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.

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*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.

For Legislative News

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

**SENATE**

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

**HOUSE**

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

This Week—weekly interim bulletin of the House.

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

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

State Board of Education

Adopted Permanent Rules Relating to Secondary Vocational Education; Technical Corrections

The rules proposed and published at State Register, Volume 12, Number 32, pages 1646-1649, February 8, 1988 (12 S.R. 1646) are adopted as proposed.

State Board of Education

Adopted Permanent Rules Relating to Secondary Vocational Programs

The rules proposed and published at State Register, Volume 12, Number 33, pages 1694-1702, February 15, 1988 (12 S.R. 1694) are adopted with the following modifications:

Rules as Adopted

3505.4700 WORK EXPERIENCE.

Subp. 3. Work experience handicapped. The requirements in part 3505.4600 must be met. The maximum number of students enrolled in the work experience handicapped cooperative is 24 students when the teacher-coordinator is responsible only for the vocational area of instruction. When the teacher-coordinator is responsible for individual students who are multi-handicapped, or the student load includes three or more types of handicapped conditions, the maximum load must not exceed 12 students. When severely handicapped students are enrolled in the work experience handicapped program, supplemental support staff/technical tutors must be provided to support the work experience teacher-coordinator. When the teacher-coordinator is responsible for other educational areas as well as the work experience cooperative, the student load should be prorated in accordance with the time limits defined in this subpart pertaining to the work experience handicapped cooperative time load. The training agreement and training plan shall be incorporated with the special education individual educational plan in the State Board of Education rules.

Department of Revenue

Adopted Permanent Rules Relating to the Definition of Resident and Domicile

The rule proposed and published at State Register, Volume 12, Number 31, pages 1609-1611, February 1, 1988 (12 S.R. 1609) is adopted with the following modifications:

Rules as Adopted

8001.0300 RESIDENT AND DOMICILE DEFINED; CONSIDERATIONS.

Subp. 6. Definition of abode. An abode is a dwelling place permanently maintained by a person, whether or not owned and whether or not occupied by the person. It does not need to be permanent in the sense that the person does not intend to abandon it at some future time. However, a cabin or cottage not suitable for year-round use and used only for vacations is not an abode. Additionally, quarters which contain sleeping arrangements but do not contain facilities for cooking or bathing will not generally be considered an abode.

A person who moves a domicile outside Minnesota is not considered to be maintaining an abode in Minnesota even though the person continues to own or rent a dwelling in Minnesota if the person has moved personal furnishings and belongings from the dwelling and is making a good faith effort to sell, lease, or sublease the dwelling.

PAGE 2746  STATE REGISTER, Monday 20 June 1988  (CITE 12 S.R. 2746)
Subp. 10. Examples. Items A to E contain examples of the application of this part:

E. T moved his domicile to Minnesota on June 1, 1987. T did not have an abode in Minnesota prior to June 1, 1987. T was physically present in Minnesota throughout the period of June 1, 1987 to December 31, 1987.

T was a part-year resident of Minnesota in 1987. Although T was physically present in Minnesota over one-half of the year, he did not have a Minnesota domicile abode during the part of the year T was domiciled outside the state. Therefore, the physical presence test does not apply.

Board of Teaching

Adopted Permanent Rules Relating to Teacher Licensing

The rules proposed and published at State Register, Volume 12, Number 36, pages 1950-1952, March 7, 1988 (12 S.R. 1950) are adopted with the following modifications:

Rules as Adopted

8700.7600 APPROVAL OF MINNESOTA INSTITUTIONS TO PREPARE PERSONS FOR TEACHER LICENSURE.

Subp. 7. Written evaluation report; decision of board. The written report of findings and the recommendation of the evaluators shall be forwarded to the institution and to the Board of Teaching. Within 30 days from the mailing date of the evaluators' report, the institution may submit to the Board of Teaching additional information or arguments in support of its request. Based upon the written report prepared by the institution, and the written report of findings and the recommendation of the evaluators, the Board of Teaching shall:

A. to C. [Unchanged.]

D. disapprove the institution, state the reasons for disapproval, and, if needed, stipulate a termination date which shall accommodate persons currently enrolled in teacher licensure programs. The Board of Teaching shall disapprove institutions that do not substantially meet the requirements in subpart 5.

8700.7700 APPROVAL OF TEACHER LICENSURE PROGRAMS IN MINNESOTA INSTITUTIONS APPROVED TO PREPARE TEACHERS.

Subp. 6. Decision of board. Based upon appraisal of the program description prepared by the institution and the written report of the auditors, the Board of Teaching shall:

A. to C. [Unchanged.]

D. disapprove the teacher licensure program, state the reasons for disapproval, and, if needed, stipulate a termination date which will accommodate persons currently enrolled in said program. The Board of Teaching shall disapprove any teacher licensure program that does not substantially meet the requirements in subparts 2 and 3, or if the requirements for entrance into or completion of the teacher licensure program substantially change the requirements set forth in licensure rules.

Waste Management Board

Adopted Permanent Rules Relating to Solid Waste Reduction and Separation Grant (LOW-TECH) Program

The rules proposed and published at State Register, Volume 12, Number 35, pages 1807-1809, February 29, 1988 (12 S.R. 1807) are adopted as proposed.

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

Department of Labor and Industry

Notice of Continuation of an Emergency Rule Relating to Workers' Compensation Cost of Medical Record Copies

Notice is hereby given that the State Department of Labor and Industry is continuing Minnesota Rules Part 5219.0010 through 5219.0030 (emergency) which were effective January 11, 1988 and published in the State Register as adopted on February 1, 1988 (12 S.R. 1619). The statutory authority to adopt the emergency rule is contained in Minnesota Statutes, section 176.135, subd. 7. The agency, in continuing the rule, is following the procedures set forth in the Administrative Procedure Act for continuing emergency rules in Minnesota Statutes, sections 14.35.

The emergency rule will be continued in effect for an additional 180 days. The new expiration date for these rules will be January 5, 1989 or the date they are extended by permanent rules, whichever is earlier.

