

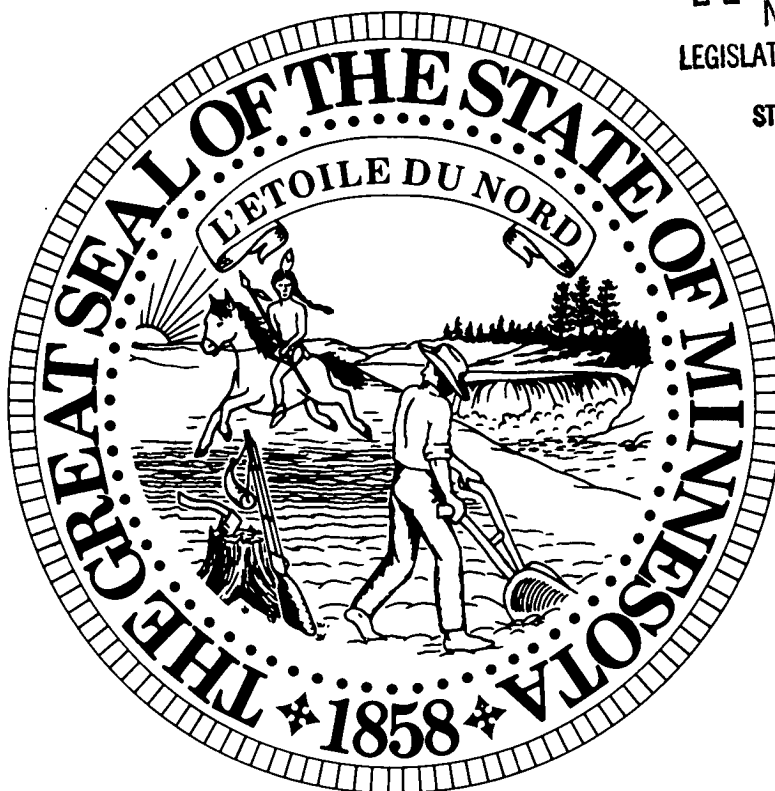
State of Minnesota

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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.

Printing Schedule and Submission Deadlines

Vol. 12 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
21	Monday 9 November	Monday 16 November	Monday 23 November
22	Monday 16 November	Monday 23 November	Monday 30 November
23	Monday 23 November	Monday 30 November	Monday 7 December
24	Monday 30 November	Monday 7 December	Monday 14 December

*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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Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Rudy Perpich, Governor

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Department of Administration**

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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:

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

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

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

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-652-9747 and ask for "Documents."

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Proposed Rules

Pursuant to Minn. Stat. of 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.

Secretary of State

Proposed Permanent Rules Relating to Approval of Voting Machines or Systems

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Secretary of State proposes to adopt the above-entitled rules without a public hearing. The Secretary has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes*, sections 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Election Division and do not result in a substantial change in the proposed language.

Unless 25 or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the Secretary of State will proceed according to the provisions of *Minnesota Statutes*, sections 14.13 to 14.18.

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

Jeffrey Sigurdson
Election Procedures Assistant
180 State Office Building
St. Paul, MN 55155-1299
(612) 296-2805

Authority for the adoption of this rule is contained in *Minnesota Statutes*, section 206.57. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the Election Division upon request.

The Elections Division has considered the effect on small businesses, as required by *Minnesota Statutes* 14.115 (1986) and has determined that the effect will be minimal and no more than required by statute. Also pursuant to *Minnesota Statutes*, section 14.11 "Special Notice of Rulemaking", the adoption of these rules will not have any impact upon agricultural land nor will the adoption of these rules result in additional spending by local public bodies in excess of \$100,000 per year, for the first two years following the adoption of these rules.

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 form and legality, including the issue of substantial change. 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 final rules as proposed for adoption, should submit a written statement of such request to the Election Division.

The rules proposed for adoption are as follows:

Rules as Proposed

8220.0650 APPROVAL OF MACHINES OR SYSTEMS.

Subpart 1. [Unchanged]

Subp. 2. **Decertification.** If a voting machine or system no longer meets the standards of Minnesota statutes or parts 8220.0050 to 8230.4250, the secretary of state may withdraw approval certification of the voting machine or system after a hearing. The vendor must be given written notification of intent to withdraw certification and may within ten days of receipt of the notification submit a written request to the secretary of state for a contested case hearing under Minnesota Statutes, sections 14.57 to 14.62.

Department of Trade and Economic Development Minnesota Agricultural and Economic Development Board Proposed Emergency Rules Relating to the Minnesota Development Program

Notice of Intent to Adopt an Emergency Rule

Notice is hereby given that the Minnesota Agricultural and Economic Development Board intends to adopt the above-entitled emergency rule. The statutory authority to adopt the emergency rule is contained in *Minnesota Statutes*, section 41A.04, subd. 4. The agency, in adopting the rule, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules in *Minnesota Statutes*, sections 14.29 to 14.36.

All persons have 25 days after publication to submit data and views on the proposed emergency rule or any part or subpart of the rule in writing. Any comments must be submitted to:

John J. O'Brien
Office of Business Finance
Department of Trade and Economic Development
900 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101-1429
Telephone: 612-297-1944

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

A free copy of the proposed emergency rule is available by contacting John J. O'Brien.

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

Upon adoption of the emergency rule by the agency, the emergency rule as adopted and its supporting documents will be delivered 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 wish to receive a copy of the adopted rule, must submit the written request to John J. O'Brien.

The emergency rule will take effect five working days after approval by the Attorney General and be effective for 360 days. The emergency rule will be continued in effect for an additional 180 days if the agency gives notice of continuation in accordance with *Minnesota Statutes*, section 14.35.

Dated: 6 November 1987

Thomas Triplett, Chair, Minnesota
Agricultural and Economic Development Board

Rules as Proposed (all new material)

1580.2000 [Emergency] PURPOSE AND AUTHORITY.

Parts 1580.2000 to 1580.2120 [Emergency] are authorized by Minnesota Statutes, section 41A.04, subdivision 4, to carry out the purposes of Minnesota Statutes, chapter 41A, and to establish a process for application and approval of financial assistance for eligible projects. The Small Business Development Loan Program and the Hazardous Waste Processing Facility Loan Program are also authorized by Minnesota Statutes, chapter 41A, and have separate rules governing them. Eligible applicants may determine under which program they wish to apply for financial assistance for eligible projects.

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

1580.2010 [Emergency] DEFINITIONS.

Subpart 1. **Scope.** For purposes of parts 1580.2000 to 1580.2120 [Emergency], the terms defined in this part and in Minnesota Statutes, section 41A.02, have the meanings given to them.

Subp. 2. **Chair.** "Chair" means the commissioner of finance acting as chair of the Minnesota Agricultural and Economic Development Board.

Subp. 3. **Administrator.** "Administrator" means the commissioner of trade and economic development acting as the chief administrative officer of the Minnesota Agricultural and Economic Development Board, or a designee.

Subp. 4. **County authority.** "County authority" means a rural development finance authority, or any county exercising the power of a rural development finance authority, under Minnesota Statutes, chapter 362A.

1580.2020 [Emergency] AVAILABILITY OF ELIGIBLE FINANCIAL ASSISTANCE.

Subpart 1. **Amount of loan guarantee, participation, or bond issue; criteria.** The amount of and criteria of a loan guarantee, participation, or bond issue determined under Minnesota Statutes, sections 41A.03 and 41A.035.

Subp. 2. **Eligible project costs.** Project costs eligible for a guaranteed loan, bond issue, or loan participation are defined in Minnesota Statutes, section 41A.02.

Subp. 3. **Security for guaranteed loan, loan participation, or bond issue.** Security for a guaranteed loan, loan participation, or bond issue is determined under Minnesota Statutes, sections 41A.03 and 41A.036.

Subp. 4. **Increase in project costs.** If the actual cost of a project exceeds the cost estimate, the board may consent to an increase in the amount of the guaranteed loan, loan participation, or bond issue under Minnesota Statutes, sections 41A.03, subdivision 2, and 474.17 to 474.25, if it determines that the increased costs will not jeopardize the board's interest and are necessary for the successful completion or operation of the project. The increase in the principal amount of the guaranteed loan, loan participation, or bond issue must not exceed 80 percent of the increased costs. The board may guarantee up to 90 percent of the increase in the principal amount of the guaranteed loan and interest on that amount.

1580.2030 [Emergency] CONTENTS OF APPLICATION.

Subpart 1. **Application forms.** The administrator shall prepare application forms for use by applicants. The application must provide the information required by Minnesota Statutes, section 41A.04, subdivision 1, paragraphs (a) and (c), and the following information, unless waived by the board under subpart 2:

A. The following financial statements that include a balance sheet, an opening statement, and footnotes to the statements if available for the following time periods:

(1) financial statements for the previous three years, if applicable; and if unaudited, the statements must be signed by an authorized financial officer of the business making application;

(2) a current quarterly financial statement that was compiled within 90 days of the date the application was submitted, if quarterly financial statements are regularly prepared;

(3) federal tax returns filed by the business for the previous three years if applicable, if the applicant is an individual or partnership; and

(4) pro forma cash flow statements for the first five years of the project operation, including income statements and balance sheets.

B. If a loan guarantee or loan participation is requested, a statement from the lender, concerning the lender's general experience in financing and servicing debt incurred for projects of the size and general type of the project, and its proposed servicing and monitoring plan. In addition, the following information must be submitted:

(1) the term of the loan, the interest rate, and amortization schedule, and other terms and conditions of the lender;

(2) a certification and supporting documentation that the lender has determined the project to be economically feasible in accordance with generally accepted commercial lending practices;

(3) an appraisal of collateral showing total loan value; and

(4) a statement of informed consent signed by an authorized officer of the lender regarding the use and dissemination of the private data as provided in Minnesota Statutes, section 13.05, subdivision 4, paragraph (d).

C. A description of any legal actions pending or to be commenced against the applicant, including an explanation of each of these actions and applicant's defenses, if any.

D. A description of all potentially competitive products that are produced or processed in Minnesota and an analysis of the

competitive products that are produced or processed in Minnesota and an analysis of the competitive impact of the project on the competing products and producers.

