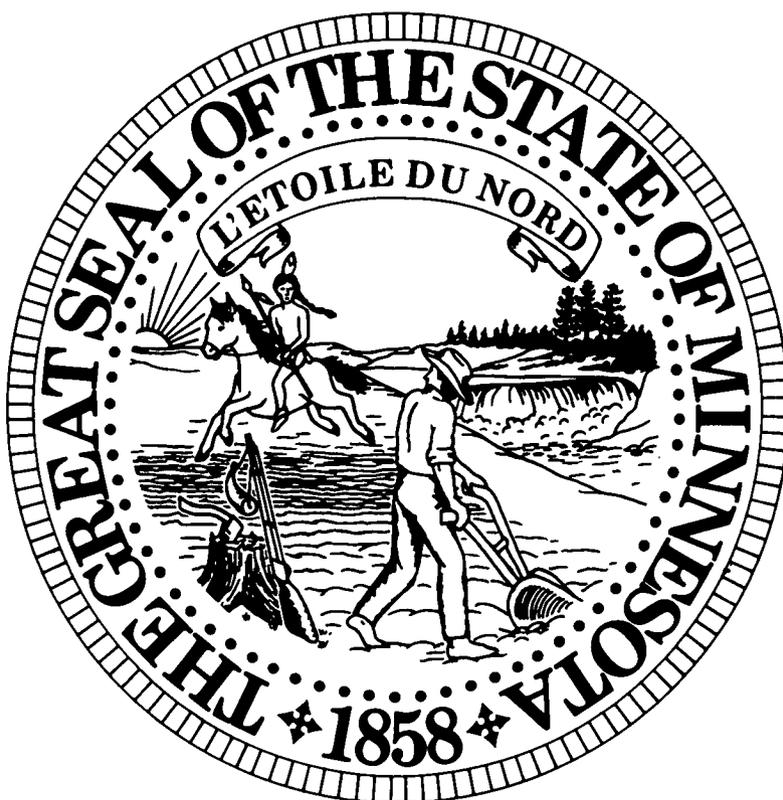


2

State of Minnesota

STATE REGISTER

Department of Administration—Print Communications Division



Published every Monday

1 May 1989

Volume 13, Number 44

Pages 2667-2706

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.

Printing Schedule and Submission Deadlines

Vol. 13 Issue Number	*Submission deadline for Adopted and Proposed Rules**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
44	Monday 17 April	Monday 24 April	Monday 1 May
45	Monday 24 April	Monday 1 May	Monday 8 May
46	Monday 1 May	Monday 8 May	Monday 15 May
47	Monday 8 May	Monday 15 May	Monday 22 May

*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
Minnesota Documents Division**

Robin PanLener, Editor

Paul Hoffman, Assistant Editor

Debbie George, 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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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.

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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.

Department of Labor and Industry

Occupational Safety and Health Division

Proposed Revisions to the Occupational Safety and Health Standards

Requests for Comments

NOTICE IS HEREBY GIVEN that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* § 182.655 (1988). This revision proposes the adoption by reference of an Occupational Safety and Health Standard that has already been proposed and adopted by the Federal Occupational Safety and Health Administration (Federal OSHA).

A complete copy of the federal standard proposed for adoption is available by writing: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307; or by calling: (612) 297-3254.

Interested persons are hereby afforded a period of 30 days to submit written data or comments on the described standards. Any interested person may file with the Commissioner written objections to the proposed standard stating the grounds for those objections. Such person may request a public hearing on those objections. Written comments or requests for hearing should be sent to the above address and must include the name and address of the person submitting the comment or request, define the reason for the comment or hearing request, and discuss any proposed changes.

Ken Peterson, Commissioner
 Department of Labor and Industry

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

Standards as Proposed

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

Subpart 1. **Title 29.** The Minnesota Department of Labor and Industry Occupational Safety and Health Codes and rules are amended by incorporating and adopting by reference and thereby making a part thereof, Title 29 of the Code of Federal Regulations as listed in subparts 2 to 7.

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the Federal Register on October 24, 1978 and corrected in Volume 43, No. 216, November 7, 1989 which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes made prior to ~~February 4, 1989~~ April 1, 1989:

Items A through K. [Unchanged]

L. Federal Register, Volume 54:

(1) Federal Register, Vol. 54, No. 12, dated January 19, 1989; "Air Contaminants (1910.1000)—Final Rule."

(2) Federal Register, Vol. 54, No. 42, dated March 6, 1989; "Hazardous Waste Operations and Emergency Response (1910.120)—Final Rule."

Subp. 3 to 7. [Unchanged]

Summary of Standard: The following summary of the proposed standard is very brief; persons interested in reviewing this standard in its entirety may obtain a copy as noted above.

