

88, October 24

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State of Minnesota

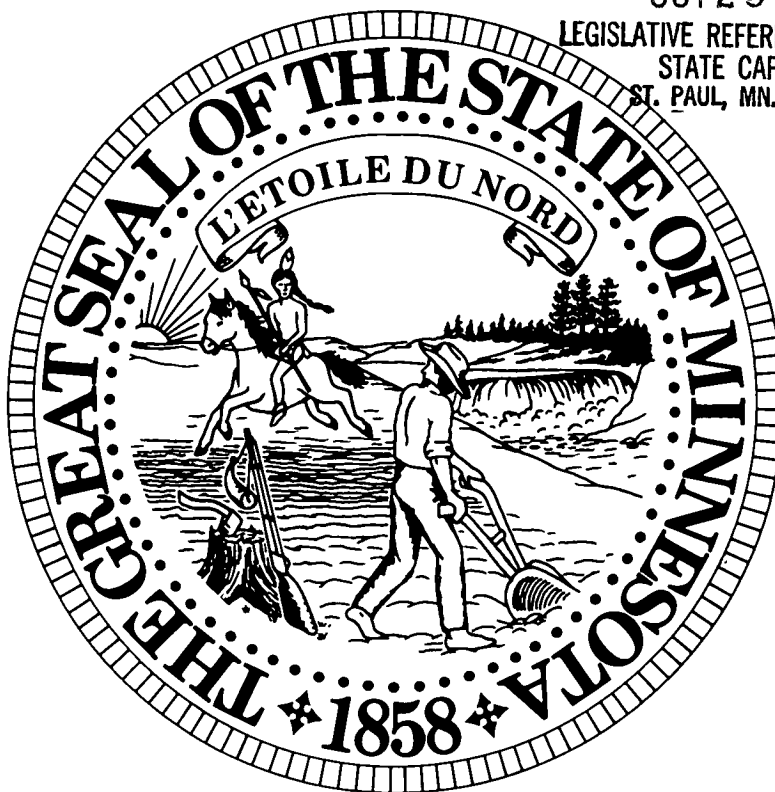
# STATE REGISTER

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# State Register

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

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

## Printing Schedule and Submission Deadlines

| Vol. 13<br>Issue<br>Number | *Submission deadline for<br>Executive Orders, Adopted<br>Rules and **Proposed Rules | *Submission deadline for<br>State Contract Notices and<br>other **Official Notices | Issue<br>Date      |
|----------------------------|---|--|--------------------|
| 17                         | Monday 10 October   | Monday 17 October  | Monday 24 October  |
| 18                         | Monday 17 October   | Monday 24 October  | Monday 31 October  |
| 19                         | Monday 24 October   | Monday 31 October  | Monday 7 November  |
| 20                         | Monday 31 October   | Monday 7 November  | Monday 14 November |

\*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

\*\*Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the State Register editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

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

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## For Legislative News

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### SENATE

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

**Perspectives**—Publication about the Senate.

**Session Review**—Summarizes actions of the Minnesota Senate.

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

### HOUSE

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

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

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# Minnesota Rules: Amendments and Additions

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

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

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

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

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## Proposed Rules

u. Pursuant to Minn. Stat. §§ 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 Health

### Proposed Permanent Rules Relating to Merit System

#### Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer than Twenty-five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room 1B, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155 on December 2, 1988 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between November 24, 1988 and December 1, 1988 at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such

**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

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persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Peter C. Erickson, Administrative Law Judge, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7606, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, sections 14.15 and 14.50. The rule hearing is governed by *Minnesota Statutes*, section 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

Proposed revisions to 4670.4200-.4240 (the compensation plan) provide for adjustments of varying amounts to the minimum and maximum salaries for classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value. Most of the salary ranges in parts 4670.4200-.4240 have been adjusted 3%, which is the general salary adjustment recommended for all incumbents effective January 1, 1989.

An amendment is also proposed to part 4670.4210 deleting class titles and minimum and maximum salaries for an abolished class.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, section 144.071. Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Ralph W. Corey, Department of Human Services, 2nd Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822, telephone 612/296-3996.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Minnesota Merit System, 2nd floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be 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 rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency 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 reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

*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 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 travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communication 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 Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

Dated: 4 October 1988

Sister Mary Madonna Ashton  
Commissioner

**Notice of Intent to Adopt a Rule Without a Public Hearing and Notice of Intent to Adopt a Rule With a Public Hearing if Twenty-Five or More Persons Request a Hearing**

NOTICE IS HEREBY GIVEN that the State Department of Health proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, section 14.22 to 14.28. The specific statutory authority to adopt the rule is *Minnesota Statutes*, section 144.071.

Persons interested in this rule shall 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 and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request 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*, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON DECEMBER 2, 1988, IN CONFERENCE ROOM 1B, HUMAN SERVICES BUILDING, 444 LAFAYETTE ROAD, ST. PAUL, MINNESOTA 55155, AT 9:00 A.M., UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between November 24, 1988 and December 1, 1988 at (612) 296-3996.

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

Ralph W. Corey  
Minnesota Merit System  
2nd floor, Human Services Building  
444 Lafayette Road  
St. Paul, Minnesota 55155-3822

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on November 23, 1988.

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

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 2nd Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota, 55155-3822, telephone (612) 296-3996.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

Proposed revisions to 4670.4200-.4240 (the compensation plan) provide for adjustments of varying amounts to the minimum and maximum salaries for classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value. Most of the salary ranges in parts 4670.4200-.4240 have been adjusted 3%, which is the general salary adjustment recommended for all incumbents effective January 1, 1989.

An amendment is also proposed to part 4670.4210 deleting class titles and minimum and maximum salaries for an abolished class.

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

## Proposed Rules

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

Adoption of these rules will not result in additional spending by local public bodies in the excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Ralph W. Corey, Department of Human Services, 2nd floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822, telephone 612/296-3996.

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

Dated: 4 October 1988

Sister Mary Madonna Ashton  
Commissioner

### Rules as Proposed

#### 4670.4200 PUBLIC HEALTH COMPENSATION PLAN, ~~1988~~ 1989.

The tables in parts 4670.4210 to 4670.4240 list minimum and maximum salary steps in monthly salary amounts for the specified classes of positions.

#### 4670.4210 PROFESSIONAL AND ADMINISTRATIVE COMPENSATION PLAN.

##### Subpart 1. Plan A.

|  | Minimum         |             | Maximum         |             |
|--|-----------------|-------------|-----------------|-------------|
| Assistant Director of Environmental Health                     | <del>2052</del> | <u>2114</u> | <del>2932</del> | <u>3020</u> |
| Director of Environmental Health                               | <del>2348</del> | <u>2418</u> | <del>3349</del> | <u>3449</u> |
| Director of Public Health Nursing I                            | <del>1919</del> | <u>1977</u> | <del>2869</del> | <u>2955</u> |
| Public Health Educator   | <del>1645</del> | <u>1694</u> | <del>2348</del> | <u>2418</u> |
| Public Health Nurse  | <del>1645</del> | <u>1773</u> | <del>2348</del> | <u>2531</u> |
| <del>Public Health Nurse (Team Leader)</del>                   | <del>1721</del> |             | <del>2566</del> |             |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree) | <del>1572</del> | <u>1694</u> | <del>2252</del> | <u>2418</u> |
| Sanitarian   | <del>1504</del> | <u>1549</u> | <del>2252</del> | <u>2320</u> |
| Senior Public Health Nurse                                     | <del>1881</del> | <u>1937</u> | <del>2680</del> | <u>2760</u> |

##### Subp. 2. Plan B.

|  | Minimum         |             | Maximum         |             |
|--|-----------------|-------------|-----------------|-------------|
| Assistant Director of Environmental Health                     | <del>2148</del> | <u>2212</u> | <del>3064</del> | <u>3156</u> |
| Director of Environmental Health                               | <del>2457</del> | <u>2531</u> | <del>3508</del> | <u>3613</u> |
| Director of Public Health Nursing I                            | <del>2003</del> | <u>2063</u> | <del>2996</del> | <u>3086</u> |
| Public Health Educator   | <del>1721</del> | <u>1773</u> | <del>2457</del> | <u>2531</u> |
| Public Health Nurse  | <del>1721</del> | <u>1851</u> | <del>2457</del> | <u>2643</u> |
| <del>Public Health Nurse (Team Leader)</del>                   | <del>1797</del> |             | <del>2680</del> |             |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree) | <del>1645</del> | <u>1773</u> | <del>2348</del> | <u>2531</u> |
| Sanitarian   | <del>1572</del> | <u>1619</u> | <del>2348</del> | <u>2418</u> |
| Senior Public Health Nurse                                     | <del>1962</del> | <u>2021</u> | <del>2803</del> | <u>2887</u> |

##### Subp. 3. Plan C.

|  | Minimum         |             | Maximum         |             |
|--|-----------------|-------------|-----------------|-------------|
| Assistant Director of Environmental Health                     | <del>2252</del> | <u>2320</u> | <del>3206</del> | <u>3302</u> |
| Director of Environmental Health                               | <del>2566</del> | <u>2643</u> | <del>3669</del> | <u>3779</u> |
| Director of Public Health Nursing I                            | <del>2196</del> | <u>2262</u> | <del>3134</del> | <u>3228</u> |
| Public Health Educator   | <del>1797</del> | <u>1851</u> | <del>2566</del> | <u>2643</u> |
| Public Health Nurse  | <del>1881</del> | <u>2021</u> | <del>2566</del> | <u>2760</u> |
| <del>Public Health Nurse (Team Leader)</del>                   | <del>2052</del> |             | <del>2803</del> |             |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree) | <del>1797</del> | <u>1937</u> | <del>2457</del> | <u>2643</u> |
| Sanitarian   | <del>1645</del> | <u>1694</u> | <del>2457</del> | <u>2531</u> |
| Senior Public Health Nurse                                     | <del>2052</del> | <u>2114</u> | <del>2932</del> | <u>3020</u> |

**4670.4220 HEALTH SERVICES SUPPORT PERSONNEL COMPENSATION PLAN.**
**Subpart 1. Plan A.**

|                              | Minimum         |             | Maximum         |             |
|------------------------------|-----------------|-------------|-----------------|-------------|
| Bookkeeper                   | <del>1124</del> | <u>1158</u> | <del>1607</del> | <u>1655</u> |
| Home Health Aide             | <del>961</del>  | <u>1014</u> | <del>1439</del> | <u>1514</u> |
| Home Health Aide Coordinator | <del>1261</del> | <u>1299</u> | <del>1721</del> | <u>1773</u> |
| Inspector                    | <del>1261</del> | <u>1299</u> | <del>1721</del> | <u>1773</u> |
| Licensed Practical Nurse     | <del>1261</del> | <u>1299</u> | <del>1721</del> | <u>1773</u> |
| Public Health Aide           | <del>883</del>  | <u>949</u>  | <del>1261</del> | <u>1299</u> |

**Subp. 2. Plan B.**

|                              | Minimum         |             | Maximum         |             |
|------------------------------|-----------------|-------------|-----------------|-------------|
| Bookkeeper                   | <del>1175</del> | <u>1210</u> | <del>1680</del> | <u>1730</u> |
| Home Health Aide             | <del>1005</del> | <u>1060</u> | <del>1504</del> | <u>1582</u> |
| Home Health Aide Coordinator | <del>1316</del> | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Inspector                    | <del>1316</del> | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Licensed Practical Nurse     | <del>1316</del> | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Public Health Aide           | <del>921</del>  | <u>990</u>  | <del>1374</del> | <u>1415</u> |

**Subp. 3. Plan C.**

|                              | Minimum         | Maximum     |                 |             |
|------------------------------|-----------------|-------------|-----------------|-------------|
| Bookkeeper                   | <del>1233</del> | <u>1270</u> | <del>1756</del> | <u>1809</u> |
| Home Health Aide             | <del>1151</del> | <u>1210</u> | <del>1572</del> | <u>1655</u> |
| Home Health Aide Coordinator | <del>1374</del> | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Inspector                    | <del>1374</del> | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Licensed Practical Nurse     | <del>1374</del> | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Public Health Aide           | <del>1101</del> | <u>1134</u> | <del>1504</del> | <u>1549</u> |

**4670.4230 CLERICAL COMPENSATION PLAN.**
**Subpart 1. Plan A.**

|                      | Minimum         |             | Maximum         |             |
|----------------------|-----------------|-------------|-----------------|-------------|
| Clerk I              | <del>781</del>  | <u>804</u>  | <del>1061</del> | <u>1093</u> |
| Clerk II             | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Clerk III            | <del>1061</del> | <u>1093</u> | <del>1452</del> | <u>1496</u> |
| Clerk-Typist I       | <del>856</del>  | <u>882</u>  | <del>1162</del> | <u>1197</u> |
| Clerk-Typist II      | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Clerk-Typist III     | <del>1085</del> | <u>1143</u> | <del>1548</del> | <u>1634</u> |
| Clerk-Steno          | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Switchboard Operator | <del>856</del>  | <u>882</u>  | <del>1162</del> | <u>1197</u> |

**Subp. 2. Plan B.**

|                      | Minimum         |             | Maximum         |             |
|----------------------|-----------------|-------------|-----------------|-------------|
| Clerk I              | <del>892</del>  | <u>919</u>  | <del>1162</del> | <u>1197</u> |
| Clerk II             | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Clerk III            | <del>1186</del> | <u>1222</u> | <del>1548</del> | <u>1594</u> |
| Clerk-Typist I       | <del>970</del>  | <u>999</u>  | <del>1271</del> | <u>1309</u> |
| Clerk-Typist II      | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Clerk-Typist III     | <del>1214</del> | <u>1250</u> | <del>1660</del> | <u>1710</u> |
| Clerk-Steno          | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Switchboard Operator | <del>970</del>  | <u>999</u>  | <del>1271</del> | <u>1309</u> |

**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

### Subp. 3. Plan C.

|                      |      |      |      |      |
|----------------------|------|------|------|------|
| Clerk I              | 970  | 999  | 1271 | 1309 |
| Clerk II             | 1110 | 1143 | 1517 | 1563 |
| Clerk III            | 1243 | 1280 | 1622 | 1671 |
| Clerk-Typist I       | 1061 | 1093 | 1384 | 1426 |
| Clerk-Typist II      | 1110 | 1143 | 1517 | 1563 |
| Clerk-Typist III     | 1271 | 1309 | 1736 | 1788 |
| Clerk-Steno          | 1110 | 1143 | 1517 | 1563 |
| Switchboard Operator | 1061 | 1093 | 1384 | 1426 |

### 4670.4240 BUILDING MAINTENANCE COMPENSATION PLAN.

Subpart 1. **Shift Differential.** Employees in the classes specified in subparts 2 and 3 who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

### Subp. 2. Plan A.

|         |         |      |         |      |
|---------|---------|------|---------|------|
|         | Minimum |      | Maximum |      |
| Janitor | 975     | 1004 | 1250    | 1288 |

### Subp. 3. Plan B.

|         |         |      |         |      |
|---------|---------|------|---------|------|
|         | Minimum |      | Maximum |      |
| Janitor | 1154    | 1189 | 1483    | 1527 |

## Department of Human Services

### Proposed Permanent Rules Relating to General Assistance Literacy Training Requirements

#### Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Human Services 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*, sections 256.05, subdivision 1, paragraph (a), clause (15) and 256D.052.

All persons have 30 days or until 4:30 p.m. on November 23, 1988 in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request 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:

Dan Lipschultz  
Minnesota Department of Human Services  
444 Lafayette Rd.  
St. Paul, Minnesota 55155-3832  
Telephone (612) 297-4302

The proposed rule implements the statutory requirement that recipients eligible for general assistance because they are functionally illiterate participate in literacy training programs. It affects general assistance recipients, county human service agencies and literacy training providers.

The rule defines "occupational or vocational literacy program," "participation in a literacy program," and "suitable recipient," adding these definitions to part 9500.1206. The rule also adds failure to participate in an assigned literacy program as a basis for

disqualification under part 9500.1262. The rule further amends part 9500.1266 to provide that disqualification of a recipient for failure to participate in literacy training renders the recipient ineligible for general assistance under part 9500.1258, subpart 1, items G, L and P during the period of disqualification.

Part 9500.1257 of the rule sets forth the responsibilities of the department, local agencies and recipients regarding literacy training and identifies the circumstances under which general assistance benefits will be paid to recipients who are eligible for general assistance on the basis of functional illiteracy but who do not participate in literacy training. This rule part also specifies the conditions under which a recipient who is eligible for general assistance on the basis of functional illiteracy may participate voluntarily in work readiness.

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 free copy of the rule is available upon request from Dan Lipschultz at the address noted above. A copy of the rule may also be viewed at any of the 87 county welfare or human services agencies in the State of Minnesota.

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 Dan Lipschultz at the address noted above upon request.

Adoption of the rule will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11.

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

Sandra S. Gardebring  
Commissioner

## **Rules as Proposed**

### **9500.1206 PROGRAM DEFINITIONS.**

Subpart 1. to 24. [Unchanged.]

Subp. 24a. Occupational or vocational literacy program. “Occupational or vocational literacy program” means a program providing literacy training which emphasizes specific language and reading skills needed to perform in employment, complete employment training programs, or complete work readiness programs.

Subp. 25. [Unchanged.]

Subp. 25a. Participation in a literacy program. “Participation in a literacy program” means to receive instruction and complete assignments as part of a literacy program in accordance with the schedule or plan established by the literacy training program provider.

Subp. 26. [Unchanged.]

Subp. 27. **Qualified provider.** A “qualified provider” means the local agency, or:

- (1) A. a nonprofit legal assistance organization;
- (2) B. an agency that employs licensed practitioners or accredited counseling staff or staff with a master's degree from an accredited program in social work, psychology, counseling, occupational therapy, or physical therapy;
- (3) C. a private attorney at law; or
- (4) D. another organization or person determined by the local agency to have sufficient training or experience to be effective in assisting persons to apply for and establish eligibility for SSI benefits.

Subp. 29. to 32. [Unchanged.]

Subp. 32a. Suitable recipient. “Suitable recipient” means a recipient eligible for general assistance under part 9500.1258, subpart 1, item P, unless it is unlikely that participation in a literacy program would improve the recipient's literacy level due to mental retardation, mental illness, or a learning disability.

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## Proposed Rules

Subp. 33. [Unchanged.]

### 9500.1232 STATE PARTICIPATION.

Subpart 1. [Unchanged.]

Subp. 2. **State participation for monthly general assistance payments made based on a reduced state assistance standard.** When an assistance unit is subject to a reduced state assistance standard as provided in parts 9500.1218 to ~~9555.1222~~ 9500.1222, the amount of state participation in the monthly payment to the assistance unit under *Minnesota Statutes*, section 256D.03, subdivision 2, must be determined by subtracting the assistance unit's countable income from the applicable reduced state assistance standard and multiplying the difference by 75 percent.

Subp. 3. and 4. [Unchanged.]

Subp. 5. State participation for costs of providing transportation to recipients assigned to literacy training. State participation for the actual costs of providing transportation under part 9500.1257, subpart 5, is 100 percent.

