State of Minnesota

# STATE REGISTER

Department of Administration—Documents Division



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## State Register =

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

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

#### **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	lssue Date	
45	Monday 25 April	Monday 2 May	Monday 9 May	
46	Monday 2 May	Monday 9 May	Monday 16 May	
47	Monday 9 May	Monday 16 May	Monday 23 May	
48	Monday 16 May	Monday 23 May	Monday 30 May	

<sup>\*</sup>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.

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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Minnesota Documents Division

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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:

#### **SENATE**

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office

Room 231 State Capitol, St. Paul, MN 55155

(612) 296-0504

#### HOUSE

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

This Week—weekly interim bulletin of the House.

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

Contact: House Information Office

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

<sup>\*\*</sup>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.

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## Minnesota Rules: Amendments and Additions:

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

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

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

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the State Register, a subscription, the annual index, the Minnesota Rules or the Minnesota Guidebook to State Agency Services, contact the 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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## **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 Labor and Industry**

#### **Adopted Permanent Rules Relating to Employee Termination Notice**

The rule proposed and published at *State Register*, Volume 12, Number 16, pages 825-826, October 19, 1987 (12 S.R. 825) and Volume 12, Number 25, pages 1250-1251, December 21, 1987 (12 S.R. 1250) is adopted with the following modifications:

#### **Rules as Adopted**

#### 5200.0280 DISCRIMINATION AND TERMINATION.

Subp. 2. Form and time of notice. Notice is accomplished by:

A. posting summaries of Minnesota Statutes, sections 181.931 to 181.935 in a conspicuous and accessible place in or about the premises in which any employee works; and

B. by reminding the employee at termination of the employee's right to request in writing the employer's reason in writing for termination under Minnesota Statutes, section 181.933, subdivision 1.

Subp. 3. Penalties. Employer noncompliance is subject to penalties under Minnesota Statutes, sections 177.31; 177.32; and 181.935.

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

#### Adopted Rules =

## **Secretary of State**

#### **Adopted Permanent Rules Relating to Bonding of Vendors**

The rules proposed and published at *State Register*, Volume 12, Number 34, pages 1746-1748, February 22, 1988 (12 S.R. 1746) are adopted as proposed.

## **Waste Management Board**

#### Adopted Permanent Rules Relating to Waste Tire Dump Abatement

The rules proposed and published at *State Register*, Volume 12, Number 33, pages 1704-1710, February 15, 1988 (12 S.R. 1704) 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.

#### **Board of Assessors**

# Notice of Intent to Solicit Outside Information and Opinions Regarding Proposed Rules Governing the Education, Licensing, and Discipline of Assessors

Notice is hereby given that the Board of Assessors is seeking information or opinions from outside sources in preparing to promulgate rules governing the education, licensing and discipline of assessors. The adoption of these rules is authorized by *Minnesota Statute* 270.41 (c), which states that the Board of Assessors may adopt rules under chapter 14 defining or interpreting the grounds for refusing to grant or renew, suspend or revoke, an assessor's license.

The Board of Assessors requests information and comments concerning the subject matter of these proposed rules. Interested persons or groups may submit statements, data or views orally, or in writing. Written statements should be addressed to:

Gerald D. Garski Minnesota Department of Revenue Board of Assessors Mail Station 3340 St. Paul, Minnesota 55146-3340

Oral statements will be received during regular business hours over the telephone at (612) 642-0483 and in person at:

Brown and Bigelow Building Garden Level, Suite 10 450 North Syndicate Street St. Paul, Minnesota 55104

All statements of information and comment shall be accepted until June 15, 1988. Any written material received by the Board of Assessors shall become part of the record in the event that the rules are promulgated.

Gerald D. Garski, Executive Secretary Board of Assessors

#### **Ethical Practices Board**

#### Request for Advisory Opinion Re: Contribution Plan

The Ethical Practices Board solicits comments regarding the following request for an advisory opinion received from Bruce D. Willis. Written comments should arrive at the Board office, 625 N. Robert St., St. Paul, MN 55101, prior to May 17, 1988, for

consideration at the Board's meeting of May 19, 1988. April 29, 1988—I am writing to you on behalf of the Minnesota State Bar Association ("MSBA"), a nonprofit corporation, and the Lawyers Public Affairs Commission ("LAWPAC"), a duly registered political fund of the MSBA, to request an advisory opinion from the Ethical Practices Board.

The MSBA has approximately 12,000 members and is considering a membership dues increase of \$3.00 or some similar nominal amount in the hope that a substantial portion of the amount realized by the dues increase will be directed to LAWPAC.

The membership dues of some members of the MSBA are paid by professional and other corporations. Dues paid on behalf of MSBA members by corporations and dues paid by member judges, who are prohibited by the Code of Judicial Conduct from contributing to political organizations or candidates, will be segregated from dues paid by other members from individual funds. The MSBA would consider only the accumulated amount of the dues increase that is paid for by members from individual funds to be eligible for transfer to LAWPAC by the MSBA Board of Govenors. The balance of the funds realized by the dues increase would go to the MSBA general fund.

It is proposed that the next MSBA dues statement contain an "advisory question", which would ask *all* members of the MSBA to express their opinions regarding whether the amount realized by the dues increase should be transferred to LAWPAC. The MSBA portion of the dues increase that is consistent with the expressed will of the entire MSBA membership, to the extent that there are funds from individuals sufficient for such a transfer. For example, if it develops that 75% of the dues increase is paid from individual funds, and one-half of the membership indicates that they want the dues increase to go to LAWPAC, one-half of the total amount of the dues increase would be transferred to LAWPAC, all from the account consisting of dues paid from individual funds. If all of the membership indicated that they wanted the dues increase to be transferred to LAWPAC, 75% of the dues increase would be so transferred, since that is the maximum amount that would be available in dues increase monies paid from individual funds.

As you know, a political fund such as LAWPAC may receive financial support from membership dues, pursuant to *Minnesota Statutes* § 10A.12, subd. 5. In addition, *Minnesota Statutes* § 10A.01, subd. 16, defines a political fund, in pertinent part, as "any accumulation of dues or voluntary contributions by an association other than a political committee." Nowhere in Chapter 10A is there a requirement that the sponsoring organization receive permission from its individual members before assigning a portion of their dues to a political fund. In fact, as indicated by the language quoted above, there are two methods of financing a political fund: through an accumulation of dues or through voluntary contributions. Therefore, it appears that no violation of Chapter 10A would occur if the MSBA Board of Governors were to transfer individually-paid dues to LAWPAC without an advisory question on the dues statement, although the MSBA wants to use an advisory question in order to ensure that any transfer of dues to LAWPAC is consistent with the expressed will of the MSBA membership.