On March 6, 1989, Federal OSHA published the amended standard for hazardous waste operations and emergency response, 1910.120. This final standard will replace the existing interim rule adopted by Federal OSHA in December 1986. This standard was required by Congress in the Superfund Amendments and Reauthorization Act of 1986 (SARA). The final standard becomes effective in one year—March 6, 1990; the interim standard remains in effect until then. Minnesota OSHA adopted the interim standard on March 30, 1987; that standard will remain in effect until the final standard is adopted by Minnesota OSHA or until March 6, 1990, whichever is later.

The worker populations covered by this standard include: (1) employees in clean-up operations at uncontrolled waste dump sites; (2) employees at EPA-licensed waste storage, treatment, and disposal facilities; and (3) employees who respond to emergencies involving hazardous materials regardless of where they occur including employees at sites other than those covered in Items (1) and (2), firefighters, police officers, ambulance crews, and hazardous materials personnel who respond to hazardous waste spills.

The employer at each uncontrolled hazardous waste site must develop a safety and health program designed to identify and control hazards and provide for emergency response. A trained person must evaluate the site to identify potential hazards and help develop employee protection methods. A site control program must be implemented that includes a site map, site work zones, site communications, safe work practices, use of a "buddy system" in particularly hazardous situations, and identification of the nearest medical assistance. Medical surveillance must be conducted at least annually and whenever worker exposure results from unexpected or emergency releases.

Engineering controls, work practices, and personal protective equipment must be used to reduce exposure to below established limits for the hazardous substances involved. Air monitoring must be conducted to identify and quantify levels of hazardous substances, with periodic monitoring to assure that proper protective equipment is being used. A decontamination procedure must be implemented before any employee or equipment may leave an area of potential hazardous exposure. An emergency response plan must address personnel roles, lines of authority, training and communications, emergency recognition and prevention, safe places of refuge, site security, evacuation routes and procedures, emergency medical treatment, and emergency alerting.

Employees at these sites must be trained and certified before they are allowed to engage in hazardous waste operations or emergency responses that could expose them to safety and health hazards. General site workers must receive a minimum of 40 hours of instruction off the site and a minimum of three days actual field experience; other workers on site only occasionally or in monitored areas require a minimum of 24 hours of training and one day actual field experience.

Employers at certain operations conducted under the Resource Conservation and Recovery Act of 1976 (RCRA), which includes treatment, storage, and disposal facilities, must meet the requirements in paragraph (p.) These employers must develop a safety and health program designed to identify, evaluate, and control safety and health hazards in their facilities, provide for emergency response, and address appropriate site analysis, engineering controls, maximum exposure limits, hazardous waste handling procedures, and use of new technologies. Programs must also be implemented governing hazard communication, medical surveillance, decontamination, material handling, and training. Workers at sites licensed under the Resource Conservation and Recovery Act of 1976 (RCRA) must have 24 hours of training plus eight hours of annual refresher training. Large quantity generators of hazardous waste who store those wastes for less than 90 days and small quantity generators of hazardous wastes are exempt from all requirements of this standard; however, if they have assigned employees to participate in emergency response teams that respond to releases, or substantial threats of releases, of hazardous substances, they must develop and implement an emergency response program that includes an

emergency response plan, employee training, and procedures for handling emergency incidents.

Requirements for employers who respond to hazardous materials emergencies regardless of the location are contained in paragraph (q). These responders must develop and implement an emergency response plan to handle anticipated emergencies which address personnel roles, lines of authority, training, communication, emergency recognition and prevention, evacuation routes, decontamination, emergency medical treatment, personal protective equipment, and emergency response procedures. Employers must establish an Incident Command System (ICS) through which all emergency responders and their communications will be coordinated and controlled. During an emergency incident, the individual in charge of the ICS will be responsible for identifying the hazardous substances present, implementing appropriate emergency operations, assuring that appropriate personal protective equipment is worn, assuring appropriately equipped backup personnel are standing by, designating a safety official who will be responsible for identifying and evaluating hazards, and providing direction to the safety of the operations, and implementing appropriate decontamination procedures.

Training requirements for emergency response workers at other than RCRA sites or uncontrolled hazardous waste site cleanups is based on the type of response these employees will be expected to make. First responders at the "awareness level" will recognize the presence of hazardous materials and know how to notify the appropriate authorities. First responders at the "operations level" will respond for the purpose of protecting property, persons, or the environment without actually trying to stop the release; these responders require at least eight hours of training or sufficient experience to objectively demonstrate competency in six areas. Hazardous materials technicians and hazardous materials specialists will respond to stop the release, these responders require at least 24 hours of training and competency in specified areas. The on-scene incident commander will assume control of the incident scene and will require at least 24 hours of training and competency in specified areas.

Medical surveillance is required for organized and designated HAZMAT teams and hazardous materials specialists and for any emergency response employee who exhibits signs or symptoms which may have resulted from exposure to hazardous substances during the course of an emergency incident.

By this notice, Minnesota OSHA proposes to adopt the final 1910.120 standard, as published in the Federal Register on March 6, 1989.

