

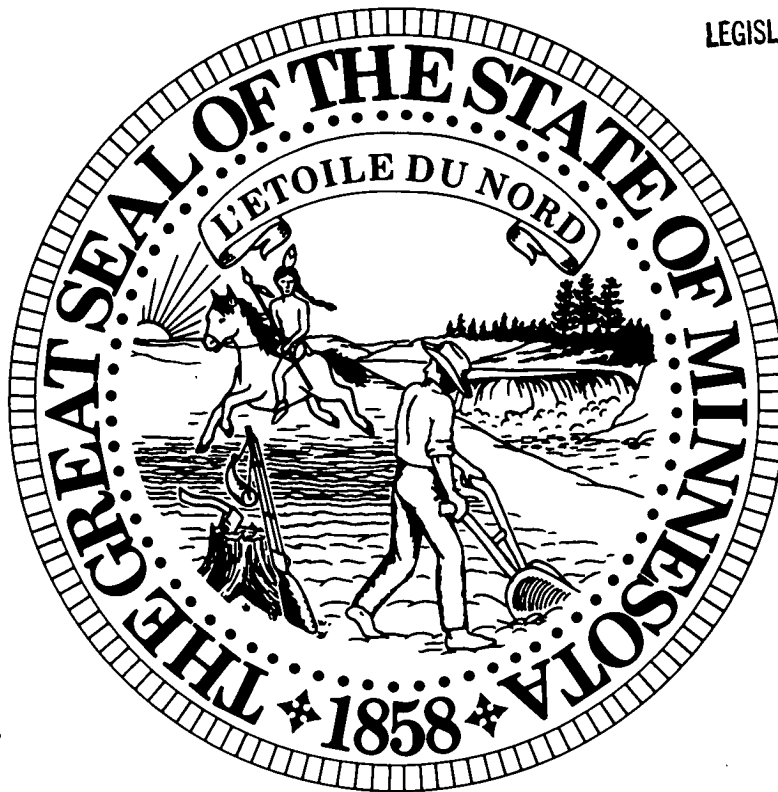
State of Minnesota

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STATE REGISTER

Department of Administration—Documents Division

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STATE REGISTER

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

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

Volume 11 Printing Schedule and Submission Deadlines

Vol. 11 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
9	Monday 17 August	Monday 24 August	Monday 31 August
10	Monday 24 August	Monday 31 August	Monday 7 September
11	Monday 31 August	Friday 4 September	Monday 14 September
12	Friday 4 September	Monday 14 September	Monday 21 September

*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.

The *State Register* is published by the State of Minnesota, Department of Administration, Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to Minn. Stat. § 14.46. Publication is weekly, on Mondays, with an index issue in September. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$130.00 per year, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota. Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$3.50 per copy.

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

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

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

Robin PanLener, Editor

Paul Hoffman, Assistant Editor

Debbie Kobold, Circulation Manager

FOR LEGISLATIVE NEWS

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

SENATE

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

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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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Minnesota Rules

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers.

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*.

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*.

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 1-16; 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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Minnesota's future environment

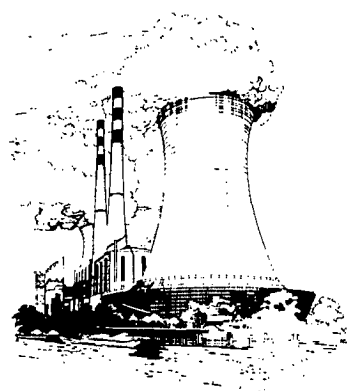
The issue of environmental protection is of continuing interest to both Minnesota business and the general public. Stay abreast of changes in state government regulations with these publications.

1986 Pollution Control Laws

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

1986 Hazardous Waste Rules

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

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

Proposed Rules

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Education

Proposed Permanent Rules Relating to Cooperative Secondary Facilities Grants

Proposed Rules

Notice of Intent to Adopt a Rule Without a Public Hearing

Notice is hereby given that the State Board of Education intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 169.45.

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

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

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

Mildred K. Mueller, Ed.D.
Education Statistics
737 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

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

A copy of the proposed rule is attached to this notice. A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Mildred Mueller upon request.

The State Board of Education estimates that there will be no cost to small business or to local school districts in the state in order to implement the proposed rule.

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

Dated: 11 August 1987

Ruth E. Randall, Secretary
State Board of Education

Rules as Proposed (all new material)**3445.3000 DEFINITIONS.**

Subpart 1. **Scope.** The definitions in this part apply in parts 3445.3000 to 3445.3024.

Subp. 2. **CSFGA.** "CSFGA" means the Cooperative Secondary Facilities Grant Act, Minnesota Statutes, sections 124.491 to 124.496.

Subp. 3. **Pilot project.** "Pilot project" means a plan for a grant under parts 3445.3000 to 3445.3024 for acquiring, constructing, remodeling, or improving the building or site of cooperative secondary facilities to be financed in part by the grant. "Pilot project" may include equipment for the building, but not books, supplies, and materials.

Subp. 4. **Recipient.** "Recipient" means the applicant joint powers district that receives a grant for cooperative secondary facility construction from the commissioner of education under parts 3445.3000 to 3445.3024.

3445.3002 APPLICATIONS FOR COOPERATIVE SECONDARY FACILITIES GRANTS.

Subpart 1. **Who may apply.** A group of three or more school districts, with kindergarten to grade 12 enrollments in each district of no more than 1,000 pupils and a combined current school year October 1 enrollment of at least 240 pupils in grades 10 to 12, or 320 pupils in grades 9 to 12, or 480 pupils in grades 7 to 12 may apply for a cooperative secondary facilities grant under parts 3445.3000 to 3445.3024 if they have entered into a joint powers agreement as provided by Minnesota Statutes, section 471.59 to govern the cooperative secondary facilities.

Subp. 2. **Application forms.** An application for a cooperative secondary facilities grant must be made on an application form available from the State Department of Education.

3445.3004 APPLICATION CONTENTS.

Subpart 1. **Information required.** The application must include the information required in this part.

Subp. 2. **Resolution by joint powers board.** The applicant must provide a copy of the resolution stating the proposed costs of the project, the purpose for which debt is to be incurred, and an estimate of the dates when the facilities for which the grant is requested will be contracted for and completed.

Subp. 3. **Certificate by clerk and treasurer of joint powers board.** The applicant must provide a copy of the certificate by the clerk and treasurer of the joint powers board showing the current outstanding indebtedness of each member district.

Subp. 4. **Certificate by county auditor.** The applicant must provide a copy of a certificate by the county auditor of each county in which a portion of the joint powers district is located showing the information in the auditor's official records that is required to be used in computing the debt limit of the districts under Minnesota Statutes, section 475.53, subdivision 4. For each member district's outstanding bonds, the certificate shall show the amount originally issued, the purpose for which issued, the date of issue, the amount remaining unpaid as of the date of the resolution required in subpart 2, and the interest rates and due dates and amounts of principal remaining.

Subp. 5. **Review and comment.** The applicant must submit a copy of the review and comment by the commissioner of education for the proposed facilities as provided by Minnesota Statutes, section 121.15 regardless of the amount of capital expenditure required.

Subp. 6. **Pupil enrollment data.** The applicant must provide for each member district a copy of current school year, October 1 enrollment data reported on the Fall Enrollment Report submitted to and audited by the Statistics Section, State Department of Education.

The applicant must also prepare and submit a report based on the current pupil enrollment data, broken down by grades kindergarten through grade 12 for all member districts combined.

Subp. 7. **Educational plan.** The applicant must provide a copy of the educational plan for the proposed project. The plan must contain the following information:

A. a description of how the planned secondary facilities will result in the joint powers district meeting the State Board of Education curriculum requirements in parts 3500.2010 and 3500.2110;

B. a description of how the education program to be developed will provide for more learning opportunities and course offerings for pupils than are currently available in any single member districts;

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

Proposed Rules

C. evidence that a plan to assess increased levels of student performance is provided;

D. provisions for instruction of any resident students in other districts when distance to the secondary education facilities makes attendance at the facilities unreasonably difficult or impractical;

E. a combined staff seniority list for all member districts as developed by the joint powers board; and

F. evidence that the development of the educational plan has included input from both community and professional staff, parents, and students.

Subp. 8. **Building program.** The applicant must provide a copy of the cooperative secondary facilities building program. The program must contain the following information:

A. the information required for review and comment under Minnesota Statutes, section 121.15, subdivision 7; and

B. a statement of need including reasons why the current secondary facilities are inadequate, unsafe, or inaccessible to the handicapped.

Subp. 9. **Preliminary plans.** The applicant must provide preliminary plans for the project, prepared by a Minnesota registered architect, including a site plan and vicinity maps, subsurface soil analysis, schematic design studies, and outlined specifications.

Subp. 10. **Engineer's report.** When the project is the remodeling of an existing building or expansion of an existing building, the applicant must provide a report by an engineer licensed in Minnesota that evaluates the structural soundness, fire, and safety hazards of the existing building.

Subp. 11. **Architect's certification.** The applicant must provide a certificate from a Minnesota registered architect that the project's facilities are designed to make them accessible to and usable by physically disabled persons as required by Minnesota Statutes, sections 471.465 to 471.469.

Subp. 12. **Budget.** The applicant must provide the project budget including estimated expenditures for site acquisition and preparation, consultant fees, planning costs, and administration costs; contracts for the construction for a new building and expansion or remodeling of an existing building; architectural, engineering, and inspection costs; initial equipment, furniture, utilities, and floor coverings; and moving expenses for existing books, equipment, supplies, and furniture.

Subp. 13. **Evidence of title to land.** The applicant must provide evidence that it holds fee title to the project site including right of access, or that the applicant can complete negotiations for fee title to the site within 30 days of approval of the application.

Subp. 14. **Assurances.** The applicant must give written assurance of compliance with all provisions of the CSFGA and all applicable state laws and rules, including the following:

A. no more than one superintendent shall be employed by the joint powers board as a result of the cooperative secondary facilities agreement;

B. to the extent possible the joint powers board is encouraged to provide for severance pay for early retirement incentives under Minnesota Statutes, section 125.611, for any teacher or administrator who is placed on unrequested leave as a result of the cooperative secondary facilities agreement;

C. the applicant must comply with Minnesota Statutes, sections 177.41 to 177.43, relating to prevailing wage rates;

D. the applicant shall assure that the funds allotted to it will be used only for cooperative secondary facility construction activities in this item. The activities are:

(1) erection costs for new buildings for a cooperative secondary facility;

(2) costs for expansion, remodeling, and alteration of existing buildings for a cooperative secondary facility;

(3) site acquisition, grading, and improvement of land on which the secondary facility is to be located;

(4) architectural, engineering, and inspection expenses incurred after site selection;

(5) moving expenses for existing books, supplies, equipment, and furniture;

(6) expenses related to acquisition and installation of initial equipment including all necessary building fixtures, utilities, and furniture;

(7) services of consultants related to the pilot project; and

(8) expenses other than interest and the carrying charges on bonds related to the acquisition of an existing building or of land on which there is to be construction of new buildings or expansion of existing buildings to be used for cooperative secondary facilities. The expenses must constitute an actual cost or transfer of public funds; and

E. the applicant shall assure that the funds allotted to it as a recipient for cooperative secondary facilities construction are not used for the purchase of books, materials, or other supplies.

