

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
50	Monday 1 June	Monday 8 June	Monday 15 June
51	Monday 8 June	Monday 15 June	Monday 22 June
52	Monday 15 June	Monday 22 June	Monday 29 June
Vol. 12—#1	Monday 22 June	Monday 29 June	Monday 6 July

*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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Rudy Perpich, Governor

**Sandra J. Hale, Commissioner
Department of Administration**

**Stephen A. Ordahl, Director
Minnesota Documents Division**

Robin PanLener, Editor

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Debbie Kobold, Circulation Manager

FOR LEGISLATIVE NEWS

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

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

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

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NOTICE

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:

Issues 1-13, inclusive	Issue 39, cumulative for 1-39
Issues 14-25, inclusive	Issues 40-51, inclusive
Issue 26, cumulative for 1-26	Issue 52, cumulative for 1-52
Issues 27-38, inclusive	

MINNESOTA RULES

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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.

Board of Accountancy

Proposed Permanent Rules Relating to Fees

Notice of Intent to Amend Rules without a Public Hearing

Notice is hereby given that the Minnesota Board of Accountancy ("Board") proposes to adopt the above-entitled amendments to existing rules of the Board without a public hearing by following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing, Minnesota Statutes §§ 14.22 to 14.28 (1986), and the procedures set forth in Minnesota Statutes §§ 16A.128 (Supp. 1985) and 214.06 (1986).

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

No public hearing will be held on these rules unless 20 percent of the persons who will be required to pay any fee set by these rules submit a written request for a public hearing on the proposed rules within the 30 day comment period. Any person requesting a public hearing should state his or her name and address and the portion of the proposed rules as to which a hearing is requested. If a public hearing is required, the Board will proceed pursuant to Minnesota Statutes §§ 14.131 to 14.20 (1986). Comments or written requests for a public hearing should be submitted within 30 days following the publication of this notice to:

Pamela K. Smith
Executive Secretary
Board of Accountancy
500 Metro Square Building
St. Paul, Minnesota 55101
Telephone: (612) 296-7937

Authority for the adoption of these rules is contained in Minnesota Statutes §§ 16A.128 (Supp. 1985) and 214.06, 326.17, 326.18 and 326.22 (1986). Additionally, a statement of need and reasonableness which describes the need for a reasonableness of each provision of the proposed rules and which identifies the data and information relied upon to support the proposed rules has been prepared and is available from Ms. Smith 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 the Attorney General for review as to its legality, and as to form to the extent the form relates to legality, including the issue of substantial change, and for a determination as to whether the rulemaking record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to be advised of the submission of this material to the Attorney General, or which wish to receive a copy of the final rules as proposed for adoption, will be notified if they submit a written request for notification to Ms. Smith.

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

Copies of this notice and the proposed rules are available and may be obtained by contacting Ms. Smith.

Bonnie R. Russ, Chair
Board of Accountancy

Rules as Proposed**1100.3600 FEES.**

Subpart 1. **Application fees other than annual license fees.** Applications shall be accompanied by fees in the following amounts:

A. [Unchanged.]

B. Application for certified public accountant reexamination in failed subjects, ~~\$27~~ \$30 per subject but not in excess of \$115. Accounting practice is considered to be two subjects. Part 1100.1400, subpart 4 provides that applicants must apply for reexamination in all failed subjects.

C. Application for reciprocal certificate and license for certified public accountant, ~~\$75~~ \$100.

D. Application for certificate and license for licensed public accountant, ~~\$75~~ \$100.

E. Application for reciprocal certificate and license for licensed public accountant, ~~\$75~~ \$100.

F. A nonrefundable \$50 fee will be charged to proctor out-of-state exam candidates applying to sit in Minnesota.

Subp. 2. **Annual license fees.** Annual license fees shall be as follows:

A. application for initial certified public accountant license, \$50;

B. active individuals, ~~\$20,~~ and \$30;

C. inactive individuals, \$10;

D. partnerships, ~~\$25~~ \$35; and

E. in addition to the ~~\$25~~ annual reporting fee in part 1100.3200, corporations, \$10.

Subp. 2a. to 4. [Unchanged.]

Department of Agriculture

Proposed Permanent Rules Relating to Seed Potato Production

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Department of Agriculture intends to adopt the above-entitled rules without a public hearing, following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in Minnesota Statutes, Sections 14.22-14.28. The statutory authority to adopt these rules is Minnesota Statutes, Section 21.118.

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

Any person may make a written request for a public hearing on the rules 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 their name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any proposed change. If a public hearing is required, the department will proceed according to Minnesota Statutes, Sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-6906.

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

A copy of the proposed rules is attached to this Notice.

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

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

The proposed rules would raise the standard and quality of Minnesota certified seed potatoes and place no additional economic restraints or demands on small business of the general industry. These rules would be a positive benefit to Minnesota certified seed potato producers and enhance their ability to compete in the marketplace.

If no hearing is required, upon adoption of the final rules, the rules 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 rules must submit a written request to Ms. Milligan.

Dated: 12 May 1987

Jim Nichols, Commissioner,
Department of Agriculture

Rules as Proposed

1555.6850 REQUIREMENTS FOR PRIMARY FOUNDATION CERTIFIED SEED POTATO PRODUCTION.

Primary Foundation certified seed potatoes consist of potatoes which meet all the requirements of parts 1555.6750 to 1555.6840 as well as the additional requirements in this part:

A. [Unchanged.]

B. Primary Foundation or Pre-Nuclear, Nuclear, Generation One, Generation Two, Generation Three, and Generation Four certified seed potatoes shall be the only potatoes grown on the farm. ~~They~~ Primary Foundation certified seed potatoes shall be grown from potatoes produced on a tuber unit seed plot.

C. to G. [Unchanged.]

Rules as Proposed (all new material)

1555.6851 REQUIREMENTS FOR PRE-NUCLEAR AND NUCLEAR CERTIFIED SEED POTATO PRODUCTION.

Subpart 1. **Pre-Nuclear certified seed potatoes.** Pre-Nuclear seed potatoes consist of potatoes that meet all the requirements of parts 1555.6750 to 1555.6850, as well as the additional requirements in this part.

A. A lot grown as and intended to be Pre-Nuclear must be grown from plants tested and shown to be free from the following pathogens:

- (1) *Corynebacterium sepedonicum* (ring rot);
- (2) *Erwinia carotovora* (blackleg);
- (3) potato virus X;
- (4) potato virus S;
- (5) potato virus A;
- (6) potato virus M;
- (7) potato virus Y;
- (8) potato spindle tuber viroid; and
- (9) potato leafroll virus.

B. Pre-Nuclear seed potatoes must be produced in a greenhouse, under sanitary conditions, free from insects and weeds that can harbor or transmit potato diseases or other conditions of possible disease contamination. All facilities and equipment are subject to inspection as considered necessary by the commissioner to verify freedom from possible disease contamination.

C. A representative number of plants or tubers from each lot must be tested during the growing season to verify that the crop is free from potato virus X, potato virus Y, *C. sepedonicum*, and *E. carotovora*.

D. All plants must be inspected at least two times during the growing season. Additional inspections may be made if considered necessary by the commissioner.

E. A lot must be rejected if it contains any diseased plants or varietal mixture, unless the plants are removed by the grower before the next inspection.

F. If bacterial ring rot is found in any lot, the remaining crop is not eligible for certification planting.

G. Limited Generation and Primary Foundation must be the only classes of certified seed potatoes grown on the farm.

Subp. 2. **Nuclear certified seed potatoes.** Nuclear seed potatoes consist of potatoes that meet all the requirements of parts 1555.6750 to 1555.6850 as well as the additional requirements in this part.

A. The seed source must be either Pre-Nuclear tubers or plantlets which were produced in accordance with part 1555.6851, subpart 1.

B. Tubers or plantlets must be planted in identifiable family units.

C. Not more than 0.1 percent of virus diseases, excluding potato virus X, is allowed on any field inspection. No blackleg, spindle tuber, or varietal mixture is allowed.

D. Each field must be tested during the growing season for potato virus X. For a lot to be tagged "virus tested" no more than one percent of the plants tested may be infected with potato virus X.

E. A sample of each lot must meet the same winter test requirements as prescribed for Primary Foundation certified seed potatoes in part 1555.6850, item E.

F. Each lot must be stored in an individual identifiable unit.

G. Limited Generation and Primary Foundation must be the only classes of certified seed potatoes grown on the farm.

H. If bacterial ring rot is found in any field or lot, the remaining crop is not eligible for certification planting.

1555.6852 REQUIREMENTS FOR GENERATION CERTIFIED SEED POTATO PRODUCTION.

Subpart 1. **Requirements.** Generation certified seed potatoes consist of potatoes that meet all the requirements of parts 1555.6750 to 1555.6850 as well as the additional requirements in this part.

A. A sample of each lot must meet the same winter test requirements as prescribed for Primary Foundation certified seed potatoes in part 1555.6850, item E.

B. No spindle tuber is allowed on any field inspection.

C. Each field may be tested during the growing season for potato virus X. For a lot to be tagged "virus tested" no more than three percent of the plants tested may be infected with potato virus X.

D. If bacterial ring rot is found in any field or lot, the remaining crop is not eligible for certification planting.

E. Each lot must be stored in an individual identifiable unit.

Subp. 2. **Generation One.** The seed source must be Nuclear class certified seed potatoes or the equivalent. No more than 0.2 percent of virus diseases or blackleg is allowed on any field inspection. No varietal mixture is allowed.

Subp. 3. **Generation Two.** The seed source must be Generation One class certified seed potatoes or the equivalent. Not more than 0.2 percent of virus disease or 0.5 percent blackleg is allowed on any field inspection. No varietal mixture is allowed.

Subp. 4. **Generation Three.** The seed source must be Generation Two class certified seed potatoes or the equivalent. No more than 0.3 percent of virus diseases or one percent blackleg is allowed on any field inspection. No more than 0.1 percent varietal mixture is allowed.

Subp. 5. **Generation Four.** The seed source must be Generation Three class certified seed potatoes or the equivalent. Not more than 0.3 percent of virus diseases or 0.1 percent varietal mixture is allowed on any field inspection.

Subp. 6. **Generation Five.** The seed source must be Generation Four class certified seed potatoes or the equivalent. Not more than 0.4 percent of virus diseases or 0.2 percent varietal mixture is allowed on any field inspection. Generation Five seed potatoes are not tested for potato virus X, winter tested, or eligible for certification planting the following year.

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

Hazardous Substance Injury Compensation Board

Proposed Permanent Rules Relating to Attorney Fees

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 rules 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 Section 115B.37 (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.

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 L. 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, 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.

Dated 1 June 1987

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

Rules as Proposed (all new material)

7190.0020 ATTORNEY FEES.

Subpart 1. **Entitlement.** An attorney is entitled to a fee for representing a claimant before the board only if the claimant accepts an award from the board. Representation includes preparation involved in filing an application, monitoring the claim progress, communication with the board and appearances before the board.

Subp. 2. **Considerations determining amount.** The fee must be reasonable considering the time actually expended by the attorney, the size of the award received by the claimant, and whether the board's preliminary decision was accepted or challenged by the claimant.

Subp. 3. **Maximum fee; expenses.** No fee for legal services including expenses shall exceed 25 percent of the total award. Expenses include the costs incurred by the attorney in representing a claimant before the board, such as photocopying, postage and delivery, transportation, expert consultation, and provision of expert testimony.

Subp. 4. **Time of payment.** An attorney may request payment when the claimant receives the money. A board award made by installments entitles the attorney to a pro rata share of each installment when received by the claimant, not to exceed 25 percent of each installment. The attorney is not entitled to interest on the unpaid balance.

Subp. 5. **Notification.** When a claim is accepted, the board shall notify the claimant and attorney in writing that attorney fees are limited by rule under Minnesota Statutes, section 115B.37. When an award is accepted by the claimant, the board shall notify the claimant and the attorney of the maximum allowable fee for legal services:

Subp. 6. **Variance not binding.** An agreement between the attorney and client that attempts to vary or change the provisions of this part is not binding upon the attorney and the client.

Housing Finance Agency

Proposed Permanent Rules Relating to Accessibility Deferred Loan Program and Definition of Income Applicable to Home Improvement Loans, Accessibility Improvement Assistance, and Accessibility Deferred Loans

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 the 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 a 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.

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

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: 12 June 1987

James J. Solem
Executive Director

Rules as Proposed

4900.0010 DEFINITIONS.

Subpart 1. to 22. [Unchanged.]

Subp. 23. **Persons and families of low and moderate income.** "Persons and families of low and moderate income" means:

A. to D. [Unchanged.]

E. With respect to home improvement loans ~~and~~, accessibility improvement assistance, and accessibility deferred loans, pursuant to parts 4900.0510 ~~and~~, 4900.0710, and 4900.0750, respectively, those persons and families whose adjusted income does not exceed \$27,000 or such lower amount as the agency may establish to assure that the interest on obligations of the agency will be exempt from federal income taxation.