However, there are two concerns we would like to have addressed by the Board. Both relate to Advisory Opinion #86, approved by the Ethical Practices Board on January 12, 1984, and issued to the Minnesota Trial Lawyers Political Action Committee. As you know, the opinion request related to a "reverse check-off" system, whereby it was proposed that dues statements sent to members of the association would indicate that a portion of each member's dues would be transferred to a political fund unless a member affirmatively requested that such a transfer of his or her dues not be made.

We are aware that pursuant to Minnesota Statutes § 10A.02, subd. 12, Advisory Opinion #86 could only be relied upon by the party to whom it was issued and that pursuant to the same statute, Advisory Opinion #86 has lapsed, so it technically can no longer be relied upon even by that party. However, the first issue upon which we seek the Board's guidance relates to the first condition expressed by the Board in approving the Minnesota Trial Lawyers Association's reverse check-off system. In that opinion, the Board stated that the plan "must offer each member the opportunity to decide whether a predetermined amount of the member's annual dues will be directed [to the political fund.]" That appears to inject a requirement for voluntariness on the part of individual members with regard to the disposition of dues, for which we find no basis in Chapter 10A. As we have described above, the MSBA proposal would allow all members, including those whose dues are paid from corporate funds, to express their opinions regarding the disposition of the entire amount raised by the dues increase. If it is necessary for each individual member to be given the opportunity to decide whether that individual member's dues increase will be transferred to LAWPAC, it obviously makes no sense to allow those members whose dues are paid by corporations to respond, since their individual increases will not be available for transfer to LAWPAC. Our first question of the Board is simply whether Chapter 10A requires the MSBA to give each member paying dues from individual funds, and only each such member, the opportunity to determine whether that member's individual dues increase will be transferred to LAWPAC or whether the MSBA can allow all of its members to express their opinions on the disposition of the accumulated amount of the dues increase and make a transfer to LAWPAC accordingly, to the extent there are sufficient funds from individuals for the transfer.

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

#### **Official Notices**:

The second issue that we ask the Board to address relates to the second condition described by the Board Advisory Opinion #86, that is, that each member be provided with notice that the member is protected against economic reprisals under *Minnesota Statutes* § 10A.20, subd. 11, which provides, in part, that "[n]o person or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any person or association because of that person's or association's political contribution or political activity..." Must such a notice be printed on MSBA dues statements along with the advisory question, in light of the facts that the MSBA is aware of the prohibition against reprisals, the MSBA is not in a position in any event to undertake economic reprisals against its members; with very few exceptions, the MSBA does not employ its members; and there clearly is no plan to engage in physical coercion of members? If such a notice is required, it would seem that it should appear on any fund raising solicitation. That clearly is not general practice, and we do not believe it should be necessary in this instance. Thank you for your consideration of these matters.

# Department of Human Services Children Services Division

#### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Child Care Sliding Fees and Grants For Child Care Services

Notice is hereby given that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of a rule governing the administration of grants for child care services and for administration of a child care sliding fee program. *Minnesota Statutes*, section 268.911 and House File 2126, Article 2 sections 103 through 107 and section 266, passed during the 1988 Legislative Session authorize the Commissioner of Human Services to award grants to develop child care services, including facility improvement expenses, interim financing, resource and referral programs, and staff training expenses. *Minnesota Statutes*, sections 268.91, and House File 2126, Article 2 sections 223 through 231, direct the commissioner to distribute child care funds, for reducing, according to a sliding fee schedule, the costs of child care services to enable eligible families to seek or retain employment or to participate in education or training programs needed to obtain employment; and to develop standards for county and human services boards, and post-secondary educational systems, to provide child care services to enable eligible families to participate in employment, training, or education programs.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Ms. Vicki Kunerth, Children Services Division, Department of Human Services, 444 Lafayette Road, St. Paul, Minn. 55155-3832. Oral statements will be received during regular business hours over the telephone at (612) 296-6085 and in person at the above address.

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

# Department of Public Safety Fire Marshal

#### Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules of the State Department of Public Safety Governing Amendments to the Minnesota Uniform Fire Code

Notice is hereby given that the State Department of Public Safety is seeking information or opinions from sources outside the agency in preparing to promulgate rules governing the Minnesota Uniform Fire Code.

The promulgation of these rules is authorized by *Minnesota Statutes* section 299F011, which permits the agency to amend the Minnesota Uniform Fire Code.

The State Department of Public Safety requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Connie Weaver State Fire Marshal Division Market House 289 East Fifth Street St. Paul, MN 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-7870 and in person at the above address.

All statements of information and comment shall be accepted until June 16, 1988. Any written material received by the State Department of Public Safety shall become part of the rulemaking record in the event that the rules are promulgated.

Paul J. Tschida Commissioner of Public Safety

## 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. Contact listed buyer.

Commodity: Mini van and handicapped conversion

Contact: Bernie Vogel 612-296-3778 Bid due date at 2pm: May 12 Agency: Jobs & Training

**Deliver to:** Minneapolis **Requisition #:** 21607 65911

Commodity: Ethernet network sever w/

hardware & software

Contact: Mary Jo Bruski 612-296-3772

Bid due date at 2pm: May 12 Agency: Transportation Deliver to: St. Paul

**Requisition #:** 79000 84286

Commodity: High speed floor machines

& vacuum cleaner

Contact: Brenda Thielen 612-296-9075

Bid due date at 2pm: May 12 Agency: State University Deliver to: Winona

Requisition #: 26074 12165

Commodity: Automated power file Contact: Linda Parkos 612-296-3725

Bid due date at 2pm: Agency: Human Services Deliver to: St. Paul

**Requisition #:** 55000 91007

Commodity: Emergency Comm. —

command vehicle

Contact: Bernie Vogel 612-296-3778

Bid due date at 2pm: May 13 Agency: Public Safety Deliver to: St. Paul

**Requisition #: 07500 49152** 

Commodity: Heil box/aluminum dump

hox

Contact: Brenda Thielen 612-296-9075

Bid due date at 2pm: May 13

Agency: Transportation—Central Stop

Deliver to: St. Paul

**Requisition #:** 79990 00150

Commodity: Vehicle security screens Contact: Brenda Thielen 612-296-9075

Bid due date at 2pm: May 13

Agency: Dept. Public Safety, Warehouse

Deliver to: St. Paul

Requisition #: 07500 49147

Commodity: Concrete ready mix Contact: Pat Anderson 612-296-3777

Bid due date at 2pm: May 13 Agency: State University Deliver to: St. Cloud Requisition #: 26073 20410