Subp. 15. **Additional information.** The State Department of Education may request additional information from the applicant to clarify and evaluate the application. If the additional information requested has not been received at the State Department of Education within ten working days after the request for additional information, the grant application shall be evaluated and approved or disapproved solely on the basis of the information it contains.

3445.3005 APPLICATION DATES.

For state fiscal year 1988 only, the cooperative secondary facilities grant application must be filed on or before November 16, 1987, for January 1, 1988, grant award consideration, and on or before April 15, 1988, for July 1, 1988, grant award consideration. In subsequent years, applications must be filed on or before November 1 and April 15 for January 1 and July 1 grant award consideration respectively, unless a different date is established by the commissioner of education and published in Education Update, official publication of the State Department of Education, not less than 60 days before the application due date.

3445.3008 RECEIPT OF APPLICATION.

When an application is received, the State Department of Education shall obtain information from the commissioner of revenue, public utilities commission, or other official records that are required to be used in computing the debt limit of the joint powers district under Minnesota Statutes, section 475.53, subdivision 4. If any joint powers district is found not qualified according to the requirements of CSFGA, it shall be notified promptly by the commissioner of education.

3445.3010 MAXIMUM GRANT.

Grant funds provided under this program may constitute up to 75 percent of the approved construction costs of the cooperative secondary education facilities. To the extent money is available, the commissioner of education may approve not more than two pilot projects from the applications submitted under this chapter.

3445.3014 APPLICATION RATING.

To measure relative need, all applications must be rated in part by State Department of Education staff. The rating results and application materials must be forwarded under part 3445.3018 to the commissioner of education.

A. A numerical rating must be determined for each pilot project based on the number of school districts in the joint powers district and their combined current secondary grade enrollment. Pilot projects will be awarded points as follows:

(1) pilot projects where the joint powers district contains three member school districts, eight points, and three points for each additional member school district up to six districts; and

(2) pilot projects where the most recent October 1 student enrollment of the joint powers district in the secondary grades to be contained in the cooperative facilities averages 80 or more students per grade, eight points.

B. A numerical rating for the adequacy of each of the member district's secondary (grades seven through 12 inclusive) facilities must be determined based on the age of the secondary facilities currently used. Pilot projects will be awarded points as follows:

(1) where 50 percent or more of the total secondary square footage was occupied for school use during or before 1920, five points;

(2) where 50 percent or more of the total secondary square footage was occupied for school use during or before 1945, three points;

(3) where 50 percent or more of the total secondary square footage was occupied for school use during or before 1970, one point; and

(4) where a member district does not currently provide its own secondary facilities for 50 percent or more of its students on a full-time basis, three points.

C. A numerical rating based on the adequacy of the educational plan submitted by the joint powers district shall be assigned to each pilot project as follows:

(1) additional, specific learning outcomes provided through more learning opportunities and course offerings for students than currently available in any member district, and a plan to assess the learning outcomes and increased levels of student performance, up to 18 points;

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Proposed Rules

- (2) evidence of input in the development of the educational plan by professional staff, up to eight points;
- (3) evidence of input in the development of the educational plan by community members, parents, and students, up to eight points;
- (4) evidence of meeting the State Board of Education curriculum requirements, eight points; and
- (5) a plan for more efficient use of staff than currently available in any member district, up to eight points.

D. A numerical rating based on the adequacy of the provisions for instruction of any resident students in other districts when distance to the secondary education facilities makes attendance at the facilities unreasonably difficult or impractical, up to ten points.

E. A numerical rating must be determined for each pilot project based upon the school tax burden of the joint powers district. The weighted average auditor mill rate must be calculated for each joint powers district. Pilot projects must be awarded points as follows:

- (1) if the weighted average auditor mill rate is in the 75th percentile or above among Minnesota school districts, ten points;
- (2) if the weighted average auditor mill rate is at or above the 50th percentile but below the 75th percentile among Minnesota school districts, five points;
- (3) if the weighted average auditor mill rate is below the 50th percentile among Minnesota school districts, zero points.

3445.3018 APPROVAL OF PILOT PROJECTS.

State Department of Education staff shall advise the commissioner of education of applications meeting the requirements of parts 3445.3000 to 3445.3024 and the results of the application rating performed in part 3445.3014. An application must receive a minimum of 75 application rating points under part 3445.3014 in order to receive consideration for a grant award by the commissioner of education. The commissioner of education shall award grants based on the total points assigned in the application rating and total grant funds available. The commissioner shall use state geographic balance as a deciding factor if application ratings are within ten points of each other.

The commissioner of education must not approve an application for a grant unless the facility receives a favorable review and comment as provided in Minnesota Statutes, section 121.15 and the requirements under parts 3445.3000 to 3445.3024 are fully complied with. The commissioner shall promptly certify to each qualified joint powers district the amount, if any, of the grant awarded.

3445.3020 REFERENDUM; BOND ISSUE.

Within 90 days after being awarded a grant under part 3445.3018, the joint powers board shall submit the question of authorizing the borrowing of funds for the cooperative secondary facilities to the voters of the member districts at a special election. The question submitted shall state the total amount of funding needed from all sources. A majority of those voting in the affirmative on the question is sufficient to authorize the joint powers board to issue the bonds on public sale in accordance with Minnesota Statutes, chapter 475. The clerk of the joint powers board must certify the vote of the bond election to the State Department of Education. If the bonds are authorized by the voters, the State Department of Education shall notify the county auditor of each county in which a member district is located that the grant amount certified in part 3445.3018 is available and appropriated for payment of principal and interest on the bonds issued under this part, and the auditor shall reduce the joint power district's debt service levies accordingly. If a majority of those voting on the question do not vote in the affirmative, the grant must be canceled.

3445.3022 COOPERATIVE SECONDARY FACILITIES GRANT CONTRACT.

Each grant must be evidenced by a contract between the joint powers board and the state acting through the commissioner of education. A contract must be entered into within 15 months after each grant is awarded. It obligates the joint powers board and the state acting through the commissioner of education. It obligates the state to pay to the joint powers board an amount computed under part 3445.3018, upon receipt by the State Department of Education of a certified resolution of the joint powers board estimating the costs, and verifying that contracts have been entered into for construction or remodeling of the facilities for which the grant is awarded and that bonds of the joint powers district have been issued and sold in the amount necessary to pay all pilot project costs in excess of the amount of the grant.

3445.3024 RETURN OF GRANT FUNDS.

If a project is completed for an amount lower than the amount in the project budget in the application, or if the recipient is unable to complete the pilot project, the recipient shall amend its grant contract and return any unexpended funds to the State Department of Education. The grant amount must be reduced by the same percentage as the total project budget has been reduced. The commissioner of education shall offer those returned funds to the other grant recipient under part 3445.3018, if that grant recipient's pilot project was funded at less than the requested amount. That recipient shall have 60 days to modify its project to the satisfaction of the State Department of Education to expend an increased grant amount up to the amount in its application.

Department of Public Safety

Proposed Permanent Rules Relating to Liquor Labeling Requirements

Notice of Hearing

Notice is hereby given that a public hearing will be held pursuant to *Minnesota Statutes* Section 14.14, Subd. 1a, in the above entitled matter in Room 300 South, State Office Building, John Ireland Boulevard, St. Paul, MN, on Friday, October 23, 1987, commencing at 9:30 a.m., and continuing until all interested persons or groups have had an opportunity to be heard concerning adoption of the proposed rules by submitting either oral or written data, statements or arguments. The hearing will be conducted by Administrative Law Judge Peter C. Erickson, 400 Summit Bank Building, 310 South Fourth Avenue, Minneapolis, MN 55415; telephone 341-7606. The rule hearing procedure is governed by *Minnesota Statutes* Sections 14.02 to 14.45 and 14.48 to 14.56 and by *Minnesota Rules* 1400.0200 to 1400.1200. Questions regarding procedure may be directed to the Administrative Law Judge at the above listed address.

As a result of the hearing process, the proposed rules may be modified. The department therefore strongly urges those who may potentially be affected by the substance of the proposed rules to participate in the hearing process. Written comments may be submitted without appearing at the hearing by mailing them to the Administrative Law Judge. Written material may be submitted and recorded in the hearing record for five working days after the public hearing ends. This comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. In addition, following the close of the initial comment period, interested persons and the agency will be allowed to submit responses to any new information submitted in the comments received during the initial comment period. The responses must be filed within three working days of the close of the initial comment period. Additional evidence may not be submitted during this three day period.

The department's authority to adopt the proposed rules is contained in *Minnesota Statutes* 299A.02, Subd. 3. The proposed rules relate to deleting the requirement for labeling of strong beer. A copy of the proposed rules follow this Notice.

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

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

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

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, MN 55155, telephone (612) 296-5148.

Notice is hereby given that a Statement of Need and Reasonableness is now available for review at the department and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the department anticipates presenting at the hearing, justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be obtained from the department or the Office of Administrative Hearings at the cost of reproduction.

Pursuant to *Minnesota Statutes* Section 14.115, "Small business consideration in rule-making," the impact on small business has been considered in the promulgation of the rules and is further discussed in the Statement of Need and Reasonableness. These rule changes have considered the methods for simplification of procedures and requirements of businesses in complying with labeling requirements for beer sold in Minnesota.

By eliminating the need for labeling beer as "strong", it will reduce the cost and interruptions to production of beer of brewers and distributors. Brewers will no longer be required to have special containers for beer sold in Minnesota. For distributors, the rule change will eliminate the need to hand stamp individual bottles of beers for certain brands which will reduce labor and distribution costs.

While the labels themselves will not have to specify strong beer, the brewer or distributor must still submit the chemical analysis

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Proposed Rules

reports to Liquor Control to verify the alcoholic contents of the product. This is needed in order to determine in which outlets the products may be sold for enforcement purposes. In addition, this information is needed by the Revenue Department to determine the proper tax to collect on the product because of the difference between the tax on 3.2 and strong beer.

Anyone wishing to present evidence or arguments as to the rules effect on small business may do so.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the department may not take any final action on the rules for a period of five working days. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rule was adopted and filed with the Secretary of State. The notice must be given on the same day that the rule is filed. If you desire to be so notified you may so indicate at the hearing or so request of the department at any time prior to the filing of the rule with the Secretary of State.

The department estimates that there will be no cost to local public bodies in the state to implement the rules for the two years immediately following their adoption, within the meaning of *Minnesota Statutes* Section 14.11, Subd. 1. The department anticipates that the rule will not have a direct and substantial adverse effect on agricultural land within the meaning of *Minnesota Statutes* Section 14.11, Subd. 2.

One free copy of the proposed rules is available and may be obtained by writing to the Department of Public Safety, Liquor Rules, 211 Transportation Bldg., St. Paul, MN 55155. Additional copies will be available at the hearing.

Paul J. Tschida
Commissioner of Public Safety

7515.1100 LABELING REQUIREMENTS AND ALCOHOLIC CONTENT.

Subpart 1. [See Repealer.]

