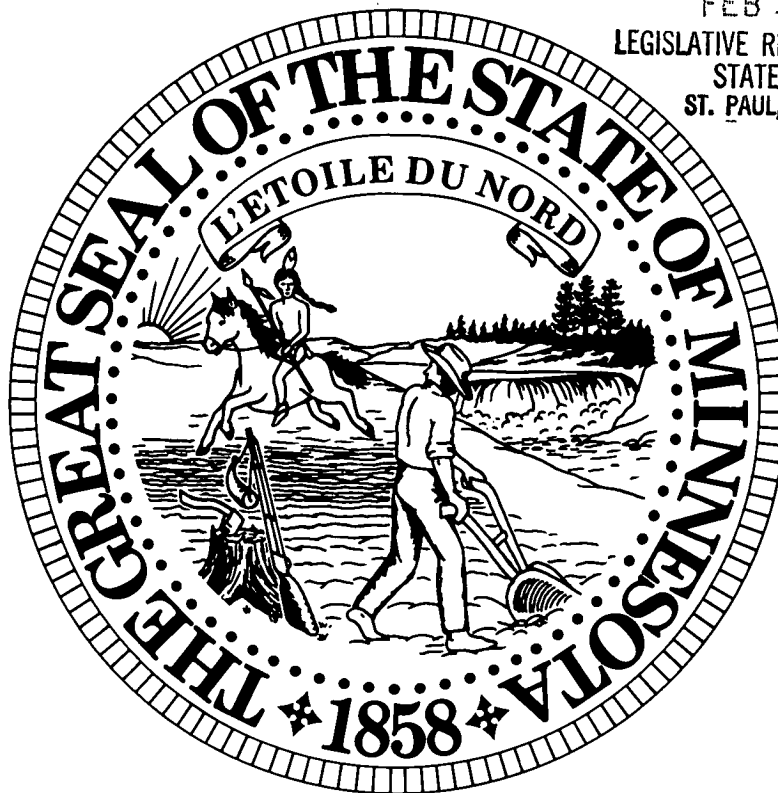
# STATE REGISTER

DEPARTMENT OF ADMINISTRATION—DOCUMENTS DIVISION

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# STATE REGISTER

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

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

### Volume 11 Printing Schedule and Submission Deadlines

Vol. 11 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
33	Monday 2 February	Monday 9 February	Monday 16 February
34	Monday 9 February	Monday 16 February	Monday 23 February
35	Monday 16 February	Monday 23 February	Monday 2 March
36	Monday 23 February	Monday 2 March	Monday 9 March

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

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

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

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How to Follow State Agency Rulemaking Action in the State Register

State agencies must publish notice of their rulemaking action in the State Register. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION also.

The PROPOSED RULES section contains:

- Proposed new rules (including notice of hearing and/or notice of intent to adopt rules without a hearing).
Proposed amendments to rules already in existence in the Minnesota Rules.
Proposed emergency rules.
Withdrawal of proposed rules (option; not required).

The ADOPTED RULES section contains:

- Notice of adoption of new rules and rule amendments adopted without change from the previously published proposed rules. (Unchanged adopted rules are not republished in full in the State Register unless requested by an agency.)
Adopted amendments to new rules or rule amendments (adopted changes from the previously published proposed rules).
Notice of adoption of emergency rules.
Adopted amendments to emergency rules (changes made since the proposed version was published).
Extensions of emergency rules beyond their original effective date.

The OFFICIAL NOTICES section includes (but is not limited to):

- Notice of intent to solicit outside opinion before promulgating rules.
Additional hearings on proposed rules not listed in original proposed rules calendar.

ALL ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES published in the State Register and filed with the Secretary of State before April 8, 1985 are published in the Minnesota Rules 1985. ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES filed after April 8, 1985 are included in a supplement published in Spring, 1986. Proposed and adopted EMERGENCY (formerly called TEMPORARY) RULES appear in the State Register but are generally not published in the Minnesota Rules due to the short-term nature of their legal effectiveness. Those that are long-term may be published.

The State Register publishes partial and cumulative listings of rule in the MINNESOTA RULES AMENDMENTS AND ADDITIONS list on the following schedule:

Table with 2 columns: Issue range and Issue range. Includes: Issues 1-13, inclusive; Issues 14-25, inclusive; Issue 26, cumulative for 1-26; Issues 27-38, inclusive; Issue 39, cumulative for 1-39; Issues 40-51, inclusive; Issue 52, cumulative for 1-52.

MINNESOTA RULES
Amendments and Additions

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**PROPOSED RULES**

Pursuant to Minn. Stat. of 1982, §§ 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 Energy and Economic Development**

**Proposed Permanent Rules Relating to Community Block Grants**

**Notice of Intent to Adopt Rule Amendments without a Public Hearing**

Notice is hereby given that the Department of Energy and Economic Development intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes, section 116J.873.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

## PROPOSED RULES

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Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

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

Louis Jambois  
Department of Energy and Economic Development  
Community Development Division  
900 American Center Building  
150 East Kellogg Boulevard  
St. Paul, Minnesota 55101  
(612) 297-3172

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Louis Jambois upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Louis Jambois.

Dated: 30 January 1987

David J. Speer, Commissioner  
Department of Energy and Economic Development

### Rules as Proposed

#### 4300.1100 TYPES OF COMPETITIVE GRANTS AVAILABLE.

Subpart 1. [Unchanged.]

Subp. 2. **Comprehensive grants.** The office shall approve comprehensive grants for two or more projects which constitute a comprehensive program as described in part 4300.0100. ~~Comprehensive grants shall be approved for funding from one, two, or three grant years. In the case of grants approved for funding from more than one grant year, the office shall make funds available to the grant recipient in the second or third year only after the recipient submits an approved application. Approval shall be subject to a finding by the office that the grant recipient has made normal progress and is in compliance with this chapter.~~

Subp. 3. [See Repealer.]

#### 4300.1200 APPLICATION PROCESS AND REQUIREMENTS.

Subpart 1. **Grant application manual.** The office shall prepare a manual for distribution to eligible applicants no later than 120 days before the application closing date for competitive applications. The manual must instruct applicants in the preparation of applications and describe the method by which the office will evaluate and rank applications. ~~If this chapter is not adopted before September 15, 1982, the 120-day period is waived for the 1983 grant year but the office shall make the manual available no later than 60 days before the application closing date.~~

Subp. 2. to 6. [Unchanged.]

#### 4300.2000 DETERMINATION OF GRANT AWARDS.

Subpart 1. **Funds available for grants.** The amount of funds available for grants shall be equal to the total allocation of federal funds made available to the State under United States Code, title 42, section 5306 (1981), after subtracting an amount for costs ~~incurred by~~ available to the office for administration of the program, as allowed by that law. The office is not liable for any grants under this chapter until funds are received from the United States Department of Housing and Urban Development.

Subp. 2. **Division of funds.** Of the funds available for grants in each grant year, 30 percent shall be reserved by the office to fund single purpose grants, 15 percent shall be reserved for economic development grants, and 55 percent shall be reserved by the office

to fund comprehensive grants, ~~including the second and third years of comprehensive grants approved for funding under parts 4300.1100 and 4300.1900.~~ However, the office may modify the proportions of funds available for single purpose and comprehensive grants if, after review of all applications, it determines that there is a shortage of fundable applications in either category.

At least 30 percent of the funds made available for single purpose grants shall be awarded for applications in each of the two categories: housing and public facilities. However, no application with a rating below the median score for its category shall be funded by the office solely for the purpose of meeting this requirement.

If there are unawarded economic development funds available at the end of the application year, two-thirds of the remaining funds will be available for competitive single purpose projects and one-third will be available for economic development projects during the next application year.

Subp. 3. to 5. [Unchanged.]

Subp. 6. **Grant ceilings.** No competitive single purpose grant may be approved for an amount over \$600,000. No comprehensive grant may be approved for an amount over \$700,000 ~~from any single grant year or for more than a total of \$1,400,000 over three grant years.~~ No economic development grant may be approved for an amount over \$500,000.

#### **4300.3100 GRANT AGREEMENTS.**

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Use of program income.** Program income from sources such as reimbursements to and interest from a grant recipient's loan program, proceeds from disposition of real property, and proceeds from special assessments must be used for ~~project-related costs within 12 months from the time it is earned~~ eligible activities. The office shall reduce future grant payments by the amount of any unobligated program income that an applicant has and shall take whatever additional action is necessary to recover any remaining amounts owed.

Subp. 4. to 7. [Unchanged.]

#### **4300.3200 RECORD KEEPING AND MONITORING.**

Subpart 1. [Unchanged.]

Subp. 2. **Audits.** Grant recipients must arrange for and pay for an acceptable independent audit before grant close-out prepared in compliance with OMB Circular A-128, which was published in the Federal Register, volume 50, number 188, page 39083, on September 27, 1985, and the Single Audit Act of 1984, Public Law Number 98-502, codified as 31 U.S.C. sections 7501-7507. ~~Audits will usually be done annually, but no less frequently than every two years. In the case of two- and three-year comprehensive programs, the office shall require an audit after two years;~~ Costs incurred pursuant to this requirement are eligible under this program.

Subp. 3. to 5. [Unchanged.]

**REPEALER.** Minnesota Rules, part 4300.1100, subpart 3 is repealed.

## **Hazardous Substance Injury Compensation Board**

### **Proposed Permanent Rules Relating to Board Operation Procedure**

#### **Notice of Proposed Adoption of a Rule Without a Public Hearing**

Notice is hereby given that the State Hazardous Substance Injury Compensation Board proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes § 115B.28 (1986).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

## PROPOSED RULES

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Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

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

Virginia Reiner  
Hazardous Substance Injury Compensation Board  
2700 University Avenue West, #115  
St. Paul, Minnesota 55114  
612/642-0455

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

A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request by writing or telephoning the Board's office at the address or telephone number listed above.

Promulgation of the proposed rule will not result in the expenditure of public monies by local public bodies, fix or adjust any fees, have an impact on agricultural land or an impact on small businesses.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to the executive director at the address listed above.

Virginia L. Reiner, Executive Director  
Hazardous Substance Injury Compensation Board

### Rules as Proposed (all new material)

#### CHAPTER 7190 HAZARDOUS SUBSTANCE INJURY COMPENSATION BOARD PROCEDURES

##### 7190.0001 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in Minnesota Statutes, chapter 115B and in this part.

Subp. 2. **Board.** "Board" means the Hazardous Substance Injury Compensation Board created by Minnesota Statutes, section 115B.27, subdivision 1.

Subp. 3. **Days.** "Days" means calendar days.

Subp. 4. **Director.** "Director" means the executive director of the Hazardous Substance Injury Compensation Board.

Subp. 5. **Professional member.** "Professional member" means the attorney, physician, or health professional member of the board.

#### BOARD

##### 7190.0002 OFFICERS AND DUTIES.

Subpart 1. **Officers.** At the regular meeting in July, the members shall elect a chair and vice-chair. Each officer shall serve a term of one year. The vice-chair shall discharge the duties of the chair during the absence or disability of the chair.

Subp. 2. **Vacancies.** Upon a vacancy in the office of chair of the board, the vice-chair shall become the chair until the election of new officers at the regular meeting in July. Upon a vacancy in the office of vice-chair, a special election shall be held at the next regular meeting, for a term to end with the election of new officers at the regular meeting in July.

Subp. 3. **Removal.** The chair or vice-chair may be removed from office by the affirmative vote of the majority of members.

Subp. 4. **Execution of documents.** Contracts and other documents approved by the board pursuant to law shall be executed on



the board's behalf by the chair. The chair may delegate to the director authority to execute documents approved by the board. Any delegation shall be filed with the Secretary of State.

#### **7190.0003 BOARD MEETINGS.**

Subpart 1. **Regular meetings.** The board shall meet monthly at a date, place, and time set by the board. The chair may direct that any regular meeting be canceled, postponed, or advanced.

Subp. 2. **Special meetings.** The chair may call a special meeting of the board when the chair deems it necessary. The chair shall call a special meeting when two board members request it.

Subp. 3. **Quorum.** A majority of members of the board shall constitute a quorum, and a quorum must be present for the transaction of business.

Subp. 4. **Presiding officer.** The chair shall preside at board meetings and shall determine the limits of time and the relevancy of discussion or debate on any matter before the board. If both the chair and vice-chair are absent, the members present shall elect a presiding officer to serve for that meeting or until the chair or vice-chair arrives.

Subp. 5. **Voting.** A majority vote of the entire board is necessary to make any decision. All members present shall vote or abstain on every matter presented for decision.

Subp. 6. **Public participation at meetings.** Meetings of the board shall be open to the public, except during the time protected information is to be discussed. Participation by persons other than members of the board and its staff and attorney shall be at the request of the board or with prior authorization from the chair or director.

Subp. 7. **Parliamentary procedure.** Except as specifically provided in this chapter, Robert's Rules of Order shall govern any question of parliamentary procedure that may arise at any meeting of the board.

Subp. 8. **Record of meetings.** The board shall keep full and accurate minutes of meetings, including a record of votes of individual members.

#### **7190.0004 CONFLICT OF INTEREST.**

A member of the board who has a direct and substantial financial or employment interest relating to any matter before the board shall make known this interest and refrain from participating in or voting upon the matter. If nonparticipation by board members results in the loss of a quorum, the entire board shall select from among themselves a majority of members whose interests are least likely to affect their impartiality or judgment, and these members shall vote upon the matter before the board.

### **CLAIM APPLICATION**

#### **7190.0005 REPRESENTATION.**

A claimant may authorize a representative to complete the application for compensation and represent the claimant in all communication and proceedings involving the board. The representative may be an attorney or other individual which the claimant has authorized in writing to the board to act in that capacity. The board will notify the claimant and the claimant's representative of actions pertaining to a claim.

#### **7190.0006 APPLICATION FOR COMPENSATION.**

A claimant must apply for compensation within the time limits established by Minnesota Statutes, section 115B.30, subdivision 3. The application must be on a form supplied by the board, containing substantially the following:

- A. the name, address, telephone number, social security number, and age of the claimant;
- B. the name, address, and telephone number of the claimant's employer if the claimant is seeking compensation for personal injury or claiming hardship;
- C. the name, address, telephone number, and relationship to the claimant of any representative;
- D. the identity of the hazardous substances to which the claimant was exposed;
- E. a description of the property damage or personal injury;
- F. the date the claimant discovered the property damage or the personal injury;

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## PROPOSED RULES

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- G. the date the claimant discovered the connection between the injury or property damage and the exposure to hazardous substances and an explanation of how the connection was discovered;
- H. the name, address, and phone number of any medical practitioner who examined the claimant regarding the personal injury;
- I. in the case of death as a personal injury, the cause of death on the death certificate and the report of an autopsy if performed;
- J. the identity of any government agency or official that the claimant contacted concerning the presence of hazardous substances;
- K. the identity, if the claimant knows, of the source of the hazardous substances related to the exposure, including the location of the source and the person responsible for the release;
- L. the duration and location of the exposure to the substances;
- M. the amount of compensation the claimant seeks from the board for the property damage or personal injury including losses for medical expenses, lost wages, or income and lost household labor;
- N. the amount of reimbursement the claimant has received for losses and identification of the sources of reimbursement;
- O. a description of actions the claimant has taken if any to recover compensation from the person responsible for the release of the hazardous substance;
- P. a statement signed by the claimant, certifying under oath the accuracy and completeness of the information provided;
- Q. an authorization signed by the claimant for access to medical and financial records if the compensation requested is for personal injury or hardship; and
- R. other relevant information the board or director deems essential to a determination on the application.

### 7190.0007 CLAIM ACCEPTANCE.

Subpart 1. **Claim acceptance.** A claim shall begin when the director accepts for filing an application for compensation. The director shall accept for filing an application that the director determines is from an eligible person, and cites injury or damage described as eligible for compensation in Minnesota Statutes, chapter 115B.

Subp. 2. **Refusal to accept.** If the director determines that the application is ineligible, the director will forward the application to a professional board member. The board member will review the application and the director's determination and render a written decision on the eligibility of the application within 14 days. If the board member determines the application is ineligible, the director will notify the applicant in writing of the refusal to accept the application for filing and the reasons for finding it ineligible. The director shall report at the regular meeting of the board on the number of applications determined since the previous meeting to be ineligible and the reasons for ineligibility.

Subp. 3. **Refiling an application.** An applicant may not appeal a determination of ineligibility but may submit another application if that application contains new information relevant to determining eligibility.

### 7190.0008 CLAIM REVIEW.

Subpart 1. **Director's review.** The director shall review a claim to assure the claimant has provided the information required by part 7190.0006.

Subp. 2. **Claims with required information.** If the director determines the claim contains the required information, the director will notify the claimant in writing that the claim has been accepted for filing, and will forward the claim with recommendations for investigation to the chair.

