

# 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, contract awards, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

Vol. 13		*Submission deadline for	
Issue Number	*Submission deadline for Adopted and Proposed Rules**	Executive Orders, Contracts, and Official Notices**	Issue Date
Number	Adopted and Proposed Rules	and Official Hotices	Date
40	Monday 20 March	Monday 27 March	Monday 3 April
41	Monday 27 March	Monday 3 April	Monday 10 April
42	Monday 3 April	Monday 10 April	Monday 17 April
43	Monday 10 April	Monday 17 April	Monday 24 April

#### **Printing Schedule and Submission Deadlines**

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

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

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

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

#### **Rudy Perpich, Governor**

Sandra J. Hale, Commissioner Department of Administration

Stephen A. Ordahl, Director Print Communications Division Robin PanLener, Editor Paul Hoffman, Assistant Editor Debbie Kobold, Circulation Manager Bonita Karels, Staff Assistant

### FOR LEGISLATIVE NEWS

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

#### SENATE

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

Perspectives-Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

#### HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

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# Minnesota Rules: Amendments and Additions:

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

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

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

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

#### Issue 40 inclusive (issues #1-39 appeared in #39)

#### **Metropolitan Council**

5800.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140;

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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.

### **Metropolitan Council**

### Adopted Permanent Rules Relating to Metropolitan Significance

The rules proposed and published at *State Register*, Volume 13, Number 29, pages 1763-1774, January 16, 1989 (13 S.R. 1763) are adopted as proposed.

# **Official Notices =**

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

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

### **Board of Animal Health**

### Notice of Quarterly Board Meeting

A quarterly meeting of the Board of Animal Health has been scheduled for Friday, April 21, 1989 at 90 W. Plato Blvd, St. Paul, Minnesota in conference room D at 9:30 a.m.

Information about this meeting can be obtained by calling the Board office at 612-296-5000.

Thomas J. Hagerty, DVM Executive Secretary

### **Department of Commerce**

### Commissioner's List of Lines of Insurance and Insurance Coverages which are Presumed Unavailable in the Admitted Market

In the matter of Surplus Lines of Insurance—List of unavailable coverages, *Minnesota Statutes* 60A.201, subd. 4 provides that: Lists of unavailable lines of insurance; maintenance. The commissioner shall maintain on a current basis a list of those lines of insurance for which coverages are believed by the commissioner to be generally unavailable from licensed insurers. The commissioner shall republish a list and make available to all licensees that list every six months. Any person may request in writing that the commissioner add or remove coverage from the current list at the next publication of the list. The commissioner's determinations of coverage to be added to or removed from the list shall not be subject to the administrative procedure act but prior to making determinations the commissioner shall provide opportunity for comments from interested parties.

The attached revised list includes amendments to Section 5B and 5C reflecting changes in insurance coverages presumed to be generally unavailable in the admitted market. Effective April 15, 1989, the listed coverages may be placed with eligible surplus lines insurers by surplus lines agents without evidence of declination by licensed insurers. It is not necessary to file affidavits regarding evidence of placement with the Department of Commerce for these coverages.

Any person requesting changes in this list at the time of the next publication may do so by submitting their recommendation and reasons for the change to: William Kyle, Commerce Department, Policy Analysis Section, 500 Metro Square Building, St. Paul, MN 55101.

Dated: 28 March 1989

Michael A. Hatch Commissioner of Commerce

### As Amended March 15, 1989

#### 1. Accident and Health-Individual and Group

- A. Not Covered in Standard Contracts
  - 1. Cosmetic
  - 2. Custodial care
  - 3. Excess over scheduled or usual, customary and reasonable charges
  - 4. War risk

KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.

### Official Notices =

### 2. Automobile physical damage including Comprehensive Collision and Combined Additional Coverages

- A. Commercial and Personal
  - 1. Not eligible under the Minnesota Automobile Insurance Plan
  - 2. Auto renters conversion
  - 3. Logging trucks
  - 4. Long-haul trucks
  - 5. Taxi-cabs

#### 3. Aviation and Aircraft

- A. All Perils
  - 1. Air Cargo
    - a. Hazardous
  - b. Slung
  - 2. Antique
  - 3. Applicators, including crop damage and chemical drift
  - 4. Charters
  - 5. Experimental
  - 6. Fixed base operations
  - 7. Flight training
  - 8. Gliders
  - 9. Helicopters
  - 10. Hot air balloons
  - 11. Parachute clubs and skydiving
  - 12. Racing
  - 13. Skyjack
- **B.** Excess Passenger
- C. Comprehensive P. D.-Hull

### 4. Fire, Extended Coverages or Allied Lines and other Property Perils

- A. Difference in Conditions
- B. Personal and Commercial Properties of the type normally insurable in the Fair Plan, but ineligible because of vacancy, occupancy, physical condition, etc.
- C. Water Damage (not available from Federal Flood Insurance Program)

#### 5. Liability

- A. Automobile
  - 1. Assigned risk (excess over Minnesota Automobile Insurance Plan)
  - 2. Auto racing
  - 3. Charter bus services (excess over Minnesota Automobile Insurance Plan)
  - 4. Taxi-cabs (excess only)
- B. General/Excess
  - 1. Alarm companies
  - 2. Ambulance service
  - 3. Amusement devices
  - 4. Amusement parks

### **Official Notices**

- 5. Anhydrous ammonia dealers/haulers
- 6. Animal rides
- 7. Animal racing
- 8. Asbestos abatement contractors
- 9. Broad form property damage
- 10. Buffer layer umbrella
- 11. Canoe outfitters
- 12. Carnivals and circuses
- 13. Citizen participation groups
- 14. Commercial Aviation
- 15. Community development corporations
- 16. Company reimbursements
- 17. County park districts
- 18. Crane operators
- 19. Day care providers
- 20. Developmental achievement centers
- 21. Drag strip
- 22. Environmental impairment (pollution)
- 23. False arrest (municipal or other public body)
- 24. Foster parents and foster homes (including adult foster care)
- 25. Go-karts/midgets-spectators
- 26. Ground applicators-chemical drift
- 27. Group homes
- 28. Ladder equipment testing services
- 29. Logging operations
- 30. Mechanical Contractors
- 31. Monorails
- 32. Non-profit agencies
- 33. Oil and gas exposures (excluding filling station, garages, and bulk dealers)
- 34. Outfitters and guides
- 35. Private security firms
- 36. Publishers (excessposures) (excluding filling station, garages, and bulk dealers)
- 37. Outfitters and guides
- 38. Private security firms
- 39. Publishers (excess)
- 40. Railroad protective coverage
- 41. Rafting
- 42. Resorts
- 43. Riding stables
- 44. Security guard services
- 45. Sheltered workshops
- 46. Ski-lifts and tows