Department of Public Safety

Proposed Permanent Rules Relating to Hazardous Substance Notification

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Public Safety intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, section 299F.094, Subd. 2.

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

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

Jeff Bruce
Room 205
Transportation Building
St. Paul, MN 55155

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

Proposed Rules

The proposed rule may be modified if the modifications are supported by data and views 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 Jeff Bruce upon request.

The proposed rule will have a positive impact on any affected small businesses. The proposed rule will consolidate and simplify the requirements of *Minnesota Statutes*, section 299F094, subd. 2 and Section 312 of Title III of the Superfund Amendments and Reauthorization Act of 1986.

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

Dated: 10 April 1989

Paul J. Tschida
Commissioner of Public Safety

Rules as Proposed (all new material)

7513.0100 FORM.

The hazardous substance notification report form, as required by Minnesota Statutes, section 299F094, is the "Tier One - Emergency and Hazardous Chemical Inventory" form used by the state under the Superfund Amendments and Reauthorization Act of 1986, Public Law Number 99-499, title III, section 312.

7513.0200 EXAMPLE: HAZARDOUS SUBSTANCE NOTIFICATION REPORT FORM.



MINNESOTA EMERGENCY RESPONSE COMMISSION
CO DEPT OF PUBLIC SAFETY
STATE CAPITOL BUILDING
ROOM B-5
ST. PAUL, MN 55155
(612) 298-0481

Tier One	EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY
	<i>Aggregate Information by Hazard Type</i>
FOR OFFICIAL USE ONLY	Status _____
	Date Received _____

▶ Important: Read instructions before completing form. Mail completed form to the above address and local fire department.

Facility Identification	
Name _____	
Street Address _____	
City _____	State _____ Zip _____
County _____	ERC ID# _____
SIC Code <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Dun & Brad Number <input type="text"/> - <input type="text"/> - <input type="text"/> <input type="text"/>
Owner/Operator	
Name _____	
Mail Address _____	
Phone () _____	

Emergency Contacts	
Name _____	
Title _____	
Phone () _____	
24 Hour Phone () _____	
Name _____	
Title _____	
Phone () _____	
24 Hour Phone () _____	

Proposed Rules

Reporting Period From January 1 to December 31, 19____

Hazard Type	Max Amount*	Average Daily Amount*	Number of Days On-Site	General Location	<input type="checkbox"/> Check if site plan is attached
Physical Hazards	Fire	<input type="text"/>	<input type="text"/>		
	Sudden Release of Pressure	<input type="text"/>	<input type="text"/>		
	Reactivity	<input type="text"/>	<input type="text"/>		

Health Hazards	Immediate (acute)	<input type="text"/>	<input type="text"/>		
	Delayed (Chronic)	<input type="text"/>	<input type="text"/>		

Certification (Read and sign after completing all sections)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate and complete.

Name and official title of owner/operator OR owner/operator's authorized representative

Signature _____

Date signed _____

* Reporting Ranges	Range Value	Weight Range in Pounds From... To...
00	0	99
01	100	999
02	1000	9,999
03	10,000	99,999
04	100,000	999,999
05	1,000,000	9,999,999
06	10,000,000	49,999,999
07	50,000,000	99,999,999
08	100,000,000	499,999,999
09	500,000,000	999,999,999
10	1 billion	higher than 1 billion

PS-04003-01 (12/87)

Page ____ of ____ pages
Form Approved OMB No. 2050-0072

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Proposed Rules

Department of Revenue

Proposed Permanent Rules Relating to Valuation and Assessment of Electric, Gas Distribution, and Pipeline Companies (Utility Companies)

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Revenue (Agency), Local Government Services Division intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, Sections 14.22 to 14.28. The Agency's authority to adopt the rule is set forth in *Minnesota Statutes* section 270.06(14) (1988).

All persons have until May 31, 1989 to submit comments on support or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

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

Ronald Cook
Minnesota Department of Revenue
Mail Station 3340
St. Paul, MN 55146-3340
(612) 296-0392

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.

The proposed rules if adopted will effectively amend the current rules of the Department of Revenue relating to ad valorem (property) taxes imposed on utilities. The present rules deal generally with the valuation, allocation and apportionment of property of electric, gas distribution, pipelines and cooperative electric companies. The proposed rules would modify the language of the income approach to delete old unnecessary references and clarify that capitalization rates will be computed for electric companies, gas distribution companies and pipelines; modify the cost approach by allowing an additional 10% of the excess depreciation over the base amount; repeal the "Average Cost per Kilowatt of Installed Capacity" added value calculation; and clarify what is taxable and what is exempt construction work in progress. A free copy of the rule is available upon request from Ronald Cook, at the above listed address.

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 Ronald Cook 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 who wish to receive a copy of the adopted rule, must submit the written request to Ronald Cook.

Dated: 12 April 1989

John P. James
Commissioner of Revenue

Rules as Proposed

8100.0100 DEFINITIONS.

Subpart 1. to 7. [Unchanged.]