Subp. 3. **Claims lacking required information.** If the director determines the claim lacks required information, the director will provide the claimant written notice describing the required information, the time limits for providing the information, and the consequences of not providing the required information.

Subp. 4. **Extensions of time for providing required information.** If a claimant cannot provide the required information within the designated time limits, the claimant may request from the board an extension of time. The request must be made as soon as reasonably practicable and be in writing. It must give the reasons the extension is needed and the date the information will be provided. The director may approve a request for extension of time. If the director determines a request for extension of time should be denied, the director will submit the request and the director's determination to a professional board member. The board member will issue a written decision to grant or deny the extension. The director will notify the claimant in writing of the decision to grant or deny as soon as practicable after the claimant makes the request.

### 7190.0009 CLAIM ACCESS.

During the time a claim is pending before the board, the application, supporting documents, and information gathered by the

board shall be available only to members of the board, the board's staff, attorney, and authorized consultants. Claim data in summary form or other form that does not identify the claimant may be distributed. The final decision of the board shall be available to the public.

**7190.0010 CLAIM AMENDMENT.**

A claimant must promptly notify the board in writing upon learning of additional personal injury or property damage potentially related to a pending claim. The board will determine whether to permit an amendment of the pending claim.

**7190.0011 CLAIM CONSOLIDATION.**

The chair may consolidate two or more related claims if:

- A. the claims arise from the same release; or
- B. the claims present substantially the same issues; and
- C. the consolidation would not prejudice the rights of any claimant; and
- D. the consolidation is administratively practical.

**7190.0012 CLAIM DISMISSAL.**

The board may dismiss a claim when:

- A. the claimant refuses to supply requested information, including undergoing mental or physical examination;
- B. the claimant receives an award from the responsible person;
- C. the claimant has falsified or withheld information relevant to the claim; or
- D. the claimant refuses to appear before the board when ordered.

**7190.0013 EMERGENCY COMPENSATION.**

A claimant may submit a written request to the board for emergency compensation for expenses related to a pending claim. The board must respond to the request within 30 days. The board shall determine whether to grant emergency compensation as described in Minnesota Statutes, section 115B.28, subdivision 2, clause (3), using the following criteria:

- A. the failure to receive the emergency compensation may create a life-threatening or other seriously disruptive situation such as loss of critical medical care, loss of residence, or loss of other basic necessities; and
- B. the emergency compensation is not likely to be provided by other sources of assistance available to the claimant.

The board may award emergency compensation only to the extent necessary to meet immediate expenses.

**7190.0014 CLAIM INVESTIGATION.**

Board members other than the member assigned to the investigation shall not discuss with the claimant outside a board meeting the status of the investigation.

**7190.0015 CLAIM DETERMINATION.**

Subpart 1. **Challenge of preliminary decision.** A board member or claimant who challenges a preliminary decision on a claim must indicate in writing what findings are disputed. Within 14 days after the board receives notice of the challenge the claimant shall be notified of the date of a special meeting of the board at which the claimant shall appear. No later than five days preceding the special meeting the claimant shall provide the board with a list of written material that the claimant will supply at the meeting and the names and addresses of the witnesses that the claimant has asked to speak at the meeting.

Supb. 2. **Claimant appearance.** The member who wrote the preliminary decision shall not preside at the meeting. The claimant and any witnesses at the special meeting shall speak under oath.

Supb. 3. **Claimant review of protected information.** Within 30 days of receiving the final decision of the board, a claimant may request to review protected information relevant to the final determination of the claim. The claimant must agree in writing to maintain the confidentiality of such information under Minnesota Statutes, section 115B.35.

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

## PROPOSED RULES

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### 7190.0016 REOPENING A CLAIM.

Within a reasonable time, not to exceed six years from the final determination of a claim, the board by majority vote may reopen the investigation of a claim upon the presentation of new material evidence which with reasonable diligence could not have been found and produced at the time of the claim determination.

### 7190.0017 PAYMENT OF COMPENSATION.

Subpart 1. **Claimant payment.** Payment of all compensation shall be directly to the claimant.

Subp. 2. **Subrogation.** An offer of compensation from the board shall be subject to the claimant assigning to the board the claimant's rights to recover losses from other sources. The claimant shall agree to cooperate fully with the board in any subrogation action brought by the board.

Subp. 3. **Acceptance deadline.** A claimant must accept or reject in writing an offer of compensation from the board within 30 days of receiving the offer. If the board receives no response from the claimant, the board shall consider the offer rejected.

## Housing Finance Agency

### Proposed Permanent Rules Relating to Apartment Renovation Mortgage Program

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

Notice is hereby given that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. Sec. 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as a result of comments received if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. Sec. 14.14 *et. seq.* Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson  
Legal Division  
Minnesota Housing Finance Agency  
Suite 300  
400 Sibley Street  
St. Paul, Minnesota 55101  
Telephone: 612/296-9794

Authority for the adoption of these rules is contained in Minn. Stat. Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that Minn. Stat. Ch. 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. Sec. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St Paul, Minnesota 55155 (612) 296-5615.

Dated: 13 February 1987

James J. Solem, Executive Director  
Minnesota Housing Finance Agency

### **Rules as Proposed (all new material)**

#### **4900.0356 ELIGIBLE APPLICATIONS.**

Subpart 1. **Property interest.** An applicant for an apartment renovation mortgage loan must, at the time of application, possess one of the following interests in the property to be improved:

A. a fee title;

B. a fee title subject to a mortgage or other lien securing a debt capable of prepayment or, at the option of the agency, subordination; or

C. a mutually binding contract or option for the purchase of fee title.

Subp. 2. **Eligible borrowers.** Natural persons, public or private for profit or nonprofit corporations or entities, partnerships, joint ventures, or cooperatives are eligible to receive an apartment renovation mortgage loan.

Subp. 3. **Credit risk.** An applicant for an apartment renovation mortgage loan must be a reasonable credit risk with the capacity to pay the loan obligation, as determined by the agency.

Subp. 4. **Eligible structures.** To be eligible for improvements funded with an apartment renovation mortgage loan, the structure:

A. must be in need of improvements or repairs in order to bring it into compliance with Minnesota Statutes, section 116J.27, subdivision 3, state energy conservation standards; and

B. must contain a minimum of four dwelling units.

Subp. 5. **Compliance with zoning ordinances.** The structure to be improved must not be in violation of applicable zoning ordinances.

Subp. 6. **Use of property restricted.** The property must be used primarily for residential purposes.

Subp. 7. **Restriction of loan use.** Apartment renovation mortgage loan proceeds may be used to refinance existing indebtedness secured by the property in conjunction with the funding of the improvements contemplated by part 4900.0357.

Subp. 8. **Unavailability of financing.** At the time of application, conventional financing must not be available from private lenders upon equivalent terms and conditions.

Subp. 9. **Required occupancy.** At the time of loan closing or initial occupancy, at least 75 percent of the dwelling units in the structure to be improved must be occupied by low and moderate income persons and families, defined as follows: persons or families whose adjusted income does not exceed the greater of \$16,000 or 66 times the gross rental for the unit; provided that the gross rental for the unit is correlated by the agency with fair market rents for the geographical area in which the property to be improved is located, as determined and adjusted from time to time by the United States Department of Housing and Urban Development. The agency may provide by contract with the borrower for rent levels during a predetermined period after loan closing which will be affordable to persons and families of low and moderate income, as defined in this subpart.

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

## PROPOSED RULES

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### 4900.0357 ELIGIBILITY REQUIREMENTS FOR APARTMENT RENOVATION MORTGAGE LOANS.

Subpart 1. **Restrictions on loans.** Improvements made with apartment renovation mortgage loans shall be in compliance with subparts 2 to 7.

Subp. 2. **State energy conservation standards.** In accordance with Minnesota Statutes, section 462A.05, subdivision 21, the structure must be brought into compliance with the standards established in Minnesota Statutes, section 116J.27, subdivision 3, state energy conservation standards.

Subp. 3. **Structures less than 15 years old.** For structures less than 15 years old, only improvements necessary to achieve compliance with the state energy conservation standards under Minnesota Statutes, section 462A.05, subdivision 21, are eligible.

Subp. 4. **Structures 15 years old or more.** For structures 15 years old or more, permanent general improvements as described in subpart 5 are eligible in addition to the improvements relating to state energy conservation standards referred to in subpart 2.

Subp. 5. **Permanent general improvements.** An improvement must be a permanent general improvement. Permanent general improvements shall include additions, alterations, renovations, or repairs upon or in connection with existing structures which materially preserve or improve the basic livability, safety, or utility of the property; which may include the installation or replacement of appliances as well as fixtures. Permanent general improvements shall not include materials, fixtures, appliances, or landscaping of a type or quality exceeding that customarily used in the locality for properties of the same general type as the property to be improved.

Subp. 6. **Other code and standards.** An improvement must be made in compliance with applicable health, fire prevention, building, and housing codes and standards.

Subp. 7. **Public improvements.** Apartment renovation mortgage program loan proceeds shall not be used for the payment, wholly or in part, of assessments for public improvements.

### 4900.0358 SELECTION CRITERIA FOR APARTMENT RENOVATION MORTGAGE PROGRAM LOANS.

In determining whether or not to accept applications for apartment renovation mortgage loans, the agency shall take the following criteria into consideration:

- A. whether the location of the structure to be improved is such that it will enable the housing to be successfully marketed at the proposed rents;
- B. accessibility to schools, shopping, health care, recreation and social facilities, and centers of employment;
- C. availability of a convenient access to public transportation;
- D. availability and proximity of adequate sewer and water facilities, public utilities, and paved roads;
- E. freedom from serious adverse environmental and site conditions;
- F. the extent to which displacement of residents is minimized;
- G. rental management qualifications and financial strength of the owner; and
- H. reasonableness of property and property-related costs.

## Department of Human Services

### Proposed Permanent Rules Relating to Implementation of the Consolidated Chemical Dependency Treatment Fund

#### Notice of Hearing

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in the Veterans Home, Auditorium/Chapel, Building 15, 5101 Minnehaha Avenue South, Minneapolis, Minnesota 55417 on March 18, 1987, commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Peter Erickson, Administrative Law Judge, Office of Administrative Hearings,

400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7606, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may, at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in Minnesota Statutes, section 14.50. The rule hearing is governed by Minnesota Statutes, section 14.01 to 14.56 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Consolidated Chemical Dependency Treatment Fund consists of funds that have been transferred from the general assistance, general assistance medical care, and medical assistance programs. Under Laws of Minnesota 1986, chapter 394, codified as Minnesota Statutes, chapter 254B, the money from this consolidated fund is appropriated to counties for chemical dependency treatment services. Minnesota Rules, parts 9530.2800, 9530.5300, 9530.6600 to 9530.6655, 9530.6800 to 9530.6810, and 9530.7000 to 9530.7030 all relate to the Consolidated Chemical Dependency Treatment Fund. The proposed rule includes both amendments to existing rules and proposed new rules. Provisions included in the proposed rules will affect vendors who provide chemical dependency treatment services, clients who seek chemical dependency treatment services from local agencies, and local agencies that must administer the Consolidated Chemical Dependency Treatment Fund.

Parts 9530.2800, 9530.5300, and 9530.6800 to 9530.6810 are proposed amendments to the existing outpatient and rehabilitation program licensing rules. (Part 9530.2800 is a part of the rule popularly called Rule 35. Part 9530.5300 is a part of the rule popularly called Rule 43. Parts 9530.6800 and 9530.6810 are proposed new rule parts.) These proposed amendments provide clarification of an applicant's required demonstration that the proposed program is needed.

Parts 9530.6600 to 9530.6655 are popularly known as Rule 25. Technical amendments have been proposed to these rule parts that will make the rule language consistent with the language in the department's federal waiver applications. This rule has also been amended to establish a requirement that local agencies provide a second chemical use assessment for clients who disagree with the level of care proposed by the first assessment.

Parts 9530.7000 to 9530.7030 are new rule parts that relate directly to implementation of the Consolidated Chemical Dependency Treatment Fund. The rule provisions include definitions of terms; scope and applicability; client eligibility criteria; procedures that local agencies must follow to determine client eligibility; a sliding fee scale; provisions governing the state denial of payments; criteria for approval of a client data collection system; and client data collection requirements for vendors who receive Consolidated Chemical Dependency Treatment funds.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 254B.03, subdivision 5.

Adoption of these rules will not result in additional spending by local public bodies in the excess of \$100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11. A fiscal note prepared according to the requirements of Minnesota Statutes, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Phil Brekken, Chemical Dependency Program Division, 444 Lafayette Road, St. Paul, Minnesota 55155, (612) 296-4611.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Phil Brekken, Chemical Dependency Program Division, 444 Lafayette Road, St. Paul, Minnesota 55155, (612) 296-4611. A copy of the rule may also be viewed at any of the 87 county welfare agencies in the State of Minnesota.

Additional copies will be available at the hearing. If you have any questions on the content of the rule, contact Phil Brekken, Chemical Dependency Program Division, 444 Lafayette Road, St. Paul, Minnesota 55155, (612) 296-4611.

**NOTICE:** Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the secretary of state. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the secretary of state.

**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

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 10A, requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

(a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communication or urging others to communicate with public officials; or

(b) who spends more than \$250, not including traveling expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Dated: 30 January 1987

Sandra S. Gardebring, Commissioner  
Department of Human Services

### Rules as Proposed

#### 9530.2800 LICENSURE.

Subpart 1. to 8. [Unchanged.]

Subp. 9. **Procedures for issuing a license.** ~~Prior to the~~ Before issuance of a license or provisional license, the following steps shall be completed:

A. The need for the program shall be determined ~~under area board coordination. A mechanism for the determination of local need shall be established on the basis of guidelines set by the commissioner in accordance with part 9530.6800.~~

B. to D. [Unchanged.]

Subp. 10. to 12. [Unchanged.]

#### 9530.5300 LICENSURE.

Subpart 1. to 6. [Unchanged.]

Subp. 7. **Licensure procedures.** ~~Prior to the~~ Before issuance of a license or provisional license, the following steps shall be completed:

A. The commissioner shall determine the need for the program ~~based in part on a recommendation which shall be obtained from the Area Board/Human Service Board. The recommendation on need from the board shall be accompanied by documentation explaining the basis for determination in accordance with part 9530.6800.~~

B. and C. [Unchanged.]

Subp. 8. to 11. [Unchanged.]

#### 9530.6600 CHEMICAL DEPENDENCY CARE FOR PUBLIC ASSISTANCE RECIPIENTS; GENERAL PROVISIONS.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Funding sources governed.** All financial resources allocated for chemical abusing or dependent individuals under Minnesota Statutes, chapters 246, 254B, 256B, 256D, and 256E, shall be expended in accordance with parts 9530.6600 to 9530.6655.

#### 9530.6605 DEFINITIONS.

Subpart 1. to 14. [Unchanged.]

Subp. 15. **Extended care.** "Extended care" means a licensed chemical dependency ~~residential~~ rehabilitation program that offers a long-term combination of in-house chemical dependency services and community ancillary resources. Extended care programs must provide at least 15 hours a week per individual of chemical dependency services including group and individual counseling, ~~lectures~~ client education, and other services specific to chemical dependency rehabilitation.

Subp. 16. [Unchanged.]



Subp. 17. **Halfway house.** "Halfway house" means a licensed chemical dependency ~~residential facility with a~~ rehabilitation program that offers a transitional semi-independent living arrangement with an emphasis on aftercare and, community ancillary services, and securing employment. Halfway house programs must provide at least five hours a week of chemical dependency rehabilitation services which may include group counseling, employment counseling, individual counseling, or self-help groups.

Subp. 18. to 21. [Unchanged.]

Subp. 22. **Primary ~~residential treatment~~ rehabilitation in a free-standing facility.** "Primary ~~residential treatment~~ rehabilitation in a free-standing facility" means a licensed chemical dependency ~~residential~~ rehabilitation program that is not located in an acute care hospital, and that provides intensive therapeutic services following detoxification. At least 30 hours a week per individual of chemical dependency services must be provided, including group and individual counseling, ~~lectures~~ client education, and other services specific to chemical dependency rehabilitation.

Subp. 23. **Primary ~~residential treatment~~ rehabilitation in a hospital setting.** "Primary ~~residential treatment~~ rehabilitation in a hospital setting" means a licensed chemical dependency ~~residential~~ rehabilitation program with that has 24-hour nursing surveillance and physician availability and that provides intensive therapeutic services following detoxification in an acute care facility. At least 30 hours a week per individual of chemical dependency services must be provided, including group and individual counseling, ~~lectures~~ client education, and other services specific to chemical dependency rehabilitation.

Subp. 24. **Residential treatment Rehabilitation program.** "Residential treatment Rehabilitation program" means services that are a program of chemical dependency rehabilitation provided in a residential facility as defined in Minnesota Statutes, section 245.782, subdivision 6.

Subp. 25. [Unchanged.]