### Official Notices =

- 47. Slides (giant, super, mountain or water)
- 48. Snowmobile dealers Tanning Salons
- 49. Workers' compensation (excess only which is not available from Workers' Compensation Reinsurance Association)
- C. Professional Liability and Malpractice (including Errors and Omissions; Directors and Officers)
  - 1. Architects and Engineers
  - 2. Associations
  - 3. Building Inspectors
  - 4. Certified Public Accountants
  - 5. Chiropodists
  - 6. Clinical Laboratories
  - 7. Electronic Data Processors
  - 8. Engineers
  - 9. Hydrogeologists
  - 10. Industrial safety and health consultants
  - 11. Insurance Companies/Agents
  - 12. Investment Advisors
  - 13. Lawyers
  - 14. Maternal and child health care coordinator
  - 15. Mutual Funds
  - 16. Paid guardian programs
  - 17. Physicians and surgeons
  - 18. Public health professionals
  - 19. Public Officials
  - 20. Real Estate Syndicates
  - 21. Registered Representatives
  - 22. Sewer Districts
  - 23. Stockbrokers
  - 24. Surveyors
  - 25. System analysis/software design and program services
  - 26. Unauthorized Computer Access
- D. Products
  - 1. Recall
  - 2. Warrantee

### 6. Marine and Transportation—All Risk

- A. Inland Floater
  - 1. Contact lenses
  - 2. Contractors equipment
  - 3. Control of Well
  - 4. Grain Contamination
  - 5. Grain Title
  - 6. Tank Leakage

### : Official Notices

- 7. Weather Coverages
- B. Ocean Marine
  - 1. Bumbershoots Liability
  - 2. Charterers Liability
  - 3. Cargo
  - 4. Hull
  - 5. Protection and Indemnity
  - 6. Ship Repairers Liability
  - 7. USL & H Liability
  - 8. Wharfingers Liability
- C. Railroad
  - 1. Cargo
- D. Truck
  - 1. Long haul
  - 2. Hazardous cargo

### 7. Miscellaneous/Specialty Lines

- A. Bank-Mortgages All Risk
- B. Bonds-Grain storage/buyers
- C. Crime
  - 1. Extortion
  - 2. Kidnap
  - 3. Ransom
- D. Mortality (Animal)
  - 1. Livestock
  - 2. Pets
  - 3. Poultry
- E. Short Term Specific Events/Happenings
- F. Twin-birth Insurance
- G. Retroactive
- H. Retro Penalty Insurance
- I. DRG Stop Loss

### **Minnesota Comprehensive Health Association**

# Notice of Meetings of the Association's Finance Committee, Board of Directors, and Underwriting Committee

### **Finance Committee Meeting**

NOTICE IS HEREBY GIVEN that a meeting of the Finance Committee of the Minnesota Comprehensive Health Association will be held at 1:30 p.m. on Tuesday, April 4, 1989, at North American Life & Casualty, 1750 Hennepin Avenue, Minneapolis, Minnesota. For additional information, please call (612) 456-8466.

### **Official Notices**

#### **Board of Directors Meeting**

NOTICE IS HEREBY GIVEN that a meeting of the Board of Directors of the Minnesota Comprehensive Health Association will be held at 9:00 a.m. on Tuesday, April 11, 1989, at the law offices of Moss & Barnett, 4800 Norwest Center, 90 South Seventh Street, Minneapolis, Minnesota. For additional information, please call (612) 456-8466.

#### **Underwriting Committee Meeting**

NOTICE IS HEREBY GIVEN that a meeting of the Underwriting Committee of the Minnesota Comprehensive Health Association will be held at 2:00 p.m. on Wednesday, April 5, 1989, at Blue Cross and Blue Shield of Minnesota, 3535 Blue Cross Road, Eagan, Minnesota. For additional information, please call (612) 456-8466.

### **Department of Finance**

### Maximum Interest Rate for Municipal Obligations in April

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 April, 1989 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.

Dated: 22 March 1989

Peter Sausen Assistant Commissioner Cash & Debt Management

### **Metropolitan Council**

### Notice of Public Hearing Regarding Acquisition of Land Through Eminent Domain for Lake Minnetonka Regional Park by Suburban Hennepin Regional Park District

The Metropolitan Council has set a public hearing for May 9, 1989, at 7:30 p.m. in the Minnetonka City Council Chambers, 14600 Minnetonka Boulevard, Minnetonka, to consider whether acquisition of parcels of land in the city of Minnetrista for a proposed Lake Minnetonka Regional Park should proceed through the eminent domain process. Suburban Hennepin Regional Park District requested that the Council set the hearing pursuant to *Minnesota Laws of 1988*, Chap. 686, Sec. 26.

To register to speak, call the Council's community outreach secretary at 291-6500. For further information, call the Council's Park Planner Jack Mauritz at 291-6602. To request copies of the document, call 291-8140.

### Office of the Secretary of State

### Notice of Vacancies in Multi-Member 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 from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul, MN 55155-1299; (612) 296-2805, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. The application deadline is April 25, 1989.

#### **MISSISSIPPI NATIONAL RIVER & RECREATIONAL AREA COORDINATING COMMISSION**

Governor's Office, Open Appointments Director, 130 State Capitol, St. Paul 55155. 612-296-3391

Public Law 100-696, Title VII.

APPOINTING AUTHORITY: Governor. COMPENSATION: None. VACANCY: 12 members—see description of new agency.

The commission assists federal, state, local authorities in development and implementation of integrated resource management plan for the lands and waters of the state designated Mississippi critical area from the Crow River to the St. Croix River along the



STATE REGISTER, Monday 3 April 1989

### **Official Notices**

Mississippi. 22 members, 12 members appointed by the governor to include: 1 representative each from the Department of Natural Resources, Department of Transportation, and the Environmental Quality Board; 4 elected officials to represent counties and municipalities other than Minneapolis and St. Paul; 1 representative of commercial navigation interests; and 4 members from the general public. Meeting schedule and location not determined.

#### BOARD OF THE MINNESOTA SCHOOL AND RESOURCE CENTER FOR THE ARTS

17 W. Exchange, Suite 400, St. Paul 55102. 612-296-1302 *Minnesota Statutes* 129C.10. APPOINTING AUTHORITY: Governor. Senate confirmation. COMPENSATION: \$35 per diem plus expenses. VACANCY: 3 at-large members.

The board shall have the powers necessary for the care, management, and control of the Minnesota school and resource center for the arts. Fifteen members, include at least one member from each congressional district. A member may not serve more than two consecutive terms.

### COSMETOLOGY ADVISORY COUNCIL

Dept. of Commerce, 500 Metro Square Bldg., St. Paul 55101. 612-297-3562 *Minnesota Statutes* 155A.06 APPOINTING AUTHORITY: Commissioner of Commerce. COMPENSATION: Reimbursed for expenses. VACANCY: 1 cosmetology products manufacturers representative.

The council advises the commissioner of commerce on matters relating to cosmetology services and on licensing procedures for cosmetologists. Eleven members include three consumer representatives, four cosmetology or shop managers, one representative of manufacturers of cosmetology products and three cosmetology school representatives, at least one will represent the public and one will represent private cosmetology schools. Meetings at least once a year.

### AMERICAN INDIAN ADVISORY TASK FORCE ON INDIAN CHILD WELFARE

Dept. of Human Services, 444 Lafayette Rd., 3rd floor, St. Paul 55155-3832. 612-297-2710 *Minnesota Statutes* 257.3579 APPOINTING AUTHORITY: Commissioner of Human Services. COMPENSATION: Limited expenses. VACANCY: 1 position from the Minneapolis Indian community.