### 9500.1257 LITERACY TRAINING FOR RECIPIENTS.

Subpart 1. Occupational and vocational literacy programs. The local agency shall determine the extent to which occupational or vocational literacy programs as defined in part 9500.1206, subpart 24a, are available for use by recipients under this part. If the local agency determines that existing occupational or vocational literacy programs are not sufficient to meet the needs of recipients, the local agency shall:

A. inform local educational institutions and job training programs of the number of recipients who need occupational and vocational literacy training; and

B. recommend to local educational institutions and job training programs that the necessary programs be developed.

Subp. 2. Assessment. The local agency shall assess each recipient eligible under part 9500.1258, subpart 1, item P, to identify any learning disabilities the recipient may have and to determine the recipient's existing reading level, reading potential, and vocational or occupational interests. The results of literacy testing and any other assessments conducted by the local agency under this subpart must be made available to the literacy training provider in accordance with Minnesota Statutes, sections 13.01 to 13.90, the Minnesota Government Data Practices Act.

Subp. 3. Assignment. The local agency shall assign each suitable recipient eligible under part 9500.1258, subpart 1, item P, to an accessible occupational or vocational literacy program if an opening in such a program is available. If there is no opening for a recipient in an accessible occupational or vocational literacy program, the local agency shall assign the recipient to an opening in any other accessible literacy program. A program is accessible to a recipient if the program is within the local labor market as defined in part 9500.1206, subpart 19a. A recipient is suitable unless it is unlikely that participation in a literacy program would improve the recipient's literacy level due to mental retardation, mental illness, or a learning disability.

Subp. 4. Reassignment. If a suitable recipient fails, with good cause as defined in part 9500.1206, subpart 15, to complete a literacy program to which the recipient is assigned under subpart 3, the local agency shall assign the recipient to an opening in another accessible literacy program if the recipient wants to participate in another program. If the recipient does not have good cause for refusing reassignment to another program, the recipient must be disqualified under part 9500.1266.

Subp. 5. Child care and transportation. The local agency shall provide child care and transportation to a recipient if necessary to enable the recipient to participate in an assigned literacy program.

Subp. 6. Payments to nonparticipating recipients. The local agency shall provide general assistance benefits under part 9500.1258, subpart 1, item P, to a recipient who does not participate in a literacy training program only if the recipient:

A. has good cause for failing to participate;

B. fails to make progress in a literacy program assigned under subpart 3 or 4 despite participation in the program for at least six months; or

C. is not assigned to a literacy training program because the recipient is not suitable for literacy training or because there is no opening in an accessible literacy program.

Subp. 7. Voluntary participation in work readiness. The local agency may allow a general assistance recipient eligible under part 9500.1258, subpart 1, item P, to participate voluntarily in work readiness services if the local agency determines that:

A. the recipient has reached a level of literacy that may allow successful participation in job training; and

B. participation in work readiness services by the recipient would not interfere with the recipient's participation in literacy training.



Subp. 8. Reassessment. If a recipient has been determined to be eligible for general assistance under part 9500.1258, subpart 1, item P, the local agency shall assess the recipient's eligibility under part 9500.1258, subpart 1, items A to O, when:

A. the local agency determines under part 9500.1258, subpart 1, item P, that the recipient is no longer functionally illiterate;  
or

B. the recipient is disqualified under part 9500.1262, subpart 1, item C, for failure to comply with literacy training requirements.

Subp. 9. Referral to work readiness program. If the local agency determines, after reassessment under subpart 8, that a recipient is ineligible for general assistance, the local agency shall determine the recipient's eligibility for the work readiness program under part 9500.1306.

Subp. 10. Explanation of rights and duties. At the time a person is determined eligible for general assistance under part 9500.1258, subpart 1, item P, and at the time a person is assigned to a literacy program, the local agency shall provide an oral explanation of:

A. the requirements of part 9500.1262, subpart 1, item C, and the penalties for failure to comply with these requirements;

B. the local agency's responsibilities under subparts 2 to 9; and

C. the person's right to appeal any adverse decision.

#### **9500.1262 REQUIREMENTS FOR CONTINUED ELIGIBILITY.**

Subpart 1. **Requirements for continued eligibility for specific categories of ongoing eligibility.** A recipient of general assistance whose eligibility is based on part 9500.1258, subpart 1, item G or L, or P, and who is not eligible under another category of eligibility under part 9500.1258, must comply with the following requirements as conditions for continued eligibility.

A. and B. [Unchanged.]

C. A recipient who is eligible for general assistance under part 9500.1258, subpart 1, item P, shall participate in a literacy program assigned under part 9500.1257. If a recipient fails to participate in an assigned literacy program, the recipient must be disqualified from receiving general assistance under part 9500.1258, subpart 1, item G, L, or P, unless the recipient is not participating for one of the reasons identified in part 9500.1257, subpart 6.

Subp. 2. [Unchanged.]

#### **9500.1266 DISQUALIFICATION.**

A recipient who fails, without good cause, to comply with the requirements of part 9500.1262, is disqualified from receiving general assistance as provided in items A to D.

A. and B. [Unchanged.]

C. If an individual who is disqualified applies for general assistance during the period of disqualification, the individual is considered a recipient and the application shall be denied unless the individual is eligible for general assistance on the basis of a category of eligibility other than the categories in part 9500.1258, subpart 1, item G or L, or P.

D. [Unchanged.]

## **Department of Human Services**

### **Proposed Permanent Rules Relating to Merit System**

#### **Notice of Hearing and Notice of Intent to Cancel Hearing If Fewer Than Twenty-Five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules Without a Public Hearing**

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room 1B, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155 on December 2, 1988 commencing at 9:00 a.m. and continuing

**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

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until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between November 24, 1988 and December 1, 1988, at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Peter C. Erickson, Administrative Law Judge, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7606, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for the *Minnesota Statutes*, sections 14.15 and 14.50. The rule hearing is governed by *Minnesota Statutes*, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for 74 county welfare and human services agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

Proposed revisions to 9575.1500 (the compensation plan) provide for adjustments of varying amounts of the minimum and maximum salaries for classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value. Most of the salary ranges in part 9575.1500 have been adjusted 3%, which is the general salary adjustment recommended for all incumbents effective January 1, 1989.

Amendments are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, and deleting class titles and minimum and maximum salaries for abolished classes.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, section 256.012. Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Ralph W. Corey, Department of Human Services, 2nd Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822, telephone 612/296-3996.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Department of Human Services, 2nd floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822. This rule is also available for viewing at each of the county welfare or human service agencies in the State of Minnesota.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be 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 rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency 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 reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

*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 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 travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communication or urging others to communicate with public officials; or

(b) who spends 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.

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

Dated: 30 September 1988

Sandra S. Gardebring  
Commissioner

### **Notice of Intent to Adopt a Rule Without a Public Hearing and Notice of Intent to Adopt a Rule With a Public Hearing if Twenty-five or More Persons Request a Hearing**

NOTICE IS HEREBY GIVEN that the State Department of Human Services proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, section 14.22 to 14.28. The specific statutory authority to adopt the rule is *Minnesota Statutes*, section 256.012.

Persons interested in this rule shall 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 and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request 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*, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON DECEMBER 2, 1988, IN CONFERENCE ROOM 1B, HUMAN SERVICES BUILDING, 444 LAFAYETTE ROAD, ST. PAUL, MINNESOTA 55155, AT 9:00 A.M., UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between November 24, 1988 and December 1, 1988 at (612) 296-3996.

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

Ralph W. Corey  
Minnesota Merit System  
2nd floor, Human Services Building  
444 Lafayette Road  
St. Paul, Minnesota 55155-3822

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on November 23, 1988.

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

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 2nd Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota, 55155-3822, telephone (612) 296-3996.

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

## Proposed Rules

A copy of the proposed rule may be viewed at any of the county welfare or human service agencies in the State of Minnesota.

The Minnesota Merit System rules provide for a system of personnel administration for 74 county welfare and human services agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

Proposed revisions to part 9575.1500 (the compensation plan) provide for adjustments of varying amounts to the minimum and maximum salaries for classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value. Most of the salary ranges in part 9575.1500 have been adjusted 3%, which is the general salary adjustment recommended for all incumbents effective January 1, 1989.

Amendments are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, and deleting class titles and minimum and maximum salaries for abolished classes.

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 Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Ralph W. Corey, Department of Human Services, 2nd Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822, telephone 612/296-3996.

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

Dated: 30 September 1988

Sandra S. Gardebring  
Commissioner

### Rules as Proposed

#### 9575.1500 COMPENSATION PLAN; HUMAN SERVICES, ~~1988~~ 1989.

Subpart 1. **Professional: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

|  | Minimum         |             | Maximum         |             |
|--|-----------------|-------------|-----------------|-------------|
| Accountant   | <del>1645</del> | <u>1694</u> | <del>2348</del> | <u>2418</u> |
| Accounting Supervisor  | <del>1919</del> | <u>1977</u> | <del>2869</del> | <u>2955</u> |
| Administrative Assistant I                                   | <del>2052</del> | <u>2114</u> | <del>3206</del> | <u>3302</u> |
| Administrative Assistant II                                  | <del>2196</del> | <u>2262</u> | <del>3430</del> | <u>3533</u> |
| Administrative Assistant III                                 | <del>2618</del> | <u>2697</u> | <del>3750</del> | <u>3863</u> |
| Adult Day Care Center Supervisor                             | <del>1881</del> | <u>1549</u> | <del>2680</del> | <u>2320</u> |
| Assistant Human Services Director                            | <del>2869</del> | <u>2955</u> | <del>4087</del> | <u>4394</u> |
| Assistant Welfare Director                                   | <del>3349</del> | <u>3449</u> | <del>4766</del> | <u>5129</u> |
| Auditor  | <del>1919</del> | <u>1977</u> | <del>2869</del> | <u>2955</u> |
| Chemical Dependency Coordinator                              | <del>1645</del> | <u>1694</u> | <del>2457</del> | <u>2531</u> |
| Collection Services Supervisor II                            | <del>1721</del> | <u>1730</u> | <del>2566</del> | <u>2585</u> |
| Community Health Services Supervisor                         | <del>2003</del> | <u>2021</u> | <del>3134</del> | <u>3156</u> |
| Computer Programmer  | <del>1572</del> | <u>1619</u> | <del>2252</del> | <u>2320</u> |
| Contract Services Representative                             | <del>1937</del> |             | <u>2760</u>     |             |
| County Agency Social Worker<br>(Licensing Specialist)        | <del>1549</del> |             | <u>2320</u>     |             |
| County Agency Social Worker                                  | <del>1619</del> |             | <u>2531</u>     |             |
| County Agency Social Worker<br>(Child Protection Specialist) | <del>1619</del> |             | <u>2531</u>     |             |
| County Agency Social Worker (MSW)                            | <del>1773</del> |             | <u>2643</u>     |             |

## Proposed Rules

|  | Minimum         |             | Maximum     |             |
|--|-----------------|-------------|-------------|-------------|
| <u>County Agency Social Worker (MSW)</u>                           |                 |             |             |             |
| <u>(Child Protection Specialist)</u>                               | <u>1773</u>     |             | <u>2643</u> |             |
| Day Care Center Teacher  | <del>1504</del> | <u>1549</u> | <u>2252</u> | <u>2320</u> |
| Developmental Achievement Center Director                          | <del>1881</del> | <u>1937</u> | <u>2680</u> | <u>2760</u> |
| Developmental Achievement Center Teacher                           | <del>1504</del> | <u>1549</u> | <u>2252</u> | <u>2320</u> |
| Director of Business Management I                                  | <del>2052</del> | <u>2262</u> | <u>3064</u> | <u>3369</u> |
| Director of Business Management II                                 | <del>2618</del> | <u>2697</u> | <u>3750</u> | <u>4031</u> |
| Director of Financial Assistance                                   | <del>2618</del> | <u>2697</u> | <u>3750</u> | <u>4031</u> |
| Director of Planning   | <del>2618</del> | <u>2697</u> | <u>3750</u> | <u>4031</u> |
| Director of Public Health Nursing I                                | <del>1919</del> | <u>1977</u> | <u>2869</u> | <u>2955</u> |
| Director of Social Services  | <del>2618</del> | <u>2697</u> | <u>3750</u> | <u>4031</u> |
| Employment Guidance Counselor                                      | <del>1439</del> | <u>1549</u> | <u>2052</u> | <u>2212</u> |
| <u>Family Based Services Supervisor</u>                            | <u>1694</u>     |             | <u>2418</u> |             |
| Family Service Coordinator II                                      | <del>1572</del> | <u>1619</u> | <u>2052</u> | <u>2114</u> |
| Financial Assistance Supervisor I                                  | <del>1721</del> | <u>1773</u> | <u>2566</u> | <u>2643</u> |
| Financial Assistance Supervisor II                                 | <del>2052</del> | <u>2114</u> | <u>3064</u> | <u>3156</u> |
| <del>Fiscal Manager</del>  | <del>2348</del> |             | <u>3349</u> |             |
| Fiscal Officer   | <del>1504</del> | <u>1549</u> | <u>2252</u> | <u>2320</u> |
| Fiscal Supervisor I  | <del>1504</del> | <u>1549</u> | <u>2252</u> | <u>2320</u> |
| Fiscal Supervisor II   | <del>1919</del> | <u>1977</u> | <u>2869</u> | <u>2955</u> |
| Gerontology Counselor  | <del>1721</del> | <u>1773</u> | <u>2566</u> | <u>2643</u> |
| Human Services Director III  | <del>3134</del> | <u>3228</u> | <u>4457</u> | <u>4798</u> |
| Human Services Supervisor I  | <del>2052</del> | <u>2114</u> | <u>3206</u> | <u>3302</u> |
| Human Services Supervisor II                                       | <del>2457</del> | <u>2585</u> | <u>3508</u> | <u>3693</u> |
| Jobs and Training Supervisor                                       | <del>1721</del> | <u>1773</u> | <u>2566</u> | <u>2643</u> |
| <del>Medical Assistance Prepayment</del>                           |                 |             |             |             |
| <u>Project Manager</u>   | <u>2052</u>     |             | <u>3064</u> |             |
| Mental Health Program Manager                                      | <del>2196</del> | <u>2262</u> | <u>3271</u> | <u>3369</u> |
| Mental Health Worker   | <del>1797</del> | <u>1851</u> | <u>2680</u> | <u>2760</u> |
| Methods & Procedures Analyst                                       | <del>1607</del> | <u>1619</u> | <u>2399</u> | <u>2418</u> |
| Nutrition Project Assistant Director                               | <del>1504</del> | <u>1549</u> | <u>2252</u> | <u>2320</u> |
| Nutrition Project Director   | <del>1919</del> | <u>1977</u> | <u>2869</u> | <u>2955</u> |
| Office Services Supervisor II                                      | <del>1439</del> | <u>1482</u> | <u>2052</u> | <u>2114</u> |
| Planner (Human Services)   | <del>1881</del> | <u>1937</u> | <u>2680</u> | <u>2760</u> |
| Psychologist I   | <del>1721</del> | <u>1773</u> | <u>2566</u> | <u>2643</u> |
| Psychologist II  | <del>2003</del> | <u>2063</u> | <u>2869</u> | <u>2955</u> |
| Psychologist III   | <del>2680</del> | <u>2697</u> | <u>3669</u> | <u>3693</u> |
| Public Health Educator   | <del>1645</del> | <u>1694</u> | <u>2348</u> | <u>2418</u> |
| Public Health Nurse  | <del>1645</del> | <u>1773</u> | <u>2348</u> | <u>2531</u> |
| <del>Public Health Nurse (Team Leader)</del>                       | <del>1721</del> |             | <u>2566</u> |             |
| <u>Registered Dietician</u>  | <u>1549</u>     |             | <u>2320</u> |             |
| Registered Nurse (A. A. Degree,<br>3 year Diploma, or B.S. Degree) | <del>1572</del> | <u>1694</u> | <u>2252</u> | <u>2418</u> |
| Resident Activity Coordinator                                      | <del>1504</del> | <u>1549</u> | <u>2252</u> | <u>2320</u> |
| Sanitarian   | <del>1504</del> | <u>1549</u> | <u>2252</u> | <u>2320</u> |
| Senior Public Health Nurse   | <del>1881</del> | <u>1937</u> | <u>2680</u> | <u>2760</u> |
| Senior Staff Development Specialist                                | <del>1919</del> | <u>1977</u> | <u>2869</u> | <u>2955</u> |
| <del>Social Worker (Licensing Specialist)</del>                    | <del>1504</del> |             | <u>2252</u> |             |
| <del>Social Worker</del>   | <del>1572</del> |             | <u>2457</u> |             |

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## Proposed Rules

|   | Minimum   |             | Maximum         |             |
|---|---|-------------|-----------------|-------------|
| Social Worker (Child Protection Specialist)       | <del>1572</del>   |             | <del>2457</del> |             |
| Social Worker (MSW)                               | <del>1721</del>   |             | <del>2566</del> |             |
| Social Worker (Child Protection Specialist) (MSW) | <del>1721</del>   |             | <del>2566</del> |             |
| Social Services Supervisor I                      | <del>2052</del>   | <u>2114</u> | <del>3206</del> | <u>3302</u> |
| Social Services Supervisor II                     | <del>2252</del>   | <u>2320</u> | <del>3508</del> | <u>3613</u> |
| <u>Social Services Supervisor III</u>             | <del>2585</del>   |             | <del>3693</del> |             |
| Staff Development Specialist                      | <del>1607</del>   | <u>1619</u> | <del>2399</del> | <u>2418</u> |
| Student Social Worker (Intern)                    | Rate proposed by appointing authority.  |             |                 |             |
| Student Social Worker (SWEP)                      | Rate proposed by appointing authority.  |             |                 |             |
| <u>Support Services Supervisor</u>                | <del>1694</del>   |             | <del>2418</del> |             |
| Systems Programmer Analyst                        | <del>1919</del>   | <u>1937</u> | <del>2618</del> | <u>2643</u> |
| Telecommunications Analyst                        | <del>1919</del>   | <u>1977</u> | <del>2739</del> | <u>2821</u> |
| Trainee   | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. |             |                 |             |
| Volunteer Services Coordinator I                  | <del>1504</del>   | <u>1549</u> | <del>2252</del> | <u>2320</u> |
| Welfare Director I                                | <del>2399</del>   | <u>2531</u> | <del>3585</del> | <u>3779</u> |
| Welfare Director II                               | <del>2680</del>   | <u>2760</u> | <del>3835</del> | <u>4123</u> |
| Welfare Director III                              | <del>2869</del>   | <u>2955</u> | <del>4087</del> | <u>4394</u> |
| Welfare Director IV                               | <del>3134</del>   | <u>3228</u> | <del>4457</del> | <u>4798</u> |
| Welfare Director V                                | <del>4177</del>   | <u>4302</u> | <del>5935</del> | <u>6113</u> |
| Work Experience & Training Specialist             | <del>1721</del>   | <u>1730</u> | <del>2566</del> | <u>2585</u> |