Subp. 2. ~~1-5 0.5~~ **to 3-5 3.2 percent alcohol.** For ~~any a~~ product that contains more than one-half of one percent of alcohol by volume and not more than 3.2 percent by weight, the alcoholic content ~~shall~~ must be stated and the product labeled as follows: "contains not more than 3.2 percent of alcohol by weight" or similar expression of like meaning.

If the product is sold in cans, the words "contains not more than 3.2 percent of alcohol by weight," or similar expression of like meaning, must appear on one end of each can in a permanent medium. For cone-type cans, however, the indication must be placed on the side.

Subp. 3. **Copies instead of cans.** In place of submitting can containers for malt beverages, duplicate photostatic copies of each can ~~shall and its lid~~ must be submitted for both 3.2 percent and strong and ~~such the~~ copies ~~shall~~ must clearly show the label and the alcoholic content statement for the 3.2 product only.

Subp. 4. **Under ~~1-5 0.5~~ percent alcohol.** The alcoholic content ~~shall~~ must be stated if the product contains less than one-half of one percent of alcohol by volume and ~~shall~~ must be labeled "contains less than one-half of one percent of alcohol by volume."

Subp. 5. **Confiscation.** ~~Any A~~ product not labeled in accordance with this part ~~shall be~~ is subject to confiscation by the commissioner.

7515.1110 ALCOHOLIC CONTENTS TO BE INDICATED ON CONTAINERS.

Subpart 1. **Kegs or barrels.** Kegs or barrels sold in Minnesota ~~shall~~ must have the contents identified by paper stickers or stencils affixed on the same surface as the brewer's identification stating ~~either "strong beer" or "3.2 beer" or similar words~~ which that are appropriate to the content, or as an alternative the alcoholic contents of kegs or barrels may be identified with distinctive symbols ~~which that~~ have been submitted to and approved by the commissioner.

Subp. 2. **Sealed, nonreturnable cases.** Nonreturnable and sealed cases of bottles or cans ~~shall~~ must have imprinted in ink on the top or one side of the case ~~either "strong beer" or "3.2 beer" or similar words~~ which that are appropriate to the content, or identified by the use of distinctive symbols ~~which that~~ have been submitted to and approved by the commissioner. This ~~provision shall apply~~ subpart applies to the shipping case ~~and need but does~~ not apply to smaller cartons ~~which that~~ may be contained ~~therein in the case.~~ Each brewer and importer shall notify the commissioner whether identification will appear on the top or side of the case.

Subp. 3. **Unsealed, returnable cases.** ~~An~~ unsealed returnable ~~eases case~~ of bottles ~~need~~ needs no external marking to identify alcoholic content, if opening the case without breaking furnishes a direct view of ~~bottle~~ bottles that identify the alcoholic content pursuant to this part.

Subp. 4. **Confiscation.** ~~Any A~~ product not labeled in accordance with this part ~~shall be~~ is subject to confiscation by the commissioner.

REPEALER. Minnesota Rules, part 7515.1100, subpart 1, is repealed.

Commerce Department

Correction to Proposed Permanent Rules Relating to Joint Health and Disability Self-Insurance Plans

The Notice of Intent to Adopt Rules Without a Public Hearing that appeared Monday 17 August 1987 in the *STATE REGISTER* vol. 12 #7 incorrectly cited *Minnesota Statutes*, Section 60F.06 on the bottom of page 270. The correct citation should be 62H.06.

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 Natural Resources

Adopted Permanent Rules Relating to the Kettle River Wild and Scenic River Designation

The rules proposed and published at *State Register*, Volume 11, Number 48, pages 2196-2198, June 1, 1987 (11 S.R. 2196) are adopted as proposed.

Pollution Control Agency

Adopted Permanent Rules Relating to Low-Level Radioactive Waste Generator Fees

The rule proposed and published at *State Register*, Volume 11, Number 46, pages 2106-2107, May 18, 1987 (11 S.R. 2106) is adopted as proposed.

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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.

County of Clearwater Ninth Judicial District

Notice of Filing Fees for District Law Library

Pursuant to *Minnesota Statutes*, 140.422, the Clearwater District Law Library Board of Trustees, with the approval of the Clearwater County Board of Commissioners, announces the setting of law library fees to be collected in the District, Probate, and Conciliation Courts of Clearwater County.

Civil Suits		Petty Misdemeanor, Misdemeanor Traffic and Criminal Convictions	
Plaintiff/Petitioner	\$6.00	Defendant	\$6.00
Defendant/Respondent/Intervenor	\$6.00		
Probate		Gross Misdemeanor Convictions	
Petitioner (Formal Proceedings and Determination of Descent)	\$6.00	Defendant	\$6.00
Conciliation		Felony Convictions	
Petitioner	\$6.00	Defendant	\$6.00
Respondent	\$6.00		

These fees will be effective at and after 12:01 a.m., September 1, 1987.

Dated: 17 August 1987

Department of Commerce

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

Notice is hereby given that, pursuant to *Minnesota Statutes*, section 621.21, the Minnesota Joint Underwriting Association (MJUA) and the Market Assistance Plan (MAP) are activated to provide assistance to the following classes of business unable to obtain insurance from private insurers:

Collection Agency

Roofing Contractor

Petroleum Tank Installation

Laminar Flow Testing Service

Abstractor

The MJUA and MAP are activated to provide assistance to the above classes of business for a period of 180 days following publication of this notice. A public hearing will be held, for the purpose of determining whether activation should continue beyond 180 days, at the Office of Administrative Hearings, 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415 on November 17, 1987 at 9:00 a.m. and continuing until all interested persons and groups have had an opportunity to be heard. The hearing shall be governed by *Minnesota Statutes*, Sections 14.57-14.69 and by *Minnesota Rules*, Parts 1400.5100-1400.8400, (1985). Questions regarding procedure may be directed to Administrative Law Judge, Peter Erickson, 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415, telephone (612) 341-7606. The authority for this proceeding is found in Chapter 621 of *Minnesota Statutes*, specifically sections 621.21 and 621.22. (A copy of those sections follows this notice.)

Prior to the hearing a pre-hearing conference will be held at 1:30 p.m. on October 29, 1987, at the Office of Administrative Hearings, 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415.

Minnesota Statutes, Chapter 621, which governs the Minnesota Joint Underwriting Association provides for temporary activation for 180 days by the Commissioner of Commerce. To extend the Minnesota Joint Underwriting Association's authority beyond the 180 day period a hearing must be held. Those classes of business for which the Minnesota Joint Underwriting Association was

temporarily activated, by this notice and by previously published notices, must prove, at that hearing, that they meet the statutory requirements for coverage by the Minnesota Joint Underwriting Association.

Among those requirements are:

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

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

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

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

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

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

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

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

Dated: 21 August 1987

Michael A. Hatch
Commissioner of Commerce

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

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

62I.22 HEARING

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

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

Subd. 3. CONTESTED CASE; REPORT. The hearing and all matters after the hearing are a contested case under chapter 14.

Official Notices

Within 45 days from the commencement of the hearing and within 15 days of the completion of the hearing the administrative law judge shall submit a report to the commissioner of commerce. The parties, or the administrative law judge, if the parties cannot agree, shall adjust all time requirements under the contested case procedure to conform with the 45-day requirement.

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

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

Department of Health

Environmental Health Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Licensing of Asbestos Abatement Contractors and Certification of Asbestos Abatement Workers

Notice is hereby given that the Department of Health is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing persons who work on asbestos abatement projects. The adoption of the rule is authorized by *Laws of Minnesota 1987*, Chapter 326, which requires the agency to regulate persons performing asbestos work.

The Department of Health 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: Deborah S. Green, Coordinator, Asbestos Abatement Unit, Occupational Health Section, Minnesota Department of Health, P.O. Box 9441, Minneapolis, Minnesota 55440. Oral statements will be received during regular business hours over the telephone at 612/623-5380 and in person at the above address.

Any written material received by the Department of Health 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.

Dated: 24 August 27

Raymond W. Thron, Ph.D., P.E., Director
Division of Environmental Health

Department of Human Services

Notice of Prior Authorization of Medical Assistance Services

As authorized by *Minnesota Statutes*, section 256B.02, subdivision 8(20), the following Medical Assistance services shall require prior authorization. Effective with the date of this publication, prior authorization will be required for personal care services (X4023) certifications and recertifications, and Private Duty Nursing services in excess of 50 hours a month. (X4020 and X4021). As Personal Care Services presently require authorization, this does not represent a substantial change in requirements but merely a clarification.

The complete list of services requiring prior authorization will be published shortly. Until that time, all existing prior authorization requirements shall remain in effect.

Department of Human Services

Bureau of Health Care and Residential Programs

Request for Information about Computer Software Related to the Operation of the State Regional Centers and Nursing Homes

The Department of Human Services is soliciting information from vendors concerning computer software and hardware related to the operation of the eight State Regional Centers and two State Nursing Homes located throughout the State. These facilities provide residential and treatment services to mentally ill, developmentally disabled, chemically dependent, and geriatric populations.

Desired products will support a full range of services such as Admissions, Accounting, Dietary, Electronic Charting, Pharmacy, Central Supply, Material Management, Medical Records, Plant Management, Utilization Review, and Quality Assurance. Of added importance is the ability to interface this information with several divisions at the State's central site.

It is the State's intent that this request is for information about packaged computer software that can handle facility applications with minor modification, not for detailed design and development of such a system.

Interested parties may obtain a Request for Information (RFI) document by calling or writing:

Connie J. Cobb, Director
State Facility MIS Project
Office of the Assistant Commissioner
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155
Telephone: (612) 297-2192

Information regarding the formal response to this request is outlined in the RFI document. Vendors wishing to be seriously considered in responding to a subsequent Request for Proposal, must also respond to the RFI. All formal responses must be received no later than October 2, 1987.

Minnesota Public Utilities Commission

Notice of Intent to Solicit Outside Information Regarding Proposed Rules Relating to Certificates of Need for Power Plants and Transmission Lines, Docket No. E-999/R-86-329

Notice is hereby given that the Minnesota Public Utilities Commission (Commission) is seeking information or opinions from outside sources in preparing to propose the adoption and amendment of rules relating to certificates of need for power plants and transmission lines, *Minnesota Rules*, parts 4220.0100-4220.4100. The most substantial changes relate to the following parts:

1. *Minnesota Rules*, part 4220.2350 ENVIRONMENTAL REPORT. Adoption of a new rule making it possible to consider part of the certificate of need application as the "draft environmental report" required under *Minnesota Rules*, part 4410.7100, subpart 5.

2. *Minnesota Rules*, part 4220.4100 CERTIFICATE OF NEED MODIFICATIONS. Amendment to reflect statutory changes and to more specifically describe procedures for handling post-application conditions and changes.

In addition to the above-described changes, other amendments reflect statutory changes, provide minor procedural changes, require additional economic or engineering data, delete certain requirements, and make minor changes in wording.

Persons or groups interested in examining a working copy of the above rules may call Kris Kline at 296-7124 for one free copy.