E. A statement of informed consent by the applicant regarding the use and dissemination of the private data as provided in Minnesota Statutes, section 13.05, subdivision 4, paragraph (d).

Subp. 2. **Waiver of application requirements.** An applicant may request the board to waive any of the requirements of subpart 1. The request must be made in writing to the administrator. The board may waive a requirement if it determines that the requirement is not necessary to evaluate the eligibility or feasibility of the project. A request for waiver must state the reasons why, in the applicant's judgment, the required information is not necessary.

Subp. 3. **Feasibility study.** The board must require a feasibility study for the project if the board determines that a study is necessary for its consideration of the project's eligibility for a loan guarantee, loan participation, or loan from bond proceeds. The feasibility study must address those factors that the board determines are necessary in light of generally accepted commercial lending practices and the requirements of Minnesota Statutes, chapter 41A.

1580.2040 [Emergency] REVIEW OF APPLICATION.

Subpart 1. **Review by administrator.** The administrator shall review the application to determine conformity with Minnesota Statutes, chapter 41A, and according to generally accepted commercial lending practices, to determine whether or not to submit the application to the board for approval or rejection. The administrator shall notify the applicant of the administrator's decision whether or not to submit the application to the board.

Subp. 2. **Board review of the application.** If the administrator determines not to submit the application to the board for approval or rejection, the applicant may request the board to review the administrator's decision. The request must be made in writing and submitted to the chair. Upon request, the board shall review the application for approval or rejection. The board shall review the completed application under part 1580.2050 [Emergency].

Subp. 3. **Approval and conditional commitment.** If the board approves an application, it shall adopt a resolution under Minnesota Statutes, section 41A.04, subdivision 3.

Subp. 4. **Denial of application.** If the application is rejected by the board, the administrator shall promptly notify the applicant in writing.

Subp. 5. **Misrepresentation in application.** Whenever a change occurs in the information provided by an applicant to the board or to the lender, the applicant shall immediately update and correct that information. Misrepresentation in the application or failure to update any required information constitutes grounds to reject any application, revoke any notice of approval, and refuse to close any loan guaranty, loan participation, or issue bonds.

1580.2050 [Emergency] CRITERIA FOR APPROVAL OF ELIGIBLE FINANCIAL ASSISTANCE.

In determining whether to approve or deny an application for financial assistance, the board shall consider the following criteria:

A. the extent to which the project will further the economic development in Minnesota;

B. the extent to which the public financial assistance sought by the applicant under the program would provide the project with an unfair advantage in competing with other products produced or processed in Minnesota;

C. the viability of the project, including economic and commercial feasibility, technical feasibility, financial projections, and managerial capability;

D. conformity of the project to environmental standards;

E. the qualifications and credit history of the owners, operators, and lenders;

F. the nature and extent of the security;

G. the degree of financial participation by private persons not supported by the program financial assistance;

H. the availability of the board's bonding authority, proceeds, and money from other sources to support the financial assistance;

and

I. the market conditions and terms required for the sale of any bonds or other financial assistance.

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1580.2060 [Emergency] GENERAL TERMS AND CONDITIONS OF LOAN GUARANTEES AND LOAN PARTICIPATIONS.

The loan guarantee or participation agreement between the state and the lender, and the loan agreement between the lender and the borrower must contain the following provisions, unless the board determines that the applicant has shown in writing that a required term or condition is not necessary to ensure the lender and the state of repayment according to the terms of the loan agreement according to generally accepted commercial lending practices:

A. Payments of principal and interest made by the borrower under the loan must be applied by the lender to reduce the loan on a proportionate basis, and the lender's or nonguaranteed portion may not in any event receive preferential treatment over the guaranteed or participated portion.

B. The lender shall not accelerate payment of the loan or exercise other remedies available to the lender if the borrower defaults, unless:

- (1) the borrower fails to make a required payment of principal or interest;
- (2) the board or its authorized representative consents in writing; or
- (3) the acceleration is otherwise permitted in the loan guarantee or loan participation agreement.

In the event of default, the lender may not make demand for payment under the loan guarantee unless the board agrees in writing that the default has materially affected the rights or security of the board and lender and the board finds that the lender should be entitled to receive payment under the loan guarantee.

C. If a payment of principal or interest is made by the board upon default of the borrower, the board is subrogated to the rights of the lender with respect to payment.

D. The borrower shall have promptly prepared and delivered to the board annual audited or reviewed financial statements prepared by a certified public accountant according to generally accepted accounting principles.

E. Authorized representatives of the board must have access to the project site at reasonable times during construction and operation of the project.

F. The borrower shall maintain adequate records and documents concerning the construction and operation of the project in order that representatives of the board may determine its technical and financial conditions and its compliance with environmental requirements. The records shall include the amounts of all sales and use taxes paid on personal property and services purchased for the construction and operation of the project, with tax receipts furnished by the sellers or other supporting documentation determined by the board to be satisfactory. The amounts of these taxes must be reported to the board in the manner and at the times required by the board.

G. The borrower shall protect and preserve at all times the project assets and other collateral securing the loan and shall assist in liquidation of collateral to minimize loss in the event of default.

H. Orderly liquidation of assets of the project must be provided for in the event of default, with an option for the board to acquire from the lender the lender's interest in the assets under the nonguaranteed or nonparticipated portion of the loan.

I. The board must be paid at or before the closing of the guaranteed or participated loan a fee or fees for the loan guarantee or loan participation commitment to guarantee or participate in the loan. The aggregate fee may not exceed one percent of the total principal amount of the guaranteed or participated portion of the loan.

J. The lender shall perfect and maintain the mortgage lien on the real estate and the security interest in all personal property and collateral granted as security for the loan, and shall cause all other loan servicing functions to be performed that are normally required or performed by a reasonable and prudent lender with respect to a loan without a guarantee or participation.

K. The lender must notify the board in writing without delay of:

- (1) the date, amount of, and use for each disbursement of loan proceeds;
- (2) any loan payments that are ten or more days past due;
- (3) any failure to honor a commitment by any person of an intended source of capital for the project; and
- (4) any significant adverse changes from original cash flow projections as evidenced by reports from the borrower, or any other known evidence that the borrower might be unable to meet future required payment of principal or interest.

L. The board or the lender may determine that the loan is in default when:

- (1) required payment of principal or interest is ten or more days past due;
- (2) the borrower is or may become unable to meet in full the required principal or interest payments, or both, that are due or to become due within a specified period; or

(3) the board and the lender mutually determine and agree that the project is no longer viable and financially feasible.

M. The lender must service the loan and receive the payments of principal and interest. In the event of default, the lender must continue to service the loan if requested by the board to do so. Upon written approval of the administrator, the lender may sell or transfer the lender's portion of the loan or loan servicing functions.

N. The agreement must contain other terms and conditions that the board determines necessary and appropriate to carry out the purposes of Minnesota Statutes, chapter 41A.

1580.2070 [Emergency] PRINCIPAL AND INTEREST ASSISTANCE.

The board may at any time enter into a written contract with the borrower to provide principal and interest loan payment assistance under Minnesota Statutes, section 41A.03, subdivision 4.

1580.2080 [Emergency] ISSUANCE OF BONDS.

Subpart 1. **Bond resolution.** If the board intends to fund the eligible financial assistance by issuing bonds for a project under Minnesota Statutes, section 41A.05, subdivision 2, the board shall first pass a preliminary resolution. The preliminary resolution must not obligate the board to issue bonds or to fund eligible financial assistance, but must constitute an expression of current intention of the board to issue bonds or to fund eligible financial assistance. If the board subsequently determines that there are no adverse changes in the financial conditions or key personnel of the applicant or borrower, market conditions, availability of bond issuance authority, and other conditions that the board considers necessary, and the board decides in conformance with Minnesota Statutes, section 41A.01, and in accordance with generally accepted commercial lending practices to make eligible financial assistance available, the board shall pass a final resolution that authorizes the issuance and sale of bonds to extend eligible financial assistance to the project. The final resolution must specify the terms and conditions under which bonds will be issued. The preliminary resolution may contain a time limit with respect to issuance of bonds, may be revoked or amended by the board at any time before the final resolution of the board without liability to the board, and may impose any conditions or requirements that the board considers desirable. The administrator shall notify the applicant of the board's approval and provide the applicant with a copy of the resolution passed. Throughout this process, if the board does not extend financial assistance, the board has no liability to the applicant or borrower.

Subp. 2. **Bond reserve.** A bond reserve fund must be established by the borrower in order to provide additional security for the bonds. The reserve may come out of bond proceeds. The amount of the reserve must not be less than one-half of the annual amount that would be required to amortize the entire amount of the bonds over the term and at the interest rate (or at the rate of yield resulting from the interest rates) provided in the bond issue resolution.

1580.2090 [Emergency] OTHER ELIGIBLE FINANCIAL ASSISTANCE.

The board may provide other financial assistance in the form of municipal bond insurance, letters of credit, surety obligations, or similar agreements from financial institutions and other eligible financial assistance under Minnesota Statutes, section 41A.023.

1580.2100 [Emergency] OTHER ELIGIBLE FINANCIAL ASSISTANCE; CRITERIA.

No applicant is eligible to receive other eligible financial assistance unless the board has first passed a resolution designating the business as being in need of other eligible financial assistance. The resolution must include findings that the designation and receipt of the other eligible financial assistance will be of exceptional benefit to Minnesota in that at least three of the following criteria are met:

(1) in order to expand or remain in Minnesota, the business has demonstrated that it is unable to obtain suitable financing from other sources;

(2) other eligible financial assistance will enable the business which is not currently located in Minnesota, to locate a facility within Minnesota that directly increases the number of jobs within the state;

(3) the business will create or retain significant numbers of jobs within a community in Minnesota;

(4) the business has a significant potential for growth in jobs or economic activities within Minnesota within the ensuing five-year period;

(5) the business will maintain a significant level of productivity within Minnesota within the ensuing five-year period.

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1580.2110 [Emergency] CONTENTS AND REVIEW OF APPLICATION.