Commodity: Quarry & road rock-

rebid

Contact: Pat Anderson 612-296-3777

Bid due date at 2pm: May 13 Agency: Natural Resources Deliver to: Pine Creek Requisition #: 29005 10048 1

Commodity: Upgrade of data general

MV/15000, model 10

Contact: Mary Jo Bruski 612-296-3772

Bid due date at 2pm: May 13

Agency: Health

**Deliver to:** Minneapolis **Requisition #:** 12400 25002

Commodity: Truck mounted paint

striper

Contact: Brenda Thielen 612-296-9075

Bid due date at 2pm: May 13 Agency: Transportation Deliver to: Rochester Requisition #: 79382 01363

Commodity: Roll-up construction sign

material

Contact: Jim R. Johnson 612-296-3779

Bid due date at 2pm: May 13 Agency: Transportation Deliver to: Various

Requisition #: Price Contract

Commodity: Aluminum and fiberglass

(FRP) sign blanks & sheets

Contact: Jim R. Johnson 612-296-3779

Bid due date at 2pm: May 13

**Agency:** Various **Deliver to:** Various

Requisition #: Price Contract

Commodity: Computer management

information system

Contact: Don Olson 612-296-3771 Bid due date at 2pm: May 13 Agency: Human Services Deliver to: St. Paul

Requisition #: Price Contract

Commodity: A complete line of brushes, brooms mops, etc. Contact: Don Olson 612-296-3771 Bid due date at 2pm: May 13

**Agency:** Various **Deliver to:** Various

Requisition #: Price Contract

Commodity: Dishwashing detergents Contact: Don Olson 612-296-3771 Bid due date at 2pm: May 13

**Agency:** Various **Deliver to:** Various

Requisition #: Price Contract

Commodity: Closed circuit reading

systems—rebid

Contact: Don Olson 612-296-3771 Bid due date at 2pm: May 13 Agency: Services For the Blind

Deliver to: St. Paul

Requisition #: Price Contract

Commodity: Telephone installation—

rebid

Contact: Joseph Gibbs 612-296-3750

Bid due date at 2pm: May 16 Agency: Attorney General Deliver to: St. Paul

Requisition #: 06000 07004

**Commodity:** X-ray spectometers

Contact: Joseph Gibbs 612-296-3750 Bid due date at 2pm: May 16

**Agency:** Pollution Control **Deliver to:** St. Paul

Requisition #: 32300 17462

**Commodity:** X-band traffic radar **Contact:** Pat Anderson 612-296-3777

Bid due date at 2pm: May 16 Agency: Public Safety—Warehouse

Deliver to: St. Paul

Requisition #: 07500 46962

Commodity: Fire rings

Contact: Doug Thompson 612-296-

3775

Bid due date at 2pm: May 17

**Agency:** Various **Deliver to:** Various

Requisition #: 29000 49963

Commodity: Genuine Gresen hydraulic

pump repair

Contact: Dale Meyer 612-296-3773 Bid due date at 2pm: May 18

**Agency:** Various **Deliver to:** Various

Requisition #: Price Contract

Commodity: Atomic absorbtion

spectrometer

Contact: Joseph Gibbs 612-296-3750 Bid due date at 2pm: May 18

Agency: Public Safety Dept.

Deliver to: St. Paul

Requisition #: 07300 48339

**Commodity:** Computer equipment **Contact:** Bernadette Vogel 612-296-

3778

Bid due date at 2pm: May 18

Agency: DNR-Northern Service Ctr.

**Deliver to:** Grand Rapids **Requisition #:** 29000 49576

Commodity: License plates steel Contact: Doug Thompson 612-296-

3775

Bid due date at 2pm: May 18

Agency: Corrections Deliver to: St. Cloud

Requisition #: 07700 46961

Commodity: Lease/purchase of Epson

equipment

Contact: Mary Jo Bruski 612-296-3772

Bid due date at 2pm: May 18 Agency: State University Deliver to: St. Cloud Requisition #: 26073 20401

Commodity: Stone/Marble containers &

brass signs

Contact: Doug Thompson 612-296-

3775

Bid due date at 2pm: May 16

Agency: Various

Deliver to: Various

Requisition #: 02307 81321

Commodity: Additions for HP mass

spectrometer system

Contact: Joseph Gibbs 612-296-3750 Bid due date at 2pm: May 18 Agency: Dept. of Public Safety

Deliver to: St. Paul

**Requisition #:** 07300-48359

Commodity: Concrete cylinder beam

tester

Contact: Joseph Gibbs 612-296-3750 Bid due date at 2pm: May 18

**Agency:** Various **Deliver to:** Various

**Requisition #:** 79000 84422

#### **Contract Awards—Materials Management Division**

Item: Computer equip.—supplies

Req.#: 30000 16809 01

Awarded to: Etak Inc., Menlo Park, CA Awarded amount: \$20,000.00 Awarded date: April 28, 1988 Shipped to: State Planning Agency—

**LMIC** 

Item: Laboratory supplies Req.#: 42500 11623 01

Awarded to: Process Systems Corp.,

Minneapolis, MN

Awarded amount: \$35,297.25 Awarded date: April 28, 1988 Expir/deliv date: May 4, 1988 Shipped to: Labor & Industry Dept.

Item: Janitorial & refuse disposal

service

Reg.#: 78830 08774 01

Awarded to: Park Refuse Service, St.

Cloud, MN

Awarded amount: \$23,895.00 Awarded date: May 2, 1988

Shipped to: MN Correctional Facility

Item: Service other purchased Req.#: 01000 05340 01

Awarded to: Morrison County, Little

Falls, MN

Awarded amount: \$48,600.00 Awarded date: May 3, 1988 Expir/deliv date: May 30, 1988 Shipped to: Various locations Item: Communications consulting

Req.#: 04262 82862 01

Awarded to: Minn. News Network, St.