The adoption and amendment of the rules is authorized by *Minnesota Statutes*, Sections 14.06, 216A.05, 216B.08 and 216B.243 (1986), which collectively allow the Commission to promulgate rules regarding the certificate of need process.

The Commission requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written or oral statements or comments should be directed to:

David Jacobson
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101
Telephone: (612) 297-4562

Oral statements will be received during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday.

All statements of information and opinion will be accepted until Friday, October 9, 1987. Any written materials received by the Commission shall become part of the rulemaking record in the event that the rules are adopted and amended.

Dated: 20 August 1987

Mary Ellen Hennen
Executive Secretary

State Board of Vocational Technical Education

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Rules for Licensure of Postsecondary and Adult Vocational Technical Education Personnel

Notice is hereby given that the State Board of Vocational Technical Education is seeking information or opinions from sources outside the agency in preparing to amend *Minnesota Rules*, Chapter Thirty-Five Fifteen: Rules for Licensure of Vocational Technical Education Personnel and specifically in Neon & Sign Fabrication, Building Services Technician, Audio/Recording Specialist, Locksmithing Technician, Electric Utility Commission, Private/Public Housing Management, Poultry Production Manager, Fire Protection, Security Management, Productivity Technician, Vibroacoustics Technology, Physical Therapist Assistant, Advanced Business Communications Technology, Plastics Composite Technology and Diesel Fuel Injection Specialist licenses. The promulgation of these rules is authorized by *Minnesota Statutes* §§ 136C.04, subd. 9 and 125.185 subd. 4.

The State Board of Vocational Technical Education requests information and comments concerning the subject matter of these rules. Interested or affected persons may submit written statements of information or comment orally. Written comments should be addressed to:

Ms. Helen Henrie
Minnesota Technical Institute System
565 Capital Square Bldg.
550 Cedar Street
St. Paul, MN 55101
(612) 297-4575

Ms. Georgia Pomroy
Minnesota Technical Institute System
520 Capital Square Bldg.
550 Cedar Street
St. Paul, MN 55101
(612) 296-0680

Oral statements will be received during regular business hours over the telephone at (612) 296-0680 and in person at the above address.

All statements of information and comments shall be accepted until 4:30 p.m., September 30, 1987. Any written material received by the Minnesota Technical Institute System shall become part of the record in the event that the rules are amended.

Dated: 19 August 1987

Helen Henrie, Deputy Director
Minnesota Technical Institute System

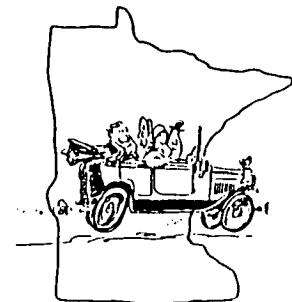
60% Discount on case lots of the 1986 Official Minnesota Hiway Map

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Room at the Inn: Guide to Historic Bed and Breakfasts, Hotels and Country Inns Close to the Twin Cities, by Laura Zahn. 127 pp., Code #19-72, \$7.95.



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

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

State Contracts and Advertised Bids

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

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

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

Department of Administration: Procurement Division

Contracts and Requisitions Open for Bid

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

Commodity for Bid (and Buyer)	Bid Closing Date at 2 pm	Department or Division	Delivery Point	Requisition #
Casters—industrial, institutional hospital (EFS)	September 3	Various	Various	Price Contract
Sand (BV)	September 3	Transportation	Duluth	79 100 03860
Rubbish disposal (JS)	September 3	MN Correctional Facility	St. Cloud	78 830 08774
Lock replacement—rebid (DRT)	September 3	Regional Treatment Ctr.	Anoka	55 100 03683
Light heating fuel (EFS)	September 4	Various	Various	Sch. 93
Tractors, lawn & garden, plus accessories (EFS)	September 4	Various	Various	Price Contract
Testing of blood samples (DK)	September 4	Animal Health	St. Paul	Price Contract
2nd rebid Sperry terminals (computers) (PA)	September 4	State University	Mankato	26 071 17282
2nd rebid Sperry terminals (computers) (PA)	September 4	State University	Mankato	26 071 17225
Epson and IBM computers—rebid (PA)	September 8	State University	St. Cloud	26 073 19505
Maintenance of document II system (DRT)	September 8	Micro-Graphics Service	St. Paul	02 443 81617
Communications system—rebid (PA)	September 8	Board of Vo-Tech Education	St. Paul	36 000 07891
Multi-line phone system (PA)	September 8	Public Safety	Golden Valley	07 500 45017

Department of Administration: Printing & Mailing Services

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

Commodity for Bid (and Buyer)	Bid Due Date at 2 pm	Department or Division	Delivery Point	Requisition #
Refund Booklets	September 8	Revenue	St. Paul	1014
Seven Bonds	September 8	Finance	St. Paul	1050; 1214,5,6,7,8,9
1988 Winter, Spring, Summer & Fall Quarterly Class Schedules	September 8	Community College	White Bear Lake	590

Department of Administration

Request for Proposal for Needs Assessment and Analysis on the Feasibility of Establishing a Privately Run Child Care Center in the Capitol Complex and/or Lafayette Park Areas

I. OBJECTIVES

The Minnesota Department of Administration, Management Analysis Division, is soliciting proposals from qualified consultants to:

State Contracts and Advertised Bids

1. Design and conduct a needs assessment in the Capitol Complex and the Lafayette Park areas of the child care needs of state employees and visitors.
2. Determine the feasibility of establishing an unsubsidized child care center run by a private provider in the Capitol Complex and/or the Lafayette Park area.
3. Develop recommendations for the management, operations, costs and programs of an on-site center.
4. Develop recommendations for potential sites.

This is to assure the provision of a final report that meets the legislative requirements laid out in *Minnesota Laws, 1987*, Chapter 404, Section 16.

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

II. QUALIFICATIONS OF RESPONDENTS

Respondents must be able to demonstrate experience and expertise in designing, conducting and analyzing needs assessments. Additionally, respondents must be able to demonstrate experience and expertise in the field of child care and familiarity with legal issues, programs and policies regarding management of child care centers.

III. SCOPE OF THE PROJECT

The project must be initiated upon selection of a proposal September 25, 1987 and completed by December 1, 1987. Tasks to be performed:

1. Design and conduct a child care needs assessment of state employees and visitors in the Capitol Complex and Lafayette Park area. This needs assessment will focus on what on-site child care services employees would use, and will include an analysis of projected changes in demographics of employees and potential office relocations that might increase or decrease the feasibility of child care services.
2. Analysis of the needs and of what on-site services are wanted by state employees and visitors, if any, e.g. infant care, latch key, drop in, sick child care.
3. Analysis of financial feasibility of a center.
4. Identification of services currently available near the Capitol Complex and Lafayette Park areas.
5. Recommendations regarding the management, operations, costs, and programs of a center run by a private provider including the cost to employees of the most desirable programs and the potential use by non state employees.

IV. PROJECT MANAGEMENT

Contractors will:

1. Work closely with designated staff of the Department of Administration, Department of Employee Relations, and members of the Joint Labor Management Committee on Child Care in all stages of the project.
2. Provide a progress report every two weeks throughout the duration of the project.
3. Provide a preliminary written report of the needs assessment including the methods used, the results and the contractor's analysis of the information generated. The contractor will provide three written copies of the summary.
4. Based on the research and needs assessment, will provide a written report conceptualizing a range of child care services for persons needing such a service.
5. Be available to assist Department staff in presenting the recommendations to the legislature in January 1988.

V. MAXIMUM EXPENDITURE

The department will not accept any bids of more than \$10,000.

VI. PROPOSAL CONTENTS

The following will be considered minimum content for the consultant's proposal:

- A. An outline of the contractors' background and experience in conducting this type of analysis, and in designing centers.
- B. A restatement of the objectives and tasks of the project to illustrate the consultant's understanding of the proposal.
- C. Identification of all personnel including subcontractors who will perform each task, their training and experience. No change in personnel assigned to this project will be permitted without the approval of the Department's project manager. Responders must assure that they do not employ and will not employ any current State employees for this project.

State Contracts and Advertised Bids

D. A detailed work plan which identifies in specific terms all the tasks to be performed with timelines and cost estimates for each task.

E. A copy of recently completed studies or presentations regarding the issues described above or similar issues.

All proposals received by the deadline will be evaluated. An oral interview may be part of the selection process. Factors upon which the proposals will be judged include:

1. Expressed understanding of the project objectives and scope.
2. Qualifications and experience of both company and personnel.
3. Proposed needs assessment methods and resources.
4. Project management capabilities and experience.
5. Project work plan and timetable.
6. Cost of the project as presented in the itemized budget.

VII. EVALUATION AND SELECTION

Evaluation and selection will be completed by September 25, 1987. Results will be sent by mail to all responders.

All proposals must be sent to and received by Chuck MacDonald or Sue Laxdal at the following address by 4 p.m., September 11, 1987.

Department of Administration
Management Analysis Division
203 Administration Building
St. Paul, MN 55155

Late proposals will not be accepted. Six copies of the proposal must be submitted in a sealed mailing envelope or package with the responder's address clearly written on the outside. The proposal must be signed by an authorized member of the contracting firm. Prospective responders who have questions concerning this request for proposal may call Chuck MacDonald (296-7036) or Sue Laxdal (296-7566).

Department of Agriculture

Request for Proposals to Coordinate Focus Group Meetings on Farm Energy Use

The Minnesota Department of Agriculture is soliciting proposals from qualified consultants to organize and conduct focus group meetings throughout the state. In order to solicit ideas about farm management strategies that will reduce on-farm energy use and farm operating costs, focus group meetings will be held with farmers, related agri-businesses, and other local resource persons in six counties representative of Minnesota agriculture. The Department has estimated that the cost of this project should not exceed \$15,000 for professional services and expenses.

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

For a copy of the Request for Proposal, contact:

Jeff McGuire
Planning Division
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 296-7686

The deadline for submitting complete proposals is September 25, 1987.

Capitol Area Architectural and Planning Board

Competition Announcement for Design of a State Office Building Parking Ramp

THE DESIGN CHALLENGE

The State of Minnesota and the Capitol Area Architectural and Planning Board (CAAPB) announce a design competition for the exterior treatment and surrounding landscape of a new 400-space parking ramp west of the State Office Building. To be located in

State Contracts and Advertised Bids

the Minnesota State Capitol Area, this project presents a major urban design challenge. The winning design must consider the existing State Office Building along with the new design for the Capitol Mall immediately to the east. The design solution should be a delicate balance between the historic character of the Capitol Area and the adjacent commercial development. The new ramp must enhance the architectural character and quality of the Capitol Area.

COMPENSATION AND AWARDS

The winner will be designated the Architect for the project. The winner will work with the CAAPB engineering consultants who will serve as project managers. Estimated construction cost is \$3.1 million.

COMPETITION SCHEDULE (Preliminary)

October 2, 1987	Registration Due (postmarked)
October 6, 1987	Design Framework and Competition Conditions Issued
October 22, 1987	Question Period Closes
November 19, 1987	Design Submissions Due
November 23-24, 1987	Jury Award

ELIGIBILITY

Registration is open to any registered architect and/or landscape architect or any designer who has established an association with a firm in which the principal is a registered architect.