The task force assists the commissioner in formulating policies and procedures relating to Indian child welfare services and to make the recommendations regarding approval of Indian child welfare grants. Six representatives from the urban Indian communities include one member from Duluth, two members from St. Paul and three members from Mpls. Approximately six to eight meetings per year held in various statewide locations.

#### HIGHER EDUCATION COORDINATING BOARD

400 Capitol Square Bldg., St. Paul 55101. 612-296-3974 *Minnesota Statutes* 136A.02. APPOINTING AUTHORITY: Governor. Senate confirmation. COMPENSATION: \$35 per diem. VACANCY: 1 public member to be a resident of 4th Congressional District.

The board analyzes and develops plans to meet present and long range higher education needs. The council consists of eleven members appointed by the governor including one member from each congressional district, two at-large members, and one student member. At least one member shall be selected for knowledge and interest in vocational education. The student advisory council may recommend candidates to the governor for the student member position. Monthly meetings in the Capitol area and occasionally out-state. Members must file with the Ethical Practices Board.

#### ENVIRONMENTAL EDUCATION BOARD

Box 5, Lafayette Rd., St. Paul, 55155. 612-296-2368 *Minnesota Statutes* 116E.02. APPOINTING AUTHORITY: Commissioners, Natural Resources/Education. COMPENSATION: Reimbursed for expenses. VACANCY: 1 member.

The board develops and implements environmental education programs and activities through thirteen regional environmental education councils. Members include thirteen representatives elected by the regional councils and three members each appointed by the commissioners of natural resources and education. Quarterly meetings.

### Official Notices **Z**

#### MN RACING COMMISSION

11000 W. 78th St., Suite 201, Eden Prairie 55344. 612-341-7555 *Minnesota Statutes* 240.02. APPOINTING AUTHORITY: Governor. Senate confirmation. COMPENSATION: \$35 per diem. VACANCY: 3 members.

The commission licenses persons to operate racetracks, conduct horse racing, conduct pari-mutuel wagering on horse racing, enforces and collects all applicable taxes and license fees, and establishes a Minnesota breeder's fund. Prescribed qualifications include Minnesota resident for five years before appointment, no more than five members of the same political party, appointees must file a bond of \$100,000. Terms are staggered. Members must file with the Ethical Practices Board.

#### SPECIAL EDUCATION ADVISORY COUNCIL

800 Capitol Square Bldg., St. Paul 55101. 612-297-4682

Public Law 94-142.

APPOINTING AUTHORITY: Board of Education. COMPENSATION: Reimbursed for expenses.

VACANCY: 5 members, to ensure appropriate representation, special consideration will be given to parents and parent advocates, special education administrators, regular education teachers and administrators, and persons representing the above groups residing in Congressional Districts 2, 3, 4, and 6.

The council assists the state in developing plans and practices that will help assure effective and efficient implementation of special education programs for handicapped students in local school districts. The fifteen member council represents individuals involved in or concerned with the education of handicapped children, including handicapped persons, teachers, parents of handicapped children, state and local education officials and school administrators and residents of congressional districts. The council meets five times from September through June each year.

### **Emergency Response Commission**

### Announcement of Vacancies on Local Emergency Planning Committees

NOTICE IS HEREBY GIVEN that the Commission is seeking applicants representing elected officials, emergency responders, business and industry, community groups, and broadcast and print media for appointment to Local Emergency Planning Committees.

As required by the federal "Emergency Planning and Community Right-to-Know Act (Title III)," the Commission has established seven Local Emergency Planning Committees within the State of Minnesota. These committees review emergency plans for hazardous materials prepared by counties and muncipalities within each of their districts. Committees must also process requests from the public for Title III information. Application forms are available from the following:

Minnesota Emergency Response Commission Room B-5 State Capitol St. Paul, MN 55155 (612) 296-0488

Applications to fill vacancies on Local Emergency Planning Committees which occur each July should be submitted to the Minnesota Emergency Response Commission by May 15. Applications received after that date will be kept to fill future vacancies on the committees.

### **State Board of Vocational Technical Education**

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

NOTICE IS HEREBY GIVEN that the State Board of Vocational Technical Education is seeking information or opinions from sources outside the agency in preparing to amend Chapter Thirty-Five: Rules for Licensure of Vocational Technical Education Personnel and specifically in the Emerging area, Non Traditional Career Development. The promulgation of these rules is authorized by *Minnesota Statutes* § 136C.04, subd. 9, and 125.185, subd. 4.

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

Ms. Glenda Moyers State Board of Vocational Technical Education 100 Capitol Square Bldg. 550 Cedar Street St. Paul, MN 55101 (612) 296-9444 Ms. Georgia Pomroy State Board of Vocational Technical Education 100 Capitol Square Bldg. 550 Cedar Street St. Paul, MN 55101 (612) 296-3929

Oral Statements will be received during regular business hours over the telephone at (612) 296-3929 or in person at the above address.

All statements of information and comments shall be accepted until 4:30 p.m., Tuesday, May 9, 1989. Any written material received by the State Board of Vocational Technical Education shall become part of the record to be submitted to the Attorney General or Administrative Law Judge in the event the rule is adopted.

Helen Henrie, Deputy Director State Board of Vocational Technical Education

# 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: Pine lumber Contact: Pam Anderson 612-296-1053 Bid due date at 2pm: April 7 Agency: Natural Resources Department Deliver to: Silver Bay Requisition #: 29002 17335

Commodity: Floor covering/remove & install Contact: Pam Anderson 612-296-1053 Bid due date at 2pm: April 7 Agency: DHS—Ah Gwah Ching Deliver to: Ah Gwah Ching Requisition #: 55510 03378 Commodity: APV repair heating supplies Contact: Mary Jo Bruski 612-296-3772 Bid due date at 2pm: April 10 Agency: Administration Department: Plant Management Deliver to: St. Paul Requisition #: 02307 91410

Commodity: Zenith computer Contact: Joan Breisler 612-296-9071 Bid due date at 2pm: April 10 Agency: Minnesota Health Department Deliver to: Minneapolis Requisition #: 12500 31054 Commodity: IBM equipment Contact: Joan Breisler 612-296-9071 Bid due date at 2pm: April 10 Agency: Community College Deliver to: Minneapolis Requisition #: 27151 50923

Commodity: Bituminous hot mix batch mixer Contact: Joseph Gibbs 612-296-3750 Bid due date at 2pm: April 10 Agency: Transportation Department Deliver to: Various Requisition #: 79000 94350

Commodity: Road tractor with enclosed cab Contact: Brenda Thielen 612-296-9075 Bid due date at 2pm: April 10 Agency: Natural Resources Department Deliver to: Brainerd Requisition #: 29000 51678

**Commodity:** Road tractor with cab **Contact:** Brenda Thielen 612-296-9075 **Bid due date at 2pm:** April 10 **Agency:** Natural Resources Department **Deliver to:** Grand Rapids **Requisition #:** 29000 51679

Commodity: Purchase of copier Contact: Teresa Ryan 612-296-7556 Bid due date at 2pm: April 10 Agency: State University Deliver to: St. Cloud Requisition #: 26073 21006

Commodity: Unisys equipment Contact: Joan Breisler 612-296-9071 Bid due date at 2pm: April 10 Agency: State University Board Deliver to: St. Paul Requisition #: 26137 04665 Commodity: Meat and meat products for the month of May Contact: Linda Parkos 612-296-3725 Bid due date at 2pm: April 12 Agency: Various Deliver to: Various Requisition #: 78620 00277