Dated: 7 June 1988
Ray Bohn, Commissioner
Department of Labor and Industry

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 Human Services

Notice of Change in the Sliding Fee Scale for the Consolidated Chemical Dependency Treatment Fund (CCDTF)

Minnesota Statutes, section 254B.04, subdivision 2, requires the Commissioner of Human Services to adopt a sliding fee scale for the CCDTF Minnesota Rules, part 9530.7020, subpart 3 requires the department to adjust the sliding fee scale annually, and publish the adjustments in the State Register. The sliding fee scale listed below will be effective for the fiscal year beginning on July 1, 1988.
Comments or questions regarding the fee scale may be addressed to:

Mike McMahon, CCDTF Coordinator
Chemical Dependency Program Division
444 Lafayette Road
St. Paul, MN 55155-3823
612/296-4728

FISCAL YEAR 1989
July 1, 1988-June 30, 1989

Sliding Fee Scale for *Minnesota Rules*, Part 9530.7020, subp. 3

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<td>51,272-52,172</td>
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<td>876</td>
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<td>MONTHLY</td>
<td>TOTAL</td>
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<td>INCOME</td>
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<td>OBLIGATION</td>
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### FAMILY OF 9

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<th>MONTHLY PAYMENT</th>
<th>TOTAL OBLIGATION</th>
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<td>630</td>
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<td>377</td>
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<td>3,701-3,775</td>
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<td>45,301-46,201</td>
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<td>46,202-47,102</td>
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<td>48,905-49,805</td>
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<td>3,906</td>
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<td>704</td>
<td>4,224</td>
</tr>
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<td>50,707-51,607</td>
<td>4,227-4,301</td>
<td>759</td>
<td>4,554</td>
</tr>
<tr>
<td>51,608-52,508</td>
<td>4,302-4,376</td>
<td>816</td>
<td>4,896</td>
</tr>
</tbody>
</table>

60% = $29,082  
100% = $48,470  
115% = $55,741
Official Notices

<table>
<thead>
<tr>
<th>Monthly Income</th>
<th>Monthly Payment</th>
<th>Total Obligation</th>
</tr>
</thead>
<tbody>
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<td>$ 0-2,475</td>
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<td>2,701-2,775</td>
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<td>2,776-2,851</td>
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<td>2,852-2,926</td>
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<td>408</td>
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<td>2,927-3,000</td>
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<td>3,227-3,301</td>
<td>177</td>
<td>1,062</td>
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<td>3,302-3,376</td>
<td>205</td>
<td>1,230</td>
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<tr>
<td>3,377-3,451</td>
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<td>1,410</td>
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<tr>
<td>3,452-3,526</td>
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<td>3,527-3,601</td>
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<td>4,053-4,127</td>
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<td>4,128-4,202</td>
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<td>4,203-4,277</td>
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<td>4,278-4,352</td>
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<td>4,554</td>
</tr>
<tr>
<td>4,353-4,427</td>
<td>816</td>
<td>4,896</td>
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<tr>
<td>4,428-4,502</td>
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<td>5,256</td>
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<td>4,503-4,577</td>
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<tr>
<td>4,729-4,744</td>
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</table>

This fee schedule is based on the estimated Minnesota State Median Income of $34,376 for a four-person household in federal fiscal year 1988. The Bureau of the Census developed the median income estimates for each state from three sources of data: the March 1986 Current Population Survey; the 1980 Census of Population; and per capita income estimates from the Bureau of Economic Analysis. These median income estimates were published in the Federal Register, Volume 52, No. 160/Wednesday, August 19, 1987, pages 31030 and 31031.

Department of Jobs and Training

Public Comment Period and Hearings on Proposed State Plan for the Minnesota Energy Assistance Program—1989

Notice is hereby given that a public comment period on the above-entitled matter will begin upon publication of this notice and will close after thirty (30) days at 4:30 p.m. Wednesday, July 20, 1988.

The 1989 Energy Assistance Plan describes how federal funds are used to help low-income households pay home heating bills.
and conserve energy. Comments received at public hearings and during the comment period will be considered in the development of the State Plan that governs the program.

All interested or affected persons will have an opportunity to comment concerning the proposed State Plan for the Minnesota Energy Assistance Program—1989. A single copy of the State Plan may be obtained by writing to:

Economic Opportunity Office
690 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

Notice is hereby given that public hearings on the above-entitled matter will be held at:

<table>
<thead>
<tr>
<th>City</th>
<th>Hearing Site and Address</th>
<th>Time</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Paul</td>
<td>State Office Building, Room 500 North, 435 Park Street</td>
<td>1:30-3:00 p.m.</td>
<td>6/30</td>
</tr>
<tr>
<td>Grand Rapids</td>
<td>Blandin Foundation Auditorium, 100 Pokegama Avenue North</td>
<td>7:30-9:00 p.m.</td>
<td>6/28</td>
</tr>
</tbody>
</table>

Oral and written testimony may be submitted at the hearing. In addition, written testimony will be accepted at the above address until 4:30 p.m. Wednesday, July 20, 1988. All comments will be considered by the Department of Jobs and Training, Economic Opportunity Office.

**Minnesota Sentencing Guidelines Commission**

**Notice of Public Hearing to Consider Modifications to the Sentencing Guidelines**

The Minnesota Sentencing Guidelines Commission will hold a public hearing on Thursday, July 21, 1988, at 6:00 p.m. in Hearing Room 10, Ground Floor, State Office Building, 100 Constitution Ave., St. Paul, Minnesota. The public hearing is to consider proposed modifications to the sentencing guidelines regarding the ranking for new and amended crimes passed during the 1988 legislative session, and clarification of the consecutive language.

Additional copies of the proposed modifications that include proposed modifications to the Commentary are available, free of charge, by contacting the Minnesota Sentencing Guidelines Commission at 51 State Office Building, St. Paul, MN 55155, or by calling (612) 296-0144.

All interested persons are encouraged to attend the hearing and offer comments. Persons wishing to speak may register in advance by contacting the Commission staff at the above address/telephone number.

The Commission will hold the record open for five days after the public hearing to accept additional written comment on the proposed modifications. On July 26, 1988, the Commission will meet in Room 10, State Office Building, 100 Constitution Avenue, St. Paul, Minnesota to formally adopt or reject the proposed modifications. If adopted, the modifications as indicated will become effective August 1, 1988.

**Proposed Modifications to Section V. Offense Severity Reference Table are as follows:**

<table>
<thead>
<tr>
<th>Offense Category</th>
<th>Codes</th>
</tr>
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<tbody>
<tr>
<td>V</td>
<td>Check Forgery over $35,000—609.631, subd. 4(1)</td>
</tr>
<tr>
<td></td>
<td>Financial Transaction Card Fraud over $35,000—609.821, subd. 3(1)(i)</td>
</tr>
<tr>
<td>III</td>
<td>Check Forgery (over $2,500)—609.631, subd. 4(1)(2)</td>
</tr>
<tr>
<td>II</td>
<td>Check Forgery ($200-$2,500)—609.631, subd. 4(2) (3) (a)</td>
</tr>
<tr>
<td>I</td>
<td>Cable Communication Systems Interference—609.80, subd. 2</td>
</tr>
<tr>
<td></td>
<td>Check Forgery (less than $200)—609.631, subd. 4(2) (3) (b)</td>
</tr>
<tr>
<td></td>
<td>Fleeing a Police Officer—609.487, subd. 3</td>
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<tr>
<td></td>
<td>Terroristic Threats—609.713, subd. 3(a)</td>
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</table>

**Proposed Modifications to Section II.F Concurrent/Consecutive Sentences are as follows:**

3. When the conviction is for escape from lawful custody, as defined in Minn. Stat. § 609.485 and there are unexpired or current executed sentences for any offense for which the person was in custody at time of the escape and/or current executed sentences for offenses committed while on escape status.