REGISTRATION

Registration will be by letter, accompanied by a check in the amount of \$20.00 made payable to the State Office Building Parking Ramp Competition. Registrations should be addressed to:

State Office Building Parking Ramp Competition
Capitol Area Architectural and Planning Board
B-46 State Capitol
St. Paul, MN 55155

State Designer Selection Board

Request for Proposal for a Project for the Iron Range Resources and Rehabilitation Board

TO REGISTERED PROFESSIONALS IN MINNESOTA:

The State Designer Selection Board has been requested to select designer for a Project for the Iron Range Resources Rehabilitation Board. Design firms who wish to be considered for this project should submit proposals on or before 4:00 p.m., September 22, 1987, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

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

4. Mandatory Proposal contents in sequence:

- a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.
- b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.
- c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.
- d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s)

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

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

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

5. Statutory Proposal Requirements:

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

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

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

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

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

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

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

8) PROJECT—29-87

Facilities Study
Ironworld U.S.A.
Chisholm, Minnesota

The Iron Range Resources and Rehabilitation Board requests proposals from qualified multi-disciplined consultants to conduct a study addressing comprehensive facility and site planning, economic projections, and estimated costs and operational alternatives for **IRONWORLD USA**, located in Chisholm, Minnesota.

BACKGROUND: The I.R.R.R.B. has developed, during the past decade, a major tourism facility that encompasses over 300 acres of an abandoned iron mine. **IRONWORLD USA** includes a 33,000 square foot Interpretative Center, Research Center, Geology Hall, Ethnic Arts Center, 1,600 seat covered Amphitheatre, Festival Park, 2.5 mile Trolley, Steam and Diesel Railroad and an Administration Building that includes admission and information space. Much of the mine is now a large deep lake surrounded by steep banks and rugged terrain.

PROJECT SCOPE AND WORK PROGRAM: The I.R.R.R.B. desires to engage a planning firm to review and evaluate present facilities and make recommendations for new expansion at **IRONWORLD USA**. The consultants will analyze all plans currently being considered and offer new ideas in conceptual form, including estimated costs and what economic benefit can be anticipated.

The I.R.R.R.B. requests that respondents address the following general area of consideration, explaining in detail their proposed

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plans to accomplish stated objectives in each field. Respondents should estimate what percentage of the total time and total costs allotted will be devoted to each area of consideration, correspondingly breaking down each general area of consideration into specific tasks and detailing the respective time and money needed to accomplish each specific task.

General areas of consideration:

1. FACILITY PLANNING

The consultant shall study the entire IRONWORLD USA complex, including new facility improvements currently under consideration. The consultant shall make specific recommendations as to the most effective programming of existing facilities, seeking to improve visitation and profitability.

2. ECONOMIC PROJECTIONS

Considering both existing financial data and the effect of improved facilities and programming, the consultant shall project the future economic performance of the facility—anticipated revenues versus anticipated expenditures for both operation and maintenance of the complex.

3. COMPREHENSIVE PLAN

Develop a comprehensive plan for land and water that encompasses the entire site. Not limited to but should include:

- a. Evaluate present facilities and programs.
- b. Review plans currently proposed.
- c. Recommend new innovative land and/or water activities based on current trends in the leisure industry.
- d. Analyze from an economic viewpoint current, proposed and new proposals resulting from this plan.

4. OPERATIONAL ALTERNATIVES

Evaluate operational and management systems and make recommendations for any suggested modifications or alternatives to the present organization.

Time Schedule The proposed starting date of the project is October 12, 1987, with all work to be completed by January 15, 1988.

Cost of Contract The total cost of this contract for all services and for all costs, both direct and indirect, shall not exceed \$40,000.00.

Type of Contract The contract shall be of a fixed-term of service, not-to-exceed variety. Reimbursement of costs, direct and indirect, shall be made upon submission of invoices for work as completed.

Limitation of Allowable Costs The allowable costs must be in conformance with State regulations and the signed contractual agreement. The contractor shall provide a list of the personnel who will be performing work and their respective fee schedules on an hourly basis. The contractor will not be reimbursed for any costs not in conformance with such schedules, regulations, or the signed contractual agreement.

Consultant Selection The consultant is expected to possess all technical skills required to deliver the services requested. Respondents should include information pertaining to the credentials and experience of all primary personnel they propose to utilize in project execution.

Agency Contact:

Any questions relating to this project may be referred to Robert Scott at Ironworld USA (218) 254-3321.

Damon Farber, Chairman
State Designer Selection Board

Department of Employee Relations

Request for Proposal for Statewide Public Employees Group Insurance Program

Project Background:

The State of Minnesota, Department of Employee Relations, is seeking assistance in the development and design of a statewide Public Employees Group Insurance Program as outlined below. The program, authorized under Section 89 of Chapter 404 (*1987 Laws of Minnesota*), will provide health, dental, life, and optional insurance coverage to employees of school districts and cities, counties and towns. There are approximately 183,000 employees in over 2,000 jurisdictions. Eighty-three percent (83%) of their employers already offer health insurance benefits.

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Participation in the plan will be determined by the exclusive representative for eligible employees. Either all or none of the employees represented must participate. Participation initially will be for a three or four year term of coverage, depending on the phase-in schedule. After the initial enrollment, coverage will automatically be renewed for a four year period unless notice of withdrawal is received. The benefits of the plan need to be determined and announced publicly by January 1, 1989. Participation in the plan will be phased: coverage will be effective for school districts on September 1, 1989 and for cities, towns and counties on January 1, 1991.

Project Objectives and Tasks:

- Analyze existing plans and assess needs.
 - Evaluate insurance plans and pooling arrangements currently available to employees.
 - Design, distribute and evaluate Needs Assessment Survey to determine potential clientele and basic plan components.
 - Assist in report to Legislature due in February, 1988.
- Make recommendations to DOER to include:
 - Design of plan benefits with special focus on providing coverage for small public employers (one plan, multiple plans, high/low options, etc.) and rationale for design.
 - Marketing strategies.
 - Implementation.
 - Cost containment, buy right and cost management strategies.
- Assist in plan implementation.
 - Carrier selection, contract negotiation and review or rate proposals.
 - Establishing administrative controls and reporting systems in ongoing monitoring of claims experience.
- Establish ongoing relationships with DOER to provide continuing actuarial and employee benefit assistance.
 - Review of claims experience.
 - Review of renewal rating.
 - Cost containment.
 - Legislative language.

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

Department Contacts

All inquiries regarding the RFP and requests for additional information or clarification should be directed to:

Margaret Wiklund
Project Coordinator
Department of Employee Relations
3rd Floor, 520 Lafayette Road
St. Paul, MN 55155
(612) 297-1933

Submission of Proposals

All proposals must be sent to Margaret Wiklund at the above address and received by no later than September 18, 1987. Prices and terms of the proposal as stated must be valid for the length of the project. Submit four copies of the proposal.

Project Cost

The cost for the initial year of the project should not exceed \$50,000. The contract will include three optional one year extension periods, to 1991, in which anticipated consultant time will decrease. The contract extension is subject to satisfactory performance and availability of funds. The Department of Employee Relations reserves the right to reject any and all bids.

Proposal Contents

Each request for proposal should consist of the following information:

- Identity of firm and indication of legal status, i.e., corporation, partnership, etc.
- Name(s) of persons directly responsible for major elements of work, including consultants, together with brief description of

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qualifications. If applicant chooses to list projects which are relevant in type, scale or character to this project, the person's role in the project must be identified.

- List of projects in process or completed in the three years prior to the date of the request which are similar in scope.
- Thorough description of the procedures and methods to be used in conducting needs assessment.
- Description of marketing and cost containment strategies.
- Types of reports or information to be provided as final product.

Projected Completion Date

The needs assessment must be completed by December, 1987. The report must be made to the legislature announcing the preliminary concept of plan design and benefit level by February 3, 1988. Carriers need to be identified and the actual rates and plan design must be finalized and published by January 1989.

Evaluation

All proposals received by the deadline will be evaluated by representatives from the Department of Employee Relations. Final candidates will be contacted and will be asked to make formal presentations on their proposals at their offices. Factors upon which the proposals will be judged include, but are not limited to, the following:

1. Type and level of services provided.
2. Prior experience and demonstrated capabilities of staff and organization.
3. Cost.

Minnesota Historical Society

Advertisement for Bids for Printing of 1987-88 *ROOTS* Magazine

BIDS

Sealed bids for the printing of the Minnesota Historical Society's 1987-88 *Roots* Magazine, in accordance with specifications prepared by the Minnesota Historical Society, will be received in the office of the Contract Officer, Minnesota Historical Society, 1500 Mississippi Street, St. Paul, MN 55101 until 2:00 p.m., Central Daylight Time, on September 9, 1987, at which time the bids will be publicly opened and read aloud. Bids received after 2:00 p.m., September 9, 1987, will be returned unopened.

BID SECURITY

Each proposal must be accompanied by a cash deposit, cashier's check, certified check, or corporate surety bond of a surety company duly authorized to do business in Minnesota, in the sum of not less than 5% of the total bid, payable without condition to the Minnesota Historical Society, which is submitted as bid security.

SPECIFICATIONS

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

CONDITIONS OF BIDS

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

Department of Human Services

St. Peter Regional Treatment Center

Notice of Request for Proposal for Medical Services

Notice is hereby given that the St. Peter Regional Treatment Center, Residential Facilities Administration, Department of Human Services, is seeking the services which are to be performed as requested by the Administration of the St. Peter Regional Treatment Center. The following Contract will be written for the period October 1, 1987 through June 30, 1989.

State Contracts and Advertised Bids

1. Services of a psychiatrist to service the needs of the mentally ill. Estimated amount of the contract is \$28,080.00 for the period October 1, 1987 through June 30, 1988 and \$34,560 for the period June 1, 1988 through June 30, 1989.

Responses must be received by September 18, 1987. Direct inquiries to:

Tom Bolstad
St. Peter Regional Treatment Center
100 Freeman Drive
St. Peter, MN 56082
Phone: (507) 931-7116

Department of Jobs and Training

State Job Training Office

Notice of Request for Proposals for Operation of Job Training Programs for Older Individuals

The Minnesota Department of Jobs and Training, State Job Training Office, is requesting proposals from appropriate organizations and units of government to provide employment and training services to older individuals. The program, authorized by Section 124 of the Job Training Partnership Act, is designed to provide for the training and placement of low income persons 55 years of age and older into jobs with private business concerns. A minimum of \$300,000 is available to fund programs to operate between January 1, 1988 and December 31, 1988. Proposals must be received no later than 4:30 p.m. November 6, 1987.