Paul, MN

Awarded amount: \$37,674.00 Awarded date: May 3, 1988 Expir/deliv date: May 9, 1988 Shipped to: MN Dept. of Agriculture

Item: Computer equipment Req.#: 21200 17220 01

Awarded to: IBM Corp., Minneapolis,

MN

Awarded amount: \$227,200.00 Awarded date: May 3, 1988 Expir/deliv date: July 1, 1988 Shipped to: MN Dept. of Jobs and

Training

Item: Fire alarms (furnish & install)

Req.#: 27000 50195 01

Awarded to: Custom Communications,

Rochester, MN

Awarded amount: \$32,981.00 Awarded date: May 3, 1988 Expir/deliv date: June 1, 1988 Shipped to: Rochester Community

College

Item: Tractor wheeled industrial Req.#: 29000 49466 01

Keq.#: 29000 49400 01

Awarded to: Duke Durfee Co., N.

Mankato, MN

Awarded amount: \$18,835.00 Awarded date: May 3, 1988 Expir/deliv date: June 13, 1988 Shipped to: Various locations Item: Computer equipment Req.#: 29000 49738 02 Awarded to: Apple Computer Inc.,

Rolling Meadows, IL Awarded amount: \$17,730.20 Awarded date: May 3, 1988

Expir/deliv date: May 30, 1988 Shipped to: DNR—Bureau of

Information

Item: Video equipment & systems

Req.#: 79000 84248 01

Awarded to: Alpha Video & Audio,

Mpls., MN

Awarded amount: \$20,726.00 Awarded date: May 3, 1988 Expir/deliv date: June 15, 1988

Shipped to: MN Dept. of Transportation

Item: Furniture office

Req.#: 43000 09526 01 Awarded to: Exec. Office Concepts,

Minnetonka, MN

Awarded amount: \$17,614.45 Awarded date: May 4, 1988 Expir/deliv date: July 11, 1988

Shipped to: IRR&RB

## Department of Administration: Printing & Mailing Services

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

Commodity: Window envelopes #10, 100M, camera ready, one-sided, 41/8" × 91/2" union label required Contact: Printing buyer's office Bids are due at 4:30pm: May 10 Agency: Jobs & Training Dept.

**Deliver to:** St. Paul **Requisition #:** 6860

Commodity: Window envelopes, 4M, self seal 111/4" × 91/2", 21/2" gummed flap on back, brown kraft
Contact: Printing buyer's office

Bids are due at 4:30pm: May 10 Agency: Human Services Dept.

**Deliver to:** St. Paul **Requisition #:** 6820

Commodity: 1989 vacation planner, 20M, type to set/negs furnished, 17" × 11" folded once to 8½" × 11",

union label required **Contact:** Printing buyer's office

Bids are due at 4:30pm: May 10 Agency: Jobs & Training Dept.

**Deliver to:** St. Paul **Requisition #:** 6859

Commodity: Window report covers, 2M printed fronts, 2M blank backs, negs furnished, one-sided,  $8\frac{1}{2}" \times 11"$ , union label required

Contact: Printing Buyer's office Bids are due at 4:30pm: May 10 Agency: Jobs & Training Dept.

**Deliver to:** St. Paul **Requisition #:** 6861

Commodity: Journal voucher and billing notification, 25M sets, negs furnished, one-sided, 2-part form black carbon interleave,  $8\frac{1}{2}" \times 9\frac{1}{4}"$  sheet size to  $8\frac{1}{2}" \times 8\frac{1}{4}"$ 

Contact: Printing buyer's office Bids are due at 4:30pm: May 10 Agency: Human Services Dept.

**Deliver to:** St. Paul **Requisition #:** 6828

Commodity: Braille mailing containers—rerun, 2M, type to set, one-sided, 13¼"×11½"×2½"

Contact: Printing buyer's office

Bids are due at 4:30pm: May 10

Agency: Jobs & Training Dept.

**Deliver to:** St. Paul **Requisition #:** 6918

Commodity: Certificates of achievement, 10M sets, camera ready & negs, 2-parts continuous carbonless, 5" × 7" plus tearstrips

Contact: Printing buyer's office Bids are due at 4:30pm: May 10 Agency: Employee Relations Dept.

**Deliver to:** St. Paul **Requisition #:** 6880

Commodity: Report of vulnerable adult maltreatment, 5M 2-part sets, type to set, two sided and one-sided,

8½" × 14¾" overall Contact: Printing buyer's office Bids are due at 4:30pm: May 10 Agency: Human Services Dept.

**Deliver to:** St. Paul **Requisition #:** 6795

Commodity: Watercraft operator's permit, 50M continuous forms, type to set, some camera ready, two sided Contact: Printing buyer's office Bids are due at 4:30pm: May 10

Agency: DNR—Boating Safety Section

**Deliver to:** St. Paul **Requisition #:** 6822

Commodity: 1988-89 Student handbook, 3,500 32-page + cover books, 8½"×11", camera ready, saddle stitched, two-sided Contact: Printing buyer's office Bids are due at 4:30pm: May 10 Agency: InverHills Community College

**Deliver to:** Inver Grove Heights

Requisition #: 6645

Commodity: Two brochures: 15M and 12M, both  $8\frac{1}{2}$ " × 14" folded in 4ths half and half, 80# Mead offset enamel, 4-color, camera ready art & type, 2-sided

Contact: Printing buyer's office Bids are due at 4:30pm: May 10 Agency: State University Deliver to: Mankato Requisition #: 6832

Commodity: Antlerless lottery
Applications, 138M, type to set,
continuous fanfold postcards (2
across) 13" × 41/4", 100# white tag,
13/4" × 31/2" blank white smudgeproof
permanent adhesive piggyback label

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13 Agency: DNR—License Bureau

**Deliver to:** St. Paul **Requisition #:** 6971

Commodity: Envelopes, 1 million, with window, 2-sided, camera ready, 7½" × 3¾" 24# white wove

Contact: Printing Buyer's Office

Bids are due at 4:30pm: May 13

Agency: Public Safety Dept.

**Deliver to:** St. Paul **Requisition #:** 6989

Commodity: Licenses, 10M 20# white bond, type to set,  $8\frac{1}{2}" \times 5\frac{1}{2}"$  after perf. Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13 Agency: Agriculture Dept. Deliver to: St. Paul Requisition #: 6833

**Commodity:** Camping permit, 10M books with numbering, 3-part form, 2-

sided, type to set

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13

Agency: DNR Deliver to: St. Paul Requisition #: 6533&4

Commodity: Business cards, 15 units of 250 cards each, raised lettering, camera ready, set some type, 65# ice

blue strathmore writing
Contact: Printing Buyer's Office
Bids are due at 4:30pm: May 13
Agency: Water & Soil Resources Board

**Deliver to:** St. Paul **Requisition #:** 6960

Commodity: Newsletter, 4M 70# white gloss, 11" × 25½" folded 3 times to 8½" × 5½", camera ready two-sided Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13 Agency: World Trade Center

**Deliver to:** St. Paul **Requisition #:** 6188

Commodity: Class schedule, 69,500 books, camera ready copy,  $7\frac{1}{2}$ " ×  $10\frac{3}{4}$ " saddle stitched, quarterly printing changes varying pages from est. 56pp.