4900.0760 ELIGIBILITY.

Subpart 1. General conditions. The agency may make funds available for the purpose of making accessibility improvements, for technical assistance in the design and construction of such accessibility improvements, and for repairs relating to the installation of the accessibility improvements, under the ~~following~~ conditions: in subparts 2 to 4.

~~Subpart 1. Subp. 2. Purpose of loan.~~ The loan recipient shall:

~~A. (1) be a handicapped person, or have or intend to have in residence in the property to be improved at least one household member who is a handicapped person, (2) occupy or intend to occupy the dwelling unit to be improved as his or her primary residence, and (3) qualify as a person or family of low or moderate income as defined in part 4900.0010, subpart 23, item E; or~~

~~B. (1) be licensed by the county to operate the property to be improved as a foster care residence, (2) occupy the dwelling unit to be improved as his or her primary residence, (3) have entered into an agreement to accept handicapped foster care residents as set forth in part 4900.0780, subpart 2, and (4) qualify as a person or family of low or moderate income, which shall be considered to mean, for the purpose of this item, a person or family whose adjusted income as defined in part 4900.0010, subpart 3, does not exceed \$38,000 for residences in the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2, or whose adjusted income for residences in the nonmetropolitan area as defined in this item does not exceed \$30,000.~~

~~Subp. 2. 3. Ownership.~~ The loan recipient shall comply with the ownership requirements of part 4900.0630, subpart 2.

~~Subp. 3. 4. Structure.~~ The structure to be improved shall be an existing dwelling located within the state of Minnesota, shall be used primarily for residential purposes, and shall contain no more than two dwelling units, one of them occupied by the recipient.

4900.0770 DISTRIBUTION OF ACCESSIBILITY DEFERRED LOANS.

Subpart 1. **Availability.** Accessibility ~~deferred loans funds~~ shall be available provided in the form of deferred loans. As funds become available, households meeting the limits established in 4900.0010, subpart 23, item D, shall have first priority for receipt of funds. These households will be eligible for a loan representing the total of approved expenses, or the maximum assistance available, whichever is less. Households with incomes exceeding the limit established in part 4900.0010, subpart 23, item D, but meeting the limit established in part 4900.0010, subpart 23, item E, shall have second priority for receipt of funds. These households will be eligible for a loan representing the share of approved expenses the household cannot afford as determined by MHFA, or the maximum assistance available, whichever is less. The agency will establish the manner of priority set aside and the manner in which affordability is calculated at the time funds become available.

Subp. 2. to 4. [Unchanged.]

4900.0780 REPAYMENT.

The recipient of a deferred loan shall enter into an agreement with the agency for repayment of the loan; ~~as provided in subparts 1 and 2.~~

~~Subpart 1. Household loan. If the recipient qualifies for a loan under the provisions of part 4900.0760, subpart 1, item A, the agreement shall provide that.~~ The recipient shall repay the entire amount of the deferred loan only in the event the property upon which the improvement is located is sold, transferred, or otherwise conveyed, or ceases to be the recipient's principal place of residence, within five years after the date upon which the application for an accessibility deferred loan was approved. The agreement for the repayment of the loan shall be secured by a lien for the benefit of the agency on the property improved.

Subp. 2. [See Repealer.]

REPEALER. Minnesota Rules, part 4900.0780, subpart 2, is repealed.

Public Utilities Commission

Proposed Permanent Rules Relating to Code of Conduct

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Minnesota Public Utilities Commission (Commission) 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 Minn. Stat. § 14.22 to 14.28 (1986). The Commission's authority to adopt the rule is set forth in Minn. Stat. § 216A.037, subd. 3 (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. All persons have until 4:30 p.m. on July 15, 1987, to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules 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 rules addressed, the reason for the request, and any change proposed.

If a public hearing is required, the Commission will proceed pursuant to Minn. Stat. §§ 14.131 to 14.20 (1986).

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

Rosellen Condon
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-2357

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

The proposed rules were previously promulgated by the Commission as emergency rules. These emergency rules were effective October 10, 1986, and were published in the *State Register* as adopted on October 20, 1986 (11 S.R. 715). The rules were continued in effect for an additional 180 days, until October 6, 1987, by publication of notice in the *State Register*. The Commission is proposing to adopt these rules as permanent rules. The proposed rules are published below. One free copy of the rules is available upon request from Sharon Juen at Minnesota Public Utilities Commission, 780 American Center Building, 150 East Kellogg Boulevard, St. Paul, Minnesota 55101, (612) 296-2243.

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Sharon Juen upon request at the address and telephone number stated above.

The adoption of these rules by the Commission will not require expenditure of public monies by local public bodies nor have a direct impact on agricultural land. Therefore, Minn. Stat. § 14.11 (1986) is inapplicable to this rulemaking proceeding.

You are hereby advised, pursuant to Minn. Stat. § 14.115 (1986), "Small business considerations in rulemaking," that the proposed rules do not effect small businesses except to the extent that they require all members of the public to conduct themselves before the Commission in a manner that is consistent with the integrity and independence of the Commission and its staff.

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 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 rule, must submit the written request to Sharon Juen at Minnesota Public Utilities Commission, 780 American Center Building, 150 East Kellogg Boulevard, St. Paul, Minnesota 55101.

Mary Ellen Hennen
Executive Secretary

Rules as Proposed (all new material)

7845.0100 DEFINITIONS.

Subpart 1. **Code.** "Code" refers to the code of conduct required by Minnesota Statutes, section 216A.037, subdivision 3, and set out in this chapter.

Subp. 2. **Commission.** "Commission" means the Minnesota Public Utilities Commission.

Subp. 3. **Commissioner.** "Commissioner" means a member of the commission.

Subp. 4. **Employee.** "Employee" means the executive secretary of the commission, or a member of the commission's professional, secretarial, or clerical staff.

Subp. 5. **Public utility.** "Public utility" has the meaning given it in Minnesota Statutes, section 216B.02, subdivision 4, except that for the purposes of this chapter it also includes a municipal utility or a cooperative electric association that produces or furnishes natural, manufactured, or mixed gas or electric service and its agents, officers, and representatives.

Subp. 6. **Telephone company.** "Telephone company" has the meaning given it in Minnesota Statutes, section 237.01, except that for the purposes of this chapter it also includes an independent telephone company as defined in Minnesota Statutes, section 237.01, subdivision 3; a radio common carrier as defined in Minnesota Statutes, section 237.01, subdivision 4; and their agents, officers, and representatives.

Subp. 7. **Party.** "Party" means a person by or against whom a proceeding before the commission is commenced or a person permitted to intervene in a proceeding before the commission. A party includes a petitioner, complainant, intervenor, applicant, and respondent, and their attorneys, agents, or representatives.

Subp. 8. **Proceeding.** "Proceeding" means a formal or informal undertaking of the commission, on its own motion or otherwise, in which it seeks to resolve questions or issues raised in a complaint, in a petition, or during rulemaking.

7845.0200 AUTHORITY.

This code is prescribed by the commission under Minnesota Statutes, sections 216A.05 and 216A.037, subdivision 3.

7845.0300 PURPOSE AND CONSTRUCTION.

The purpose of this code is to preserve the integrity and independence of commission decision making and to promote public confidence in the objectivity of commission decisions. Commissioners and employees should maintain high standards of conduct to prevent a conflict or the appearance of a conflict between private interests and official duties. This code must be construed to secure these objectives in keeping with the quasi-judicial function of the commission.

7845.0400 CONFLICT OF INTEREST; IMPROPRIETY.

Subpart 1. **General behavior.** A commissioner or employee shall respect and comply with the law and shall behave in a manner that promotes public confidence in the integrity and impartiality of the commission's decision-making process.

Subp. 2. **Actions prohibited.** Commissioners and employees shall avoid any action that might result in or create a conflict of interest or the appearance of impropriety, including:

- A. using public office for private gain;

- B. giving preferential treatment to an interested person or entity;
- C. impeding the efficiency or economy of commission decision making;
- D. losing independence or impartiality of action;
- E. making a commission decision outside official channels; and
- F. affecting adversely the confidence of the public in the integrity of the commission.

7845.0500 QUASI-JUDICIAL RESPONSIBILITIES.

Subpart 1. **Inappropriate influences.** Commissioners shall not be swayed by partisan interests, public clamor, or fear of criticism.

Subp. 2. **Orderly proceedings, behavior.** Commissioners shall maintain order and decorum in proceedings before the commission. In their official capacity, commissioners must be patient, dignified, and courteous to litigants, witnesses, lawyers, commission staff, and others appearing before them. Commissioners shall require similar conduct from persons appearing before them.

7845.0600 DISQUALIFICATION.

Subpart 1. **Disqualifying factors.** Commissioners and employees shall disqualify themselves if they:

- A. have a personal bias or prejudice concerning a party;
- B. before employment with the commission, served or participated as a lawyer or material witness in the pending proceeding;

or

- C. have an interest, other than that of the general public, that could be substantially affected by the outcome of the proceeding.

Subp. 2. **Written disclosure; withdrawal.** The commissioner or employee shall disclose in writing within 48 hours to the commission the disqualifying interest and withdraw, taking no part in the pending proceeding.

7845.0700 PROHIBITED ACTIVITIES.

Subpart 1. **In general; exceptions.** A commissioner or employee shall not directly or indirectly solicit or accept for the commissioner or employee, or for another person, any compensation, gift, gratuity, favor, entertainment, meal, beverage, loan, or other thing of monetary value from a public utility, telephone company, or party, that exceeds nominal value. This prohibition does not apply to:

- A. books or printed materials that are relevant to the official responsibilities of the commission; or

B. an educational program devoted to improving the regulatory process or the administration of the commission that is open to other interested groups or state agencies under the same terms and conditions. Meals associated with the program must be paid for by a commissioner or employee who attends the program.

Subp. 2. **Outside income.** A commissioner or professional employee shall not receive personal income, directly or indirectly, from a public utility or telephone company subject to regulation by the commission. A commissioner or professional employee may receive dividends or other earnings from a mutual fund or trust so long as the mutual fund or trust does not hold a significant portion of its investments in public utilities or telephone companies subject to regulation by the commission.

Subp. 3. **Interests in utilities.** A commissioner or professional employee shall not invest in a public utility or telephone company, acquire a legal or equitable interest in it, however small, become its director or advisor, or actively participate in its affairs. This prohibition does not apply to:

A. ownership in a mutual fund or trust that holds securities in a telephone company or public utility unless the commissioner or professional employee participates in the management of the fund;

B. holding office or title in an educational, religious, charitable, fraternal, or civic organization that owns securities in a telephone company or public utility;

C. purchasing services from a telephone company or public utility on the same terms and conditions as a member of the general public; or

D. holding membership in a cooperative association under the same terms and conditions as other members of the cooperative.

Subp. 4. **Outside employment.** A commissioner or employee shall not negotiate for or accept outside employment or other involvement in a business or activity that will impair the person's independence of judgment in the exercise of official duties.

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PROPOSED RULES

Subp. 5. **Insider information.** A commissioner or employee shall not directly or indirectly use, or permit others to use, information not made available to the general public, to advance a private interest.

7845.0800 FUTURE EMPLOYMENT.

Subpart 1. **One-year restriction.** While employed with the commission or within one year after leaving it, a commissioner shall not accept employment with, receive compensation directly or indirectly from, or enter into a contractual relationship with a public utility or telephone company subject to rate regulation by the commission.

Subp. 2. **Commissioner communication with parties.** A commissioner shall not communicate, directly or indirectly, with a party to a pending proceeding before the commission regarding past or future benefits or compensation to be received from that party. The commissioner shall disclose in writing to the commission any communication regarding past or future benefits or compensation within 48 hours after the communication is made. The commission may dismiss a proceeding if an applicant, petitioner, or complainant violates this subpart.

Subp. 3. **Employee communication with parties.** A professional employee shall disclose in writing to the commission any communication regarding future benefits, compensation, or employment with a party to a pending proceeding before the commission within 48 hours after the communication is made. Reprisals must not be taken against a professional employee who complies with this subpart.

7845.0900 POSTEMPLOYMENT REPRESENTATION.

Subpart 1. **By commissioner.** A commissioner shall not represent a public utility or telephone company subject to rate regulation by the commission, formally or informally, before the commission for one year after leaving the commission. At no time shall a commissioner represent a party on a proceeding that was pending before the commission during that commissioner's term in office.

Subp. 2. **By employee.** For one year after leaving the commission, an employee shall not represent a public utility or telephone company subject to rate regulation by the commission, before the commission on a proceeding that the employee participated in during that employment with the commission.