To apply for other financial assistance, the applicant shall comply with part 1580.2030 [Emergency]. The administrator shall review the application according to part 1580.2040 [Emergency].

1580.2120 [Emergency] SECURITY FOR OTHER ELIGIBLE FINANCIAL ASSISTANCE.

Security for other eligible financial assistance is as defined in Minnesota Statutes, section 41A.03, subdivision 1.

REPEALER. Minnesota Rules, parts 1580.0100 to 1580.0900 are repealed.

Department of Transportation

Proposed Permanent Rules Relating to Licensing of Hazardous Waste Transporters

Notice of Intent to Adopt a Rule Without a Public Hearing

Notice is hereby given that the State Department of Transportation intends to adopt the above-entitled rules without a public hearing, following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, section 14.22 to 14.28, for adopting rules without a public hearing. The statutory authority to adopt these rules is *Laws 1987*, Chapter 393, Article 1, Section 1.

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 rule 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 must state his or her name and address, and is encouraged to provide a telephone number and 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 14.14 to 14.20.

Comments or written requests for a public hearing must be submitted to: Elizabeth M. Parker, 815 Transportation Building, St. Paul, Minnesota 55155, (612) 297-2913.

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

The adoption of the proposed rules will not require the expenditure of public money by local public bodies as the rules will not apply to government agencies and political subdivisions.

The rules proposed for adoption relate to the following matters. The proposed rules repeat the requirement in the law that, with certain exceptions, no person may transport hazardous waste without a license. They also describe the categories of hazardous waste that may be transported without obtaining a hazardous waste transporter license. The exemption of those wastes is authorized by the statute, but is described in greater detail in the rules. The proposed rules describe the kind of information that will be required on the application forms for the license and the vehicle decals. The law requires a decal on each vehicle, and the rules describe where the decal must be placed on the vehicle. The rules restate the fees and insurance requirements imposed by the law. The proposed rules require transporters to notify the Commissioner of Transportation of changes in name, address, and telephone number, and to report each accident and each accidental release of hazardous waste involving motor vehicle transportation.

The proposed rules also require the applicant to sign statements accepting responsibility for knowing and complying with all state and federal laws and regulations that govern hazardous waste transportation. In addition, the applicant must certify that it has trained the drivers of hazardous waste vehicles in compliance with the federal hazardous material transportation regulations that are adopted by reference in *Minnesota Statutes*, section 221.033. The proposed rules will make failure to comply with reporting requirements grounds for revocation or suspension of the license.

The proposed rules will affect small businesses and all other businesses that transport hazardous wastes that must be transported with a manifest or shipping papers. The rules will require payment of a license fee of \$500 every three years for each person (business, not per driver) that transports hazardous waste. That fee and the decal fee of \$25 per vehicle per year are required by the law and are restated in the rules. The rules will require the transporter to fill out an application form or renewal form every three years, and a decal purchase form every year. They require the transporter to maintain insurance that meets the requirements of the U.S. Department of Transportation. In addition, each transporter that has not previously filed a certificate of insurance with the Minnesota Department of Transportation must do so in order to obtain a license. This is a new requirement for private carriers that transport hazardous waste and is required by the authorizing statute.

For motor carriers that are small businesses, there will probably be no increase in costs except for the cost of the fees themselves. Carriers now required by federal law to maintain insurance will continue to do so, so there will be no additional cost for insurance. Private carriers transporting hazardous waste will be required to report accidents to the commissioner. This is a new requirement with little or no cost. For-hire carriers are already subject to this requirement. As all carriers of hazardous waste are now required to comply with federal and state safety and hazardous material transportation regulations, there will be no increase in cost due to compliance with safety regulations.

A free copy of the rules is available upon request from Elizabeth M. Parker, 815 Transportation Building, St. Paul, Minnesota 55155.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Elizabeth M. Parker, 815 Transportation Building, St. Paul, Minnesota 55155, upon request.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to 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 date of submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit a written request to Elizabeth M. Parker, 815 Transportation Building, St. Paul, Minnesota 55155.

Dated: 9 November 1987

Leonard W. Levine, Commissioner
Minnesota Department of Transportation

Rules as Proposed (all new material)

8870.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of transportation.

Subp. 3. **Department.** "Department" means the Department of Transportation.

Subp. 4. **Hazardous waste.** "Hazardous waste" means waste considered hazardous under Minnesota Statutes, section 116.06, subdivision 13.

Subp. 5. **Person.** "Person" has the meaning given it in Minnesota Statutes, section 221.011, subdivision 6.

Subp. 6. **Trailer.** "Trailer" includes a semitrailer and any other cargo-carrying unit.

Subp. 7. **Transport.** "Transport" means to move hazardous waste by motor vehicle over a public highway.

Subp. 8. **Vehicle.** "Vehicle" has the meaning given it in Minnesota Statutes, section 221.011, subdivision 3.

8870.0200 SCOPE.

Subpart 1. **License required.** Parts 8870.0100 to 8870.1100 apply to the transportation of hazardous waste on a public highway. Except as provided in subpart 2, no person shall transport a hazardous waste without a license.

Subpart 2. **Exceptions.** The following hazardous wastes may be transported without a hazardous waste transporter license:

A. exempt wastes described in part 7045.0120;

B. farm pesticide wastes exempt under parts 7045.0213 and 7045.0304 that are disposed of in a manner consistent with the disposal instructions on the pesticide label;

C. wastes identified under part 7045.0131, subpart 6, items A and B, and exempted under part 7045.0133;

D. industrial ethyl alcohol that is reclaimed;

E. used batteries returned to a manufacturer for regeneration;

F. scrap metal that exhibits a hazardous characteristic but is being recycled;

G. used oil that does not contain a waste listed under part 7045.0135, and that does not exhibit a hazardous characteristic described in part 7045.0131, that is to be recycled; and

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H. spent lead-acid batteries that are being reclaimed.

8870.0300 HAZARDOUS WASTE TRANSPORTER LICENSE APPLICATION.

Subpart 1. **Application procedure.** An applicant for a license shall submit to the commissioner:

- A. the information described in this part;
- B. the fees described in Laws of Minnesota 1987, chapter 393, article 1, section 1, subdivision 1, paragraph (b); and
- C. an insurance certificate under Minnesota Statutes, section 221.141.

Subp. 2. **Information required.** The applicant shall submit the following information on a form prescribed by the commissioner:

- A. the applicant's name, including an assumed or fictitious name used by the applicant in doing business;
- B. the location from which applicant's transportation business is conducted;
- C. the addresses of applicant's Minnesota terminals, if any;
- D. the address of applicant's principal place of business;
- E. the state where applicant's business is incorporated;
- F. the applicant's mailing address;
- G. if the applicant is a foreign corporation, the name and address of its agent for service of process, if any;
- H. the names of corporate officers, general partners, associates, or other owners of applicant's business;
- I. the name and phone number of a person who can answer questions about the applicant's transportation business;
- J. the Environmental Protection Agency identification number of the applicant;
- K. the Interstate Commerce Commission MC number of the applicant, if any;
- L. the intrastate permit or certificate number of the applicant, if any;
- M. whether the applicant's business is a corporation, partnership, association, or sole proprietorship;
- N. whether the transporter is also a generator, recycler, or a treatment, storage, or disposal facility as defined in chapter 7045, or a combination of them;
- O. other states in which the applicant has authority to transport hazardous wastes; and
- P. a description of any conviction, plea of guilty, or payment of a civil or criminal fine for violating a law, ordinance, or regulation related to transporting hazardous waste.

Subp. 3. **Fee.** The license fee is \$500.

Subp. 4. **Insurance requirements.** The applicant shall file a certificate of insurance with the commissioner. This certificate must state that the applicant's policy meets federal public liability requirements prescribed in Code of Federal Regulations, title 49, part 387.

8870.0400 HAZARDOUS WASTE TRANSPORTER LICENSE.

Subpart 1. **Issuance of license.** The commissioner shall issue a license to an applicant who meets the requirements of part 8870.0300. The license must be numbered and bear an effective date.

Subp. 2. **Maintenance of license.** The license must be maintained at the licensee's principal place of business and, upon request, must be available for inspection by the commissioner or law enforcement officer.

Subp. 3. **Duration.** The license expires three years from its effective date.

Subp. 4. **Transferability.** A license may not be transferred to another person.

Subp. 5. **Records.** The commissioner shall keep a record of each hazardous waste transporter license issued.

8870.0500 VEHICLE IDENTIFICATION DECAL REQUIRED.

A single-unit vehicle and each trailer used to transport hazardous waste must bear one valid and readily legible decal. The decal must be kept clean and legible.

8870.0600 VEHICLE IDENTIFICATION DECAL APPLICATION.

Subpart 1. **Information required.** An applicant for a decal shall submit the following information on a form prescribed by the commissioner:

- A. the applicant's name, including an assumed or fictitious name used by the applicant in doing business, mailing address, and telephone number;
- B. the applicant's Minnesota hazardous waste transporter license number;
- C. the name, address, and telephone number of a person who can answer questions about the applicant's transportation business;
- D. if the licensee does not own the vehicle, the name and address of the owner;
- E. the state and license number of vehicle registration;
- F. the vehicle identification number;
- G. the vehicle year and make; and
- H. a description of the type of vehicle or vehicle combination.

Subp. 2. **Fees.** An applicant shall pay a fee of \$25 for each decal.

8870.0700 VEHICLE IDENTIFICATION DECAL.

Subpart 1. **Issuance.** The commissioner shall issue a vehicle identification decal for each vehicle for which vehicle identification information is provided in an application.

Subp. 2. **Description.** Vehicle identification decals must be serially numbered and bear the month and year of expiration and the words "hazardous waste transporter."

Subp. 3. **Placement.** The decal must be affixed on the side of the vehicle opposite the driver and within three feet of the front of each trailer or the cargo part of the single-unit vehicle.

Subp. 4. **Duration.** The decal expires one year from the effective date of the decal or upon expiration of the person's hazardous waste transporter license, whichever occurs first.

Subp. 5. **Transferability.** A vehicle identification decal may not be transferred to another vehicle.