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13 Agency: State University Deliver to: Mankato Requisition #: 6954

Commodity: The SEARCH, 24pp book + cover, 4,500 copies, 11½"×7", camera ready but keylining needed.

Contact: Printing Buyer's Office

Bids are due at 4:30pm: May 13

Agency: Community College

Deliver to: Rochester

Requisition #: 6964

Commodity: Job service calendars (1989), 6,300 18" × 27", type to set, one-sided, 100# white enamal, union label required

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13 Agency: Jobs & Training Dept.

**Deliver to:** St. Paul **Requisition #:** 6913

Commodity: Six various brochures, 41M 11" × 17" folded twice to

 $8\frac{1}{2}$ " ×  $5\frac{1}{2}$ ", 2-sided

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13

Agency: State University Deliver to: Winona Requisition #: 7025

**Commodity:** State Park fees sign, 300 12" × 18" one-sided 6-ply cardboard,

camera ready

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13 Agency: DNR—Parks Division

**Deliver to:** St. Paul **Requisition #:** 7008

Commodity: Introduction cards, 24M 2part carbon interleave, type to set, one and two sided, 6" × 7¾" overall Contact: Printing Buyer's Office

Bids are due at 4:30pm: May 13 Agency: Jobs & Training Dept. Deliver to: Minneapolis

Requisition #: 7036

Commodity: Verification & checklist, 22M negs furnished, some type to set, two-sided, 8½" × 14" detached

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13 Agency: Commerce Dept.

Deliver to: St. Paul Requisition #: 6992 Commodity: Envelopes, 2M #10, type

to se

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13

Agency: State Auditor Deliver to: St. Paul Requisition #: 6920

Commodity: Tax credit voucher, 4-part form 15M, type to set and negs/camera ready copy, one-sided, carbon interleave, 81/2" × 11" and 81/2" × 53/4"

Contact: Printing Buyer's Office Bids are due at 4:30pm: May 13 Agency: Jobs & Training Dept.

**Deliver to:** St. Paul **Requisition #:** 6776

## **Department of Administration**

#### **Printing and Mailing Services Division**

#### Request for Proposals for Graphic Arts Design

The Minnesota Department of Administration, Printing and Mailing Services Division, is accepting bid proposals for Graphic Arts Design work. Those persons interested in receiving a detailed copy of the request for proposal may write to the address below or contact Geri Christen at 612-296-2403.

Minnesota Department of Administration

117 University Avenue

Printing and Mailing Services Division

St. Paul, Minnesota 55155

About \$60,00 has been budgeted for this project and four contracts will be awarded. Proposals are due by 4:30 P.M., May 23, 1988.

## **Attorney General's Office**

#### **Natural Resources Division**

#### Notice of Request for Proposals for Consulting Service

The Natural Resources Division of the Attorney General's Office is requesting proposals from qualified consultants experienced in data base and system design and technical support to provide assistance in implementing a computer system to be used by the U.S. Department of Interior to manage the information requirements for the White Earth Reservation Settlement Act of 1985. These information management requirements include a complex relationship of 4land title data, genealogical records, estate probate data and judicial and Interior Department administrative tracking information. The consulting assistance is required to (1) analyze the data elements and information flow into and out of the system, (2) analyze and develop facility and data security criteria, systems operations procedures, data input instructions documentation, and report format requirements, (3) evaluate hardware and software alternatives and recommend specific system solutions appropriate to meet the needs of the application, and (4) provide technical support in implementing the data base system. Hardware and software systems configuration evaluation and recommendations shall take into consideration compatibility with Department of Interior systems and ease of systems operation and data base administration by Department of Interior personnel.

The data base design and systems study portion of this work is expected to be accomplished within a three-month time period. This project is expected to begin on June 1, 1988.

For a copy of the Request for Proposals, please contact:

Ken Stevenson

102 State Capitol

Attorney General's Office Litigation Systems Manager St. Paul, Minnesota 55155 Telephone: 612/296-6958

To be considered, proposals must be received at the above address no later than 4:30 p.m. May 16, 1988.

## **Department of Human Services**

#### **Health Care Programs Division**

#### **Notice of Availability of Health Care Consultation Contracts**

The Department of Human Services intends to issue a consultant contract to a physician board certified or eligible in internal medicine, family practice or rehabilitation with a background and experience in the determination of disability. This physician will function as a member of the State Medical Review Team.

The contract will be available from July 1, 1988 to June 30, 1989.

This contract will be awarded to a candidate based on his/her experience, education, achievements and professional standing. The Department of Human Services will make the final selection of a consultant and issue a contract based upon the Department's needs, but not to exceed \$24,000 for the period from July 1, 1988 through June 30, 1989.

Proposals must be received by May 23, 1988 and should be directed to:

Larry Woods, Supervisor Health Care Management Division Health Services Policy Section Space Center 444 Lafayette Road St. Paul, Minnesota 55155-3853 (612) 296-2846

## **Department of Human Services**

#### **Mental Health Division**

# Request for Proposals for Statewide Public Mental Health Educational Campaign on Depressive Mood Disorders

Notice is hereby given that the Mental Health Division, Department of Human Services is seeking proposals to provide a statewide public mental health educational campaign on depressive mood disorders.

Through a Purchase of Service contract, the Mental Health Division intends to purchase a statewide public mental health educational campaign designed to identify symptoms, available resources, and follow-up services, as well as training professionals to recognize persons experiencing depressive mood disorders. The proposal should include a detailed explanation of how the multimedia educational package will be linked to the existing community resources in the metropolitan and the outstate population areas.

Funding is from the state mental health special projects account. The maximum amount available is \$150,000.

We must receive proposals by 4:20 p.m., CDT, June 10, 1988. We reserve the right to reject all proposals.

