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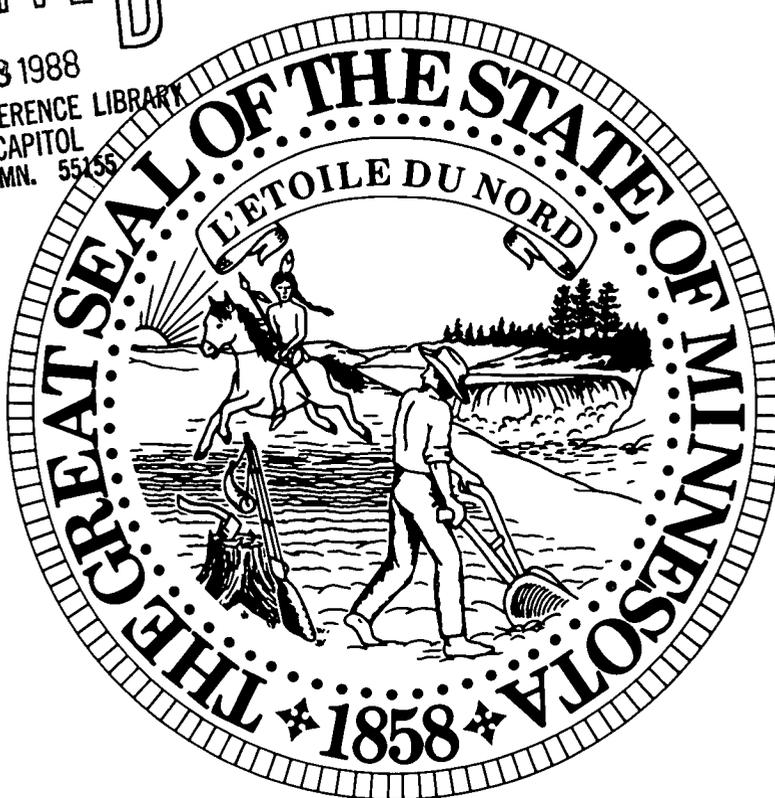
State of Minnesota

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Department of Administration—Documents Division

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STATE REGISTER

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

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

Printing Schedule and Submission Deadlines

Vol. 13 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
19	Monday 24 October	Monday 31 October	Monday 7 November
20	Monday 31 October	Monday 7 November	Monday 14 November
21	Monday 7 November	Monday 14 November	Monday 21 November
22	Monday 14 November	Monday 21 November	Monday 28 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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Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

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

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

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This Week—weekly interim bulletin of the House.

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

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

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

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

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

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

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Proposed Rules

Pursuant to Minn. Stat. §§ 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.

State Board of Vocational Technical Education

Proposed Permanent Rules Relating to Postsecondary Vocational Teaching Licenses: Emerging Occupations

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.

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

All persons have 30 days until 4:30 p.m., Tuesday, December 6, 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 (all new material)

3709.0100 GENERAL REQUIREMENTS.

Subpart 1. **Listed or referred to here.** An applicant for a license under this chapter must meet the following requirements in addition to the requirements for a particular license:

- A. 2,000 hours of occupational experience within five years just before application for licensure; and
- B. the total number of substituted hours cannot exceed 4,000 hours.

Subp. 2. **Requirements elsewhere.** To get a license to teach under this chapter, an applicant must comply with parts 3515.0100 to 3515.1100, 3515.1300 to 3515.4400, and 3515.5000. Parts 3515.9920 to 3515.9942 do not apply.

3709.0110 ELECTRONIC SERVICE/SALES REPRESENTATIVE.

Subpart 1. **May teach.** A teacher who has an electronic service/sales representative license may teach in the electronic service/sales program and may also teach courses in:

- A. selling techniques; and
- B. basic troubleshooting electronic-based equipment.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Occupational experience requirement.** An applicant must have 8,000 hours of verified occupational experience in electronic-based applications as follows:

A. a minimum of 2,000 hours in commercial or industrial sales and installation, maintenance or troubleshooting equipment; and

B. a minimum of 2,000 hours in customer needs analysis including equipment determination and selection, hardware configuration, product presentation, and demonstration or account management.

Subp. 4. **Substitution for occupational experience.** An applicant may substitute the education described in item A, B, or C for up to 4,000 hours of occupational experience required under subpart 3. The education must be from an accredited postsecondary institution. An applicant cannot substitute for the 2,000 hours of experience required in subpart 3, item A.

A. A bachelor's or higher degree in applied electrical engineering may be substituted for 4,000 hours.

B. An associate degree in electronics or electronic service/sales may be substituted for 2,000 hours.

C. A diploma in electronics or electronic service/sales may be substituted. A one-year program equals 1,050 hours. A two-year program equals 2,100 hours.

Subp. 5. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial setting may be substituted for 1,500 of the 2,000 hours required under part 3709.0100, subpart 1, item A, if the teaching is done during the five-year period. The teaching must be in electronics or electronic service/sales. Two hours of teaching equal one hour of occupational experience. An applicant cannot substitute for the 2,000 hours of experience required under subpart 3, item A.

3709.0120 LOCKSMITHING TECHNICIAN.

Subpart 1. **May teach.** A teacher who has a locksmithing license may teach in the locksmithing program and may also teach courses in locksmithing: systems and placement planning, lock and key identification, retail application, life safety codes, master keying, automotive, application for retailing, and internal and external controls.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Occupational experience requirement.** The applicant must hold a Certified Professional Locksmith (CPL) certification and have verified occupational experience of 8,000 hours as a locksmith.

Subp. 4. **Substitution for occupational experience requirement.** An applicant may substitute the following education from an accredited postsecondary institution for up to 2,100 hours of occupational experience required under subpart 3.

A. An associate degree in locksmithing may be substituted for 2,000 hours.

B. A diploma in a two-year locksmithing program may be substituted for 2,100 hours.

C. The completion of courses or clock hours for credit in locksmithing may be substituted.

One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial or military setting may be substituted for 1,500 of the 2,000 hours required under part 3709.0100, subpart 1, item A, if the teaching is done during the five-year period. The teaching must be in locksmithing. Two hours of teaching equal one hour of occupational experience.

3709.0130 SECURITY MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a security management license may teach in the security management program and may also teach courses in security: contemporary issues, legal ethical issues, and principles of physical security.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Occupational experience requirement.** An applicant must have 8,000 hours of verified occupational experience in a manager or supervisory position in plant protection or security in an industrial, institutional, governmental, public utility, corporate, or retail setting, exclusive of general law enforcement.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described in item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

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. A bachelor's or higher degree in criminal justice, criminology, security, or law enforcement may be substituted for 4,000 hours.

B. An associate degree in criminal justice, security management, or law enforcement may be substituted for 2,000 hours.

C. A diploma in security management or law enforcement may be substituted. A two-year program equals 2,100 hours; a one-year program equals 1,050 hours.

D. The completion of courses or clock hours for credit in security, emergency procedures, or substance use and abuse may be substituted. One clock hour of instruction equals one clock hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution may be substituted for 1,500 of the 2,000 hours required under part 3709.0100, subpart 1, item A, if the teaching is done during the five-year period. The teaching must be in industrial security or security management. Two hours of teaching equal one hour of occupational experience.

3709.0140 FIRE TECHNOLOGY AND ADMINISTRATION.

Subpart 1. **May teach.** A teacher who has a fire technology and administration license may teach in the fire technology and administration program and courses in firefighting.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Occupational experience requirement.** An applicant must have 8,000 hours of verified occupational experience as a career firefighter, volunteer firefighter, or paid on-call firefighter with a minimum of 2,000 of the 8,000 hours as a fire officer. The experience must be verified by the chief fire executive.

Subp. 4. **Substitution for occupational experience.** An applicant may substitute the education described in item A, B, C, or D for up to 4,000 hours of occupational experience as a firefighter required in subpart 3. The education must be from an accredited postsecondary institution. An applicant cannot substitute for the 2,000 hours of experience required as a fire officer.

A. a bachelor's or higher degree in fire science, fire protection engineering, fire administration, or fire department management may be substituted for 4,000 hours.