When a current conviction for a crime against a person is sentenced consecutive to a prior indeterminate or presumptive sentence for a crime against a person, the presumptive duration for the current conviction is determined by locating the severity level appropriate to the current conviction offense and the zero criminal history column or the mandatory minimum, whichever is greater.
Official Notices

Department of Transportation

List of Debarred Persons and Businesses Disqualified from Entering into or Receiving a MN/DOT Contract or from Serving as a Subcontractor or Material Supplier under a MN/DOT Contract

Pursuant to Laws 1984, Ch. 654, Art. 2, Sec. 8 and Minnesota Rules 1987, Part 1230.3400, the following persons and businesses have been debarred and disqualified from entering into or receiving a Minnesota Department of Transportation (MN/DOT) contract and from serving as a subcontractor or material supplier under a MN/DOT contract by Order of the Deputy Commissioner of Transportation on April 7, 1988. The debarment will continue until and including April 1, 1991:

Kathy Kranes and Construction Company, Inc.
aka, Kathy's Krane Corporation
245 East 6th Street
Suite 249
St. Paul, MN 55101

Kathryn Anderson,
aka, Kathy A. Alfonsi
PO. Box 262
Hudson, WI 54016
and
RR #2
Golden Oaks Road
Hudson, WI 54016

Cohn Anderson
aka, Cohn Taylor
1790 Berkeley Avenue
St. Paul, MN 55155
and
RR #2
Golden Oaks Road
Hudson, WI 54106

Donald Showalter
6785 E. River Road
Fridley, MN 55432

List of Persons and Businesses Who Have Agreed to a Stipulation for Debarment Which Disqualifies Them from Entering into or Receiving a MN/DOT Contract or from Serving as a Subcontractor or Material Supplier Under a MN/DOT Contract

Pursuant to Laws 1984, Ch. 654, Art. 2, Sec. 8, Minnesota Rules, Part 1230.3400, Minnesota Statutes, Sec. 161.315, and a Stipulation for Disposition of Suspension and Debarment dated April 5, 1988 the following persons and business have been debarred and disqualified from entering into or receiving a Minnesota Department of Transportation contract and from serving as a subcontractor or material supplier under a MN/DOT contract by Order of the Deputy Commissioner of Transportation on April 7, 1988. The orders by stipulation and agreement are inclusive of the earlier ordered suspension of March 8, 1988, and take effect on that date, March 8, 1988, and continue until and including March 8, 1990:

Richard C. Lundin
123 Mary Lane
RR #5
Mankato, MN 56001

Lundin Construction Company, Inc.
PO. Box 3024
1905 3rd Avenue
Mankato, MN 56002-3024
Department of Transportation

Orders for Disposition of Suspensions and Debarment

ORDER

In the Matter of the Suspension and Proposed Debarment by the Minnesota Department of Transportation of the following Affiliates of Richard C. Lundin and Lundin Construction Co., Inc.

1) Guaranteed Gravel & Sand Co.
2) Hoffman Concrete, Inc.
3) Central Concrete, Inc.
4) Lundin Quarry, Inc.

The above-named companies (companies) have been suspended from entering into and receiving Minnesota Department of Transportation (MN/DOT) contracts and from serving as subcontractors or suppliers of materials or services under such contracts by order dated March 8, 1988. Requests for contested case hearings were timely made by the companies.

Pursuant to Minnesota Statutes Section 14.59, the companies and MN/DOT have agreed to disposition of the above matters. By a Stipulation for Disposition of Suspension and Debarment dated April 5, 1988 (Stipulation for Disposition), which is attached and incorporated by reference, the companies have agreed to a debarment period under Minnesota Rules parts 1230.3000 to 1230.4300, from and including March 8, 1988, through and including March 8, 1990.

Pursuant to the terms of Stipulation for Disposition and this order, the suspensions and debarments, under Minnesota Rules 1230.3000 to 1230.4300, are stayed as of the date of this order and are not now imposed upon Guaranteed Gravel & Sand Co., Hoffman Concrete, Inc., Central Concrete, Inc., and Lundin Quarry, Inc.

Dated: 7 April 1988

Douglas H. Differt, Deputy Commissioner
Minnesota Department of Transportation

ORDER

In the Matter of the Suspension and Proposed Debarment by the Minnesota Department of Transportation of the following Affiliates of Richard C. Lundin and Lundin Construction Co., Inc.

1) Riverbend Asphalt Co.
2) Southern Minnesota Asphalt Supply, Inc.
3) Empire Paving, Inc.

The above-named companies (companies) have been suspended from entering into and receiving Minnesota Department of Transportation (MN/DOT) contracts and from serving as subcontractors or suppliers of materials or services under such contracts by order dated March 8, 1988. Requests for contested case hearings were timely made by the companies.

Pursuant to Minnesota Statutes Section 14.59, the companies and MN/DOT have agreed to disposition of the above matters. By a Stipulation for Disposition of Suspension and Debarment dated April 5, 1988 (Stipulation for Disposition), which is attached and incorporated by reference, the companies have agreed to a debarment period under Minnesota Rules parts 1230.3000 to 1230.4300, from and including March 8, 1988, through and including March 8, 1990.

Pursuant to the terms of Stipulation for Disposition and this order, the suspensions and debarments, under Minnesota Rules 1230.3000 to 1230.4300, are stayed as of the date of this order and are not now imposed upon Riverbend Asphalt Co., Southern Minnesota Asphalt Supply, Inc., and Empire Paving Inc.

Dated: 7 April 1988

Douglas H. Differt, Deputy Commissioner
Minnesota Department of Transportation

ORDER

In the Matter of the Suspension and Proposed Debarment by the Minnesota Department of Transportation of the following Affiliate of Richard C. Lundin:

Crane Creek Asphalt, Inc.