Subp. 8. [See Repealer.]

Subp. 9. [Unchanged.]

Subp. 10. [See Repealer.]

Subp. 11. to 14. [Unchanged.]

Subp. 14a. Qualifying construction work in progress. “Qualifying construction work in progress” means the cost of materials and associated charges included in construction work in progress which is not yet attached to the utility property.

Subp. 15. to 18. [Unchanged.]

8100.0200 INTRODUCTION.

The commissioner of revenue will estimate the valuation of the entire system of a utility company operating within the state. The entire system will be valued as a unit instead of valuing the component parts, utilizing data relating to the cost of the property and the earnings of the company owning or operating the property. The resulting valuation will be allocated or assigned to each state in which the utility company operates. Finally, by the process of apportionment, the portion allocated to Minnesota will be distributed to the various taxing districts within the state. Most of the data used in the valuation, allocation, and apportionment process will be drawn from reports submitted to the Department of Revenue by the utility companies. These reports will include Minnesota Department of Revenue Annual Utility Reports (UTL forms), Annual Reports to the Federal Energy Regulatory Commission and Annual Reports to the Interstate Commerce Commission. Periodic examinations of the supporting data for these reports will be made by the Department of Revenue.

The methods, procedures, indicators of value, capitalization rates, weighting percents, and allocation factors will be used as described in parts 8100.0300 to 8100.0600 for ~~1988~~ 1989 and subsequent years.

As in all property valuations the commissioner of revenue reserves the right to exercise his or her judgment whenever the circumstances of a valuation estimate dictate the need for it.

8100.0300 VALUATION.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Cost approach.** The cost factor to be considered in the utility valuation formula is the original cost less depreciation of the system plant, plus improvements to the system plant, plus the original cost of construction work in progress on the assessment date. The original cost of any leased operating property used by the utility must be reported to the commissioner in conjunction with the annual utility report. If the original cost of the leased operating property is not available, the commissioner shall make an estimate of the cost by capitalizing the lease payments. Depreciation will not be allowed on construction work in progress. Depreciation will be allowed as a deduction from cost in the amount allowed on the accounting records of the utility company, as such records are required to be maintained by the appropriate regulatory agency.

Depreciation, however, shall not exceed the prescribed percentage of cost: for electric companies, 20 percent; for gas distribution companies, 50 percent; and for pipeline companies, 50 percent. If the amount of depreciation shown on the company's books exceeds these percentages, the company may deduct ~~30~~ 40 percent of the excess for the assessment year 1989 and 50 percent of the excess for the assessment year 1990 and subsequent.

~~A modification to the cost approach to value will be considered by the commissioner when valuing electric utility property. The original cost of an electric utility's major generating plants will be increased if the cost of the plant falls below a certain standard. The standard to be used will be a national average of the cost per kilowatt of installed capacity. The cost per kilowatt of installed capacity is the total construction cost of the generating plant divided by the number of kilowatts the plant is capable of producing. The national average to be used will be computed by totaling the construction costs, excluding the cost of land, for major generating plants within the 48 contiguous United States. The total cost of the plants will be divided by the total generating capacity of the same plants to arrive at an average cost per kilowatt of installed capacity. A separate average will be computed for each type of plant: gas turbine, hydroelectric, and steam electric. The plants used in the calculation will exclude nuclear electric generating plants.~~

~~The information used to compute the average will be drawn from the latest issue of the United States Department of Energy publication, Historical Plant Cost and Annual Production Expenses for Selected Electric Plants. All plants included in this publication will be used in the computation of the national average by type of plant.~~

~~An example of this computation of the national average cost per kilowatt of installed capacity is as follows:~~

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Proposed Rules

Steam Electric Generating Plants

Plant	Plant Cost		Plant Capacity
	Excluding Land		
A	\$14,000,000		100,000 kw
B	13,000,000		0,000 kw
C	7,000,000		110,000 kw
D	14,500,000		80,000 kw
E	18,000,000		120,000 kw
F	10,000,000		70,000 kw
G	19,000,000		130,000 kw
H	9,000,000		60,000 kw
I	20,000,000		140,000 kw
J	8,000,000		50,000 kw
	\$142,500,000		950,000 kw

Total plant cost (\$142,500,000) divided by total plant capacity (950,000 kw) equals \$150 average cost per kilowatt of installed capacity.

The national average cost per kilowatt of installed capacity will be compared to the specific cost per kilowatt of installed capacity for each of the major generating plants owned by the utility being valued. If the national average cost per kilowatt is greater than the subject plant cost, the subject plant will have additional dollars incorporated into its cost in order to raise its cost per kilowatt to the national average. If the subject plant's cost per kilowatt equals or exceeds the national average, no cost will be added.