Please direct request for the complete information package and questions to:

Mike Hughes <u>OR</u> Dwight Peterson Minnesota Department of Human Services 444 Lafayette Road St. Paul, Minnesota 55155-3828 612/296-7908 612/297-4568

## **Department of Labor and Industry**

#### **Request for Proposals for Technical Management Consultants**

The Minnesota Department of Labor and Industry is requesting proposals from consultants to provide technical management consultative assistance to a project designed to gather information about the services provided by the Regulation and Enforcement Divisions of the Department. These divisions assure that conditions of employment, safety standards and wages paid comply with legal requirements. The five Regulation and Enforcement Divisions consist of Labor Standards, Apprenticeship, Code Enforcement, OSHA Compliance and OSHA Consultation.

The goal of this project is to survey the clients of the OSHA Compliance and Consultation programs which provide direct services to businesses to find out how satisfied they are with the Department's efforts. The information obtained from the surveys will be used for program improvements. The consultant must: develop a survey instrument based upon the needs of the division; administer the survey; analyze and summarize data; prepare report of findings which would include graphs and charts; and develop a system to monitor on-going feedback efforts.

This request for proposal does not obligate the State to complete the project and the State reserves the right to cancel this solicitation if it is considered to be in its best interest.

Responder may propose additional tasks or activities if they will substantially improve the results of the project.

Prospective responders who have any questions regarding the request for proposal may contact:

James Collins, Administrative Officer MN Department of Labor & Industry Regulation and Enforcement Division 444 Lafayette Road St. Paul, MN 55101 (612) 296-5433

All proposals must be sent to and received by:

James Collins, Administrative Officer MN Department of Labor & Industry Regulation and Enforcement Division 444 Lafayette Road St. Paul, MN 55101

Proposals must be received no later than 4:30 p.m., May 20, 1988. Late proposals will not be accepted. Submit four (4) copies of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposals as stated must be valid for the length of the project.

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

The project will be completed within three (3) months from the date of project authorization.

## Office of the Legislative Auditor

#### **Program Evaluation Division**

## Announcement of Request for Proposals (RFP) for Consultant Services for Evaluation of Physical Plant Operations at the University of Minnesota

The Legislative Auditor is conducting a comprehensive financial audit and program evaluation of the Physical Plant Operations at the University of Minnesota Twin Cities campus. The Program Evaluation Division requests proposals from qualified consultants to assist it in conducting the evaluation. The Division has identified three components of the evaluation which require specialized technical expertise and has developed a separate request for proposals for each. The three components are:

- 1. Evaluation of custodial services
- 2. Evaluation of computerized scheduled maintenance
- 3. Evaluation of maintenance (shops) projects.

Consultants may bid on any or all of these projects. Details about the projects are contained in the Requests for Proposals. Copies of additional information are available from:

Joel Alter Office of the Legislative Auditor 122 Veterans Service Building Saint Paul, Minnesota 55155 Phone: 612/296-8313

Proposals must be submitted to the Program Evaluation Division no later than 4:00 p.m., Monday, May 16, 1988.

## **Department of Trade & Economic Development**

#### Request for Proposal for Invention and Innovation Related Services

The Minnesota Department of Trade and Economic Development, Business Promotion Division, is seeking proposals from qualified firms and individuals for conduct of work in the study and design of a comprehensive, integrated, invention and innovation support and marketing system. The study will examine the feasibility of locating an invention and innovation center in the Twin Cities metropolitan area with a statewide network involving Twin Cities' suburban and greater Minnesota communities. The study will also include an additional component to encourage greater interest in innovative and inventive methods. It will also provide proposals for linking Minnesota based invention and innovation activities with similar efforts occurring both nationally and internationally. Funds for conduct of this work have been appropriated by the 1988 legislature for work in both the remainder of fiscal 1988 and all of fiscal 1989. The anticipated scope of work for the entire project is as follows:

- A. To examine the feasibility of locating an invention and innovation center in the Twin Cities metropolitan area, with a statewide network involving Twin Cities' suburban and greater Minnesota communities. At minimum, the study must include:
- 1. A taxonomy and a detailed description of the financial, informational, legal, marketing, referral, and other support available to inventors and innovators in the Twin Cities metropolitan area, and in each of the state's economic development regions.
- 2. A detailed description of gaps in financial, informational, legal, marketing, referral, and other support available to inventors and innovators in the Twin Cities metropolitan area, and in each of the state's economic development regions.
- 3. A detailed description of barriers to the development of a comprehensive, integrated, invention and innovation support and marketing system to remedy the gaps identified in Section 2.A.2. above that will serve both Twin Cities metropolitan area and greater Minnesota area residents.
- 4. The Contractor's recommendation on the feasibility of locating an invention and innovation center in the Twin Cities metropolitan area, with a statewide network involving Twin Cities suburban and greater Minnesota communities, together with reasons for the recommendation.
- 5. A detailed description of the contacts the Contractor has established and maintained during the study with invention-related organizations and the nature of their contributions to the study.
- B. Following completion of the study described in Section 2.A., to design a comprehensive, integrated, invention and innovation support and marketing system that at a minimum will include:
- 1. A detailed program for invention and innovation support and service delivery within the Twin Cities metropolitan area, in suburban areas, and in greater Minnesota. The program must include the Contractor's recommendation on the objectives, structure, work program, and staffing requirements for the invention and innovation center described in Section 2.A.4. of this Agreement, and the reasons for the recommendation.
- 2. An education component to encourage greater interest in innovative and inventive methods. This component at minimum must identify existing educational resources and curricula and discuss specifically how those resources and curricula will be used in education programs. Where there are gaps in educational resources, the education component must describe specifically how supplemental education programs will be developed. This component also must describe in detail methods for teaching invention and innovation, and disseminating invention research information to the Minnesota educational system.
- 3. Proposals for linking Minnesota-based invention and innovation activities with similar efforts occurring both nationally and internationally.
- 4. A detailed proposal for coordinating the efforts of individuals and organizations involved in providing invention and innovation support within Minnesota.
  - C. To provide the following periodic reports to the Department, through its Agreement Representative:
- 1. Within two weeks following execution of a contract, to provide a detailed work schedule for completion of the project. The work schedule is subject to approval by the Department's Agreement Representative.
- 2. To provide monthly progress reports describing work completed to date, work remaining, and estimated schedule for completion of the project.
- 3. To prepare and submit to the Department not later than December 15, 1988, an interim report describing in detail work completed to date, work remaining to be completed, and an estimated schedule for completion of the project.
- 4. To prepare and submit to the Department not later than June 1, 1989, a final report describing in detail the results of the study and the invention and innovation support and marketing system referred to in this section.
- D. To consult orally with the Department through its Agreement Representative at least monthly concerning the scope and conduct of the project.