Requests for Proposal application materials are available upon request. Inquiries and requests should be directed to:

Jim Korkki
State Job Training Office
690 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-6061

Department of Jobs and Training

Office of Services for the Blind and Visually Handicapped

Request of Proposals to Develop Agency Handbook

The Minnesota Department of Jobs and Training, Services for the Blind and Visually Handicapped (SSB) desires proposals to prepare a handbook describing in ordinary English, first, the variety of new policies affecting blind and visually handicapped Minnesotans that have resulted from the publication of the *Minnesota Rules*, Chapter 3325.0100 through 3325.0490, and second, the services (throughout the State) available to these Minnesotans and their families. Although the total cost of this contract is not expected to exceed \$6,000.00, proposals of up to twenty-five percent (25%) greater than this amount will also be considered.

The product and services, which will be provided under contract, are outlined in detail in the Request for Proposal (RFP). The formal RFP may be requested and inquiries directed to: Julie Talbott, Acting Program Support Manager, Services for the Blind and Visually Handicapped, 1745 University Avenue West, St. Paul, MN 55104, (612) 642-0511. The deadline for submitting completed proposals is the end of the business day (4:30 p.m.) 9/21/87. Late or pre-notice proposals will not be accepted.

Department of Jobs and Training

Solicitation of Proposals for Rehabilitation Professional to Audit Functional Assessments of Disabled Employees of Minnesota Sheltered Workshops

Individuals who are rehabilitation professionals (eg., rehabilitation counselors or vocational evaluators or organizations which employ these professionals) may apply for a contract to assist in the Disability Index audit process required in the Extended Employment funding program (*Minnesota Rules* 3300.1950-3300.3050). This includes functional assessment ratings of individuals with disabilities based upon case records, interviews and observation. Copies of the *Request for Proposals* specifying the project's requirements

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and the standards by which applications will be evaluated may be obtained from the Department of Jobs & Training, Division of Rehabilitation Services, 390 North Robert Street, Fifth Floor, St. Paul, MN 55101.

Site visits will be necessary to all Extended Employment programs in Minnesota (travel & expenses reimbursed). Some specific training will be provided. The project will require about 73 days of service over a period of 7½ months.

Applications must be postmarked no later than October 15, 1987. For additional information contact Marvin Spears or Richard Ugland, Office of Rehabilitation Resources, (612 296-5616).

Department of Public Service

Request for Proposal for Consultants to Ensure Quality Telephone Service at Reasonable Rates

Introduction

The Minnesota Department of Public Service (the Department) is soliciting proposals from qualified consultants to help meet its statutory obligations to ensure quality telephone service at reasonable rates in Minnesota (*Minnesota Statutes*, 216A.07, subd. 2 and 237.06). Specifically, the Department seeks a consultant to review the impact which recent legislative action may have on moderate- and low-income consumers. The consultant will suggest ways in which the Department can increase consumer information and choice while maintaining high-quality, affordable telephone service to consumers under the new legislation. Up to Ten Thousand Dollars (\$10,000) is available to conduct this work. The project should be completed by February 28, 1988.

Background Information

In the 1987 legislative session, bills were passed which affect the manner in which telecommunications companies are regulated by the State of Minnesota (SF 677/HF 70: Telecommunications Deregulation; SF 1029/HF 1002: Telephone Service for Communication Impaired Phone Surcharge). These bills reduce the regulatory review given to companies providing services which face competition, may impact the rates consumers will pay, provide assistance for low-income elderly consumers, and expand phone service for the communication impaired. Included are provisions for:

1. Reduced time and information for review of proposed rate changes.
2. Effective deregulation of fully competitive services.
3. Reduced regulation for emergingly competitive services.
4. The allocation of costs between competitive and noncompetitive services.
5. Greater reliance on the complaint process.
6. Private shared telecommunications service.
7. A telephone assistance plan for the low-income elderly.
8. Creation of a Board to enhance telephone service for communication impaired individuals.

The Department is committed to the legislature's goals of reducing unnecessary regulation and fostering competition. It is also the Department's position that these goals should not adversely affect consumers' ability to understand, choose, and afford telephone services.

Contractor's Duties

The contractor shall perform the following tasks:

1. Survey consumers' and/or consumer organizations' perception and understanding of the new legislatively authorized competitive environment and their role in that environment.
2. Review the need for increasing consumer information warranted by the new legislation.
3. Review the 1987 legislation and identify those provisions which may affect the prices and quality of noncompetitive telephone service.
4. Suggest ways in which the Department may maintain and improve consumers' ability to understand, choose, and afford telephone services.

It is expected that the consultant will have experience with issues concerning moderate- to low-income consumers, familiarity with rate regulation principles, and familiarity with the new legislation. A legal background would be helpful, but is not required.

Responsibilities of the Department

The Department of Public Service will perform the following tasks:

1. Confer with the consultant to prioritize tasks and clarify their scope and depth.
2. Be available for consultation and assistance as necessary.

Proposal Contents

The following will be considered minimum contents of proposals in response to this RFP:

1. Cover sheet identifying the consultant and project.
2. A statement of project description given in this RFP to show the consultant's understanding of the nature of the project.
3. A statement of the consultant's intended procedure for each of the various tasks described in the contractor's duties, including timetables and budgets for each of the tasks.
4. A description of the consultant's qualifications to perform the contractor's duties.
5. If proposed, a detailed discussion of subcontractor and/or joint venture agreements, including an executed copy of such agreements.

To facilitate proper handling, proposals should be clearly marked on the outside of the envelope with the words "SEALED BID—DO NOT OPEN."

Deadline for Proposals

All proposals must be sealed bids, sent to and received by:

Gordon Plorin, Project Coordinator
Minnesota Department of Public Service
790 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

Proposals must be received no later than 4:00 p.m. on September 21, 1987. Any questions regarding this RFP should be directed to Gordon Plorin (612/296-7603) or to James T. Jarvis (612/296-7977).

Evaluation of Proposals

All proposals received by the deadline will be evaluated by representatives of the Department of Public Service. Factors upon which the proposals will be judged include, but are not limited to, the following:

1. Procedures intended to yield high quality information.
2. Relevant experience of the consultant.
3. Consultant's ability to meet the delivery schedule.
4. Lowest price bid which satisfies the RFP requirements.

Waste Management Board

Request for Proposal to Provide Professional Assistance to Develop Procedures and Strategies for Contract Negotiations Related to the Siting of a Hazardous Waste Management Facility

The Request for Proposals is not an offer to contract with any person and does not obligate the Waste Management Board (Board) to complete the project. The Board reserves the right to cancel the solicitation.

The Minnesota Waste Management Board, an agency of the State of Minnesota, requests the submission of proposals to advise Board staff in developing procedures and strategies in preparation for the negotiation of contracts authorized by the Minnesota Legislature (*Minnesota Statutes* 115A.191) for the location and development of a hazardous waste management facility in Minnesota. Parties to the negotiation process will be the Board and a number of Minnesota counties. Ability to provide services based on both training and practical experience in contract negotiations is required. Specific experience in the negotiation of agreements related to environmental issues is desired.

A. Description of Hazardous Waste Facility Siting and Development Program

The Board was authorized by the Minnesota State Legislature in 1986 to implement a voluntary process in cooperation with

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interested Minnesota counties to site and develop a "stabilization and containment" facility in Minnesota. The primary purpose of the facility will be to stabilize and contain inorganic hazardous wastes such as ash and scrubber sludge from hazardous waste incineration and sludges from metal finishing and electroplating operations. The legislatively mandated goal of the facility is to render the wastes non-hazardous and qualify the wastes for delisting under processes set forth by the U.S. Environmental Protection Agency (EPA) and Minnesota Pollution Control Agency (PCA).

The stabilization and containment facility will be located on a site selected by the Board through an innovative volunteer siting process. This process allows the Board to enter into agreements with Minnesota counties that have passed a Resolution of Interest (ROI) in negotiating the location and development of the facility. At this time the Board is working with 12 counties that have passed an ROI. Eventually, contracts will be negotiated with a smaller group of counties that have potentially suitable sites and are interested in hosting the facility.

Following the execution of contracts with potential host counties, environmental impact statements (EIS's) will be conducted on the sites by the Board. The results from these EIS's will be used by the Board to select a site in a host county. Development and operation of the site will be carried out in accordance with the terms of the contract between the Board and the host county, permits for the facility, and any lease or other agreements between the developer and the Board.

The following sections are the legislative directives as contained in the Waste Management Act with respect to the facility development program the Board is currently involved in with eligible counties.

115A.191 VOLUNTARY CONTRACTS WITH COUNTIES

Subdivision 1. **Board to seek contracts.** The waste management board and any eligible county board may enter a contract as provided in this section expressing their voluntary and mutually satisfactory agreement concerning the location and development of a stabilization and containment facility. The chair shall negotiate contracts with eligible counties and shall present drafts of the negotiated contracts to the board for its approval. The chair shall actively solicit, encourage, and assist counties, together with developers, landowners, the local business community, and other interested parties, in developing resolutions of interest. The county shall provide affected political subdivisions and other interested persons with an opportunity to suggest contract terms.

Subd. 2. **Resolution of interest in negotiating; eligibility.** A county is eligible to negotiate a contract under this section if the county board files with the waste management board and the board accepts a resolution adopted by the county board that expresses the county board's interest in negotiations and its willingness to accept the preliminary evaluation of one or more study areas in the county for consideration as a location of a stabilization and containment facility. The county board resolution expressing interest in negotiations must provide for county cooperation with the board, as necessary to facilitate the evaluation of study areas in the county, and for the appointment of a member of the county board or an officer or employee of the county as official liaison with the board with respect to the matters provided in the resolution and future negotiations with the board. A county board by resolution may withdraw a resolution of interest, and the waste management board may withdraw its acceptance of such a resolution at any time before the parties execute a contract under this section. A county that is eligible to negotiate a contract shall receive the benefits as provided in section 477A.012.

Subd. 3. **Evaluation of study areas.** The chair, in cooperation with the county board, may engage in activities necessary for the evaluation of study areas in any county that is eligible to negotiate a contract under this section. The determination of whether any study area may be considered or excluded from consideration under sections 115A.18 to 115A.20 and sections 115A.191 to 115A.194 is exclusively the authority of the board. Before entering a contract under this section, the board shall determine whether the study area identified in the contract is appropriate for preparation of an environmental impact statement.

Subd. 4. **Requirements of contract.** A contract between the board and a county must include provisions by which:

- (a) the state, acting through the board, agrees to implement the terms of the contract and provide the benefits and implement the procedures and practices agreed upon pursuant to subdivision 5;
- (b) the state acting through the board, agrees to provide benefits to the county under section 477A.012; and
- (c) the county agrees that the study area or areas in the county that have been determined by the board to be appropriate for preparation of an environmental impact statement are subject to evaluation and selection by the board as provided in section 115A.194.

After executing the contract, the study areas identified in the contract remain subject to the provisions of section 115A.194 until the study areas are dismissed from further consideration by the board.