Crane Creek Asphalt, Inc. (Crane Creek) was suspended from entering into and receiving a Minnesota Department of Transportation (MN/DOT) contract and from serving as a subcontractor or supplier of materials or services under such a contract by order dated March 8, 1988. A request for a contested case hearing was timely made by Crane Creek.
Official Notices

Pursuant to Minnesota Statute Section 14.59, Crane Creek and MN/DOT have agreed to a disposition of the above matter. By a Stipulation for Disposition of Suspension and Debarment dated April 5, 1988 (Stipulation for Disposition), which is attached and incorporated by reference, Crane Creek has agreed to a debarment period, under Minnesota Rules parts 1230.3000 to 1230.4300, from and including March 8, 1988, through and including March 8, 1990.

Pursuant to the terms of Stipulation for Disposition and this order, the suspension and debarment under Minnesota Rules 1230.3000 to 1230.4300, is stayed as of the date of this order and is not now imposed upon Crane Creek Asphalt, Inc.

Dated: 7 April 1988

Douglas H. Differt, Deputy Commissioner
Minnesota Department of Transportation

Department of Transportation

Petition of the City of Cloquet for a Variance from State Aid Standards for Right-of-way Width

Notice is hereby given that the City Council of the City of Cloquet has made a written request to the Commissioner of Transportation pursuant to Minnesota Rules 8820.3300 for a variance from minimum standards for a reconstruction project on 18th Street from Avenue “B” to Carlton Avenue.

The request for a variance from Minnesota Rules for State Aid Operations 8820.2500, adopted pursuant to Minnesota Statutes Chapter 161 and 162, so as to permit a right-of-way width of 55 feet instead of the required right-of-way width of 60 feet.

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

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

Dated: 9 June 1988

Leonard W. Levine, Commissioner

Department of Transportation

Petition of the County of Fillmore for a Variance from State Aid Standards for Design Speed

Notice is hereby given that the County Board of the County of Fillmore has made a written request to the Commissioner of Transportation pursuant to Minnesota Rules 8820.3300 for a variance from minimum standards for design speed on a resurfacing project on CSAH 23 between CSAH 24, North of Lenora and a point two miles south of CSAH 12.

The request for a variance from Minnesota Rules for State Aid Operations 8820.9914, adopted pursuant to Minnesota Statutes Chapter 161 and 162, so as to permit design speeds of 35 miles per hour on five vertical curves instead of the required design speeds of 40 miles per hour.

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

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

Dated: 10 June 1988

Leonard W. Levine, Commissioner

Department of Transportation

Petition of the City of New Hope for a Variance from State Aid Standards for Street Width

Notice is hereby given that the City Council of the City of New Hope has made a written request to the Commissioner of Transportation pursuant to Minnesota Rules 8820.3300 for a variance from minimum standards for a construction project on 36th Avenue North from a point approximately 300 feet West of Jordan Avenue to a point approximately 500 feet East of Jordan Avenue.
State Contracts and Advertised Bids

The request for a variance from *Minnesota Rules* for State Aid Operations 8820.9912, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a street width of 50 feet West of Jordan Avenue with no parking permitted, and tapering to a street width of 44 feet East of Jordan Avenue.

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

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

Dated: 9 June 1988

Leonard W. Levine, Commissioner

Office of the State Treasurer

Notice of Meeting

The State Board of Investment Administrative Committee will meet on Thursday, June 30, 1988, from 1:30 to 3:30 p.m. in the State Board of Investment Conference Room A, MEA Building, 55 Sherburne Avenue, St. Paul, Minnesota.

Dated: 8 June 1988

Michael A. McGrath, Chair
Treasurer, State of Minnesota
Phone: (612) 296-7091

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.

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.

<table>
<thead>
<tr>
<th>Commodity: Telephone Key System</th>
<th>Commodity: Rental of Xerox 9900</th>
<th>Commodity: Curb &amp; gutter installation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact: Joe Gibbs 612-296-3750</td>
<td>Contact: Teresa Ryan 612-296-7556</td>
<td>Contact: Pat Anderson 612-296-3777</td>
</tr>
<tr>
<td>Bid due date at 2pm: June 23</td>
<td>Bid due date at 2pm: June 24</td>
<td>Bid due date at 2pm: June 27</td>
</tr>
<tr>
<td>Agency: Revenue</td>
<td>Agency: Administration</td>
<td>Agency: Iron Range Interput Center</td>
</tr>
<tr>
<td>Deliver to: St. Paul</td>
<td>Deliver to: St. Paul</td>
<td>Deliver to: Chisholm</td>
</tr>
<tr>
<td>Requisition #: 67-110-05188</td>
<td>Requisition #: 02-520-92029</td>
<td>Requisition #: 43-000-09686</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commodity: Cummins diesel repair parts</th>
<th>Commodity: Rental of Xerox 9900</th>
<th>Commodity: Rental of Minolta 490Z copier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact: Dale Meyer 612-296-3773</td>
<td>Contact: Teresa Ryan 612-296-7556</td>
<td>Contact: Teresa Ryan 612-296-7556</td>
</tr>
<tr>
<td>Bid due date at 2pm: June 23</td>
<td>Bid due date at 2pm: June 27</td>
<td>Bid due date at 2pm: June 24</td>
</tr>
<tr>
<td>Agency: Various</td>
<td>Agency: Administration</td>
<td>Agency: Transportation Department</td>
</tr>
<tr>
<td>Deliver to: Various</td>
<td>Deliver to: St. Paul</td>
<td>Deliver to: Virginia</td>
</tr>
<tr>
<td>Requisition #: Price Contract</td>
<td>Requisition #: 02-520-92030</td>
<td>Requisition #: 79150 00735</td>
</tr>
</tbody>
</table>

(CITE 12 S.R. 2759)
State Contracts and Advertised Bids

Commodity: Xerox 2570 engineering copier
Contact: Joyce Dehn 612-296-2621
Bid due date at 2pm: June 23
Agency: DNR—Southern Service Center
Deliver to: DNR—Bureau of Engineering
Requisition #: 29000-50278-01

Commodity: Automatic mailing machine & electronic scale
Contact: Joyce Dehn 612-296-2621
Bid due date at 2pm: June 24
Agency: Agriculture Department
Deliver to: Agriculture (Grain Inspection Div, Mpls)
Requisition #: 04131-84090-01

Commodity: Talaris 1590 laser printer
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: June 20
Agency: Pollution Control Agency
Deliver to: St. Paul
Requisition #: 32-300-17607

Contract Awards—Materials Management Division

Item: Printing equipment
Req. #: 21200 17668 01
Awarded to: American Thermoform Corporation, City of Commerce, CA
Awarded amount: $15,995.00
Awarded date: June 14, 1988
Expire/deliv date: June 27, 1988
Shipped to: MN Department of Jobs & Training