#### Non-State Public Contracts

E. To cooperate with the Department in preparing interim and final reports to the Legislature.

F. Any reports required by this Agreement will be submitted in the quantity requested by the Department, not to exceed three (3) copies, one of which will be submitted in camera ready form.

Costs for performance of the total scope of work for the entire project may not exceed \$100,000.

Copies of the full Request for Proposals are available from:

Business Promotion Division
Attn: Charles A. Schaffer
Minnesota Department of Trade & Economic Development
900 American Center
150 East Kellogg Boulevard
St. Paul, MN 55101
Telephone: (612) 296-3871

BECAUSE FISCAL 1988 FUNDS ARE INVOLVED, TIME IS OF THE ESSENCE IN THE AWARD OF THIS CONTRACT. INTERESTED PARTIES SHOULD RESPOND WITH THEIR PROPOSALS NO LATER THAN MAY 23, 1988.

## 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.

## **Elk River Resource Recovery Facility Project**

## Request for Proposal for Refuse Derived Fuel Ash Storage and Disposal Facility

Anoka, Hennepin and eastern Sherburne Counties, the Tri-County Solid Waste Management Commission (comprised of Stearns, Benton and western Sherburne Counties), and Northern States Power Company (NSP) are requesting proposals for the siting, design, construction, permitting and operation of a facility for the temporary storage and permanent disposal of refuse derived fuel ash from the Elk River Resource Recovery Facility for a twenty year period.

Request for Proposals can be obtained by writing to: Richardson, Richter and Associates, Inc., 512 Nicollet Mall, Suite 550, Minneapolis, Minnesota 55402 or by contacting Mary Richardson at (612) 334-3210.

Proposals will be accepted by Richardson, Richter and Associates, Inc. until 5:00 P.M., CDT, on June 8, 1988, in accordance with the instructions in the Request for Proposals.

## **Tri-County Solid Waste Management Commission**

#### **Request For Proposals for Recycling Program**

The Tri-County Solid Waste Management Commission, which includes Benton, Stearns, and western Sherburne Counties, is seeking a company which can implement a comprehensive recycling program in the three counties. This is not a request for a recycling study, but rather for a company to implement the recycling programs outlined in the Tri-County Solid Waste Management Plan. For more information or to receive a copy of the RFP please contact:

Jerry Johnson, Coordinator Tri-County Solid Waste Management Commission P.O. Box 615 Room 120, Stearns County Courthouse St. Cloud, MN 56302 (612) 259-3610

Proposals must be submitted by 5:00 p.m. June 15, 1988.

#### **State Grants**

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

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

## Minnesota Job Skills Partnership

#### Grant proposals solicited for customized training programs

The May 16, 1988 meeting of the Minnesota Job Skills Partnership Board has been rescheduled to Monday, *June 20, 1988*. The Minnesota Job Skills Partnership Board solicits grant proposals from educational and other non-profit organizations for customized training programs designed for specific businesses. To receive consideration at the June 20 meeting, proposals must be submitted by June 1, 1988. For additional information, call (612) 296-0388.

## **Supreme Court Decisions**

#### **Decisions Filed 6 May 1988**

C4-87-901 David M. Gasper v. Northern Star Company and Employers Insurance of Wausau, Relators. Workers' Compensation Court of Appeals.

An injured employee, working at a wage loss, is entitled to temporary partial disability benefits 90 days after maximum medical improvement where the employee has not been offered and has not found a "suitable" job under *Minnesota Statutes* 176.101, subd. 3e or 3f (1984) within that 90-day period.

Payments of economic recovery compensation and temporary partial disability benefits may be paid concurrently.

Affirmed. Wahl, J.

C3-87-419, C2-87-511 Dale L. Hodder, Appellant (C2-87-511) v. The Goodyear Tire & Rubber Company, et al., defendants, petitioners, Appellant (C3-87-419) Pioneer Rim & Wheel Company and The Goodyear Tire & Rubber Company, defendant and third party plaintiff, petitioner, Appellant (C3-87-419) v. Remer Oil Comapny, Inc., third party defendant and Pioneer Rim & Wheel Company, defendant and third party plaintiff v. Acheson Tire Company, third party defendant, Arrowhead Equipment Company, third party defendant, Itasca Tire Company, third party defendant. Hennepin County.

Minnesota Statutes 604.03 (1986), the useful life defense, is not a statute of repose. In this case, the manufacturer had a continuing duty to warn and this issue was adequately submitted to the jury. Other evidentiary rulings were proper.

Punitive damages, based in part on an erroneous theory, are reduced. The employer's recovery for medical expenses under *Minnesota Statutes* 176.061, subd. 7 (1981), is calculated within the subdivision 6 formula.

No valid settlement offer was made under the offer-counteroffer provision of the prejudgment interest statute, and therfore, preverdict interest applies to the entire compensatory judgment.

Affirmed in part, reversed in part, and remanded with directions. Simonett, J.

Took no part, Coyne, J.

#### CX-87-1597 Kenneth L. Elwood, et al. v. County of Rice, et al., Stanley Pacolt, et al., Appellants. Rice County.

Deputy sheriffs who conducted a warrantless entry in plaintiff's home in the factual setting of this matter are entitled to qualified immunity from suit under 42 U.S.C. 1983.

Deputy sheriffs are also entitled to common law official immunity from trespass and battery claims.

The trial court properly granted summary judgment for defendants on the merits from claims alleging assault, battery, false arrest and false imprisonment, and intentional infliction of emotional distress.

Certified question answered; remanded. Popovich, J.

C3-85-27 In the Matter of the Application for the Discipline of Louis J. McCoy, an Attorney at Law of the State of Minnesota. Supreme Court.

Indefinitely suspended. Per Curiam.

#### **Orders**

C0-88-839 In Re the Petition for Disciplinary Action against Kevin P. Sullivan, an Attorney at Law of the State of Minnesota. Supreme Court.

Publicly reprimanded. Amdahl, C.J.