B. An associate degree in firefighting may be substituted for 2,000 hours.

C. A two-year diploma in firefighting may be substituted for 2,100 hours.

D. Completion of courses or clock hours for credit in fire service, fire administration, fire department management, fire safety and engineering technology, fire protection engineering, or fire department management may be substituted. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Occupational recency substitution.** Teaching experience as a licensed instructor at an accredited postsecondary institution or at a military setting may be substituted for up to 1,500 of the 2,000 hours required under part 3709.0100, subpart 1, item A, if the teaching is done during the five-year period. The teaching must be in a firefighter I or II course. Two hours of student contact equal one hour of occupational experience as a firefighter. An applicant cannot substitute for the 2,000 hours of experience required as a fire officer.

3709.0150 PREPARATION FOR SMALL BUSINESS OWNERSHIP

Subpart 1. **May teach.** A teacher who has a preparation for small business ownership license may teach in the preparation for small business ownership program and may also teach courses in:

A. marketing principles;

B. principles of advertising;

C. entrepreneurship;

D. managerial accounting;

E. business math;

F. computer applications for small business management; and

G. introduction to small business management.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Occupational experience requirement.** An applicant must have 8,000 hours of verified occupational experience as a working proprietor or managerial level employee responsible for, and making decisions based on, sources and use of capital.

Subp. 4. **Substitution for occupational experience.** An applicant may substitute the education described in item A, B, C, or D for up to 4,000 hours required under subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree in marketing, business, finance, or accounting may be substituted for 4,000 hours.

B. An associate degree in advertising preparation for small business ownership, small business management, business, marketing, accounting, retailing, fashion merchandising, hospitality management, manufacturing management, sales, finance, or insurance may be substituted for 2,000 hours.

C. A diploma in advertising, fashion merchandising, professional and industrial sales, hotel motel management, general merchandising and retail sales, business to business telemarketing, marketing management, preparation for small business ownership, small business management, international marketing, sporting goods sales and management, financial services marketing, super-market marketing and management, and hardware and home center management may be substituted. A one-year program equals 1,050 hours. A two-year program equals 2,100 hours.

D. The completion of courses or clock hours for credit in business, marketing, distributive education, finance, or accounting may be substituted.

One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Occupational recency substitution.** Postsecondary teaching experience in small business management, accounting, practical business management, sales and marketing, business management, or computer applications for small business management may be substituted for 1,500 of the 2,000 hours required under part 3709.0100, subpart 1, item A, if the teaching is done during the five-year period. Two hours of teaching equal one hour of occupational experience.

3709.0160 ACTIVITY DIRECTOR ASSISTANT.

Subpart 1. **May teach.** A teacher who has an activity director/assistant license may teach in the activity director/assistant program.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Educational and occupational experience requirement.** The applicant must have an associate degree or higher and 6,000 hours of occupational experience including at least 4,000 hours as an activity director in adult day care, long-term care, or senior citizen housing. The remaining 2,000 hours may be as any of the following: human services technician for the mentally retarded, activity director/assistant, social worker, community center program director for seniors, or as a counselor in adult day care, long-term care, or senior citizen housing.

Subp. 4. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial setting may be substituted for 1,500 of the 2,000 hours required in part 3709.0100, subpart 1, item A, if the teaching is done during this five-year period. The teaching must be in activity director, activity director assistant, or recreational therapy programs. Two hours of teaching equals one hour of occupational experience.

3709.0170 FRANCHISE RESTAURANT MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a franchise restaurant management license may teach in the franchise restaurant management program and may also teach courses in:

- A. food service purchasing and inventory control;
- B. food sanitation and safety;
- C. food service management skills; and
- D. food service accounting.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours verified occupational experience in management that includes supervision in an operation with at least ten employees. A minimum of 4,000 hours must be in franchise restaurant management of which 2,000 hours must be as a general or unit manager or owner.

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Proposed Rules

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described in item A, B, or C for up to 4,000 hours of the occupational experience required in subpart 3. The applicant cannot substitute for the 4,000 hours of experience in franchise restaurant management. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree in business or home economics may be substituted for 4,000 hours.

B. An associate degree in business or food service may be substituted for 2,000 hours.

C. A diploma in a business or food service program may be substituted. A one-year program equals 1,050 hours. A two-year program equals 2,100 hours.

Subp. 5. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial or military setting may be substituted for 1,500 of the 2,000 hours required under part 3709.0100, subpart 1, item A, if the teaching is done during the five-year period. The teaching must be in foods, diet technician, or small business management. Two hours of teaching equal one hour of occupational experience.

3709.0180 OCCUPATIONAL SKILLS.

Subpart 1. **May teach.** A teacher who has an occupational skills license may teach in the occupational skills program.

Subp. 2. **Other requirements.** Part 3709.0100, subpart 1, does not apply. The applicant must meet the requirements in part 3709.0100, subpart 2.

Subp. 3. **Educational and occupational experience requirement.** The applicant must have a bachelor's or higher degree in education, social work, psychology, counseling, mental health, vocational rehabilitation, physical therapy, occupational therapy, speech pathology, or vocational evaluations. The applicant must have the equivalent of 20 quarter credits or clock hours covering vocational coordination techniques, introduction to the exceptional learner, assessment of the special learner, and curriculum modification for the special learner; and 1,500 hours of occupational experience outside of teaching. In addition, the applicant must have 200 hours of experience with direct responsibility for the handicapped or disabled, that may include teaching in courses or programs designed to assist the handicapped or disabled.

3709.0190 PROFESSIONAL NANNY.

Subpart 1. **May teach.** A teacher who has a professional nanny license may teach in the professional nanny program and may also teach principles and theory of child development.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

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

A. two years or more of education from an accredited postsecondary institution in professional nanny or child development and 6,000 hours of occupational experience as a nanny or child care provider within the client's environment having responsibility for educational, physical, social, and psychological development of the child or children; or

B. a bachelor's or higher degree in consumer homemaking, family life, elementary education, child psychology, early childhood education, home economics, child development or professional nanny and 4,000 hours as a nanny or child care provider within the client's environment having responsibility for educational, physical, social, and psychological development of the child or children.

Subp. 4. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution for 1,500 of the 2,000 hours required under part 3709.0100, subpart 1, item A, if the teaching is done during this five-year period. The teaching must be in professional nanny programs. Two hours of teaching equal one hour of the occupational experience required in part 3709.0100, subpart 1, item A.

3709.0200 ARTIFICIAL INTELLIGENCE TECHNICIAN.

Subpart 1. **May teach.** A teacher who has an artificial intelligence technician license may teach in the artificial intelligence technician program and may also teach programming in artificial intelligence languages.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Educational and occupational experience requirement.** An applicant must have a combination of:

A. two years or more of postsecondary education from an accredited institution in engineering, computer science, electronics, chemistry, physics, or mathematics; and

B. 6,000 hours of verified occupational experience in engineering, programming, or electronics technology with a minimum of 500 hours programming artificial intelligence.

Subp. 4. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial setting may be substituted for 1,500 of the 2,000 hours required in part 3709.0100, subpart 1, item A, if the teaching is done during

the five-year period. The only substitution allowed for the 500 hours of programming artificial intelligence required under subpart 3, item B, is teaching programming artificial intelligence. Otherwise, the teaching of any programming may be substituted. Two hours of teaching equal one hour of occupational experience.

3709.0210 VIBROACOUSTICS TECHNOLOGY.

Subpart 1. **May teach.** A teacher who has a vibroacoustics technology license may teach in the vibroacoustics technology program and may also teach courses in vibration and acoustics, introduction to electronics, and statistical applications.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Occupational experience requirement.** An applicant must have 8,000 hours of verified occupational experience in testing and measuring of both acoustics and mechanical vibrations.

Subp. 4. **Substitution for occupational experience.** An applicant may substitute the experience described in item A, B, or C for up to 4,000 hours of the occupational experience described in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree in engineering or applied physics may be substituted for 4,000 hours.

B. An associate degree in vibroacoustics technology may be substituted for 2,000 hours.

C. A diploma or certificate in vibroacoustics technology may be substituted. A one-year program equals 1,050 hours. A two-year program equals 2,100 hours.

Subp. 5. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial or military setting may be substituted for 1,500 of the 2,000 hours required in part 3700.0100, subpart 1, item A, if the teaching is done during the five-year period. The teaching must be in vibroacoustics specific technology. Two hours of teaching equal one hour of occupational experience.

3709.0220 PLASTIC COMPOSITES TECHNOLOGY.

Subpart 1. **May teach.** A teacher who has a plastic composites technology license may teach in the plastic composites technology program and may also teach courses in polymer: chemistry, materials, applications, and composites. Composites: technology, tooling, moldmaking, repair, and manufacturing.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3709.0100.