Commodity: Microfilm camera Contact: Margaret Frank (612) 296-3778 Bid due date at 2pm: April 11 Agency: Micrographic Services— Administration Department Deliver to: St. Paul Requisition #: 02443 91626

Commodity: Software—IBM 3090 Contact: Margaret Frank (612) 296-3778 Bid due date at 2pm: April 11 Agency: Jobs & Training Department Deliver to: St. Paul Requisition #: 21200 20442

Commodity: Overhaul Trane chiller Contact: Mary Jo Bruski (612) 296-3772 Bid due date at 2pm: April 11 Agency: Community College Deliver to: Coon Rapids Requisition #: 27152 46608

**Commodity:** Air compressor **Contact:** Mary Jo Bruski (612) 296-3772

Bid due date at 2pm: April 11 Agency: Administration Department— Plant Management Deliver to: St. Paul Requisition #: 02307 91413

**Commodity:** Tractors **Contact:** Mary Jo Bruski (612) 296-3772

**Bid due date at 2pm:** April 12 **Agency:** Transportation Department **Deliver to:** Golden Valley & Oakdale **Requisition #:** 79382 01592

Commodity: Tractors Contact: Mary Jo Bruski (612) 296-3772 Bid due date at 2pm: April 12 Agency: Transportation Department Deliver to: Oakdale Requisition #: 79382 01583

### **Department of Administration: Print Communications Division**

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: Requisition: Central Stores, 900 6-part sets, 9½" × 11" sheet size, continuous feed, preprinted numbering, negs available, 1-sided Contact: Printing Buyer's Office Bids are due: April 4 Agency: Minnesota Health Department Deliver to: Minneapolis Requisition #: 5818

Commodity: 1988 Minnesota motor vehicle crash facts, 2,500 books, 100-110 pages, 11" × 17" folded to 8½" × 11", camera ready, 2-sided, perfect bind
Contact: Printing Buyer's Office
Bids are due: April 4
Agency: Public Safety Department.
Deliver to: St. Paul
Requisition #: 5268 Commodity: Disbursement/payroll warrant envelope, 20M, 3<sup>3</sup>/<sub>4</sub>" × 7<sup>3</sup>/<sub>8</sub>" Contact: Printing Buyer's Office Bids are due: April 4 Agency: Public Safety Department Deliver to: St. Paul Requisition #: 5572

Commodity: Department purchase order, 5M continuous feed, 12" × 8½" incl. pin feeds, 6-part sets, negs furnished, 1-sided, preprinted numbering Contact: Printing Buyer's Office Bids are due: April 4 Agency: Minnesota Health Department Deliver to: Minneapolis Requisition #: 5819 Commodity: 1989 bear license and registration, 6,600 sheets, 8½" × 7", continuous, fan fold, type to set, 1sided Contact: Printing Buyer's Office Bids are due: April 4 Agency: DNR—License Bureau Deliver to: St. Paul Requisition #: 5716

Commodity: Rent paid affidavit, 20M 2-part continuous form, 9½"×11" overall incl ½" pinfeeds, negs available, 2-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Revenue Department Deliver to: St. Paul Requisition #: 6037

Commodity: "Start Seeing Motorcycles" bumper sticker, 10M 3<sup>1</sup>/<sub>8</sub>" × 11", camera ready, 1-sided, color key, kiss-cut Contact: Printing Buyer's Office Bids are due: April 5 Agency: Public Safety Department Deliver to: St. Paul Requisition #: 5798

Commodity: Envelopes, kraft 28#, 80M 8¾" × 11½", type to set, 2-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Revenue Department Deliver to: St. Paul Requisition #: 5835

**Commodity:** Shipping labels, 2M 2-part sets, camera ready,  $5\frac{1}{4}^{"} \times 3^{"}$ ,  $5\frac{1}{4}^{"} \times 3\frac{1}{4}^{"}$ **Contact:** Printing Buyer's Office **Bids are due:** April 5 **Agency:** Higher Education Coordinating Board **Deliver to:** St. Paul **Requisition #:** 6116

Commodity: Pesticide card, 30M 9" × 4" carrier sheet, negs furnished, 1-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Agriculture Department Deliver to: St. Paul Requisition #: 6095

Commodity: Sales and use tax permits, 50M one part continuous  $83/8'' \times 32/3''$ incl 1/2'' pinfeed, preprinted numbering, camera ready, 1-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Revenue Department Deliver to: St. Paul Requisition #: 6025 Commodity: Spawning area sign, 100 12" × 18" with die cut round corners, camera ready 2-color Contact: Printing Buyer's Office Bids are due: April 5 Agency: DNR—Southern Service Center Deliver to: St. Paul Requisition #: 6114

Commodity: Driver license renewal and voter registration card, 180M continuous 9" × 8" incl ½" pinfeeds, camera ready, 2-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Public Safety Department Deliver to: St. Paul Requisition #: 6042

Commodity: Motor vehicle sticker envelope, 300M 6<sup>1</sup>/<sub>2</sub>" × 3<sup>5</sup>/<sub>8</sub>", camera ready, 2-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Public Safety Department Deliver to: St. Paul Requisition #: 5871

Commodity: Evidence tag, 500 3-part forms, 12" × 5¾", 1-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: State Patrol Deliver to: St. Paul Requisition #: 5872

Commodity: Daanes residential treatment client follow up, 2-part set, 40M, 11¾"×17" incl. stub, negs furnished, 1-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Human Services Department Deliver to: St. Paul Requisition #: 5986 Commodity: Transfer of area office records, 3M 3-part sets, 8" × 5¾" incl stub, type to set, 1-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Jobs and Training Department Deliver to: St. Paul Requisition #: 5995

Commodity: Dummy prebill, 200M 2part sets, 5½" × 3¾", camera ready, 2sided negs available Contact: Printing Buyer's Office Bids are due: April 5 Agency: Public Safety Department Deliver to: St. Paul Requisition #: 5963

Commodity: Gambling license renewal application, 3,500 3-part continuous form,  $8\frac{1}{2}$ " × 11" with 3/8 tearstrip each side, type to set, 1-sided Contact: Printing Buyer's Office Bids are due: April 5 Agency: Revenue Department Deliver to: St. Paul Requisition #: 6106

Commodity: "Sights & Sounds" book, 32 pp + cover, 150 copies 81/2" × 11", type to set, saddle stitch Contact: Printing Buyer's Office Bids are due: April 7 Agency: Academy for the Blind Deliver to: Faribault Requisition #: 6057

Commodity: Employers Quarterly Unemployment Tax Report (Mailer), 180-185M 7-part sets,  $8\frac{1}{2}^{"} \times 10^{"}$  incl. stub, 2-sided, negs available, saddle stitch Contact: Printing Buyer's Office

Bids are due: April 12 Agency: Jobs & Training Department Deliver to: St. Paul Requisition #: 5564

More commodity and printing contracts appear in the STATE REGISTER Contracts Supplement published every Thursday. The Contracts Supplement is the only source of information about contract awards, covering commodities, printing jobs, and professional, technical and consulting contracts. For more information on subscribing, call (612) 296-4273 or (612) 297-3000.