Subd. 5. **Negotiated terms.** A contract executed under subdivision 4 may contain any terms agreed upon by the state and the county, including:

- (a) procedures relating to the evaluation and selection of a site and the construction, operation, and maintenance of a proposed facility, including procedures for cooperation, consultation, and coordination between the board and the county or political subdivisions in the county on those matters;

(b) practices and procedures necessary to assure and demonstrate safe operation of a proposed facility;

(c) services, compensation, or benefits to be provided by the state to the county or political subdivisions in the county, including (i) payments in lieu of taxes on a publicly owned site; (ii) compensation for property owners adjoining or in close proximity to the facility through property tax relief or assurance of property value; (iii) compensation for local public expenditures necessitated by the facility; (iv) compensation for demonstrable private and community impacts from the facility; (v) monetary compensation to the county and other parties affected by the facility, in addition to compensation for necessary expenditures and demonstrable impacts; (vi) provision of services or benefits to promote the health, safety, comfort, and economic development and well-being of the county and its citizens;

(d) provision for amendment of the contract; and

(e) provisions for resolutions of disputes under the contract.

Terms of the contract requiring enactment of additional state law, including an appropriation law, are contingent on that enactment. The contract may provide for implementation of its terms during evaluation of a study area in the county under section 115A.194 and in the event that a study area in the county is selected as the site for a facility under that section.

B. Scope of Work

Professional services are needed to advise and consult with Board staff on the processes and strategies needed to successfully negotiate contracts with eligible counties. It is anticipated that actual contract negotiations with potential host counties will commence in early 1988. Consequently, the selected contractor will need to be able to commit most of the time required under this proposal during the period October 1987 through December 1987.

Consultation with Board staff will require both in-person meetings at the Board's offices in the Minneapolis-St. Paul metropolitan area and the preparation of brief written documents on selected aspects of the negotiation process. It is anticipated that six (6) meetings will be held over the three (3) month period of October 1987-December 1987.

Aspects of the negotiation process on which the Board will require assistance include *procedural issues*, including identification of negotiators for the parties, meeting formats, setting of agenda, etc., and *strategic issues*, such as the generation and evaluation of alternatives, strategies to break deadlocks, techniques to avoid the breakdown of negotiation, and the achievement of a final agreement. Since it is likely that the negotiations will take place in public, guidance on techniques for negotiating in a public environment will be sought from the contractor.

The Board, in this Request for Proposal, is *not* seeking a contractor to act as a negotiator or mediator in discussions or negotiations between the Board and eligible counties. Moreover, the selected contractor will *not* be invited to respond to a Request for Proposal from the Board (should one be issued) which would require specific responsibility to serve as a negotiator/mediator, or to provide training services to county-appointed negotiators and WMB staff negotiators.

C. Consultant Qualifications

Prospective contractors should provide information on their background and qualifications in the following areas:

—Expertise and experience in providing assistance in the development of negotiation strategies for:

- (1) the siting of hazardous waste management facilities
- (2) the siting of controversial land uses
- (3) resolving environmental-related disputes
- (4) resolving non-environmental disputes

—Experience working with state and local units of government, environmental organizations and citizens groups on matters of the kind described above or in other similar matters.

—Ability and experience of the specific personnel to be assigned to the project to communicate, both orally and in writing.

Prospective contractors should address their *specific* ability and background in each of the areas identified above. *Staff to be assigned to the project must be identified* and their qualifications included in the proposal.

D. Project Costs

Total costs to provide the necessary services must not exceed \$16,000. To assist the Board in evaluating responses to this Request for Proposal, project costs should be divided into compensation and expenses.

Compensation estimates should be based on time necessary to prepare materials for meetings, travel and attendance at meetings, and the preparation of written materials. Hourly billing rates for the individuals assigned to the project should be included with the budget. Expenses should reflect only travel (coach air fare) and subsistence expenses necessary to perform the services requested under this project. As noted earlier, all meetings will be held in the Minneapolis-St. Paul metropolitan area.

State Contracts and Advertised Bids

E. Evaluation of Proposal

All proposals received by the deadline will be evaluated by Board staff. The Board realizes that experience in the negotiation of contracts related specifically to the siting of hazardous waste management facilities is limited. Nevertheless, prospective contactors will be evaluated based on their experience and knowledge in developing contract negotiation procedures and strategies for the following situations in the order presented:

First: Hazardous waste management facilities

Second: Controversial land uses

Third: Environmental-related disputes

Fourth: Non-environmental-related disputes

Lack of experience or background in contract negotiations for the siting of hazardous waste management facilities does *not* automatically disqualify a prospective contractor.

Additional criteria to be used in evaluating respondents to this Request for Proposal include qualifications of the specific personnel assigned to the project and estimated cost to provide the services outlined in Section D of this notice.

F. Submission of Qualifications and Proposal

Three (3) bound and one (1) unbound, easily reproducible copy of the proposal must be received by the close of business (4:30 p.m.) on *Friday, September 25, 1987*. The proposals should be sent to:

Kenneth E. Stabler
Waste Management Planner
Minnesota Waste Management Board
7323 58th Avenue North
Crystal, MN 55428

Questions may be addressed to Ms. Terri Port, Mr. Kevin Johnson, or Mr. Stabler at (612) 536-0816.

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.

Metropolitan Transit Commission (MTC)

Request for Proposals for Management of Transit System

The Metropolitan Transit Commission (MTC) is requesting proposals from firms and individuals for providing professional services for the day-to-day management of the transit system in the Minneapolis-St. Paul Metropolitan Area.

Interested parties should contact Jim Zacher, Manager of Internal Audit, at 612/349-7760 or write to him at the address given below to obtain a copy of the Request for Proposals.

The Request for Proposals must be submitted by 5:00 pm on Monday, September 14, 1987 to:

Metropolitan Transit Commission
Attn: Jim Zacher, Manager, Internal Audit
560 Sixth Avenue North
Minneapolis, MN 55411-4398

Regional Transit Board

Notice for Request for Proposals for Qualified Consultant to Develop Standard Driver Training Manual and Curriculum for Use by Metro Mobility Service Providers

The Regional Transit Board (RTB) is soliciting proposals from qualified consultants to develop a standard driver training manual and curriculum for use by Metro Mobility service providers. Metro Mobility is a public paratransit service which transports disabled persons in the Twin Cities Metropolitan Area.

Scope of Project

The purpose of this project is to develop a driver training manual and curriculum for the Metro Mobility program. This project is necessary to standardize the instructions and information given to drivers of the 19 service providers under contract to the RTB. The materials developed by the consultant are intended to complement the current training programs used by the providers.

Time Schedule

The anticipated starting date is October 20, 1987. The final element of the work project is scheduled to be completed by January 29, 1988.

Project Costs

The RTB has budgeted a maximum of \$15,000 for the consultant to perform this work.

The detailed Request for Proposal is available from:

Linda Ehlers, Project Administrator
Regional Transit Board
270 Metro Square Bldg.
St. Paul, Minnesota 55101
Phone: (612) 292-8789

Six copies of the proposal must be received no later than 2:00 p.m., Tuesday, September 15, 1987.

Metropolitan Council, Metropolitan Waste Control Commission and the Regional Transit Board

Request for Telecommunication Consultant Services

I. Background Information

The Metropolitan Council, Metropolitan Waste Control Commission, and Regional Transit Board (hereafter collectively referred to as "Agencies") will be purchasing a telephone system for office space to be occupied in May of 1988.

The Agencies are seeking a telecommunications consultant to assist in the preparation of bid documents and selection of a 500-station-capacity telephone system. The Agencies have completed a needs analysis in December 1986 prepared by a telecommunications consultant. Based upon the findings and the need to provide a flexible and cost-effective system, it was determined to pursue the purchasing of a common system to service all the Agencies.

The Agencies, by this request for consultant services, are not undertaking a competitive bidding process and do not promise to accept the lowest or any other proposal. The Agencies specifically reserve the right to reject any or all proposals, to waive any formal proposal requirements, to investigate the qualification and experience of any proposer, to reject any provisions in any proposal, to obtain new proposals, to negotiate the requested services and contract terms with any proposer, or to proceed to do the work otherwise. Proposals not sufficiently detailed or in acceptable form may be returned for completion or may be rejected by the Agencies. All proposals received no later than 4 p.m. on September 21, 1987 will be considered by the Agencies.

The Agencies do not discriminate in the selection of consultants on the basis of race, color, creed, religion, national origin, sex, affectional preference, age, political affiliation, marital status, status with regard to public assistance, or disability. The Agencies shall act in accordance with their adopted affirmative action/women and minority business enterprise plans to promote and enter into contract with women and minority business enterprises (W/MBEs), socially and economically disadvantaged persons, and firms having effective affirmative action and W/MBE programs.

The proposals are expected to include W/MBE participation to the extent possible. Proposers or subcontractors who wish to be considered women or minority businesses must be currently certified as W/MBEs with the Council, or must submit a complete

Non-State Public Contracts

application form with the proposal for services. To obtain an application form, contact Don Bellfield, Assistant Affirmative Action Officer, Metropolitan Waste Control Commission, at (612) 222-8423.

Proposals should include representations signed by an authorized contracting officer as follows:

This proposal constitutes an offer by the undersigned to enter into a contract to perform the described services for the compensations specified herein and containing the terms and conditions in the standard Council contract for consultant services or required by applicable state or federal law or regulations.

The undersigned agrees not to discriminate against any employee or applicant for employment on the basis of race, color, creed, religion, national origin, sex, affectional preference, age, political affiliation, marital status, status with regard to public assistance, or disability, and to take affirmative action to assure that all employees are treated equally with respect to training, hiring, rates of pay and other forms of compensation. The undersigned further agrees to take affirmative action to include the participation of women and minority owned business enterprises wherever possible in the performance of this proposal.

The representations may be made in the front of the proposal document or in a transmittal letter.

II. Scope of Services

The consultant shall prepare a bid specification document that includes a network design and layout configuration for a state-of-the-art telephone system. The Agencies will require assistance in the selection and negotiating the purchase of a system.

III. Description of Proposed Services and Products

The consultant shall describe the methodology to be used in preparing bid specifications, description of product(s) to be prepared, and proposed system selection process.

IV. Proposed Period of Performance

The process of a system for selection is expected to be completed within 120 days after initiation of consultant contract.

V. Requested Compensation for Proposed Services

The consultant's proposal must include cost estimates for the completion of each major task identified by the consultant. The cost estimate must include the number of person hours required, hourly rates and as an alternative, maximum amount of compensation not to be exceeded. The costs of what the proposer may offer as optional services should be listed separately.

VI. Conflict of Interest

The Agencies prefer that the consultant not be affiliated with vendors of telecommunication equipment.

VII. Submittal of Proposal

The following material should be placed in appendices or in a separate document:

- A. A statement describing related experience.
- B. The qualifications and resumes of key personnel who will be assigned to the project.
- C. A listing of staff complement by race and sex, a copy of the firm's affirmative action plan or policy statement, and any utilization of minority and women consultants.
- D. References from at least three clients.

The proposal should be submitted in four copies and mailed or delivered to:

Metropolitan Waste Control Commission
Michael Kloss
Regional Maintenance Facility
3565 Kennebec Rd.
St. Paul, MN 55123
(612) 681-4503

VIII. Selection Criteria

All proposals will be reviewed on their individual merits including but not limited to:

- A. Specialized experience and professional competence of the proposer and its personnel as demonstrated in the proposal.
- B. Previous experience of the proposer in successfully preparing bid specifications and selection of telephone systems. Familiarization with governmental bidding procedures.
- C. The conceptual and technical approach to the bid specification preparation and system selection processes.