Subp. 3. **Occupational experience requirement.** An applicant must have 8,000 hours of verified occupational experience in polymer composites. This experience must be in at least two of the following: research and development, design, formulations, and manufacturing.

Subp. 4. **Occupational experience substitution.** The applicant may substitute the experience described in items A, B, or C for up to 4,000 hours of occupational experience described in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree in materials science, polymer chemistry, chemical or mechanical engineering, or applied physics may be substituted for 4,000 hours.

B. A bachelor's degree in an engineering field not listed in item A or an associate degree in plastic composites technology may be substituted for 2,000 hours.

C. A diploma or certificate in plastic composites technology may be substituted. A one-year program equals 1,050 hours. A two-year program equals 2,100 hours.

Subp. 5. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial or military setting in plastic composites technology may be substituted for 1,500 of the 2,000 hours required in part 3709.0100, subpart 1, item A, if the teaching is done during the five-year period. The teaching must be in plastic composites technology. Two hours of teaching equal one hour of occupational experience.

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Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Department of Human Services

Adopted Permanent Rules Relating to Early and Periodic Screening, Diagnosis, and Treatment Program

The rules proposed and published at *State Register*, Volume 12, Number 40, pages 2190-2200, April 4, 1988 (12 S.R. 2190) are adopted with the following modifications:

Rules as Adopted

9505.1696 DEFINITIONS.

Subp. 19. **Public health nursing service.** "Public health nursing service" means a ~~community~~ the nursing service program provided by a ~~Medicare certified home health care agency that is a department of or operates under the direct authority of a unit of government~~ board of health under Minnesota Statutes, section 145A.10, subdivision 1.

9505.1718 SCREENING STANDARDS FOR AN EPSDT CLINIC.

Subp. 10. **Sexual development.** A child must be evaluated to determine whether the child's sexual development is consistent with the child's chronological age. A female must receive a breast examination and pelvic examination when indicated. A male must receive a testicular examination when indicated. If it is in the best interest of a child, counseling on normal sexual development, information on birth control and sexually transmitted diseases, and prescriptions and tests must be offered to a child ~~when appropriate.~~ If it is in the best interest of a child, a screening provider may refer the child to other resources for counseling or a pelvic examination.

Subp. 12. **Immunizations.** The immunization status of a child must be compared to the ~~1983~~ "Recommended Schedule for Active Immunization Schedule of Normal Infants and Children," June 1988. Immunizations that the comparison shows are needed must be offered to the child and given to the child if the child or parent of the child accepts the offer. The "Recommended Schedule for Active Immunization Schedule of Normal Infants and Children," June 1983 1988, is developed and distributed by the Minnesota Department of Health, 717 Delaware Street, Minneapolis, Minnesota 55440. The "Recommended Schedule for Active Immunization Schedule of Normal Infants and Children," June 1988, is incorporated by reference and is available at the State Law Library, Ford Building, 117 University Avenue, Saint Paul, Minnesota 55155. It is not subject to frequent change.

Subp. 13. **Laboratory tests.** Laboratory tests must be done according to items A to F.

E. A test for sickle cell, ~~hemoglobin concentration or other hemoglobinopathy,~~ or abnormal blood conditions must be offered to a child who is at risk of such abnormalities and who has not yet been tested. ~~This test~~ These tests must be provided if accepted or requested by the child or parent of the child. If the ~~test identifies~~ tests identify a hemoglobin abnormality or other abnormal blood condition, the child must be referred for genetic counseling.

Pollution Control Agency

Adopted Permanent Rules Relating to Solid Waste Permit and Technical Rules

The rules proposed and published at *State Register*, Volume 12, Number 36, pages 1855-1949, March 7, 1988 (12 S.R. 1855) are adopted with the following modifications:

Rules as Adopted

7001.3275 DETAILED SITE EVALUATION REPORT.

Subp. 6. **Feasibility of corrective action.** The detailed site evaluation report must discuss the feasibility of the owner or operator implementing corrective actions in accordance with items A to D.

B. The applicant must identify and describe the potential modes of failure or evidence of failure, including:

(3) gas concentrations exceeding the limits given in part 7035.2815, subpart 11, in gas monitoring points, or other evidence of adverse effects of gas migration, including damage to ~~landfill~~ the facility's cover vegetation.

7035.0300 DEFINITIONS.

Subp. 80. **Piezometer.** "Piezometer" means a type of monitoring well or other device that is constructed for the purpose of measuring hydraulic head in ground water.

Subp. 88. **Recycling facility.** "Recycling facility" means a site used to collect, process, and repair recyclable materials and reuse them in their original form or use them in manufacturing processes.

7035.2535 GENERAL SOLID WASTE MANAGEMENT FACILITY REQUIREMENTS.

Subpart 1. **Unacceptable wastes.** The owner or operator of a solid waste management facility must not accept the following wastes for treatment, storage, processing, or disposal:

C. infectious wastes, unless approved by the agency;

Subp. 4. **General inspection requirements.** General inspection requirements include the information required in items A to E.

D. The owner or operator must remedy any deterioration or malfunction of equipment or structure within two weeks after an inspection, or as approved by the commissioner based on the nature of the problem, availability of materials, and other factors that influence repair efforts.

7035.2545 PERSONNEL TRAINING.

Subp. 3. **Minimum program requirements.** The training program must include training of solid waste management facility personnel about procedures relevant to their positions including contingency action plan implementation. The program must train facility personnel to deal effectively with problems at the site including:

7035.2565 GROUND WATER QUALITY, SURFACE WATER QUALITY, AND AIR QUALITY AND SOIL PROTECTION.

Subpart 1. **Duty to protect water.** Solid waste management facilities must be located, designed, constructed, and operated to contain sediment, solid waste, and leachate and to prevent pollution of ground water and surface water. The owner or operator must take corrective action as necessary to end continuing releases and to minimize or abate any resulting ground water or surface water pollution. As required by parts 7050.0150 and 7060.0600, the owner or operator must monitor the facility, surface water, and ground water as directed by the agency.

Subp. 4. **Soil protection.** Solid waste management facilities must be located, designed, constructed, and operated to minimize the contamination of soils from solid waste. For this subpart, soil contamination does not include soil liners.

7035.2665 SCOPE.

Parts ~~7035.2675~~ 7035.2685 to 7035.2805 apply to owners and operators of mixed municipal solid waste land disposal facilities.

7035.2685 COST ESTIMATES FOR CLOSURE, POSTCLOSURE CARE, AND CORRECTIVE ACTION.

Subpart 1. **Cost estimate requirements.** The following provisions apply to cost estimates.

C. The owner or operator shall make a written estimate, in current dollars, of the cost of performing contingency action. The contingency action cost estimate must equal the expected value of implementing the contingency action plan required under part 7035.2615. The owner or operator of a new facility may use method (1) or (2) to calculate the expected value of implementing the contingency action plan. The owner or operator of an existing facility must use method (2) to calculate the expected value of implementing the contingency action plan.

(2) The expected value calculations may assume that the probabilities of occurrence of the events described in the contingency action plan are normally distributed. These calculations will assign probabilities to events according to the following formula:

$$f(x) = \left(\frac{1}{\sqrt{2\pi}\sigma} \right) e^{-(x-\mu)^2/(2\sigma^2)}$$

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Adopted Rules

where $f(x)$ = the probability of occurrence of event x ;

μ = the mean (or average) value of the normal random variable x ;
= $\Sigma x/n$;

n = the number of times x is evaluated;

σ = the standard deviation of x ;

$$= \frac{\Sigma (x-\mu)^2}{\sqrt{(n-1)}} \quad \sqrt{\frac{\Sigma (x-\mu)^2}{(n-1)}}$$

π = 3.1416;

e = 2.7183; and

x = a specified dollar interval that controls the number of times x will be evaluated within the range defined by zero and the worst case series of events.

7035.2750 SELF-INSURANCE.

The provisions of items A to M apply to self-insurance.

A. An owner or operator may satisfy the requirements of part 7035.2695 by providing proof that the owner or operator meets the criteria of one of the financial tests in item B. An owner or operator who wants to self-insure must also send to the commissioner one of three forms of approved security: The approved securities are: unsubordinated debentures, municipal bonds, or warrants drawn on the owner's or operator's municipal treasury. The market value of the unsubordinated debentures and municipal bonds, and the face value of the warrants must equal or exceed the sum of the current cost estimates.