The following example illustrates this procedure:

XYZ Utility			
Steam Electric Generating Plants			
1-	Plant	#1	#2
2-	Installed Capacity	100,000 kw	50,000 kw
3-	Year in Service	1970	1950
4-	Cost of Plant (Exclusive of Land)	\$15,200,000	\$5,000,000
5-	Specific Plant		
	Cost per kw	\$152	\$100
6-	National Average		
	Cost per kw	\$150	\$150
7-	Deficiency	none	\$ 50
8-	Additional Cost (Line 7 x Line 2)	none	\$2,500,000

This additional cost to be added to the original cost of the specific plant will be reduced by an allowance for pollution control equipment and an allowance for obsolescence.

The allowance for pollution control equipment will be computed annually by totaling the construction costs, exclusive of land, of all major generating plants within Minnesota by type of plant. A total will also be made of the cost of the equipment in these plants which has been approved for tax exempt status in accordance with Minnesota Statutes, section 272.02, subdivision 1, clause (9). This total will also be computed by type of plant. The total of the approved pollution control equipment will be divided by the total construction cost, exclusive of land, of the plants in order to calculate a percentage. This percentage will be the ratio of dollars spent for pollution control equipment to total dollars spent to construct a specific type of power plant. This percentage will then be used to reduce the gross additional cost to be added to the cost of the specific generating plant. An example of this process is as follows:

Steam Electric Plants Within Minnesota		
Plant Cost	Pollution	Cost of Approved
Plant	Excluding Land	Control Equipment
A	\$15,200,000	\$1,500,000
B	10,000,000	1,000,000
C	5,000,000	700,000
D	20,000,000	2,000,000
E	16,500,000	1,470,000
	\$66,700,000	\$6,670,000

Proposed Rules

Total cost of approved pollution control equipment (\$6,670,000) divided by total plant cost (\$66,700,000) equals ten percent ratio of pollution control equipment expenditures to total expenditures for generating plant construction.

XYZ Utility

Steam Electric Plant #2

1-	Additional Cost Due to Computation of Average Cost per kw of Installed Capacity	\$2,500,000
2-	10% Allowance for Pollution Control Equipment	250,000
3-	Additional Cost to be Added after Adjustment for Pollution Control Equipment	2,250,000

The allowance for obsolescence which will be applied to the additional plant construction cost will be computed annually for hydroelectric and steam electric generating plants. The information needed to compute the obsolescence factors will be drawn from the same publication that is used to compute the national average cost per kilowatt of installed capacity figure. Gas turbine plants will not have any obsolescence allowance applied to the additional cost added to the plants.

The obsolescence allowance for hydroelectric plants will be calculated through the use of a "plant factor." The plant factor is computed by dividing the number of kilowatt hours a generating plant actually produced in a year by the number of kilowatt hours the plant was capable of producing. The plant factor is normally expressed as a percentage. The mathematical expression of this factor is: net generation (kwh) divided by annual installed capacity (hours in a year multiplied by installed capacity (kw)). A standard plant factor will be computed for hydroelectric plants by averaging the plant factors of the ten plants with the highest plant factors in the average cost per kilowatt of installed capacity study. This standard will then be compared to an average of the most recent three years' plant factor of the subject plant. The amount the subject plant deviates from the standard is the amount of obsolescence which will be applied to the added cost.

An example of this obsolescence allowance computation is shown below.

Hydroelectric Plants

Plant	Net Generation kwh (000)	Plant Capability kwh (000)	Plant Factor
A	400,150	755,000	53 %
B	300,040	577,000	52 %
C	250,000	480,000	52 %
D	600,000	1,250,000	48 %
E	896,000	1,600,000	56 %
F	700,000	1,400,000	50 %
G	507,000	975,000	52 %
H	450,000	1,000,000	45 %
I	376,000	800,000	47 %
J	810,000	1,800,000	45 %
		Average	50 %

XYZ Utility

Hydroelectric Plant #4

Year	Net Generation kwh (000)	Plant Capability kwh (000)	Plant Factor
19XX	400,000	1,000,000	40 %
19XX	500,000	1,000,000	50 %
19XX	450,000	1,000,000	45 %
		Average	45 %

Hydroelectric plant #4 plant factor (45 percent) divided by standard plant factor (50 percent) equals 90 percent. Therefore, hydroelectric plant #4 deviates from the standard by ten percent, or is ten percent obsolete.

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Proposed Rules

The obsolescence allowance for steam electric generating plants will be computed annually using two indicators. The first indicator will be the plant factor. The plant factor for steam electric plants will be computed and applied in the same manner as the computation specified for hydroelectric plants. The only difference will be that the information used for the computation will be drawn from the latest Fossil Fueled Steam Electric Plant Section of the latest Historical Plant Cost and Annual Production and Expenses for Selected Electric Plants publication rather than the Hydroelectric Plant section. Plant factors of the ten best steam electric generating plants within the study period will be averaged. This average will be compared to the most recent three year average plant factor for the subject plant. The subject plant's deviation from the standard plant factor is the amount of indicated obsolescence.