7845.1000 SANCTIONS.

Subpart 1. **Against commissioner.** A commissioner who intentionally fails to comply with this code is subject to disciplinary action under Minnesota Statutes, sections 15.0575 and 216A.036, and in accordance with Minnesota Statutes, section 43A.33.

Subp. 2. **Against employee.** An employee who intentionally fails to comply with this code is subject to disciplinary action under the applicable collective bargaining agreement, commissioner's or manager's plan, or in accordance with Minnesota Statutes, section 43A.33.

ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Board of Barber Examiners

Adopted Permanent Rules Relating to Fees

The rule proposed and published at *State Register*, Volume 11, Number 38, pages 1730-1731, March 23, 1987 (11 S.R. 1730) is adopted as proposed.

Public Employees Retirement Association

Adopted Permanent Rules Relating to Joint and Survivor Annuity and Benefit Options

The rules proposed and published at *State Register*, Volume 11, Number 39, pages 1779-1782, March 30, 1987 (11 S.R. 1779) are adopted with the following modifications:

Rules as Adopted

7950.0520 ACTUARIAL STANDARDS AND ASSUMPTIONS ESTABLISHED, APPLIED, AND MAINTAINED.

Subpart 1. **Enumerated.** The following actuarial standards and assumptions will be used in deriving the joint and survivor option percentage factors that will, in turn, be used to determine each member's applicable joint and survivor annuity or benefit amount. These standards and assumptions are based on generally accepted actuarial principles, Minnesota statutes, and the most recent actual PERA group mortality experience study.

A. Pension mortality tables adopted by the PERA board of trustees ~~in accordance with~~ under Minnesota Statutes, sections 353.03, subdivision 3, paragraph (b), and 353.30, subdivision 3, ~~on October 28, 1986, and as modified at subsequent dates upon the recommendation of the association actuary in accordance with Minnesota Statutes, section 353.03, subdivision 3, paragraph (b).~~

B. A merged gender mix ~~as adopted by the PERA board of trustees in accordance with~~ which reflects PERA's actual experience adopted under Minnesota Statutes, sections 353.03, subdivision 3, paragraph (b), and 353.30, subdivision 3, ~~on October 28, 1986, and as modified at subsequent dates upon the recommendation of the association actuary in accordance with Minnesota Statutes, section 353.03, subdivision 3, paragraph (b).~~

Department of Public Service

Adopted Permanent Rules Relating to Testing Requirements

The rules proposed and published at *State Register*, Volume 11, Number 36, page 1610, March 9, 1987 (11 S.R. 1610) are adopted as proposed.

OFFICIAL NOTICES

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

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

Anoka-Ramsey Community College

Request for Insurance Instructors

Anoka-Ramsey Community College is accepting applications for insurance instructors to teach pre-licensure and continuing education courses at MN Community Colleges. Previous teaching/training experience is required. Insurance designations helpful. Send letter of application and resume by June 19 to Ken Hess, Director of Insurance,

ANOKA-RAMSEY COMMUNITY COLLEGE
11200 MISSISSIPPI BLVD. NW
Coon Rapids, MN 55433
Equal Opportunity Institution

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.

OFFICIAL NOTICES

Blue Earth County

Notice of Filing Fees for the County Law Library

Pursuant to Minnesota Statutes 140.422, the Blue Earth County Law Library Board of Trustees announces the law library fees to be collected in the district, county, probate and conciliation courts of Blue Earth County.

Civil Suits	
Plaintiff/Petitioner	\$15
Defendants/Respondents	\$15
Probate Court	
Petitioner	\$15
Marriage Dissolution	
Petitioner	\$15
Respondent	\$15
Conciliation Court	
Claimant	\$15
Counterclaimant	\$15
Criminal Convictions	
Defendant	\$1

These fees shall be effective from July 1, 1987 to June 30, 1989.

Dated: 3 June 1987

Dave Carlson
Court Administrator

Board of Dentistry

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Amendment Governing Annual Renewal Fees Minn. Rules pt. 3100.2000, subp. 2

Notice is hereby given that the State Board of Dentistry is seeking information or opinions from sources outside the Board in preparing to propose the amendment of the rule governing annual license and registration renewal fees. The amendment of the rule is authorized by Minnesota Statutes, sections 150A.04, subd. 5, 150A.09, subd. 1 and 214.06, subd. 1 which permits the Board to promulgate rules establishing license and registration renewal fees.

The State Board of Dentistry 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:

Douglas R. Sell
Executive Director
Minnesota Board of Dentistry
2900 University Avenue West, Suite 109
St. Paul, Minnesota 55114

Oral statements will be received during regular business hours over the telephone at (612) 642-0579 and in person at the above address.

All statements of information shall be accepted until July 2, 1987. Any written material received by the State Board of Dentistry shall become part of the rulemaking record to be submitted to the attorney general in the event that the rule is adopted.

Dated: 5 June 1987

Douglas R. Sell
Executive Director

**Department of Education
Division of Instructional Effectiveness
Interagency Planning Project for Young Children with Handicaps**

**Notice of Public Hearing on the Public Law 99-457, Part H State Plan for Fiscal Year
1987-88**

Notice is hereby given that the Minnesota Department of Education, Special Education, Interagency Planning Project for Young Children with Handicaps seeks public comment through three public hearings on its Public Law 99-457, PART H for fiscal year 1987-88.

Notice is hereby given that a full, intact Public Law 99-457, Part H State Plan for fiscal year 1987-88 can be requested by mail or picked up from the Special Education Units, Room 820, Capitol Square Bldg., 550 Cedar St., St. Paul, MN 55101 on June 20, 1987. A full intact Part H Plan will also be available for public inspection at the hearing sites. Written and oral comments will be received at the three public hearings listed below:

Room 500 South
State Office Bldg.
St. Paul, MN 55155
Friday, June 26, 1987
1:00-4:00 PM

Room 317
Brainerd Community College
College Drive
Brainerd, MN 56401
Monday, June 29, 1987
1:00-4:00 PM

For those unable to attend the public hearings, please send written comments relative to the plan to the:

Interagency Planning Project for Young
Children with Handicaps
835 Capitol Square Building
550 Cedar St.
St. Paul, MN 55101

For further information, contact Janet M. Rubenstein at 612/296-7032 or Ann Ricketts at 612/623-5168.

**Department of Energy and Economic Development
Community Development Division**

**Comments Sought on Amendments to the Proposed Final Statement for the 1987 Small
Cities Community Development Block Grant Program**

Notice is hereby given that the Department of Energy and Economic Development Community Development Division, is seeking comments or opinions from sources outside the agency in preparing to submit an amended Final Statement for the 1987 Small Cities Community Development Block Grant (CDBG) Program.

The amended 1987 Final Statement will consist of the Administrative Rules Governing the Community Development Block Grant Program (as recently amended pursuant to Minnesota Statutes, Section 14.29 to 14.36) which are found in Minnesota Rules, Chapter 4300; a description of the use of funds in the 1986 grant program; an assessment of the use of funds in the 1986 grant program in relation to the community development objectives in the Rules and to the requirements of section 104(B)(3) of the U.S. Housing and Community Development Act, as amended by the U.S. Housing and Community Development Act of 1974, as amended by the U.S. Housing and Urban Rural Recovery Act of 1983 (P.L. 98-181).

The Minnesota Department of Energy and Economic Development, Community Development Division, requests comments or

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opinions concerning proposed amendments. Interested or affected persons, groups, or units of general purpose local government may submit statements or comments orally or in writing. Written statements should be addressed to:

Louis Jambois
Community Development Division
Minnesota Department of Energy and Economic Development
8th Floor, American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101
(612) 297-3172

A public hearing will be conducted by the Division of Community Development on Wednesday, July 1st at 10:00 a.m. in Conference Room 3, 9th floor American Center Building. Oral statements will also be received during regular business hours over the telephone at (612) 297-3172 or in person at the above address until 4:30 p.m. on July 1st.

Final Statement as Proposed

Federal fiscal year 1987 Community Development Block Grant funds made available to the State for distribution to nonentitlement areas will be distributed in accordance with administrative rules adopted in Chapter 4300. These rules are the same as those under which fiscal year 1986 funds were administered. The text of said rules is as follows:

CHAPTER 4300 COMMUNITY BLOCK GRANTS

4300.0100. Definitions

- Subp. 1. **Scope.** As used in this chapter, the following terms have the meanings given them:
- Subp. 2. **Application Year.** "Application year" means the federal fiscal year beginning October 1st and ending September 30th.
- Subp. 3. **Community Development Need.** "Community development need" means a demonstrated deficiency in housing stock, public facilities, economic opportunities, or other services which are necessary for developing or maintaining viable communities.
- Subp. 4. **Competitive Grant.** "Competitive grant" means a grant application that is evaluated and ranked in comparison to other applications in the same grant category and includes housing, public facilities and comprehensive applications.
- Subp. 5. **Comprehensive Program.** "Comprehensive program" means a combination of at least two interrelated projects which are designed to address community development needs which by their nature require a coordination of housing, public facilities, or economic development activities. A comprehensive program must be designed to benefit a defined geographic area, otherwise known as a program area.
- Subp. 6. **Economic Development Project.** "Economic development project" means one or more activities designed to create new employment, maintain existing employment, increase the local tax base, or otherwise increase economic activity in a community.
- Subp. 7. **Eligible Activities.** "Eligible activities" means those activities so designated in United States Code, title 42, section 5305 (1981) and as described in Code of Federal Regulations, title 24, sections 570.200-570.207 (1981).
- Subp. 8. **General purpose Local Government.** "General purpose local government" means townships as described in Minnesota Statutes, chapter 365; cities as described in Minnesota Statutes, chapters 410 and 412; and counties.
- Subp. 9. **Grant.** "Grant" means an agreement between the state and an eligible recipient through which the state provides funds to carry out specified programs, services, or activities.
- Subp. 10. **Grant Closeout.** "Grant closeout" means the process by which the office determines that all applicable administrative actions and all required work have been completed by the grant recipient and the department.
- Subp. 11. **Grant Year.** "Grant year" means any period of time during which the United States Department of Housing and Urban Development makes funds from any federal fiscal year available to the state for distribution to local governments under United States Code, title 42, sections 5301-5316 (1981), and includes the period of time during which the office solicits applications and makes grant awards.
- Subp. 12. **Infrastructure.** "Infrastructure" means the basic physical systems, structures, and facilities, such as roads, bridges, water, and sewer, which are necessary to support a community.
- Subp. 13. **Low- and Moderate-Income.** "Low- and moderate-income" means income which does not exceed 80 percent of the median income for the area, with adjustments for smaller and larger families.
- Subp. 14. **Metropolitan City.** "Metropolitan city" means a city over 50,000 population or a central city of a standard metropolitan

statistical area that receives entitlement grants under United States Code, title 42, section 5306 (1981) directly from the United States Department of Housing and Urban Development.

Subp. 15. **Nonentitlement Area.** "Nonentitlement area: means an area that is not a metropolitan city or part of an urban county.

Subp. 16. **Office.** "Office" means the office or division in the Department of Energy and Economic Development to which the program is assigned.

Subp. 17. **Per Capita Assessed Valuation.** "Per capita assessed valuation" means the adjusted assessed valuation divided by population.

Subp. 18. **Population.** "Population" means the number of persons who are residents in a county, city, or township as established by the last federal census, by a census taken pursuant to Minn. Stat. § 275.53, subd. 2, by a population estimate made by the Metropolitan Council, or by the population estimate of the state demographer made under Minn. Stat. § 4.12, subd. 7, clause (10), whichever is most recent as to the stated date of count or estimate, up to and including the most recent July 1.

Subp. 19. **Poverty Persons.** "Poverty persons" means individuals or families whose incomes are below the poverty level as determined by the most current data available from the United States Department of Commerce, taking into account variations in cost of living for the area affected.

Subp. 20. **Program.** "Program" means the community development block grant program for nonentitlement areas.

Subp. 21. **Program Area.** "Program area" means a defined geographic area within which an applicant has determined that, based on community plans or other studies, there exists a need for community development activities. A program area may be a neighborhood in a community or an entire community.

Subp. 22. **Program Income.** "Program income" means gross income earned by the grant recipient from grant-supported activities, excluding interest earned on advances.

Subp. 23. **Project.** "Project" means one or more activities designed to meet a specific community development need.

Subp. 24. **Regional or Community Development Plans.** "Regional or community development plans" means written documents, resolutions, or statements which describe goals, policies, or strategies for the physical, social, or economic development of a neighborhood, community, or substate area. Regional or community development plans include comprehensive plans and elements of comprehensive plans, including land use plans, which have been approved by the governing boards of townships, counties, or cities, and also include regional development plans adopted under Minn. Stat. § 462.281, where applicable.

Subp. 25. **Slums and Blight.** "Slums and blight" means areas or neighborhoods which are characterized by conditions used to describe deteriorated areas in Minn. Stat. § 462.421 or which are characterized by the conditions used to describe redevelopment districts in Minn. Stat. § 273.73, subd. 10.