Subp. 6. **Department record.** The commissioner shall keep a record of each vehicle identification decal issued.

8870.0800 ACKNOWLEDGMENT.

Subpart 1. **Signature required.** An application for a hazardous waste transporter license or for a vehicle identification decal must be signed by a corporate officer, general partner, or sole proprietor. An application may not be signed by an agent or attorney.

Subp. 2. **Certification.** An applicant for a hazardous waste transporter license or vehicle identification decal shall sign the following statement: "I understand that the transportation of hazardous waste under the license or decal for which I am applying is subject to the Hazardous Waste Transporter License Law, Laws of Minnesota 1987, chapter 393, article 1; Minnesota Statutes, section 221.033; the federal motor carrier safety regulations; and the Minnesota Pollution Control Agency rules applicable to hazardous waste transportation. I understand and agree to comply with those laws, rules, and regulations."

Subp. 3. **Statement of truth and accuracy.** An applicant for a hazardous waste transporter license or vehicle identification decal shall sign the following statement: "The above information is, to the best of my knowledge, complete, truthful, and accurate."

Subp. 4. **Signature notarized.** The signatures of corporate officers and general partners must be notarized.

8870.0900 TRAINING.

Subpart 1. **Requirement.** The applicant or licensee shall instruct employees about the regulations in Code of Federal Regulations, title 49, parts 170 to 179.

Subp. 2. **Certification.** The applicant or licensee must sign the following statement: "I have complied with the requirement of Code of Federal Regulations, title 49, section 177.800, and have instructed my employees about the regulations in Code of Federal Regulations, title 49, parts 170 to 179."

8870.1000 REPORTING REQUIREMENTS.

Subpart 1. **Information change.** The licensee shall report to the commissioner within ten days any change in the following information:

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- A. the licensee's name, including an assumed or fictitious name used by the applicant in doing business;
- B. the licensee's physical business location;
- C. the licensee's mailing address; or
- D. the name and telephone number of a person who can answer questions about the applicant's transportation business.

Subp. 2. **Accident report.** Within 30 days after the occurrence, the licensee shall report to the commissioner, on a form prescribed by the commissioner, an accident involving a vehicle transporting hazardous waste that results in:

- A. the death of a human being;
- B. bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
- C. total damage to all property aggregating \$4,400 or more based on actual costs or reliable estimates.

Subp. 3. **Exceptions.** An accident does not include:

- A. an occurrence involving only entering and leaving a stationary motor vehicle; and
- B. an occurrence involving only the loading or unloading of cargo.

Subp. 4. **Report of hazardous waste incident.** A licensee must report hazardous waste incidents as required by Minnesota Statutes, section 221.034, and Code of Federal Regulations, title 49, sections 171.15 and 171.16.

Subp. 5. **Grounds for suspension, revocation.** Failure to comply with the requirements in this part is grounds for suspension or revocation of a license.

8870.1100 RENEWAL PROCEDURE.

Renewal applications must be made according to the procedure described in part 8870.0300 for new applications.

Department of Commerce

In the Matter of the Proposed Adoption of Rules Relating to Credit Unions

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in *Minnesota Statutes*, section 14.22-14.28. Authority for the adoption of these rules is contained in *Minnesota Statutes*, Sections 45.023 and 52.05.

All persons have 30 days to submit comments 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. 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.

Any person may make a written request for a public hearing 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 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 department will proceed pursuant to *Minnesota Statutes*, sections 14.13 to 14.20.

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

Richard G. Gomsrud
Department Counsel
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-5689

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

Pursuant to *Minnesota Statutes* Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

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 form and legality, including the issue of substantial change. 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 final rules as proposed for adoption, should submit a written statement of such request to Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Bldg., St. Paul, MN 55101.

A copy of the proposed rules can be found in the November 2, 1987 *State Register* Vol. 12, #18 page 928 where the notice was originally published. Copies of this Notice and proposed rules are available and may be obtained by contacting Richard G. Gomsrud at the above address.

Michael A. Hatch
Commissioner of Commerce

Department of Commerce

In the Matter of the Proposed Adoption of Rules Relating to Real Estate Education

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in *Minnesota Statutes*, section 14.22-14.28. Authority for the adoption of these rules is contained in *Minnesota Statutes*, Sections 45.023 and 82.28.

All persons have 30 days to submit comments 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. 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.

Any person may make a written request for a public hearing 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 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 department will proceed pursuant to *Minnesota Statutes*, sections 14.13 to 14.20.

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

Richard G. Gomsrud
Department Counsel
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-5689

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

Pursuant to *Minnesota Statutes* Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasona-

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Proposed Rules

bleness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. 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 final rules as proposed for adoption, should submit a written statement of such request to Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Bldg., St. Paul, MN 55101.

A copy of the proposed rules can be found in the November 2, 1987 *State Register* Vol. 12, #18 page 930 where the notice was originally published. Copies of this Notice and proposed rules are available and may be obtained by contacting Richard G. Gomsrud at the above address.

Michael A. Hatch
Commissioner of Commerce

Emergency Rules

Proposed Emergency Rules

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

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

Adopted Emergency Rules

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

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

Continued/Extended Emergency Rules

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

State Board of Vocational Technical Education

Continuation of Emergency Rules of the State of Minnesota Governing Uncharted License Criteria; Automated Manufacturing Technology, Telecommunications Systems, Metallurgy Technology, Metrology Technology, Computer Aided Integrated Printed Circuit Technician, Laser/Electro Fiber Optics Technician, EKG/Cardiac Technician, Chiropractic Assistant, Public Safety Communicator, Quality and Productivity Management, Business to Business Telemarketing, Occupational Skills, Electronic Publishing/Information Specialist and Collision and Property Damage Appraisal, Minnesota Rules pt. 3515.5051 to 3515.5056, 3515.5058 to 3515.5062 and 3515.5064 to 3515.5066

Notice is hereby given that the Minnesota State Board of Vocational Technical Education is continuing in effect the above entitled rules pursuant to its general rule making authority, *Minnesota Statutes* 136C.04, subdivision 9.

The text of the rules was published in the *State Register* on December 29, 1986. The rules had the force and effect of law on September 31, 1986, five working days after approval of the Administrative Division of the Office of the Attorney General.

Pursuant to *Minnesota Statutes*, section 14.35 emergency rules are in effect for no longer than 180 days and may be continued in effect for an additional period of up to 180 days. The emergency rules will be continued in effect 180 days until March 31, 1988.

Helen Henrie, Deputy Director
State Board of Vocational Technical Education

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.

Department of Education

Adopted Permanent Rules Relating to Cooperative Secondary Facilities Grants

The rules proposed and published at *State Register*, Volume 12, Number 9, pages 358-362, August 31, 1987 (12 S.R. 358) 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.

Department of Commerce

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

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

Community Development Corporations

The MJUA and MAP are activated to provide assistance to the above classes of business for a period of 180 days following publication of this notice. A public hearing will be held, for the purpose of determining whether activation should continue beyond 180 days, at the Office of Administrative Hearings, 310 4th Avenue South, 5th Floor, Flour Exchange Building, Minneapolis, Minnesota 55415 on January 21, 1988 at 9:30 a.m. and continuing until all interested persons and groups have had an opportunity to be heard. The hearing shall be governed by *Minnesota Statutes* Sections 14.57-14.69 and by *Minnesota Rules* Parts 1400.5100-1400.8400, (1985). Questions regarding procedure may be directed to Administrative Law Judge, Peter Erickson, 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415, telephone (612) 341-7606. The authority for this proceeding is found in Chapter 62I of *Minnesota Statutes*, specifically sections 62I.21 and 62I.22. (A copy of those sections follows this notice.)

Prior to the hearing a pre-hearing conference will be held at 1:30 p.m. on January 13, 1988, at the Office of Administrative Hearings, 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415.

Minnesota Statutes, Chapter 62I, which governs the Minnesota Joint Underwriting Association provides for temporary activation for 180 days by the Commissioner of Commerce. To extend the Minnesota Joint Underwriting Association's authority beyond the

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Official Notices

180 day period a hearing must be held. Those classes of business for which the Minnesota Joint Underwriting Association was temporarily activated, by this notice and by previously published notices, must prove, at that hearing, that they meet the statutory requirements for coverage by the Minnesota Joint Underwriting Association.

Among those requirements are:

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

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

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

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

Anyone wishing to oppose activation beyond 180-days for any particular class, must file a petition to intervene with the administrative law judge at least 10 days before the hearing date. If no notice to intervene is filed for a class then the class is activated beyond the 180-day period without further action.

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

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

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

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert St., St. Paul, Minnesota, 55101-2520, telephone (612) 296-5148.

Dated: 13 November 1987

Michael A. Hatch
Commissioner of Commerce

62I.21 ACTIVATION OF MARKET ASSISTANCE PLAN AND JOINT UNDERWRITING ASSOCIATION.

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

62I.22 HEARING.

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

Subd. 2. NOTICE. The commissioner of commerce shall publish notice of the hearing in the *State Register* at least 30 days before the hearing date. The notice should be that used for rulemaking under chapter 14. Approval by the administrative law judge of the notice prior to publication is not required. The notice must contain a statement that anyone wishing to oppose activation beyond 180 days for any particular class, must file a petition to intervene with the administrative law judge at least ten days before the hearing date. If no notice to intervene is filed for a class then the class is activated beyond the 180-day period without further action.

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

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

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

Subd. 6. CASE PRESENTATION. The department of commerce, upon request by small businesses as defined by section 14.115, subdivision 1, shall assist small businesses in any specific class requesting continuation of coverage beyond the 180-day period, in coordinating the class and presenting the case in the contested hearing.

Department of Health

Office of Health Systems Development

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing Health Maintenance Organizations

Notice is hereby given that the State Department of Health is seeking information or opinions from sources outside the agency in preparing to amend rules governing health maintenance organizations (Chapter 4685). The areas to be addressed include, but are not limited to, the following: financial responsibility, subrogation and coordination of benefits, filing requirements and procedures, continuation of group coverage, annual report forms, filing and renewal fees, coverage of custodial and emergency care and of experimental procedures, coverage of organ transplants, medical necessity of services, utilization review, case management, provider terminations and additions, coverage for referrals, geographic service area, quality evaluation, provider and management contracting, complaint systems, employer risk sharing, combination plans, and cancellation or restriction of coverage. The promulgation of these rules is authorized by *Minnesota Statutes* section 62D.20.

Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Robin Lackner or Dawna Tierney
Alternative Delivery Systems
Minnesota Department of Health
717 Delaware Street S.E.
Minneapolis, Minnesota 55440

Oral statements will be received during regular business hours over the telephone at 623-5608 or 623-5607 and in person at the above address.

Department of Human Services

Chemical Dependency Program and Mental Health Divisions

Notice of Legislative Hearing on the Federal Alcohol, Drug Abuse and Mental Health Block Grant, and the Availability of a Statement Describing the Intended Use of Funds—Federal Fiscal Year 1988

Notice is hereby given that the Health and Human Services Division of the Senate Finance Committee will conduct a public

Official Notices

hearing on the use of the Federal Alcohol, Drug Abuse and Mental Health Block Grant. The hearing will be held December 1, 1987 at 9:00 a.m. in Room 118, State Capitol.

Notice is also given that the Department of Human Services has available a Description of Intended Use for funds available to the State of Minnesota from the Federal Fiscal Year 1988 Alcohol, Drug Abuse and Mental Health Block Grant. This description is being made available to the public for comment in accord with Title XIX, Part B of the Public Health Services Act.

All interested or affected persons or groups are invited to comment. Copies of the description are available from:

Sheila Vadnais
Chemical Dependency Program Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3823
(612) 296-3991

Comments on the proposed plan may be directed to the same address and phone number. Oral requests and comments will be received during normal business hours.

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, 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: Materials Management Division

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid. Buyer's initials are listed next to each commodity.

Commodity for Bid (and Buyer)	Bid Closing Date at 2 pm	Department or Division	Delivery Point	Requisition #
Computer Equip. (BV)	November 30	Natural Resources	St. Paul	29003 04498-1
Sound Repro Equip. (PA)	November 30	Jobs & Training	St. Paul	21200 16831
Stage Draperies & Install (LP)	November 30	Winona Univ.	Winona	26074 11949
Generator (PA)	November 30	Natural Resources	St. Paul	29000 49090
Office Supplies (AW)	November 25	Central Stores	St. Paul	Price Contract
Data Capture System (BV)	November 25	Jobs & Training	St. Paul	21200 10950
Road & Parking Lot (JS)	November 25	IRRRB	Calumet	43000 09310
Railroad Abutments (JS)	November 25	IRRRB	Calumet	43000 09315
Unisys Micro (BV)	November 25	State University	Mankato	26071 17875
All terrain vehicle (DM)	December 1	Natural Resources	Grand Rapids	29 000 46867
Infrared Spectrophotometer (JG)	December 1	State University	Bemidji	26 070 13419

State Designer Selection Board

Request for Proposal for a Project at the University of Minnesota, Minneapolis, Minnesota

TO REGISTERED PROFESSIONALS IN MINNESOTA:

The State Designer Selection Board has been requested to select designer for a **Project at the University of Minnesota**. Design firms who wish to be considered for this project should submit proposals on or before 4:00 p.m., **December 15, 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 4b above along with adequate staff to meet the requirements of work.

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

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

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

5. Statutory Proposal Requirements:

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

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

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

or

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

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

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

State Contracts and Advertised Bids

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

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

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

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

8) **PROJECT—31-87**

Maintenance Projects
University of Minnesota
Minneapolis Campus Heating Plants

An Engineer is required to perform design services for deferred maintenance projects of various natures at the University's Minneapolis Campus Heating Plants. The sum of the various projects total approximately \$1,000,000.00 of maintenance construction work. Funding for these projects has been provided from the University's general operation and maintenance appropriation for deferred maintenance.

A brief description of the major projects to be included in the Engineer's scope of work is as follows:

- a) Design a new mechanical ash exhaust system for the Minneapolis Heating Plant to replace the steam ejection system. This will include installation of a vacuum pump and bag filter and removal of obsolete equipment.
- b) Design for the modification and reconstruction of the coal hopper, addition of coal reclaimers, a crusher addition and retaining wall, and removal of the trestle.
- c) Perform a review and possible redesign of the baghouses and baghouse I.D. fans on boilers 4 and 5 and 1, 2 and 3 to determine if greater output of these boilers is possible while using the baghouse system.
- d) Design and installation of a ventilation system for tunnel cooling on the Minneapolis campus to provide fresh air to reduce heat stress conditions in tunnels. This shall be a phased project.
- e) Design for the addition of soot blowers on Number 3 boiler at the Southeast plant.

Questions concerning this project may be referred to Clint Hewitt at (612) 625-7355.

Damon Farber, Chairman
State Designer Selection Board

Department of Health

Request for Proposals for Development of Case Management Protocol(s) and Training Module

The Minnesota Department of Health (MDH) wishes to retain a contractor to develop a model for case management/service coordination in the State of Minnesota. At the present time, there are at least fifteen maternal and child health projects in community health service (CHS) agencies that are providing case management activities for children with special needs and their families. In addition, it is known that many other service providers, including Services for Children with Handicaps (SCH), Interagency Early Intervention Committees, local departments of Special Education as well as regional Education Cooperative Service Units (ECSU's), and medical care providers are serving as case managers or service coordinators. Given the variety of agencies providing service coordination activities for young children and their families, there is a need to identify appropriate roles for CHS agencies and the SCH Program in the overall service coordination system.

The contractor will be required to complete the following tasks:

1. Conduct a statewide survey to ascertain existing activities being conducted under the category of case management/service coordination. Identify the components of service coordination within local settings, the extent to which these efforts are multi-disciplinary and/or collaborative, and the amount and types of parent involvement.
2. Conduct a review of state of the art models of service coordination, drawing from the existing literature and exemplary programs

throughout the country. This review should be addressed from a multi-disciplinary perspective, drawing on models of interagency collaboration and parent involvement, and researching existing forms of case management within the educational and social services systems as well as health.

3. Gather in-depth information on the components of case management services in at least five settings across the state (i.e., role clarification for SCH and CHS agencies, goals, outcomes, collaborative efforts). Consultation fees should be built into the project budget to allow local CHS staff involved in case management activities time to meet with project staff in order to share their models of service coordination.

4. Assimilate this information into a written report outlining the salient aspects of case management and standards of care for case management/service coordination, with special emphasis on the identification of appropriate roles for CHS agencies and the SCH Program in the overall case management system.

5. Identify the training needs for service coordinators within Minnesota. Develop a training component for CHS and SCH service providers based on the information gathered in Items 1-4. This component should consist of:

a. Curriculum/training module. A suggested format would include a case study presentation that could be addressed at a local service level.

b. Training materials (either written or audio) to supplement (a).

6. Plan and execute three local/regional workshops for the purpose of dissemination of the training module developed in #5.

PROJECT START AND COMPLETION DATES

This project will begin no later than March 1, 1988. The final activities, including all training workshops, must be completed by September 30, 1988.

PROJECT COSTS

It is anticipated that the cost of this project will not exceed \$85,000 for professional services and expenses.

Proposals must be received by the Department of Health by 4:30 p.m., Monday, December 22, 1987. A copy of this Request for Proposal is available upon request. Inquiries and requests should be directed to:

Ms. Marty Smith, Principal Planner
Maternal and Child Health Division
Minnesota Department of Health
717 SE Delaware Street
P.O. Box 9441
Minneapolis, Minnesota 55440
(612) 623-5538

Department of Human Services

Notice of Request for Proposals for Special Focus-Indian Child Welfare Programs

The Department of Human Services is seeking proposals for Indian child welfare programs which have a Special Focus on service areas of particular concern to the Indian community. The goals of these programs are consistent with those of the federal Indian Child Welfare Act and the state Indian Family Preservation Act. These goals refer to services which enhance family function and prevent the separation of Indian children from their families through foster care. Services which are included in the Request for Proposals are directed at permanency planning, teenage pregnancy, independent living skills, child abuse and chronic neglect of children, coordination of child welfare and mental health services, youth suicide, information dissemination on successful service approaches, family retrieval, and other activities and services approved by the Commissioner of Human Services.

Local social service agencies, tribes, Indian organizations or any other social service organization may submit proposals for Special Focus-Indian Child Welfare Grants. Proposals may be submitted alone or in combination with other tribes or Indian organizations. Preference will be given to programs that use Indian staff, contract with Indian organizations or tribes, or whose proposed program is a joint effort between the Indian and non-Indian community.

Interested organizations will be required to respond to all of the specifications contained in the Request for Proposal. A maximum grant award of \$100,000 per year will be made to approved programs. Awards will be made on the basis of criteria which includes the following: documented need for program, program goals and measurable objectives, expected outcome, organizational and fiscal stability, successful agency experience in the provision of Indian social services and program cost.

State Contracts and Advertised Bids

The Request for Proposals containing specifications and application forms may be obtained from the Department of Human Services. The deadline for submission of proposals is 4:00 p.m. January 4, 1988. Please direct proposals and questions to:

Frances Felix
Community Social Services Division
Department of Human Services
Space Center Building
444 Lafayette Road
St. Paul, MN 55155
Phone: (612) 297-2710

Department of Natural Resources

Request for Proposals for Riverboat Concession, Fort Snelling State Park

The Minnesota Department of Natural Resources, in cooperation with the Minnesota Historical Society, is requesting proposals to provide the private sector an opportunity to operate a riverboat concession at Fort Snelling State Park. The State acknowledges the important historic and recreational value of this concession and welcomes all interested parties to submit proposals. This Request for Proposal does not obligate the State to make an award. The State reserves the right to reject any and all proposals submitted.

A. SCOPE OF PROJECT

The riverboat shall be an authentic paddle wheel riverboat and will operate year round as a fine dining restaurant and provide daily cruises on the Mississippi River during the months of May through October. It is desired that the riverboat be large and handicap accessible to all decks. The vessel should seat a substantial number of people for dining and provide for formal dining in addition to informal or a more casual dining menu. The vessel will be staffed 24 hours per day for security and provide its own on board fire fighting capabilities.