Item: School Supplies
Req. #: 36000 11205 01
Awarded to: CTB McGraw Hill, Minneapolis, MN
Awarded amount: $80,572.40
Awarded date: June 14, 1988
Expire/deliv date: June 30, 1988
Shipped to: Various locations

Item: Printing equipment
Req. #: 78550 05765 01
Awarded to: Norfin Inc., Edina, MN
Awarded amount: $21,595.00
Awarded date: June 14, 1988
Expire/deliv date: July 15, 1988
Shipped to: MN Correctional Facility

Item: Word processing equipment
Req. #: 99690 80146 01
Awarded to: Wang Lab Inc., Bloomington, MN
Awarded amount: $206,594.44
Awarded date: June 14, 1988
Expire/deliv date: Sept. 1, 1988
Shipped to: Office of Administrative Hearings

Item: Word processing equipment
Req. #: 99690 80146 02
Awarded to: Wang Lab Inc., Bloomington, MN
Awarded amount: $51,019.80
Awarded date: June 14, 1988
Expire/deliv date: Sept. 1, 1988
Shipped to: Office of Administrative Hearings

Item: Automotive access (light)
Req. #: 07500 46957 01
Awarded to: Streicher Don Guns, Mpls., MN
Awarded amount: $39,015.00
Awarded date: June 10, 1988
Expire/deliv date: July 13, 1988
Shipped to: DPS, Warehouse

Item: Automotive access (light)
Req. #: 07500 46957 03
Awarded to: Public Safety Equipment, St. Louis, MO
Awarded amount: $21,619.40
Awarded date: June 10, 1988
Expire/deliv date: July 12, 1988
Shipped to: DPS, Warehouse

Item: Computer equipment
Req. #: 12200 18724 01
Awarded to: Northgate Computer Systems, Mpls., MN
Awarded amount: $14,695.00
Awarded date: June 10, 1988
Expire/deliv date: July 1, 1988
Shipped to: MN Department of Health
### State Contracts and Advertised Bids

**Item:** Computer, personal computers  
**Req.#:** 67520 05144 01  
**Awarded to:** Incomp Computer Centers, Plymouth, MN  
**Awarded amount:** $16,190.00  
**Awarded date:** June 10, 1988  
**Exp/rdeliv date:** June 25, 1988  
**Shipped to:** Department of Revenue

**Item:** Computer equipment—supplies  
**Req.#:** 02310 01610 91  
**Awarded to:** Graphics & Information, Minneapolis, MN  
**Awarded amount:** $29,140.78  
**Awarded date:** June 15, 1988  
**Exp/rdeliv date:** June 30, 1988  
**Shipped to:** Community College Board

**Item:** Radio communication equipment: mobile/portable  
**Req.#:** 07300 48368 01  
**Awarded to:** Motorola Inc., Eden Prairie, MN  
**Awarded amount:** $64,338.50  
**Awarded date:** June 15, 1988  
**Exp/rdeliv date:** September 23, 1988  
**Shipped to:** Department of Public Safety

**Item:** Copying equipment  
**Req.#:** 26070 13512 01  
**Awarded to:** Mesabi Office Equipment Inc., Hibbing, MN  
**Awarded amount:** $14,419.02  
**Awarded date:** June 15, 1988  
**Exp/rdeliv date:** June 17, 1988  
**Shipped to:** Bemidji State University

**Item:** Computer equipment  
**Req.#:** 26074 12156 01  
**Awarded to:** IBM Corp., Mpls., MN  
**Awarded amount:** $170,987.90  
**Awarded date:** June 15, 1988  
**Exp/rdeliv date:** August 10, 1988  
**Shipped to:** Winona State University

**Item:** Auto HD truck & van  
**Req.#:** 29000 49575 01  
**Awarded to:** Fire Safety Products, Duluth, MN  
**Awarded amount:** $91,144.00  
**Awarded date:** June 15, 1988  
**Exp/rdeliv date:** August 1, 1988  
**Shipped to:** DNR—Northern Service Headquarters

**Item:** Pumps construction type  
**Req.#:** 29003 05254 01  
**Awarded to:** MTI Distributing Co., Mpls., MN  
**Awarded amount:** $11,375.00  
**Awarded date:** June 15, 1988  
**Exp/rdeliv date:** June 15, 1988  
**Shipped to:** Department Natural Resources

**Item:** Aircraft fixed wing  
**Req.#:** 78830 09244 01  
**Awarded to:** St. Cloud Aviation Inc., St. Cloud, MN  
**Awarded amount:** $89,500.00  
**Awarded date:** June 15, 1988  
**Exp/rdeliv date:** August 1, 1988  
**Shipped to:** DNR Regional Headquarters

**Item:** Janitorial supplies  
**Req.#:** 7928  
**Awarded to:** National Purity Soap & Chemical, Mpls., MN  
**Awarded amount:** $25,500.00  
**Awarded date:** June 15, 1988  
**Exp/rdeliv date:** June 20, 1988  
**Shipped to:** MN Correctional Facility

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### Department of Administration—Printing & Mailing Services

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 17 University Avenue, Room 134-B, St. Paul, MN.

**Commodity:** 12M brochures, 8½” × 4” two-folds, negs furnished and type to set, 70# 2-sided  
**Contact:** Printing Buyer’s Office  
**Bids are due:** June 23  
**Agency:** PERA  
**Deliver to:** St. Paul  
**Requisition #:** 7928

**Commodity:** Traffic Accident Report, 200M in 8M pads, camera ready & negs furnished, 1-sided, 8½” × 11” detached, finished size  
**Contact:** Printing Buyer’s Office  
**Bids are due:** June 23  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 7954

**Commodity:** Withholding Instruction Books, 50M, camera ready, 12pp, 30# newsprint, 8½” × 11” trim size  
**Contact:** Printing Buyer’s Office  
**Bids are due:** June 23  
**Agency:** Revenue Department  
**Deliver to:** St. Paul  
**Requisition #:** 7950

**Commodity:** College Catalog, 25M, 165 pp + 4-color cover, 6” × 9”, perfect bind, camera ready  
**Contact:** Printing Buyer’s Office  
**Bids are due:** June 27  
**Agency:** Lakewood Community College  
**Deliver to:** White Bear Lake  
**Requisition #:** 7940

**Commodity:** 6 million, series of seven 2-part forms, negs furnished, one-page continuous sets printed one side, 9½” × 11” overall, pinfeed strips both sides, black carbon interleave continuous  
**Contact:** Printing Buyer’s Office  
**Bids are due:** June 27  
**Agency:** Human Services Department  
**Deliver to:** St. Paul  
**Requisition #:** 7879

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State Contracts and Advertised Bids