(1) unsubordinated debentures whose market value equals or exceeds the sum of the current cost estimates; An owner or operator of a new facility shall submit the self-insurance demonstrations and the securities to the commissioner along with the final permit application before the date on which waste is first received for disposal.

(2) municipal bonds whose market value equals or exceeds the sum of the current cost estimates; or An owner or operator of an existing facility with a remaining capacity of more than five years or 500,000 cubic yards shall submit the self-insurance demonstrations and the securities to the commissioner within 180 days after the effective date of parts 7035.2665 to 7035.2805.

(3) warrants drawn on the owner's or operator's municipal treasury in an amount that equals or exceeds the sum of the current cost estimates An owner or operator of an existing facility that does not meet the criterion in subitem (2) shall submit the self-insurance demonstrations and the securities to the commissioner within one year after the effective date of parts 7035.2665 to 7035.2805.

7035.2805 LANGUAGE REQUIRED FOR FINANCIAL INSTRUMENTS.

Subpart 1. **Trust agreement.** A trust agreement for a trust fund as specified in part 7035.2705 must be worded as specified in this subpart, except that instructions in brackets must be replaced with the relevant information and the brackets deleted.

TRUST AGREEMENT

Trust Agreement, the "Agreement," entered into on [date] by [name of the owner or operator], a [name of state] [insert "corporation," "partnership," "association," or "proprietorship"], the "Grantor," and [name of corporate trustee,], [insert "incorporated in the state of _____" or "a national bank"], the "Trustee."

The Minnesota Pollution Control Agency (Agency), an agency of the state of Minnesota, has established rules applicable to the Grantor, requiring that an owner or operator of a solid waste management facility shall provide assurance that funds will be available when needed for closure and/or postclosure care of, and/or contingency action for, the facility.

The Grantor has chosen a trust to provide the financial assurance for the facilities identified herein.

The Grantor, acting through its duly authorized officers, has selected the Trustee to be the trustee under this agreement, and the Trustee is willing to act as trustee.

The Grantor and the Trustee agree as follows:

Section 8. Express Powers of Trustee. Without in any way limiting the powers and discretions conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

d. To deposit any cash in the Fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, ~~in its separate corporate capacity, or in any other banking institution affiliated with the Trustee,~~ to the extent insured by an agency of the federal or state government.

7035.2815 MIXED MUNICIPAL SOLID WASTE LAND DISPOSAL FACILITIES.

Subp. 7. **Liner requirements.** Any previously unfilled portion of an existing mixed municipal solid waste land disposal facility or any portion of a new mixed municipal solid waste land disposal facility must be lined. An extension of 18 months from the effective date of parts 7035.0300 to 7035.2875 may be granted by the commissioner to the owner or operator of an existing mixed municipal solid waste land disposal facility provided the owner or operator shows that the liner is unnecessary for that time based on: subsurface geologic conditions; ground water and surface water flow patterns; ground water and surface water quality; depth to ground water; distance to surface water; remaining site capacity; design and construction techniques to be used to mitigate leachate generation; and other site conditions that exist and will minimize impacts on the environment.

A liner is not required for existing disposal areas at existing mixed municipal solid waste land disposal facilities that will be expanded vertically. However, a permit for a vertical expansion may be granted by the commissioner only if the owner or operator shows that the expansion will not increase the potential for harm to human health or the environment. The owner or operator shall submit to the commissioner an engineering and hydrogeologic report containing a detailed analysis of the impact the expansion would have on the environment and human health. The report must also contain the design and construction modifications to be used at the facility to minimize impacts on the environment. The report must include a hydrogeologic evaluation as outlined in subpart 3; a feasibility study on minimizing leachate generation, controlling leachate movement, and on treating ground water and surface water pollution; an evaluation of long-term monitoring; and an appropriate adjustment to the financial instruments in place for the facility.

The liner installed at a mixed municipal solid waste land disposal facility must comply with the requirements of items A to N. The lined portion of the disposal area must be separated from any existing fill area by low-permeability material to the extent practicable, be designed to collect the additional water movement from the old fill area to the new fill area, and prevent movement of water from the new fill area to the old fill area.

G. The base of the liner must be graded to a minimum two percent and a maximum ten percent slope and the side slopes must be no steeper than ~~25~~ 50 percent.

Subp. 10. **Water monitoring systems.** The owner or operator must design, install, and maintain a water monitoring system in compliance with items A to T.

M. A monitoring well must be developed ~~immediately~~ after installation and, if necessary to minimize the entry of soil particles into the well or to restore well yield, during its operating life. After development, the owner or operator must analyze unfiltered water samples from the monitoring well for suspended solids, and must measure the depth of the well to verify that the well is free of accumulated sediment. The commissioner may require additional measures including additional development or installation of a new monitoring well, where necessary to reduce the entry of sediment into the monitoring well.

7035.2835 COMPOST FACILITIES.

Subp. 6. **Operation requirements for a solid waste compost facility.**

D. Access to the facility must be controlled by a perimeter fence and gate or enclosed building structures. ~~The gate must be locked~~ All access points must be secured when the facility is not open for business or when no authorized personnel are on site.

Subp. 8. **Compost classification.** Compost produced at a solid waste compost facility must be classified as Class I or Class II compost based on the criteria outlined in items A and B.

A. Class I compost may contain contaminant levels no greater than the levels indicated in subitem (1). The compost must be stabilized in accordance with subitem (2) and contain no greater amounts of inert material than indicated in subitem (3). Class I compost may not be processed with sewage sludge.

(2) Class I compost must be stored for six months, or until the compost is ~~stabilized and will not reheat upon standing~~ mature. A Class I compost may be stored for a shorter time with the commissioner's approval. The commissioner's approval will be based on the waste composted, the method used to reduce pathogens, and the intended end use for the compost. For the purpose of this subitem, "mature" means more than 60 percent decomposition has been achieved as determined by an ignition-loss analysis.

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Adopted Rules

7035.2845 RECYCLING FACILITIES.

Subpart 1. **Scope.** The owner or operator of a mixed municipal solid waste recycling facility must comply with subparts 2 to 5. A recycling facility accepting or processing source-separated wastes in quantities less than ten cubic yards per day must comply with subparts 2 and 3.

Department of Transportation

Program Management Division

Adopted Permanent Rules Relating to Seaplane Operations on Ox Yoke Lake

The rule proposed and published at *State Register*, Volume 12, Number 44, pages 2391-2392, May 2, 1988 (12 S.R. 2391) is adopted as proposed.

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Finance

Maximum Interest Rate

Pursuant to *Minnesota Statutes*, Section 475.55, Subdivision 4, Commissioner of Finance, Tom Triplett, announced today that the maximum interest rate for municipal obligations in the month of November, 1988 would be nine (9) percent per annum. Obligations which are payable wholly or in part from the proceeds of special assessments or which are not secured by General Obligations of the municipality may bear an interest rate of up to ten (10) percent per annum.

Minnesota Historical Society

State Review Board Regular Meeting

A meeting of the State Review Board will be held on Thursday, November 17, 1988. The Board will meet for dinner at 5:30 and the meeting's agenda will begin at 7:00 p.m. in the Conference Room, Fort Snelling History Center, Fort Snelling, Minnesota. At the meeting the Board will review the Comprehensive Plan and other preservation initiatives for the coming year.

State Board of Investment

Administrative Committee Meeting Notice

The State Board of Investment Administrative Committee will meet on Friday, November 18, 1988 from 9:00-11:00 a.m. in the MEA Building, 41 Sherburne Avenue, Conference Room "A", St. Paul, Minnesota.

Labor and Industry Department

Labor Standards Division

Notice of Correction to Prevailing Wage Rates

The prevailing wage rate certified October 10, 1988 for labor classifications 421—Sheet Metal Worker in Fillmore, Houston and Winona county for commercial construction projects has been corrected.

Copies of the correct certification may be obtained by contacting the Minnesota Documents Division, 117 University Avenue, St. Paul, Minnesota 55155 or the Minnesota Department of Labor and Industry, Labor Standards Division, 443 Lafayette Road, St. Paul, Minnesota 55101.