#### **9530.6630 PLACEMENT CRITERIA FOR PRIMARY RESIDENTIAL TREATMENT.**

A client shall be placed in primary ~~residential treatment~~ rehabilitation in a free-standing facility or hospital setting when the client meets the criteria in items A, B, and C.

A. [Unchanged.]

B. The client is unable to abstain from chemical use when the client is outside a ~~residential~~ facility that controls access to chemicals.

C. [Unchanged.]

#### **9530.6635 PLACEMENT CRITERIA FOR PRIMARY RESIDENTIAL TREATMENT IN A HOSPITAL SETTING.**

A client assessed as a chemical abuser or as chemically dependent under part 9530.6620, subpart 2, and meeting the criteria of item A or B shall be placed in primary ~~residential treatment~~ rehabilitation in a hospital setting.

A. and B. [Unchanged.]

#### **9530.6640 PLACEMENT CRITERIA FOR EXTENDED CARE.**

A client shall be placed in extended care if the client is assessed as chemically dependent under part 9530.6620, subpart 2, and is experiencing four or more of the following:

A. The client has participated in primary ~~residential treatment~~ rehabilitation within the past two years.

B. to G. [Unchanged.]

#### **9530.6645 PLACEMENT CRITERIA FOR A HALFWAY HOUSE.**

A client shall be placed in a halfway house if the client has been assessed as chemically dependent under part 9530.6620, subpart 2; has either been discharged from a detoxification, primary ~~treatment~~ rehabilitation, or extended care program, or is currently participating in an outpatient program; and has experienced three or more of the following:

A. the client is unable to avoid chemical use related problems outside a ~~residential~~ facility that controls access to chemicals;

B. to E. [Unchanged.]

#### **9530.6650 EXCEPTIONS TO PLACEMENT CRITERIA.**

Subpart 1. [Unchanged.]

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

Subp. 2. **Adolescent exceptions to placement criteria.** An adolescent client assessed as a chemical abuser or as chemically dependent under part 9530.6620, subpart 2, may be placed in primary ~~residential treatment~~ rehabilitation when one or more of the following items can be documented:

A. to C. [Unchanged.]

Subp. 3. and 4. [Unchanged.]

### 9530.6655 APPEALS.

Subpart 1. Client's right to a second assessment. A client who has been assessed under part 9530.6615, and who disagrees with the level of chemical dependency care proposed by the assessor, shall have the right to request a second chemical use assessment. The county or the prepaid health plan shall inform the client in writing of the right to request a second assessment at the time the client is assessed for a program placement. The county or the prepaid health plan shall also inform the client that the client's request must be in writing or on a form approved by the commissioner, and must be received by the county or the prepaid health plan within five working days of completion of the original assessment or before the client enters treatment, whichever occurs first.

The county or the prepaid health plan shall provide a second chemical use assessment by a different qualified assessor within five working days of receipt of a request for reassessment. If the client agrees with the second level of care determination, the county or the prepaid health plan shall place the client in accordance with parts 9530.6625 to 9530.6650 and the second assessment.

If, after receiving the second assessment, a client who is not an enrollee in a prepaid health plan still disagrees with the county's level of care determination, the client has a right to appeal under subpart 2. If, after receiving the second assessment, a client who is enrolled in a prepaid health plan still disagrees with the prepaid health plan's proposed level of care, the client has the right to an appeal under part 9500.1463.

Subp. 2. Client's right to appeal. Clients who are denied an assessment under part 9530.6615, denied a second assessment under subpart 1, denied placement, or who disagree with the level of chemical dependency care proposed shall have the right to a fair hearing under Minnesota Statutes, section 256.045. Notice of the right to appeal must be given in accordance with part 9550.0092.

### Rules as Proposed (all new material)

#### 9530.6800 ASSESSMENT OF NEED FOR CHEMICAL DEPENDENCY TREATMENT PROGRAMS.

Subpart 1. **Assessment of need required for licensure.** Before a license or a provisional license may be issued, the need for the chemical dependency treatment or rehabilitation program must be established by the commissioner. Need for an additional or expanded chemical dependency treatment program must be established, in part, based on the recommendation of the county board of commissioners of the county in which the program will be located and the documentation submitted by the applicant at the time of application.

If the county board fails to submit a statement to the commissioner within 60 days of the county board's receipt of the written request from an applicant, as required under part 9530.6810, the commissioner shall establish the need for the applicant's proposed chemical dependency treatment program based on the documentation submitted by the applicant at the time of application.

Subp. 2. **Documentation of need requirements.** An applicant for licensure under parts 9530.2500 to 9530.4000 and 9530.5000 to 9530.6500 must submit the documentation in items A and B to the commissioner with the application for licensure:

A. The applicant must submit documentation that it has requested the county board of commissioners of the county in which the chemical dependency treatment program will be located to submit to the commissioner both a written statement that supports or does not support the need for the program and documentation of the rationale used by the county board to make its determination.

B. The applicant must submit a plan for attracting an adequate number of clients to maintain its proposed program capacity, including:

- (1) a description of the geographic area to be served;
- (2) a description of the target population to be served;
- (3) documentation that the capacity or program designs of existing programs are not sufficient to meet the service needs of the chemically abusing or chemically dependent target population;
- (4) a list of referral sources, accompanied by letters from those sources projecting the number of clients the referral source anticipates referring to the applicant's program in the first year of operation and identifying where clients in the same target population are being referred before the availability of the applicant's proposed program; and
- (5) any other information available to the applicant that supports the need for new or expanded chemical dependency treatment capacity.

**9530.6810 COUNTY BOARD RESPONSIBILITY TO REVIEW NEED FOR NEW OR EXPANDED CHEMICAL DEPENDENCY TREATMENT PROGRAMS.**

When an applicant for licensure under parts 9530.2500 to 9530.4000 or 9530.5000 to 9530.6500 requests a written statement of support for a proposed chemical dependency treatment program from the county board of commissioners of the county in which the proposed program is to be located, the county board, or the county board's designated representative, shall submit a statement to the commissioner that either supports or does not support the need for the applicant's program. The county board's statement must be submitted in accordance with items A and B:

- A. the statement must be submitted within 60 days of the county board's receipt of a written request from the applicant for licensure; and
- B. the statement must include the rationale used by the county board to make its determination.

**9530.7000 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 9530.7000 to 9530.7030, the following terms have the meanings given them.

Subp. 2. **Adjusted gross income.** "Adjusted gross income" means the amount of income remaining after deductions allowed by the federal Internal Revenue Service. Annual adjusted gross income is the amount reported as adjusted gross income on an individual's previous year's federal income tax return, or current wages calculated prospectively to cover one year minus deductions allowed by the federal Internal Revenue Service.

Subp. 3. **Chemical.** "Chemical" means alcohol, solvents, and other mood-altering substances, including controlled substances as defined in Minnesota Statutes, chapter 152.

Subp. 4. **Chemical abuse.** "Chemical abuse" means a pattern of inappropriate and harmful use as defined in subpart 13. Chemical abuse includes inappropriate and harmful patterns of chemical use that are linked to specific situations in an individual's life, such as loss of a job, death of a loved one, or sudden changes in life circumstances. Chemical abuse does not involve a pattern of pathological use, but it may progress to pathological use.

Subp. 5. **Chemical dependency.** "Chemical dependency" means a pattern of pathological use as defined in subpart 17, accompanied by the physical manifestations of increased tolerance to the chemical or chemicals being used or withdrawal syndrome following cessation of chemical use. Chemical dependency includes a pattern of pathological use as defined in subpart 17, accompanied by the physical manifestations of increased tolerance to the chemical or chemicals being used or withdrawal syndrome following cessation of chemical use, which has been interrupted by a period of incarceration or hospitalization.

Subp. 6. **Chemical dependency treatment services.** "Chemical dependency treatment services" means licensed out-patient chemical dependency treatment programs and licensed chemical dependency rehabilitation programs.

Subp. 7. **Client.** "Client" means an individual who has requested chemical abuse or dependency services, or for whom chemical abuse or dependency services have been requested, from a local agency.

Subp. 8. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Human Services or the commissioner's designated representative.

Subp. 9. **Consolidated Chemical Dependency Treatment Fund.** "Consolidated Chemical Dependency Treatment Fund" means money appropriated for payment of chemical dependency treatment services under Minnesota Statutes, chapter 254B.

Subp. 10. **Copayment.** "Copayment" means the amount an insured person is obligated to pay before the person's third-party payment source is obligated to make a payment, or the amount an insured person is obligated to pay in addition to the amount the person's third-party payment source is obligated to pay.

Subp. 11. **Drug and Alcohol Abuse Normative Evaluation System or DAANES.** "Drug and Alcohol Abuse Normative Evaluation System" or "DAANES" means the client information system operated by the department's Chemical Dependency Program Division.

Subp. 12. **Department.** "Department" means the Minnesota Department of Human Services.

Subp. 13. **Inappropriate and harmful use.** "Inappropriate and harmful use" means use of a chemical that exceeds social or legal standards of acceptability, the outcome of which is characterized by three or more of the following:

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## PROPOSED RULES

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- A. weekly use to intoxication;
- B. inability to function in a social setting without becoming intoxicated;
- C. driving after consuming sufficient chemicals to be considered legally impaired under Minnesota Statutes, section 169.121, whether or not an arrest takes place;
- D. excessive spending on chemicals that results in an inability to meet financial obligations;
- E. loss of friends due to behavior while intoxicated; or
- F. chemical use that prohibits one from meeting work, school, family, or social obligations.

Subp. 14. **Local agency.** "Local agency" means the county or multi-county agency authorized under Minnesota Statutes, sections 254B.01, subdivision 5, and 254B.03, subdivision 1, to make placements and submit state invoices under the Consolidated Chemical Dependency Treatment Fund.

Subp. 15. **Minor child.** "Minor child" means an individual under the age of 18 years.

Subp. 16. **Negotiated rate.** "Negotiated rate" means a payment amount for halfway house clients that includes room and board and that is either set by or negotiated by the state or local agency.

Subp. 17. **Pathological use.** "Pathological use" means the compulsive use of a chemical characterized by three or more of the following:

- A. daily use required for adequate functioning;
- B. an inability to abstain from use;
- C. repeated efforts to control or reduce excessive use;
- D. binge use, such as remaining intoxicated throughout the day for at least two days at a time;
- E. amnesic periods for events occurring while intoxicated; and
- F. continuing use despite a serious physical disorder the individual knows is exacerbated by continued use.

Subp. 18. **Rehabilitation program.** "Rehabilitation program" means a program of chemical dependency rehabilitation provided in a residential facility as defined in Minnesota Statutes, section 245.782, subdivision 6.

Subp. 19. **Responsible relative.** "Responsible relative" means a client's spouse and the parent of a minor child who is a client.

Subp. 20. **Third-party payment source.** "Third-party payment source" means a person, entity, or public or private agency other than medical assistance or general assistance medical care that has a probable obligation to pay all or part of the costs of a client's chemical dependency treatment.

Subp. 21. **Vendor.** "Vendor" means a licensed provider of chemical dependency treatment services who meets the criteria established in Minnesota Statutes, section 254B.05.

### **9530.7005 SCOPE AND APPLICABILITY.**

Parts 9530.7000 to 9530.7030 govern the administration of the Consolidated Chemical Dependency Treatment Fund, establish the criteria to be applied by local agencies to determine a client's eligibility under the Consolidated Chemical Dependency Treatment Fund, and establish a client's obligation to pay for chemical dependency treatment services.

These parts must be read in conjunction with Minnesota Statutes, chapter 254B, and parts 9530.6600 to 9530.6655.

### **9530.7010 COUNTY RESPONSIBILITY TO PROVIDE CHEMICAL DEPENDENCY TREATMENT SERVICES.**

The local agency shall provide chemical dependency treatment services to eligible clients residing within the county who have been assessed and placed by the county in accordance with parts 9530.6600 to 9530.6655.

### **9530.7015 CLIENT ELIGIBILITY UNDER THE CONSOLIDATED CHEMICAL DEPENDENCY TREATMENT FUND.**

Subpart 1. **Client eligibility to have treatment totally paid under the Consolidated Chemical Dependency Treatment Fund.** A client who meets the criteria established in item A, B, C, or D shall be eligible to have chemical dependency treatment paid for totally with funds from the Consolidated Chemical Dependency Treatment Fund.

- A. The client is eligible for AFDC as determined under parts 9500.2000 to 9500.2880.
- B. The client is eligible for medical assistance as determined under parts 9505.0010 to 9505.0150.
- C. The client is eligible for general assistance, general assistance medical care, or work readiness as determined under parts 9500.1200 to 9500.1318.

D. The client's adjusted gross income is less than 60 percent of the state median income, as determined by the local agency under part 9530.7020, subpart 1.

**Subp. 2. Client eligibility to have treatment initially paid for from the Consolidated Chemical Dependency Treatment Fund.** Except as provided under subpart 4, item D, a client who has an adjusted gross income between 60 and 115 percent of the state median income, as determined by the local agency under part 9530.7020, subpart 1, and who does not have an available third-party payment source, shall be eligible to have treatment paid for with Consolidated Chemical Dependency Treatment Funds, and the client or responsible relative shall be billed in accordance with the sliding fee scale established under part 9530.7020, subpart 3, if the client's total obligation under the sliding fee scale is less than the total cost of the client's chemical dependency treatment.

**Subp. 3. Client with third-party payment source eligibility to have treatment initially paid for from the Consolidated Chemical Dependency Treatment Fund.** Except as provided under subpart 4, item D, a client shall be eligible to have treatment paid for with Consolidated Chemical Dependency Treatment Funds, and the client or the responsible relative shall be billed in accordance with the sliding fee scale established under part 9530.7020, subpart 3, if the client has an adjusted gross income between 60 and 115 percent of the state median income, as determined by the local agency under part 9530.7020, subpart 1, and the client meets the conditions under items A and B.

A. The client does not have a third-party payment source that will cover the total cost of the client's chemical dependency treatment.

B. The client's copayment exceeds the client's total obligation under the sliding fee scale established in part 9530.7020, subpart 3.

**Subp. 4. Client ineligible to have treatment paid for from the Consolidated Chemical Dependency Treatment Fund.** A client who meets the criteria in item A, B, C, or D shall be ineligible to have chemical dependency treatment services paid for with Consolidated Chemical Dependency Treatment Funds.

A. The client has an adjusted gross income that exceeds 115 percent of the state median income, as determined by the local agency under part 9530.7020, subpart 1.

B. The client has an adjusted gross income between 60 and 115 percent of the state median income, as determined by the local agency under part 9530.7020, subpart 1, and the total cost of the client's treatment is equal to or less than the client's total obligation under the sliding fee scale established under part 9530.7020, subpart 3.

C. The client has an available third-party payment source that will pay the total cost of the client's treatment, or the client's copayment is equal to or less than the client's total obligation under the sliding fee scale established in part 9530.7020, subpart 3.

D. The client meets the criteria under subpart 2 or 3, but the county's allocation under Minnesota Statutes, section 254B.02, subdivisions 1 and 2, has been exhausted, the county's maintenance of effort has been met as required under Minnesota Statutes, section 254B.02, subdivision 3, and the local agency has been notified by the department that only clients who meet the criteria under subpart 1 are eligible to have their chemical dependency treatment services paid for under the Consolidated Chemical Dependency Treatment Fund.

#### **9530.7020 COUNTY RESPONSIBILITY TO DETERMINE CLIENT ELIGIBILITY FOR CONSOLIDATED CHEMICAL DEPENDENCY TREATMENT FUNDS AND CLIENT'S ABILITY TO PAY FOR TREATMENT.**

**Subpart 1. Local agency duty to determine client eligibility.** The local agency shall determine a client's eligibility at the time the client seeks treatment and is assessed under parts 9530.6600 to 9530.6655. To determine a client's eligibility, the local agency must determine the client's adjusted gross income, the size of the client's family, the availability of a third-party payment source, and a responsible relative's ability to pay for the client's chemical dependency treatment, as specified in items A to F:

A. The local agency must determine the client's adjusted gross income. A client who is a minor child shall not be deemed to have income available to pay for chemical dependency treatment, unless the minor child is responsible for payment under Minnesota Statutes, section 144.347, for chemical dependency treatment services sought under Minnesota Statutes, section 144.343, subdivision 1.

B. The local agency must determine the client's family size. A client's family size shall include the client, the client's spouse, and the number of dependents claimed by the client or the client's spouse on his or her individual federal income tax return. If the

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client is a minor child, the family size shall include the client, the client's parents, and the client's siblings who are claimed as dependents on the client's parent's individual federal income tax return.