D. Existence of an effective, implemented affirmative action program and the extent to which minority and women business enterprises, including subcontractors, if any, will participate in the proposed analysis.

E. Capacity of the proposer to perform the work within the time frame indicated in the proposal.

The selection will be based on the proposal which on its overall merits is judged to best meet the needs of the Agencies.

All inquiries should be forwarded to Mike Kloss, Metropolitan Waste Control Commission, 681-4503.

Dated: 19 August 1987

Supreme Court Decisions

Decisions Filed Friday 28 August 1987

C7-87-598 Ronald Kautz, Relator v. Setterlin Company and CIGNA Insurance Company. Workers' Compensation Court of Appeals.

An employee who is found to be medically able to return to former work without restrictions, and suffering no permanent partial disability, is not entitled to compensation beyond the date benefits are allowed to be discontinued by administrative decision.

Affirmed. Amdahl, C.J.

C6-86-968 State of Minnesota v. Robert George Kasper, Appellant. Washington County.

The defendant's written demand for a speedy trial was adequate under the circumstances.

The state's complaint against defendant must be dismissed with prejudice because of the state's failure to afford defendant a speedy trial pursuant to Minn. R. Crim. P. 6.06.

Certified question answered in the affirmative.

Reversed. Wahl, J.

C2-86-742 Juana Flores v. Department of Jobs and Training, Petitioner. Court of Appeals.

An alien who is otherwise eligible under the provisions of Minn. Stat. § 268.08 (1986) to receive unemployment benefits is not unavailable for work within the meaning of subdivision 1(3) of that section because the alien is not authorized by the INS to work in the United States where the alien was authorized to work when the wage credits were earned and where the alien is genuinely attached to the labor market.

An individual is genuinely attached to the labor market when the individual making the claim is willing to accept an offer of suitable work, when he imposes no unduly restrictive conditions on the work he will accept, when he is in a position to accept work, and when the law does not prohibit or obstruct an offer of employment to or the hiring of that individual.

Affirmed. Coyne, J.

Announcements

Department of Agriculture: A crisis exemption for the use of **sodium chloride** as a desiccant to Dry Edible Beans has been issued by Commissioner of Agriculture Jim Nichols. Officials estimate that approximately 40,000 of the states 80,000 acres of Dry Edible Beans need to be sprayed to help prevent white mold and bean discoloration, two factors that severely affect the grade and value of the bean. Similar orders have been issued in North Dakota and Michigan. The Minnesota Department of Agriculture has limited dosage rates at 6 lbs. of active ingredient per acre applied with a minimum of five gallons per acre by air application and 20 gallons per acre by ground application. Only licensed applicators may apply. The exemption is valid for 15 days with a seven day preharvest interval. As a condition of the crisis exemption, growers must prepare a usage report and submit it to the Minnesota Department of Agriculture by Oct. 1, 1987. The Northarvest Bean Growers Association estimates this year's crop value at \$15,680,000.

Special Pesticide Registrations Issued: The Minnesota Department of Agriculture issued two notices of Special Local Need registration for Diquat Herbicide H/A. In addition to the uses currently on the product's label, the first registration will permit its use as a vine desiccant on Russet Burbank potatoes. The second registration will allow use on birdsfoot trefoil (seed crop only) as a preharvest foliage desiccant. The Commissioner of Agriculture said it is in the public

Announcements

interest to issue the special registration and that use according to these provisions does not have potential for unreasonable environmental effects. The registration for potato vines will remain in effect until July 27, 1992, unless cancelled by the Minnesota Department of Agriculture or the request is withdrawn by the manufacturer. The registration for birdsfoot trefoil will remain in effect until August 5, 1992, with the same conditions for revocation. Citizens have until September 17, 1987, to file written comments with the Commissioner of Agriculture. Send comments in care of Mike K. Fresvik, Supervisor, Pesticide Section, Minnesota Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107.

Environmental Quality Board: Comments, and the regional governing unit accepting them, are due September 23, 1987 for the following Environmental Assessment Worksheets (EAWs): CASH 38—Fairview Drive to I-35E, Dakota County Highway Department; River Bend South, City of Savage; Colonial Creek Development, City of Andover; Serpent Lake Sanitary Sewer, MN Pollution Control Agency (MPCA); River Road Apartments, City of Minneapolis. A petition has been received on the Babcock Swine Project by the MPCA indicating a threat to groundwater. A scoping meeting will be held on August 27, 1987 at 7:30 pm at the American Legion Hall in Eagle Lake, MN to deal with the realignment of TH 14—County Road 193 to TH 14. A public hearing on the application of Henry Gregoire to place a boat harbor in Mille Lacs Lake will be held September 15, 1987 at 10 am in the public meeting room, second floor, Aitkin County Courthouse, Aitkin, MN.

Department of Health: The Minnesota Department of Health has begun an effort to register individuals and organizations that offer health-related services in the home, or that offer hospice care to terminal patients. The registration effort is the first step in setting up a licensing program for home care and hospice providers in the state, under a law passed by the 1987 legislature. Affected providers are currently being asked to complete a registration form, indicating who they are, who is responsible for managing the services provided, what geographic area they serve, and the types of services provided.

Copies of the registration form and memorandum about the project have already been sent to home care providers who participate in the federal Medicare program. Forms and memos have also been sent to organizations representing hospice care providers, hospitals, nursing homes, nurses and other health care providers, as well as consumer groups. The Department is also in the process of developing licensing standards that will cover these types of services. The Department will be setting up an advisory task force to help in that effort. The new licensing law also establishes a "patient's bill of rights" for home care clients, and brings the newly regulated providers under the jurisdiction of the Health Department's Officer of Health Facility Complaints. The Complaints Office receives and investigates complaints from the public about hospitals, nursing homes and other health care providers.

The law requires affected providers to inform their patients about the Complaints Office and the bill of rights. Department officials believe the registration program will give them a clearer picture of how many providers offer home care and hospice services, and who those providers are. For example, although some home health care providers are currently certified to participate in the Medicare program, officials believe that many more providers are offering home care services. The rapid growth of home care in recent years has provided an important alternative to institutional care for the disabled and the chronically ill, according to Department officials, allowing many people to stay in their own homes and remain independent. The new licensing program will make it possible for the state to do a more effective job of safeguarding the quality of health care services provided in the home, they said.

Department of Jobs and Training: Minnesota's seasonally adjusted unemployment rate dipped to 5.0 percent in July, down from 5.2 percent in June. The rate had increased in successive months since April when the jobless measure hit 4.6 percent, lowest of the year to date. The national unemployment rate for July declined for the second month in a row, to 6.0 percent.

Total employment in July (seasonally adjusted) rose 0.5 percent from June, reaching a level of 2,133,200. The wage and salary jobs increased by 0.4 percent from a month ago on the strength of the nonmanufacturing sector, Graner said. All major nonmanufacturing industries posted gains during July, led by services (up 3,000 jobs) and followed by trade (up 1,400). The manufacturing sector added 700 jobs in July. Compared to a year ago, total employment increased by 1.6 percent. Individual area jobless rates varied from a low of 3.0 percent in Pipestone County to a high of 16.0 percent in Red Lake County for June, the most recent month for which county data are available.

Department of Natural Resources: The U.S. Fish and Wildlife Service plans treatment of five miles of the St. Louis River between the Highway 23 Bridge at Fond du Lac and the Oliver Bridge in West Duluth, using the lampricide TFM.

The treatment is part of the Great Lakes sea lamprey control program. Preliminary field work is scheduled to start Aug. 25 if weather and stream conditions permit. The actual treatment will immediately follow evaluation of the field work results and the river will be monitored constantly during the treatment.

The treatment is necessary to reduce the number of sea lamprey that have infiltrated the St. Louis River since water quality improved after the Western Lake Superior Sanitary District facilities became operational in 1978. The St. Louis River is a potential major sea lamprey producer if populations are left unchecked, and it has been estimated that each sea lamprey escaping into Lake Superior can destroy 40 pounds of trout and salmon, if left unchecked.

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While this represents the first time the St. Louis River has been treated, TFM has been used in other tributaries of Lake Superior since 1958. TFM has been the backbone of the control program that has held sea lamprey populations at 5 to 10 percent of former levels. The chemical has met all U.S. Environmental Protection Agency requirements and is considered safe for use in the environment.

1988 Spring Tree Planting Orders: The Minnesota Department of Natural Resources (DNR) announced that orders for tree planting stock to be shipped in the spring of 1988 will be accepted by the DNR Forestry Division beginning Sept. 1, 1987.

Orders will be accepted until March 20, 1988 or until supplies are exhausted. Orders for tree seedlings to be planted in the designated 14 southeastern Minnesota counties will be accepted until Feb. 15, 1988.

Tree seedlings sold can be used for reforestation, erosion control (windbreaks, shelterbelts), soil and water conservation, and permanent food and wildlife cover. The trees may not be planted for ornamental purposes nor resold or given away with roots attached. Cancellation or substitutions of any order will not be permitted after 30 days of receipt of original order or March 1, whichever comes first. The minimum order is 500 seedlings.

The prices for seedlings are: conifer seedlings—\$75/1000, \$40/500, \$11/100; deciduous seedlings—\$115/1000, \$60/500, \$17/100; conifer transplants—\$185/1000, \$95/500, \$24/100. The 4-Season Wildlife Food Packet is \$145/packet.

Norway Pine seedlings ordered in quantities of 10,000 or more, and in multiples of thousands, are available at a cost of \$60/1000. These seedlings will be "bed run, estimated stock," and will not be counted nor sorted at the nursery.

Species available this year are:

Conifer seedlings

White Pine	White Spruce
Norway Pine	Colorado Spruce
Jack Pine	White Cedar
Scotch Pine	Norway Spruce
(Riga)	
Balsam Fir	Red Cedar

Conifer Transplants

Norway Pine
Colorado Spruce
White Spruce

Deciduous seedlings

Green Ash	Siouxland Poplar
Silver Maple	Poplar
Black Walnut	Caragana
Red Oak	Ginnala Maple

White Ash Wild Plum

4 Season Wildlife Food Packet

500 trees; a mixture of Wild Plum, Ginnala Maple, Juneberry, Red Osier Dogwood, Chokecherry, Cotoneaster, Buffaloberry, Red Splendor, Crabapple, Nanking Cherry

Price lists and order forms can be obtained from DNR Forestry Offices, ASCS Offices, SCS Offices, County Extension Offices, or by contacting DNR Forestry, P.O. Box 95NC, Willow River, MN 55795, phone (218) 372-3183 or DNR Forestry, DNR Building, 500 Lafayette Road, St. Paul, MN 55155-4044, phone (612) 296-4480.

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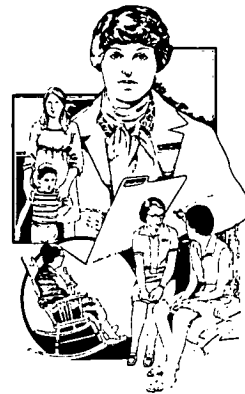
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