Subp. 2. **Professional: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

|  | Minimum         |             | Maximum         |             |
|--|-----------------|-------------|-----------------|-------------|
| Accountant   | <del>1721</del> | <u>1773</u> | <del>2457</del> | <u>2531</u> |
| Accounting Supervisor  | <del>2003</del> | <u>2063</u> | <del>2996</del> | <u>3086</u> |
| Administrative Assistant I   | <del>2148</del> | <u>2212</u> | <del>3349</del> | <u>3449</u> |
| Administrative Assistant II  | <del>2296</del> | <u>2365</u> | <del>3585</del> | <u>3693</u> |
| Administrative Assistant III   | <del>2739</del> | <u>2821</u> | <del>3914</del> | <u>4031</u> |
| Adult Day Care Center Supervisor                                       | <del>1962</del> | <u>1619</u> | <del>2803</del> | <u>2418</u> |
| Assistant Human Services Director                                      | <del>2869</del> | <u>2955</u> | <del>4087</del> | <u>4394</u> |
| Assistant Welfare Director   | <del>3349</del> | <u>3449</u> | <del>4766</del> | <u>5129</u> |
| Auditor  | <del>2003</del> | <u>2063</u> | <del>2996</del> | <u>3086</u> |
| Chemical Dependency Coordinator  | <del>1721</del> | <u>1773</u> | <del>2566</del> | <u>2643</u> |
| Collections Services Supervisor II                                     | <del>1797</del> | <u>1809</u> | <del>2680</del> | <u>2697</u> |
| Community Health Services Supervisor                                   | <del>2097</del> | <u>2114</u> | <del>3271</del> | <u>3302</u> |
| Computer Programmer  | <del>1645</del> | <u>1694</u> | <del>2348</del> | <u>2418</u> |
| <u>Contract Services Representative</u>                                | <del>2021</del> |             | <del>2887</del> |             |
| <u>County Agency Social Worker (Licensing Specialist)</u>              | <del>1619</del> |             | <del>2418</del> |             |
| <u>County Agency Social Worker</u>                                     | <del>1694</del> |             | <del>2643</del> |             |
| <u>County Agency Social Worker (Child Protection Specialist)</u>       | <del>1694</del> |             | <del>2643</del> |             |
| <u>County Agency Social Worker (MSW)</u>                               | <del>1851</del> |             | <del>2760</del> |             |
| <u>County Agency Social Worker (MSW) (Child Protection Specialist)</u> | <del>1851</del> |             | <del>2760</del> |             |
| Day Care Center Teacher  | <del>1572</del> | <u>1619</u> | <del>2348</del> | <u>2418</u> |
| Developmental Achievement Center Director                              | <del>1962</del> | <u>2021</u> | <del>2803</del> | <u>2887</u> |
| Developmental Achievement Center Teacher                               | <del>1572</del> | <u>1619</u> | <del>2348</del> | <u>2418</u> |
| Director of Business Management I                                      | <del>2148</del> | <u>2365</u> | <del>3206</del> | <u>3533</u> |

## Proposed Rules

|   | Minimum     |             | Maximum     |             |
|---|-------------|-------------|-------------|-------------|
| Director of Business Management II                                | 2739        | <u>2821</u> | 3914        | <u>4210</u> |
| Director of Financial Assistance                                  | 2739        | <u>2821</u> | 3914        | <u>4210</u> |
| Director of Planning  | 2739        | <u>2821</u> | 3914        | <u>4210</u> |
| Director of Public Health Nursing I                               | 2003        | <u>2063</u> | 2996        | <u>3086</u> |
| Director of Social Services                                       | 2739        | <u>2821</u> | 3914        | <u>4210</u> |
| Employment Guidance Counselor                                     | 1504        | <u>1619</u> | 2148        | <u>2320</u> |
| <u>Family Based Services Supervisor</u>                           | <u>1773</u> |             | <u>2531</u> |             |
| Family Service Coordinator II                                     | 1645        | <u>1694</u> | 2148        | <u>2212</u> |
| Financial Assistance Supervisor I                                 | 1797        | <u>1851</u> | 2680        | <u>2760</u> |
| Financial Assistance Supervisor II                                | 2148        | <u>2212</u> | 3206        | <u>3302</u> |
| <del>Fiscal Manager</del>   | 2457        |             | 3508        |             |
| Fiscal Officer  | 1572        | <u>1619</u> | 2348        | <u>2418</u> |
| Fiscal Supervisor I   | 1572        | <u>1619</u> | 2348        | <u>2418</u> |
| Fiscal Supervisor II  | 2003        | <u>2063</u> | 2996        | <u>3086</u> |
| Gerontology Counselor   | 1797        | <u>1851</u> | 2680        | <u>2760</u> |
| Human Services Director III                                       | 3134        | <u>3228</u> | 4457        | <u>4798</u> |
| Human Services Supervisor I                                       | 2148        | <u>2212</u> | 3349        | <u>3449</u> |
| Human Services Supervisor II                                      | 2566        | <u>2697</u> | 3669        | <u>3863</u> |
| Jobs and Training Supervisor                                      | 1797        | <u>1851</u> | 2680        | <u>2760</u> |
| <del>Medical Assistance Prepayment</del>                          |             |             |             |             |
| <del>Project Manager</del>  | 2148        |             | 3206        |             |
| Mental Health Program Manager                                     | 2296        | <u>2365</u> | 3430        | <u>3533</u> |
| Mental Health Worker  | 1881        | <u>1937</u> | 2803        | <u>2887</u> |
| Methods & Procedures Analyst                                      | 1680        | <u>1694</u> | 2510        | <u>2531</u> |
| Nutrition Project Assistant Director                              | 1572        | <u>1619</u> | 2348        | <u>2418</u> |
| Nutrition Project Director  | 2003        | <u>2063</u> | 2996        | <u>3086</u> |
| Office Services Supervisor II                                     | 1504        | <u>1549</u> | 2148        | <u>2212</u> |
| Planner (Human Services)  | 1962        | <u>2021</u> | 2803        | <u>2887</u> |
| Psychologist I  | 1797        | <u>1851</u> | 2680        | <u>2760</u> |
| Psychologist II   | 2097        | <u>2160</u> | 2996        | <u>3086</u> |
| Psychologist III  | 2803        | <u>2821</u> | 3835        | <u>3863</u> |
| Public Health Educator  | 1721        | <u>1773</u> | 2457        | <u>2531</u> |
| Public Health Nurse   | 1721        | <u>1851</u> | 2457        | <u>2643</u> |
| <del>Public Health Nurse (Team Leader)</del>                      | 1797        |             | 2680        |             |
| <u>Registered Dietician</u>                                       | <u>1619</u> |             | <u>2418</u> |             |
| Registered Nurse (A.A. Degree,<br>3 year Diploma, or B.S. Degree) | 1645        | <u>1773</u> | 2348        | <u>2531</u> |
| Resident Activity Coordinator                                     | 1572        | <u>1619</u> | 2348        | <u>2418</u> |
| Sanitarian  | 1572        | <u>1619</u> | 2348        | <u>2418</u> |
| Senior Public Health Nurse  | 1962        | <u>2021</u> | 2803        | <u>2887</u> |
| Senior Staff Development Specialist                               | 2003        | <u>2063</u> | 2996        | <u>3086</u> |
| <del>Social Worker (Licensing Specialist)</del>                   | 1572        | <u>2348</u> |             |             |
| <del>Social Worker</del>  | 1645        |             | 2566        |             |
| <del>Social Worker (Child Protection</del>                        |             |             |             |             |
| <del>Specialist)</del>  | 1645        |             | 2566        |             |
| <del>Social Worker (MSW)</del>                                    | 1797        |             | 2680        |             |
| <del>Social Worker (Child Protection</del>                        |             |             |             |             |
| <del>Specialist) (MSW)</del>                                      | 1797        |             | 2680        |             |
| Social Services Supervisor I                                      | 2148        | <u>2212</u> | 3349        | <u>3449</u> |
| Social Services Supervisor II                                     | 2348        | <u>2418</u> | 3669        | <u>3779</u> |

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## Proposed Rules

|   | Minimum         |             | Maximum     |             |
|---|-----------------|-------------|-------------|-------------|
| <u>Social Services Supervisor III</u>   | <u>2697</u>     |             | <u>3863</u> |             |
| Staff Development Specialist  | <del>1680</del> | <u>1694</u> | <u>2510</u> | <u>2531</u> |
| Student Social Worker (Intern) Rate proposed by appointing authority.   |                 |             |             |             |
| <del>Student Social Worker (SWEP)</del> Rate proposed by appointing authority.  |                 |             |             |             |
| <u>Support Services Supervisor</u>  | <u>1773</u>     |             | <u>2531</u> |             |
| Systems Programmer Analyst  | <u>2003</u>     | <u>2021</u> | <u>2739</u> | <u>2760</u> |
| Telecommunications Analyst  | <u>2003</u>     | <u>2063</u> | <u>2869</u> | <u>2955</u> |
| Trainee Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. |                 |             |             |             |
| Volunteer Services Coordinator I  | <del>1572</del> | <u>1619</u> | <u>2348</u> | <u>2418</u> |
| Welfare Director I  | <del>2399</del> | <u>2531</u> | <u>3585</u> | <u>3779</u> |
| Welfare Director II   | <del>2680</del> | <u>2760</u> | <u>3835</u> | <u>4123</u> |
| Welfare Director III  | <del>2869</del> | <u>2955</u> | <u>4087</u> | <u>4394</u> |
| Welfare Director IV   | <del>3134</del> | <u>3228</u> | <u>4457</u> | <u>4798</u> |
| Welfare Director V  | <del>4177</del> | <u>4302</u> | <u>5935</u> | <u>6113</u> |
| Work Experience & Training Specialist   | <del>1797</del> | <u>1809</u> | <u>2680</u> | <u>2697</u> |

Subp. 3. **Professional: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

|  | Minimum         |             | Maximum     |             |
|--|-----------------|-------------|-------------|-------------|
| Accountant   | <del>1797</del> | <u>1851</u> | <u>2566</u> | <u>2643</u> |
| Accounting Supervisor  | <del>2097</del> | <u>2160</u> | <u>3134</u> | <u>3228</u> |
| Administrative Assistant I   | <del>2252</del> | <u>2320</u> | <u>3508</u> | <u>3613</u> |
| Administrative Assistant II  | <del>2399</del> | <u>2471</u> | <u>3750</u> | <u>3863</u> |
| Administrative Assistant III   | <del>2869</del> | <u>2955</u> | <u>4087</u> | <u>4210</u> |
| Adult Day Care Center Supervisor                                       | <del>2052</del> | <u>1694</u> | <u>2932</u> | <u>2531</u> |
| Assistant Human Services Director                                      | <del>2869</del> | <u>2955</u> | <u>4087</u> | <u>4394</u> |
| Assistant Welfare Director   | <del>3349</del> | <u>3449</u> | <u>4766</u> | <u>5129</u> |
| Auditor  | <del>2097</del> | <u>2160</u> | <u>3134</u> | <u>3228</u> |
| Chemical Dependency Coordinator  | <del>1797</del> | <u>1851</u> | <u>2680</u> | <u>2760</u> |
| Collections Services Supervisor II                                     | <del>1881</del> | <u>1895</u> | <u>2803</u> | <u>2821</u> |
| Community Health Services Supervisor                                   | <del>2196</del> | <u>2212</u> | <u>3430</u> | <u>3449</u> |
| Computer Programmer  | <del>1721</del> | <u>1773</u> | <u>2457</u> | <u>2531</u> |
| <u>Contract Services Representative</u>                                | <u>2114</u>     |             | <u>3020</u> |             |
| <u>County Agency Social Worker (Licensing Specialist)</u>              | <u>1694</u>     |             | <u>2531</u> |             |
| <u>County Agency Social Worker</u>                                     | <u>1773</u>     |             | <u>2760</u> |             |
| <u>County Agency Social Worker (Child Protection Specialist)</u>       | <u>1773</u>     |             | <u>2760</u> |             |
| <u>County Agency Social Worker (MSW)</u>                               | <u>1937</u>     |             | <u>2887</u> |             |
| <u>County Agency Social Worker (MSW) (Child Protection Specialist)</u> | <u>1937</u>     |             | <u>2887</u> |             |
| Day Care Center Teacher  | <del>1645</del> | <u>1694</u> | <u>2457</u> | <u>2531</u> |
| Developmental Achievement Center Director                              | <del>2052</del> | <u>2114</u> | <u>2932</u> | <u>3020</u> |
| Developmental Achievement Center Teacher                               | <del>1645</del> | <u>1694</u> | <u>2457</u> | <u>2531</u> |
| Director of Business Management I                                      | <del>2252</del> | <u>2471</u> | <u>3349</u> | <u>3693</u> |
| Director of Business Management II                                     | <del>2869</del> | <u>2955</u> | <u>4087</u> | <u>4394</u> |
| Director of Financial Assistance                                       | <del>2869</del> | <u>2955</u> | <u>4087</u> | <u>4394</u> |
| Director of Planning   | <del>2869</del> | <u>2955</u> | <u>4087</u> | <u>4394</u> |
| Director of Public Health Nursing I                                    | <del>2097</del> | <u>2160</u> | <u>3134</u> | <u>3228</u> |
| Director of Social Services  | <del>2869</del> | <u>2955</u> | <u>4087</u> | <u>4394</u> |
| Employment Guidance Counselor  | <del>1572</del> | <u>1694</u> | <u>2252</u> | <u>2418</u> |
| <u>Family Based Services Supervisor</u>                                | <u>1851</u>     |             | <u>2643</u> |             |
| Family Service Coordinator II  | <del>1721</del> | <u>1773</u> | <u>2252</u> | <u>2320</u> |



## Proposed Rules

|  | Minimum         |             | Maximum         |             |
|--|-----------------|-------------|-----------------|-------------|
| Financial Assistance Supervisor I  | <del>1881</del> | <u>1937</u> | <del>2803</del> | <u>2887</u> |
| Financial Assistance Supervisor II   | <del>2252</del> | <u>2320</u> | <del>3349</del> | <u>3449</u> |
| <del>Fiscal Manager</del>  | <del>2566</del> |             | <del>3669</del> |             |
| Fiscal Officer   | <del>1645</del> | <u>1694</u> | <del>2457</del> | <u>2531</u> |
| Fiscal Supervisor I  | <del>1645</del> | <u>1694</u> | <del>2457</del> | <u>2531</u> |
| Fiscal Supervisor II   | <del>2097</del> | <u>2160</u> | <del>3134</del> | <u>3228</u> |
| Gerontology Counselor  | <del>1881</del> | <u>1937</u> | <del>2803</del> | <u>2887</u> |
| Human Services Director III  | <del>3134</del> | <u>3228</u> | <del>4457</del> | <u>4798</u> |
| Human Services Supervisor I  | <del>2252</del> | <u>2320</u> | <del>3508</del> | <u>3613</u> |
| Human Services Supervisor II   | <del>2680</del> | <u>2821</u> | <del>3835</del> | <u>4031</u> |
| Jobs and Training Supervisor   | <del>1881</del> | <u>1937</u> | <del>2803</del> | <u>2887</u> |
| <del>Medical Assistant Prepayment</del>  |                 |             |                 |             |
| <del>Project Manager</del>   | <del>2252</del> |             | <del>3349</del> |             |
| Mental Health Program Manager  | <del>2399</del> | <u>2471</u> | <del>3585</del> | <u>3693</u> |
| Mental Health Worker   | <del>1962</del> | <u>2021</u> | <del>2932</del> | <u>3020</u> |
| Methods & Procedures Analyst   | <del>1756</del> | <u>1773</u> | <del>2618</del> | <u>2643</u> |
| Nutrition Project Assistant Director   | <del>1645</del> | <u>1694</u> | <del>2457</del> | <u>2531</u> |
| Nutrition Project Director   | <del>2097</del> | <u>2160</u> | <del>3134</del> | <u>3228</u> |
| Office Services Supervisor II  | <del>1572</del> | <u>1619</u> | <del>2252</del> | <u>2320</u> |
| Planner (Human Services)   | <del>2052</del> | <u>2114</u> | <del>2932</del> | <u>3020</u> |
| Psychologist I   | <del>1881</del> | <u>1937</u> | <del>2803</del> | <u>2887</u> |
| Psychologist II  | <del>2196</del> | <u>2262</u> | <del>3134</del> | <u>3228</u> |
| Psychologist III   | <del>2932</del> | <u>2955</u> | <del>4003</del> | <u>4031</u> |
| Public Health Educator   | <del>1797</del> | <u>1851</u> | <del>2566</del> | <u>2643</u> |
| Public Health Nurse  | <del>1881</del> | <u>2021</u> | <del>2566</del> | <u>2760</u> |
| <del>Public Health Nurse (Team Leader)</del>   | <del>2052</del> |             | <del>2803</del> |             |
| <del>Registered Dietician</del>  | <del>1694</del> |             | <del>2531</del> |             |
| Registered Nurse (A.A. Degree,<br>3 year Diploma, or B.S. Degree)                              | <del>1797</del> | <u>1937</u> | <del>2457</del> | <u>2643</u> |
| Resident Activity Coordinator  | <del>1645</del> | <u>1694</u> | <del>2457</del> | <u>2531</u> |
| Sanitarian   | <del>1645</del> | <u>1694</u> | <del>2457</del> | <u>2531</u> |
| Senior Public Health Nurse   | <del>2052</del> | <u>2114</u> | <del>2932</del> | <u>3020</u> |
| Senior Staff Development Specialist  | <del>2097</del> | <u>2160</u> | <del>3134</del> | <u>3228</u> |
| <del>Social Worker (Licensing Specialist)</del>  | <del>1645</del> |             | <del>2457</del> |             |
| <del>Social Worker</del>   | <del>1721</del> |             | <del>2680</del> |             |
| <del>Social Worker (Child Protection</del>   |                 |             |                 |             |
| <del>Specialist)</del>   | <del>1721</del> |             | <del>2680</del> |             |
| <del>Social Worker (MSW)</del>   | <del>1881</del> |             | <del>2803</del> |             |
| <del>Social Worker (Child Protection</del>   |                 |             |                 |             |
| <del>Specialist) (MSW)</del>   | <del>1881</del> |             | <del>2803</del> |             |
| Social Services Supervisor I   | <del>2252</del> | <u>2320</u> | <del>3508</del> | <u>3613</u> |
| Social Services Supervisor II  | <del>2457</del> | <u>2531</u> | <del>3835</del> | <u>3950</u> |
| <del>Social Services Supervisor III</del>  | <del>2821</del> |             | <del>4031</del> |             |
| Staff Development Specialist   | <del>1756</del> | <u>1773</u> | <del>2618</del> | <u>2643</u> |
| Student Social<br>Worker (Intern)   Rate proposed by appointing authority.                     |                 |             |                 |             |
| <del>Student Social</del><br><del>Worker (SWEP)   Rate proposed by appointing authority.</del> |                 |             |                 |             |
| <del>Support Services Supervisor</del>   | <del>1851</del> |             | <del>2643</del> |             |
| Systems Programmer Analyst   | <del>2097</del> | <u>2114</u> | <del>2869</del> | <u>2887</u> |