### **Community College System**

### Request for Proposals for a Minnesota Community College System Evaluation Component of Student Assessment and Placement Program

#### A. Scope of Project

The purpose of this project is to assist the Minnesota Community College System with the establishment of placement cut scores and the evaluation of those cut scores for appropriate course recommendations for students. It anticipates that by Fall 1990, the 18 community colleges will implement a common assessment test, establish course placement recommendations based on student performance on those tests, and evaluate the appropriateness of the recommendations by considering student progress at midquarter and student success at the end of quarters.

#### **B.** Goals and Objectives

1. By Fall 1990, all campuses will have established a placement scheme in reading, writing, and mathematics using the MCCS recommended test.

2. All campuses will have in place criteria for evaluating those course placement recommendations which will include but not be limited to a midquarter and final quarter grade.

3. All campuses will have in place a procedure for collecting data which will include but not be limited to a midquarter or final quarter grade in reading, writing, and mathematics courses.

4. All campuses will have mechanisms in place for disseminating the information to reading, writing, and mathematics faculty, assessment coordinators, and appropriate administrators; and for making recommendations regarding revisions to the course placement scheme.

5. A plan for staff development workshops will be implemented which will aim at assisting local campuses to achieve the aforementioned goals.

6. The Community College system will receive a report which will summarize test score distributions in reading, writing, and mathematics by college and by System.

#### C. Project Tasks

The vendor selected for this project will:

1. Consult with and provide statistical analysis services to six campuses per quarter (Fall 1989, Winter 1990, Spring 1990).

- a. Assist each campus with the establishment of initial placement cut scores in reading, writing, and mathematics, using
  - 1) DTLS and DTMS national norms (or MAA national norms);
  - 2) Minnesota Community College system pilot study data;
  - 3) Test distribution data from previous assessment tests on each campus.

### Looking at Market Expansion?

A Basic Guide to Exporting. Step-by-step look at developing a profitable international trade, this book reveals export strategy and advice, market research, channels of distribution, making contacts, selling overseas, pricing and terms, financing the sale, export regulations, customs benefits, tax incentives, shipping and documentation, after sales service, and getting paid. Includes 10 appendices and an index. 148pp. Stock #16-69. \$8.50 + tax.

*Minnesota: State Statistical and Economic Abstract.* This helpful fact book by the U.S. Dept. of Commerce catalogs statistical data on population and households, labor market and human resources, economic overview, construction, manufacturing, international trade, personal income, government, high technology, state rankings in the U.S., telecommunication, information resources, travel and tourism, climate overview and geodetic service. 119pp. Stock #16-8. \$12.00 + 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 as is, reduced, enlarged, or redesigned to suit your format. Thank you,

b. Merge assessment scores from the CAPP Assessment and Placement Program software, grades from the MCCS mainframe computer, and midquarter grades from a designated database.

c. Analyze data which would evaluate at the designated confidence level the appropriateness of placement cut scores in reading, writing, and mathematics; the data will include (but not be limited to) a midquarter grade or a final quarter grade. (Midquarter reading, writing, and mathematics grades will be entered into a database.)

2. Prepare brief campus-based summary reports that would be understandable and useful to staff in the content areas of reading, writing, and mathematics.

3. Merge local campus assessment data and prepare reports for the System Office and local campuses on distribution of scores (by college and by System) in each area tested.

4. Assist with staff development workshops aimed at facilitating the project goals.

#### **D.** Department Contact

Prospective vendors who have any questions about this Request for Proposals should contact:

Dr. Jerry Isaacs Director of Instructional Services Minnesota Community College System 203 Capitol Square, 550 Cedar Street St. Paul, MN 55101 (612) 296-7121

#### **E. Submission of Proposals**

All proposals must be sent to and received by Dr. Jerry Isaacs (address above) by 4:30 p.m. on April 11, 1989. Late proposals will not be accepted.

#### **F. Project Costs**

Since this project is still in the design and planning stages, the cost of consultative services for this phase has not yet been determined.

#### G. Length of Project

The vendor will be expected to provide consultative services for the period from Fall Quarter, 1989, through Spring Quarter, 1990. Dated: 23 March 1989

### **Department of Corrections**

### **MCF-Oak Park Heights**

### Notice of Request for Proposals for Providing Food Services

NOTICE IS HEREBY GIVEN that the Minnesota Correctional Facility-Oak Park Heights, is requesting proposals for the professional management of our Food Service activity for the period of July 1, 1989 through June 30, 1991. The estimated cost will not exceed \$443,100 for the two-year contract period. This proposal shall include all civilian personnel to operate the service. The proposals must be submitted by 4:30 p.m., April 28, 1989, to: Dennis Benson, Associate Warden of Administration. Please contact Mr. Benson at (612) 779-1461, if interested.

### **Department of Human Services**

### **Chemical Dependency Program Division**

### Request for Proposals (RFP) for American Indian Chemical Dependency Services for Residents of Ramsey County

The Chemical Dependency Program Division (CDPD) is soliciting proposals for programs which shall provide services to American Indian adults and/or adolescents who abuse chemicals or are chemically dependent. A total of up to \$40,000 is available to a single grantee. The funded program will begin on or about July 1, 1989.



All requests for information or copies of the complete RFP can be obtained by contacting Dorrie Hennagir at 612/296-4617.

Proposals in response to this RFP must be submitted on the CDPD grant application form. A copy of the application form can also be obtained by contacting Dorrie Hennagir at the phone number listed above. Eight copies of the complete proposal must be in the CDPD office, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3823, no later than 4:20 p.m. on May 12, 1989.

### **Department of Human Services**

### **Moose Lake Regional Treatment Center**

### Notice of Request for Proposal for Medical Services

NOTICE IS HEREBY GIVEN that the Moose Lake Regional Treatment Center, Mental Health Bureau, Department of Human Services, is seeking the services for the period July 1, 1989 through June 30, 1990. These services are to be performed as requested by the Administration of the Moose Lake Regional Treatment Center.

(1) Services of a Psychiatrist to perform consultation services in Psychiatry for the Moose Lake Regional Treatment Center five days each week and the consultant will serve in an "On Call" capacity one night each week as agreed to by himself and the Medical Director of the Moose Lake Regional Treatment Center. Other consultations will occur via phone or mail as needed and as deemed appropriate. The estimated amount of contract is \$200,000.00.

(2) The services of a Radiologist to interpret X-Ray films taken by the hospital's X-Ray Technician. The estimated amount of this contract is \$41,042.00.

(3) **Physical therapy services** performed by a Registered Physical Therapist. Services include consultation, evaluation, direct therapy inservice, and program writing as needed. The estimated amount of contract is \$12,480.00. Contract is for one eight hour day per week.

(4) **Physical therapy services** performed by a Registered Physical Therapist. Services include consultation, evaluation, direct therapy inservice, and program writing as needed. Contract is for twenty hours per week. The estimated amount of contract is \$36,400.00.

(5) Services of a Psychiatrist to perform consultation services in Psychiatry two days each week and the consultant will serve in an "On Call" capacity one night each week as agreed to by himself and the Medical Director of the Moose Lake Regional Treatment Center. Other consultations will occur via phone or mail as needed and as deemed appropriate. The estimated amount of contract is \$65,000.00.