Ken Peterson, Commissioner

Minnesota Pollution Control Agency

Office of Waste Management Grants and Assistance

Outside Information Sought Regarding Proposed Rule Governing the Labeling of Plastic Containers

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) is seeking information or opinions from outside sources in preparing to propose the adoption of rules governing the labeling of plastic containers to enhance the recycling of such containers. The adoption of the rule is authorized by *Minnesota Statutes*, Section 325E.044 (1986), which requires the Agency to adopt the rule by March 31, 1989.

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

Timothy Nolan
Office of Waste Management Grants and Assistance
Minnesota Pollution Control Agency
1350 Energy Lane
St. Paul, MN 55108
Telephone: (612) 649-5750
MN toll-free 1-800-652-9747

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

All statements of information and opinion will be accepted until December 9, 1988. Any written materials received by the Agency shall become part of the rulemaking record in the event that the rule is adopted.

Gerald L. Willet
Commissioner

Regent Candidate Advisory Council

Nominations Being Accepted for Positions on the Board of Regents

Nominations are open for positions on the Board of Regents of the University of Minnesota including two at-large, one 5th Congressional District and one student regent. The Regent Candidate Advisory Council will screen applicants and recommend candidates to the legislature. Nominees may be self-nominated, or nominated by one or more citizens. For further information and/or applications, please contact Janet Lund (612) 297-3697 or write to Room 85, State Office Building, St. Paul, MN 55155.

The Regent Candidate Advisory Council is developing criteria and a statement of responsibility for the position of regent. This will be published in a subsequent edition of the *State Register* prior to the closing date for applications.

Nominations will close December 15, 1988. Applications of those nominated must be postmarked no later than December 31, 1988.

Secretary of State

Notice of Vacancies in Multi-Member State Agencies

Notice is hereby given to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul, MN 55155-1299; (612) 296-2805. Specific information about these vacancies may be obtained from the agencies listed below. The application deadline is November 29, 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.

Official Notices

Physician Assistant Advisory Council

2 members—1 public member, 1 licensed physician who is a representative of the Board of Medical Examiners.

Board of Electricity

1 licensed alarm and communication systems contractor.

Water Well Contractors and Exploratory Borers Advisory Council

2 members—to be professional engineers registered pursuant to Section 326.02—326.15 or certified professional geologists engaged in exploratory borings.

State Advisory Council on Mental Health

1 member, current or former consumer of mental health services—(i.e. currently or formerly in treatment.)

Children's Trust Fund Advisory Council

1 member, knowledgeable in the Native American culture and familiar with the program needs of the Native American communities. Required to possess knowledge of child abuse and neglect.

Physician Assistant Advisory Council

Board of Medical Examiners, Suite 106, 2700 University Ave. W.
St. Paul 55114-1080. 612-642-0538. *Minnesota Rules* 5600.2665.

Appointing Authority: Commissioner of Health.

Compensation: \$35 per diem plus expenses.

The council advises the board of medical examiners regarding physician assistant registration standards; advises regarding complaint/discipline process; provides for distribution of information regarding standards.

Seven members include two public members; three physician assistants; two licensed physicians (one of whom must be a representative of the board of medical examiners).

Bimonthly meetings.

Board of Electricity

Griggs Midway Bldg., Room S173, University Ave.
St. Paul 55104. 612-642-0800. *Minnesota Statutes* 326.241.

Appointing Authority: Governor.

Compensation: \$35 per diem plus expenses.

The board licenses electricians and inspects all new electrical wiring.

Eleven members, include two representatives of rural electrical suppliers, two master electricians who are contractors, two journeyman electricians, one registered consulting electrical engineer, two licensed alarm and communication system contractors, and two public members.

Meetings once each month, St. Paul. Members must file with the Ethical Practices Board.

Water Well Contractors and Exploratory Borers Advisory Council

717 Delaware St. S.E.
Mpls 55440. 612-623-5338. *Minnesota Statutes* 156A.06.

Appointing Authority: Commissioner of Health.

Compensation: \$35 per diem plus expenses.

The council advises the dept. of health on licensing water well contractors and explorers, registering, monitoring well engineers, and monitoring wells.

Sixteen members include six water well contractors (state residents for at least three years, with at least five years experience in well drilling, no more than two from the seven county metro area); two members in the business of exploratory boring for minerals; two public members not connected with exploratory boring or water well contracting; a professional engineer; a certified professional geologist; representatives of the department of health, natural resources, and pollution control agency; and a representative of the Minnesota geological survey.

Quarterly meetings.

State Advisory Council on Mental Health

444 Lafayette Rd.
St. Paul 55155-3828. 612-296-2710. *Minnesota Statutes* 245.697.

Appointing Authority: Governor.

Compensation: Reimbursed for expenses.

The council advises the governor, the legislature, and state agency heads about policy, programs, and services affecting people with mental illness.

Twenty-five members include one member from each of the four core mental health professional discipline (psychiatry, psychology, social work, nursing); one representative from each of the advocacy groups (mental health association of MN, MN alliance for the mentally ill, MN mental health law projects); providers of mental health services, consumers of mental health services, family members of persons with mental illnesses, legislators, social service agency directors, county commissioners, and other members reflecting a broad range of community interest.

Children's Trust Fund Advisory Council

33 Sibley St., Suite 567.

St. Paul 55101. 612-296-5437. *Minnesota Statutes* 299.23.

Appointing Authority: Governor.

Compensation: \$35 per diem plus expenses.

The council distributes trust fund money to any public or private non-profit agency to fund a child abuse prevention program.

The governor appoints seven members who will demonstrate knowledge in the area of child abuse and represent the demographic and geographic composition of the state, local government, parents, racial and ethnic minority communities, religious community, professionals and volunteers. The commissioners of human services, health, education and corrections each appoint one member. The legislature appoints two senators and two representatives, each with one member from both caucuses.

Minnesota Sentencing Guidelines Commission

Notice of Public Hearing to Consider Modifications to the Sentencing Guidelines

The Minnesota Sentencing Guidelines Commission will hold a public hearing on Thursday, December 8, 1988, at 5:30 p.m. in Hearing Room 10, Ground Floor, State Office Building, 100 Constitution Ave., St. Paul, Minnesota. The public hearing is for the Commission to consider public comment regarding the recommendations set forth in the preliminary report of the Attorney General's Task Force on the Prevention of Sexual Violence Against Women. The recommendations of the report are as follows:

- 1) Increase presumptive sentences for severity level VII criminal sexual conduct perpetrated with force or coercion.
- 2) Increase presumptive sentences for severity level VIII criminal sexual conduct perpetrated with force or coercion. Create another severity level between the present severity level VIII and IX to permit this change.
- 3) Classify criminal sexual conduct in the second degree, which does not involve penetration, but involves personal injury, a weapon or fear of great bodily harm, as a severity level VIII offense.
- 4) Increase presumptive sentence for fourth degree criminal sexual conduct perpetrated with force or coercion.
- 5) Give prior crimes against the person additional weight in calculating criminal history under the sentencing guidelines.
- 6) Modify sentencing guidelines rules to permit judges to impose sentences above the guideline sentence (aggravated durational departure) if the current and prior offenses are sexual assaults or other crimes against the person, without the need to prove an additional "injury" to the person.
- 7) Remove the limit on the number of criminal history points which can be accumulated under the sentencing guidelines for felony level juvenile offenses committed above age 15.

The Legislature has directed the Commission to study the three issues listed below and report back to the legislature by February 1, 1989. The public hearing will also be for the Commission to consider public comment regarding the following issues:

- 1) Should criteria and procedures be developed to limit the length of aggravated durational departures from presumptive sentences.
- 2) Whether improved criteria and procedures can be developed to minimize or eliminate the use of social and economic factors as the basis for dispositional departures from presumptive sentences.
- 3) Whether and to what extent guidelines should be developed to govern the type and severity of nonimprisonment sanctions imposed by sentencing judges as conditions of stayed sentences.

The Commission will be meeting on November 17, 1988 to develop specific proposals regarding the above issues. The effect of the proposals may be to increase sentences for certain serious offenders by increasing the presumptive sentence, increasing the severity level for certain sex offenses, modifying the criminal history score to give more weight to prior serious offenses and prior

Official Notices

juvenile offenses, and expenses, and expanding the nonexclusive list of aggravating factors. The effect of the proposals may also be to decrease sentences for certain nonviolent offenders by modifying the criminal history score to give less weight to prior low severity offenses and prior misdemeanors and expansion of the nonexclusive list of mitigating factors. The effect of the proposals may also be to limit the length of an aggravated durational departure from the presumptive sentence for certain aggravating factors.