C. The local agency must determine the availability of a third-party payment source, including the availability of total payment, partial payment, amount of copayment, and any special conditions or procedures the third-party payor requires clients to follow. The local agency shall require the client to follow all special conditions or procedures established by the third-party payment source, including the third-party payment source's appeal and grievance procedure, and shall require the client to assign to the department his or her rights and the rights of minor children to benefits. The local agency shall require the client to provide verification of the client's third-party payment source's approval or refusal to pay for chemical dependency treatment services before the local agency places the client. If the client or responsible relative is unable to provide verification of the third-party payment source's approval or refusal, the local agency must assist the client to obtain the verification. If the client or responsible relative, with the assistance of the local agency, is still unable to obtain verification from the client's third-party payment source, the local agency shall place the client.

D. The local agency shall determine a responsible relative's adjusted gross income.

E. The local agency shall apply the information on the client's and responsible relative's adjusted gross income and family size to the sliding fee scale established in subpart 3, and determine the monthly payment amount and the total obligation for which the client or responsible relative is liable. The local agency shall record this information on a form supplied by the commissioner, and send the form to the department.

F. The local agency shall reassess a client's eligibility, redetermine the client's and responsible relative's ability to pay for chemical dependency treatment services, and redetermine the client's and responsible relative's total obligation and monthly payment amount as specified in subitems (1) to (4). For purposes of this item, placement of a client into more than one chemical dependency treatment program in less than ten working days, or placement of a client into a chemical dependency treatment program that is structured to provide rehabilitation services followed by out-patient chemical dependency treatment services shall be treated as a single placement.

(1) The local agency shall reassess a client's eligibility, redetermine the client's and responsible relative's ability to pay for chemical dependency treatment services, and redetermine the client's and responsible relative's total obligation and monthly payment amount each time a client is placed for chemical dependency treatment services. The total obligation for a second or subsequent placement shall be added to any unpaid obligation of the client or responsible relative, and the monthly payments for a second or subsequent placement shall begin in the month following the last monthly billing from the previous obligation.

(2) When two or more clients, for whom another client or responsible relative is financially responsible, are placed for chemical dependency treatment services, the local agency shall add the total obligation for the second or subsequent client to the unpaid obligation of the client or responsible relative, and the monthly payments for the second or subsequent client shall begin in the month following the last monthly billing from the previous obligation.

(3) If a client with no responsible relatives is placed in a halfway house, the client's obligation to make monthly payments for a previous placement shall be suspended, and the client's monthly obligation while in the halfway house shall be determined by the local agency in accordance with subpart 4. The client's obligation to resume making monthly payments for a previous placement shall resume 30 days after the client is discharged from the halfway house.

(4) If a client with a responsible relative is placed in a halfway house, the client's and responsible relative's ability to pay for chemical dependency treatment services shall be reassessed, the local agency shall redetermine the client's and responsible relative's total obligation and monthly payment amount, and the client and responsible relative must continue to make monthly payments in accordance with subitem (1).

**Subp. 2. Client and responsible relative obligation to cooperate.** A client and responsible relative shall cooperate with the local agency, shall provide income or wage verification, family size verification, information on any special procedures required by the client's or responsible relative's third-party payment source, and shall make an assignment of third-party payment rights under subpart 1, item C. If a client or responsible relative does not cooperate, the client shall be deemed to be ineligible to have Consolidated Chemical Dependency Treatment Funds pay for his or her chemical dependency treatment, and the client and responsible relative shall be obligated to pay for the full cost of chemical dependency treatment services provided to the client.

**Subp. 3. Sliding fee scale.** A client or responsible relative who has an adjusted gross income that falls between 60 and 115 percent of the state median income shall be required to make payments to the department for the cost of the client's chemical dependency treatment. The total amount a client or responsible relative shall be required to pay shall not exceed the total cost of the client's chemical dependency treatment services, including room and board costs. The amount of the total obligation and monthly payments shall be determined in accordance with the following sliding fee scale.

**A. FAMILY OF ONE:**

60% = \$9,605		100% = \$16,008		115% = \$18,409	
ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION		
\$ 0- 9,605	\$ 0- 800	\$ 0	\$ 0		
9,606-10,506	801- 875	10	60		
10,507-11,407	876- 950	18	108		
11,408-12,308	951-1,026	27	162		
12,309-13,209	1,027-1,101	38	228		
13,210-14,110	1,102-1,176	52	312		
14,111-15,011	1,177-1,251	68	408		
15,012-15,912	1,252-1,326	85	510		
15,913-16,813	1,327-1,401	105	630		
16,814-17,714	1,402-1,476	127	762		
17,715-18,409	1,477-1,534	151	906		

**B. FAMILY OF TWO:**

60% = \$12,560		100% = \$20,934		115% = \$24,074	
ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION		
\$ 0-12,560	\$ 0-1,047	\$ 0	\$ 0		
12,561-13,461	1,048-1,122	10	60		
13,462-14,362	1,123-1,197	18	108		
14,363-15,263	1,198-1,272	27	162		
15,264-16,164	1,273-1,347	38	228		
16,165-17,065	1,348-1,422	52	312		
17,066-17,966	1,423-1,497	68	408		
17,967-18,867	1,498-1,572	85	510		
18,868-19,768	1,573-1,647	105	630		
19,769-20,669	1,648-1,722	127	762		
20,670-21,570	1,723-1,797	151	906		
21,571-22,471	1,798-1,872	177	1,062		
22,472-23,372	1,873-1,948	205	1,230		
23,373-24,074	1,949-2,006	235	1,410		

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## C. FAMILY OF THREE:

60% = \$15,515		100% = \$25,859		115% = \$29,738	
ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION		
\$ 0-15,515	\$ 0-1,293	\$ 0	\$ 0		
15,516-16,416	1,294-1,368	10	60		
16,417-17,317	1,369-1,443	18	108		
17,318-18,218	1,444-1,518	27	162		
18,219-19,119	1,519-1,593	38	228		
19,120-20,020	1,594-1,668	52	312		
20,021-20,921	1,669-1,743	68	408		
20,922-21,822	1,774-1,818	85	510		
21,823-22,723	1,819-1,893	105	630		
22,724-23,624	1,894-1,969	127	762		
23,625-24,525	1,970-2,044	151	906		
24,526-25,426	2,045-2,119	177	1,062		
25,427-26,327	2,120-2,194	205	1,230		
26,328-27,228	2,195-2,269	235	1,410		
27,229-28,129	2,270-2,344	267	1,602		
28,130-29,030	2,345-2,419	302	1,812		
29,031-29,738	2,420-2,478	338	2,028		

## D. FAMILY OF FOUR:

60% = \$18,471		100% = \$30,785		115% = \$35,403	
ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION		
\$ 0-18,471	\$ 0-1,539	\$ 0	\$ 0		
18,472-19,372	1,540-1,614	10	60		
19,373-20,273	1,615-1,689	18	108		
20,274-21,174	1,690-1,764	27	162		
21,175-22,075	1,765-1,839	38	228		
22,076-22,976	1,840-1,915	52	312		
22,977-23,877	1,916-1,990	68	408		
23,878-24,778	1,991-2,065	85	510		
24,779-25,679	2,066-2,140	105	630		
25,680-26,580	2,141-2,215	127	762		
26,581-27,481	2,216-2,290	151	906		
27,482-28,382	2,291-2,365	177	1,062		
28,383-29,283	2,366-2,440	205	1,230		
29,284-30,184	2,441-2,515	235	1,410		
30,185-31,085	2,516-2,590	267	1,602		
31,086-31,986	2,591-2,665	302	1,812		
31,987-32,887	2,666-2,740	338	2,028		
32,888-33,788	2,741-2,816	377	2,262		
33,789-34,689	2,817-2,891	417	2,502		
34,690-35,403	2,892-2,950	460	2,760		

## E. FAMILY OF FIVE:

60% = \$21,427		100% = \$35,711		115% = \$41,068	
ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION		
\$ 0-21,427	\$ 0-1,785	\$ 0	\$ 0		
21,428-22,328	1,786-1,861	10	60		
22,329-23,229	1,862-1,936	18	108		



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ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION
23,230-23,130	1,937-2,011	27	162
24,131-25,031	2,012-2,086	38	228
25,032-25,932	2,087-2,161	52	312
25,933-26,833	2,162-2,236	68	408
26,834-27,734	2,237-2,311	85	510
27,735-28,635	2,312-2,386	105	630
28,636-29,536	2,387-2,461	127	762
29,537-30,437	2,462-2,536	151	906
30,438-31,338	2,537-2,611	177	1,062
31,339-32,239	2,612-2,686	205	1,230
32,240-33,140	2,687-2,762	235	1,410
33,141-34,041	2,763-2,837	267	1,602
34,042-34,942	2,838-2,912	302	1,812
34,943-35,843	2,913-2,987	338	2,028
35,844-36,744	2,988-3,062	377	2,262
36,745-37,645	3,063-3,137	417	2,502
37,646-38,546	3,138-3,212	460	2,760
38,547-39,447	3,213-3,287	505	3,030
39,448-40,348	3,288-3,362	551	3,306
40,349-41,068	3,363-3,422	600	3,600

**E. FAMILY OF SIX:**

60% = \$24,382

100% = \$40,636

115% = \$46,731

\$ 0-24,382	\$ 0-2,032	\$ 0	\$ 0
24,383-25,283	2,033-2,107	10	60
25,284-26,184	2,108-2,182	18	108
26,185-27,085	2,183-2,257	27	162
27,086-27,986	2,258-2,332	38	228
27,987-28,887	2,333-2,407	52	312
28,888-29,788	2,408-2,482	68	408
29,789-30,689	2,483-2,557	85	510
30,690-31,590	2,558-2,632	105	630
31,591-32,491	2,633-2,707	127	762
32,492-33,392	2,708-2,783	151	906
33,393-34,293	2,784-2,858	177	1,062
34,294-35,194	2,859-2,933	205	1,230
35,195-36,095	2,934-3,008	235	1,410
36,096-36,996	3,009-3,083	267	1,602
36,997-37,897	3,084-3,158	302	1,812
37,898-38,798	3,159-3,233	338	2,028
38,799-39,699	3,234-3,308	377	2,262
39,700-40,600	3,309-3,383	417	2,502
40,601-41,501	3,384-3,458	460	2,760
41,502-42,402	3,459-3,533	505	3,030
42,403-43,303	3,534-3,608	551	3,306
43,304-44,204	3,609-3,684	600	3,600
44,205-45,105	3,685-3,759	651	3,906
45,106-46,006	3,760-3,834	704	4,224
46,007-46,731	3,835-3,894	759	4,554

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## G. FAMILY OF SEVEN:

ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION
\$ 0-24,936	\$ 0-2,078	\$ 0	\$ 0
24,937-25,837	2,079-2,153	10	60
25,838-26,738	2,154-2,228	18	108
26,739-27,639	2,229-2,303	27	162
27,640-28,540	2,304-2,378	38	228
28,541-29,441	2,379-2,453	52	312
29,442-30,342	2,454-2,528	68	408
30,343-31,243	2,529-2,603	85	510
31,244-32,144	2,604-2,679	105	630
32,145-33,045	2,680-2,754	127	762
33,046-33,946	2,755-2,829	151	906
33,947-34,847	2,830-2,904	177	1,062
34,848-35,748	2,905-2,979	205	1,230
35,749-36,649	2,980-3,054	235	1,410
36,650-37,550	3,055-3,129	267	1,602
37,551-38,451	3,130-3,204	302	1,812
38,452-39,352	3,205-3,279	338	2,028
39,353-40,253	3,280-3,354	377	2,262
40,254-41,154	3,355-3,429	417	2,502
41,155-42,055	3,430-3,504	460	2,760
42,056-42,956	3,505-3,580	505	3,030
42,957-43,857	3,581-3,655	551	3,306
43,858-44,758	3,656-3,730	600	3,600
44,759-45,659	3,731-3,805	651	3,906
45,660-46,560	3,806-3,880	704	4,224
46,561-47,461	3,881-3,955	759	4,554
47,462-47,794	3,956-3,983	816	4,896

## H. FAMILY OF EIGHT:

ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION
\$ 0-25,490	\$ 0-2,124	\$ 0	\$ 0
25,491-26,391	2,125-2,199	10	60
26,392-27,292	2,200-2,274	18	108
27,293-28,193	2,275-2,349	27	162
28,194-29,094	2,350-2,424	38	228
29,095-29,995	2,425-2,499	52	312
29,996-30,896	2,500-2,575	68	408
30,897-31,797	2,576-2,650	85	510
31,798-32,698	2,651-2,725	105	630
32,699-33,599	2,726-2,800	127	762
33,600-34,500	2,801-2,875	151	906
34,501-35,401	2,876-2,950	177	1,062
35,402-36,302	2,951-3,025	205	1,230
36,303-37,203	3,026-3,100	235	1,410
37,204-38,104	3,101-3,175	267	1,602
38,105-39,005	3,176-3,250	302	1,812
39,006-39,906	3,251-3,325	338	2,028
39,907-40,807	3,326-3,400	377	2,262
40,808-41,708	3,401-3,476	417	2,502

# PROPOSED RULES

ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION
41,709-42,609	3,477-3,551	460	2,760
42,610-43,510	3,552-3,626	505	3,030
43,511-44,411	3,627-3,701	551	3,306
44,412-45,312	3,702-3,776	600	3,600
45,313-46,213	3,777-3,851	651	3,906
46,214-47,114	3,852-3,926	704	4,224
47,115-48,015	3,927-4,001	759	4,554
48,016-48,855	4,002-4,071	816	4,896

## I. FAMILY OF NINE:

60% = \$26,044	100% = \$43,407		115% = \$49,918
\$ 0-26,044	\$ 0-2,170	\$ 0	\$ 0
26,045-26,945	2,171-2,245	10	60
26,946-27,846	2,246-2,320	18	108
27,847-28,747	2,321-2,395	27	162
28,748-29,648	2,396-2,471	38	228
29,649-30,549	2,472-2,546	52	312
30,550-31,450	2,547-2,621	68	408
31,451-32,351	2,622-2,696	85	510
32,352-33,252	2,697-2,771	105	630
33,253-34,153	2,772-2,846	127	762
34,154-35,054	2,847-2,921	151	906
35,055-35,955	2,922-2,996	177	1,062
35,956-36,856	2,997-3,071	205	1,230
36,857-37,757	3,072-3,146	235	1,410
37,758-38,658	3,147-3,221	267	1,602
38,659-39,559	3,222-3,296	302	1,812
39,560-40,460	3,297-3,372	338	2,028
40,461-41,361	3,373-3,447	377	2,262
41,362-42,262	3,448-3,522	417	2,502
42,263-43,163	3,523-3,597	460	2,760
43,164-44,064	3,598-3,672	505	3,030
44,065-44,965	3,673-3,747	551	3,306
44,966-45,866	3,748-3,822	600	3,600
45,867-46,767	3,823-3,897	651	3,906
46,768-47,668	3,898-3,972	704	4,224
47,669-48,569	3,973-4,047	759	4,554
48,570-49,470	4,048-4,122	816	4,896
49,471-49,918	4,123-4,160	876	5,256

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# PROPOSED RULES

## J. FAMILY OF TEN:

ANNUAL GROSS	MONTHLY GROSS	MONTHLY PAYMENT	TOTAL OBLIGATION
\$ 0-26,598	\$ 0-2,216	\$ 0	\$ 0
26,599-27,499	2,217-2,291	10	60
27,500-28,400	2,292-2,367	18	108
28,401-29,301	2,368-2,442	27	162
29,302-30,202	2,443-2,517	38	228
30,203-31,103	2,518-2,592	52	312
31,104-32,004	2,593-2,667	68	408
32,005-32,905	2,668-2,742	85	510
32,906-33,806	2,743-2,817	105	630
33,807-34,707	2,818-2,892	127	762
34,708-35,608	2,893-2,967	151	906
35,609-36,509	2,968-3,042	177	1,062
36,510-37,410	3,043-3,117	205	1,230
37,411-38,311	3,118-3,192	235	1,410
38,312-39,212	3,193-3,268	267	1,602
39,213-40,113	3,269-3,343	302	1,812
40,114-41,014	3,344-3,418	338	2,028
41,015-41,915	3,419-3,493	377	2,262
41,916-42,816	3,494-3,568	417	2,502
42,817-43,717	3,569-3,643	460	2,760
43,718-44,618	3,644-3,718	505	3,030
44,619-45,519	3,719-3,793	551	3,306

Facility Name: \_\_\_\_\_

Calendar Year: \_\_\_\_\_

	Rehabilitation	Outpatient	Combination
45,520-46,420	3,794-3,868	600	3,600
46,421-47,321	3,869-3,943	651	3,906
47,322-48,222	3,944-4,018	704	4,224
48,223-49,123	4,019-4,093	759	4,554
49,124-50,024	4,094-4,169	816	4,896
50,025-50,925	4,170-4,244	876	5,256
50,926-50,979	4,245-4,248	937	5,622

This fee schedule is based on the Minnesota State Median Income for federal fiscal year 1986 for a family of four which is \$30,785. This figure was obtained from the Federal Register, Volume 50, No. 232, Tuesday, December 23, 1985, page 49553.