(6) Services of a Psychiatrist to perform consultation services in Psychiatry two days each month at the Moose Lake Regional Treatment Center. Other consultations will occur via phone or mail as needed and as deemed appropriate. The estimated amount of contract is \$29,640.00.

(7) Services of a Psychiatrist to perform consultation services in Psychiatry one day each week at the Moose Lake Regional Treatment Center. Other consultations will occur via phone or mail as needed and as deemed appropriate. The estimated amount of contract is \$23,400.00.

(8) Services of a specialist in Physical and Internal Medicine to perform consultation services at the Moose Lake Regional Treatment Center. The estimated amount of the contract is \$26,000.00.

(9) Anesthesiology Services performed by a Registered Nurse Anesthetist for dental work performed on unmanageable Mentally Retarded clients, and for Electroconvulsive Therapy. The estimated amount of the contract will be \$55,000.00.

(10) Services of a Psychiatrist to perform consultation services in Psychiatry four days per month and the consultant will serve in an "On Call" capacity twice monthly as agreed to by himself and the Medical Director of the Moose Lake Regional Treatment Center. Other consultations will occur via phone or mail as needed and as deemed appropriate. The estimated amount of contract is \$30,000.00.

(11) Services of consultants who are trained and experienced in the specialty of Gerontology and in consultations in this field. The estimated amount of the contract is \$12,040.00.

(12) Services of a nursing pool to furnish Registered Nurses to provide basic level nursing care to meet assigned client needs (including mental/emotional, physical and developmental needs). The estimated amount of the contract is \$30,000.00.

Responses to the above services must be received by April 17, 1989.

Direct inquiries to:

Frank R. Milczark Chief Executive Officer Moose Lake Regional Treatment Center 1000 Lakeshore Drive Moose Lake, MN 55767 (218) 485-4411, Ext. 242

## Iron Range Resources and Rehabilitation Board

### Request for Proposal to Write, Compose, and Produce a Musical Extravaganza

The Iron Range Resources and Rehabilitation Board (IRRRB) is seeking proposals from experienced playwrights and producers to write/compose/produce an original 90 minute musical extravaganza based on the people and history of the Iron Ranges of Minnesota.

#### **Cancellation of Solicitation**

"THIS REQUEST FOR PROPOSAL DOES NOT OBLIGATE THE STATE OF MINNESOTA (IRRRB) TO COMPLETE THE PROJECT, AND THE STATE (IRRRB) RESERVES THE RIGHT TO CANCEL THIS SOLICITATION IF IT IS CONSIDERED TO BE IN THE STATE'S BEST INTEREST."

#### **Submission of Proposals**

Proposals must be submitted no later than 4:30 p.m. Friday, May 26, 1989 at IRONWORLD USA, located on Highway 169 West, Chisholm, Minnesota.

Mailing Address IRONWORLD USA P.O. Box 392 Chisholm, Minnesota 55719 (218) 254-3321 or 1-800-371-6437

**NOTE:** Please provide one (1) original and seven (7) photocopies of the proposal. Each copy of the proposal must have an original signature of an authorized representative of the respondent. Proposals are to be sealed in mailing envelopes or packages with the respondent's name and address clearly noted on the outside of each envelope. Proposals should also clearly note in bold letters: IRONWORLD USA PLAYWRIGHT/COMPOSER/PRODUCER PROPOSAL—DO NOT OPEN.

Late proposals will not be accepted, and the IRRRB is not liable for any costs associated with responding to this RFP.

#### **Review of Proposals**

All proposals received by the above date will be reviewed and evaluated by a committee selected for this purpose by the IRRRB. An interview may be part of this evaluation process.

#### **Tentative Proposal/Contract Timelines**

<u>Publication in the State Register:</u> Monday, April 3, 1989. <u>Response period:</u> April 4, 1989-4:30 p.m. Friday, May 26, 1989. <u>Tentative interviews:</u> June 5-9, 1989 <u>Anticipated Date of Contract Award:</u> June 16, 1989 <u>Effective Contract Date:</u> July 1, 1989 <u>Term of Contract:</u> July 1, 1989-completion.

#### **Cost of Contract**

This is a negotiable item. Respondent should breakdown budget for this project in the following manner:

- Phase I Comprehensive outline of program
- Phase II Write/Compose program
- Phase III Production budget for 10 performances in 1990

#### I. BACKGROUND

IRONWORLD USA has been in operation since June 27, 1986 and is a continuation of the Iron Range Interpretative Center which has been in operation since 1977. IRONWORLD USA includes a 1,600 seat outdoor amphitheater which is used for daily programming and special events presentations. Approximately 130,000 persons visit the facility each summer.

### **II. SCOPE OF THE PROJECT**

The proposed production will be a major project of the Iron Range Resources and Rehabilitation Board's participation in Celebrate Minnesota 1990, a state-wide special event. This production will be presented ten (10) times during the 1990 season at the IRONWORLD USA amphitheater. The project will include the writing/composing/production of a 90 minute original musical extravaganza.

#### **III. OBJECTIVE**

The principal objectives of this contractual service are:

A. To have produced for public presentation through music, dance and drama, an outstanding tribute to the people and industry of northeastern Minnesota their history and cultural heritage.

B. To entertain and inform a wide variety of visitors to the IRONWORLD USA.

C. To present area artists an opportunity to participate in an original production.

#### **IV. TASKS OF THE CONTRACTOR**

A. Develop a comprehensive outline for the program.

B. Research subject matter with emphasis on "Iron Range" related anecdotes and experiences.

C. Develop ink drawing of production for use in solicitation of sponsorship funds and promotion.

D. Write and compose program.

E. Establish production budget to include all costs associated with producing and directing 10 performances of the production in 1990.

#### V. GENERAL TERMS OF THE CONTRACT

A. <u>Term</u>

This contract shall be in effect at such time as when the necessary STATE OF MINNESOTA contractual forms have been initiated and approved by all State departments involved by statute and policy.

It is anticipated that this contract will commence on July 1, 1989 and remain in effect through October 2, 1990. The contract will include phasing of each segment of the project with a "go" "no-go" decision rendered by the IRRRB after completion of each phase.

#### B. Phasing:

I. Develop comprehensive outline of program. Research subject matter. Create ink drawing of production.

II. Write and compose production. Develop production budget for 10 performances.

III. Develop budget of producing and directing ten performances of the production during the 1990 summer season.

Produce and direct 10 performances of the production during the 1990 summer season.

#### C. Insurance

The contractor will be required to carry the following types of insurance:

- 1. Comprehensive Liability.
- 2. Protective (contingent) Public Bodily Injury Liability and Public Property Damage Insurance.
- 3. Owner's Protective Liability and Property Damage Insurance.
- 4. Contractual (Hold Harmless) Liability Insurance.
- 5. Workman's Compensation Insurance.
- 6. Unemployment Compensation Insurance.
- D. Taxes

The contractor shall be responsible for any applicable local, county, state, or federal taxes or payroll deductions related to completion of the contractual services enumerated within the negotiated, finalized payment.

#### E. Licenses

The contractor will be required to purchase, obtain and maintain any local, county, state or federal licenses for its operations.

F Copyright and patents

Nothing shall conflict with the statutes and laws of the State of Minnesota as pertains to copyright and patent laws deemed necessary by the Department of Administration.