B. PROJECT REQUIREMENTS/CRITERIA

The Department of Natural Resources criteria for use of the property by non-State interests include the following:

1. The area must remain open to the public as an historical and recreational site.
2. Plans for development and operation of facilities and the vessel on the site must be approved by the Department of Natural Resources and the Minnesota Historical Society.
3. Channel dredging costs, including maintenance dredging, and necessary state and federal permits will be the responsibility of the concessionaire.
4. Construction and maintenance costs of mooring pilings and dock facilities will be the responsibility of the concessionaire. The concessionaire will have exclusive rights to the mooring facility, but will not have exclusive rights to the channel.
5. Construction and maintenance costs of all utilities required for the concession will be the responsibility of the concessionaire, to include electricity, telephone, water and sewage. All utilities shall be underground where feasible.
6. Construction of a new parking lot for 100-150 cars will be required. Costs will be the responsibility of the concessionaire. The location of the parking has been determined by the Department of Natural Resources.
7. All costs for support facilities, trails, service roads, etc., will be the responsibility of the concessionaire, and such facilities shall be approved by the Department of Natural Resources and the Minnesota Historical Society.
8. All costs for improvements or repairs to the park road system needed as a result of the project will be the responsibility of the concessionaire.
9. Upon termination of the concession, all permanent fixtures, utilities and/or improvements on land will become the sole property of the State.
10. All applicable laws, rules and regulations must be complied with.
11. If the concessionaire is interested in serving alcoholic beverages, special legislation or rule change is required.
12. A Minnesota State Park vehicle permit (park sticker) is required for motor vehicle entry into the area.
13. All applicable taxes must be paid by the concessionaire.
14. All licenses and permits required for operation and/or construction shall be the responsibility of the concessionaire.

15. If the concessionaire is interested in a long-term concession beyond ten years, special legislation would be required to achieve this need.

C. DEPARTMENT CONTACTS

Prospective responders who have any questions regarding this Request for Proposal may call or write:

William Weir
Minnesota Department of Natural Resources
Regional Park Manager
1200 Warner Road
St. Paul, MN 55106
(612) 296-2553

Other department personnel are not allowed to discuss the project with responders before the submittal of proposal deadline.

D. SUBMISSION OF PROPOSALS

All proposals must be sent to and received by:

William Weir
Minnesota Department of Natural Resources
Regional Park Manager
1200 Warner Road
St. Paul, MN 55106

not later than 2:30 p.m., December 23, 1987. Late proposals will not be accepted. Submit two copies of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm.

Responders should write the following note in the lower left-hand corner of the mailing envelope or package: "RFP-FT. SNELLING; DEC 23, 1987".

E. PROJECT COMPLETION DATE

The riverboat and related facilities shall be operational and open to the public within two years of the date which a formal concession agreement is approved by the Attorney General.

F. PROPOSAL CONTENTS

The following will be considered minimum contents of the proposal:

1. A restatement of the scope of project to show or demonstrate the responder's view of the nature of the project.
2. Identify and describe the proposed development and/or service to be provided by the responder, the length of time required to build necessary facilities, the length of the lease of state property requested, and any door charge anticipated for guests beyond food charges.
3. Outline the responder's background and experience on local, state, or federal government work. Identify personnel to conduct the project, and detail their training and work experience. No change in personnel assigned to the project will be permitted without the approval of the State Project Director/Manager.
4. Responder will include a detailed cost and work plan which will identify major goals to be accomplished, and be used as a scheduling and managing tool.
5. Identify the level of the Department of Natural Resource's participation in the project as well as any other services to be provided by the State.
6. Identify terms of payment to the State for the privileges of operating the concession and estimate the revenue which will be generated to the State.

G. EVALUATION

All proposals received by the deadline will be evaluated by representatives of the Department of Natural Resources. An interview panel may be established as part of the evaluation process. Factors upon which proposals will be judged include, but are not limited to:

1. Expressed understanding of project objectives.
2. Project work plan.
3. Project cost detail.

State Contracts and Advertised Bids

4. Qualifications of both company and personnel.

Evaluation and selection will be completed by January 21, 1988. Results will be sent immediately to all responders.

H. CONCESSION AGREEMENT

A subsequent concession agreement will be negotiated between the concessionaire and the State and is subject to approval by the Attorney General.

Department of Transportation

Notice to Consulting Engineers—Registered Civil and Structural

The Minnesota Department of Transportation (Mn/DOT) anticipates retaining Bridge Design Consultants to design and prepare construction plans for a limited number of bridges of average complexity during 1988.

Applicants must have an office in Minnesota staffed to handle the work. Recent experience in the production of bridge plans for the State Highway System, the County State Aid Highway System, or equivalent, is required.

Eligible design firms desiring to be considered as design contractors are asked to submit a brochure or resume giving qualifications and experience to D. J. Flemming, State Bridge Engineer, 610D Transportation Building, Mn/DOT, St. Paul, Minnesota 55155. Identify personnel to conduct the work and detail their training and experience. Brochures and resumes will be received until 3:00 p.m., December 11, 1987. Applicants may be requested to interview at the Mn/DOT Building in St. Paul.

Names of selected firms will be retained on file with Mn/DOT for consideration during 1988.

State Board of Vocational Technical Education

Notice of Request for Proposals for Professional Consultant Services Contract

The Minnesota State Board of Vocational Technical Education, Office of Human Resources Development is soliciting proposals for the development of an administrators leadership program model and delivery options of this program for current secondary vocational administrators.

The contractor will provide the following services as a minimum for proposal contents:

1. Conduct a needs assessment of secondary vocational administrators (10 points) * ; gather job descriptions of current administrators (10 points); review the literature (10 points); and identify a process(es) in which the program components are to be identified (15 points). Written Products: Summary of assessment results; summary of job descriptions; summary of literature findings; summary of process results; and the identification of program content components.

2. Review and analyze existing educational administrator leadership models (10 points); and identify a program delivery model. Written Products: Summary of existing models.

3. Review recent funding changes providing dollars available for secondary educators for professional development. Review the report from the Minnesota Education for Employment Task Force. Review long range plan and annual plan for secondary vocational education.

4. Provide a plan to develop and implement the identified administrator leadership components to secondary vocational education administrators (10 points).

5. Work with an advisory/task force to provide insight and guidance in this program's development (5 points).

6. Provide timelines of activities and products to be completed for this contract (15 points).

7. Additional tasks or activities may be added if they will substantially improve the results of the project (15 points).

Required qualifications of the consultant:

Provide name, qualifications for each employee assigned to the project; describe experience with secondary vocational education in Minnesota; and no change in personnel assigned to the project will be permitted without the written approval of the State Project Director (10 points). Experience in providing leadership development programs to adults (5 points). References provided regarding projects of similar nature (15 points).

* Evaluation: Each item will be rated up to the maximum in (parenthesis) noted above. Bidders may be invited to present their proposals. Evaluation and selection will be completed by January 21, 1987. Results will be sent immediately by mail to all responders.

The estimated amount available for this contract is not to exceed \$3,500.00. Services are to be completed by March 1, 1988.

Proposals for the above contract are to be received by 4:00 p.m., December 31, 1987. Submit 3 copies of the proposal. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Address sealed proposals to: RFP Response, Attention: JoAnn Akemann-Chein, Human Resources Development Specialist, State Board of Vocational Technical Education, 550 Cedar Street, St. Paul, MN 55101.

Non-State Public Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Anoka County

Attention Computer Applications Consultants

Anoka County is seeking assistance in analyzing the feasibility of developing a Comprehensive Criminal Justice Computer System.

This system is intended to result in a common database that would provide a compatible integrated system encompassing the following departments: Central Communications, Sheriff, Corrections, County Attorney and Clerk of Courts.

Firms/consultants interested in assisting the County's Criminal Justice System Task Force in researching sources and developing recommendations for an effective and efficient computerized system should provide data relating to their general background and expertise in this area to:

Anthony C. Palumbo, Chairman
Criminal Justice System Task Force
Anoka County Attorney's Office
325 East Main Street
Anoka, MN 55303

ALL RESPONSES MUST BE RECEIVED BY DECEMBER 11, 1987.

Tim Yantos
Deputy County Administrator

Ramsey County

Notice for Prequalifications for Highway Reconstruction Preliminary Engineering— Design

Ramsey County Public Works Department proposes the reconstruction of Centerville Road (CSAH 59) from T.H. 96 to County Road J in White Bear Lake, North Oaks and White Bear Township.

The Department of Public Works, in cooperation with the Cities of White Bear Lake, North Oaks, the Town of White Bear and the Minnesota Department of Transportation's Office of State Aid requires the services of a qualified consultant for preliminary engineering and preparation of detailed plans for the reconstruction of County State Aid Highway (CSAH) 59 (Centerville Road) located between I-35E and County Road J.

The services required are the preparation of field surveys, soil analysis and structure alternatives, detailed design plans, and specifications for County State Aid Highway contract award. The consultant will also be required to conduct public meetings and secure approvals from the municipalities and the Minnesota Department of Transportation's Office of State Aid.

Consultants should submit six copies of their prequalification brochure and/or experience resume, including federal forms 254 and 255, by December 11, 1987. The brochure and resume shall be limited to 20 pages. This is not a request for proposal. The prequalifications will be used by the County as a mechanism for selecting which firms will be invited to prepare proposals for the construction plans preparation work. The County anticipates requesting formal proposals and interviews from five firms. The consul-

Non-State Public Contracts

tants will be evaluated based on the interviews and proposals. The selection committee will make a recommendation to the Ramsey County Board by January 8, 1988.

Please send your response to Kenneth E. Weltzin, County Engineer, Ramsey County Department of Public Works, 350 St. Peter Street, Suite 270, St. Paul, Minnesota 55102.

Supreme Court Calendar

Listed below are the cases scheduled to be heard by the Minnesota Supreme Court in the next few weeks. This listing has been compiled by the Minnesota State Law Library for informational purposes only. Cases may be rescheduled by the Court subsequent to publication in the *State Register*. Questions concerning dates, locations, cases, etc., should be directed to: Clerk of the Appellate Courts, Room 230 State Capitol, St. Paul, MN 55155 612-296-2581.