Copies of the proposed modifications that include proposed modifications to the Commentary will be available after November 17, free of charge, by contacting the Minnesota Sentencing Guidelines Commission at 51 State Office Building, St. Paul, MN 55155, or by calling (612) 296-0144.

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

The Commission will hold the record open for five days after the public hearing to accept additional written comment on the proposed modifications. On December 15, 1988, 6:30 p.m., the Commission will meet at the Holiday Inn—Capitol, 161 St. Anthony, St. Paul, Minnesota to formally adopt or reject the proposed modifications. If adopted, the modifications as indicated will be reported to the 1989 Legislature. Absent legislative action to the contrary, the adopted modifications will become effective August 1, 1989. Those adopted modifications that do not require legislative review will go into effect on December 16, 1988.

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: Apple hardware and software—Addendum No. 1
Contact: Donald Olson
Bid due date at 2pm: November 10, 1988
Agency: Various
Deliver to: Various
Requisition #: Price Contract—Rebid

Commodity: Rotary two stage snow plow attachments Mn/DOT
Contact: Mary Jo Bruski
Bid due date at 2pm: November 10, 1988
Agency: DOT
Deliver to: Oakdale
Requisition #: 79382 01517 1

Commodity: Calcium chloride—Price Contract
Contact: J. Johnson
Bid due date at 2pm: November 10, 1988
Agency: Minnesota Department of Transportation
Deliver to: Various
Requisition #: Price Contract

Commodity: Microwave equipment
Contact: Joe Gibbs
Bid due date at 2pm: November 10, 1988
Agency: Pubic Safety
Deliver to: Detroit Lakes, MN
Requisition #: 07500 51661

Commodity: Medium voltage switchgear
Contact: Pamela Anderson
Bid due date at 2pm: November 10, 1988
Agency: Plant Management
Deliver to: St. Paul, MN
Requisition #: 02307 91307 2

Commodity: Ergonomic office chairs
Contact: Linda Parkos
Bid due date at 2pm: November 10, 1988
Agency: Department of Jobs and Training
Deliver to: St. Paul, MN
Requisition #: 21200 19602

State Contracts and Advertised Bids

Commodity: Lease of A.B. Dick K627A or Xerox 1065
Contact: Teresa Ryan
Bid due date at 2pm: November 10, 1988
Agency: Jobs and Training
Deliver to: St. Paul, MN
Requisition #: 21200 19653

Commodity: Truck mounted soils-drilling machine—Rebid
Contact: MJB
Agency: Transportation—Central Shop
Deliver to: St. Paul
Requisition #: 79382 01526

Commodity: 1989 Chev. Conv. Van.
Contact: BT
Agency: Public Safety/Crime Bureau
Deliver to: St. Paul
Requisition #: 07300 52628

Commodity: Joint sealer
Contact: Pam A.
Agency: Transportation
Deliver to: Golden Valley
Requisition #: 79500 03183

Commodity: Panasonic installation—service contract
Contact: Donald Olson
Bid due date at 2pm: November 15
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Portland cement—various
Contact: Joan Breisler
Bid due date at 2pm: November 15
Agency: Various DOT
Deliver to: Various
Requisition #: Various

Commodity: Blasting sand
Contact: Joan Breisler
Bid due date at 2pm: November 15
Agency: Various DOT
Deliver to: Various
Requisition #: Various

Commodity: Aggregates
Contact: Joan Breisler
Bid due date at 2pm: November 15
Agency: Various DOT
Deliver to: Various
Requisition #: Various

Commodity: Ready mix concrete
Contact: Joan Breisler
Bid due date at 2pm: November 15
Agency: Various DOT
Deliver to: Various
Requisition #: Various

Commodity: Washed sand
Contact: Joan Breisler
Bid due date at 2pm: November 15
Agency: Various DOT
Deliver to: Various
Requisition #: Various

Commodity: Limestone dust
Contact: Joan Breisler
Bid due date at 2pm: November 15
Agency: Various DOT
Deliver to: Various
Requisition #: Various

Commodity: Voltage monitor
Contact: Pam Anderson
Bid due date at 2pm: November 10
Agency: Mn/DOT Electrical Services
Deliver to: St. Paul, MN
Requisition #: 79050234271

Commodity: Aeration pumps—DNR
Contact: Mary Jo Bruski
Bid due date at 2pm: November 16
Agency: Natural Resources
Deliver to: Various
Requisition #: 29 000

Commodity: Vending machines
Contact: Joan Breisler
Bid due date at 2pm: November 16
Agency: Jobs & Training
Deliver to: St. Paul
Requisition #: Price Contract

Contract Awards—Materials Management Division

Item: Theater supplies, curtains, etc.
Req.#: 26073 20740 01
Awarded to: Norcostco, Minneapolis, MN
Awarded amount: \$10,393.47
Awarded date: October 26, 1988
Expir/deliv date: December 30, 1988
Shipped to: St. Cloud State University

Item: Furniture, modular office system
Req.#: 67130 10216 01
Awarded to: Herman Miller and, Minneapolis, MN
Awarded amount: \$14,539.20
Awarded date: October 26, 1988
Expir/deliv date: December 1, 1988
Shipped to: Department of Revenue

Item: Furniture, modular office system
Req.#: 67130 10218 01
Awarded to: Herman Miller and, Minneapolis, MN
Awarded amount: \$82,319.51
Awarded date: October 26, 1988
Expir/deliv date: December 1, 1988
Shipped to: Department of Revenue

State Contracts and Advertised Bids

Item: Traffic and transit signal system
Req.#: 79050 23429 01
Awarded to: Act. Elec. Inc., Eden
Prairie, MN
Awarded amount: \$27,500.00
Awarded date: October 26, 1988
Expir/deliv date: December 30, 1988
Shipped to: Mn/DOT, Electrical
Services

Item: Electronic component, parts and
accessories
Req.#: 79050 23428 10
Awarded to: Riddle Control Products,
Minnetonka, MN
Awarded amount: \$40,808.80
Awarded date: October 26, 1988
Expir/deliv date: December 1, 1988
Shipped to: Mn/DOT, Electrical
Services

Item: Auto HD truck and van
Req.#: 07300 52564 01
Awarded to: Harold Chevrolet
Company, Bloomington, MN
Awarded amount: \$17,465.00
Awarded date: October 27, 1988
Expir/deliv date: November 4, 1988
Shipped to: Department of Public Safety

Item: Stationary and record forms
Req.#: 24000 91541 01
Awarded to: Anchor Paper Company, St.
Paul, MN
Awarded amount: \$94,050.00
Awarded date: October 27, 1988
Expir/deliv date: November 7, 1988
Shipped to: Minnesota Department of
Employee Relations

Item: Computer equipment
Req.#: 26071 18357 01
Awarded to: Unisys, St. Paul, MN
Awarded amount: \$16,370.00
Awarded date: October 27, 1988
Expir/deliv date: November 30, 1988
Shipped to: Mankato State University

Item: Laboratory supplies
Req.#: 26074 12314 01
Awarded to: VWR Scientific, Chicago,
IL
Awarded amount: \$11,340.00
Awarded date: October 27, 1988
Expir/deliv date: December 31, 1999
Shipped to: Winona State University

Item: Mail room furniture and
equipment
Req.#: 27157 48035 01
Awarded to: Pitney Bowes,
Minneapolis, MN
Awarded amount: \$11,733.00
Awarded date: October 27, 1988
Expir/deliv date: November 23, 1988
Shipped to: Inver Hills Community
College

Item: Computer software purchase (non-
PC)
Req.#: 79000 92258 01
Awarded to: Info Tech, Gainesville, FL
Awarded amount: \$14,350.00
Awarded date: October 27, 1988
Expir/deliv date: December 15, 1988
Shipped to: Minnesota Department of
Transportation

Item: Telephone and telegraph
equipment
Req.#: 79000 92037 01
Awarded to: Dalke Engineering Group,
Bellevue, WA
Awarded amount: \$30,450.00
Awarded date: October 27, 1988
Expir/deliv date: December 1, 1988
Shipped to: Various Locations

Item: Surveying equipment
Req.#: 79000 92189 02
Awarded to: Xerox Corporation, Edina,
MN
Awarded amount: \$47,520.00
Awarded date: October 27, 1988
Expir/deliv date: December 2, 1988
Shipped to: Minnesota Department of
Transportation