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## Proposed Rules

|                                       | Minimum   |      | Maximum |      |
|---------------------------------------|---|------|---------|------|
|                                       | 2097  | 2160 | 2996    | 3086 |
| Telecommunications Analyst            |   |      |         |      |
| Trainee                               | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. |      |         |      |
| Volunteer Services Coordinator I      | 1645  | 1694 | 2457    | 2531 |
| Welfare Director I                    | 2399  | 2531 | 3585    | 3779 |
| Welfare Director II                   | 2680  | 2760 | 3835    | 4123 |
| Welfare Director III                  | 2869  | 2955 | 4087    | 4394 |
| Welfare Director IV                   | 3134  | 3228 | 4457    | 4798 |
| Welfare Director V                    | 4177  | 4302 | 5935    | 6113 |
| Work Experience & Training Specialist | 1881  | 1895 | 2803    | 2821 |

Subp. 4. **Support personnel: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

|   | Minimum   |      | Maximum |      |
|---|---|------|---------|------|
|   |   |      |         |      |
| Account Clerk                               | 1075  | 1107 | 1470    | 1514 |
| Accounting Technician                       | 1124  | 1158 | 1607    | 1655 |
| Adult Day Care Center Program Coordinator   | 1151  | 1186 | 1721    | 1773 |
| Case Aide                                   | 1151  | 1186 | 1721    | 1773 |
| Chemical Dependency Counselor               | 1405  | 1447 | 1840    | 1895 |
| Child Health Aide                           | 921   | 949  | 1261    | 1299 |
| Child Support Officer I                     | 1288  | 1299 | 1840    | 1851 |
| Child Support Officer II                    | 1504  | 1549 | 2052    | 2114 |
| Collections Officer                         | 1288  | 1299 | 1840    | 1851 |
| Collection Services Supervisor I            | 1607  | 1619 | 2196    | 2212 |
| Community Service Aide                      | 883   | 949  | 1261    | 1299 |
| Computer Operations Specialist              | 1175  | 1186 | 1536    | 1549 |
| Coordinator of Aging                        | 1346  | 1415 | 2003    | 2114 |
| Developmental Achievement Center Instructor | 1261  | 1299 | 1721    | 1773 |
| Employment Technician                       | 1151  | 1186 | 1721    | 1773 |
| <u>Family Based Services Provider</u>       | 1447  |      | 1895    |      |
| Family Service Aide I                       | 961   | 1014 | 1439    | 1514 |
| Family Service Aide II                      | 1101  | 1158 | 1572    | 1655 |
| Family Service Coordinator I                | 1261  | 1299 | 1721    | 1773 |
| Family Service/Home Health Aide             | 961   | 1014 | 1439    | 1514 |
| Financial Assistance Specialist             | 1439  | 1482 | 2052    | 2114 |
| Financial Worker                            | 1151  | 1186 | 1721    | 1773 |
| Food Stamp Corrective Action Specialist I   | 1572  | 1619 | 2252    | 2320 |
| Food Stamp Corrective Action Specialist II  | 1721  | 1773 | 2457    | 2531 |
| Home Health Aide                            | 961   | 1014 | 1439    | 1514 |
| Home Health Aide Coordinator                | 1261  | 1299 | 1721    | 1773 |
| Housekeeper                                 | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. |      |         |      |
| Housing Coordinator                         | 1645  | 1694 | 2348    | 2418 |
| Housing Rehabilitation Specialist           | 1261  | 1299 | 1721    | 1773 |
| Licensed Practical Nurse                    | 1261  | 1299 | 1721    | 1773 |
| Methods and Procedures Technician           | 1405  | 1447 | 1840    | 1895 |
| <u>Monitoring and Review Specialist</u>     | 1186  |      | 1773    |      |
| Office Services Supervisor I                | 1261  | 1299 | 1721    | 1773 |
| Public Health Aide                          | 883   | 949  | 1261    | 1299 |
| Senior Citizen's Aide                       | 961   | 1014 | 1439    | 1514 |
| Support and Collections Specialist          | 1504  | 1549 | 2052    | 2114 |
| Support Enforcement Aide                    | 1075  | 1107 | 1470    | 1514 |
| Welfare Fraud Investigator                  | 1607  | 1619 | 2097    | 2114 |

## Proposed Rules

Subp. 5. **Support personnel: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

|   | Minimum   |             | Maximum         |             |
|---|---|-------------|-----------------|-------------|
| Account Clerk                               | <del>1124</del>   | <u>1158</u> | <del>1536</del> | <u>1582</u> |
| Accounting Technician                       | <del>1175</del>   | <u>1210</u> | <del>1680</del> | <u>1730</u> |
| Adult Day Care Center Program Coordinator   | <del>1203</del>   | <u>1239</u> | <del>1797</del> | <u>1851</u> |
| Case Aide                                   | <del>1203</del>   | <u>1239</u> | <del>1797</del> | <u>1851</u> |
| Chemical Dependency Counselor               | <del>1470</del>   | <u>1514</u> | <del>1919</del> | <u>1977</u> |
| Child Health Aide                           | <del>1005</del>   | <u>1035</u> | <del>1374</del> | <u>1415</u> |
| Child Support Officer I                     | <del>1346</del>   | <u>1355</u> | <del>1919</del> | <u>1937</u> |
| Child Support Officer II                    | <del>1572</del>   | <u>1619</u> | <del>2148</del> | <u>2212</u> |
| Collections Officer                         | <del>1346</del>   | <u>1355</u> | <del>1919</del> | <u>1937</u> |
| Collection Services Supervisor I            | <del>1680</del>   | <u>1694</u> | <del>2296</del> | <u>2320</u> |
| Community Service Aide                      | <del>921</del>  | <u>990</u>  | <del>1374</del> | <u>1415</u> |
| Computer Operations Specialist              | <del>1233</del>   | <u>1239</u> | <del>1607</del> | <u>1619</u> |
| Coordinator of Aging                        | <del>1405</del>   | <u>1549</u> | <del>2097</del> | <u>2212</u> |
| Developmental Achievement Center Instructor | <del>1316</del>   | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Employment Technician                       | <del>1203</del>   | <u>1239</u> | <del>1797</del> | <u>1851</u> |
| <u>Family Based Services Provider</u>       | <u>1514</u>   |             | <u>1977</u>     |             |
| Family Service Aide I                       | <del>1005</del>   | <u>1060</u> | <del>1504</del> | <u>1582</u> |
| Family Service Aide II                      | <del>1151</del>   | <u>1210</u> | <del>1645</del> | <u>1730</u> |
| Family Service Coordinator I                | <del>1316</del>   | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Family Service/Home Health Aide             | <del>1005</del>   | <u>1060</u> | <del>1504</del> | <u>1582</u> |
| Financial Assistance Specialist             | <del>1504</del>   | <u>1549</u> | <del>2148</del> | <u>2212</u> |
| Financial Worker                            | <del>1203</del>   | <u>1239</u> | <del>1797</del> | <u>1851</u> |
| Food Stamp Corrective Action Specialist I   | <del>1572</del>   | <u>1619</u> | <del>2252</del> | <u>2320</u> |
| Food Stamp Corrective Action Specialist II  | <del>1721</del>   | <u>1773</u> | <del>2457</del> | <u>2531</u> |
| Home Health Aide                            | <del>1005</del>   | <u>1060</u> | <del>1504</del> | <u>1582</u> |
| Home Health Aide Coordinator                | <del>1316</del>   | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Housekeeper                                 | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. |             |                 |             |
| Housing Coordinator                         | <del>1721</del>   | <u>1773</u> | <del>2457</del> | <u>2531</u> |
| Housing Rehabilitation Specialist           | <del>1316</del>   | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Licensed Practical Nurse                    | <del>1316</del>   | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Methods and Procedures Technician           | <del>1470</del>   | <u>1514</u> | <del>1919</del> | <u>1977</u> |
| <u>Monitoring and Review Specialist</u>     | <u>1239</u>   |             | <u>1851</u>     |             |
| Office Services Supervisor I                | <del>1316</del>   | <u>1355</u> | <del>1797</del> | <u>1851</u> |
| Public Health Aide                          | <del>921</del>  | <u>990</u>  | <del>1374</del> | <u>1415</u> |
| Senior Citizen's Aide                       | <del>1005</del>   | <u>1060</u> | <del>1504</del> | <u>1582</u> |
| Support and Collections Specialist          | <del>1572</del>   | <u>1619</u> | <del>2148</del> | <u>2212</u> |
| Support Enforcement Aide                    | <del>1124</del>   | <u>1158</u> | <del>1536</del> | <u>1582</u> |
| Welfare Fraud Investigator                  | <del>1680</del>   | <u>1694</u> | <del>2196</del> | <u>2212</u> |

Subp. 6. **Support personnel: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

|   | Minimum         |             | Maximum         |             |
|---|-----------------|-------------|-----------------|-------------|
| Account Clerk                             | <del>1175</del> | <u>1210</u> | <del>1607</del> | <u>1655</u> |
| Accounting Technician                     | <del>1233</del> | <u>1270</u> | <del>1756</del> | <u>1809</u> |
| Adult Day Care Center Program Coordinator | <del>1261</del> | <u>1299</u> | <del>1881</del> | <u>1937</u> |
| Case Aide                                 | <del>1261</del> | <u>1299</u> | <del>1881</del> | <u>1937</u> |
| Chemical Dependency Counselor             | <del>1536</del> | <u>1582</u> | <del>2003</del> | <u>2063</u> |

**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

|   | Minimum   |             | Maximum         |             |
|---|---|-------------|-----------------|-------------|
| Child Health Aide                           | <del>1101</del>   | <u>1134</u> | <del>1504</del> | <u>1549</u> |
| Child Support Officer I                     | <del>1405</del>   | <u>1415</u> | <del>2003</del> | <u>2021</u> |
| Child Support Officer II                    | <del>1645</del>   | <u>1694</u> | <del>2252</del> | <u>2320</u> |
| Collections Officer                         | <del>1405</del>   | <u>1415</u> | <del>2003</del> | <u>2021</u> |
| Collection Services Supervisor I            | <del>1756</del>   | <u>1773</u> | <del>2399</del> | <u>2418</u> |
| Community Service Aide                      | <del>1101</del>   | <u>1134</u> | <del>1504</del> | <u>1549</u> |
| Computer Operations Specialist              | <del>1288</del>   | <u>1299</u> | <del>1680</del> | <u>1694</u> |
| Coordinator of Aging                        | <del>1470</del>   | <u>1619</u> | <del>2196</del> | <u>2320</u> |
| Developmental Achievement Center Instructor | <del>1374</del>   | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Employment Technician                       | <del>1261</del>   | <u>1299</u> | <del>1881</del> | <u>1937</u> |
| <u>Family Based Services Provider</u>       | <u>1582</u>   |             | <u>2063</u>     |             |
| Family Service Aide I                       | <del>1151</del>   | <u>1210</u> | <del>1572</del> | <u>1655</u> |
| Family Service Aide II                      | <del>1203</del>   | <u>1270</u> | <del>1721</del> | <u>1809</u> |
| Family Service Coordinator I                | <del>1374</del>   | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Family Service/Home Health Aide             | <del>1151</del>   | <u>1210</u> | <del>1572</del> | <u>1655</u> |
| Financial Assistance Specialist             | <del>1572</del>   | <u>1619</u> | <del>2252</del> | <u>2320</u> |
| Financial Worker                            | <del>1261</del>   | <u>1299</u> | <del>1881</del> | <u>1937</u> |
| Food Stamp Corrective Action Specialist I   | <del>1572</del>   | <u>1619</u> | <del>2252</del> | <u>2320</u> |
| Food Stamp Corrective Action Specialist II  | <del>1721</del>   | <u>1773</u> | <del>2457</del> | <u>2531</u> |
| Home Health Aide                            | <del>1151</del>   | <u>1210</u> | <del>1572</del> | <u>1655</u> |
| Home Health Aide Coordinator                | <del>1374</del>   | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Housekeeper                                 | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. |             |                 |             |
| Housing Coordinator                         | <del>1797</del>   | <u>1851</u> | <del>2566</del> | <u>2643</u> |
| Housing Rehabilitation Specialist           | <del>1374</del>   | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Licensed Practical Nurse                    | <del>1374</del>   | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Methods and Procedures Technician           | <del>1536</del>   | <u>1582</u> | <del>2003</del> | <u>2063</u> |
| <u>Monitoring and Review Specialist</u>     | <u>1299</u>   |             | <u>1937</u>     |             |
| Office Services Supervisor I                | <del>1374</del>   | <u>1415</u> | <del>1881</del> | <u>1937</u> |
| Public Health Aide                          | <del>1101</del>   | <u>1134</u> | <del>1504</del> | <u>1549</u> |
| Senior Citizen's Aide                       | <del>1054</del>   | <u>1107</u> | <del>1572</del> | <u>1655</u> |
| Support and Collections Specialist          | <del>1645</del>   | <u>1694</u> | <del>2252</del> | <u>2320</u> |
| Support Enforcement Aide                    | <del>1175</del>   | <u>1210</u> | <del>1607</del> | <u>1655</u> |
| Welfare Fraud Investigator                  | <del>1756</del>   | <u>1773</u> | <del>2296</del> | <u>2320</u> |

Subp. 7. **Clerical: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

|                                | Minimum         |             | Maximum         |             |
|--------------------------------|-----------------|-------------|-----------------|-------------|
| Administrative Secretary       | <del>1110</del> | <u>1143</u> | <del>1586</del> | <u>1634</u> |
| Clerk I                        | <del>781</del>  | <u>804</u>  | <del>1061</del> | <u>1093</u> |
| Clerk II                       | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Clerk III                      | <del>1061</del> | <u>1093</u> | <del>1452</del> | <u>1496</u> |
| Clerk-Typist I                 | <del>856</del>  | <u>882</u>  | <del>1162</del> | <u>1197</u> |
| Clerk-Typist II                | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Clerk-Typist III               | <del>1085</del> | <u>1143</u> | <del>1548</del> | <u>1634</u> |
| Clerk-Steno                    | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Data Entry Operator            | <del>856</del>  | <u>882</u>  | <del>1162</del> | <u>1197</u> |
| Information Systems Specialist | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Legal Secretary                | <del>1061</del> | <u>1093</u> | <del>1452</del> | <u>1496</u> |
| Switchboard Operator           | <del>856</del>  | <u>882</u>  | <del>1162</del> | <u>1197</u> |

Employees in the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer.

Subp. 8. **Clerical: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

## Proposed Rules

|                                | Minimum         |             | Maximum         |             |
|--------------------------------|-----------------|-------------|-----------------|-------------|
| Administrative Secretary       | <del>1214</del> | <u>1250</u> | <del>1660</del> | <u>1710</u> |
| Clerk I                        | <del>892</del>  | <u>919</u>  | <del>1162</del> | <u>1197</u> |
| Clerk II                       | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Clerk III                      | <del>1186</del> | <u>1222</u> | <del>1548</del> | <u>1594</u> |
| Clerk-Typist I                 | <del>970</del>  | <u>999</u>  | <del>1271</del> | <u>1309</u> |
| Clerk-Typist II                | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Clerk-Typist III               | <del>1214</del> | <u>1250</u> | <del>1660</del> | <u>1710</u> |
| Clerk-Steno                    | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Data Entry Operator            | <del>970</del>  | <u>999</u>  | <del>1271</del> | <u>1309</u> |
| Information Systems Specialist | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Legal Secretary                | <del>1186</del> | <u>1222</u> | <del>1548</del> | <u>1594</u> |
| Switchboard Operator           | <del>970</del>  | <u>999</u>  | <del>1271</del> | <u>1309</u> |

Employees in the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer.

Subp. 9. **Clerical: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

|                                | Minimum         |             | Maximum         |             |
|--------------------------------|-----------------|-------------|-----------------|-------------|
| Administrative Secretary       | <del>1271</del> | <u>1309</u> | <del>1736</del> | <u>1788</u> |
| Clerk I                        | <del>970</del>  | <u>999</u>  | <del>1271</del> | <u>1309</u> |
| Clerk II                       | <del>1110</del> | <u>1143</u> | <del>1517</del> | <u>1563</u> |
| Clerk III                      | <del>1243</del> | <u>1280</u> | <del>1622</del> | <u>1671</u> |
| Clerk-Typist I                 | <del>1061</del> | <u>1093</u> | <del>1384</del> | <u>1426</u> |
| Clerk-Typist II                | <del>1110</del> | <u>1143</u> | <del>1517</del> | <u>1563</u> |
| Clerk-Typist III               | <del>1271</del> | <u>1309</u> | <del>1736</del> | <u>1788</u> |
| Clerk-Steno                    | <del>1110</del> | <u>1143</u> | <del>1517</del> | <u>1563</u> |
| Data Entry Operator            | <del>1061</del> | <u>1093</u> | <del>1384</del> | <u>1426</u> |
| Information Systems Specialist | <del>1110</del> | <u>1143</u> | <del>1517</del> | <u>1563</u> |
| Legal Secretary                | <del>1243</del> | <u>1280</u> | <del>1622</del> | <u>1671</u> |
| Switchboard Operator           | <del>1061</del> | <u>1093</u> | <del>1384</del> | <u>1426</u> |

Employees in the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer.

Subp. 10. **Maintenance and trades: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

|                    | Minimum         |             | Maximum         |             |
|--------------------|-----------------|-------------|-----------------|-------------|
| Auto Driver        | <del>895</del>  | <u>922</u>  | <del>1154</del> | <u>1189</u> |
| Bus Driver         | <del>955</del>  | <u>984</u>  | <del>1278</del> | <u>1316</u> |
| Janitor            | <del>975</del>  | <u>1004</u> | <del>1250</del> | <u>1288</u> |
| Maintenance Worker | <del>1092</del> | <u>1121</u> | <del>1463</del> | <u>1492</u> |

Subp. 11. **Maintenance and trades: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

|                    | Minimum         |             | Maximum         |             |
|--------------------|-----------------|-------------|-----------------|-------------|
| Auto Driver        | <del>1130</del> | <u>1138</u> | <del>1451</del> | <u>1463</u> |
| Bus Driver         | <del>1176</del> | <u>1211</u> | <del>1514</del> | <u>1559</u> |
| Janitor            | <del>1154</del> | <u>1189</u> | <del>1483</del> | <u>1527</u> |
| Maintenance Worker | <del>1288</del> | <u>1323</u> | <del>1661</del> | <u>1696</u> |

**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.

### Department of Public Safety

#### Proposed Permanent Rules Relating to the Merit System

##### Notice of Hearing and Notice of Intent to Cancel Hearing If Fewer Than Twenty-five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room 1B, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155 on December 2, 1988 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF PUBLIC SAFETY. To verify whether a hearing will be held, please call the Minnesota Merit System between November 24, 1988 and December 1, 1988 at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Peter C. Erickson, Administrative Law Judge, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7606, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, sections 14.15 and 14.50. The rule hearing is governed by *Minnesota Statutes*, section 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for 23 local and county emergency management agencies. The rules apply to all positions and employees engaged in the administration of emergency management programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

Proposed revisions to 7520.1000-1100 (the compensation plan) provide for adjustments of varying amounts to the minimum and maximum salaries for classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value. Most of the salary ranges in parts 7520.1000-1100 have been adjusted 3%, which is the salary adjustment recommended for all incumbents effective January 1, 1989.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, section 12.22, subd. 3. Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Ralph W. Corey, Department of Human Services, 2nd Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822, telephone 612/296-3996.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Minnesota Merit System, 2nd floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be 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 rules were adopted and filed with the Secretary of State.