December 1987

Compiled by Mary D. Flynn, (612) 297-4050

Monday 30 November 1987 9:00 AM

C5-86-2081 In the Matter of the Welfare of K.S., (Attorney for the Appellant: Jeffrey A. Hassan of Hassan & Reed, Ltd.) (Attorney for the Respondent: Thomas L. Johnson Hennepin County Attorney).
Opinion Court of Appeals

Is a minor child's bank account, established through a personal injury settlement, to be considered as liquid assets and resources for purposes of medical assistance eligibility?

Is Hennepin County entitled to reimbursement from K.S., for payments made by Hennepin County for her care and treatment?

Is Hennepin County entitled to reimbursement to the extent that K.S.'s parents used money from her bank accounts to pay their own cost of care obligation?

Did the Hennepin County Juvenile court have jurisdiction to rule on the parties motions for declarative and substantive relief?

Tuesday 1 December 1987

C5-87-664 STATE of MINNESOTA, Respondent (Attorney: Thomas L. Johnson) vs. **GRAILON LEON WILLIAMS, Appellant** (Attorney: C. Paul Jones, State Public Defender).
Judgment Hennepin County

Was the evidence insufficient as a matter of law to sustain appellant's conviction where the evidence failed to dispel all reasonable doubt as to appellant's guilt?

Was the appellant denied a fair trial and due process of law where the plea agreements entered into with the State's chief witnesses obligated them to testify?

Is the appellant entitled to jail credit for time spent in custody from the date of his arrest to the date of his sentencing?

C6-86-2087 LARRY I CHARSON, petitioner, Appellant (Attorney: Alan G. Greenberg) vs. **TEMPLE ISRAEL, Respondent** (Attorneys: Richard A. Lind of Lommen, Nelson, Cole & Stageberg and Leo G. Stern of Fredrikson & Byron).
Opinion Court of Appeals

Did the trial court err in refusing to vacate the dismissal of this action entered pursuant to the automatic dismissal rule created by the Hennepin County District Court?

Is the automatic dismissal procedure inconsistent with Rule 41.02 of the Minnesota rules of civil procedure?

Does the automatic dismissal procedure offend the due process clauses of the United States and State of Minnesota Constitutions?

Wednesday 2 December 1987 9:00 AM

C8-87-1274 SOUTH BRYN MAWR HIGHWAY COMMITTEE, et al., etc., petitioners, Appellants (Attorney: Jeffrey P. Anderson

of Nichols, Kaster & Anderson) vs. **MINNESOTA DEPARTMENT of TRANSPORTATION, Respondent**, (Attorney: Lloyd J. Moosbrugger and John B. Galus, Assistant Attorneys General) **MINNESOTA POLLUTION CONTROL AGENCY, Respondent** (Attorney: Jocelyn F. Olson, Assistant Attorney General).

Order Hennepin County

Does the noise exemption provision contained in *Minnesota Statutes* §161.125 subd. 1, as amended satisfy the single subject rule of Art. IV, §17 of the *Minnesota Constitution*?

C0-87-1608 THOMAS S. HANSON, Plaintiff (Attorney: Mark A. Munger of MacDonald, Munger, Downs & Munger) vs. **AMERICAN FAMILY MUTUAL INSURANCE COMPANY, Defendant** (Attorney: Brian R. McCarthy of Donovan, McCarthy, Crassweller & Magie, P.A.).

Certified Question United States District Court

District of Minnesota, Fifth Division

Does *Minnesota Statutes* §65B.49 Subd. 3(a)(7) preclude uninsured motorist coverage when the injured claimant is riding on an uninsured motorcycle at the time of the injury?

Thursday 3 December 1987 9:00 AM

C0-87-1429 MICHAEL FREEMAN, Appellant, (Attorney: James M. Shultz) vs. **Q PETROLEUM CORPORATION et al., Respondents** (Attorney: Robert H. Peahl of Peahl & Day).

Order Hennepin County

What statute of limitations applies to a claim made pursuant to *Minnesota Statutes* §181.75 subd. 4?

C1-79-50111 In the Matter of the Application for the Reinstatement of JAMES L. WEGNER, as an Attorney at Law of the State of Minnesota

Application for Reinstatement

Monday 7 December 1987 9:00 AM

C3-87-369 STATE of MINNESOTA, petitioner, Appellant (Attorney: John C. Hoffman Mille Lacs County Attorney) vs. **DONALD WILLIAM WARREN, Respondent** (Attorney: C. Paul Jones State Public Defender).

Opinion Court of Appeals

Did the trial court err in awarding one criminal history point for misdemeanor convictions where the record on a necessary conviction did not contain a factual basis for the plea?

CX-87-224 DIANA MANDELL VOSS et al., Respondents (Attorney: Brad A. Johnson Assistant Ramsey County Attorney) vs. **JOHN DUERSCHERL, father of TERRY ALLAN DUERSCHERL, deceased, et al., petitioners, Appellants** (Attorney: Mary L. Knoblauch of Maun, Green, Hayes, Simon Johanneson and Brehl).

Opinion Court of Appeals

Did this paternity action survive against the father and siblings of the deceased putative father?

Are the relatives of the deceased putative father proper parties to this paternity action?

Is requiring appellants to submit to blood testing an impermissible retroactive application of an amendment to *Minnesota Statutes* §257.62 subd. 1, that was passed after the putative father's death?

Does an application of *Minnesota Statutes* §257.62 subd. 1, to appellants violate their constitutional due process rights.

Are respondents collaterally estopped from bringing a motion to compel blood testing?

Did Respondents waive any right they may have to compel blood testing of appellants?

Tuesday 8 December 1987 9:00 AM

CX-87-871 STATE of MINNESOTA, Respondent (Attorneys: Marcy S. Crain and M. Katherine Doty Assistant County Attorneys) vs. **RAMON FLORES, Appellant** (Attorney: C. Paul Jones Minnesota State Public Defender).

Judgment Anoka County

Was the evidence insufficient as a matter of law to sustain the verdict of first degree murder?

Did the trial court properly instruct the jury on premeditation and the intoxication defense?

Did the evidentiary rulings of the trial court deprive appellant of his constitutional right to due process and a fair trial when the trial court refused to allow expert testimony on intoxication, admitted non-Spreigl evidence which was part of the occurrence out of which the murder arose and allowed the State to introduce a replica of the murder weapon as demonstrative evidence?

Supreme Court Calendar

Wednesday 16 December 1987 9:00 AM

C4-85-1848 In Re proposed Rules Governing Access to Records of the Judiciary.
Hearing to Consider Adoption of Proposed Rules

Supreme Court Decisions

Decisions Filed Friday 13 November 1987

C6-87-981 St. Paul Fire & Marine Insurance Company v. Norman Perl. Hennepin County.

An indemnification and "hold harmless" agreement entered into between an attorney and his law firm extinguishes the subrogation rights of the firm's insurer for claims paid as a result of the attorney's breach of fiduciary duty to his clients when the actions were taken in good faith and believed to be in the firm's best interests.

Certified question answered in the affirmative. Yetka, J.

Dissenting, Wahl, Kelley, JJ.

Took no part, Coyne, J.

CX-87-1749 State of Minnesota v. John Norbert Neisen, petitioner Appellant. Court of Appeals.

Minn. Stat. § 340A.503 (1986), making liquor sales to underage persons unlawful, retains the so-called "carding" defense whereby the defendant vendor may show that he or she attempted to determine the purchaser's age by a bona fide examination of the purchaser's documentary proof of age as specified in subdivision 6 of the statute.

Reversed. Simonett, J.

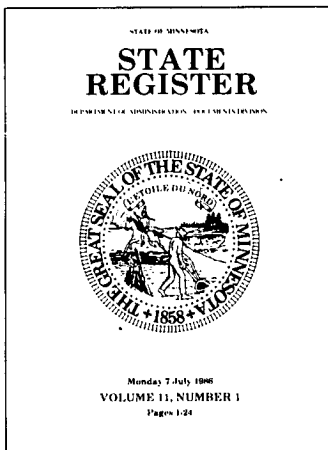
Took no part, Scott, J.

Announcements

Arts Board Announces New Folk Arts Programs: The Minnesota State Arts Board is accepting applications for two new grant opportunities in its Folk Arts program. The Arts Board now offers **Folk Arts Apprenticeships**, in which apprentices may study a traditional art form with a recognized master artist. The **Folk Artists Directory**, which will feature outstanding Minnesota folk artists interested in performance and presenting throughout the state, is another new component of the program. The **Folk Arts Apprenticeship Program (Deadline: January 11, 1988)** is designed to provide support to help master folk artists teach their skills to promising apprentices. The apprenticeship program will encourage the transmission of folk arts skills by traditional means, from one folk artist to another. Under this program, the applicant for the grant is the apprentice, but the master is also involved in the application process. Applications will be accepted from apprentices working within all folk arts traditions, including singing, music, dance, storytelling, creation of traditional objects, needlework, and the various decorative arts practiced by ethnic groups. Funds may be used for the master's fees, or for apprentice expenses, such as transportation and supplies. The **Minnesota Folk Artists Directory (Deadline: February 12, 1988)** will be a juried list of folk artists from throughout the state who are interested in public performance opportunities. The Arts Board is compiling the directory as a resource for state and local organizations interested in presenting the folk arts, but unable to locate qualified Minnesota folk artists. This directory will be distributed on request to arts programmers throughout the state. In order to be listed in the directory, folk artists must submit work samples for evaluation by a panel of folk arts experts. A listing in the directory will not guarantee employment, but will increase an artist's visibility and offer the opportunity to reach new audiences. Application forms are available from the Minnesota State Arts Board, 432 Summit Avenue, Saint Paul, MN 55102. Questions about either of these new programs should be directed to Philip Nusbaum, Folk Arts Program Associate at (612) 297-2603. Artists calling from greater Minnesota may use the state's toll-free line at (800) 652-9747, and ask for the Arts Board.