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: Biennial budget books,
camera ready copy, *8½" × 11", 60#
offset, 3-hole punch
Contact: Printing buyer's office
Bids are due: November 15
Agency: Finance
Deliver to: St. Paul
Requisition #: 2770

Commodity: Environmental Resources
Dev. brochures, 8½" × 11", 8 pp plus
cover, 4 color, 10,000
Contact: Printing buyer's office
Bids are due: November 15
Agency: DTED
Deliver to: St. Paul
Requisition #: 2777

Contract Awards—Printing & Mailing Services

Item: Passenger prebill insert
Req.#: 1592
Awarded to: Printing Resources,
Shoreview
Amount: \$7,665.00
Date: October 27
Deliver to: St. Paul
Delivery date: January 15, 1989

Item: Miscellaneous prebill
Req.#: 1593
Awarded to: Printing Resources
Amount: \$1,590.00
Date: October 26
Deliver to: St. Paul
Delivery date: November 18, 1988

Item: Printing and mailing withholding
coupon books
Req.#: 1758
Awarded to: COMDATA Inc.
Amount: \$113,925.00
Date: October 25
Deliver to: St. Paul
Delivery date: As Requested

Item: Explore Minnesota winter poster
Req.#: 1830
Awarded to: Bolger Publications
Amount: \$6,312.00
Date: October 26
Deliver to: St. Paul
Delivery date: November 1, 1988

Item: W-2P envelope
Req.#: 1860
Awarded to: JC Pihaly
Amount: \$53.95
Date: October 27
Deliver to: St. Paul
Delivery date: December 1, 1988

Item: Preprinted envelopes
Req.#: 1869
Awarded to: Heinrich Envelope
Corporation
Amount: \$4,631.25
Date: October 26
Deliver to: St. Paul
Delivery date: December 27, 1988

Item: Prior authorization forms
Req.#: 1897
Awarded to: Custom Business Forms
Amount: \$3,599.20
Date: October 24
Deliver to: St. Paul
Delivery date: As Requested

Item: Whitewater Wildlife Management
area map
Req.#: 2097
Awarded to: Twin City Litho
Amount: \$1,487.00
Date: October 27
Deliver to: St. Paul and Altura
Delivery date: November 4, 1988

Item: Directory of Chemical
Dependency programs in Minnesota
Req.#: 2123 & 24
Awarded to: Continental Loose Leaf
Amount: \$1,110.00
Date: October 27
Deliver to: St. Paul
Delivery date: November 1, 1988

Item: "Save Face" motorcycle brochure
Req.#: 2384
Awarded to: Printing Solutions
Amount: \$1,966.50
Date: October 27
Deliver to: St. Paul
Delivery date: January 15, 1989

Item: Declaration forms
Req.#: 2527
Awarded to: Royal Business Forms
Amount: \$6,521.20
Date: October 27
Deliver to: St. Paul
Delivery date: December 1, 1988

Item: Sales and use tax liability form
Req.#: 2528
Awarded to: Custom Business Forms
Amount: \$301.80
Date: October 27
Deliver to: St. Paul
Delivery date: December 2, 1988

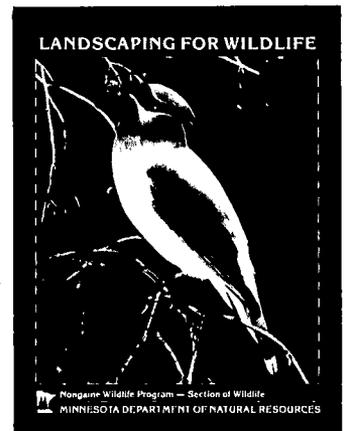
Welcome wildlife to your property

Landscaping for Wildlife. Attract wildlife to your land and gardens, farms and woodlots by spreading nature's welcome mat. Songbirds, butterflies, hummingbirds, pheasants, deer and other wildlife are drawn through these gardening tips and landscaping techniques that add natural beauty to your property and habitat for wildlife. Over 70 color photos and 144 pages give you simple, enjoyable, and inexpensive methods for adding the right touches for a "wildlife party" on your grounds, whether urban or rural. Stock #9-15, \$6.95 plus tax.

Woodworking for Wildlife. Songbirds, owls, ducks, geese, loons and other wildlife will show appreciation for your skills by adding a "wild" dimension to your property. Carefully illustrated with a variety of game bird and mammal box designs, this booklet provides important tips on the placement of nest in proper habitat areas and maintenance requirements. Construction diagrams included. 47 pp. Stock #9-14, \$3.95 plus tax.

Wildlife Set. Order both books above as a set and save 10%. Stock #9-20, \$9.95 plus tax.

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



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

State Contracts and Advertised Bids

Department of Public Service

Public Notice for Prequalifications for the Design, Installation and Maintenance of Computer Networking System

Notice is hereby given that the Minnesota Department of Public Service (DPS) is soliciting prequalification information for the design, installation and ongoing maintenance of a combined IBM™, IBM compatible, Apple Macintosh™ computer network, and application software.

The prequalification information should include extensive experience and training in the design, installation and maintenance of combined IBM™, IBM compatible, Apple Macintosh™ computer networks, and application software. The qualified applicant will have designed and installed several of these combined networks; will be thoroughly familiar with the technical capabilities, limitations, and operation of these computers and software. In addition, the applicant must be knowledgeable about the most current compatible computer network systems; and will have received formal training in the installation, operation, and maintenance of this equipment.

The DPS has approximately 32 IBM and compatible computers with laser printers, 24 Apple Macintosh computers with 4 Laserwriter™ printers, and related application software. The DPS would like to network all hardware and software for each for file, data, information exchange, and printing. The majority of the computers are situated in the same building but are on different floors. One computer is in a separate building approximately 10 miles from the DPS central offices. The DPS also is interested in linking its network with other State agencies.

Please submit letters with the requested prequalification information by November 30, 1988 to James T. Jarvis, Assistant Commissioner, Minnesota Department of Public Service, 150 E. Kellogg Blvd., Room 790, St. Paul, MN 55101. Inquiries regarding the solicitation should be directed to Mr. Jarvis (612/296-8295).

Department of Transportation

Contract Available for a Peer Review of the Functions and Services Performed by the Employee and Information Services Division.

The Minnesota Department of Transportation is requesting proposals for a peer review, i.e., an overview, of the functions and services performed by its Employee and Information Services Division. The review will compare the functions and services performed with those normally performed by personnel departments, both public and private. A final report will be required that:

1. discusses those comparisons, and
2. clearly addresses the department's compliance with, effectiveness in administering, and innovation under Minnesota and federal law and rules, and
3. evaluates and makes recommendations concerning the functions and services performed.

The Minnesota Department of Transportation estimates that the cost of this project need not approach but shall not exceed nineteen thousand dollars (\$19,000.00) including travel and subsistence. It is anticipated that the contract period will begin on December 15, 1988 and continue through February 28, 1989. Individuals or firms interested in this project should have broad experience in the successful operation and management of personnel departments in both the public sector and in private enterprise.

For further information, or to obtain a copy of the completed Request for Proposal, contact Douglas H. Differt, Deputy Commissioner, Minnesota Department of Transportation, Room 408 Transportation Building, St. Paul, Minnesota 55155. (Ph. 612-296-8044.)

Proposals must be received at the above address no later than November 30, 1988.

31 October 1988

Leonard W. Levine, Commissioner

State Grants

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

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

Department of Administration

Administrative Services Bureau

Grants Available for Energy Research and Technology Transfer Projects; Offer of Detailed RFP and Instructions.

The Department of Administration has been authorized by the Legislative Commission on Minnesota Resources (LCMR) to solicit applications for grants to underwrite projects that will provide restitution to citizens of the state under terms of the Stripper Well settlement of oil overcharges during the 1973-1981 price regulation period. Authority for the assignment is Laws 1988, Chapter 686, Article I, Section 37.

Approximately \$3.2 million is available for grants this fiscal year.

All projects must meet federal court and U.S. Department of Energy (DoE) requirements, as well as those of the above statute which states, in pertinent part, "... money ... (is) ... to be used for grants to local units of government, school districts, post secondary institutions, nonprofit organizations, and other individuals and business entities for research resulting in decreased dependence on fossil fuels and for technology transfer projects with the same purpose." (Emphasis added.)

No limits are imposed on grant amounts or project length. Award of grants will be based on Court, DoE and the above statutory requirements. After initial selection by a state, including review by LCMR, all projects must be approved by DoE and the Courts before they may be activated and the funds granted.