Subp. 26. **Single-purpose Project.** "Single-purpose project" means one or more activities designed to meet a specific housing or public facilities community development needs.

Subp. 27. **Urban County.** "Urban county" means a county which is located in a metropolitan area and is entitled to receive grants under United States Code, title 42, section 5306 (1981), directly from the United States Department of Housing and Urban Development.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.0200. Purpose

This chapter gives procedures for evaluating applications for grants and awarding them to eligible applicants by the Department of Energy and Economic Development under United States Code, title 42, sections 5301-5136 (1981), and regulations adopted in Code of Federal Regulations, title 24, part 570.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.0300. Objective of the Program

The primary objective of this program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low- and moderate-income. Activities funded under this program shall not benefit moderate-income persons to the exclusion of low-income persons. All funded activities must be designed to:

- A. Benefit low- and moderate-income persons;
- B. Prevent or eliminate slums and blight; or

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C. Alleviate urgent community development needs caused by existing conditions which pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet those needs.

4300.0400. Application of Federal Law

If it is determined that any provisions of parts 4300.0100 to 4300.3200 are inconsistent with federal law controls to the extent necessary to eliminate the conflict.

Statutory Authority: MS s 116K.06; 116K.07

GRANT APPLICATION, EVALUATION, AND DETERMINATION

4300.1100 Types of Competitive Grants Available

Subp. 1. **Single-purpose Grants.** The office shall approve single-purpose grants for funding from a single grant year for single-purpose projects. The office shall place single-purpose grant applications in one of the following categories for purposes of evaluation:

A. Housing projects which include one or more activities designed to increase the supply or quality of dwellings suited to the occupancy of individuals and families; or

B. Public facilities projects which include one or more activities designed to acquire, construct, reconstruct, or install buildings or infrastructure which serve a neighborhood area or community.

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.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.1101 Economic Development Grants, Noncompetitive

The office shall approve grants for economic development projects for funding throughout a single application year, or until the funds reserved have been exhausted.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.1200. Application Process and Requirements

Subp. 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. The manual must instruct applicants in the preparation of applications and describe the method by which the office will evaluate and rank applications.

Subp. 2. **Eligibility Requirements.** Any unit of general purpose local government, including cities, counties, and townships located in a nonentitlement area or electing exclusion from an urban county under United States Code, title 42, section 5302 (1981), may apply for a grant. An eligible applicant may apply on behalf of other eligible applicants. Applications submitted on behalf of other applicants must be approved by the governing body of all local governments party to the application. An eligible applicant may apply for only one competitive grant per grant year and no eligible applicant shall be included in more than one competitive application. An eligible applicant may apply for one economic development grant in addition to a competitive grant each application year.

Subp. 3. **Disqualification of Applicants.** Applications from otherwise eligible applicants shall be disqualified where for previously awarded grants under these rules or awarded by the Department of Housing and Urban Development under United States Code, title 42, section 5306 (1981), it is determined by the office that any of the following conditions exist:

A. There are outstanding audit findings on previous community development grants and the grantee has not objected on a reasonable basis to the findings or demonstrated a willingness to resolve the findings;

B. Previously approved projects have passed scheduled dates for grant closeout and the grantee's ability to complete the project in an expeditious manner is in question; or

C. The applicant has not made scheduled progress on previously approved projects and the grantee's ability to complete the project in an expeditious manner is in question.

Subp. 4. **Contents of Applications.** The contents of the application must be consistent with the informational requirements of this chapter and must be on a form prescribed by the office. The application must be accompanied by:

A. An assurance, signed by the chief elected official, that the applicant will comply with all applicable state and federal requirements;

B. An assurance signed by the chief elected official certifying that at least one public hearing was held at least ten days but not more than 60 days before submitting the application; and

C. A copy of a resolution passed by the governing body approving the application and authorizing execution of the grant agreement if funds are made available.

The office may request additional information from the applicant if it is necessary to clarify and evaluate the application.

Subp. 5. Time Limit for Submitting Applications. Competitive applications must be received in the office or postmarked by the closing date. The office shall give notice of the period during which applications will be accepted. The notice must be published in the *State Register* at least 120 days before the closing date. Economic development project applications may be submitted at any time during the grant year.

Subp. 6. Regional Review. The applicant must submit a complete copy of the application to the Regional Development Commission, where such a commission exists, or the Metropolitan Council, where it has jurisdiction, for review and comment in accordance with Minn. Stat. § 462.391, subd. 3, or Minn. Stat. § 473.171, respectively.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.1300. Evaluation of Applications

All applications shall be evaluated by the office. A fixed amount of points shall be established as the maximum score attainable by any application. Points shall be made available within each class of rating criteria in accordance with the percentages and fractions indicated in 4300.1400 to 4300.1900. Economic development project applications must meet threshold criteria in order to be evaluated.

Statutory Authority: MS s 116K.04; 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.1400 Comparison of all Competitive Applications, General Competition

Subp. 1. Points Available. Thirty percent of the total available points shall be awarded by the office based on a general competition involving a comparison of all applications.

Subp. 2. Evaluation of Community Need. Two-thirds of the points in the general competition shall be awarded based on evaluation of community need, which shall include:

- A. The number of poverty persons in the area under the applicant's jurisdiction;
- B. The percentage of persons resident in the area under the applicant's jurisdiction who are poverty persons; and
- C. The per capita assessed valuation of the area under the jurisdiction of the applicant, such that points are awarded in inverse relationship to applicants' per capita assessed valuation.

Subp. 3. Evaluation of Other Factors. One-third of the points in the general competition shall be awarded based on evaluation of:

- A. The extent to which the proposed activities are compatible with regional or community development plans; and
- B. Adequacy of the applicant's management and financial plan.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.1500. Comparison of Competitive Applications Within Categories

After completing the general competition described in 4300.1400, the office shall place each application in the appropriate grant category in accordance with part 4300.1100. The categories are housing projects, public facilities projects, economic development projects, and comprehensive programs. Seventy percent of the total points available for each application shall be awarded based on a comparison of the applications within each of the categories, as further described in parts 4300.1600 to 4300.1900.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.1600. Evaluation of Housing Projects

Subp. 1. Project Need. Three-sevenths of the points available in the housing category competition shall be awarded by the office based on evaluation of the need for improvements or additions to the housing stock serving low- and moderate-income persons as evidenced by:

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A. Housing units which are occupied by low- and moderate-income persons and are either substandard or pose a threat to the health or safety of the occupants;

B. An inadequate supply of affordable housing for low- or moderate-income persons; or

C. Other documented conditions which give evidence of the need for improvements or additions to the housing stock serving low- and moderate-income persons.

Subp. 2. **Project Impact.** Three-sevenths of the points available in the housing category competition shall be awarded by the office based on evaluation of the extent to which the proposed activities will eliminate or reduce the need for improvements or additions to the housing stock serving low- or moderate-income persons.

Subp. 3. **Project Cost-effectiveness.** One-seventh of the points available in the housing category competition shall be awarded by the office based on:

A. Evaluation of the extent to which the proposed activities will make cost effective and efficient use of grant funds including coordination with, and use of, funds from other public and private sources; and

B. Evidence that the cost of the proposed activities per benefitting household is reasonable.

Statutory Authority: MS s 116K.06; 116K.07

4300.1700. Evaluation of Public Facilities Projects

Subp. 1. **Project Need.** Three-sevenths of the points available in the public facilities category competition shall be awarded by the office based on evaluation of the extent to which the proposed activities are necessary to improve provision of public services to low- and moderate-income persons or to eliminate an urgent threat to public health or safety.

Subp. 2. **Project Impact.** Three-sevenths of the points available in the public facilities category competition shall be awarded by the office based on evaluation of the extent to which the proposed activities will reduce or eliminate the need identified under Subp. 1, and, in the case of activities designed to improve the provision of public services to low- and moderate-income persons, an evaluation of the extent to which the proposed activities directly benefit low- and moderate-income persons.

Subp. 3. **Project Cost-effectiveness.** One-seventh of the points available in the public facilities category competition shall be awarded by the office based on evaluation of the extent to which the proposed activities will make cost effective and efficient use of grant funds, including consideration of:

A. The extent to which the requested grant funds are necessary to finance all or a portion of the costs;

B. Evidence that the cost of the proposed activities per benefitting household or person is reasonable; and

C. The extent to which the project benefits existing, rather than future, population, except in cases where the proposed activities are necessary due to expected development or growth which is beyond the applicant's control.

Statutory Authority: MS s 116K.06; 116K.07

4300.1900. Evaluation of Comprehensive Program Projects

Subp. 1. **Program Need.** Three-sevenths of the points available in the comprehensive program category competition shall be awarded by the office based on evaluation of need for the proposed comprehensive program, including consideration of:

A. The number of low- and moderate-income persons in the program area;

B. The percentage of residents in the program area which are of low- or moderate-income; and

C. The need for the proposed comprehensive program as evidenced by at least two of the following: the need for improvements or additions to the housing stock serving low- and moderate-income persons, the need for new or improved public facilities in the program area, or employment problems in the program area.

Subp. 2. **Program Impact.** Three-sevenths of the points available in the comprehensive program category competition shall be awarded by the office based on evaluation of the extent to which the proposed comprehensive program will eliminate or reduce the need identified under Subp. 1, and the extent to which the proposed program will improve the long-term physical or economic condition of the program area and its residents.

Subp. 3. **Program Cost-effectiveness.** One-seventh of the points available in the comprehensive program category competition shall be based on evaluation of the extent to which the proposed comprehensive program will make cost effective and efficient use of grant funds, including consideration of coordination with, and use of, funds from other public and private sources.

Statutory Authority: MS s 116K.06; 116K.07

4300.1901. Evaluation of Economic Development Projects

Subp. 1. **In General.** Evaluation of economic development applications consists of eligibility threshold screening and project

review. Applications must meet the eligibility thresholds in order to be referred for project review. Applications that fail to meet eligibility thresholds may be revised and resubmitted.

Subp. 2. Federal and State Eligibility Thresholds. Applicants shall provide a description of the ways that activities address one of the federal objectives described in Part 4300.0300. Each activity proposed for funding must be eligible under current federal regulations.

Applicants shall describe how they will meet two of the three following thresholds based on state economic development objectives:

- A. Creation or retention of permanent private sector jobs;
- B. Stimulation or leverage of private investment; or
- C. Increase in local tax base.

Subp. 3. Project Review. Applications that meet eligibility thresholds will be awarded points by the office based on evaluation of the two rating categories: project design and financial feasibility. Applications must attain at least two-thirds of the total available points for economic development to be recommended for funding. Applications must score at least half of the points available in each of the two rating categories.

Two-thirds of the available points will be awarded based on an evaluation of project quality including an assessment of need, impact, and the capacity of the applicant to complete the project in a timely manner. Consideration of need for an economic development project must be based on deficiencies in employment opportunities and circumstances contributing to economic vulnerability and distress. Consideration of impact must be based on the extent to which the project reduces or eliminates the need. Consideration of capacity must be based on demonstration of administrative capability, realistic implementation schedules, and the ability to conform to state and federal requirements.

One-third of the available points will be awarded based on an evaluation of the effective use of program funds to induce economic development. Consideration of financial feasibility must include investment analysis, commitment of other funds, and other factors relating to the type of program assistance requested.

Subp. 4. Funding Recommendations. Applications that attain at least two-thirds of the available points will be recommended to the commissioner for funding. Applications not recommended for funding may be revised and resubmitted.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

4300.2000. Determination of Grant Awards

Subp. 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 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. 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. Funding List. Within each grant category, a list of applications shall be prepared in rank order of the scores received after evaluation pursuant to Parts 4300.1300 to 4300.1900. Based on these lists, and subject to the availability of funds within each category, applications with the highest rank shall be recommended to the commissioner for funding. In the case of a tie between any two applications within any category, the application with the higher score in the general competition shall receive the higher ranking on the list.

Subp. 4. Approval by Commissioner. The list of applications recommended for funding, including recommended grant awards, shall be submitted by the office to the commissioner for approval. A decision by the commissioner not to approve any application recommended for funding must be made in writing to the applicant, giving reasons for disapproval.

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Subp. 5. **Reduction in Amount Requested.** The office may recommend an application for funding in an amount less than requested if, in the opinion of the office, the amount requested is more than is necessary to meet the applicant's need. If the amount of the grant is reduced, the reasons for the reduction shall be given to the applicant.

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 \$1,400,000. No economic development grant may be approved for over \$500,000.

Statutory Authority: MS s 116K.04; 116K.06; 116K.07

History: 8 SR 1263

CONTRACTS AND RECORDS

4300.3100 Grant Agreements

Subp. 1. **Grant Contract Required.** A grant contract shall be offered to each applicant whose application is approved for funding. The contract must be signed by a person authorized to commit the applicant to legally binding agreements and to execute the contract.