Commodity: Several and various guides, total quantity in 100Ms, various specs camera ready, many page booklets
Contact: Printing Buyer's Office
Bids are due: June 27
Agency: Minnesota Small Business Assistance Office
Deliver to: St. Paul
Requisition #: 7905

Commodity: Class flyer, 3 issues, 165M per issue, 32pp each, 7½" × 10¾" after folding and trimming, type to set, 4-color photo, saddle stitched
Contact: Printing Buyer's Office
Bids are due: June 21
Agency: Anoka-Ramsey Community College
Deliver to: Coon Rapids
Requisition #: 7842

Commodity: Normandale class schedules, 5 issues, 180M each, camera ready, 8" × 10¾", 30# newsprint, 2-sides, saddle stitch
Contact: Printing Buyer's Office
Bid opening 2pm: June 28
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: 7936

Commodity: Envelopes, 30M, type to set, 1-sided, 24# white wove, black ink, 11½" × 5"
Contact: Printing Buyer's Office
Bids are due: June 21
Agency: Jobs & Training Department
Deliver to: St. Paul
Requisition #: 7822

Commodity: 3-part certificates, preprinted numbering, 15M, 8½" × 6¾", negs furnished, 1-sided, black carbon interleave
Contact: Printing Buyer's Office
Bids are due: June 21
Agency: Jobs & Training Department
Deliver to: St. Paul
Requisition #: 7902

Commodity: 4-part forms, 5M, negs furnished, black carbon interleave, 8½" × 10¾" overall, type to set, 1-sided
Contact: Printing Buyer's Office
Bids are due: June 21
Agency: Jobs & Training Department
Deliver to: St. Paul
Requisition #: 7901

Commodity: 5M brochures and 3M catalogs, camera ready copy; 8½" × 11" 8-page catalog; 3-fold 7¾" × 9" brochure 8pp + cover
Contact: Printing Buyer's Office
Bids are due: June 21
Agency: Mankato State University
Deliver to: Mankato
Requisition #: 7667 & 8

Department of Employee Relations
Health, Safety and Workers' Compensation Division
Cancellation of Request for Proposals for a Computerized Workers' Compensation Claims Management System

The Request for Proposals advertised on page 2636 in Volume 12, Number 48 of the State Register dated May 30, 1988 is hereby cancelled.
Minnesota Higher Education Coordinating Board

Notice of Request for Proposals for Contractual Services

The Minnesota Higher Education Coordinating Board (HECB), on behalf of the Task Force on Instructional Technology, is requesting proposals from a consultant to plan and conduct focus groups to assess the instructional telecommunications needs of school districts and post-secondary institutions in Minnesota.

Scope of the Project

The project is intended to determine the perceived instructional telecommunications needs of school districts and post-secondary institutions in Minnesota through the use of focus groups.

Project Start and Completion Dates

The contract will become effective July 1988 and will end October 17, 1988, subject to satisfactory completion.

Project Costs

Total project costs should not exceed $15,000 for the consultant's fees and expenses, clerical support, telephone and other relevant expenses.

Those interested in receiving requests for proposals should contact:

Arlon J. Haupert
Director of Administrative Services
400 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-9685

Proposals will be accepted until 4:30 p.m. July 8, 1988.

Iron Range Resources and Rehabilitation Board

Request for Proposals to Conduct Alternate Operating Entity Study

The Iron Range Resources and Rehabilitation Board requests proposals from qualified consultants to provide professional services to research and analyze the possibility of establishing authorities (or alternate non-state entities) to operate Giants Ridge and Ironworld, USA.

Project Scope and Work Program

The purpose of this contract is to determine whether the establishment of such an alternate operating entity is feasible, and if so, how such an entity might be created.

This will require:

1. Reviewing the current operating plans of Giants Ridge and Ironworld.
2. Researching Minnesota statutes to discover how such an alternate operating entity might be established.
3. Doing a cost/benefit analysis of such an arrangement.
4. Considering the impact of such a change on operations, employees and programs.
5. Recognizing the potential practical and political ramifications of such a change.
6. Establishing a plan to implement same.

Cost of Contract

The cost of this contract for all services and all costs, direct and indirect (including the purchase of all necessary advertising) shall not exceed $25,000.00.

Tentative Proposal/Contract Timelines

Publication in the State Register: Monday, June 20, 1988
Response Period: Tuesday, June 21, 1988—4:30 p.m., Tuesday, July 12, 1988
Tentative Respondent Interviews: Beginning the week of July 17, 1988
Anticipated Date of Contract Award: August 1, 1988

(CITE 12 S.R. 2763)
State Contracts and Advertised Bids

Submission of Proposals
Completed proposals should be mailed or delivered to:

IRON RANGE RESOURCES AND REHABILITATION BOARD
Highway #53 South, PO Box 441
Eveleth, MN 55734
218-744-2993

Proposals responding to this RFP must be received by: 4:30 p.m., Tuesday, July 12, 1988.
Late proposals will not be accepted. Please provide one original and seven copies of the proposal signed by an authorized member of the responding firm. Proposals should be sealed in mailing envelopes or packages with the respondent's name and address clearly written on the outside. Such envelopes or packages should be stamped in bold letters, ALTERNATE OPERATING ENTITY STUDY—DO NOT OPEN.
The Iron Range Resources and Rehabilitation Board shall not be responsible for any costs incurred in responding to this RFP.

Cancellation of Solicitation
This request for proposal does not obligate the IRRRB to complete the project, and the IRRRB reserves the right to cancel the solicitation if it is considered to be in its best interest.

For further information and formal RFP documents, contact Brian Hiti or Kim Peterson at 218-744-2993.

Iron Range Resources and Rehabilitation Board

Request for Proposals for Marketing/Promotional Services

The Iron Range Resources and Rehabilitation Board requests proposals from qualified consultants to provide professional services in the area of marketing, advertising and promotion for Giants Ridge and Ironworld, USA.

Project Scope and Work Program
Services required include:

1. Review and evaluation of current marketing strategies and advertising/promotional plans for both facilities.
2. Development and implementation of a specific marketing strategy and advertising/promotional plan for a single special event at each facility. This shall include the purchase and placement of any advertising required to promote the event.

Respondents should explain in detail their proposed plan to accomplish these objectives. Please estimate what percentage of the total contract time and money will be devoted to each area of consideration and break down each general area of consideration into specific tasks, detailing the respective time and money required to complete each task (estimates).

Cost of Contract
The cost of this contract for all services and all costs, direct and indirect (including the purchase of all necessary advertising) shall not exceed $20,000.00.