The department shall adjust the sliding fee scale annually, and shall publish the adjustments in the *State Register* on the last Monday in June. The adjustments shall be based on the most recent annual state median income as published in the Federal Register by the Department of Health and Human Services.

Subp. 4. **Halfway house client fees.** When a client who has no responsible relatives is placed in a halfway house, the local agency shall determine the client's countable income in accordance with parts 9500.1200 to 9500.1318. The local agency shall subtract the amount established as the clothing and personal needs allowance for medical assistance recipients under Minnesota Statutes, section 256B.35, subdivision 1, from the client's countable income. The local agency shall subtract the amount of income that remains from the negotiated rate for the halfway house to determine how much of the negotiated rate shall be paid for with funds from the Consolidated Chemical Dependency Treatment Fund.

The local agency shall record this information on a form supplied by the commissioner, and send the form to the department. The department shall bill the client monthly, in accordance with the information supplied by the local agency.

The local agency shall make a monthly redetermination of a halfway house client's countable income and the amount the client owes toward the negotiated rate in accordance with this subpart.

**9530.7025 DENIAL OF PAYMENT.**

Subpart 1. **Denial of payment when required assessment not completed.** The department shall deny payments from the Consolidated Chemical Dependency Treatment Fund to vendors for chemical dependency treatment services provided to clients who have not been assessed and placed by the county in accordance with parts 9530.6600 to 9530.6655.

Subp. 2. **Denial of state participation in Consolidated Chemical Dependency Treatment Fund payments when client found not eligible.** The department shall pay vendors from the Consolidated Chemical Dependency Treatment Fund for chemical dependency treatment services provided to clients and shall bill the county for 100 percent of the costs of chemical dependency treatment services as follows:

A. The department shall bill the county for 100 percent of the costs of a client's chemical dependency treatment services when the department determines that the client was not placed in accordance with parts 9530.6600 to 9530.6655.

B. When a county's allocation under Minnesota Statutes, section 254B.02, subdivisions 1 and 2, has been exhausted, and the county's maintenance of effort has been met as required under Minnesota Statutes, section 254B.02, subdivision 3, and the local agency has been notified by the department that the only clients who are eligible to have their treatment paid for from the Consolidated Chemical Dependency Treatment Fund are clients who are eligible under part 9530.7015, subpart 1, the department shall bill the county for 100 percent of the costs of a client's chemical dependency treatment services when the department determines that the client was not eligible under part 9350.7015, subpart 1.

**9530.7030 ELIGIBLE VENDOR'S DUTY TO PARTICIPATE IN A CLIENT INFORMATION SYSTEM.**

Subpart 1. **Participation a condition of eligibility.** To be eligible for payment under the Consolidated Chemical Dependency Treatment Fund, a vendor must participate in DAANES, or another client information system that collects data on all individuals who are served by the vendor, is approved by the commissioner, and meets the criteria in subpart 2.

Subp. 2. **Criteria for approval of a client information system.** The commissioner shall approve a vendor's participation in a client information system other than DAANES if the system collects and maintains the data identified in items A to F. The information system must collect the data identified in items B, C, D, E, and G on either a six-month or 12-month basis.

A. demographic data, including age, race, sex, marital status, educational achievement, employment status, and county of residence if a Minnesota resident, or state or nation of residence if not a Minnesota resident;

B. chemical use history, including diagnosis at intake, frequency of chemical use, chemicals used, and longest period of abstinence from all chemical use during the six or 12-months before intake;

C. all admissions into detoxification, outpatient, primary residential, extended care, and halfway houses that occurred more than six or 12 months before intake;

D. all admissions into detoxification, outpatient, primary residential, extended care, and halfway houses that occurred during the six or 12 months before intake;

E. other problems associated with chemical use, abuse, or dependency, including psychiatric and medical hospital admissions that occurred in the six or 12 months before intake; arrests, convictions, and incarcerations that occurred in the six or 12 months before intake; and problems at work or school associated with chemical use that occurred in the six or 12 months before intake;

F. discharge information, including reasons for discharge, referrals made at discharge, length of stay or length of participation in the program, and total costs of treatment; and

G. six- or 12-month follow-up information, including longest period of abstinence from all chemical use; which chemicals were used, if any, following discharge; hospital admissions that occurred following discharge; arrests, convictions, and incarcerations that occurred following discharge; employment status, and work or school problems associated with chemical use that occurred following discharge; and admissions to detoxification or chemical dependency treatment programs that occurred following discharge.

Subp. 3. **Data retention requirements for vendors who do not participate in DAANES.** Eligible vendors who receive payment under the Consolidated Chemical Dependency Treatment Fund must maintain the data identified in subpart 2, items A to F, on each individual admitted and discharged by the vendor. Individual data must be retained by the vendor for a period of two years.

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# PROPOSED RULES

Subp. 4. **Reporting requirements for vendors who do not participate in DAANES.** Eligible vendors who receive payment under the Consolidated Chemical Dependency Treatment Fund must provide a summary of the data identified in subpart 2, items A to F, to the department on all individuals admitted during each calendar year, beginning on July 1, 1987. The information must be received by the department by March 31 of the succeeding year. The vendor must provide cross-tabular and follow-up data to the department upon request. The summary data must be submitted in the following format:

**MINNESOTA CHEMICAL DEPENDENCY TREATMENT SURVEY**  
**MINNESOTA DEPARTMENT OF HUMAN SERVICES**  
**CHEMICAL DEPENDENCY PROGRAM DIVISION**

**Facility Name:** \_\_\_\_\_

**Calendar Year:** \_\_\_\_\_

I. Vendors shall indicate the number of Minnesota residents and non-Minnesota residents admitted to their program during this calendar year:

	Rehabilitation	Outpatient	Combination
Minnesota Residents	_____	_____	_____
Non-Minnesota Residents	_____	_____	_____
Total	_____	_____	_____

II. Vendors shall provide the number of clients admitted to their program during this calendar year by age, sex, and race in the appropriate box(es) below:

**REHABILITATION PROGRAM**

Sex	Male						
	Race						
Age	White	Black	Indian	Hisp.	Asian	Other	Total
0-14							
15-17							
18-20							
21-30							
31-44							
45-59							
60-64							
Over 64							
Total							

**PROPOSED RULES**

Sex	Female						
Age	Race						
	White	Black	Indian	Hisp.	Asian	Other	Total
0-14							
15-17							
18-20							
21-30							
31-44							
45-59							
60-64							
Over 64							
Total							

Vendors shall indicate the patient days of service provided by their rehabilitation program for this calendar year:

**OUTPATIENT PROGRAM**

Sex	Male						
Age	Race						
	White	Black	Indian	Hisp.	Asian	Other	Total
0-14							
15-17							
18-20							
21-30							
31-44							
45-59							
60-64							
Over 64							
Total							

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**PROPOSED RULES**

Sex	Female						
Age	Race						
	White	Black	Indian	Hisp.	Asian	Other	Total
0-14							
15-17							
18-20							
21-30							
31-44							
45-59							
60-64							
Over 64							
Total							

Vendors shall indicate the patient hours of service provided by their outpatient program for this calendar year:

**COMBINATION PRIMARY REHABILITATION/OUTPATIENT PROGRAM**

Sex	Male						
Age	Race						
	White	Black	Indian	Hisp.	Asian	Other	Total
0-14							
15-17							
18-20							
21-30							
31-44							
45-59							
60-64							
Over 64							
Total							



Sex	Female							
Age	Race	White	Black	Indian	Hisp.	Asian	Other	Total
0-14								
15-17								
18-20								
21-30								
31-44								
45-59								
60-64								
Over 64								
Total								

Vendors shall indicate the patient days of rehabilitation service and the patient hours of outpatient service provided by their program for this calendar year:

Rehabilitation Days: \_\_\_\_\_

Outpatient Hours: \_\_\_\_\_

III. Vendors shall indicate the discharge status, as categorized in the following table, for all clients discharged during this calendar year separated by consolidated treatment fund clients and other clients.

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# PROPOSED RULES

	Consolidated Treatment Fund Clients	Other Clients
Completed program		
Transferred to other program		
Assessed as inappropriate for this program		
Against staff advice/patient left		
Staff requested (behavioral)		
Other		
Total		

IV. Vendors shall, based on all followup data collected during this calendar year, indicate the percentage of clients who are continuously abstinent from all chemicals, as defined in Minnesota Rules, part 9530.6605, subpart 5, from date of discharge to date of followup. Vendors shall also indicate whether the followup information covers a six-month or a 12-month time period. Vendors shall break the percentage abstinent down by program completers and noncompleters and separate the clients by consolidated treatment fund clients and other clients.

	Consolidated Treatment Fund Clients	Other Clients
Percentage Abstinent	Completers	Completers
Percentage Abstinent	Noncompleters	Noncompleters

Length of followup time period: \_\_\_\_\_

# ANNOUNCEMENTS

**ATTORNEY GENERAL'S OFFICE** A Bicentennial Leadership Conference will be held Feb. 19-20 at McGuire's Inn, St. Paul. Sponsored by the Minnesota Commission on the Bicentennial of the United States Constitution, the conference is designed to help local government leaders, representatives from civic, professional and service organizations, bar associations, libraries, historical societies, educators and school leaders, and other interested individuals prepare local events to celebrate the Bicentennial. Registration begins at 4 p.m. Feb. 19 with a dinner at 6 p.m. followed by a keynote speaker. Conference fee is \$30. For those who cannot attend the program, or would like additional copies of the manual, a guide can be ordered for \$20 which includes sales tax, shipping and handling, from "We The People—Minnesota" 200 Ford Building, 117 University Avenue, St. Paul, MN 55155 (612) 296-8997.

**ENVIRONMENTAL QUALITY BOARD (EQB)** **Environmental Assessment Worksheets (EAW)** due March 11: Camelot Farms Bluff Development, City of Bloomington; Saddlebrook, City of Chanhassen; Foxborough Place, City of Oakdale; West Ridge Addition, City of Rosemount. Due the same day is a **Scoping EAW** for Wooddale Park Planned Unit Development, City of Woodbury, with a scoping meeting scheduled March 5 at 8 p.m. at the Woodbury Municipal Bldg., 2100 Radio Drive, Woodbury. A Dept. of Transportation Alternative Review on a Draft Environmental Impact Statement for the TH 77/1-494 Improvement Project will hold a public hearing Thursday 12 March at 7:30 p.m. in the Lehman Auditorium, Bloomington Education Center, 8900 Portland Avenue, Bloomington. Comment period for the review will end March 23. Contact *EQB Monitor* editor Greg Downing (612) 296-8235 for more information.

**MINNESOTA EDUCATIONAL COMPUTING CONSORTIUM (MECC)** "Odell Lake," a popular computer simulation placing life science students in the role of fish has been updated and re-released in a brand-new version. For more information, or a free catalog describing over 300 MECC instructional computing software products, contact MECC Customer Services, (612) 481-3527 at 3490 Lexington Avenue North, St. Paul, MN 55126-8097. Two of MECC's software products just received 1987 Classroom Computer Learning Awards of Excellence. "Labels, Letters, and Lists" won in the category of Classroom Management, and "MECC Information Manager" won in the Social Studies Category.

**SENTENCING GUIDELINES COMMISSION** The commission will meet 6:30 p.m., Thursday 19 February in the Sibley Room (2nd Floor), Holiday Inn—Capitol at 161 St. Anthony, St. Paul.

# EMERGENCY RULES

## Proposed Emergency Rules

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

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

## Adopted Emergency Rules

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

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

## Continued/Extended Emergency Rules

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

# MINNESOTA RULES AMENDMENTS AND ADDITIONS

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## Department of Agriculture Soil and Water Conservation Board

### Extension of Emergency Rules Governing the Reinvest in Minnesota Conservation Reserve Program

Notice is hereby given that Minnesota Rules 8400.3000-8400.5600 (emergency) which govern the Reinvest in Minnesota Conservation Reserve Program, effective August 27, 1986, and published in the *State Register* as adopted on September 15, 1986, at Volume 11, Number 11, pages 455-456, (11 S.R. 455), are being continued in effect for an additional 180 days. This continuation is in accordance with Minnesota Statute 14.35. The new expiration date for these rules will be August 21, 1987 or the date they are replaced by a permanent rule, whichever is earlier.

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# OFFICIAL NOTICES

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

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

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## Department of Commerce

### Notice of Activation of Minnesota Joint Underwriting Association to Insure Specified Classes of Business and Public Hearing

Notice is hereby given that, pursuant to Minnesota Statutes, section 62I.21, the Minnesota Joint Underwriting Association (MJUA) and the Market Assistance Plan (MAP) are activated to provide assistance to the following classes of business unable to obtain insurance from private insurers:

**Fuel delivery service**

**Provider of emergency/temporary community services**

**Concrete and excavation contractor**

**BMX bicycle track**

**Roofing and sheet metal contractor**

**Chemical and fiberglass wholesaler**

**Horse breeding, training and showing**

The MJUA and MAP are activated to provide assistance to the above classes of business for a period of 180 days following publication of this notice. A public hearing will be held, for the purpose of determining whether activation should continue beyond 180 days, at the Office of Administrative Hearings, 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415 on April 28, 1987 at 9:00 A.M. and continuing until all interested persons and groups have had an opportunity to be heard. The hearing shall be governed by Minnesota Statute Sections 14.57-14.69 and by Minnesota Rules Parts 1400.5100-1400.8400, (1985). Questions regarding procedure may be directed to Administrative Law Judge, Peter Erickson, 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415, telephone (612) 341-7606. The authority for this proceeding is found in Chapter 62I of Minnesota Statutes, specifically sections 62I.21 and 62I.22. (A copy of those sections follows this notice.)

Prior to the hearing a pre-hearing conference will be held at 1:30 P.M. on April 14, 1987, at the Office of Administrative Hearings, 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415.

Minnesota Statutes, Chapter 62I, which governs the Minnesota Joint Underwriting Association provides for temporary activation for 180 days by the Commissioner of Commerce. To extend the Minnesota Joint Underwriting Association's authority beyond the 180 day period a hearing must be held. Those classes of business for which the Minnesota Joint Underwriting Association was temporarily activated, by this notice and by previously published notices, must prove, at that hearing, that they meet the statutory requirements for coverage by the Minnesota Joint Underwriting Association.

Among those requirements are:

- (1) That members of those classes are unable to obtain insurance through ordinary means;
- (2) That the insurance being sought is required by statute ordinance, or otherwise required by law, and is necessary to earn a livelihood or conduct a business; and
- (3) That the classes of business serve a public purpose.

The classes of business specified in this notice and previously published notices must be shown to meet the statutory requirements of the Minnesota Joint Underwriting Association's authority to provide coverage to them will end after 180 days from the date the notice of activation was published in the *State Register*.

The Department strongly suggests that any persons affected by this hearing or otherwise interested in the proceedings familiarize themselves with the requirements of chapter 62I and the contested case procedures prior to the hearing, that they take such other steps as are appropriate to protect their interests and that any questions they may have as to how to proceed or how to participate at the hearing be directed to the Administrative Law Judge prior to the hearing.

All interested or affected persons will have an opportunity to participate at the hearing. Questioning of agency representatives or witnesses, and of interested persons making oral statements will be allowed in the manner set forth in the Rules pertaining to contested cases (Minnesota Rules Parts 1400.5100-1400.8400).

Minnesota Statutes chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minnesota Statutes Section 10A.01, subdivision 11 as an individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including traveling expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota, 55155, telephone (612) 296-5615.

Dated: 5 February 1987

Michael A. Hatch  
Commissioner of Commerce

#### **62L.21 ACTIVATION OF MARKET ASSISTANCE PLAN AND JOINT UNDERWRITING ASSOCIATION.**

At any time the commissioner of commerce deems it necessary to provide assistance with respect to the placement of general liability insurance coverage on Minnesota risks for a class of business, the commissioner shall by notice in the *State Register* activate the market assistance plan and the joint underwriting association. The plan and association are activated for a period of 180 days from publication of the notice. At the same time the notice is published, the commissioner shall prepare a written petition requesting that a hearing be held to determine whether activation of the market assistance plan and the joint underwriting association is necessary beyond the 180-day period. The hearing must be held in accordance with section 62L.22. The commissioner by order shall deactivate a market assistance program and the joint underwriting association at any time the commissioner finds that the market assistance program and the joint underwriting association are not necessary.

#### **62L.22 HEARING.**

Subdivision 1. **ADMINISTRATIVE LAW JUDGE.** The commissioner shall forward a copy of the petition to activate the market assistance plan and the joint underwriting association with respect to a class of business to the chief administrative law judge. The chief administrative law judge shall, within three business days of receipt of the copy of the petition, set a hearing date, assign an administrative law judge to hear the matter, and notify the commissioner of the hearing date and administrative law judge assigned to the matter. The hearing date must be no less than 60 days nor more than 90 days from the date of receipt of the petition by the chief administrative law judge.