Subp. 2. **Contents of Grant Contract.** The grant contract must include:

A. A work program which indicates completion dates for major parts of the project and a projected budget supporting the work program;

B. A description of the manner in which payments will be made to grant recipients with the condition that five percent of the grant award will not be paid until successful completion of all activities in the work program; and

C. Assurances that the grant recipient will comply with all applicable state and federal laws, including at least the federal laws or regulations for which the state is made responsible for enforcement in Code of Federal Regulations, title 24, sections 570.495 and 570.496.

Subp. 3. **Use of Program Income.** 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 eligible activities. The office shall reduce future grant payments by the amount of any unobligated income which an applicant has and shall take whatever additional action is necessary to recover any remaining amounts owed.

Subp. 4. **Grant Account Required.** Grant recipients must establish and maintain separate accounts for grant funds. In accordance with Code of Federal Regulations, title 24, section 570.494, clause 4, interest earned by grant recipients on grant funds before disbursement is not program income, and it must be returned to the United States Treasury.

Subp. 5. **Restrictions on Use of Funds.** No grant funds shall be used to finance activities not included in the grant agreement. If it is determined that an improper use of funds has occurred, the office will take whatever action is necessary to recover improperly spent funds.

Subp. 6. **Suspension of Payments.** The office shall suspend payments of funds to grant recipients which are not in compliance with applicable state and federal laws, rules, and regulations. Grant recipients must return funds which are improperly expended.

Subp. 7. **Amendments to the Agreement.** Amendments to the grant agreement must be in writing.

Statutory Authority: MS s 116K.06; 116K.07

4300.3200. Recordkeeping and Monitoring

Subp. 1. **Financial Records.** Grant recipients shall maintain financial records which identify the source and application of funds for grant-supported activities. These records must contain information about grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, income, and other information required by the office under the responsibilities it assumes under Code of Federal Regulations, title 24, section 570.497, clause b. Financial records, supporting documents, statistical records, and all other reports pertinent to a grant must be retained by the grant recipient for three years from the date of submitting the final financial report. No such records or documents may be disposed of while audits, claims, or litigations involving the records are in progress.

Subp. 2. **Audits.** Grant recipients must arrange for and pay for an acceptable independent audit 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. Costs incurred pursuant to this requirement are eligible under this program.

Subp. 3. **Financial Status Reports.** Grant recipients shall file financial status reports at the close of each reporting period as designated by the office and shall file a final financial report before grant closeout. Financial status reports must be on forms prescribed by the office. The office may not require these reports more often than quarterly.

Subp. 4. **Performance Report.** Grant recipients shall also file performance reports at the close of each reporting period as

designated by the office and shall file a final performance report before grant closeout. Performance reports shall be on forms prescribed by the office. The office may not require these reports more often than quarterly.

Subp. 5. Access to Records. Representative of the office, either the State Auditor or Legislative Auditor as is appropriate, and federal auditors shall have access to all books, records, accounts, files, and other papers, things, or property belonging to grant recipients which are related to the administration of grants and necessary for audits and monitoring compliance with Parts 4200.0100 to 4300.3200.

Statutory Authority: MS s 116K.06; 116K.07

Proposed Distribution of Funds

The exact amount of Federal FY 1987 CDBG funds for use by the Small Cities Development Program is currently unknown. Under the administrative rules for this program, 15 percent, will be reserved for economic development grants; 30 percent, will be reserved for single-purpose housing or public facilities grants; and 55 percent, will be reserved for comprehensive grants. Two percent plus \$100,000 of the available funds will be used by DEED for administration of the grant program.

Proposed Use of Funds for Activities That Will Benefit Persons of Low- and Moderate-Income

The purpose of the Small Cities Development Program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low and moderate income. Activities funded under this program shall not benefit moderate income persons to the exclusion of low-income persons. All funded activities must be designed to:

- a) Benefit low- and moderate-income persons;
- b) Prevent or eliminate slums and blight; or
- c) Alleviate urgent community development needs caused by existing conditions which pose a serious and immediate threat to the health or welfare of the community, where other financial resources are not available to meet those needs.

Under the Housing and Community Development Act of 1974, as amended, at least 51 percent of the funds must be used for activities that benefit low and moderate income persons. The Department of Energy and Economic Development, Community Development Division, estimates that up to 70 percent of the funds will be used to benefit persons of low and moderate income.

Recaptured and Reallocated Funds

If FY'83 through FY'87 grant funds are returned to the Minnesota Department of Energy and Economic Development, Community Development Division, following audit resolution or project closeout, reuse of the funds will be conducted using one of two methods.

1. Fifteen percent could be used for funding economic development projects any time during the year following the recapture of funds. Eighty-five percent of the funds will be reserved for emergency, urgent need projects; or

2. All recaptured funds could be reserved for funding emergency, urgent need projects. With this option, a balance of recaptured FY'83 through FY'87 funds will be carried forward only until the point at which competitive grant awards are made. Any balance of recaptured or reallocated funds that exists at the time grants are awarded for the annual competitive grant cycle will be used to finance new competitive or economic development projects. Further, fifteen percent of the recaptured funds will be used for economic development projects. Eighty-five percent of the recaptured funds will be used to finance competitive projects. Following is the criteria under which emergency urgent-need projects could be funded:

- a. Applications for emergency urgent need could be submitted at any time during the year.
- b. The problem poses a serious and immediate threat to the health or welfare of the community.
- c. The problem is of recent origin or has recently become urgent. To qualify for emergency, urgent-need funds, recent is defined to mean that a problem has to become urgent no earlier than 45 days before the last competitive application deadline.
- d. The applicant can document inability to finance the project on its own and other resources to finance the project are not available.
- e. The project would have to score well enough in the rating system to have received a grant, had an application been submitted during the last competitive cycle.

The recaptured and reallocated fund distribution methodology identified above is different than the methodologies which have appeared in previous Final Statements. As a result, by reference, previous Final Statement methodologies are amended.

Distribution of Program Income

Any program income which is derived from the use of federal CDBG funds, is retained by the recipient communities. Thus, the state will not have the use of program income for distribution in FY'87.

OFFICIAL NOTICES

Description of the Use of Funds in the 1986 Small Cities Community Development Block Grant Program

For the 1986 grant program \$17,788,920 in federal funds was available for grants to eligible applicants for the Small Cities Development Program. Under the administrative rules for the SCDP, economic development applications are accepted on a year-round basis and competitive single-purpose and comprehensive applications had an application deadline of January 31, 1986. The rules for the program established the availability of 15 percent of the funds for economic development, 30 percent of the funds for single-purpose projects, and 55 percent of the funds for comprehensive programs.

Upon completion of the competitive review and ranking process, 32 awards were made. The first round of grants was awarded on May 30, 1986. On that date, all available FY'86 Small Cities competitive funds were exhausted. Following the congressional overturn of a presidential deferral, four additional projects were funded and four projects that were partially funded on May 30, 1986, received additional funds. These awards were made on August 13, 1986. Thus, the total number of FY'86 competitive awards is now 36. Of all funds available in FY'86, 55% were awarded for comprehensive projects, 30% were awarded for single-purpose projects, and 15% were reserved for economic development projects. The Department of Energy and Economic Development concludes that funds were awarded in accordance with the State's administrative rules for the program.

A formal Performance/Evaluation Report (PER) which provides a detailed description of the use of FY'86 funds is available in this office for public inspection. A copy of the PER is also available at the HUD Minneapolis/St. Paul office.

Assessment of the Relationship of 1986 Funds to State and Federal Objectives

As in 1983, 1984, and 1985, for the 1986 grant program, the Minnesota Department of Energy and Economic Development, Community Development Division, adopted the national objectives for the Community Development Block Grant program. Under these objectives, all funded activities must be designed to:

- a) Benefit low- and moderate-income persons;
- b) Prevent or eliminate slums or blight; or
- c) Alleviate urgent community development needs caused by existing conditions, which pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet those needs.

Based on a total FY'86 grant award of \$18,254,000, at least 51%, or \$9,309,540, must be awarded for activities designed to benefit persons of low- and moderate-income. To date, with an unobligated FY'86 balance of just over \$1 million, DEED has already approved more than \$13 million for activities designed to benefit low- and moderate-income persons. Thus, even with a balance, DEED has already awarded well over 70 percent of our total FY'86 grant award for activities which benefit low- and moderate-income persons. The remainder of the funds currently awarded for grants has been awarded for activities designed to prevent or eliminate slums and blight. No FY'86 funds have been awarded for activities designed to alleviate urgent community development needs.

The funds budgeted for planning and administration include both the funds retained by the Minnesota Department of Energy and Economic Development for administration of the program and funds awarded to units of general local government for planning and administration of their grants. No more than 20 percent of the block grant can be used for planning and administration.

To date, for the 1986 grant program, the Minnesota Department of Energy and Economic Development, Community Development Division, and the 1986 grant recipients budgeted slightly less than \$1.0 million for planning and administration. These funds amount to just over five percent of the block grant, well below the 20.0 percent limit.

State objectives for the Small Cities Development Program apply to the economic development set aside only. Each grant awarded must meet two of the three state objectives listed below:

- a) Creation or retention of permanent private sector jobs, with a minimum threshold of one job created or retained for each \$20,000 of grant funds;
- b) Leverage of private investment, with a minimum threshold of one dollar private funds for each grant dollar requested; and
- c) Increase the local tax base, with a minimum threshold of an estimated 50 percent increase in the value of the parcel involved.

Of the federal economic development set aside funds awarded to date, all met the job creation or retention objective and also the private leverage threshold. Eight grants will leverage a total private investment of \$29 million (approximately 18 to 1 ratio) and create or retain 513 jobs, at an average grant cost of \$3,120 per job. Three grants met the tax base threshold. To meet the federal objective benefit to low and moderate income persons, at least 51 percent of the jobs proposed for each project had to be available to low- and moderate-income persons.

Based upon analysis of the 1986 Small Cities Development Program, the Minnesota Department of Energy and Economic Development, Community Development Division, concludes that the 1986 grant program fully meets state and national objectives for award of funds.

Department of Human Services Long Term Care Management Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendments to the Rules Relating to the Determination of Payment Rates for Intermediate Care Facilities for Persons with Mental Retardation or Related Conditions

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 the amendments to the rules relating to the determination of payment rates for intermediate care facilities for persons with mental retardation or related conditions. The adoption of the amendments is authorized by Minnesota Statutes, section 256B.501, subdivisions 1 to 3, which permit the agency to establish procedures and rules for determining rates for care of residents of intermediate care facilities for persons with mental retardation or related conditions.

The Department proposes to amend the following rule parts:

- Part 9553.0030, subpart 4, Central, affiliated, or corporate office costs;
- Part 9553.0035, new subpart—Habilitation service costs;
- Part 9553.0040, subpart 6, Special operating costs; and
- Part 9553.0075, subpart 1, Interim payment rate.

The State Department of Human Services requests information and opinions concerning the subject matter of these amendments. 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:

Jane Delage
Appeals and Regulations Division
444 Lafayette Road
St. Paul, Minnesota 55155

Oral statements will be received during regular business hours over the telephone at 297-1488 and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

State Board of Public Defense

Chief Administrator Applications Sought

Full-time administrative position under general direction of State Board of Public Defense, performing work of considerable difficulty in coordination, consolidation, direction and analysis of specific projects/programs. Requires extensive full-time administrative experience related to governmental, departmental and organizational operations and elected officials. Employee description and requirements are available at the Board of Public Defense, 95 Law Center, University of Minnesota, Minneapolis, Minnesota, 55455; (612) 625-5008. Letter of application and resume will be accepted at above address until 4:30 p.m., Monday, June 22, 1987.

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, June 19, 1987 at 8:30 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

Office of the Revisor of Statutes

Invitation to Suggest Changes in Minnesota Rules Drafting Manual

The Office of the Revisor of Statutes invites agencies and other interested persons to suggest ways to improve the *Minnesota Rules*

OFFICIAL NOTICES

Drafting Manual. The manual is the publication that explains the form requirements for rules. The revisor's office plans to produce a new edition of the manual and wishes to learn what features would be helpful to rule drafters.