The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency 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 reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

*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 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 travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communication 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 Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

Dated: 3 October 1988

Rudy Perpich  
Governor

### **Notice of Intent to Adopt a Rule Without a Public Hearing and Notice of Intent to Adopt a Rule With a Public Hearing If Twenty-five or More Persons Request a Hearing**

NOTICE IS HEREBY GIVEN that the State Department of Public Safety proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, section 14.22 to 14.28. The specific statutory authority to adopt the rule is *Minnesota Statutes*, section 12.22, subd. 3.

Persons interested in this rule shall 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 and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request 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*, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON DECEMBER 2, 1988, IN CONFERENCE ROOM 1B, HUMAN SERVICES BUILDING, 444 LAFAYETTE ROAD, ST. PAUL, MINNESOTA 55155, AT 9:00 a.m., UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF PUBLIC SAFETY. To verify whether a hearing will be held, please call the Minnesota Merit System between November 24, 1988 and December 1, 1988 at (612) 296-3996.

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

Ralph W. Corey  
Minnesota Merit System  
2nd floor, Human Services Building  
444 Lafayette Road  
St. Paul, Minnesota 55155-3822

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on November 23, 1988.

**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

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

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 2nd Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822, telephone (612) 296-3996.

The Minnesota Merit System rules provide for a system of personnel administration for 23 local and county emergency management agencies. The rules apply to all positions and employees engaged in the administration of emergency management programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

Proposed revisions to 7520.1000-1100 (the compensation plan) provide for adjustments of varying amounts to the minimum and maximum salaries for classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value. Most of the salary ranges in parts 7520.1000-1100 have been adjusted 3%, which is the salary adjustment recommended for all incumbents effective January 1, 1989.

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 Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Ralph W. Corey, Department of Human Services, 2nd floor, Human Services Building, St. Paul, Minnesota 55155-3822, telephone 612/296-3996.

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

Dated: 3 October 1988

Rudy Perpich  
Governor

### Rules as Proposed

#### 7520.1000 COMPENSATION PLAN (EMERGENCY SERVICES MANAGEMENT), ~~1988~~ 1989; PROFESSIONAL.

##### Subpart 1. Plan A.

|                               | Minimum         |             | Maximum         |             |
|-------------------------------|-----------------|-------------|-----------------|-------------|
| Administrative Officer        | <del>4645</del> | <u>1694</u> | <del>2252</del> | <u>2320</u> |
| Assistant                     |                 |             |                 |             |
| Emergency Management Director | <del>4439</del> | <u>1482</u> | <del>2052</del> | <u>2114</u> |
| Communications Officer        | <del>4439</del> | <u>1482</u> | <del>1962</del> | <u>2021</u> |
| Operations Officer            | <del>4645</del> | <u>1694</u> | <del>2252</del> | <u>2320</u> |
| Public Information Officer    | <del>4645</del> | <u>1694</u> | <del>2252</del> | <u>2320</u> |
| Radiological Officer          | <del>4439</del> | <u>1482</u> | <del>1962</del> | <u>2021</u> |
| Safety Services Coordinator   | <del>4645</del> | <u>1694</u> | <del>2252</del> | <u>2320</u> |

##### Subp. 2. Plan B.

|                               | Minimum         |             | Maximum         |             |
|-------------------------------|-----------------|-------------|-----------------|-------------|
| Administrative Officer        | <del>4721</del> | <u>1773</u> | <del>2348</del> | <u>2418</u> |
| Assistant                     |                 |             |                 |             |
| Emergency Management Director | <del>4504</del> | <u>1549</u> | <del>2148</del> | <u>2212</u> |
| Communications Officer        | <del>4504</del> | <u>1549</u> | <del>2052</del> | <u>2114</u> |
| Operations Officer            | <del>4721</del> | <u>1773</u> | <del>2348</del> | <u>2418</u> |
| Public Information Officer    | <del>4721</del> | <u>1773</u> | <del>2348</del> | <u>2418</u> |
| Radiological Officer          | <del>4504</del> | <u>1549</u> | <del>2052</del> | <u>2114</u> |
| Safety Services Coordinator   | <del>4721</del> | <u>1773</u> | <del>2348</del> | <u>2418</u> |



## Proposed Rules

### Subp. 3. Plan C.

|                               | Minimum         |             | Maximum         |             |
|-------------------------------|-----------------|-------------|-----------------|-------------|
| Administrative Officer        | <del>1797</del> | <u>1851</u> | <del>2457</del> | <u>2531</u> |
| Assistant                     |                 |             |                 |             |
| Emergency Management Director | <del>1572</del> | <u>1619</u> | <del>2252</del> | <u>2320</u> |
| Communications Officer        | <del>1572</del> | <u>1619</u> | <del>2148</del> | <u>2212</u> |
| Operations Officer            | <del>1797</del> | <u>1851</u> | <del>2457</del> | <u>2531</u> |
| Public Information Officer    | <del>1797</del> | <u>1851</u> | <del>2457</del> | <u>2531</u> |
| Radiological Officer          | <del>1572</del> | <u>1619</u> | <del>2148</del> | <u>2212</u> |
| Safety Services Coordinator   | <del>1797</del> | <u>1851</u> | <del>2457</del> | <u>2531</u> |

### 7520.1100 COMPENSATION PLAN (EMERGENCY SERVICES MANAGEMENT), ~~1988~~ 1989; CLERICAL.

#### Subpart 1. Plan A.

|                  | Minimum         |             | Maximum         |             |
|------------------|-----------------|-------------|-----------------|-------------|
| Clerk I          | <del>781</del>  | <u>804</u>  | <del>1061</del> | <u>1093</u> |
| Clerk II         | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Clerk III        | <del>1061</del> | <u>1093</u> | <del>1452</del> | <u>1496</u> |
| Clerk-Typist I   | <del>856</del>  | <u>882</u>  | <del>1162</del> | <u>1197</u> |
| Clerk-Typist II  | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |
| Clerk-Typist III | <del>1085</del> | <u>1143</u> | <del>1548</del> | <u>1634</u> |
| Clerk-Steno      | <del>892</del>  | <u>919</u>  | <del>1271</del> | <u>1309</u> |

#### Subp. 2. Plan B.

|                  | Minimum         |             | Maximum         |             |
|------------------|-----------------|-------------|-----------------|-------------|
| Clerk I          | <del>892</del>  | <u>919</u>  | <del>1162</del> | <u>1197</u> |
| Clerk II         | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Clerk III        | <del>1186</del> | <u>1222</u> | <del>1548</del> | <u>1594</u> |
| Clerk-Typist I   | <del>970</del>  | <u>999</u>  | <del>1271</del> | <u>1309</u> |
| Clerk-Typist II  | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |
| Clerk-Typist III | <del>1214</del> | <u>1250</u> | <del>1660</del> | <u>1710</u> |
| Clerk-Steno      | <del>1016</del> | <u>1046</u> | <del>1384</del> | <u>1426</u> |

#### Subp. 3. Plan C.

|                  | Minimum         |             | Maximum         |             |
|------------------|-----------------|-------------|-----------------|-------------|
| Clerk I          | <del>970</del>  | <u>999</u>  | <del>1271</del> | <u>1309</u> |
| Clerk II         | <del>1110</del> | <u>1143</u> | <del>1517</del> | <u>1563</u> |
| Clerk III        | <del>1243</del> | <u>1280</u> | <del>1622</del> | <u>1671</u> |
| Clerk-Typist I   | <del>1061</del> | <u>1093</u> | <del>1384</del> | <u>1426</u> |
| Clerk-Typist II  | <del>1110</del> | <u>1143</u> | <del>1517</del> | <u>1563</u> |
| Clerk-Typist III | <del>1271</del> | <u>1309</u> | <del>1736</del> | <u>1788</u> |
| Clerk-Steno      | <del>1110</del> | <u>1143</u> | <del>1517</del> | <u>1563</u> |

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## Proposed Rules

### State Board of Vocational Technical Education

#### Proposed Permanent Rules Relating to Education; Postsecondary Vocational Teacher Licenses

##### Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Board of Vocational Technical 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*, Section 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes* 136c.04, Subdivision 9.

All persons have 30 days until 4:30 p.m., Tuesday, November 22, 1988, 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 comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request 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 either:

Glenda Moyers, Supervisor  
Minnesota Technical Institute System  
101 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
Telephone: (612) 296-5707

Georgia Pomroy, License Revision Specialist  
Minnesota Technical Institute System  
101 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
Telephone: (612) 296-0680

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 Glenda Moyers or Georgia Pomroy at the above address and phone, upon request.

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 wish to receive a copy of the adopted rule must submit the written request to either:

Glenda Moyers  
Minnesota Technical Institute System  
101 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-5707

Georgia Pomroy  
Minnesota Technical Institute System  
101 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-0680

Helen Henrie, Deputy Director  
Minnesota Technical Institute System

##### Rules as Proposed

###### 3700.0100 GENERAL REQUIREMENTS FOR POSTSECONDARY VOCATIONAL TEACHERS.

Subpart 1. and 2. [Unchanged.]

Subp. 3. Maximum substituted hours. The total number of hours that may be substituted for occupational experience is 4,000.

###### 3700.0200 LICENSES IN THE AGRICULTURAL OCCUPATIONAL AREA.

Subpart 1. [Unchanged.]

Subp. 2. **Recent occupational experience.** An applicant for a license to teach in the agricultural occupational area must have ~~4,500~~ 2,000 hours of occupational experience within the five years just before applying for the license.

Subp. 3. **Does not apply.** ~~Part~~ Parts 3515.9920 ~~does not~~ and 3515.9930 ~~no~~ longer apply.

#### **3700.0205 FARM BUSINESS MANAGEMENT LICENSE.**

Subpart 1. to 3. [Unchanged.]

Subp. 4. **Occupational experience requirement.** The applicant must have 4,000 hours of occupational experience ~~as described in items A and B.~~ The 4,000 hours may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2-

~~A-~~ A- ~~At least 3,000 of the hours and~~ must be in production or operations with plants or animals on a farm or ranch as a farmer or rancher; farm or ranch manager; or farm or ranch owner and operator.

~~B-~~ B- ~~Up to 4,000 hours may be in an occupation that is listed in the National Ag Occupations Competency Study unless the occupation is one that is listed in subpart 6-~~

Subp. 5. and 6. [See Repealer.]

Subp. 7. **Substitution for occupational experience.** The applicant may substitute teaching in programs and courses at an accredited secondary or postsecondary technical institute in plant or animal science, agricultural education, farm operations and management, veterans cooperative farm management, or farm business management for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

#### **3700.0210 FARM OPERATIONS AND MANAGEMENT LICENSE.**

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** The applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary technical institute in plant or animal science, agricultural economics, agricultural education, farm operations and management, farm business management, agricultural mechanics, vocational agriculture, veterans cooperative farm management, or farm business management for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

#### **3700.0215 DAIRY HERD MANAGEMENT LICENSE.**

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** The applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary technical institute in agricultural education, farm operations management, animal science, vocational agriculture, farm business management, veterans cooperative farm management, or dairy herd management for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

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## Proposed Rules

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### 3700.0220 LAMB AND WOOL MANAGEMENT LICENSE.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** The applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary technical institute in vocational agriculture, farm business management, or licensed teaching experience in an approved postsecondary vocational course or program in farm operations management, veterans cooperative farm management, or lamb and wool management for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

### 3700.0225 AGRICULTURE SUPPLIES, SALES AND SERVICE LICENSE.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** An applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary technical institute in agricultural: education; engineering; economics; supplies, sales and service; farm operations and management; soil, plant, or animal science; farm equipment mechanics; or farm business management for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

### 3700.0230 HORSE CARE: STABLE AND BACKSTRETCH.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** An applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary technical institute in agricultural education, animal science, horse care: stable and backstretch, and pleasure horse technology for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

### 3700.0235 AGRICULTURAL EQUIPMENT MECHANICS LICENSE.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** An applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary technical institute in agricultural: education, mechanization, or engineering; truck diesel mechanics or heavy equipment mechanics for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

**3700.0240 HORTICULTURE LICENSE.**

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** An applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary technical institute in vocational agriculture, horticulture science, vocational horticulture, or landscaping for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

**3700.0245 LANDSCAPING LICENSE.**

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** The applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary institution in horticulture science, vocational horticulture, landscaping, or vocational agriculture for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

**3700.0250 NATURAL RESOURCES LICENSE.**

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** The applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited secondary or postsecondary institution in soil science, soil and water resources management, natural resources, or forestry for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

**3700.0255 LOGGING BUSINESS MANAGEMENT LICENSE.**

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience as a logging business operator or manager or woodlands operator or manager. The 8,000 hours may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. [Unchanged.]

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience at an accredited secondary or postsecondary institution in logging business management, forestry, forest harvesting, forest equipment maintenance, and forestry management for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part

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## Proposed Rules

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3700.0200, subpart 2. The teaching must be done during the five years just before applying for the license. Two hours of teaching equals one hour of the occupational experience.

### 3700.0260 FOREST HARVESTING LICENSE.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Education and occupational experience requirements.** The applicant must have:

A. and B. [Unchanged.]

C. the occupational experience required in items A and B may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute teaching experience in programs or courses in an accredited secondary or postsecondary technical institute in forestry, forest harvesting, forest equipment maintenance, forestry management, or logging business management for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

### 3700.0265 TAXIDERMY LICENSE.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience in taxidermy. The 8,000 hours may include the ~~4,500~~ 2,000 hours required under part 3700.0200, subpart 2.

Subp. 4. [Unchanged.]

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in programs and courses at an accredited postsecondary vocational program in taxidermy for up to ~~4,000~~ 1,500 of the ~~4,500~~ 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the ~~three~~ five years just before applying for the license. Two hours of teaching equals one hour of occupational experience.

## Rules as Proposed (all new material)

### 3700.0270 SPECIALTY CROP MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a specialty crop management license may teach specialty crop management and may also teach courses in:

- A. plant propagation;
- B. plant health;
- C. plant science;
- D. soil science;
- E. fertilizers; and
- F. soil, water, and conservation management.

Subp. 2. **Other requirements.** The applicant must meet the requirements listed under part 3700.0100 and the requirements for a teacher in the agricultural occupational area under part 3700.0200.

Subp. 3. **Occupational experience requirements.** The applicant must have 8,000 hours of occupational experience as a farmer in commercial production or operation of edible or ornamental specialty crops.

Subp. 4. **Substitution for occupational experience.**

The applicant may substitute the education described in item A or B for up to 4,000 hours of the experience required in subpart 3. The education must be from an accredited postsecondary institution. If the substitution is made, the applicant must still comply with the recency requirements of part 3700.0200, subpart 2.

- A. A bachelor's or higher degree in horticulture or agricultural education is equal to 4,000 hours.
- B. Two years of postsecondary education in agriculture or horticulture is equal to 2,000 hours.

Subp. 5. **Substitution for occupational experience.** The applicant may substitute teaching in programs and courses in horticulture, specialty crop management, or farm business management at an accredited secondary or postsecondary institution for up to

1,500 of the 2,000 hours of recent occupational experience required under part 3700.0200, subpart 2. The teaching must be done during the three years just before applying for the license. Two hours of teaching equal one hour of occupational experience.

### **3700.0275 POULTRY PRODUCTION MANAGEMENT.**

Subpart 1. **May teach.** A teacher who has a poultry production management license may teach poultry production management and may also teach courses in:

- A. agriculture: business management, marketing, and record keeping; and
- B. poultry: breeding, nutrition, health, and housing.

Subp. 2. **Other requirements.** The applicant must meet the requirements listed under part 3700.0100 and the requirements for a teacher in the agricultural occupational area under part 3700.0200.

Subp. 3. **Education and occupational experience requirement.** The applicant must have:

A. a bachelor's or higher degree in agriculture with a minimum of 30 quarter or 20 semester credits in poultry science from an accredited postsecondary institution and 4,000 hours of occupational experience as an owner/operator, manager, supervisor, or service representative in turkey production, broiler production, breeder flock management, or egg production; or

B. two years postsecondary education in poultry production management from an approved postsecondary institution and 6,000 hours of verified occupational experience as an owner/operator, manager, supervisor, or service representative in turkey production, broiler production, breeder flock management, or egg production.

Subp. 4. **Substitution for occupational experience.** Teaching experience at an accredited postsecondary institution may be substituted for 1,500 of the 2,000 hours of recent occupational experience if the teaching is done during this five-year period. The teaching must be in poultry production management. Two hours of teaching equal one hour of recent occupational experience.

### **3700.0280 AREA AGRICULTURE PROGRAM COORDINATOR'S LICENSE.**

Subpart 1. **Activities requiring a license.** A person holding a position as an area agriculture program coordinator in the technical institute system shall be licensed according to part 3700.0100, except when superseded by this part, when working in an assigned geographical area, reporting to the technical institute in which employed with coordination from the state agriculture program specialist and responsible for the following activities:

- A. administering and coordinating the activities of the farm business management analysis center;
- B. budgeting and providing funding for farm business management programs in an assigned geographical area;
- C. assisting state evaluation supervisor with organization evaluation, reports, and follow-up of nontechnical institute farm business management program instruction;
- D. budgeting, allocating, purchasing, and inventorying all equipment for nontechnical institute farm business management program instruction;
- E. provide for in-service and continued education for nontechnical institute and technical institute instructors of farm business management;
- F providing all reports required by the technical institute and the state agricultural program specialists, including monthly activity reports and annual summaries fo instructor reports;
- G. administering and coordinating farm business management programs in the technical institutes within the assigned geographical area; and
- H. monitoring, identifying, and making recommendations for expansion, elimination, or addition of farm business management programs to the state agriculture program specialist.

Subp. 2. **Education requirement.** Bachelor's or above degree in agriculture education and nine quarter credits or 108 clock hours in vocational administration.

Subp. 3. **Teaching experience requirement.** The applicant must have three years of teaching experience as a licensed vocational, postsecondary, or full-time adult instructor. This teaching must be in farm business management.

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## Proposed Rules

Subp. 4. **Teaching experience recency.** Two thousand hours of the teaching experience required in subpart 3 must be within five years of application for licensure.