To receive a copy of the detailed Request for Proposal (RFP), and to discuss your proposal and the state and federal requirements it must meet, the following staff member should be contacted:

Mr. W. D. Donaldson, Project Manager
Administrative Services Bureau
Department of Administration
50 Sherburne Avenue
Saint Paul, MN 55155
(612) 296-0314

Applications submitted must be received at the above address by 4:30 p.m. Friday, December 9, 1988. Announcement of state award selection is expected in February, 1989, followed by federal approval in April, 1989.

Supreme Court Decisions

Decisions Filed 4 November 1988

C3-88-1399 Curtis J. Swenson v. SMA Elevator Construction, Inc. and DCA/MN Assigned Risk Plan, Relators. Workers' Compensation Court of Appeals.

The employee's award of temporary partial compensation at the temporary total rate is reversed.

Reversed. Yetka, J.

CX-87-1132, C1-87-1245, C3-87-1246 Harvey Beutz, et al. v. A. O. Smith Harvestore Products, Inc., and A. O. Smith Corporation, petitioners, Appellants, Hawke & Company Harvestore, Inc., petitioner, Appellant, Flygt Corporation, petitioner, Appellant. Court of Appeals.

The federal court dismissal of the RICO action in this case was not a final adjudication of unattached state law claims and does not bar litigation of those claims in state court on the basis of res judicata.

Affirmed and remanded. Wahl, J.

Took no part, Coyne, J.

Supreme Court Decisions

C5-88-643, C8-88-653, C6-88-716 Robert Johnson, Jr., Deceased v. City of Plainview, Minnesota, League of Minnesota Cities Insurance Trust/Employee Benefit Administration, Employer/Appellants, and Commissioner of Labor and Industry, as Administrator of Peace Officers Benefit Fund, Relator, and Ethel Hardel, spouse of Carl Hardel, Deceased v. State of Minnesota, Peace Officers Benefit Fund, Relator. Workers' Compensation Court of Appeals.

When computing a daily wage under *Minnesota Statutes* § 176.011, subd. 3 (1984), for a volunteer firefighter who receives no fixed compensation, an imputed wage may be used based on the wage paid to a full-time firefighter in a city of similar size without adding other regular employment income received by the volunteer firefighter.

A peace officer who dies from a heart attack or complications related to a heart attack, suffered while engaged in the hazards of firefighting, is "killed in the line of duty" under *Minnesota Statutes* § 352E.04 (1985), and his death is not the result of "natural causes" if firefighting efforts were a substantial contributing cause of his death.

Affirmed in part, reversed in part and remanded. Popovich, J.

C2-88-1331 In re Petition for Disciplinary Action against Patrick J. Flanery, an Attorney at law of the State of Minnesota. Supreme Court.

Attorney misconduct including neglect of client files resulting in serious consequences for several clients, failure to communicate with clients, practicing after suspension and failure to cooperate with disciplinary investigation warrants indefinite suspension from the practice of law with opportunity to petition for reinstatement after five years subject to certain conditions.

Ordered accordingly. Per Curiam.

C5-87-1989 In the Matter of the Application for the Discipline of John T. Benson, an Attorney at Law of the State of Minnesota. Supreme Court.

Disbarred. Per Curiam.

Orders

C9-88-1262 In Re Petition for Disciplinary Action against Richard A. Sand an Attorney at Law of the State of Minnesota. Supreme Court.

Suspended. Amdahl, C.J.

C4-88-2187 In Re Petition for Disciplinary Action against David A. Hart, an Attorney at Law of the State of Minnesota. Supreme Court.

Indefinitely suspended. Amdahl, C.J.

Announcements

Highway Construction: Traffic loops on I-694 at TH 65 in Fridley will be closed until the fall of 1989 due to I-694 reconstruction work. The closures affect motorists going from eastbound I-694 to northbound TH 65 and those going from southbound TH 65 to eastbound I-694.

Motorists will be able to make the turns, however, by using new bypasses and temporary traffic signals.

Reminder to Deer Hunters: Department of Natural Resources (DNR) officials are reminding hunters across the state that, with the opening of the deer firearms season Nov. 5, there are a few precautions they should take in order to make this an enjoyable season for everyone afield. Due to the changing nature of the weather at this time of year, hunters should be prepared before they venture into the field. A map, compass and basic survival skills can be your best friend. Being unprepared can lead to extreme and possibly serious problems. Hunters must wear red, blaze orange or blaze orange camouflage, since it is the law and is meant for personal safety of hunters and hunting partners. There also have been several near-tragedies in the last few years involving deer hunters and watercraft. Deer hunters who use a boat to travel to and from their hunting areas should be especially careful to avoid capsizing or falling overboard. A fall into cold water can result in hypothermia and even drowning in a matter of minutes. Hunters and all others who venture across Minnesota's waters in the fall are required by law to have a personal flotation device (PFD) readily accessible and avoid overloading their boats.

Environmental Quality Board Annual Hearing: The Minnesota Environmental Quality Board will hold the annual public hearing on the Power Plant Siting and Transmission Line Routing Program, as required by the Power Plant Siting Act, *Minnesota Statutes* § 116.58 and *Minnesota Rules*, part 4400.4301, at 9:00 a.m., Saturday November 19, 1988 in the Conference Room 302W of the Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota.

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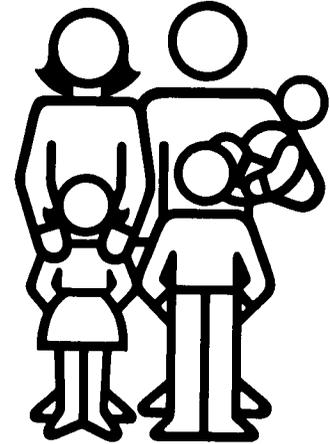
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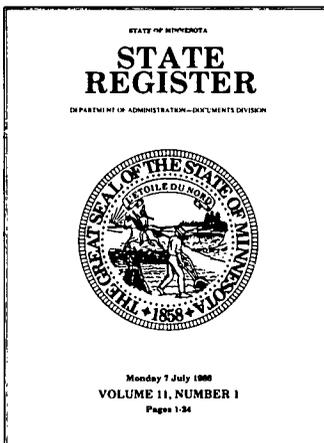
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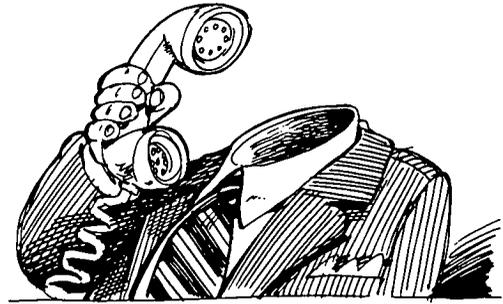
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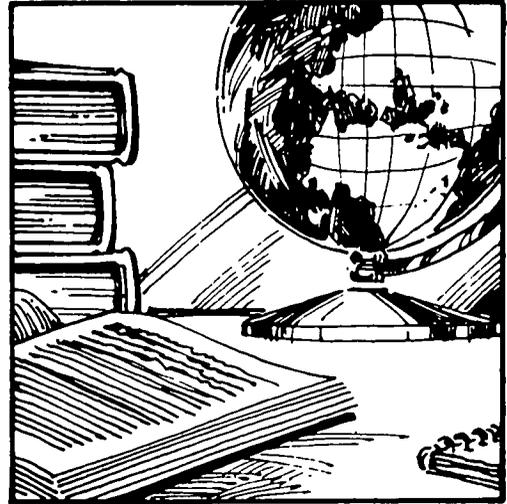
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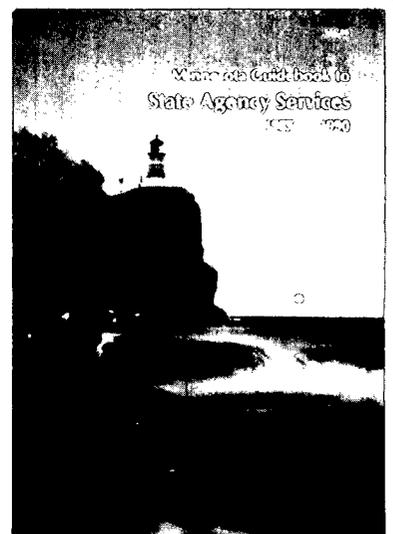
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