Please send comments and suggestions to:

Maryann Corbett
Office of the Revisor of Statutes
700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

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

Department of Administration: Procurement Division

Contracts and Requisitions Open for Bid

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

Commodity for Bid (and Buyer)	Bid Due Date at 2 pm	Department or Division	Delivery Point	Requisition #
Cargo vans (DM)	June 17	Military Affairs	Little Falls	01 000 04900
Mower attachment & accessories (DM)	June 17	State University	Winona	26 074 11322
Polyethylene bags (DRT)	June 17	Various	Various	Price Contract
Traffic counters (BV)	June 17	Transportation	St. Paul	79 000 74327
System 36, 38 and 48 upgrade only (DO)	June 17	Various	Various	Price-Contract
Tubular knit fabric-rebid (AW)	June 22	Correctional Facility	Oak Park Heights	Price Contract
Dise Mowers-rebid (DM)	June 23	Transportation	Various	79-382-01218 & 01217

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 #
Clearing account deposit slip	June 17	Jobs & Training	St. Paul	7644
Barber license with renewal application	June 17	Barber Examiners Board	St. Paul	7635
Apprentice license with renewal application	June 17	Barber Examiners Board	St. Paul	7636
Clinic record continuation	June 17	Health	Minneapolis	7316
Rum River Review	June 17	Community College	Cambridge	7568
Driver license receipt	June 17	Public Safety	St. Paul	7223
Continuous letterhead bond	June 17	Employee Relations	St. Paul	7647
Bacteriological report form	June 17	Health	Minneapolis	7141
Warrant envelope	June 18	PERA	St. Paul	7666

Minnesota Department of Corrections Health Care Unit

Notice of Request for Proposals for Pharmacist Services

Notice is hereby given that the Minnesota Department of Corrections is seeking the service of an on-site licensed pharmacist. Services to include filling of doctor's prescriptions, meeting Board of Pharmacy regulations, institution policy requirements, and related functions. These services are to be performed at the Minnesota Correctional Facility—St. Cloud. Proposals should cover the period of July 1, 1987 through June 30, 1989.

For additional information, contact:

Howard L. Johnson, Health Care Administrator
Department of Corrections
300 Bigelow Building
450 North Syndicate Street
St. Paul, Minnesota 55104
Phone: (612) 642-0248

Proposals for the above contract must be submitted no later than Monday, June 22nd 1987, by 4:30 p.m.

State Designer Selection Board

Request for Proposal for Six Projects with the Community College System

TO REGISTERED PROFESSIONALS IN MINNESOTA:

The State Designer Selection Board has been requested to select designer for Six Projects with the Community College System. Design firms who wish to be considered for this project should submit proposals on or before 4:00 P.M., July 7, 1987, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

1. Six copies of the proposal will be required.
2. All data must be on 8½" x 11" sheets, soft bound.
3. The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 8 below, together with the designer's firm name, address, telephone number and the name of the contact person.

4. Mandatory Proposal contents in sequence:

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

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

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

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

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

STATE CONTRACTS & ADVERTISED BIDS

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

5. Statutory Proposal Requirements:

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

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
 - b) A statement certifying that firm has a current certificate of compliance issued by the Commissioner of Human Rights;
- or
- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
 - d) A statement certifying that the firm has an application pending for a certificate of compliance.

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

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

- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
- b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

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

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

8a) PROJECT—5-87

Expansion and Remodeling
Rochester Community College
Rochester, Minnesota

Project Scope: Expand, remodel and equip selected portions of the present campus to provide services for the recently completed Winona State University Center and accommodate community and campus services along with changing trends in higher education.

Appropriation: \$2,620,000.00 for site survey, soil borings, full consultant services, construction with contingency, material testing, artwork, sitework, equipment and furnishings.

Site: Rochester Community College is located on a 172 acre site on the southeastern outskirts of Rochester.

Program Summary: The following items will be addressed through a design process which will incorporate remodeling or expansion through new construction.

- a) New space will be required to construct a continuing education center, administrative offices and child care.
- b) New and remodeled space will be required to expand the physical education building for lockers, storage, code compliance, women's sports and training/fitness programs.
- c) Remodeling will be required in the library building to accommodate the Winona State Center collection. Expanded bookstore and other student support services.

Building Construction: The present campus is all electric and consists of insulated masonry walls with an interior poured concrete structural system. Roof support in the gymnasium is laminated wood beams. All buildings except the gymnasium are connected and range in levels from one to four floors. It is anticipated that the campus will expand by 13,000 square feet of net assignable space. All new and remodeled construction shall be barrier free and compatible with the present HVAC and electrical systems. It should also be provided with all computer and communication systems and interface with the present alarm and energy management systems. Project will also include a review of such code compliance items as fire fighting devices and emergency lighting.

STATE CONTRACTS & ADVERTISED BIDS

Architectural Responsibilities: A feasibility study with schematics has been conducted on the remodeling of the three story library building. Full consultant services will be required with the exception of this and project programming. Review the existing campus inventory of assignable spaces as it relates to a given model. This will determine the balance between remodeling and new construction. Other typical service includes schematics, design development, bid documents, construction estimates, bid review and construction administration to final project acceptance. Additional services may include the selection and color coordination of all furnishings and equipment.

Architectural Fees: Between 6% and 7% of final construction costs.

Project Schedule:

1. Designer Selection	July	1987
2. Space Model Analysis, Schematics and Preliminary Estimate	October	1987
3. Design Development	December	1987
4. Bid Document Preparation	March	1988
5. Bidding and Award	April	1988
6. Begin Construction	May	1988
7. Project Acceptance	September	1989

Contact—Further information may be obtained from:

Dr. Geraldine Evans, President
Rochester Community College
Rochester, Minnesota
(507) 285-7210

Questions should be of a specific nature.

8b) PROJECT—6-87

Expansion and Remodeling
Northland Community College
Thief River Falls, Minnesota

Project Scope: Expand, remodel and equip selected portions of the present campus facility to better serve an increasing enrollment and enhance the cooperative efforts between the college and the adjacent Area Vocational Technical Institute.

Appropriation: \$3,710,000.00 for site survey, soil borings, full consultant services, construction with contingency, material testing, artwork, sitework, equipment and furnishings.

Site: Northland Community College is located on a 66 acre site along the southern outskirts of Thief River Falls.

Program Summary: The following items will be addressed through a design process which will incorporate remodeling and expansion through new construction.

a) New space will be required for general instruction, music, administration, registration, child care and campus center services such as meeting rooms, student offices, study and conversation spaces.

b) New space will be required to expand the existing dining room and physical education for spectator seating, lockers and fitness programs.

c) Remodeling will be required to expand the library and relocate the nursing lab.

Building Construction: The present campus consists of one contiguous building constructed over two phases with a connection to the adjacent AVTI built in 1980. Construction consists of single story masonry cavity walls supporting steel joists and metal deck. Exterior walls on the gymnasium and the fine arts portion are experiencing moisture penetration with damage to the non bearing face brick. An investigation report has already been conducted and remedial work will be incorporated into this project. It is anticipated that the campus will expand by 21,300 square feet of net assignable space. New and remodeled space shall be barrier free and compatible with the present HVAC and electrical systems. It should also be provided with all computer and communication systems and interface with the existing alarm and emergency lighting systems.

Architectural Responsibilities: Full consultant services will be required with the exception of programming. Review the existing campus inventory of assignable space as it relates to a given space model. This will determine the proper balance between remodeled space and new construction. Other typical services include schematics, design development, bid documents, construction estimates, bid review and construction administration to final project acceptance. Additional services may include the selection and color coordination of all furnishings and equipment.

Architectural Fees: Between 6% and 7% of final construction costs.

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Project Schedule:

1. Designer Selection	July	1987
2. Space Model Analysis, Schematics and Preliminary Estimate	October	1987
3. Design Development	December	1987
4. Bid Document Preparation	March	1987
5. Bidding and Award	May	1988
6. Begin Construction	June	1988
7. Project Acceptance	August	1989

Contact—Further information may be obtained from:

Dr. Allen Nichols, Provost
Northland Community College
Thief River Falls, Minnesota
(218) 681-0001

Questions should be of a specific nature.

8c) PROJECT—7-87

Expansion and Remodeling
Brainerd Community College
Brainerd, Minnesota

Project Scope: Remodeling, along with expansion of selected areas to better serve a rapidly increasing enrollment, changing educational trends and cooperative efforts with the Brainerd A.V.T.I.

Appropriation: \$1,640,000.00 for site survey, soil borings, full consultant services, construction with contingency, material testing, artwork, sitework, equipment and furnishings.

Site: Brainerd Community College is located on a 100 acre wooded site in the southwestern portion of Brainerd.

Program Summary: The following items will be addressed through a design process which will incorporate remodeling and expansion.

- New space will be required for child care.
- New space will be required to expand administration, theater, science, receiving/maintenance and physical education area for women's athletics, storage, lockers and instruction.
- Remodeled space to create a learning resource center for computers, audio visual and tutorial areas.

Building Construction: The present campus consists of four connected single story buildings constructed in several phases between 1965 and 1970. General construction consists of exterior masonry bearing wall with an interior structural system composed of steel columns, beams and joists. It is anticipated that the campus will expand by 8,900 square feet of net assignable area along with the remodeling of 5,700 square feet of existing space. All new and remodeled construction shall be barrier free and compatible with the present HVAC and electrical systems. It should also be provided with all computer and telecommunication systems and interface with the present alarm and energy management systems.

Architectural Responsibilities: Full consultant services will be required with the exception of programming. Review the existing campus inventory of assignable space as it relates to a given space model. This will determine the proper balance between remodeled space and new construction. Other typical services include schematics, design development, bid documents, construction estimates, bid review and construction administration to final project acceptance. Additional services may include the selection and color coordination of all furnishings and equipment.

Architectural Fees: Between 7% and 8% of final construction costs.

Project Schedule:

1. Designer Selection	July	1987
2. Space Model Analysis, Schematics and Preliminary Estimate	September	1987
3. Design Development	October	1987
4. Bid Document Preparation	January	1988
5. Bidding and Award	February	1988
6. Begin Construction	March	1988
7. Project Acceptance	June	1989

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Contact—Further information may be obtained from:

Mr. Ken Wiebolt, Vice Provost
Brainerd Community College
Brainerd, Minnesota
(218) 828-2525

Questions should be of a specific nature.

8d) PROJECT—8-87

Asbestos Removal
Hibbing Community College
Hibbing, Minnesota

Project Scope: Remove all friable asbestos surfaces and refinish with a non-asbestos substitute.

Allocation: \$500,000.00 for full consultant services, project execution, contingency and testing.

Architectural Responsibilities: Full consultant services commencing with coordination for sample testing, site visitation, bid document preparation, bidding, award and project supervision.

Architectural Fees: 8% of actual construction costs.

Project Schedule:

1. Designer Selection	July	1987
2. Site Review and Sampling	October	1987
3. Bid Document Preparation	March	1988
5. Bidding and Award	April	1988
6. Begin Construction	June	1988
7. Project Acceptance	August	1988

Contact—Further information may be obtained from:

Dr. Anthony Kuznik, Provost
Hibbing Community College
Hibbing, Minnesota
(218) 262-6700

Questions should be of a specific nature and not "What can you tell me about it?"

8e) PROJECT—9-87

Expansion and Remodeling
Hibbing Community College
Hibbing, Minnesota

Project Scope: Expand, remodel and equip selected portions of the present campus to better serve the changing social and educational trends on the Iron Range.

Appropriation: \$1,240,000.00 for site survey, soil borings, full consultant services, construction with contingency, material testing, artwork, sitework, equipment and furnishings.

Site: Hibbing Community College is located on a 60 acre site along Highway 169 in Hibbing.

Program Summary: The following items will be addressed through a design process which will incorporate remodeling or expansion through new construction.

- a) New space will be required to construct a child care center.
- b) New space will be required to expand the present garage.
- c) New and remodeled space will be required to expand administration/student services area and physical education to women's athletics, fitness and life-long sports.
- d) Remodeled space will be required to create study areas, campus center services and a student health station.

Building Construction: The present campus consists of seven buildings constructed over several phases between 1968 and 1974. All buildings consist of exterior masonry walls with both steel and poured concrete interior structural systems. Roofs are combinations of flat and sloped surfaces. Heat is provided by city steam. It is anticipated that the campus will expand by 10,600 square feet of net assignable square feet. All new and remodeled construction shall be barrier free and compatible with the present HVAC

STATE CONTRACTS & ADVERTISED BIDS

and electrical systems. It should also be provided with all computer and telecommunication systems and interface with the present alarm and energy management systems.

Architectural Responsibilities: Full consultant services will be required with the exception of programming. Review the existing campus inventory of assignable space as it relates to a given space model. This will determine the proper balance between remodeled space and new construction. Other typical services include schematics, design development, bid documents, construction estimates, bid review and construction administration to final project acceptance. Additional services may include the selection and color coordination of all furnishings and equipment.

Architectural Fees: Between 7% and 8% of final construction costs.

Project Schedule:

1. Designer Selection	July	1987
2. Space Model Analysis, Schematics and Preliminary Estimate	September	1987
3. Design Development	November	1987
4. Bid Document Preparation	February	1988
5. Bidding and Award	March	1988
6. Begin Construction	April	1988
7. Project Acceptance	June	1989

Contact—Further information may be obtained from:

Dr. Anthony Kuznik, Provost
Hibbing Community College
Hibbing, Minnesota
(218) 262-6700

Questions should be of a specific nature.