### 3700.0290 CONVERSION OF EXISTING AGRICULTURE LICENSES.

Licenses listed in Column A shall automatically be converted to Column B. At the licensee's next renewal date, the license must show the new license category.

| A   | B                                  |
|---|------------------------------------|
| Adult Farm Management                               | Farm Business Management           |
| Vocational Agriculture Instructor                   | Farm Business Management           |
| Area Agriculture Coordinator                        | Area Agriculture Coordinator       |
| Production Agriculture/Farm Management              | Farm Operations Management         |
| Dairy Herd Management                               | Dairy Herd Management              |
| Sheep Management/Agriculture                        | Lamb and Wool Management           |
| Agriculture Supplies/Sales/Service                  | Agriculture Supplies/Sales/Service |
| Horse Care and Stable Operations                    | Horse Care, Stable and Backstretch |
| Agriculture Equipment Mechanics                     | Agriculture Equipment Mechanics    |
| Horticulture/Specialty Crops                        | Horticulture                       |
| Landscaping   | Landscaping                        |
| Natural Resources                                   | Natural Resources Management       |
| Natural Resources Forestry Component                | Natural Resources Management       |
| Natural Resources Fish and Wildlife Component       | Natural Resources Management       |
| Forest Logging/Management Safety                    | Logging Business Management        |
| Forest Harvesting/Logging and Equipment Maintenance | Forest Harvesting                  |
| Forest Harvesting/Logging Component                 | Forest Harvesting                  |
| Forest Harvesting/Equipment Component               | Forest Harvesting                  |
| Taxidermy (emergency)                               | Taxidermy - Permanent              |
| Poultry Production Management                       | New Program                        |
| Specialty Crops Management                          | New Program                        |
| Agriculture Education Veteran's Instructor          | Farm Business Management           |
| Agricultural Systems and Structures                 | Renewal only                       |
| Commercial Greenhouse Production                    | Renewal only                       |
| Land Conservation                                   | Renewal only                       |

**OVERLAP PERIOD REPEALER.** For a year after the date that part 3700.0280 is effective, parts 3515.5700 to 3515.7200 continue to apply to the application, qualifications, or criteria for initial licensure of a postsecondary vocational technical area agriculture program coordinator. During the period when both procedures apply, an applicant for this license may proceed under either procedure. One year after part 3700.0280 is effective, parts 3515.5700 to 3515.7200 are repealed, and thereafter an applicant for this license must proceed under part 3700.0280.

**REPEALER.** *Minnesota Rules*, part 3700.0205, subparts 5 and 6 are repealed.



## 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 Agriculture

### Adopted Permanent Rules Relating to Department of Agriculture, Reinvest in Minnesota (RIM) Reserve Program

The rules proposed and published at *State Register*, Volume 13, Number 3, pages 109-118, July 18, 1988 (13 S.R. 109) are adopted with the following modifications:

#### Rules as Adopted

#### DEPARTMENT OF AGRICULTURE RIM RESERVE PROGRAM

##### 8400.3030 DEFINITIONS.

Subp. 16. **District cooperator.** "District cooperator" means a landowner who has requested the assistance of a district board in ~~controlling~~ solving conservation problems and has entered into a written cooperator's agreement with the district board.

Subp. 29. **Introduced hayland.** "Introduced hayland" means an area devoted to the production of forage and cultivated in a rotation of row crops or small grains or interseeded with introduced or ~~nonnative~~ native species at least twice during the period 1976 to 1985. These areas must be harvested by mechanical methods at least two years during the period 1981 to 1985. These areas are considered to be in agricultural crop production.

Subp. 30. **Introduced pasture.** "Introduced pasture" means an area devoted to the production of forage and cultivated in a rotation of row crops or small grains or interseeded with introduced or ~~nonnative~~ native species at least twice during the period 1976 to 1985. These areas must be harvested by grazing at least two years during the period 1981 to 1985. These areas are considered to be in agricultural crop production.

Subp. 33. **Marginal agricultural land.** "Marginal agricultural land" for the RIM reserve program means land with cropland soils that are inherently unproductive for agricultural crop production or subject to significant potential soil productivity loss from erosion. For the beginning farmer program, "marginal agricultural land" means land in the land capability classes ~~6 to 8~~ VI to VIII, as defined by the United States Department of Agriculture, Agricultural Handbook Number 210. This publication is available at the state law library and at district offices, is not subject to frequent change, and is incorporated by reference. The state board shall provide districts with a list of soil mapping units indicative of marginal agricultural land. Districts may change the list as necessary to reflect local soil characteristics. Changes must be approved by the commissioner and the state board. This list, with changes, is available at the state law library and at district offices, is subject to frequent change, and is incorporated by reference.

Subp. 43. **Screening committee.** "Screening committee" means a group established by the district board to assist in implementing the RIM reserve program. The screening committee is chaired by a district board member and is composed of representatives of private, state, and local organizations or clubs, and local, state, and federal agencies with an interest in the RIM reserve program. A request for participation must be sent by the district at least annually to the: Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, United States Agricultural Stabilization and Conservation Service, United States Fish and Wildlife Service, and United States Soil Conservation Service.

##### 8400.3130 PRIORITY SETTING.

Annually, before considering any applications from landowners, the participating district board shall call a screening committee

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## Adopted Rules

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meeting. The screening committee must establish priority areas within the district. Establishment of priority areas must be based on the following criteria:

- A. the location of high priority soil erosion or water quality problem areas in the district as outlined in the district comprehensive and annual plans;
- B. the potential of the land for fish and wildlife production, reducing soil erosion, and protecting water quality;

### 8400.3160 CRITERIA FOR ELIGIBLE LAND.

Land eligible for the RIM reserve program must meet at least one of the following criteria:

C. The land is an altered wetland and cropland adjacent to the altered wetland, with up to four acres of ~~nonmarginal~~ adjacent cropland for each acre of wetland restored.

D. The land is land that with a highway windbreak would control snow drifting and be beneficial to resource protection.

In addition, eligible land must have all of the following characteristics:

- (1) a crop history for at least two years during the period 1981 to 1985;
- (2) was owned by the landowner on January 1, 1985, or was owned by the landowner, or a parent or other blood relative of the landowner, for at least three years before the date of application;

### 8400.3300 CRITERIA FOR SCREENING COMMITTEE REVIEW.

Upon completion of the application period and initial eligibility determination by the district technician, the screening committee shall confer and prioritize each eligible application. The criteria for screening committee prioritization are as follows:

C. the parcel's potential impact on reducing soil erosion and sedimentation, improving water quality, and enhancing fish and wildlife habitat;

### 8400.3360 DISTRICT ACTION ON APPLICATIONS.

Upon completion of district board review of the eligible applications, the following action must be taken:

E. All Denied applications must be kept at the district office for a minimum of three years for future reference.

### 8400.3400 CONSERVATION AGREEMENT FOR EASEMENT.

The district board shall develop a conservation agreement for all approved applications in which the landowner agrees to:

D. not convert to agricultural crop production or introduced pasture any other land supporting natural vegetation owned or leased as part of the same farm operation during the term of the easement at the time of application, if those lands support natural vegetation or have not been used in agricultural crop production or introduced pasture;

## Department of Commerce

### Adopted Permanent Rules Relating to Cosmetology

The rules proposed and published at *State Register*, Volume 12, Number 30, pages 1504-1509, January 25, 1988 (12 S.R. 1504) are adopted with the following modifications:

#### Rules as Adopted

#### 2640.9200 FEE SCHEDULE.

B. Penalties:

- (1) Reinspection fee, variable;
- (2) Manager with lapsed practitioner, \$25;
- (3) ~~Reinstatement fee, \$30.~~

## **Department of Health**

### **Adopted Permanent Rules Relating to Merit System; Certification of Candidates Eligible for Appointment**

The rules proposed and published at *State Register*, Volume 13, Number 4, pages 168-169, July 25, 1988 (13 S.R. 168) are adopted as proposed.

## **Department of Human Services**

### **Adopted Permanent Rules Relating to Merit System; Certification of Candidates Eligible for Appointment**

The rules proposed and published at *State Register*, Volume 13, Number 4, pages 170-171, July 25, 1988 (13 S.R. 170) are adopted as proposed.

## **Department of Jobs and Training**

### **Adopted Permanent Rules Relating to Unemployment Compensation; Employer Taxes**

The rules proposed and published at *State Register*, Volume 12, Number 48, pages 2603-2620, May 30, 1988 (12 S.R. 2603) are adopted with the following modifications:

#### **Rules as Adopted**

#### **3315.0201 DEFINITIONS.**

Subpart 1- Scope: As used in this chapter, the following terms have the meanings given them.

Subp. 2- Remuneration paid: "Remuneration paid" means wages that have been actually or constructively delivered to or for the benefit of an employee.

Subp. 3- Remuneration payable: "Remuneration payable" means wages that have been earned but that were not paid when due. Wages are considered due on the established payday of an employer. If a corporation does not have an established payday for its officers or have references to one in the corporate minutes, the wages of its corporate officers shall be considered due when paid, or if the corporate minutes specify an amount to be paid each period, such as a week, month, or year, without specifying an exact payday, the wages for a period shall be considered due no later than the end of the period.

#### **3315.0202 REMUNERATION AS BASIS OF WAGES, MODE OF PAYMENT.**

Remuneration paid or payable for services performed is "wages." The remuneration Wages may be based on production; a percentage of profits; time, such as hourly, daily, weekly, monthly, or annually; or any other measure of performance and may be paid in cash or any medium of exchange other than cash.

#### **3315.0203 WAGES PAYABLE, CORPORATE OFFICERS.**

If a corporation does not have a regularly scheduled pay date for its officers or have reference to one in the corporate minutes, the wages of its corporate officers shall be considered due when paid. If the corporate minutes specify an amount to be paid each period, such as a week, month, or year, without specifying an exact pay date, the wages for a period shall be considered due no later than the end of the period.

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## Adopted Rules

### 3315.0210 TYPES OF WAGES, GENERALLY.

Wages include the monetary value of:

J. ~~Amounts paid~~ Payments to corporate shareholders or officers, who perform services for the corporation for wages below that which would approximate reasonable compensation for services, although designated as loans, ~~where repayments are not made pursuant to a payoff schedule, lack business purpose, and fail to provide for the payment of reasonable interest, if the shareholders or officers perform services for the corporation for remuneration below that which would approximate reasonable compensation for services unless the loan is evidenced by a note or other legal document, the loan is for business purposes, repayments are made pursuant to a payoff schedule, and the agreement provides for the payment of reasonable interest.~~

### 3315.0400 NONCASH REMUNERATION WAGES.

Except as may otherwise be provided in this chapter, the cash value of ~~remuneration for personal services~~ wages payable in any medium other than cash shall be:

A. ~~to C~~ and B. [Unchanged.]

C. the fair market value, determined when received, of any other ~~remuneration~~ payment for services unless a higher value is agreed upon between the employer and the employee.

If the commissioner determines that the reasonable fair market value is other than as determined by the employer the commissioner shall, after affording the employer reasonable opportunity for the submission of relevant information, determine the reasonable cash value of board, rent, housing, meals, or similar advantage.

## CONTRIBUTING RATES AND RATIOS

### 3315.0600 EXEMPT WAGES.

Except as provided under *Minnesota Statutes*, section 268.04, subdivision 25, paragraph (k), the term “wages” shall not include:

A. the value of any special discount or markdown allowed to an employee in goods purchased from or services supplied by the employer where the purchases are optional and do not constitute regular or systematic ~~remuneration~~ payment for services rendered;

~~A. and B.~~ [Unchanged.]

F compensation, reimbursement, fees, meals, or other ~~remuneration~~ payments paid or provided through a court to an individual for services performed as a juror;

~~F G.~~ to I. [Unchanged.]

### 3315.1200 DETERMINING WORKER STATUS.

When determining if whether an individual is ~~in employment an employee~~ or is an independent contractor ~~the, five essential factors must be considered must be and weighed to make a determination of the relationship under the facts of the particular case within a particular set of circumstances. There are Of the~~ five essential factors to be considered, the two most important are those:

~~A. and B.~~ [Unchanged.]

B. to discharge the worker without incurring liability. ~~The~~ Other essential factors to be considered and weighed within the overall relationship are: the mode of payment; furnishing of materials and tools; and control over the premises where the ~~work~~ services are performed.

Other factors, including some not specifically identified in this part, may be considered if a determination is inconclusive when applying the essential factors, and the degree of their importance may vary depending upon the occupation or work situation being considered and why the factor is present in the particular situation.

## CONTRIBUTION RATES AND RATIOS

### 3315.1301 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of *Minnesota Statutes*, section 268.06 and parts ~~3315.1305~~ 3315.1301 to 3315.1315, the following terms have the meanings given them.

## PAYMENTS

### 3315.1650 CONTRIBUTIONS, TAXPAYING ACCOUNTS.

Subpart 1. **Tax payments, general.** Taxes with respect to wages paid or payable, as defined in ~~part 3315.0201~~ *Minnesota Statutes*, section 268.04, subdivision 25a, shall accrue on a calendar quarter basis and shall become due and be paid on or before the last day of the month immediately following the calendar quarter in which they accrue as illustrated in items A to D.

**3315.2200 EMPLOYMENT, SPECIAL EXCLUSION.**

In the trucking industry, an owner-operator of a vehicle which is licensed and registered as a truck, tractor, or truck-tractor by a governmental motor vehicle regulatory agency is an independent contractor, not an employee, while performing services in the operation of his or her truck, if each of the following factors is substantially present:

G. the individual is a ~~party to~~ enters into a ~~written~~ contract that specifies the relationship to be that of an independent contractor and not that of an employee.

**3315.2700 CROP PURCHASE AGREEMENTS.**

Subpart 1. and 2. [Unchanged.]

**Records and Reports****3315.2810 REIMBURSING ACCOUNTS.**

Subp. 4. **Application of partial payments.** Except for an indebtedness that has been reduced to judgment, payments received without specific instructions and which are not clearly intended for a specific benefit charge or indebtedness shall be applied to remove all benefit charges and interest beginning with the oldest calendar quarter.

**EMPLOYER COVERAGE AND TERMINATION OF COVERAGE****RECORDS AND REPORTS****3315.3600 SCOPE.**

Parts ~~3315.3600 to 3315.4100~~ 3315.1001 to 3315.1020 clarify an employing unit's duty with regard to records and reports as required under *Minnesota Statutes*, chapter 268.

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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.

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**Ethical Practices Board****Request for Advisory Opinion Re: Public Financing**

The Ethical Practices Board solicits comments regarding the following request for an advisory opinion received from Alan W. Weinblatt. Written comments should arrive at the Board office, 625 N. Robert St., St. Paul, MN 55101, prior to November 14, 1988, for consideration at the Board's meeting of November 29, 1988.

**October 11, 1988**—Your memo dated October 5, 1988, regarding the effect of *Laws of 1988*, Chapter 707, Section 2 on return of public financing for legislative candidates has been referred to me for inquiry.

I have now also had the opportunity to review the memo from Ms. McCoy to the Ethical Practices Board dated September 26, 1988.

The purpose of this letter is to respectfully request that the operation of the determination apparently reached by the Board at its October 4, 1988, meeting be suspended and held in abeyance pending public input at the Board's November 29, 1988, meeting or at such earlier meeting as you in exercise of your discretion, may choose to call.

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## Official Notices

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The reasons for my request are as follows:

1. The subject matter of the October 5 memo is of significant interest to a number of candidates for State House of Representatives whose financial planning and expenditure limitations needs should be addressed prior to the general election.
2. If the Board's determination were to become effective prior to the general election, candidates would not have the ability to do pre-election planning with respect to the amount, if any, of public funds that *might* have to be ultimately returned.
3. Those candidates for election to the Minnesota House of Representatives who are most directly affected by this issue have not had an opportunity to present their views to the Board prior to action being taken since no notice was publicly given of the Board's intention to consider the issue at the October 4 meeting.
4. For the reasons that follow, I believe that the initial position taken by the Board is incorrect and should be reconsidered.

The primary issue appears to be whether candidates who have voluntarily accepted the expenditure limits provided by *Minnesota Statutes* Section 10A.25, but whose opponents have not voluntarily accepted those expenditure limits may *both* receive and keep the subsidies provided by *Minnesota Statutes* Section 10A.31 and not be subject to the expenditure limits provided in Section 10A.25.

The spending limits for particular offices are found at *M.S.A.* Section 10A.25, subd. 2, subject to the cost-of-living adjustment found in Section 10A.255.

It is submitted that subdivision 10 of Section 10A.25 sets forth the relationship between the expenditure limits and the public subsidy authorized by Section 10A.32. As amended by *Laws 1988*, Chapter 707, Section 2 (effective May 5, 1988), subdivision 10 provides:

Subd. 10. The expenditure limits imposed by this section apply only to candidates whose opponents agree to be bound by the limits and who themselves agree to be bound by the limits as a condition of receiving a public subsidy for their campaigns in the form of [:]

[(a)] An allocation of money from the state elections campaign fund [; or]

[(b)] Credits against the tax due of individuals who contribute to that candidate.]

A candidate who agrees to be bound by the limits and receives a public subsidy, who has an opponent who does not agree to be bound by the limits but is otherwise eligible to receive a public subsidy, is no longer bound by the limits but is still eligible to receive a public subsidy.

(Additions are underlined, deletions are [bracketed]).

To briefly summarize, the first paragraph narrows the reach of Subdivision 2 and specifically makes the entire section (10A.25) inapplicable to candidates whose opponents do not agree to be bound by the limits. Thus, the spending limits apply only if both candidates agree to be bound by them. If one of the candidates refuses to accept the spending limits, they no longer apply to the other candidate or candidates who had previously accepted them.

It is our opinion that the legislature intended to make the expenditure limits irrelevant for all purposes in those instances where both sides did not voluntarily accept them. If by reason of the failure of one side to accept the limits the expenditure limits no longer have any application to the issue of how much money may be spent by either side, there is no reason to assume they have any bearing on the amount of public subsidy that may be received. Since the legislative intent was clearly to "level the playing field," there is no basis in logic for assuming that the legislature would intend to hamstring the financially weaker side by artificially putting a cap on public subsidies for those candidates who accepted the expenditure limits.

The second paragraph of Subdivision 10 confirms our opinion. Under its terms, the candidates who agree to be bound by the limits may still receive subsidies even if their opponents have renounced both the spending limits and state funding. Furthermore, there is no basis in fact or law to limit the public subsidy which the eligible candidate may receive to the amount of the otherwise inapplicable expenditure limit. Simply put, if the expenditure limitations are no longer applicable because both sides did not accept them, then they are not applicable for subsidy purposes either.

*Minnesota Statutes* Section 10A.32, subdivision 1, provides:

Subd. 1. No candidate shall be entitled to receive from the state elections campaign fund and retain an amount greater than the aggregate amount of expenditures which may be made by the candidate and approved expenditures made on the candidate's behalf under section 10A.25, subdivision 2. The amount by which the allocation exceeds the expenditure limit shall be returned to the general fund of the state.

This subdivision was originally written before the recent amendments to Section 10A.25, subdivision 2. It is our opinion that subdivision 1 was meant to apply only if both candidates have agreed to be bound by the spending limits of Section 10A.25, subdivision 2. Section 10A.32, subdivision 1 does not contemplate the circumstances created by the last paragraph of Section 10.25, subdivision 10, i.e., where spending limits have been made wholly irrelevant by the failure of both candidates to accept them

voluntarily. To interpret Section 10A.32, subdivision 1 as limiting the candidate who accepts expenditure limits to a subsidy in the amount of that inapplicable limit would be to ignore the plain purpose of the legislature in adopting Section 10A.25, subdivision 10.

In addition, we would submit the language of Section 10A.32, subdivision 3(a), which provides:

Subd. 3. As a condition of receiving any money from the state elections campaign fund, a candidate shall agree by stating in writing to the board that (a) the candidate's expenditure and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25...

This provision is likewise subject to the changes worked by reason of Laws 1988, Chapter 707, Sections 2 and 4. Candidates are now eligible for state subsidies even though they will in fact exceed the expenditure limits in those instances where the expenditure limits of 10A.25. have been made inapplicable by subdivision 10 thereof. To conclude that 10A.32, subdivision 3(a) in any manner limits the amount of public subsidy which may be retained is to ignore the plain meaning of 10A.25, subdivision 10.