Subd. 2. **NOTICE.** The commissioner of commerce shall publish notice of the hearing in the *State Register* at least 30 days before the hearing date. The notice should be that used for rulemaking under chapter 14. Approval by the administrative law judge of the notice prior to publication is not required.

Subd. 3. **CONTESTED CASE; REPORT.** The hearing and all matters after the hearing are a contested case under chapter 14. Within 45 days from the commencement of the hearing and within 15 days of the completion of the hearing the administrative law judge shall submit a report to the commissioner of commerce. The parties, or the administrative law judge, if the parties cannot agree, shall adjust all time requirements under the contested case procedure to conform with the 45-day requirement.

Subd. 4. **DECISION.** The commissioner shall make a decision within ten days of the receipt of the administrative law judge's report.

Subd. 5. **WAIVER OR MODIFICATION.** If all parties to the proceeding agree, any of the requirements of this section may be waived or modified.

## **Department of Human Services Licensing Division**

### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Child Care Center Licensure**

Notice is hereby given that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing the licensure of child care centers.

The adoption of the rules is authorized by Minnesota Statutes, 245.782, subdivision 5, 245.782, subdivision 1, and 245.802, subdivision 1 which permit the agency to develop and promulgate rules for the operation and maintenance of day care facilities.

## OFFICIAL NOTICES

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The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Beverly Moran, Licensing Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55101. Oral statements will be received during regular business hours over the telephone at (612) 296-3768 and in person at the above address.

All statements of information and opinions shall be accepted until further notice. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Notices of Intent to Solicit Outside Opinion on a revision to adopted rule parts 9545.0510 to 9545.0670 Group Daycare of Preschool and School Age Children, were published in the *State Register* on December 27, 1982 at 7 S.R. 2282; on May 20, 1985 at 9 S.R. 2544; and on August 12, 1985 at 10 S.R. 395. The purpose of this notice is to indicate that the comment period on the matter of the licensure of child care centers remains open.

## Office of the Secretary of State

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

Notice is hereby given to the public that vacancies have occurred in multi-member state agencies, pursuant to Minn. Stat. § 15.0597, subd. 4. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul 55155-1299; (612) 296-2805. Application deadline is March 10, 1987.

**HAZARDOUS SUBSTANCE INJURY COMPENSATION** has 1 vacancy open for a public member. The board shall investigate claims made by victims of Hazardous Substance injury; publicize availability of compensation and application procedures; prepare report for Governor and Legislature. Members are appointed by the Governor with the advice and consent of the Senate. Members must file with the Ethical Practices Board. Members receive \$35 per diem plus expenses. For specific information contact the Hazardous Substance Injury Compensation Board, Dept. of Health, 717 Delaware St. S.E., Mpls 55440; (612) 623-5461.

**FAMILY FARM ADVISORY COUNCIL** has 2 vacancies open for the following members: a) 1 cash grain farmer; b) 1 officer from a Farm Credit association. The council assists farmers in obtaining credit to purchase farm real estate by guaranteeing loans and deferring interest payments. Members are appointed by the Commissioner of Agriculture. Monthly meetings; members receive \$35 per diem plus expenses. For specific information contact the Family Farm Advisory Council, Dept. of Agriculture, 90 W. Plato Blvd., St. Paul 55107; (612) 296-8435.

**REHABILITATION REVIEW PANEL** has 1 vacancy open for a rehabilitation representative. The panel reviews rehabilitation plans and rules; advises the Commissioner of Labor and Industry. Members are appointed by the Commissioner of Labor and Industry. Members must file with the Ethical Practices Board. Compensation for members is governed by section 15.0575. For specific information contact the Rehabilitation Review Panel, Dept. of Labor and Industry, Office of Public Affairs, Space Center, 444 Lafayette Rd., St. Paul 55101; (612) 297-4374.

**BOARD OF ELECTRICITY** has 1 vacancy open for a licensed alarm and communications systems contractor. The board licenses electricians and inspects all new electrical wiring. Members are appointed by the Governor. Members must file with the Ethical Practices Board. Meetings once each month, 1821 University Ave., St. Paul. Members receive \$35 per diem plus expenses. For specific information contact the Board of Electricity, Griggs Midway Bldg., 1821 University Ave., Room N191 University Ave., St. Paul 55104; (612) 642-0800.

**POISON INFORMATION CENTER ADVISORY TASK FORCE** has 2 vacancies open for the following: a) 1 physician of internal medicine; b) 1 physician of toxicology. Applicants cannot be residents of Clay, Nobles, Olmsted, St. Louis or Scott counties and may not be affiliated with the designated poison information centers. The task force advises the Commissioner of Health on a poison control system for the state, including the establishment of poison information centers to provide education services to the public and to health professionals. Members are appointed by the Commissioner of Health. Members receive no compensation. For specific information contact the Poison Information Center Advisory Task Force, Dept. of Health, 717 Delaware St. S.E., Mpls 55412; (612) 623-5284.

**EMERGENCY MEDICAL SERVICES ADVISORY TASK FORCE** has 15 vacancies open and will be comprised of one individual from each of the following categories.

#### Ambulance Services

- 1 Metropolitan area ALS service (7 county metro area)
- 1 Non-metropolitan area ALS services
- 1 Non-metropolitan area BLS service

**EMS Personnel**

- 1 First Responder
- 1 Emergency Medical Technician
- 1 Paramedic
- 1 Emergency Physician
- 1 Medical Director—ALS service
- 1 Registered Nurse

**Other Interested Parties**

- 1 Regional Emergency Medical Service System
- 1 EMT-Ambulance Training Institution
- 1 EMT-Paramedic Training Institution
- 2 Community Health Services
- 1 Hospital

The membership category selected by the applicant must be designated on each application. Members will be selected to provide statewide representation at the task force. The task force shall provide technical assistance and professional advice to the Dept. of Health for decision making and planning in the area of emergency medical services. Members are appointed by the Commissioner of Health. Members receive expenses. For specific information contact the Emergency Medical Services Advisory Task Force, Dept. of Health, 717 Delaware St. S.E., Mpls 55440; (612) 623-5209.

## **Minnesota State Retirement System**

### **Board of Directors, Regular Meeting**

A meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, February 20, 1987 at 8:30 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

## **Department of Transportation**

### **Petition of the City of New Brighton for a Variance from State Aid Administrative Requirements for Determination of Maintenance Monies**

Notice is hereby given that the City Council of the City of New Brighton has made a written request to the Commissioner of Transportation pursuant to Minnesota Rules § 8820.3300 for a variance from requirements for establishing their 1987 Maintenance Allocation.

The request is for a variance from Minnesota Rules for State Aid Operations § 8820.1400 adopted pursuant to Minnesota Statutes Chapter 161 and 162, so as to permit the City of New Brighton to increase their 1987 Maintenance Allotment by \$64,836.

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 February 1987

Leonard W. Levine  
Commissioner of Transportation

# STATE CONTRACTS AND ADVERTISED BIDS

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

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

Commodities contracts with an estimated value of \$5,000 or more are listed under the Procurement Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

## Department of Administration: Procurement Division

### Contracts and Requisitions Open for Bid

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

Commodity for Bid (and Buyer)	Bid Due Date at 2 pm	Department or Division	Delivery Point	Requisition #
Mold boards (DRT)	Feb. 18, 1987	Correctional Facility	Stillwater	78-620-00120
Photocopy machine purchase: Re-bid (JPK)	Feb. 18, 1987	Jobs & Training	Duluth	21-200-14624
Dump box vibrators (DM)	Feb. 18, 1987	Transportation	St. Paul	79-990-00056
Folding hydraulic crane (DM)	Feb. 18, 1987	Transportation	Oakdale	79-382-01206
Tools—pliers, snips, adj. wrenches, etc. (DRT)	Feb. 18, 1987	Various	Various	Various-Variou
Floor covering & installation (JPK)	Feb. 18, 1987	Human Services Center	Faribault	02-310-15203 & 15204
Plant mix bituminous (BV)	Feb. 18, 1987	Transportation	Detroit Lakes	79-400-B
Intergraph system (PA)	Feb. 18, 1987	Transportation	St. Paul	79-000-73771
Stockpile class 5 gravel (BV)	Feb. 18, 1987	Natural Resources	Bemidji	29-001-11179
Uninterruptible power system (BV)	Feb. 18, 1987	Transportation	Detroit Lakes	79-400-02712
Stainless steel davit poles (BV)	Feb. 18, 1987	Transportation	St. Paul	79-000-73834
Repair of carrier chiller addendum #1 (EFS)	Feb. 18, 1987	Southwest St. University	Marshall	26-175-06811
Radio pagers addendum #1 (EFS)	Feb. 18, 1987	Administration: Telecommunications	St. Paul	02-430-52220
Forklift (DM)	Feb. 19, 1987	Correctional Facility	Oak Park Heights	78-630-07118
Poultry for April, May, June (JPK)	Feb. 19, 1987	Correctional Facility	Stillwater	78-620-00116
Brake shoes, & drums & other supplies (DM)	Feb. 19, 1987	Corrections & Transportation	Various	Price-Contract
Furnish Transformers (BV)	Feb. 19, 1987	Correctional Facility	Red Wing	78-760-02198
Traffic signal cabinet (BV)	Feb. 19, 1987	Transportation	St. Paul	79-050-73829
Xorboy oxygen generator system (DK)	Feb. 19, 1987	Natural Resources	St. Paul	29-000-45489
X-Y recorder (DK)	Feb. 19, 1987	State University	St. Cloud	26-073-19395
Oscilloscope (DK)	Feb. 19, 1987	State University	Bemidji	26-070-11842
Pintle hooks (CB)	Feb. 19, 1987	Transportation: Central Shop	St. Paul	79-990-00057
Detection system (DRT) Rebid	Feb. 19, 1987	Oak Terrace Nursing Home	Minnetonka	55-520-03831
Milling Machine (DRT)	Feb. 19, 1987	Administration: Plant Mgmt.	St. Paul	02-307-51308
Aerators (DM)	Feb. 19, 1987	Natural Resources	Remer	29-000-45490
Gauze, unsterilized (HL)	Feb. 19, 1987	Administration: Central Stores	St. Paul	Price-Contract
Computer tables (JPK)	Feb. 19, 1987	State University	St. Cloud	26-073-19412
Unleaded gasoline with 10% ethanol (gasohol) (EFS)	Feb. 20, 1987	Various	Various	Sch. 92-BG



## STATE CONTRACTS & ADVERTISED BIDS

Commodity for Bid (and Buyer)	Bid Due Date at 2 pm	Department or Division	Delivery Point	Requisition #
Laundry service (BV)	Feb. 20, 1987	Correctional Facility	Red Wing	Price-Contract
Press brake curtains: Rebid (DRT)	Feb. 20, 1987	Correctional Facility	Stillwater	78-620-00107
Grand piano (HL)	Feb. 20, 1987	State University	St. Cloud	26-073-19410
Window glass for maint. (BV)	Feb. 20, 1987	Various	Various	Price-Contract
Dodge & Plymouth auto & truck parts (DM)	Feb. 20, 1987	Various	Various	Price-Contract
Milling machine (DRT)	Feb. 23, 1987	Vocational School	Sandstone	78-890-01952
Tractor with crawler (DM)	Feb. 23, 1987	Various	Various	29-000-45187 etc.
Staplers (HL)	Feb. 23, 1987	Administration: Central Stores	St. Paul	Price-Contract
Construct mobile boat docks (BV)	Feb. 23, 1987	Natural Resources	Various	29-000-45616
Concrete water access planks (BV)	Feb. 23, 1987	Natural Resources	Various	29-000-45617
Aluminum stepladders & extension (HL)	Feb. 23, 1987	Various	Various	Price-Contract
Maint. service on IBM System / 38 equip. (MJB)	Feb. 23, 1987	State University	Winona	26-074-11257
Lumber (BV)	Feb. 23, 1987	Correctional Facility	Stillwater	78-620-00112
Used payloador (DM)	Feb. 23, 1987	State University	Moorhead	26-072-10068
Gasoline & diesel fuel: Rebid (EFS)	Feb. 23, 1987	Various	Various	Sch. 92-TW
Fishery supplies (DRT)	Feb. 24, 1987	Natural Resources	Hutchinson	29-004-08483
Single line telephones (PA)	Feb. 24, 1987	Various	Various	Price-Contract
Helicopter rental for fire control (BV)	Feb. 24, 1987	Natural Resources	Brainerd	29-000-45610
Helicopter rental for fire control (BV)	Feb. 24, 1987	Natural Resources	Bemidji	29-000-45609
Helicopter rental for fire control (BV)	Feb. 24, 1987	Natural Resources	Hill City/Aitkin	29-000-45611
Helicopter rental for fire control (BV)	Feb. 24, 1987	Natural Resources	St. Paul	29-000-45612
IBM System 36 Software (MJB)	Feb. 24, 1987	Natural Resources	St. Paul	29-000-45578
Bulk Gasohol-addendum #1 (EFS)	Feb. 24, 1987	Various	Various	Sch. 92-BG

### Department of Administration Printing & Mailing Services

#### Department of Administration: Printing & Mailing Services

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

Commodity for Bid (and Buyer)	Bid Due Date at 2 pm	Department or Division	Delivery Point	Requisition #
Traffic Accident Report	Feb. 23, 1987	Transportation	St. Paul	4386-07700-42184
<i>The Degree of Choice</i>	Feb. 23, 1987	State University	St. Paul	4949-26176-02633

## **Minnesota Historical Society**

### **Notice of Availability of Contract for Editor/Production Coordinator**

The Minnesota Historical Society seeks an independent contractor to act as Editor/Production Coordinator for *Northern Lights*, a curriculum of Minnesota History for elementary school children. Responsibilities will include editing of all curriculum materials and teacher guide produced as part of this project for clarity, correctness, and style; all proofreading; working with the authors and project designer to solve format problems; and working with the designer and Society's Business Office to secure and coordinate all production services, including typesetting, photographic reproduction, art work, printing, and binding.

It is anticipated that the contract will extend over an 18 month period (April 1, 1987-October 1, 1988) on a part-time basis, with major work concentrated in the fall, winter, and spring of 1987-88. For his/her services, the independent contractor will be paid \$25,000 over the course of the contract.

Qualifications include a knowledge of Minnesota History, experience in the researching, writing, and production of school textbook materials for history and social studies classes, and familiarity with book production processes.

Submit resume, letter of application and three references (name, address and telephone number) to: Mark Schwartz, Contract Officer, Minnesota Historical Society, 1500 Mississippi Street, St. Paul, MN 55101 by March 3, 1986.

## **Minnesota Historical Society**

### **Advertisement for Bids for Catalog Printing**

#### **Bids**

Sealed bid proposals for the printing, folding, and binding of an exhibit catalog, *The Way to Independence*, to be published by the Minnesota Historical Society press, in accordance with specifications prepared by the Minnesota Historical Society, will be received in the office of the Contract Officer, Minnesota Historical Society, 1500 Mississippi Street, St. Paul, MN 55101 until 2:00 p.m., Central Standard Time, on February 26, 1987, at which time the bid proposals will be publicly opened and read aloud. Bids received after 2:00 p.m., February 26, 1987, will be returned unopened.

#### **Bid Security**

Each proposal must be accompanied by a cash deposit, cashier's check, certified check, or corporate surety bond of a surety company duly authorized to do business in Minnesota, in the sum of not less than 5% of the total bid, which is submitted as bid security to guarantee that the bidder, if awarded the contract, will promptly execute such contract in accordance with the bid proposal and will furnish the required Payment and Performance bond.

#### **Plans and Specifications**

Copies of bidding documents for preparation of bids may be obtained by contacting Mark Schwartz, Contract Officer, Minnesota Historical Society, 1500 Mississippi St., St. Paul, MN 55101, (612) 296-2155.

#### **Conditions of Bids**

The Minnesota Historical Society reserves the right to accept or reject any or all bids and to waive any irregularities therein. No bid may be withdrawn within thirty (30) days after the scheduled closing time for the receipt of bids.

## **Department of Jobs and Training Division of Rehabilitation Services**

### **Notice of Request for Proposals for Summer Programs 1987**

The Minnesota Department of Jobs and Training, Division of Rehabilitation Services is publishing notice that the request listed below is available and will be awarded for the current year 1987 (June 1, 1987 to August 31, 1987):

1. The Division of Rehabilitation Services, Office of Services for the Blind and Visually Handicapped is seeking an Organization/s to conduct a Multi-Faceted Summer Experience Program for Youth and Young Adults who are Visually Impaired and Multi-Handicapped. A summation of the services to be provided is as follows:

A.) A Work Experience Program for twenty to twenty-two blind and/or visually impaired students between the ages of sixteen and nineteen.