#### VI. GENERAL PROPOSAL REQUIREMENTS

A. A general description of the contractor's present operations and past experiences in the entertainment production field.

B. Information regarding the number, quantity and quality of staff members or associates who will be utilized to fulfill the terms of the contract.

C. Examples of previous work completed.

D. Minimum financial disclosures relating to solvency based on the ability to fulfill the contractual obligations.

E. Fee schedules which would be pertinent and applicable to the work involved in completing the contractual obligation.

#### VII. STATUTORY PROPOSAL REQUIREMENTS

In accordance with the provisions of *Minnesota Statutes* 363.073, for state contracts in excess of \$50,000.00, all respondents having more than 20 full-time employees at any time during the previous 12 months must have a certificate of compliance issued by the Commissioner of Human Rights before a proposal may be accepted. The proposal will not be accepted unless it includes one of the following:

A. A copy of the firm's current certificate issued by the Commissioner of Human Rights.

B. A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights.

C. A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

Any questions concerning a Certificate of Compliance may be referred to the Contract Compliance Unit of the Minnesota Department of Human Rights at (612) 296-5663.

### **Department of Administration**

### InterTech Group

### **Request for Proposals for Consultant for "Stars Business Plan"**

#### ESTIMATED AMOUNT—\$90,000.00

DUE: APRIL 24, 1989 AT 4:00 P.M., ROOM 112 ADMINISTRATION CONTACT: PATRICIA ANDERSON, 612-296-3770

Purpose of the STARS function is to provide statewide coordinated planning cost-effective centralized procurement and to make available quality voice data and video telecommunication transmission services to Minnesota State Governments, Educational Institutions, County and City Governments, Courts, Libraries, Public Corporations and the Legislature.

The tasks involved in the STARS project will be divided into two phases.

Phase I involves the writing of a business plan, preparing appropriate requests for information (RFI) and evaluating responses.

Phase II involves the writing of requests for proposal, evaluating responses and implementing the network.

We are seeking consultant services for Phase I activities only.

### **Department of Transportation**

### **Office of Aeronautics**

### **Notice of Advertisement for Engineering Services**

The Minnesota Department of Transportation, Office of Aeronautics, is accepting qualification statements from engineering firms as a first step in selecting a consultant to design and administer a project to revise the radio controlled airport lighting systems at various Minnesota public airports.

The proposed project is as follows:

1. Evaluate the lighting controls at the airports as listed below to determine if the operation of the lighting system is in agreement with the Federal Aviation Administration's Advisory Circular 150/5340-27A "Air-to-Ground Radio Control of Airport Lighting Systems".

- 2. Redesign the controls and wiring at those airports that are not in compliance with the advisory circular.
- 3. Prepare the necessary plans and specifications to revise those non-standard airport lighting systems.
- 4. Coordinate and cooperate with MnDOT Contract Administration personnel, who will let the construction contract.
- 5. Provide administration and field inspection of the construction contract.
- 6. Provide a set of "as-built" drawings and wiring schematics of the revised lighting systems.
- 7. Provide coordination with the airport owners to keep them aware of any work that will affect the operation of their airport.

The Chisholm-Hibbing and Rochester Airports will require the addition of radio controls to their system, which will be needed when their FAA Flight Service Stations are closed.

The proposed airports that are included in the project are:

Bemidji-Beltrami County Airport Brainerd-Crow Wing County Airport Fairmont Municipal Airport Grand Rapids-Itasca County Airport International Falls Airport Mankato Municipal Airport Marshall Municipal Airport New Ulm Municipal Airport St. Cloud Municipal Airport Thief River Falls Regional Airport Winona Municipal Airport Worthington Municipal Airport Aitkin County-City Municipal Airport **Baudette Municipal Airport Cloquet-Carlton County Airport** Detroit Lakes Municipal Airport Faribault Municipal Airport Fillmore County (Preston) Airport Fosston Municipal Airport Hallock Municipal Airport Jackson Municipal Airport LeSueur Municipal Airport Montevideo-Chippewa County Airport Pipestone Municipal Airport Roseau Municipal Airport Rush City Municipal Airport Springfield Municipal Airport **Two Harbors Municipal Airport** Warroad International Airport Waseca Municipal Airport Willmar Municipal Airport **Chisholm-Hibbing Airport Rochester Municipal Airport** 

The airports to be included in the project are subject to change.

The project is to be funded by the Federal Aviation Administration, MnDOT and/or local municipalities. Compliance with all applicable laws and regulations will be required. State law requires that 10% of the cost of consultant services be subcontracted to Socially and Economically Disadvantaged (SED) small business firms. The consultant that is awarded the contract shall submit the SED firm that they plan to use along with the work that the SED will do.

Eligible firms desiring to be considered for this state-wide radio control project are asked to submit a brochure or resume giving qualifications and experience to Mr. Douglas Johnson, Electrical Engineering Assistant, Minnesota Department of Transportation, Office of Aeronautics, Room 417, Transportation Building, St. Paul, Minnesota 55155. Identify personnel to conduct the work and detail their training and experience. Brochures and resumes will be received until 4 p.m., April 14, 1989.

A selection board will rank and select three or more responding firms for final consideration. These finalists will be requested to submit detailed proposals and appear at the MnDOT Building in St. Paul for interview.

# Non-State Public Contracts ==

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

### **United Power Association**

### Notice of Request for Proposal: Feasibility Analysis of Joint Commercial and Industrial Ventures

NOTICE IS HEREBY GIVEN to interested parties for the solicitation of proposals to perform a feasibility analysis. The analysis is to explore the legal, political and institutional issues which would affect the formation of partnerships between rural electric cooperatives and cities with municipal electric systems to finance and serve new commercial and industrial developments. Those interested parties may obtain a detailed Mission Statement and submission format by contacting:

Mr. Robert Filson, City Administrator City of Mora 117 S.E. Railroad Avenue Mora, MN 55051 Phone (612) 674-1511

Deadline for submitting the proposal will be at 4:30 p.m. on July 5, 1989.

# **Supreme Court Decisions**

### **Decisions Filed 31 March 1989**

#### C0-88-1232 Michael F. Niccum, Appellant v. Hydra Tool Corporation. Hennepin County.

Minnesota has neither expanded the "mere continuance" theory nor recognized the "product line" theory as additional exceptions to the traditional limitations on corporate successor liability.

A successor corporation to a manufacturer of a press brake machine did not possess an independent duty to warn of defects in a predecessor's product where the successor corporation had no knowledge of particular defects, did not service the product under a service contract and did not know of the location of the machine.

Affirmed. Popovich, C.J.

# CX-88-2002 Miriam C. Olson v. Executive Travel MSP, Inc. and St. Paul Fire & Marine Insurance Company, Relators and New England Mutual Insurance Company, intervenor, Blue Cross/Blue Shield of Minnesota, intervenor. Workers' Compensation Court of Appeals.

The employee's disability of chronic bronchiectasis was, under the factual findings of this case as affirmed by the Workers' Compensation Court of Appeals, a compensable personal injury.

Affirmed. Kelley, J.

# C1-87-1570 Delroy Gorecki, et al., petitioners, Appellants v. Ramsey County, Commissioner of Veterans Affairs. Court of Appeals.