Tentative Proposal/Contract Timelines
Publication in the State Register: Monday, June 20, 1988
Response Period: Tuesday, June 21, 1988—4:30 p.m., Tuesday, July 12, 1988
Tentative Respondent Interviews: Beginning the week of July 17, 1988
Anticipated Date of Contract Award: August 1, 1988
Anticipated Term of Contract: August 15, 1988—April 1, 1989

Submission of Proposals
Completed proposals should be mailed or delivered to:

IRON RANGE RESOURCES AND REHABILITATION BOARD
Highway #53 South, PO Box 441
Eveleth, MN 55734
218-744-2993

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Cost of Contract
The cost of this contract for all services and all costs, direct and indirect (including the purchase of all necessary advertising) shall not exceed $20,000.00.

Tentative Proposal/Contract Timelines
Publication in the State Register: Monday, June 20, 1988
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The Iron Range Resources and Rehabilitation Board shall not be responsible for any costs incurred in responding to this RFP.

Cancellation of Solicitation
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For further information and formal RFP documents, contact Brian Hiti or Kim Peterson at 218-744-2993.
State Contracts and Advertised Bids

written on the outside. Such envelopes or packages should be stamped in bold letters, IRRRB PROMOTIONAL PROPOSAL—DO NOT OPEN.

The Iron Range Resources and Rehabilitation Board shall not be responsible for any costs incurred in responding to this RFP.

Cancellation of Solicitation

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

For further information and formal RFP documents, contact Brian Hiti or Kim Peterson at 218-744-2993.

Iron Range Resources and Rehabilitation Board

Request for Proposals to Produce the 1988 IRRRB Biennial Report

Background

Pursuant to Minnesota Statutes § 298.22, Subdivision 2, the IRRRB must biennially report to the governor and legislature concerning its recent activities, projects and programs prior to November 15 of each even numbered year. The next such IRRRB Biennial Report shall, therefore, be due by November 15, 1988.

In the past, the IRRRB has produced this biennial report in-house. However, it has been determined that the agency now desires a more polished and professional report that might best be produced by a private vendor with the specialized staff, expertise and equipment required for such an undertaking.

Project Scope and Work Program

1. Copy Research and Writing
2. Professional Photography
3. Film Assembly and Color Separations
4. Creative Design
5. Financial Information Assimilation
6. Preparation for Printing

Cost of Contract

The cost of this contract for all services and costs, direct and indirect shall not exceed $15,000.00.

Tentative Proposal/Contract Timelines

Publication in the State Register: Monday, June 20, 1988
Response Period: Tuesday, June 21, 1988—4:30 p.m., Tuesday, July 12, 1988
Tentative Respondent Interviews: Beginning the week of July 17, 1988
Anticipated Date of Contract Award: August 1, 1988

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Completed proposals should be mailed or delivered to:

IRON RANGE RESOURCES AND REHABILITATION BOARD
Highway #53 South, P.O. Box 441
Eveleth, MN 55734
218-744-2993

Proposals responding to this RFP must be received by: 4:30 p.m., Tuesday, July 12, 1988.

Late proposals will not be accepted. Please provide one original and seven copies of the proposal signed by an authorized member of the responding firm. Proposals should be sealed in mailing envelopes or packages with the respondent’s name and address clearly written on the outside. Such envelopes or packages should be stamped in bold letters, 1988 IRRRB BIENNIAL REPORT—DO NOT OPEN.

The Iron Range Resources and Rehabilitation Board shall not be responsible for any costs incurred in responding to this RFP.

Cancellation of Solicitation

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

For further information and formal RFP documents, contact Brian Hiti or Kim Peterson at 218-744-2993.

(CITE 12 S.R. 2765)
State Contracts and Advertised Bids

Department of Natural Resources

Request for Proposals to Prepare, Execute and Analyze a Survey of the Image of the Minnesota Department of Natural Resources

The Department of Natural Resources (DNR) is seeking proposals from qualified firms or individuals to design, execute and analyze a survey of the image of the DNR held by citizens of the state of Minnesota.

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

This research is directed to citizens of Minnesota. The study should be able to identify certain subgroups of Minnesotans who are uniquely affected by the actions of the DNR. In addition, the research should provide direction for each of the DNR's six regional levels.

The goal of this project is to provide the DNR marketing team with information enabling them to:

• measure the general image of the DNR held by Minnesotans,
• describe the level of knowledge of Minnesotans about the products and services provided by the DNR,
• understand how the public finds out about what the DNR does for them,
• judge the level of public satisfaction in existing DNR products and services,
• identify the need for existing or new DNR products and services,
• and improve the products and services provided to the Minnesota public by DNR programs.

The contractor will be asked to:

• review existing information and determine which data sets are useful to the goals and objectives of preparing a marketing plan for DNR products and services,
• incorporate, as needed, available information into descriptions of the image, awareness, satisfaction and needs of Minnesotans in regard to DNR products and services,
• in conjunction with other contractors and with DNR advisory group members, design a study to collect information necessary to complete the description of the image, awareness, satisfaction and needs of Minnesotans in regard to DNR products and services,
• execute the above study,
• analyze and report the results of the above study,
• and assist, as requested, in the translation of the information from the above study into the marketing plans of the DNR.

All final deliverables will be submitted to the Office of Planning by November 30, 1988.

The department estimates that the cost of this project should not exceed forty thousand dollars ($40,000).

Proposals must be received no later than 4:30 p.m. 21 calendar days following the date of this publication in the State Register. Late proposals will not be accepted.

Prospective respondents may request a detailed request for proposal by calling or writing to:

Mr. William H. Becker  
Supervisor, Research Services Unit  
MN/DNR Office of Planning  
Box 1OF  
500 Lafayette Road  
St. Paul, MN 55155-4010  
Phone (612) 296-3093

Please note: Other department personnel are not authorized to discuss the project with respondents before the deadline for submitting proposals.
Supreme Court Decisions

Decisions Filed 17 June 1988

C9-87-909  Loren McCullough, d/b/a Magic Dragon Restaurant, petitioner, Appellant v. The Travelers Companies. Court of Appeals.

Where fire insurance policy provides that no suit shall be sustainable unless all policy provisions are complied with, the provision requiring the insured to submit to an examination under oath is not a condition precedent to bringing suit but, rather, a condition to recovery of policy benefits. Thus, the fact that the insured brought suit prior to submitting to an examination did not, in itself, require dismissal.

The insurer was not entitled to summary judgment based on the insured's failure to submit to an examination where the insured never refused to submit to an examination, sought a single postponement of a scheduled examination due to unavailability of counsel, and expressed a willingness to be examined shortly after commencing suit.

Reversed and remanded. Yetka, J.

C5-86-1061 Minneapolis Police Department v. Minneapolis Commission on Civil Rights, Diane Sterling, petitioner, Appellant. Court of Appeals.