Environmental Quality Board: Environmental Assessment Worksheets (EAWs) due December 16 and their respective regional governing authority are: Woodlane Place, City of Woodbury; Your Haven Resort, Stearns County; NBA Arena and Health Club, City of Minneapolis; National Kayaking Center/St. Louis River, Carlton County; Earl B. Olson Farms (1987), Meeker County and Trout Brook Interceptor, MPCA (MN Pollution Control Agency). Notice is given of a change in the hearing schedule in the application of Bayport Marina to increase by 55 the number of motorcraft moored at its marina in Bayport. The first day of hearing will not be on Wednesday, November 18, 1987, but rather on Thursday, November 19. Members of the public hearing are asked to present their testimony on Tuesday, November 24, 1987, when the hearing again will be in the West Conference Room in the Washington County Courthouse beginning at 9:30 a.m. For more information contact *EQB Monitor* editor Gregg Downing at (612) 296-8253.

The Great Minnesota Ski Pass Purchase Simplified: As in the past, a Minnesota Cross-country Ski Pass is required of persons between the ages of 16 and 64 when using any one of over 200 public ski touring trails in Minnesota. But several changes have taken place to make that purchase easier. You can now buy a ski pass with a VISA/MasterCard or through the mail using a check or money order. After Nov. 16, they will also be available for purchase in person at most state parks, from all county auditors and from over 200 local businesses and parks. An annual individual ski pass costs \$5.30; a husband/wife combination is \$7.95. A three-year, individual ski pass costs \$14.84; a husband/wife combination is \$22.26. All prices include sales tax. Proceeds help post signs at and groom and maintain cross-country ski trails throughout the state. Operators are ready to process phone orders, clarify mailing procedures and identify local ski-pass outlets. Call (612) 296-6699 in the Twin Cities or toll-free in Minnesota 800-652-9747 from 8:00 a.m. to 4:30 p.m. weekdays. Ask for "THE GREAT MINNESOTA SKI PASS."



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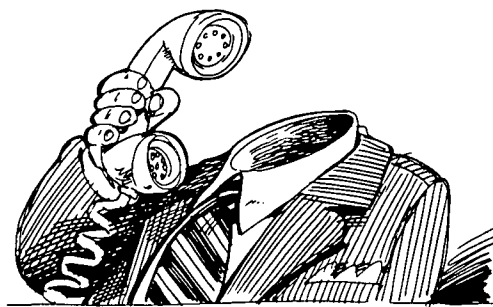
An annual subscription is \$130 and a 13-week trial subscription is \$40. MasterCard/VISA orders can be taken over the phone, otherwise prepayment is required. Send your orders to the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155.

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1987 & 1988 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically name, agency, Minnesota region, plus an index for cross referencing. Over 250 pages, paperback, 8½"x11". Code #1-87. \$10.95

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Department of Commerce Regulated Profession Publications

Banking Laws 1986. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76 \$29.95

Business and Nonprofit Corporation Act 1987. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 80B, 302A, 317. Code #2-87 \$10.00

Fair Labor Standards Act 1987. Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$5.00

Insurance Laws 1986. A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1 \$14.95

Insurance Rules 1986. Essential licensing information for businesses and agents. Includes standards on policies, practices, marketing and continuing education. Code #3-1 \$14.00

Notary Public Laws 1987. Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of the office and procedures for removal from office. Code #2-13 \$4.00

Real Estate Laws 1987. Complete and up-to-date extract from the 1986 Minnesota Statutes. Code #2-92 \$6.00

Real Estate Rules 1987. Contains all education and licensing requirements for agents. Chapters 2800, 2805, and 2810. Code #3-99 \$8.00

Securities Laws 1987. Governs the activities of broker/dealers, agents or investment advisors. Chapter 80A. Code #2-12 \$6.00

Securities Rules 1987. Subjects include standards of conduct, equity securities, investment companies and more. Chapter 2875. Code #3-5 \$13.00

Banking Rules 1987. New rules are expected in early fall '87. Call then for more information.

Uniform Commercial Code 1986. Chapter 336. U.S. laws governing trade, including contracts, title, payment, warranties, performance and liability. Code #2-2 \$10.00

Mailing Lists. All kinds available. A catalog will be available in late summer '87. Call to receive a copy. (612) 297-2552 or 296-0930.

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



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Minnesota: national leader in education

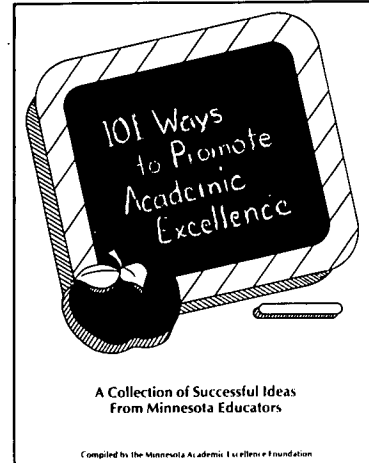
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Education Directory, 1986-87

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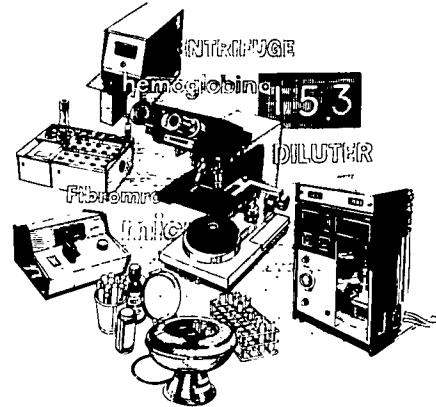
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The Minnesota Documents Division has a variety of mailing lists of licensed professionals and permit holders that will enable you to focus your marketing efforts on a targeted audience.

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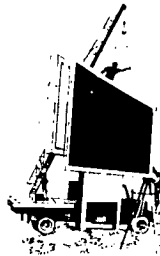
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Minnesota Manufacturer's Directory 1986-87

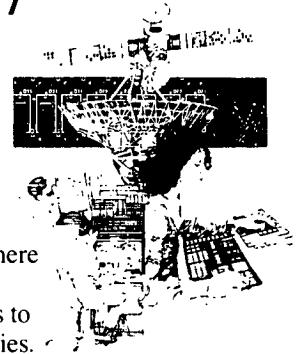


UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$68.50.

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.



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Voices of the Loon

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

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

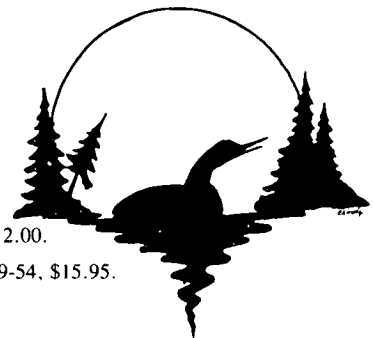
The Loon: Voice of the Wilderness, hardbound with color plates and illustrations, 143 pages. Code #19-54, \$15.95.

Loon Calendar 1988, 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.



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Minnesota's future environment

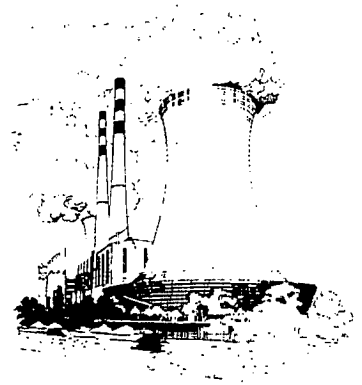
The issue of environmental protection is of continuing interest to both Minnesota business and the general public. Stay abreast of changes in state government regulations with these publications.

1986 Pollution Control Laws

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

1986 Hazardous Waste Rules

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



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Human Services Informational and Instructional Bulletin	\$100.00	90-6	Tax Court/Property Decisions	\$210.00	90-11
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PERB (Public Employee Relations Board) Awards	\$285.00	90-9	Workers Compensation Decisions Vol. 38 (limited quantity)	\$ 89.50	
PERB (Public Employee Relations Board) Decisions	\$ 60.00	90-10	Workers Compensation Decisions Vol. 39	\$ 95.00	90-13
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Selling business and financial services to physicians?

Physicians Directory 1985

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

Medical Alley Directory 1986

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

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For Real Estate Professionals:

REAL ESTATE RULES 1987

Chapters 2800, 2805, and 2810 from the Minnesota Rules. *Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code No. 3-99. \$8.00

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Includes all the changes made by the 1986 State Legislature. Complete and up-to-date. Code No. 2-92. \$6.00.



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Morel: Minnesota's mushroom

ROON: A Tribute to Morel Mushrooms, this delightful treatise on the "filet mignon" of mushrooms will help the stalker of this elusive prey find, and prepare in a variety of ways, its mouth-watering madness. Code #19-55, \$12.00.

Edible Mushrooms, a classic guide to safe mushrooms, describes 60 species in detail, with photographs (many in color) to show each in its natural habitat. Advice to amateur mushroom hunters. Paperbound, 118 pp. Code #19-11, \$9.95.

Malfred Ferndock's Morel Cookbook, brim full of morel lore, interesting and tall tales, recounts of the hunt, and many savory recipes. Spiral bound, 117 pgs., black & white photos and drawings. Code #19-83, \$8.50.

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



Jane Smith

NOTARY PUBLIC-MINNESOTA

RAMSEY COUNTY

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Small Business Finance

Code No. 16-42. \$2.00.

Starting and Managing a Small Business of Your Own

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Plumbing Code 1987. Rules concerning public safety and health in regard to: materials, joints, traps, fixtures, water supply, drainage, inspection and water conditioning. Code #3-6, \$11.00.

Health Care Facilities Directory 1987. A list of hospitals and related institutions licensed and/or certified to deliver various levels of care. The list is alphabetical by county, town and facility name. Code #1-89, \$15.00.

Human Services Rules Supplement 1987. The 1987 Supplement to the Department's rule book includes recent changes to many rules in effect from July 1986 through January 1987. Code #3-95s1, \$14.00.

Human Services Rules 1986. Governs assistance programs, eligibility, grant amounts, AFDC and residence requirements. *Minnesota Rules* 9500-9580. Code #3-95, \$24.95.

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