For the foregoing reasons, I would respectfully submit that those candidates for the Minnesota House of Representatives who have agreed to be bound by the expenditure limits and therefore qualify to receive a public subsidy but who have opponents who do not agree to be bound by the limits are themselves no longer bound by the expenditure limits but are still eligible to receive and retain full public subsidy otherwise provided by law.

For the foregoing reasons and because there was not an opportunity for the public, interested candidates, or members of the Minnesota Legislature to provide an input to the Board, I would ask that the Board's decision on this be held in abeyance as noted above. Thank you for your consideration.

**Addenda:** Board Memorandum, October 5, 1988, re: application of *Minnesota Statutes* § 10A.25, subd. 10, as amended in *Laws of 1988*, Chapter 707, section 2, to the return of public financing, under *Minnesota Statutes* § 10A.32.—At its meeting of October 4, 1988, the Ethical Practices Board reviewed the application of the 1988 law cited above to the possible need to return some or all of a candidate's public financing under *Minnesota Statutes* § 10A.32. This law applies to candidates for State Representative who have signed and filed a Public Financing Agreement in 1988 and who have an opponent who does not have a Public Financing Agreement in effect.

*Minnesota Statutes* § 10A.32, subd. 3, requires that public financing be returned to the General Fund of the State if a candidate's actual contributions in an election year exceed that candidate's aggregate contribution limit by greater than 25% (4,650) of the spending limit (\$18,597).

The Board determined that, for the purpose of calculating the possible need to return public financing, the statutory limit, \$18,597, applies to all candidates including candidates whose campaign spending is unlimited under conditions imposed by the 1988 law.

With the December, 1988, mailing of the election-year-end Report of Receipts and Expenditures, due January 31, 1989, Board staff will send a worksheet to each candidate who received public financing to assist the candidate and treasurer in determining the possible need to return some or all of the public financing received.

Board Staff Memorandum, September 26, 1988, re: Application of *Minnesota Statutes* § 10A.25, subd. 10, as amended in 1988, to the Return of Public Financing, under *Minnesota Statutes* § 10A.32—submitted for discussion at the October 4, 1988, Board Meeting

**Background:** A candidate who signs and files with the Ethical Practices Board a "Public Financing Agreement" agrees to several conditions in order to be eligible to receive money from the State Elections Campaign Fund. The conditions are listed on the Board's Agreement form, ET-10.

A 1988 law amending Sec. 10A.25 LIMITS ON CAMPAIGN EXPENDITURES is effective for the 1988 election of State Representatives. The text of this law appears on the Agreement form as a statutory notice provided to all candidates for this office. A total of 261 of the 292 candidates for State Representative (89.4%) filed Agreements with the Board to abide by the conditions in order to receive public financing.

**Calculation of Amount of Public Financing to be Returned under #1. (d) of the Agreement:** Staff has received inquiries from candidates as to the interpretation of the "amount which may be legally expended" (Sec. 10A.32, subd. 3) when a candidate who signs and files the Agreement is no longer bound by spending limits, under the provisions of Sec. 10A.25, subd. 10, as amended in 1988.

The Minnesota Constitution, as amended by the voters in 1980, provides:

**Article VII, Sec. 9. Campaign spending limits.** The amount that may be spent by candidates for constitutional and legislative offices to campaign for nomination or election shall be limited by law.

Statutory limits are set forth in *Minnesota Statutes* § 10A.25 and are adjusted for each election year under *Minnesota Statutes* § 10A.255.

## Official Notices

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*Laws of 1988*, Chapter 707, sec. 2 appears to have waive *one* type of limitation on spending and to continue the application of the other limitations present in *Minnesota Statutes* § 10A.32. The provisions of *Minnesota Statutes* § 10A.32, subd. 3, regarding conditions that may require return of public financing, were before the Legislature in sec. 4 of the cited 1988 law. If the Legislature intended to place other restrictions or waive other limits, the Legislature could have done this when amending *Minnesota Statutes* § 10A.32.

**For Discussion:** For the purpose of calculating the possible need to return public financing under Sec. 10A.32, subd. 3, the "amount that may be legally expended" is the amount in Sec. 10A.25, as calculated under Sec. 10A.255. To consider the waiver of one condition and the continuance of the other conditions separately is not unreasonable in light of the constitutional requirement for campaign spending limits, cited above.

Staff has reviewed this matter with counsel, who concurred with the interpretation noted above and advised staff to bring the question to the Board for consideration.

## Department of Human Services

### Chemical Dependency Division

#### Notice of Solicitation of Outside Information or Opinions Regarding Amendments to Adopted Rules Governing Chemical Dependency Care for Public Assistance Recipients

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose an amendment to the adopted rule governing chemical dependency care for public assistance recipients (Rule 25), *Minnesota Rules*, parts 9530.6600 to 9530.6655.

Authority for this rule is contained in *Minnesota Statutes*, Chapter 254A.03, subdivision 3. This rule establishes criteria to determine the appropriate level of chemical dependency care, including inpatient and outpatient treatment, extended care, halfway house and primary residential treatment programs for a public assistance recipient seeking treatment for alcohol or other drug dependency or drug abuse problems. The amendment being considered is to part 9530.6655, and would provide a mechanism for appeal of a client's length of placement authorized by the local agency.

The State Department of Human Services requests information and opinions concerning the subject matter of the amendment. 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: Lee Gartner, Chemical Dependency Division, Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3823. Oral statements will be received during regular business hours over the telephone at 296-8574 and in person at the above address.

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

Dated: 13 October 1988

Jane A. Nelson  
DHS Rules and Bulletins Division

## Minnesota Comprehensive Health Association

### Notice of Meeting of the Legislative and Public Policy Committee

NOTICE IS HEREBY GIVEN that a meeting of the Legislative and Public Policy Committee of the Minnesota Comprehensive Health Association will be held at 2:00 p.m. on Monday, October 31, 1988, at Group Health, Inc., 2829 University Avenue Southeast, Minneapolis, in the sixth floor large conference room. For additional information, please call Mr. Brian Osberg at (612) 623-8464.



# State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

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

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

## Department of Administration: Materials Management Division

### Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

**Commodity:** Transformers  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 2pm:** October 26  
**Agency:** Plant Management  
**Deliver to:** St. Paul  
**Requisition #:** 02307 91307

**Commodity:** Electrical chillers—  
Capitol Complex  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 2pm:** October 26  
**Agency:** Capitol Complex  
**Deliver to:** St. Paul  
**Requisition #:** 02307 91307

**Commodity:** 800-service, operator  
service, International DDD  
**Contact:** Don Olson 612-296-3771  
**Bid due date at 2pm:** October 26  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Automobiles and vans  
**Contact:** Dale Meyer 612-296-3773  
**Bid due date at 2pm:** October 26  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Conveyor dishwasher  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 2pm:** October 26  
**Agency:** Human Services Regional  
Treatment Center  
**Deliver to:** Brainerd  
**Requisition #:** 55304 08003

**Commodity:** 1988 Mercury XR4  
**Contact:** Bernadette Vogel 612-296-3778  
**Bid due date at 2pm:** October 26  
**Agency:** Jobs and Training Department  
**Deliver to:** Minneapolis  
**Requisition #:** 21607 74180

**Commodity:** Kurquell scanners  
**Contact:** Bernadette Vogel 612-296-3778  
**Bid due date at 2pm:** October 27  
**Agency:** Printing and Mailing  
**Deliver to:** St. Paul  
**Requisition #:** 02509 92224

**Commodity:** Surface condition  
analyzers & sensors  
**Contact:** Joseph Gibbs 612-296-3750  
**Bid due date at 2pm:** October 27  
**Agency:** Transportation  
**Deliver to:** Golden Valley  
**Requisition #:** 79000 92196

**Commodity:** Weight room equipment  
**Contact:** Brenda Thielen 612-296-9075  
**Bid due date at 2pm:** October 27  
**Agency:** Community College North  
Hennepin  
**Deliver to:** Minneapolis  
**Requisition #:** 27153 20156

**Commodity:** TI 990 maintenance  
**Contact:** Don Olson 612-296-3771  
**Bid due date at 2pm:** October 28  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Rental snowmobiles  
**Contact:** Brenda Thielen 612-296-9075  
**Bid due date at 2pm:** October 28  
**Agency:** So. Service Center Natural  
Resources  
**Deliver to:** Various  
**Requisition #:** 29004 11262

**Commodity:** Snacktron II  
**Contact:** Pam Anderson 612-296-1053  
**Bid due date at 2pm:** October 28  
**Agency:** Jobs and Training  
**Deliver to:** St. Paul  
**Requisition #:** 21200 19549

**Commodity:** Northern Telecom  
equipment  
**Contact:** Bernadette Vogel 612-296-3778  
**Bid due date at 2pm:** October 28  
**Agency:** Community College Brd  
**Deliver to:** St. Paul  
**Requisition #:** 27138 50686

**Commodity:** Tractor loader  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 2pm:** October 28  
**Agency:** Transportation  
**Deliver to:** St. Paul  
**Requisition #:** 79382 01527

**Commodity:** Crack sealing machine—  
Bear Cat BK 250D or equal  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 2pm:** October 28  
**Agency:** Transportation  
**Deliver to:** Golden Valley  
**Requisition #:** 79382 01529

## State Contracts and Advertised Bids

**Commodity:** TruckMounted soils  
drilling machine

**Contact:** Mary Jo Bruski 612-296-3772

**Bid due date at 2pm:** October 28

**Agency:** Transportation

**Deliver to:** St. Paul

**Requisition #:** 79382 01526

**Commodity:** Lumber and miscellaneous  
materials

**Contact:** Pam Anderson 612-296-1053

**Bid due date at 2pm:** October 28

**Agency:** Transportation

**Deliver to:** New Brighton

**Requisition #:** 79050 21114

**Commodity:** Voltage monitor

**Contact:** Pam Anderson 612-296-1053

**Bid due date at 2pm:** October 28

**Agency:** Transportation

**Deliver to:** St. Paul

**Requisition #:** 79050 23427

**Commodity:** Signal head with lens

**Contact:** Pam Anderson 612-296-1053

**Bid due date at 2pm:** October 28

**Agency:** MN Department of  
Transportation

**Deliver to:** St. Paul

**Requisition #:** 79000 92318

**Commodity:** Flight simulators

**Contact:** Linda Parkos 612-296-3725

**Bid due date at 2pm:** October 31

**Agency:** State University

**Deliver to:** St. Cloud

**Requisition #:** 26073 20770

**Commodity:** Sound masking system

**Contact:** Pam Anderson 612-296-1053

**Bid due date at 2pm:** November 3

**Agency:** Jobs and Training Department

**Deliver to:** St. Paul

**Requisition #:** 21200 19607

**Commodity:** Teksoft procad/cam  
integrated mfg. system

**Contact:** Joyce Dehn 612-296-2621

**Bid due date at 2pm:** October 31

**Agency:** Arrowhead Community  
College

**Deliver to:** Virginia

**Requisition #:** 27158 91006

## Contract Awards—Materials Management Division

**Item:** Windows (furnish and install)

**Req.#:** 02307 91224 01

**Awarded to:** Alpana Aluminum  
Products, Hamel, MN

**Awarded amount:** \$36,300.00

**Awarded date:** October 12, 1988

**Expir/deliv date:** November 15, 1988

**Shipped to:** Various Locations

**Item:** Automobile

**Req.#:** 07300 52484 01

**Awarded to:** Harold Chevrolet  
Company, Bloomington, MN

**Awarded amount:** \$12,692.00

**Awarded date:** October 12, 1988

**Expir/deliv date:** October 15, 1988

**Shipped to:** Department of Public Safety

**Item:** Arts and crafts equipment

**Req.#:** 27152 46564 01

**Awarded to:** Art Studio Clay Company,  
Elk Grove Village, IL

**Awarded amount:** \$5,560.00

**Awarded date:** October 12, 1988

**Expir/deliv date:** November 15, 1988

**Shipped to:** Anoka-Ramsey Community  
College

**Item:** Lumber and related basic wood

**Req.#:** 29002 15678 01

**Awarded to:** Page and Hill Forest, Big  
Falls, MN

**Awarded amount:** \$12,750.00

**Awarded date:** October 12, 1988

**Expir/deliv date:** December 15, 1988

**Shipped to:** DNR Regional  
Headquarters

**Item:** Laboratory supply

**Req.#:** 29000 50943 01

**Awarded to:** Bio Products Inc.,  
Warrenton, OR

**Awarded amount:** \$6,435.00

**Awarded date:** October 12, 1988

**Shipped to:** Department Natural  
Resources

**Item:** Service other purchased

**Req.#:** 32400 18469 01

**Awarded to:** Bay West, St. Paul, MN

**Awarded amount:** \$20,000.00

**Awarded date:** October 12, 1988

**Expir/deliv date:** November 1, 1988

**Shipped to:** Minnesota Pollution Control  
Agency

**Item:** Roofing, siding, materials and  
supplies

**Req.#:** 79000 92032 01

**Awarded to:** Itasca Lumber Company,  
Grand Rapids, MN

**Awarded amount:** \$8,745.06

**Awarded date:** October 12, 1988

**Expir/deliv date:** October 27, 1988

**Shipped to:** Various Locations

**Item:** Exercise equipment and supplies

**Req.#:** 02310 16376 02

**Awarded to:** Champion Barbells,  
Dallas, TX

**Awarded amount:** \$5,139.95

**Awarded date:** October 14, 1988

**Expir/deliv date:** November 15, 1988

**Shipped to:** Itasca Community College

**Item:** Electric lamp and bulb

**Req.#:** 02310 16338 01

**Awarded to:** Energy Saving Devices  
Inc., St. Paul, MN

**Awarded amount:** \$10,379.95

**Awarded date:** October 14, 1988

**Expir/deliv date:** October 31, 1988

**Shipped to:** Brainerd Community  
College

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## State Contracts and Advertised Bids

**Item:** Van conversion for handicapped  
**Req.#:** 21607 72267 01  
**Awarded to:** Complete Mobility System,  
Minneapolis, MN  
**Awarded amount:** \$11,209.00  
**Awarded date:** October 14, 1988  
**Expir/deliv date:** November 15, 1988  
**Shipped to:** Various Locations

**Item:** Computer software purchase (non-  
PC)  
**Req.#:** 21200 19179 01  
**Awarded to:** HW Computer Systems  
Inc., Boise, ID  
**Awarded amount:** \$14,870.00  
**Awarded date:** October 14, 1988  
**Expir/deliv date:** October 17, 1988  
**Shipped to:** Minnesota Department of  
Jobs and Training

**Item:** Fence, fencing, gate, metal  
**Req.#:** 29002 15680 01  
**Awarded to:** Archers Supply Company,  
Little Falls, MN  
**Awarded amount:** \$7,995.00  
**Awarded date:** October 14, 1988  
**Expir/deliv date:** November 1, 1988  
**Shipped to:** DNR—Northern Service  
Center

**Item:** Computer equipment  
**Req.#:** 63000 91400 01  
**Awarded to:** Centron DPL Corporation,  
Inc., Eden Prairie, MN  
**Awarded amount:** \$65,972.00  
**Awarded date:** October 14, 1988  
**Expir/deliv date:** November 15, 1988  
**Shipped to:** Minnesota Higher  
Education Coordination Board

**Item:** Solid fuel, wood, charcoal  
**Req.#:** 78640 01805 01  
**Awarded to:** Minnesota Forest Products  
Inc., Onamia, MN  
**Awarded amount:** \$10,200.00  
**Awarded date:** October 14, 1988  
**Shipped to:** Minnesota Correctional  
Facility

**Item:** Heater, space, non portable  
**Req.#:** 79000 92049 01  
**Awarded to:** Goodin Company, St. Paul,  
MN  
**Awarded amount:** \$5,037.54  
**Awarded date:** October 14, 1988  
**Expir/deliv date:** November 10, 1988  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Steel plate, sheet, strip iron  
**Req.#:** 79900 03653 01  
**Awarded to:** Lewis Engineering  
Company, Edina, MN  
**Awarded amount:** \$8,220.00  
**Awarded date:** October 14, 1988  
**Expir/deliv date:** December 1, 1988  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Office machines, miscellaneous  
**Req.#:** 26137 04492 01  
**Awarded to:** The Trane Company,  
Minneapolis, MN  
**Awarded amount:** \$19,959.00  
**Awarded date:** October 17, 1988  
**Expir/deliv date:** November 17, 1988  
**Shipped to:** St. Cloud State University

**Item:** Janitorial and refuse disposal  
service  
**Req.#:** 27156 10388 01  
**Awarded to:** Metro Refuse Inc., Savage,  
MN  
**Awarded amount:** \$14,136.00  
**Awarded date:** October 17, 1988  
**Shipped to:** Normandale Community  
College

**Item:** Incubators  
**Req.#:** 04121 91734 01  
**Awarded to:** Percival Manufacturing  
Company, Boone, IA  
**Awarded amount:** \$23,843.00  
**Awarded date:** October 18, 1988  
**Expir/deliv date:** January 19, 1989  
**Shipped to:** Minnesota Department of  
Agriculture

**Item:** Repair, alteration to building and  
**Req.#:** 27000 50628 01  
**Awarded to:** Rainbow Flat Roofing,  
Champlin, MN  
**Awarded amount:** \$9,720.00  
**Awarded date:** October 18, 1988  
**Shipped to:** Anoka-Ramsey Community  
College

**Item:** Sound reproduction equipment  
**Req.#:** 27156 10410 01  
**Awarded to:** Alpha Video and Audio,  
Bloomington, MN  
**Awarded amount:** \$6,302.00  
**Awarded date:** October 18, 1988  
**Expir/deliv date:** October 21, 1988  
**Shipped to:** Normandale Community  
College

**Item:** Gas generators  
**Req.#:** 32200 18616 01  
**Awarded to:** Byron Instruments,  
Research, NC  
**Awarded amount:** \$6,170.00  
**Awarded date:** October 18, 1988  
**Expir/deliv date:** October 21, 1988  
**Shipped to:** Minnesota Pollution Control  
Agency

## State Contracts and Advertised Bids

### 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:** Preprinted envelopes, 125M 6" x 11 3/8", #28 brown kraft  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Human Services Department  
**Deliver to:** St. Paul  
**Requisition #:** 1869

**Commodity:** W-2P envelope, 500, double window, 3 7/8" x 7 7/8"  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** PERA (Public Employees Retirement Association)  
**Deliver to:** St. Paul  
**Requisition #:** 1860

**Commodity:** Envelopes and letterhead, 15M envelopes #10, printed front and flap; 6M letterhead + 3M second sheets, 8 1/2" x 11" camera ready  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Water and Soil Resources Board  
**Deliver to:** St. Paul  
**Requisition #:** 1515 & 6

**Commodity:** "Save Face" motorcycle brochure, 30M, 9" x 12" folded twice to 9" x 4", camera ready, 2-sided, 2-color  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 2384

**Commodity:** Miscellaneous prebill insert 1988, 600M, 3 1/16" x 6 1/2", camera ready, 1-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 1593