The plaintiff has failed to establish a prima facie case of employment discrimination based on race against her employer.

The McDonnell Douglas analysis must be used by all triers of fact in all employment discrimination cases involving disparate treatment claims. The McDonnell Douglas analysis was not used in this case but because a prima facie case was not established, remand is unnecessary.

Under the facts of this case, the appointment of an independent hearing examiner was not warranted.

Affirmed. Wahl, J.

Concurring in part, dissenting in part, Popovich, J., Amdahl, C.J., and Yetka, J.

Announcements

Environmental Quality Board (EQB): Comments on Environmental Assessment Worksheets (EAWs) for the following projects are due July 13 to the regional governing unit listed after each project: Brooklyn Heights North, City of Champlin; Upper Valley Drainage Storm Sewer, City of Shakopee; Normandale Lake Office Park, City of Bloomington; Irving Farm and Hog Feedlot, Lincoln County; Huntington 2nd Addition; City of Apple Valley; Burlington Northern Midway Hub Facility, City of St. Paul. A public meeting will be held regarding the Apple Valley Sand and Gravel Mining/Consolidated End Use Concept at June 15, 7:30 p.m. at the Apple Valley City Hall, 14200 Cedar Avenue, with a comment period ending on June 13. A petition for review has been received by Fredenberg Township for the Fredenberg Township Gravel Pit. A special local need (SLN) registration has been issued by the MN Dept. of Agriculture for “Zocon Altosid Liquid Larvicide Mosquito Growth Regulator,” EPA Registration Number 20954-133-50809. This SLN Registration will remain in effect until May 2, 1993, unless otherwise cancelled by the MN Dept. of Agriculture or withdrawn by the manufacturer.

Appointments to Home Care Task Force: Fifteen individuals will be appointed to the state's Home Care Advisory Task Force by Sister Mary Madonna Ashton, Minnesota Commissioner of Health. The newly formed Task Force was created by the 1987 Minnesota Legislature, to assist the Minnesota Department of Health in developing rules for the licensing of home care and hospice providers in the state. The appointees include Patricia Adams, St. Paul; Catherine Baudeck, Hibbing; Harold Berntsen, St. Paul; Calvin Condon, Waseca; Eleanor Conrad, St. Cloud; Phyllis King, Eveleth; Karen Lamecker, Apple Valley; Lee Lewis, Minneapolis; Sherilyn Moe, Minneapolis; Mary Peterson, Ironton; Dr. Lawrence Poston, Minneapolis; Lynette Rauscher, Duluth; Judith Schultz, Henning; Mary Silvaroli Daul, St. Paul; and Susan Taylor, Minneapolis.

Work Zone Safety Enforcement Announced: A cooperative statewide effort to enhance the safety of the thousands who work on state roads and streets was announced by the State Departments of Transportation (Mn/DOT) and Public Safety (DPS). “The lives of road workers are on the line,” Mn/DOT Commissioner Leonard W. Levine said as he kicked off a work zone safety public awareness campaign on June 1. He encouraged motorists to slow down and drive carefully through highway work zones. “Our troopers will be making a special effort to enforce speed limits in work zones,” said Colonel Roger Ledding, State Patrol Chief. “Speed reduction through work zones is very important,” Ledding added, “not just for those who work in work zones but for motorists as well.” There were 2,562 work zone accidents on rural and urban roadways in Minnesota last year. These accidents resulted in 1,104 injuries and 11 deaths. “Drivers must proceed with extreme caution in work zones because highway workers have virtually no protection,” Ledding said. “Those who fail to observe the posted work zone speed limits will be tagged,” he warned. Mn/DOT and DPS have agreed to arrange full-time placement of law enforcement personnel at high risk work

(CITE 12 S.R. 2767)  STATE REGISTER, Monday 20 June 1988  PAGE 2767
zones sites if speed limit signing fails to achieve appropriate compliance. Naegele Outdoor Advertising Co. is donating 40 billboards to carry the message to drive safely through work zones. The first of the billboards went up last week and represent a $38,000 donation supporting the statewide campaign to reach the public on the importance of watching out for highway workers.

**Taxed Twice? File Amended Returns:** A new state law permits Minnesotans who were taxed twice on Individual Retirement Account (IRA), Keogh, Simplified Employee Pension (SEP), and government retirement pension amounts to file for refunds, the Minnesota Department of Revenue said today. The new law affects taxpayers who received distributions in 1987 from IRA, SEP and Keogh plans for contributions made in 1974, 1982, 1983, and 1984 on which state income taxes were already paid. The law also affects state and local government employees who received distributions in 1987 from a government retirement plan on which income tax was paid in 1983 and 1984. Taxpayers affected may file an amended state income tax return for 1987 and receive a refund, according to the department. When the state's tax laws were reformed in 1987, these taxpayers were taxed on money they received from the plans in 1987, even though they already paid taxes on the money in the years they contributed to the plans. The situation was corrected by the 1988 Legislature, which passed a law allowing taxpayers to subtract from their federal taxable income any such retirement income from the plans—up to the amount of contributions on which they previously paid state tax. The new law permits taxpayers who included all the money from such plans on their 1987 return to subtract an amount equal to the contributions that were taxed in previous years. The taxpayer must file an amended 1987 return showing the reduction in his or her income resulting from the law change and the amount to be refunded. About 5,200 Minnesotans are affected by the law change. These taxpayers will be able to continue to subtract their distributions until they recover the full amount of contributions on which they paid taxes. After that, any distribution from a pension plan would be subject to Minnesota taxes in the same way it is taxed by the federal government. A provision will be included on the 1988 state income tax forms for subtracting distributions from IRAs and other plans for 1988, on which contributions were taxed in prior years, the Revenue Department said.

**Energy Assistance Plan Hearings:** Public hearings have been scheduled to discuss the proposed 1989 Minnesota Energy Assistance Plan. The hearings will be held in Grand Rapids at the Blandin Foundation Auditorium, 100 Pokegama Ave. N., Tuesday, June 28, 7:30 to 9:00 p.m.; and in St. Paul at the State Office Building, Room 500 North, 435 Park St., Thursday, June 30, 1:30 to 3:00 p.m. The 1989 Energy Assistance Plan describes how federal funds are used to help eligible low-income households pay home heating bills and conserve energy. Comments received at public hearings will be considered in the development of the plan. Comments also may be made in writing by July 20 to the Economic Opportunity Office, 690 American Center Building, 150 E. Kellogg Blvd., St. Paul, MN 55101. For a copy of the proposed plan, write to the Energy Assistance Program at the above address or call (612) 297-3408.

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