8f) PROJECT—10-87

Expansion and Remodeling
Mesabi Community College
Virginia, Minnesota

Project Scope: Expand, remodel and equip selected portions of the present campus to better serve the changing social and educational trends on the Iron Range.

Appropriation: \$1,250,000.00 for site survey, soil borings, full consultant services, construction with contingency, material testing, artwork, sitework, equipment and furnishings.

Site: Mesabi Community College is located on a 32 acre site located in the northwestern portion of Virginia.

Program Summary: The following items will be addressed through a design process which will incorporate remodeling and expansion.

- a) Remodel and expand the administration and physical education for women's sports and life-long sports/fitness programs.
- b) Remodel existing space or construct new space for child care.
- c) Remodel existing space to improve the college center and student services area.
- d) Construct a new garage for campus vehicles.

Building Construction: The campus consists of one contiguous building constructed over three phases between 1967 and 1970. Construction consists of a single story building with exterior masonry bearing walls and an interior structural system of steel columns and beams supporting either steel joist or pre-cast roof decks. Heat is provided by city steam. It is anticipated that the campus will expand by 10,900 square feet of assignable space. All new and remodeled construction shall be barrier free and compatible with the present HVAC and electrical systems. It should also be provided with all computer and telecommunication systems and interface with the present alarm and energy management systems.

Architectural Responsibilities: Full consultant services will be required with the exception of programming. Review the existing campus inventory of assignable space as it relates to a given space model. This will determine the proper balance between remodeled space and new construction. Other typical services include schematics, design development, bid documents, construction estimates, bid review and construction administration to final project acceptance. Additional services may include the selection and color coordination of all furnishings and equipment.

Architectural Fees: Between 7% and 8% of final construction costs.

Project Schedule:

1. Designer Selection	July	1987
2. Space Model Analysis, Schematics and Preliminary Estimate	September	1987
3. Design Development	November	1987
4. Bid Document Preparation	January	1988
5. Bidding and Award	March	1988
6. Begin Construction	April	1988
7. Project Acceptance	June	1989

Contact—Further information may be obtained from:

Mr. Richard Kohlhasse, Provost
Mesabi Community College
Virginia, Minnesota
(218) 749-7700

Richard F. Whiteman, Chairman
State Designer Selection Board

State Designer Selection Board

Request for Proposal for Three Projects, Two at the Minneapolis Veterans Home and One at Giants Ridge Ski Area

TO REGISTERED PROFESSIONALS IN MINNESOTA:

The State Designer Selection Board has been requested to select designer for Three Projects. Design firms who wish to be considered for this project should submit proposals on or before 4:00 p.m., July 14, 1987, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

1. Six copies of the proposal will be required.
2. All data must be on 8½" × 11" sheets, soft bound.
3. The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 8 below, together with the designer's firm name, address, telephone number and the name of the contact person.

4. Mandatory Proposal contents in sequence:

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

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

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

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

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

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

STATE CONTRACTS & ADVERTISED BIDS

5. Statutory Proposal Requirements:

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

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
 - b) A statement certifying that firm has a current certificate of compliance issued by the Commissioner of Human Rights;
- or
- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
 - d) A statement certifying that the firm has an application pending for a certificate of compliance.

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

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

- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
- b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

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

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

8a) PROJECT—11-87

Renovation & Restoration—Building No. 10
Minnesota Veterans Home
Minneapolis, Minnesota

Appropriation: \$1.0 million for design and construction.

Scope of Project: The project consists of preparing construction documents for the renovation and restoration of Building #10. The project includes the following elements:

- a) Roof repair/replacement
- b) Exterior masonry restoration
- c) Window replacement
- d) Life safety and handicap provisions:
(Elevator, stair tower and automatic sprinkler system)
- e) Historic interior renovation
- f) Air cooling

Building Utilization: Building #10 is currently being used for administrative office space but this use will be expanded to include resident care activities at the completion of the project.

Purpose of the Project: The purpose of the project is to upgrade Building #10 in concert with its historic character (National Register of Historic Buildings), make the building handicap accessible and bring the building into compliance with life safety code requirements. Upgrade of the mechanical and electrical systems will be accomplished to the degree that funds are available for this work.

Architectural Responsibilities: The architect shall be responsible for complete architectural services on this project to include project design, cost estimates, bidding and construction oversight. Included in the scope of work will be preparation of a schematic design package for submittal to the Veterans Administration with the Department of Veterans Affairs application for federal funds.

STATE CONTRACTS & ADVERTISED BIDS

The architectural design firm should have experience in the area of historic building restoration or have a record of sensitivity in this area.

Architectural Fees: An architectural fee of 9% of the construction cost is proposed for this project.

Department of Administration Contact:

Name: Lyle Nelson, Administrative Engineer
Division of State Building Construction
Telephone: (612) 296-4644

Minnesota Veterans Home, Minneapolis Contact:

Name: Jim Ertz, Administrator
Telephone: (612) 729-9325

Department of Veterans Affairs Contact:

Name: William J. Gregg, Commissioner
Telephone: (612) 296-2783

8b) PROJECT—12-87

Food Service Expansion and New Warehouse Facilities
Minnesota Veterans Home
Minneapolis, Minnesota

Appropriation: \$1.5 million for design, construction and equipment.

Scope of Project: The project consists of expanding the food service (kitchen) facilities in Building #17 and construction of a new warehouse facility adjacent to and/or integral to Building #17 at the Minnesota Veterans Home, Minneapolis, Minnesota. Included as an ancillary part of this project is the demolition of Building #7.

Purpose of the Project: Expansion of the existing food service facilities in Building No. 17 is required to meet the need of providing additional space and new equipment for the preparation of 1600 meals daily, the majority of which are prepared using a tray system. The existing facility is cramped for space and not arranged for an efficient method of tray preparation. The new warehouse will provide a receiving and storage facility for all categories of supplies. Currently the Minneapolis Home is dependent on storage facilities at the Hasting Home. The new warehouse will enable the Minneapolis Home to maintain an efficient delivery and supply system for all operations. It is anticipated that the warehouse facility will be 15-20,000 Sq. Ft. in size. Demolition of Building No. 7 will provide site space for parking and/or building expansion.

Architectural Responsibilities: The architect will provide complete architectural services for the design, bidding and construction oversight of this project. Because of the complex siting problems associated with this project the architect will prepare optional siting plans for the new construction during the schematic design phase and will prepare a special schematic design phase package for submittal to the Veterans Administration with the Department of Veterans Affairs application for federal funds.

Architectural Fee: An architectural fee of 8% of the construction cost is proposed for this project.

Department of Administration Contact:

Name: Lyle Nelson, Administrative Engineer
Division of State Building Construction
Telephone: (612) 296-4644

Minnesota Veterans Home, Minneapolis Contact:

Name: Jim Ertz, Administrator
Telephone: (612) 729-9325

Department of Veterans Affairs Contact:

Name: William J. Gregg, Commissioner
Telephone: (612) 296-2783

8c) PROJECT—13-87

General Ski Area Expansion
Giants Ridge Ski Area
Biwabik, Minnesota

Description of Expansion Components: In order to increase the capacity of the alpine and nordic facilities to accommodate the increased utilization, the following expansion program is being undertaken:

STATE CONTRACTS & ADVERTISED BIDS

- a) Chairlift Construction (2 Lifts).
- b) Ski Trail Expansion.
- c) Snowmaking Capability.
- d) Trail Lighting System.
- e) Parking Area Expansion.

PROJECT DETAILS:

A. Chairlift Expansion: Two chairlifts to be constructed at the Ski Area. First lift to be constructed south of present Chair II, to serve the existing trails and any trail expansion. Second lift to be constructed north of the present Chair I, to service the novice area and any expansion north of the present alpine trail system. This would eliminate congestion at the present chairlift and in front of the chalet area. All skiers must use Chair I for initial ride to top of the hill and this results in long waiting lines and any malfunction of present chair means shut-down of entire ski hill. Original lifts were designed to handle about 1,200 skiers per day, however, the area is presently averaging 1,600-2,000 and at times up to 3,000 per day.

B. Ski Trail Expansion: New alpine ski trails will be constructed to the south of the present slopes along with the new chairlift. This will fulfill the requirement for more advanced skiers and hold present area skiers for larger periods of time. A new ski run will be constructed to the north of the present slopes to accommodate and create more novice terrain and eliminate present congestion on existing beginner's areas.

Cross-country trail expansion to present system to allow for nordic trails to be more accessible to public skiers during times of special event races. Presently trails need to be shut down at certain times to accommodate for special and national event races.

C. Snowmaking Expansion: Snowmaking coverage will be expanded to include any new trail expansion to insure availability and quality of snow-cover the entire season.

D. Trail Lighting Expansion: Currently lights exist on 60% of the alpine trails for night skiing. Expansion would allow for 100% lighting capabilities, thus fulfilling the demand for more trail availability to night skiing.

E. Parking Area Expansion: Existing parking will accommodate about 400 cars. Proposed expansion would increase parking by 150 cars in overflow areas at the site.

Cost Estimate: Proposed expansion of all five (5) areas estimated to be \$1.4-1.6 million. Completion: November 15, 1987 (Construction).

Work to be Performed by the Consultant: Work for all phases includes providing recommendations to Giants Ridge staff, design of the entire project, preparation of required drawings, specifications and documents, general supervision of construction, preparation of possible supplemental agreements, review and approval of shop drawings and payment requests, assistance in the final inspection and the acceptance of work.

Engineers/Architects fees will be the standard fees set by the Department of Administration for such work. The engineers/architects shall work for the Department of Iron Range Resources and Rehabilitation Board, but directly with Mr. Mike Gentile, Director of the Giants Ridge Recreation Facility in Biwabik, Minnesota 55708 (218) 865-4143. All questions relating to this project shall be referred to Mr. Gentile.

Richard F. Whiteman, chairman
State Designer Selection Board

Department of Energy and Economic Development Policy Analysis Office

Notice of Request for Proposals for an International Trade Model for the State of Minnesota

The Minnesota Department of Trade and Economic Development is requesting proposals from firms interested in developing an international trade model for the State of Minnesota. The objective of this proposal is to provide the state with a structural model identifying international trade flows into and out of the state, the interrelationships between trade flows and various sectors of the state economy, and the effect of changing trade flows on each of these sectors.

STATE CONTRACTS & ADVERTISED BIDS

This model will allow the state to identify industries in which it possesses an international comparative advantage, improve economic forecasting, and allow the state to quantify the economic impacts of changes in monetary/fiscal policies and currency exchange rate fluctuations on statewide and industry specific employment and output.

The Minnesota International Trade Model must have impact simulation/forecasting capability and be designed to run on any of the state accessible computer systems.

Proposals are being requested from qualified firms with experience in regional/international economic modeling.

The formal Request for Proposals (RFP) may be obtained and inquiries should be directed to:

LeaAnn Stagg
Department of Trade and Economic Development
Policy Analysis Office
900 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-4236

Funds available for this two year project are in the amount of up to \$300,000. The deadline for the submission of completed proposals will be 4:30 p.m., July 16, 1987.

Department of Jobs and Training Division of Rehabilitation Services Minnesota Supported Employment Project

Availability of Funds to Establish a Brokering Function in Minnesota to Expand the Availability of Technical Assistance to Any Service Provider Who is Committed to Converting to Community-Based Employment Services

The Minnesota Supported Employment Project intends to enter a contract with an individual or organization who has experience in delivering direct supported employment services and in providing technical assistance to entities who deliver supported employment services. The Project is especially interested in an applicant who can function as a statewide broker for varied technical assistance activities. The purpose of this contract is to expand the availability of technical assistance to any service provider in Minnesota who is committed to converting from facility-based services to community-based supported employment services for persons with severe disabilities. These technical assistance services will also be available to new providers of supported employment services, and to other community agencies/organizations who work with the direct supported employment providers.

Any individual; any private for profit agency, organization or corporation; or any public or private non-profit agency, organization or corporation (able to qualify under Minnesota Statutes, Chapter 317, or Section 501 (c)(3) of the Internal Revenue Code) with the authority and ability to bring about desirable outcomes is eligible to apply.

A total of \$75,000 is available for the period from September 1, 1987 through August 31, 1988.

Copies of the Request for Proposals for this project are available from:

Minnesota Supported Employment Project
Division of Rehabilitation Services
390 North Robert Street, 5th Floor
St. Paul, Minnesota 55101
Attention: Kim Rezek

Proposals must be received by 4:30 p.m. on July 13, 1987.

Department of Labor and Industry

Request for Proposals for Workers' Compensation Research Study Consultant

The Minnesota Department of Labor and Industry is requesting proposals from consultants to assist the Research and Education Division in designing and conducting a research study which will result in detailed recommendations to the legislature proposing changes in the Minnesota workers' compensation system which are intended to reduce workers' compensation insurance premiums

STATE CONTRACTS & ADVERTISED BIDS

of employers. The study must include an analysis of the current level of income that is replaced by workers' compensation disability benefits. It must also assess the rate and costs of litigation in the system and consider alternatives to reduce the rate of litigation. Finally, it must consider means of making the system more equitable.