**Commodity:** Declaration forms, 595M total misc. forms, 14 7/8" x 7" sets of forms, camera ready, 1-sided, fanfold, one-part continuous  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Revenue Department  
**Deliver to:** St. Paul  
**Requisition #:** 2527

**Commodity:** Prior authorization form, 80M, 9 1/2" x 11" overall includes tear strips, 3-part forms, negs furnished, preprinted numbering  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Human Services Department  
**Deliver to:** St. Paul  
**Requisition #:** 1897

**Commodity:** Order determining sales and use tax liability, 5M 3-part forms continuous camera ready + negs 1-sided, fanfold  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Revenue Department  
**Deliver to:** St. Paul  
**Requisition #:** 2528

**Commodity:** Letterhead, 2-part continuous feed, 60M, negs furnished, 1-sided 8 1/2" x 11" = pinfeed margins left and right  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Minnesota Health Department  
**Deliver to:** Minneapolis  
**Requisition #:** 2347

**Commodity:** Directory of Chemical Dependency Programs in Minnesota, 1500 sets of 24 sheets per set + cover, 8 1/2" x 11" type to set, 2-sides, covers 9 1/2" x 11" camera ready, 1,500  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Human Services Department  
**Deliver to:** St. Paul  
**Requisition #:** 2123 & 4

**Commodity:** Explore Minnesota Winter Poster, 15M total, 18" x 24" camera ready, 4-colors, color separations from 35mm color transparency, 1-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Minnesota Office of Tourism  
**Deliver to:** St. Paul  
**Requisition #:** 1830

**Commodity:** Passenger Prebill Insert, 3,000,000 3 1/16" x 6 1/2", camera ready, 2-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 1592

**Commodity:** Whitewater State Wildlife Management Area Map, 15,010, camera ready + negs, 2-sided, 11" x 17" folded to 3 3/8" x 5 1/2"  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 25  
**Agency:** Department of Natural Resources  
**Deliver to:** St. Paul  
**Requisition #:** 2097

**Commodity:** 1989 Minnesota Waterfowl Stamp, 1989 Minnesota Trout Stamp, 1989 Minnesota Pheasant Stamp, 250M each, type to set, 2-sided, in sheets of 10, 6 1/2" x 8" sheets, preprinted numbering  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 28  
**Agency:** Department of Natural Resources  
**Deliver to:** St. Paul  
**Requisition #:** 1711, 2, 3

**Commodity:** Application for AFDC, GA, FS, MA, MSA, and Statement of Need; applications: 8½" × 11", 2-sided, camera ready, 500M sets of 3-part forms; statement: 500M, camera ready, 2-sided, 8½" × 11" finished size  
**Contact:** Printing Buyer's Office  
**Bids are due:** October 28  
**Agency:** Human Services Department  
**Deliver to:** St. Paul  
**Requisition #:** 2311 & 2

**Commodity:** 1989 Winter state park maps, 166M, 11" × 17" folded to 3⅝" × 5½", 2-sided, camera ready, 42 different maps  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** October 31  
**Agency:** Department Natural Resources  
**Deliver to:** St. Paul  
**Requisition #:** 2098

**Commodity:** Refund window envelopes, 2,000M, 7⅝" × 3¾", camera ready  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** October 31  
**Agency:** Revenue Department  
**Deliver to:** St. Paul  
**Requisition #:** 2475

**Commodity:** Residential services invoice, 500M continuous 2-pt. sets, type to set, 1&2-sided, 8½" × 11"  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** October 31  
**Agency:** Human Services Department  
**Deliver to:** St. Paul  
**Requisition #:** 2558

**Commodity:** 1988 comprehensive annual financial report, 2500 books (54 pgs. est.) camera ready, 8½" × 11"  
**Contact:** Printing buyer's office  
**Bids are due:** October 31  
**Agency:** PERA (Pub. Empl. Ret. Assn.)  
**Deliver to:** St. Paul  
**Requisition #:** 1856

**Commodity:** Vehicle accident report folder, 140M, 8¾" × 11¼", camera copy, 2-sided  
**Contact:** Printing buyer's office  
**Bids are due:** October 31  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 1853

**Commodity:** Prebill with title, 3,500M continuous, 16" × 3½" (2 across) sheet size, type to set, 2-sided  
**Contact:** Printing buyer's office  
**Bids are due:** October 31  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 2255

**Commodity:** Driver license envelope, 5M 9" × 14" with 4" expansion & 3" gum flap, 1-sided, camera ready  
**Contact:** Printing buyer's office  
**Bids are due:** October 31  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 2257

**Commodity:** Driver license application & voter registration card, 500M, exactly 8" × 8", type to set 2-sided  
**Contact:** Printing buyer's office  
**Bids are due:** October 31  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 2258

**Commodity:** Equipment usage form, 60M 3-part sets, 12¼" × 4¼" sheet size overall, negs furnished, 1&2-sided  
**Contact:** Printing buyer's office  
**Bids are due:** October 31  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 2213

**Commodity:** Organ donor pamphlet, 615M 11⅛" × 7⅞" sheet size 2-folds, camera ready + negs, 2-sided  
**Contact:** Printing buyer's office  
**Bids are due:** October 31  
**Agency:** Public Safety Department  
**Deliver to:** St. Paul  
**Requisition #:** 2642

## **Contract Awards—Printing & Mailing Services**

**Item:** Notice of delinquent tax report  
**Req. #:** 1915  
**Awarded to:** Pauly Business Forms, Plymouth  
**Amount:** \$819.00  
**Date:** October 12  
**Deliver to:** Jobs and Training Department, St. Paul  
**Delivery date:** 28 days

**Item:** Revolving fund invoice  
**Req. #:** 1992  
**Awarded to:** Bann Division, Stuart Hooper Company, St. Paul  
**Amount:** \$147.50  
**Date:** October 12  
**Deliver to:** Administration Department: Plant Management, St. Paul  
**Delivery date:** 12-15 working days

**Item:** Positive acid-fast bacilli report  
**Req. #:** 2057  
**Awarded to:** Pauly Business Forms, Plymouth  
**Amount:** \$137.50  
**Date:** October 12  
**Deliver to:** Health Department, Minneapolis  
**Delivery date:** 28 days

## State Contracts and Advertised Bids

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### Department of Administration

#### Notice of State Sale of Surplus Property

The Commissioner of Administration offers for sealed bid surplus land and buildings of the former Women's Correctional Facility-Shakopee Minnesota.

The property offered for sale is bounded by the following Shakopee city streets; Adams, Sixth Avenue, Webster and portions of 4th Avenue and consists of approx. 10.89 acres in size.

This parcel will be sold on the basis of highest offer received which meets all state bid requirements. *Bids submitted for less than the state's minimum sale price of \$164,500.00 will be rejected.*

All bids must be *submitted by 2:00 p.m. November 30, 1988*, to the Department of Administration, Real Estate Management Division, 50 Sherburne Avenue, Room G-22, St. Paul, Minnesota 55155. For bid information and bid forms contact Steven Mackenthun at the above address, tel. (612) 296-2278.

### Minnesota Department of Health

#### Section of Chronic Disease and Environmental Epidemiology Minnesota Cancer Surveillance System

#### Notice of Request for Proposals for Projects Providing Improved Cancer Case Data Gathering and Reporting

The Chronic Disease and Environmental Epidemiology Section of the Minnesota Department of Health has published a request for proposals from hospitals, medical clinics, medical laboratories, and tumor registries interested in competing for funding to accomplish projects which are in addition to the work required by *Minnesota Statutes* § 144.671-144.69. Projects shall address at least one of the following three areas: 1) Provision of more efficient, expedient, and complete mechanisms for the gathering and reporting of cancer case information to the Minnesota Cancer Surveillance System (MCSS); 2) Extension of the capability and efficiency of the Commissioner of Health to meet the mandate established under *Minnesota Statutes* § 144.671-144.69; and 3) Maintenance and validation of the quality, accuracy and completeness of cancer case data.

Qualified hospitals, medical clinics, medical laboratories, and tumor registries may submit proposals for projects individually or in joint ventures. Approximately \$130,000 is available for projects to be awarded in a range of \$2,000 to \$20,000. Successful applicants will be awarded 12-month contracts beginning January 16, 1989.

The Request for Proposals and supporting documents may be obtained from the Minnesota Department of Health, Chronic Disease and Environmental Epidemiology Section by contacting Claudia Genung at (612) 623-5145. The Deadline for submission of proposals is 4:30 p.m., Wednesday, November 23, 1988.

Please direct proposals and questions to:

John W. Washburn  
Epidemiologist/Administrator  
Chronic Disease and Environmental Epidemiology  
Minnesota Department of Health  
717 Delaware Street S.E.  
Minneapolis, MN 55440

### Department of Transportation

#### Technical Services Division

#### Availability of a Contract for Bridge Design

The Minnesota Department of Transportation intends to engage a consultant to prepare preliminary and final reconstruction plans for Bridge No. 9098 carrying T.H. 169 over the Minnesota River in Mankato, Minnesota. The design project will also include the preparation of plans for Bridge Nos. 07029, 52008, 52011, 52012, 9241, and the preliminary and final roadway plans necessary for the corridor.

Work is proposed to start after April 1, 1989.

Technical inquiries should be directed to:

Mr. D. L. Dorgan  
Bridge Analysis & Liaison Engineer  
Transportation Building  
St. Paul, MN 55115  
(612) 296-3187

Firms desiring consideration should submit their expressions of interest, along with three copies of their Federal Forms 254 and 255 to:

Mr. J. F. Weingartz  
Consultant Agreements Engineer  
Room 612B  
Transportation Building  
St. Paul, MN 551545

Response deadline 12:00 p.m., November 7, 1988.

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## 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.

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## Hennepin County

### Department of Environment & Energy

#### Request for Solicitation of interest in Ash Management Services

The Hennepin County, Minnesota Division of Environment and Energy, announces the issuance and availability of a Request for Solicitation of Interest (Request) for Ash Management Services to meet the County's future waste processing and/or disposal needs.

The Request pertains to the management of ash from resource recovery facilities and the Services are required as an integral part of the County's solid waste processing and disposal system which combines resource recovery technology with an aggressive recycling and waste minimization program.

The County is actively seeking a qualified firm(s) to provide Services for short-term disposal needs and long-term processing/reuse/disposal options. Responses are due by November 14, 1988.

Firms interested in obtaining a copy of the Request should submit a request in writing to the following address:

Mr. Anthony R. Jeffries  
Hennepin County Division of Environment and Energy  
822 South Third Street  
Suite 300  
Minneapolis, MN 55415  
Telephone (612) 348-2477

# Supreme Court Decisions

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## Decisions Filed 21 October 1988

### **C5-87-2415 Jacob Kuiters, Relator v. County of Freeborn. Tax Court.**

A taxpayer whose property is assessed in excess of its market value is entitled to have the assessment reduced pursuant to *Minnesota Statutes* § 278.01, subd. 1 (1986).

Reversed in part and remanded for an order consistent with this opinion. Amdahl, C.J.

### **C9-88-550 B. F. Goodrich Company v. Mesabi Tire Company, Inc. United States District Court.**

The "out-of-pocket" damages rule is not applicable in this misrepresentation action.

Certified question answered. Simonett, J.

### **C4-87-1725 Bryan C. Huber and Liberty Mutual Insurance Company v. Niagara Machine and Tool Works and the Satterlee Company and Allen-Bradley Company, petitioner, Appellant. Court of Appeals.**

Defendant, a component manufacturer of a foot switch mechanism, had no duty to warn purchasers of the device, which was to be attached to a punch press manufactured by another company, that permanently attached safety mechanisms should not be removed.

Reversed. Popovich, J.

Took no part, Coyne, J.

## Announcements

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**Environmental Quality Board (EQB):** EAWs (Environmental Assessment Worksheet) comments due at their assigned regional governing unit November 16: Mayo Clinic Employee Parking Ramp, MN Pollution Control Agency (MPCA); and the Rosemount, Inc. Manufacturing Facility, City of Chanhassen. A public hearing on the proposed construction of an outflow control structure on Caribou Lake, Itasca County, will be held Nov. 1, 1988 at 9:00 a.m. in the Grand Rapids City Hall, Grand Rapids, MN to determine whether the Itasca soil and water conservation district should be allowed to place an outflow control structure on Caribou Lake to alleviate high water levels. Contact Donald Kannas, (612) 296-0688 to discuss informal deposition of the case. Washington County Landfill Inventory Site G will have an environmental impact statement written up for it by Washington County. Contact Zachary Hansen (612) 779-5445. The Minneapolis West Business Center will have an environmental impact statement compiled for it by the City of St. Louis Park. Contact Donald Rye (612) 924-2500.

**Association to Certify Organic Products in Minnesota:** Organic Growers and Buyers Association of Minnesota has been designated as the organization charged with implementing and administering a system to certify organically-grown products in the state. The association will use a \$100,000 grant provided by the 1988 Minnesota Legislature to set up the certification system. Requirements for certification will comply with the Organic Foods Labeling Act passed by the Minnesota Legislature in 1987. The selection of the association was reviewed and evaluated by a panel of organic food growers, sellers, manufacturers and Minnesota Department of Agriculture officials.

**AIDS Prevention Grants Groups Chosen:** \$400,000 in AIDS prevention grants aimed at the Asian, Black, Hispanic and American Indian communities in Minnesota. The grants cover a one-year period beginning in December and are part of a larger AIDS Prevention Grants Program begun by the Minnesota Dept. of Health in 1986. Over 400 cases of AIDS have been reported in Minnesota, and officials at the MN Dept. of Health are predicting anywhere from 1,350-1,800 cases by the end of 1990. The eight proposed grants would include \$30,284 for the **Indian Health Board of Minneapolis**, to provide AIDS education to patients seeking family planning and related services—and to counsel individuals who are at high risk of being infected with the AIDS virus. The **Minnesota Indian AIDS Task Force** would receive \$31,677, to provide community-based AIDS education to Indians living in the cities of Duluth, Minneapolis and St. Paul—as well as those living on the state's 11 Indian reservations. The **Upper Sioux Community/Board of Trustees** would receive \$12,130, and the **White Earth Tribal Council** would receive \$25,909, to provide AIDS education to members of the Upper Sioux Community and residents of the White Earth reservation. The **Centre for Asian Pacific Islanders** would receive \$20,000, to provide AIDS education to the State's Asian families, and to the Asian refugee population. The **State Council on Asian Pacific Minnesotans** would receive \$80,000, to develop, manage and coordinate a "culturally sensitive and language appropriate" AIDS education program, for Asian-Pacific Minnesotans statewide. The **Minnesota Black AIDS Consortium** would receive \$100,000, to provide education on preventing AIDS and reducing the risk of infection with the virus, for the Black population in the Twin City metro area. The Consortium includes four agencies—Turning Point, Inc.; Black, Indian, Hispanic and Asian Women in Action (BIHA); the Hallie Q. Brown Community Center; and the Minneapolis Urban League. The **Spanish Speaking Affairs Council** would receive \$100,000, to provide bicultural and bilingual education on AIDS prevention and risk reduction, for Minnesota's Hispanic community. The Council plans to subcontract with six different community organizations—Casa de Esperanza, Chicanos Latinos Unidos En Servicio (CLUES), Hispanos in Minnesota, the West Side Health Center, the Minnesota Migrant Council, and Centro Cultural Chicano.



**Pine Bark Beetle Infestation:** An outbreak of pine bark beetles throughout the state is resulting in the loss of many Norway pines. The beetles have built up their numbers over the past several years due to high water in 1986, the dry spell in 1987, and most significantly the record-setting drought of 1988. The lack of rain caused low pitch production by the trees. Pitch normally repels these pests by preventing beetles from burrowing into the bark, laying eggs and destroying the water and nutrient conduction capacity of the trees. Dead trees pose no risk for neighboring pines, but should be removed to improve aesthetics, fire hazards and falling branches. If the drought continues, the trees will remain under stress next spring. Foresters and climatologists estimate that about 15 inches of moisture are needed to recover soil moisture to normal levels. Normal moisture will spell the beginning of the end of the beetle outbreak, yet even then the outbreak is expected to increase by 25 percent next year. If overwinter moisture is 10 inches or less, the beetles will continue their rampage next year, perhaps doubling their damage. DNR foresters are currently working to provide the public with a series of cost-effective control options for next year. More information will be available this winter in a special newsletter planned for early December. Persons wanting to be on the mailing list should contact their local DNR forester. Many county and city foresters can also provide assistance. Homeowners are urged to water trees where possible and thin stands over the winter. Both of these steps will increase the vigor of the tree's repellent action. Also, by next spring, trap tree and pheromone trap control information will be available. Check with your local forester for details.

**Self-employment Demonstration Project:** Minnesota, Oregon and Massachusetts have been selected by the federal government for a demonstration project that will give jobless workers an opportunity to start their own businesses and thereby employ themselves and others. The demonstration project is scheduled to begin in mid-1989 and will run for approximately three years. Between 1,000 and 2,000 project participants will be selected at random from those unemployed workers interested in self-employment. Oregon and Massachusetts will also participate in the demonstration. The new self-employment projects are part of a comprehensive Unemployment Insurance Self-Employment Demonstration. The Department of Labor initiated this project in September 1987 in Washington. In December, Congress authorized three more self-employment demonstration projects under Section 9152 of the Omnibus Budget and Reconciliation Act of 1987. More information on the project can be obtained by contacting Stephen Wandner at 202-535-0620.

**Health Advisory:** State health and agriculture officials have issued an advisory urging precautions when handling eggs and preparing egg dishes. The officials say eggs or egg liquids can be contaminated with disease-causing *Salmonella* bacteria if they are undercooked or consumed raw. Food preparers in restaurants, schools, and other food service establishments—as well as high-risk settings like nursing homes, hospitals, and neonatal nurseries—should be especially aware of the risks posed by the consumption of raw or undercooked eggs. Recipes for dishes like scrambled eggs or omelets may be safer if the eggs are cracked individually, rather than prepared in quantity and pooled. If it is necessary to use pooled eggs, pasteurized egg products should be substituted. *Salmonella* can cause gastrointestinal illness, lasting several days, characterized by nausea, vomiting, diarrhea, abdominal cramps and fever. The illness can be severe and occasionally fatal, particularly in the elderly, persons who are immunosuppressed, and newborns—who can acquire the infection from their mothers at birth. Humans can become infected by eating a variety of uncooked food products of animal origin—including poultry, beef and pork. Nationwide, about 40,000 cases of *Salmonella*-related disease are reported each year to the U.S. Centers for Disease Control. The number of cases reported in Minnesota has changed little over the last ten years.

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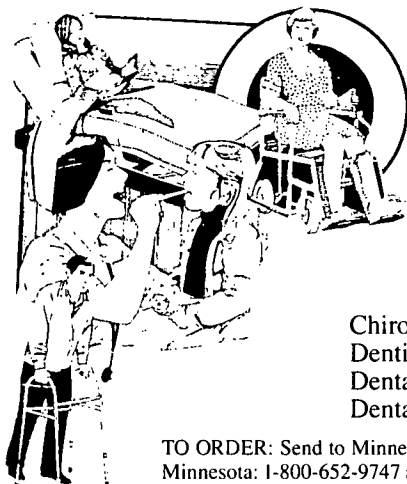
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