B.) An Environment Training Program for eight to ten blind/visually impaired, moderately mentally handicapped high school age students.

C.) An Independent Living Skills Program for eight blind/visually impaired young adults who also have a communication disorder (i.e. deaf/blind, blind multi-handicapped whose primary mode of communication is sign language).

The Director of said Organization/s will be responsible to the Transition Programs Coordinator of Services for the Blind with primary administrative direction coming from the Director of Operations of Services for the Blind. Mn. Services for the Blind's contribution towards this program is expected not to exceed \$100,000 (one hundred thousand dollars). The total cost to the bidder is not expected to exceed \$150,000 (one hundred fifty thousand dollars).

Inquiries and requests for copies of the RFP should be directed to:

Michael R. Strom  
Transition Programs Coordinator  
Mn. Department of Jobs and Training  
Services for the Blind  
1745 University Avenue  
St. Paul, Minnesota 55104  
(612) 642-0859

All proposals must be received by 12:00 P.M. (Noon) 3/13/87.

## **Department of Natural Resources**

### **Request for Proposals for a Feasibility Study for the Brighton Beach Water Access Facility and Breakwater—Lake Superior**

The Minnesota Department of Natural Resources is seeking proposals from qualified firms or individuals to prepare a feasibility study for a proposed water access facility and breakwater to be located near Brighton Beach on Lake Superior, on the northeast edge of the City of Duluth, Minnesota. The **major objectives** of this study is to provide information and recommendations to be used by the Department's Trails and Waterways Unit to determine if development of such an access facility and breakwater is feasible from an architectural and engineering basis and, if so, the study shall conceptualize alternative designs. The preliminary design development of the best alternative, for the purposes of this study, shall extend up to but not including, the construction drawing phase. The report shall provide information necessary for the Department of Natural Resources to arrange for the preparation of construction drawings and specifications.

Brighton Beach is located in Kitchi Gammi Park and the programmed area of study measures  $\frac{1}{4}$  to  $\frac{1}{2}$  mile of shoreline.

The Consultant will be required to present the Department with a written report with drawings that accomplishes the following items with respect to how appropriate this facility would be relative to the intended use, applicable environmental concerns, user safety, construction/operations costs, etc.:

- Feasibility of the overall project site for development of the water access/breakwater facility.
- Specific alternative boat launch ramp and breakwater locations with detailed technical analysis of physical characteristics of the facility with special focus on the breakwater relative to prevailing environmental and climatic conditions.
- Recommendation of the best of the alternative sites and prepare conceptual designs ranging from a double ramp with a minimal breakwater to a major harbor of refuge development.
- Selection of the optimal facility alternative and preparation of preliminary design sketches complete with accompanying support data which provide sufficient information to allow a competent design Engineer that is experienced in water access/breakwater construction to proceed directly into the final design and construction drawing/specification phase of the project.
- Assess the size of the potential market and determine the level of competition.

Interested parties may request a detailed Request for Proposals by calling or writing to: Michael Markell, Supervisor, Water Recreation Section, MN/DNR Trails and Waterways Unit, Box 52—500 Lafayette Road, St. Paul, MN 55155-4052, (612) 296-6413.

Proposals are due in Mr. Markell's office no later than 4:00 p.m., twenty-eight (28) days following the date of publication of this request in the *State Register*.

The Department estimated that the cost of this feasibility study should not exceed \$25,000 (twenty-five thousand dollars).

## Department of Public Service

### Request for Proposal for Consultant to Evaluate Minnesota Power's System Capacity and System Peak Demand Requirements

#### INTRODUCTION

A consultant is needed to evaluate Minnesota Power's system capacity and system peak demand requirements for the period of 1980 to 1991 or any other period agreed to by the Minnesota Department of Public Service and the consultant. Pursuant to Minn. Stat. §§ 216B.65 and 216B.16, subd. 6 (1986) the Minnesota Department of Public Service (Department) is soliciting proposals from qualified consultants to conduct an investigation of Minnesota Power in preparation for a utility rate case anticipated to be filed on May 1, 1987. The consultant will make a determination as to the level of surplus capacity and whether any excess capacity exists.

Minnesota Power is an investor-owned electric utility, located in Duluth, Minnesota, whose core business is supplying electricity to customers in a 26,000 square mile area in central and northeastern Minnesota.

Electric revenues account for 91% of Minnesota Power's 1985 Total Operating Revenues. Retail revenues accounted for 90% of the Total Electric Revenues. Retail revenues in 1985 were composed of: Residential—13%, Commercial—12%, Industrial—74% (Taconite Processing—56%, Other Industrial—18%), and Governmental and Municipal—1%.

Minnesota Power's 1985 sources of electric generation were composed of: Coal—59%, Lignite—23%, (includes power purchased under a long term contract), Purchased Power—10%, and Hydro—8%.

This Request For Proposal does not obligate the State to complete the project and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

#### QUALIFICATIONS OF RESPONDENTS

Qualified respondents must be able to demonstrate experience and expertise in evaluating electric utility system capacity and system peak demand planning and regulatory aspects of the electric utility industry. In addition, the respondent should have a considerable understanding of accounting, economics, engineering, finance, and management. Respondents also must have experience presenting testimony in contested cases before one or more public utility commissions in the United States or Canada.

The qualified respondent will provide a list of every Commission or regulatory body before which the consultant/firm has presented testimony of this nature, and other reports which the consultant/firm has done of this nature and for what entities.

#### SCOPE OF PROJECT

##### A. Duration of the Project

The Department will initiate this project immediately. It is anticipated that the results of this project will be used as evidence in a contested hearing at a later date. Any expert testimony that would originate from this project would be due in mid 1987 at the earliest. The Department expects that the project will be completed within 3 months of its initiation. Any expert testimony that is required after the project is completed will be arranged under a separate contract. However, the work on this project must be performed in such a way that it will be defensible by the consultant in sworn testimony in a contested hearing.

##### B. Tasks to be Performed

The Department's objective in this project is to have an independent expert evaluate MP's system capacity and system peak demand requirements for the purpose of determining whether excess capacity exists. If it is determined that excess capacity does exist, the consultant will recommend ratemaking treatment to reflect the excess capacity. To accomplish this the consultant will be expected to perform the following tasks:

1. Define and identify excess capacity.
2. Investigate MP's system peak demand requirements. This should include: (1) a detailed documentation of MP's anticipated sales to all customers, and (2) an analysis of the current contracts with Large Power customers.
3. Investigate MP's system capacity. This should include: (1) identification and location of all generating facilities, (2) identification and location of all transmission facilities, (3) an analysis of the reliability of all of the generating and transmission facilities.
4. Review Docket No. E002,E015/PA-86-722, which is the joint petition pertaining to the sale by MP and the purchase by NSP of 300 MW.
5. Investigate all other actions taken, considered, or rejected by MP to reduce its capacity.
6. Identify and review any additional information, records and procedures necessary to evaluate MP's capacity situation.

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## STATE CONTRACTS & ADVERTISED BIDS

7. Investigate and determine MP's system reliability if an amount of capacity, identified as excess, is eliminated.
8. Investigate and determine which capacity, if any, should be eliminated.
9. Work closely with designated members of the Department staff in all stages of the project to assure compliance with the tasks identified by the Department. The Department staff will assist the consultant, as necessary, in obtaining required information from Minnesota Power and other sources. Also, the consultant will provide designated staff a progress report every two weeks throughout the duration of the project.
10. Provide a written report of the investigation and the consultant's analysis of Minnesota Power's system capacity and system peak demand. This should include thorough documentation of the scope of the investigation as well as the analysis. All documents used by the consultant in making its evaluation of MP's capacity question shall be provided to the Department.
11. If the Department decides that the analysis indicates that Minnesota Power's excess capacity warrants a critical review in a contested hearing, the consultant will be expected to perform the following tasks as a member of the Department's staff participating in that evidentiary proceeding.
  - a) Develop and prepare information requests which are necessary to fully discover and develop issues related to the Company's excess capacity.
  - b) Assist Department counsel in the preparation of cross-examination of Company and intervenor witnesses.
  - c) Develop and deliver direct, rebuttal and/or surrebuttal testimony on any issues relating to the Company's excess capacity situation.
  - d) Assist Department counsel in the preparation of briefs related to issues developed in testimony.

### C. Project Costs

The Department has estimated that the cost of this project, exclusive of III.B.11 above, should not exceed \$30,000 for professional services and expenses.

### PROPOSAL CONTENTS

The following will be considered minimum contents of the consultant's proposal.

- A. An outline of the consultant's background and experience in conducting this type of analysis and testifying on these matters.
- B. A restatement of the objectives and tasks of the project to illustrate the consultant's understanding of the proposal. This should also include a definition of "excess capacity" and how the consultant would apply this definition to the investigation.
- C. An identification of the consultant's personnel who will perform each task, their training and experience. No change in personnel assigned to this project will be permitted without written approval of the Department's project manager. Assurance must be given that the personnel who conduct the project will be available under a separate contract to fulfill any requirements as an expert witness as enumerated under III.B.11. above.
- D. A detailed work plan which identifies in specific terms all the tasks to be performed with cost estimates for each, the total of which shall not exceed \$30,000. Also, provide an estimate of the additional costs to be incurred in fulfilling the evidentiary proceeding tasks enumerated under III.B.11.
- E. Copies of recently delivered testimony or studies regarding the issues described above or similar issues.

### SUBMISSION OF PROPOSALS

Responses to this request for proposal are due by March 13, 1987 and should be addressed to:

Mr. Dale V. Lusti  
Minnesota Department of Public Service  
790 American Center Building  
160 East Kellogg Boulevard  
St. Paul, Minnesota 55101  
612/296-8214

Under MN Stat. § 363.073, any proposal in excess of \$50,000 from a company who has had, during the past year, 20 or more full-time employees in Minnesota, must furnish a Certificate of Compliance from the Minnesota Department of Human Rights, or a notarized statement that the company has a Certificate of Compliance.

Late proposals will not be accepted. The proposal must be signed by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project. These should include work related to testifying in a proceeding held later. Prospective respondents who have questions concerning this request for proposal may call Mr. Lusti.

# STATE GRANTS

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

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

## Department of Public Safety

### Notice of Availability of the Children's Trust Fund Grants

The Notice of Availability which follows is applicable to grants to be awarded by the Minnesota Department of Public Safety under the authority of Minnesota Statute 299A.20.

#### PURPOSE, SCOPE, AND ELIGIBILITY

The Children's Trust Fund was established for the prevention of child abuse and neglect. (Minnesota Statute 299A.20)

Revenue for the trust fund is generated from a surtax of \$2.00 for each certified copy of a birth certificate issued after July 1, 1986, and from federal money and gifts, donations and bequests.

The Commissioner of Public Safety, with the advice and consent of the Advisory Council, may disburse trust fund money to any public or private nonprofit agency to fund a primary or secondary child abuse or neglect prevention program. Minnesota Statutes 299A.21 DEFINITIONS. Subd. 8, "Prevention Program" means a system that directly provides primary or secondary child abuse prevention services to a child, parent or prospective parent, guardian, or professional who works regularly with children, and may also include a research program related to the prevention of child abuse. Subd. 9. "Primary prevention" means a program or service designed to promote the general welfare of children and families. Subd. 10. "Secondary prevention" means a program or service designed to prevent abuse of children who are in circumstances where there is a high risk that abuse will occur. Subd. 11. "Tertiary prevention" means a program or service provided after child abuse has occurred that is designed to prevent its reoccurrence.

No money shall be distributed for programs and services involving tertiary prevention.

In addition to the above, the Advisory Council has adopted the following definitions:

PRIMARY PREVENTION is taking measures to keep child abuse from happening before it has ever occurred. The key aspects of primary prevention efforts are as follows.

- It is offered to all members of a population;
- It is voluntary;
- It attempts to influence societal forces which impact on parents and children; and
- It seeks to promote positive family functioning rather than to just prevent problems.

SECONDARY PREVENTION is taking measures to keep child abuse from happening before it has occurred to a serious degree, but after certain warning signals have appeared. The major components of secondary prevention are as follows.

- It is offered to a pre-defined group of "at risk" individuals;
- It is voluntary;
- It is more problem-focused than primary prevention; and on the particular stresses of identified parents or guardians.

The Advisory Council recognizes that a prevention effort, in order to demonstrate effectiveness, is usually a long term proposition. Applicants are, therefore, encouraged to design and develop multi-year programs directed at producing change.

To be eligible to receive a grant from the trust fund, an applicant must have had its program reviewed by a child abuse prevention council, so authorized by the Commissioner of Public Safety, prior to April 1, 1987, and from the applicant's geographic area found by the Commissioner to meet the following criteria:

- (1) established council membership as defined in M.S. 299A.24, Sec. 5, subd. 1; and
- (2) has submitted a plan for the prevention of child abuse that includes:
  - (a) a survey of existing programs and services; and
  - (b) assess the need for additional programs or services.

In reviewing all such programs, the council shall consider the extent to which the applicant meets the criteria and standards of the act and the degree to which the program meets the needs of the geographic area. The council shall provide to the advisory council its comments and recommendations concerning each program reviewed and shall provide the advisory council with its prioritization by rank ordering of all programs reviewed.

Trust fund money shall only be distributed to applicants that demonstrate an ability to match 40 percent of the amount of trust fund money requested. The matching requirement may be met through in-kind donations. Matching funds must not consist, in whole or in part, of state or federal funds.

Any trust fund money received must not be used to compensate for a decrease in previously existing funding levels unless that decrease is attributable to a decision made by state, federal, or other entities not controlled by the applicant and the applicant demonstrates that it has made reasonable efforts to retain all previous existing funding.

The commissioner may fund programs that intend to serve the entire state or a region larger than the area served by any local council even if the program has not been reviewed by any local council. The commissioner may, however, solicit comments or recommendations about the applicant or the program from a local council covering any area to be served by the applicant's proposed program.

The commissioner may disburse funds to a local council on the same basis as to any other applicant, or as administrative costs in carrying out this act, if all criteria and standards are met. Funds disbursed as administrative costs to a local council must not exceed five percent of total funds disbursed to the area served by the local council.

In awarding grants, the commissioner shall consider the extent to which the applicant has demonstrated a willingness and ability to:

- (1) continue the prevention program or service if trust fund money is eliminated or reduced; and
- (2) provide prevention program models and consultation to other organizations and communities.

It is anticipated that approximately \$135,000-\$140,000 will be available for disbursement in Fiscal Year 1988-89. Minimum awards will be in the amount of \$2,000.00.

#### **NOTICE OF INTENT TO APPLY FOR FUNDS**

Any public or private nonprofit agency interested in applying for funds from the Children's Trust Fund should submit a Notice of Intent to:

The Children's Trust Fund  
333 Sibley Street, Suite 567  
St. Paul, MN 55101  
Attention: Maureen Cannon, Executive Director

The Notice of Intent must include the following information:

- Name of the Applicant Agency
- Name, Address and Telephone Number of a Contact Person
- Maximum Amount of Grant Funds to be Requested for Fiscal Year 1988-89

The Notice of Intent must be received by the Children's Fund office no later than 4:00 p.m., Friday, April 10, 1987.

A public or private nonprofit agency submitting a Notice of Intent to Apply will be provided with application materials and information on the review and award process. Application materials will be available after March 1, 1987.

#### **APPLICATION SUBMISSION REQUIREMENTS**

The original plus five additional copies of each completed application must be received by the authorized county/multi-county child abuse prevention council from the applicant's geographic area no later than 4:00 p.m., Friday, May 1, 1987.

Applicants proposing a program(s) intending to serve the entire state or a region larger than the area served by any multi-county child abuse prevention council must submit an original plus five additional copies of each completed application to the office of the Children's Trust Fund, 333 Sibley Street, Suite 567, St. Paul, MN 55101, no later than 4:00 p.m., Friday, May 1, 1987.

Local councils submitting applications for primary or secondary prevention programs, or for administrative costs in carrying out this act, must submit an original plus five additional copies of the completed application to the office of the Children's Trust Fund, 333 Sibley Street, Suite 567, St. Paul, MN 55101, no later than 4:00 p.m., Monday, June 15, 1987.

Single or multi-county child abuse prevention councils shall forward all copies (minimally, the original plus five copies) of all grant applications reviewed, to the office of the Children's Trust Fund, 333 Sibley Street, Suite 567, St. Paul, MN 55101, no later than 4:00 p.m., Monday, June 15, 1987. Accompanying each application reviewed by a single or multicounty child abuse prevention council, shall be the comments and recommendations concerning each program reviewed, and the prioritization by rank order.

#### **AWARDS OF FUNDS AND CONTRACT SCHEDULE**

Applications will be reviewed as submitted by single or multi-county child abuse prevention councils, or submitted directly by

## STATE GRANTS

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applicants proposing a program intending to serve the entire state or a region larger than the area served by any multi-county council, and grants awarded in accordance with legislative requirements, applicable rules, and criteria identified in the application materials. Applicant agencies will be notified in writing of the status of the application. Award decisions will be made by the Commissioner, with the advice and consent of the Advisory Council, by July 24, 1987.