The second indicator which will be used to compute an obsolescence allowance for steam electric generating plants will be a thermal efficiency factor. The source of information for this computation will also be the latest issue of the United States Department of Energy's publication, Historical Plant Cost and Annual Production Expenses for Selected Electric Plants, Fossil Fueled Steam Electric Plant Section. Thermal efficiency for a generating plant is measured by the number of British thermal units (Btu's) required to produce one kilowatt hour. This efficiency rating can be obtained by dividing the number of kilowatt hours produced by a generating plant by the number of Btu's needed to produce this power. The number of Btu's used can be obtained by multiplying the units of fuel burned by the generating plant - tons of coal, gallons of oil, or cubic feet of gas - by the average Btu content of the fuel unit. The standard thermal efficiency factor will be computed by averaging the thermal efficiency factor of the ten most efficient steam electric generating plants within the study period used to compute the average cost per kilowatt of installed capacity. This standard thermal efficiency factor will then be compared to the thermal efficiency factor of the subject plant. The amount the subject plant deviates from the standard is the amount of obsolescence indicated by this factor.

The two obsolescence figures for the subject plant as indicated by both the plant and thermal efficiency factors will then be averaged. This resulting average is the obsolescence allowance which will be applied to the cost added to the subject plant as a result of the average cost per kilowatt of installed capacity computation. In no instance shall the original cost of a generating plant be reduced by an allowance for obsolescence unless its cost is increased through the use of the average cost per kilowatt of installed capacity computation. For the 1988 and subsequent assessments the additional cost after adjustments for obsolescence to be added to the cost indicator of value will be reduced by 75 percent.

The following examples illustrate computation of the standard thermal efficiency factor; obsolescence indicated by the application of this factor to the subject plant; average obsolescence for steam electric generating plants; and obsolescence allowance adjustment of the added cost due to the use of the average cost per kilowatt of installed capacity for the subject plant.

Steam Electric Generating Plants			
Plant	Net Generation kwh (Millions)	Btu's Used (Millions)	Btu's per kwh
A	2,000	18,400,000	9,200
B	6,000	53,400,000	8,900
C	8,000	72,000,000	9,000
D	5,000	45,500,000	9,100
E	3,000	26,400,000	8,800
F	1,000	9,000,000	9,000
G	4,000	36,600,000	9,150
H	9,000	80,550,000	8,950
I	7,000	61,950,000	8,850
J	5,000	45,250,000	9,050
			Average 9,000

XYZ Utility Company		
Steam Electric Plant #2		
Net Generation kwh (Millions)	Btu's Used (Millions)	Btu's per kwh
2,000	21,600,000	10,800

Steam electric plant #2 thermal efficiency factor (10,800 Btu's per kwh) divided by standard thermal efficiency factor (9,000 Btu's per kwh) equals 120 percent. Therefore, steam electric plant #2 deviates from the standard by 20 percent or is 20 percent obsolete.

XYZ Utility Company
Steam Electric Plant #2

† Obsolescence Indicated by Plant Factor 10%

2.	Obsolescence Indicated by Thermal Efficiency Factor	20%
3.	Obsolescence Allowance (Average of 1 and 2)	15%
4.	Additional Cost due to Computation of Average Cost per kw of Installed Capacity	\$2,500,000
5.	15% Obsolescence Allowance	\$ 375,000
6.	Additional Cost to be Added after Adjustment for Obsolescence	\$2,125,000
7.	Adjustment Factor	75%
8.	Net Additional Cost to be Added	\$ 531,250

The cost indicator of value computed in accordance with this subpart will be weighted for each type of utility company as follows: electric companies, 85 percent; gas distribution companies, 75 percent; and pipeline companies, 75 percent.

The following example illustrates how the cost indicator of value would be computed for an electric company:

1.	Utility Plant	\$200,000,000
2.	Construction Work in Progress	\$ 5,500,000
4 3.	Total Plant	\$206,031,250
		<u>\$205,500,000</u>
5 4.	Nondepreciable Plant (Land, Intangibles, C.W.I.P.)	\$ 17,500,000
6 5.	Depreciable Plant	\$188,531,250
		<u>188,000,000</u>
7 6.	Book Depreciation	\$ 40,000,000
8 7.	Maximum Depreciation (20%)	\$37,706,250
		<u>\$ 37,600,000</u>
9 8.	30% <u>40%</u> Excess Depreciation Allowance	\$688,125
		<u>\$ 960,000</u>
40 9.	Total Allowable Depreciation	\$38,394,375
		<u>\$ 38,560,000</u>
41 10.	Total Cost Indicator of Value	\$167,636,875
		<u>\$166,940,000</u>

Any company for which a modification is made under this subpart due to the average cost per kilowatt adjustment being made to original cost of a plant or plants located in Minnesota shall have an alternative cost indicator computation made without giving effect to the average cost per kilowatt adjustment of such plant or plants.