A valid reclassification of an employment position held by appellants does not constitute a demotion or "removal" entitling them to notice and hearing pursuant to the Veterans Preference Act, *Minnesota Statutes* § 197.46 (1986).

Affirmed. Coyne, J.

Took no part, Keith, J.

# C3-88-513 Lonnie Wayne Thommen v. Illinois Farmers Insurance Company, Appellant, American Family Insurance Group. Dakota County.

The maximum liability of an insurer with respect to underinsured motorist coverage is the lesser of the difference between the limits of underinsured motorist coverage set out in the policy declarations and the amount which has been paid or will be paid to the insured by or for the tortfeasor or tortfeasors, or the amount of damages sustained but not recovered.

The exclusion of a car owned by the named insured from the definition of "underinsured motor vehicle" does not violate *Minnesota Statutes* § 65B.49, subd. 3a(5) (1988).

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

Took no part, Keith, J.

#### C3-88-723 State of Minnesota v. Kevin James Moore, Appellant. Ramsey County.

The prosecution's failure to inform the grand jury of prior inconsistent statements made by witnesses is not grounds for dismissing the indictment where that information would not have changed the grand jury's indictment.

Even if the affidavit in support of the search warrant application contained a material misrepresentation, there is no ground for invalidating the search warrant where the record indicates that the misrepresentation was not intentional, but was negligently made. It was not improper for the trial court to refuse to require the state to reveal the identity of the confidential informant where that informant's tip was established as reliable during the pretrial hearing.

The prosecution's use of a peremptory challenge to remove the only black person from the venire is not grounds for a new trial. The prosecution articulated a racially neutral reason for its action.

The evidence presented at trial was sufficient to support the jury verdict.

Appellant is not entitled to a new trial because his convictions for both first and second degree murder are not legally inconsistent. Premeditation is a necessary element of first degree murder, but lack of premeditation is not a necessary element of second degree murder.

Affirmed. Keith, J.

# Announcements :

#### Telecommunications Issues for Government: A conference on telecommunications issues is scheduled for Wednesday 24 May

at the Holiday Inn, St. Cloud. Sponsored by the Intergovernmental Information Systems Advisory Council (IISAC), "Telecommunications: The Time is Now" will be held from 9 a.m.-3:30 p.m. and will feature Dave Rappaport of the DMW group as keynote speaker. Rep. Rick Krueger will discuss legislative concerns, activities, and direction during a luncheon address. The conference is directed toward governmental officials, administrators, staff and persons involved in local government telecommunications issues. A fee of \$25 includes registration, lunch, refreshments during breaks and handout materials. Call (612) 222-7409 or (800) 652-9719 for more information.

**\$2 Million Grant to Greater Minnesota Corporation:** A **\$2** million grant was awarded to the Greater Minnesota Corporation (GMC) to promote the reduction of energy and chemical use in agricul-

tural production. Department of Administration Commissioner Sandra Hale said the GMC will use the money to distribute individual grants of up to \$100,000 through its Agricultural Utilization Research Institute (AURI) to Minnesota agricultural and educational organizations. Grants awarded by the GMC will go to projects that reduce the use of fuel, petrochemicals, electricity and other forms of energy on Minnesota farms. The grant will support environmental and economic development initiatives by focusing research in rural Minnesota. The \$2 million grant is part of a \$16.2 million state fund created from fines paid by oil companies for violations during federal price controls from 1973-81. The federal government distributed the funds to each state to develop programs that help reduce energy costs.

Public Meeting on Rosemount Waste Facility: The Metropolitan Council will hold a public meeting on April 24 to hear public comment on a draft environmental assessment worksheet for the Minnesota Industrial Waste Facility proposed next to Hwy. 55 in Rosemount. The meeting will be held at the Rosemount High School Student Center, 3335 142nd St. W., beginning at 7 p.m. The facility will only accept non-hazardous industrial waste. These include: some printing inks, some scrap computer boards with small amounts of metal, scrap aluminum, non-toxic paints and shredded automobile parts. It will consist of ten six-acre cells, each with a capacity of 200,000 cubic yards of waste. With an expected receiving rate between 30,000 and 40,000 cubic yards each year, the lifespan of the facility is expected to be between 30 and 40 years. People are encouraged to attend the meeting and offer comments on the environmental assessment worksheet. Free copies are available by calling the Council's Data Center at 291-8140. Written comments will be accepted through May 3 by writing the Council at Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101.

Minority Issues Advisory Committee Openings: The Metropolitan Council is now taking applications from Twin Citians inter-

ested in serving on its Minority Issues Advisory Committee. The committee identifies issues and trends in the region to determine their impact on minority communities and develops recommendations on how the Council can be more responsive to minority communities. It also identifies barriers within minority communities to involvement in regional programs, services and decision-making. There are 12 vacancies on the committee. Blacks, Hispanics and American Indians are especially encouraged to apply. Committee members attend a meeting at 4 p.m., on the first Thursday of each month. Members also serve on special subcommittees. Members volunteer their time and talents, but are reimbursed for miscellaneous expenses. The application deadline is April 21. Call Chris Yankovec of the Council staff at 291-6414 for more information or application forms. The Council will make the appointments on April 27.

Minnesota Conservation Corps Hiring: Applications are now being accepted for staff and corps members for the Department of Natural Resources (DNR) Minnesota Conservation Corps (MCC). Fifty crew positions

are open for youth ages 15-18 to work out of St. Croix State Park on seven-member conservation crews. The work is labor-intensive. Participants will build trails, clear campsites, construct erosion control projects and do general maintenance work in state parks, forests and trails. MCC staff and crew members work outdoors and learn environmental and resource conservation skills. In addition, MCC offers career development through classes such as: careers in natural resources, life skills, curriculum planning and job interviewing. On weekends, MCC members canoe, hike and enjoy other high-adventure activities, including a challenging ropes course. Crew members put in 35 hours per week and earn \$3.85 per hour. Applicants should enjoy working and living in an outdoor rustic setting. The camp runs from June 18 to August 19. Youth applications are due May 1. MCC is also filling several summer staff positions including: work crew leaders, environment awareness and education coordinator, work project coordinator, assistant cook and assistant crew leaders. Crew leader positions start at \$6.25 per hour and include room and board. Staff applications will be accepted until March 31. MCC hires an equal number of male and female crew members and staff, and encourages minority youth applicants. Fifteen hearing impaired youth, with hearing impaired staff, and sign language interpreters will be hired to work at the St. Croix State Park camp. For more information, contact: Peter Hark, MCC, 500 Lafayette Road, St. Paul, MN 55155. Phone (612) 296-2144 V/TDD.



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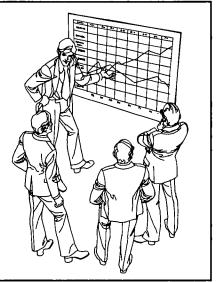
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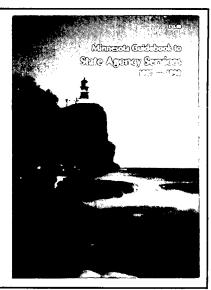
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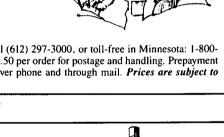
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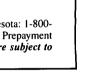
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