Contracts will be completed by applicant agencies and executed by the state by September 30, 1987.

### DURATION OF FUNDING

Funds for approved primary and/or secondary child abuse and neglect prevention programs will be awarded for a twelve month period beginning October 1, 1987. Renewal of approved programs will be considered upon review of a reapplication in 1988, successful completion of the previous year's goals and objectives, and if the needs of the geographic area so indicate.

## TAX COURT

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Pursuant to Minn. Stat. § 271.06, subd. 1, an appeal to the tax court may be taken from any official order of the Commissioner of Revenue regarding any tax, fee or assessment, or any matter concerning the tax laws listed in § 271.01, subd. 5, by an interested or affected person, by any political subdivision of the state, by the Attorney General in behalf of the state, or by any resident taxpayer of the state in behalf of the state in case the Attorney General, upon request, shall refuse to appeal. Decisions of the tax court are printed in the *State Register*, except in the case of appeals dealing with property valuation, assessment, or taxation for property tax purposes.

### Order of Dismissal Dated: January 22, 1987

#### Docket No. 4604

#### Donald H. and Judith K. Peters, Appellants, vs. Commissioner of Revenue, Appellee.

The above-entitled matter came on for hearing before the Honorable Earl B. Gustafson, Chief Judge of the Minnesota Tax Court, on January 14, 1987, at the Olmsted County Courthouse in Rochester, Minnesota.

Donald H. Peters appeared pro se for the appellants.

Thomas M. O'Hern, Jr., Special Assistant Attorney General, appeared for appellee.

The appeal is from the Commissioner of Revenue's Orders dated December 27, 1985 and April 11, 1986, relating to income tax for the year 1983. The issue is whether appellants were residents of Minnesota for tax purposes during all of 1982 and 1983.

After presentation of appellants' case in chief, appellee moved for a dismissal of the appeal and affirmance of the Commissioner's Orders.

Upon the evidence adduced and all of the files and records herein, the motion for dismissal IS HEREBY GRANTED and the Orders of the Commissioner of Revenue ARE HEREBY AFFIRMED.

IT IS SO ORDERED.

Dated: 22 January 1987

By the Court,  
Earl B. Gustafson, Chief Judge  
Minnesota Tax Court

#### MEMORANDUM

Appellants, husband and wife, own a home in Rochester, Minnesota where Mr. Peters is employed by I.B.M. In October, 1982, appellants moved from Minnesota to Connecticut to live in a leased home while Mr. Peters worked in New York on a temporary assignment. They did not sell their Rochester residence which was occupied by a married son and his wife during their absence. They freely admit that they always intended to return to Minnesota once the work assignment was completed. Mrs. Peters and the children returned in July, 1983 and Mr. Peters returned in November, 1983.

Under the law the appellants were always "domiciled" in Minnesota for tax purposes. This is true even though they temporarily resided in Connecticut. There often is confusion between "domicile" and "resident."

Minn. Stat. § 290.17 (1982) provides that the income of resident taxpayers is assigned to Minnesota for income tax purposes. Minn. Stat. § 290.01, subd. 7 (1982) defines "resident" as "any individual domiciled (emphasis added) in Minnesota . . ."



In *Miller v. Commissioner*, 240 Minn. 18, 59 N.W.2d 925 (1953) and *Commissioner v. Stamp*, 296 N.W.2d 867 (1980), the Minnesota Supreme Court held that "domicile" means bodily presence in a place coupled with an intent to make such a place one's home.

It clearly was not appellants' intent to make Connecticut their home indefinitely. An existing domicile (Minnesota in this case) is presumed to continue until a new one is established. *Commissioner v. Stamp. supra.*

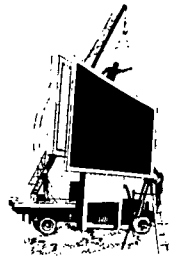
Appellee's motion for dismissal is granted and the Orders of the Commissioner of Revenue are affirmed.

## Minnesota Manufacturer's Directory 1986-87

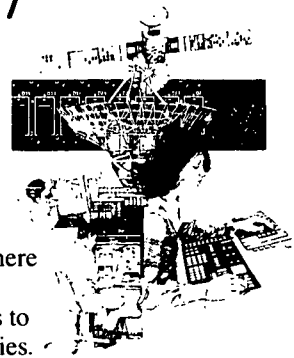


UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$68.50.

NEW: In the directory this year are two titles (where applicable) Chief Engineer and Data Processing Manager.



REVISED: There are more than 7,000 changes to the 7,068 entries.



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

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## NEW Human Services Laws and Rules

### Human Services Laws 1986

An extract from the statutes. Includes legislative amendments and additions from the most recent session. Code No. 2-56. \$20.00

### Human Services Rules as in effect July 7, 1986

Rules governing assistance programs, eligibility grant amounts, AFDC and residence requirements. MN Rules Chapter 9500-9580. Code No. 3-95. \$24.95.

**3 ring binder.** 2" capacity. 1 required for each of above listed publications. Code No. 10-21. \$4.25.

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



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# Buying Or Selling?

In either case, The Medical Alley Directory can help you do your job better. Double your business; the 1986 edition is nearly twice as large as last year's. Reach the decision-makers without delay at more than 300 medical and bio-tech companies and healthcare delivery organizations.

Entries include major products and/or services, company background, special interests, trade name(s), major activities, and addresses and phone numbers. Code # 40-7, \$49.95.



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## Minnesota's future environment

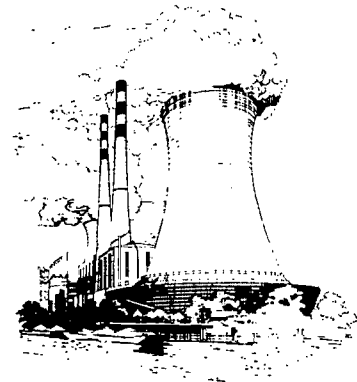
The issue of environmental protection is of continuing interest to both Minnesota business and the general public. Stay abreast of changes in state government regulations with these publications.

### 1986 Pollution Control Laws

Laws dealing with water pollution, disposal facilities, solid waste management, the MN Environmental Rights Act, recycling, and more. Code No. 2-21. \$15.00.

### 1986 Hazardous Waste Rules

Governs the production, storage, transportation and disposal of hazardous waste. MN Rules Chapter 7045 and 7046. Code No. 3-71. \$13.50.

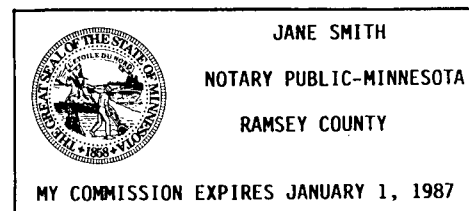


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## 1986 NOTARY PUBLIC LAWS

Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of office and procedures for removal from office. Code No. 2-13. \$4.00.



### U.S. SMALL BUSINESS ADMINISTRATION PUBLICATIONS:

Insurance and Risk Management for Small Business	Code No. 16-50. \$3.00.
Small Business Finance	Code No. 16-42. \$4.50.
Starting and Managing a Small Business of Your Own	Code No. 16-40. \$4.75.

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

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## Woodworking for Wildlife

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

*Help Minnesota's Wildlife*, feed the birds and give to the Nongame Wildlife Checkoff on your Minnesota Tax Forms. Poster. 22" x 17", full color. Code #9-2, \$4.00.

*Fifty Birds of Town and City*, describes the activities and habitats of these birds commonly seen today through full color paintings, Hardbound. 50 pp. Code #16-23, \$7.50.

*Mammals of Minnesota*, discusses wild mammals that inhabit Minnesota today, or in the recent past. Tells how to identify them, their distribution in the state, and their natural history. U of M Press, 1977, illustrated, index, bibliography, paperbound, 290 pp. Code #19-35, \$15.95.

*Bird Portraits in Color*, a total of 295 species of birds are depicted through magnificent illustrations, reproduced in seven-color lithography, accompanied by authoritative information about birds' activities, habitats, songs, and other characteristics, U of M Press, 1980, index, 92 color plates, hardbound. Code #19-41, \$12.95.

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

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## Selling business and financial services to physicians?

### Physicians Directory 1985

Names and addresses of licensed chiropractors, doctors of medicine, and osteopaths, optometrists, podiatrists and registered physical therapists in alphabetical order by discipline. Includes members of all the state medical profession boards. Code #1-1, \$15.00.

### Medical Alley Directory 1986

A guide to more than 300 high-tech medical, bio-tech and health care companies, institutions and organizations and their products and services. Code #40-7, \$49.95.

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



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## Pheasants in Minnesota

*Pheasants in Minnesota*, focusing exclusively on the ringneck pheasant, this DNR booklet tells of this popular game bird's origin, introduction and development in Minnesota. Through many full-color photos the book shows the pheasant in various settings, tells how to maintain wildlife habitat and explains the wise management of the hunt. A great gift for each member of your hunting party, or as a memento to a special Minnesota hunting vacation. Quantity discounts available. Code #9-13, \$5.95.



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# MAILING LISTS GALORE

## Successful business means successful sales

The Minnesota Documents Division has a variety of mailing lists of licensed professionals and permit holders that will enable you to focus your marketing efforts on a targeted audience.

Types of lists available are: registered nurses, real estate agents, physicians, insurance agents, boatowners, hunters, cosmetologists, teachers, and many more! And you can get them on printouts, cheshire/pressure sensitive labels, as well as 9-track magnetic tapes.

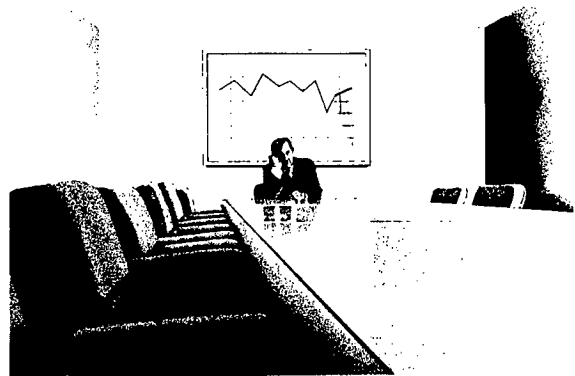
What's more, you can choose from several selection capabilities. You will find our selections most helpful and beneficial to your business when you learn that you can acquire names and addresses of individuals in the areas you need to target most.

Find out more about our mailing lists by writing for our free mailing list catalog. In a hurry? Call (612) 297-2552 for more information. Requests can be sent to: Minnesota Documents Division, Mailing List Operation, 117 University Avenue, St. Paul, MN 55155.

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## Business and NonProfit Corporation Act

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



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

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## Minnesota: national leader in education

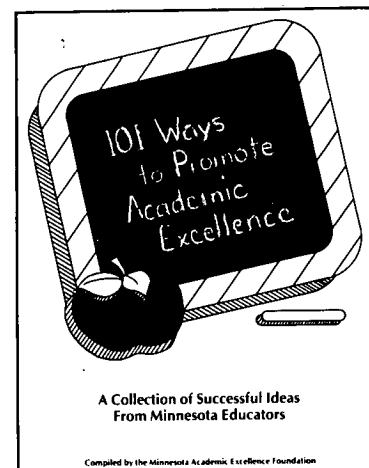
### 101 Ways to Promote Academic Excellence

A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

### Education Directory, 1986-87

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers, and enrollment. 128 pages, paperbound. Code #1-93, \$5.00.

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## Subscription Services

The Minnesota Documents Division offers several subscription services of activities, awards, decisions and special bulletins of various Minnesota state agencies.

Use the handy order form on the back of the *State Register* to order. Simply fill in the subscription code number, include your name, address and zip and your check made out to the State of Minnesota (PREPAYMENT IS REQUIRED) and send it in. We'll start your subscription as soon as we receive your order, or whenever you like.

SUBSCRIPTION	COST	CODE NO.	SUBSCRIPTION	COST	CODE NO.
Career Opportunity Bulletin, 1 year	\$ 20.00	90-3	State Register, 1 year	\$130.00	90-1
Career Opportunity Bulletin, 6 mos.	\$ 15.00	90-4	State Register, 3 mos. trial can be converted to a full subscription for \$90 at end of trial	\$ 40.00	90-2
Human Services Informational and Instructional Bulletin	\$100.00	90-6	Tax Court/Property Decisions	\$210.00	90-11
Human Services Bulletin List	\$ 20.00	90-7	Workers Compensation Decisions, unpublished subs run Jan-Dec; can be prorated	\$320.00	90-12
LRL (Legislative Reference Library) Checklist	\$ 75.00	90-8	Workers Compensation Decisions Vol. 38 (limited quantity)	\$ 89.50	
PERB (Public Employee Relations Board) Awards	\$260.00	90-9	Workers Compensation Decisions Vol. 39	\$ 95.00	90-13
PERB (Public Employee Relations Board) Decisions	\$ 60.00	90-10			
Minnesota Statutes Subscription Includes the complete 10-volume set of Minnesota Statutes 1986 and the 1987 Supplement	\$135.00	18-8			

TO ORDER: Prepayment required to start your subscription. Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. (612) 297-3000 VISA/MasterCard orders accepted. Please include daytime phone.

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## Catching criminals is only one part of law enforcement. Here's the rest of it.

**Police Report Writing Style Manual 1986**—A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms, and introduces the Data Practices Law. Code No. 14-13. \$12.50.

**Background Investigation Manual 1986**—A guide to conducting effective thorough background investigations of peace officer candidates. Included are various criteria for use in the selection process: experience, education, and past behavior. Sample forms. Code No. 14-15. \$10.00.

**Motor Vehicle Traffic Laws 1986**—Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code No. 2-85. \$12.50.

**Criminal Code & Selected Statutes 1986**—Governs the conduct of peace officers. Includes continuing education requirements, sentencing standards, and more. Code No. 2-68. \$12.00.

**Blue Binder**—3 ring, 2" capacity. Criminal Code and Motor Vehicle Traffic Laws require 1 binder each. Code No. 10-21. \$4.25.



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

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## For Real Estate Professionals:

### REAL ESTATE RULES 1986

Chapters 2800, 2805, and 2810 from the Minnesota Rules. *Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code No. 3-99. \$7.00.

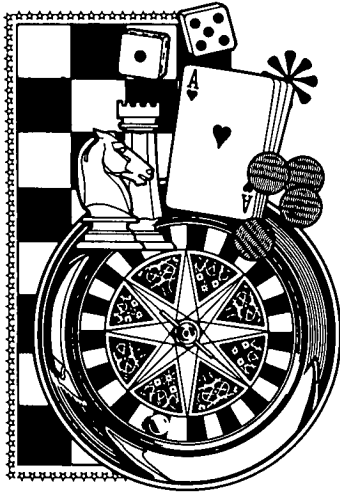
### REAL ESTATE LAWS 1986

Includes all the changes made by the 1986 State Legislature. Complete and up-to-date. Code No. 2-92. \$5.00.



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

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## Charitable Gambling Directory

A complete listing in alphabetical order of organizations licensed for charitable gambling in the state. Includes the name, address, zip code and name of contact person. 64 pages. Code #1-11. \$20.00.

**SPECIAL NOTE:** New Charitable Gambling Rules will be available Spring '87. Governs the conduct of charitable gambling events like bingo. Call for price information in the Spring.

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

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## Voices of the Loon

Its voice severs the bonds to the world of cities, traffic, crowds, lights and noise. The lyrical magic of the loon, sometimes hauntingly eerie, makes the skin tingle, and the hair on the back of the neck stand on edge, awakening a primitive response. Its solitary wail turns the shadowy wilderness into a mysterious path into eternity.

*Voices of the Loon*, cassette tape, includes introduction and loon call identification, chorus from a distant lake, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during a thunderstorm, and coyotes calling with loons. Code #19-73, \$12.00.

*The Loon: Voice of the Wilderness*, hardbound with color plates and illustrations, 143 pages. Code #9-14, \$6.00.

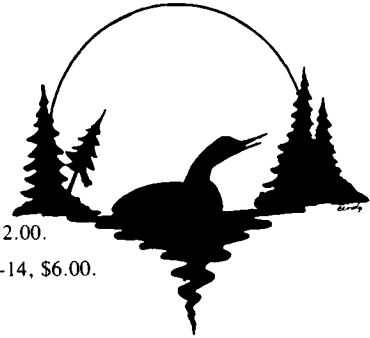
*Loon Calendar 1987*, beautiful photographs and scenes. Code #15-40, \$6.95.

*Loon Lapel Pin*. Code #15-30, \$2.49.

*Loon Windsock*, 56 inches long in full color. Code #15-29, \$19.95.

*Loon Nature Print*, full-color poster 16" x 22". Code #15-18, \$3.00.

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



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