Subp. 4. **Income approach.** The income indicator of value will be estimated by weighting the capitalized net operating earnings of the utility company for the most recent three years as follows: most recent year, 40 percent; previous year, 35 percent; and final year, 25 percent. The net income will be capitalized by applying to it a capitalization rate which will be computed by using the band of investment method. This method will consider:

- A. the capital structure of utilities;
- B. the cost of debt or interest rate;
- C. the yield on preferred stock of utilities;
- D. the yield on common stock of utilities; and
- E. deferred taxes.

For 1988 the capitalization rate will be: electric companies, ~~11.25~~ 11.50 percent; gas distribution companies, ~~11.50~~ 11.75 percent; and pipeline companies, ~~11.75~~ 12.00 percent. These Rates will be computed for electric companies, gas distribution companies, and pipeline companies. The rates will be recalculated each year using the method described in this subpart.

The income indicator of value computed in accordance with this subpart will be weighted for each class of utility company as follows: electric companies, 15 percent; gas distribution companies, 25 percent; and pipeline companies, 25 percent.

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Proposed Rules

The following example illustrates how the income indicator of value would be computed for a gas distribution company:

	1982	1983	1984
1. Net Operating Income	\$ 596,160	\$ 488,911	\$ 579,600
2. Capitalized Income @ 11.5%	5,184,000	4,251,400	5,040,000
3. Weighting Factor	25 percent	35 percent	40 percent
4. Weighted Capitalized Income	1,296,000	1,488,000	2,016,000
5. Total Income Indicator of Value			4,800,000

Subp. 5. **Unit value computation.** The unit value of the utility company will be the total of the weighted indicators of value.

The following is an example of the computation of the unit value for a gas distribution company:

1. Cost Indicator of Value:

$$\$5,000,000 \times 75\% = \$3,750,000$$

2. Income Indicator of Value:

$$\$4,800,000 \times 25\% = \$1,200,000$$

3. Unit Value of Gas Distribution Company:

$$100\% \quad \$4,950,000$$

~~Any company whose cost indicator was modified under subpart 3 to reflect the average cost per kilowatt adjustment of a plant or plants located in Minnesota shall have an alternative unit value computation made without giving effect to the modification in respect of such plant or plants.~~

Subp. 6. to 8. [Unchanged.]

8100.0400 ALLOCATION.

Subpart 1. [Unchanged.]

Subp. 2. **Electric companies.** The original cost of the utility property located in Minnesota divided by the total original cost of the property in all states of operation is weighted at 90 percent. Gross revenue derived from operations in Minnesota divided by gross operations revenue from all states is weighted at ten percent.

The following example illustrates this formula, assuming a unit value of \$20,000,000.

1. Minnesota Plant Cost	\$115,000,000	
2. System Plant Cost	\$205,000,000	
3. Minnesota Gross Revenue	40,000,000	x .90 = 50.49%
4. System Gross Revenue	\$105,000,000	
5. Total Percentage Allocable to Minnesota		x .10 = 3.8%
6. Unit Value of System Plant		54.29%
7. Amount of Value Allocable to Minnesota		\$20,000,000
		\$10,858,000

~~If any modification has been made to the cost indicator under part 8100.0300, subpart 3 to reflect the average cost per kilowatt adjustment of a plant or plants located in Minnesota, an alternative computation of the Minnesota allocation shall be made without giving effect to the modification in respect of such plant or plants.~~

Subp. 3. and 4. [Unchanged.]

8100.0500 ADJUSTMENTS FOR NON-FORMULA-ASSESSED OR EXEMPT PROPERTY.

Subpart 1. to 3. [Unchanged.]

Subp. 4. **Deduction for exempt property.** A deduction from the Minnesota portion of the unit value shall also be made for property, real or personal, which is exempt from ad valorem tax. For instance, pollution control equipment for which an exemption has been granted is exempt. The original cost of qualifying construction work in progress shall be excluded from the Minnesota portion of the unit value. A deduction from the Minnesota portion of the unit value shall be made at original cost, less the applicable rate of depreciation used in the valuation process under part 8100.0300. The value of personal property, such as office machinery and vehicles, which is not taxed, shall also be excluded from the Minnesota portion of the unit value. The deduction shall be at original cost less the applicable rate of depreciation utilized in the valuation process.

Proposed Rules

The following example illustrates how these items are deducted from the Minnesota portion of the unit value. deducted from the Minnesota portion of the unit value.

1.	Minnesota Portion of Unit Value	\$5,000,000	
2.	Excludable Items - Nondepreciable	3,000	
	a. Land Assessed Locally	2,000	
	b. Land Rights	5,000	
	c. <u>Qualifying construction work in progress</u>	<u>5,000</u>	
3.	Excludable Items - Depreciable		
	a. General Plant Items	\$10,000	
	b. Pollution Control Equipment	10,000	
	c. Gross Depreciable Items	20,000	
	d. Depreciated at 25 percent	5,000	
	e. Net Depreciable Excludable Items		15,000
4.	Total Excludable Items	<u>20,000</u>	<u>25,000</u>
5.	Minnesota Apportionable Value	\$4,980,000	<u>4,975,000</u>

If any modification has been made to the cost indicator under part 8100.0300, subpart 3 to reflect the average cost per kilowatt adjustment of a plant or plants located in Minnesota, an alternative computation of the Minnesota apportionable value shall be made without giving effect to the modification in respect of such plant or plants.