Recommendations for adjusting Minnesota's workers' compensation rates, costs, levels of income replacement and rates and costs of litigation are to be made in conjunction with a comparison of those in other states which have a socio-economic profile similar to Minnesota's.

The consultant will provide statistical and policy analysis of various components of the workers' compensation system and will help define the research project parameters and establish proper research methodology, as well as assist in the preparation and review of the final report. The report must be completed by December 1, 1987.

Candidates must respond in the form of a proposal to enter into a contract as required by the Department of Labor and Industry. The maximum amount of the contract is \$50,000, which includes travel and expenses. The proposal should identify the level of the Department's participation in this project as well as any other services to be provided by the Department. The proposal should also include the proposer's background and experience in workers' compensation research.

Questions regarding this request for proposals and copies of the proposal should be directed to:

Susan Robertson
Director
Research and Education Division
Minnesota Department of Labor and Industry
444 Lafayette Road
St. Paul, MN 55101

Proposals should be postmarked no later than July 3, 1987.

SUPREME COURT DECISIONS

Decisions Filed Friday 5 June 1987

Compiled by Wayne O. Tschimperle, Clerk

C8-86-2205 Colonial Acres Homes, Inc., et al., Relators v. County of Hennepin. Tax Court.

Relator is not entitled to homestead classification under Minn. Stat. § 273.133, subd. 2a (1986) where its residency agreement with tenants fails to entitle resident to occupancy in the building after personal assets are exhausted and regardless of ability to pay the monthly fee.

Affirmed. Amdahl, C.J.

C3-86-2225 Dennis Kovatovich, et al., v. R. Colin Barnett, et al., Appellants. Hennepin County.

The Minnesota Securities Act, Minn. Stat. §§ 80A.01-.31 (1986), applies to an arms-length, directly negotiated transaction in which the shareholder interest of an employee and shareholder of a closely held corporation is bought out by a co-employee and co-shareholder.

The certified question is answered in the affirmative. Yetka, J.

C3-86-99 In Re the Matter of: Handle With Care, Inc., et al., v. Department of Human Services, petitioner, Appellant. Court of Appeals.

The new revised rules for regulating family and group family day care homes adopted by the Department of Human Services effective April 1, 1985, were adopted in accordance with the department's statutory authority and are valid.

Reversed. Simonett, J.

C2-87-198 In the Matter of the Improvement of Branch A-38 of Joint Ditch No. 204 Martin and Faribault Counties: George Howell v. County of Martin, et al., Appellants. Martin County.

On de novo trial of a landowner's appeal of benefits to his land from a ditch improvement, benefits are to be based on land values as of the date of the order establishing the ditch.

Reversed. Simonett, J.

C4-85-2126 Robert Kallio v. Ford Motor Company, petitioner, Appellant, Tomahawk Ford, Inc. Court of Appeals.

Although ordinarily in a products liability tort case based upon alleged defect in design existence of an alternative feasible safer design is a factor to be considered in determining whether the product was unreasonably dangerous, it is not a separate element necessarily to be proved in each case. In the instant case, sufficient evidence existed to prima facie establish existence of a feasible alternative safer design.

Normally in a products liability case based upon an alleged design defect, evidence of subsequent remedial actions taken by the manufacturer is inadmissible under Rule 407, Minn. R. Evid., if the defendant manufacturer concedes the feasibility of the alternate design at the time the product was manufactured.

Whether the manufacturer of an automatic transmission on a motor vehicle breached its duty to warn operators of the dangers of vehicular movement if the shift lever was not completely in the "park" position, and whether the breach was a cause of the accident and injury was for jury resolution.

Affirmed. Kelley, J.

Concurring specially, Simonett, J.

Opinion of April 10, 1987 withdrawn and this opinion substituted.

C3-86-667 Production Credit Association of Worthington, petitioner, Appellant v. Spring Water Dairy Farm, Inc., et al. Court of Appeals.

Even though debt enforcement proceedings were commenced prior to the effective date of the Farmer-Lender Mediation Act, Minn. Stat. §§ 538.20-.32 (1986), the debtor may invoke mandatory mediation pursuant to Minn. Stat. § 583.26 before the creditor takes possession of agricultural property.

The obligation of good faith imposed by Minn. Stat. § 583.27, subd. 1 (1986), is intended to insure good faith participation in the mandatory mediation process provided by the Farmer-Lender Mediation Act, Minn. Stat. §§ 583.20-.32, and it is for the mediator to determine that the mediation process has failed because one or more parties have not participated in good faith and to invoke the remedies provided by the Act.

Affirmed. Coyne, J.

C0-86-951 In Re the Petition for Disciplinary Action against Mark A. Sampson, an Attorney at Law of the State of Minnesota. Supreme Court.

Disbarment is the appropriate discipline for an attorney whose infractions include numerous misrepresentations to clients and substantial misappropriation of clients' funds.

Disbarred. Per Curiam.

C6-84-2215 In the Matter of the Application for the Discipline of Clark F. Isaacs, an Attorney at Law of the State of Minnesota. Supreme Court.

Suspended. Per Curiam.

ANNOUNCEMENTS

Administration Department The Documents Division has the new state telephone directory available for sale. Copies cost \$10.95 plus tax. Code #1-87. To order, make check payable to State of Minnesota and send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. Include 6% sales tax and \$1.50 postage/handling charge for mail orders. To order over the phone, use MasterCard/VISA and call (612) 297-3000 or toll-free in Minnesota 1-800-652-9747.

Arts Board A board meeting will be held Thursday 18 June at board offices, 432 Summit Avenue. Agenda items: operating support grant recommendations for fiscal year 1988-89; recommendations for fiscal year 1987 Artist Assistance literature grants; and a report from the Nominating Committee on the preliminary slate of officers for fiscal year 1988. The public is invited; handicapped access is limited so call (612) 297-2603 for special arrangements.

Registration has opened for the Percent for Art in State Buildings registry. This program allows use of up to one percent of construction costs for commission or purchase of art work for newly-renovated state buildings. Participating artists are selected by advisory panels from among those on the Arts Board registry. Percent for Art sites throughout the state for 1987-88 include two travel centers, a community college, and a regional services center. In addition, two major new projects, history and judicial centers

ANNOUNCEMENTS

for the State of Minnesota, have been proposed. To be considered for projects, artists must submit a registry form, a resume, and nine slides. Artists may join the registry at any time, but to be considered for upcoming projects, registry materials should be submitted by July 1, 1987. For more information and registry forms, contact the Minnesota State Arts Board, 432 Summit Avenue, Saint Paul, MN 55102. (612) 297-2603.

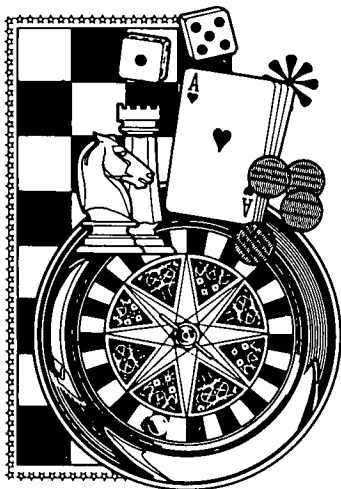
Department of Natural Resources (DNR) William Morrissey has been appointed director of the DNR's Division of Parks and Recreation. Morrissey was regional administrator for the DNR's Southeast Minnesota region, based in Rochester.

The 1987 Legislature approved two new fishing licenses: a 24-hour angling license for residents or non-residents, costing \$7 plus 75¢ issuing fee; good for 24 hours and permitting an angler to fish in trout waters without needing a trout stamp; and a 14-day husband and wife, non-resident license, costing \$25 plus a 75¢ issuing fee.

The federal Conservation Reserve Program (CRP) bid period for 1987 will run from July 20-July 31. This program pays farmers annual fees over a 10-year period for taking their highly erodable lands out of production. Farmers must bid on the annual per-acre fee they are willing to accept during the specified sign-up period at their County Agricultural Stabilization and Conservation Service (ASCS) offices. If the bid is accepted, the land must be taken out of production for ten years. All lands under CRP are planted to grass, trees or shrubs. During the first three sign-up periods, 5,049 farms had 662,000 acres of erodable ground taken out of production. The fourth sign-up period, ending February 27, 1987 saw an additional 889,849 acres approved for CRP, with Minnesota ranking second behind Texas in total acres under CRP last year. CRP participants will receive cost-sharing payments of up to 50% of eligible costs to establish required conservation practices on cropland taken out of production.

School & Resource Center for the Arts The school is co-sponsoring a summer workshop with the State Arts Board designed to help teachers use folk arts in the classroom. The workshop will be held at Mankato State University from July 20-31. Workshop participants will learn how to recognize and document folk artists and folk arts materials, and use them as sources for teaching social studies, English, literature, art, and music. The workshop will be led by Philip Nusbaum, folklorist for the Minnesota State Arts Board, and will culminate in the production of folk arts curriculum materials for use in elementary and secondary schools. Tuition cost for the workshop is \$47.40; partial board and lodging are available for \$7.00 during the two-week period. Class size is limited to twenty participants and college credit is available. While intended primarily for teachers, applications will also be accepted from undergraduate education majors. The application deadline for the workshop is June 22. For information and application forms, call Philip Nusbaum at (612) 297-2603 or toll-free in Minnesota at (800) 652-9747.

SENTENCING GUIDELINES COMMISSION The commission will meet Thursday, 18 June, 1987 at 6:30 p.m. in the Sibley Room, Holiday Inn-Capitol, 161 Saint Anthony, St. Paul, MN.



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.

CHARITABLE GAMBLING RULES, governing the conduct of charitable gambling events like bingo. Code #3-3, \$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.

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

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

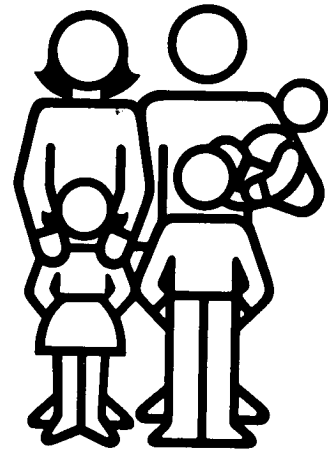
Human Services Rules as in effect July 7, 1986

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

Human Services Rules Supplement 1987. Includes recent changes to many rules in effect from July 1986 through January 1987. Code #3-95s1, \$14.00.

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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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.

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

Minnesota Manufacturer's Directory 1986-87

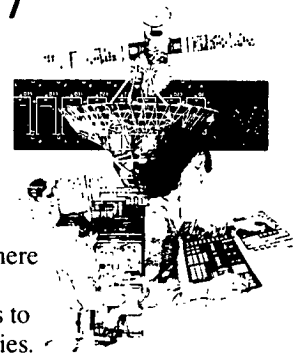


UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$68.50.

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.

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

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.

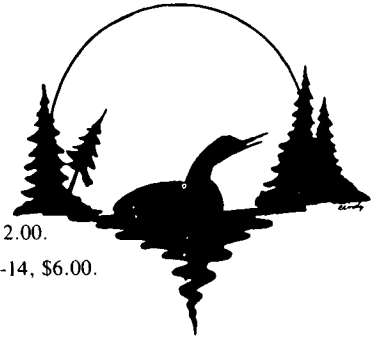
Loon Calendar 1987, beautiful photographs and scenes. Code #15-40, \$6.95.

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.



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

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.

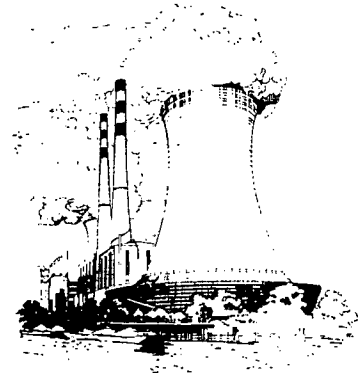
1986 Pollution Control Laws

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.

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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60% Discount on case lots of the 1986 Official Minnesota Hiway Map

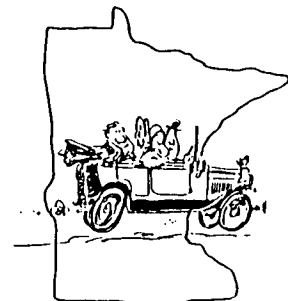
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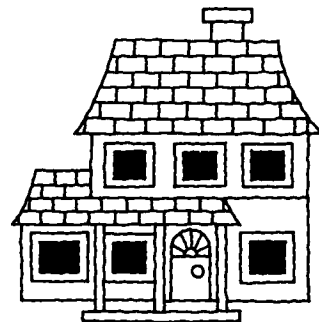
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