## Announcements :

Environmental Quality Board (EQB): Comments on the following Environmental Assessment Worksheets (EAWs) are due at the regional governing unit June 1: Woodland Hills, City of Savage; Northwest Airlines B747-400 Hanger, Metropolitan Airports Commission; Briarwood, Wakefield Township; Oakpond Terrace, City of Oakdale; East Fourth Street Demolition, City of St. Paul; Jackson Wastewater Stabilization Pond Expansion, MN Pollution Control Agency (MPCA), and Duluth Ready Mix Plant/Kolar Used Car Sites Shopping Center Project, MPCA. Petitions for review have been received by the regional governing unit listed for the following projects: Hopkins Parking Ramp, City of Hopkins; Moose Mountain Tower, Lakewood Township, and Leiding Township RV Park, St. Louis County. The Metropolitan Mosquito Control District has filed an addendum to its Final Supplemental EIS (Environmental Impact Statement) on its mosquito and black fly control programs, with review scheduled May 19 at the EQB. The Metropolitan Council will prepare an EIS on the Hennepin County Resource Recovery Project. A public hearing on TH 19 & TH 71 between Redwood Falls and Morton will be held Thursday 19 May at 7pm at Jackpot Junction meeting room, with comment period ending June 2. A public hearing on TH 13—Burnsville will be held Wednesday 25 may from 5-8pm at Burnsville Senior High School Cafeteria, with comment period ending June 2. A draft EIS is available for review on the Riverdale Shopping Center and pheripheral Development by the City of Coon Rapids, with a public hearing scheduled for May 24, 10-12 noon at the Coon Rapids City Hall, comment period ending June 8. Special Local Need Registrations have been submitted for "Terraclor 75% WP. Terraclor 2LB EC and Terraclor 10G" by Uniroyal Chemical Company, Inc. and for "Thimet 20G Soil and Systemic Insecticide" by American Cyanamid Company. The public hearing for Shepard Road/East CBD Bypass EIS has been rescheduled to Thursday May 19 at 7pm in the City Council Chambers.

"Minnesota Grown' Directory Available: The 1988 "Directory of Roadside Stands, Orchards, Pick-Your-Own Farms and Farmers Markets" is now being distributed to locations throughout Minnesota by the Minnesota Grown Promotion Group and the Minnesota Department of Agriculture. The directory is a handy listing of Minnesota growers who market directly to consumers at locations around the state. Featured products include Minnesota grown fruits and vegetables, meats and poultry, herbs, flowers, honey and Christmas trees. Recipes and canning information are also included. Some 60,000 copies will be available through public libraries, chambers of commerce, travel information centers, county extension agents and local producers. Copies are also available from the Minnesota Travel Information Center, 375 Jackson Street, 250 Skyway Level, St. Paul, MN 55101-1810, (612) 296-5029 in the Twin Cities or toll-free 1-800-652-9747 from Greater Minnesota. Individuals or organizations requesting a large number of directories should contact the Marketing Division of the Minnesota Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107.

Farm Advocate Program Honored: The Minnesota Department of Agriculture Farm Advocate Program has been chosen to receive a Certificate of Special Recognition in the 1988 Public Service Excellence Award competition sponsored by the Washington-based Public Employees Roundtable. The Minnesota Department of Agriculture program was honored for its excellence as a farmer-to-farmer counseling initiative formed to assist and advise on farm-related management and financial matters. "We are especially proud that such a prestigious organization has honored the good work that our Advocates do helping Minnesota farmers," Assistant Commissioner of Agriculture Anne Kanten said. Over 300 nominations were received for the annual awards which are presented to outstanding federal, state and local government programs and to youth and retiree groups who exemplify the best in public service. One winner was selected in each of the five categories and special recognition was given to the Farm Advocates along with 17 other programs throughout the nation including the North Dakota Insurance Department. The Public Employees Roundtable is a nonprofit coalition of 26 professional and managerial associations representing approximately 800,000 public employees and retirees. Thirty-five federal, state and local governmental agencies hold associate membership in the Roundtable.

1988 Angling Season Guidelines: The Minnesota Department of Natural Resources (DNR) Fisheries Section this week announced some of the new changes included in the 1988 state fishing synopsis. The walleye opener is scheduled for Saturday, May 14. The bag limits remain the same, with six walleye, three northern pike and three lake trout allowable in possession. The bass opener is set for May 28, except for the area north and east of Highway 53 from Duluth to International Falls. The muskie season opens June 4. Attempting to take these fish during the closed season, even on a catch and release basis, is unlawful. The Department of Natural Resources (DNR) promotes catch and release of these valuable resources; however, this practice during the closed season is unlawful and Conservation Officers will be enforcing this regulation. The closed season provides protection for the game fish during their critical spawning time. Fishing in a closed season is a misdemeanor punishable by a fine

#### Announcements 2

of up to \$700 and/or up to 90 days in jail. If you see anyone fishing for these species before the season opens, call TIP (Turn In Poachers) at 1-800-652-9093. You don't have to give your name and may be eligible for a cash reward. Anglers should review the fishing synopsis for regulations and any changes they are unsure of. Other significant changes this season include license fees—which have been increased for all angling, along with the new "Senior Citizen License" starting in 1988. Take a Kid Fishing Weekend will be June 11-12 this year. Adults in the presence of a child under the age of 16 may fish without a license during this weekend. "So far, this spring has been fairly close to normal in temperatures and ice breakup on major walleye lakes statewide," Hassinger said. "Generally, lake ice-out should be normal, except in the northeast, where it is usually later. With near normal temperatures and moisture conditions for opening day, we can expect most of the walleye spawning to be completed, except near the Canadian border," he added. Male walleyes are expected to be biting actively statewide, with the larger females actively feeding from the north central area southward. "The only limiting factor to fairly good fishing during the opener could be high winds, a strong cold front or heavy rains," Hassinger said, noting that these conditions tend to inhibit angling on many large bodies of water, with the cold front conditions affecting feeding activity, especially on larger lakes. For more information, contact: Dick Hassinger, Fisheries Chief (612) 296-0792.

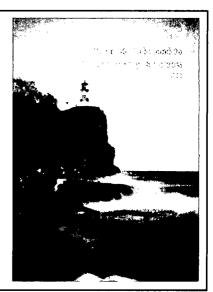
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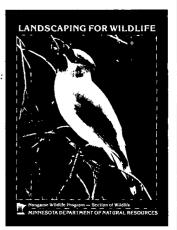
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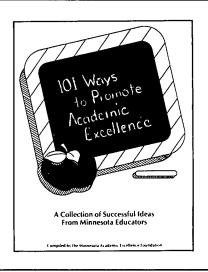
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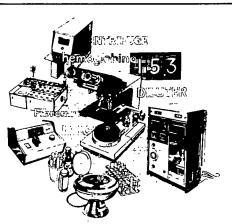
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