Subp. 5. [Unchanged.]

8100.0600 APPORTIONMENT.

Subpart 1. **Apportionment to taxing district.** After the unit valuation of the utility company has been allocated to the state of Minnesota and has been adjusted under part 8100.0500, the determined amount shall be apportioned or distributed to the taxing districts in Minnesota in which the company operates. This apportionment will be made by the commissioner of revenue on the basis of information submitted by the utility companies in annual reports filed with the commissioner.

If any modification has been made to the cost indicator under part 8100.0300, subpart 3 to reflect the average cost per kilowatt adjustment of a plant or plants located in Minnesota, the apportionment to the taxing districts made under subpart 4 shall be based upon the Minnesota apportionable value alternatively computed in part 8100.0500, subpart 4 without giving effect to the modification in respect of such plant or plants.

Subp. 2. **Required information.** The following information must be submitted for each taxing district:

A. the market value of the company's operating property by classification, as reflected in the last assessment, including the cost of leased taxable property;

~~B.~~ the original cost of the company's operating property by classification, including the cost of leased taxable property;

~~C.~~ the original cost of any new additions since the last assessment, including work in progress on the assessment date;

~~D.~~ the market value of any retirements made after the last assessment, as reflected in that assessment; and

~~E.~~ the original cost of any retirements made after the last assessment.

Subp. 3. **Required information when new taxing district established.** Whenever a new taxing district is established, the information submitted by the utility companies for the taxing district must be submitted in the same form as enumerated in subpart 2, items A to ~~E~~ C. If the utility, because of administrative difficulty, is forced to make estimates of values and costs for property within new taxing districts, these estimates must be approved by the commissioner.

Subp. 4. **Market value of the operating utility property.** The total market value of each company's operating utility property in Minnesota shall be divided by the greater of:

The current original cost in each taxing district as of the last assessment date plus original cost of new construction reduced by the original cost of property retired since the last assessment date. The Minnesota portion of the unit value as adjusted under this rule shall be divided by the total current original cost to determine a percentage. The resulting percentage shall be multiplied by the current original cost in each taxing district to determine the market value in each district.

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Proposed Rules

A. the last market value of the company's operating utility property in each taxing district, plus original cost of new construction, reduced by the last market value of property retired since the last assessment; or

B. the original cost of the company's operating utility property in each taxing district plus original cost of new construction reduced by the original cost of property retired since the last assessment multiplied by the percentage as specified below.

For the 1982 assessment year the original costs shall be multiplied by 77.5 percent.

For the 1983 assessment year the original costs shall be multiplied by 80 percent.

For the 1984 assessment year the original costs shall be multiplied by 82.5 percent.

For the 1985 assessment year the original costs shall be multiplied by 85 percent.

For the 1986 assessment year the original costs shall be multiplied by 87.5 percent.

For the 1987 assessment year the original costs shall be multiplied by 90 percent.

For the 1988 assessment year the original costs shall be multiplied by 92.5 percent.

For the 1989 assessment year the original costs shall be multiplied by 95 percent.

For the 1990 assessment year the original costs shall be multiplied by 97 percent.

For the 1991 assessment year the original costs shall be multiplied by 100 percent.

All computations made under alternative A or B shall be made without giving effect to any modification to reflect the average cost per kilowatt adjustment made under part 8100.0300, subpart 3.

For this purpose, the last market value and the last assessment shall mean the latest assessment immediately prior to the current assessment. The portion of unit value to be assigned to each taxing district will be the resulting percentage multiplied by the Minnesota portion of the unit value, as adjusted pursuant to this rule.

Subp. 5. [See Repealer.]

REPEALER. Minnesota Rules, parts 8100.0100, subparts 8 and 10; and 8100.0600, subpart 5 are repealed.

Adopted Rules

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

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

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

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

Department of Education

Adopted Permanent Rules Relating to Libraries

The rules proposed and published at *State Register*, Volume 12, Number 30, pages 1518-1521, January 25, 1988 (12 S.R. 1518) and Volume 13, Number 2, pages 77-80, July 11, 1988 (13 S.R. 77) are adopted with the following modifications:

Rules as Adopted

3500.0710 LIBRARY MEDIA PROGRAM.

Subpart 1. **Definition of library media program.** The library media program provides all users, including students, teachers, and administrators, with resources for learning and with instructional programs and services. The program utilizes all types of

informational resources including, but not limited to, books, people, periodicals, slides, filmstrips, films, audio, video, computer formats, and corresponding equipment.

The program's components shall include:

- B. instruction in the production of resources, upon request;
- E. provision for inservice programs relating to information and technology, upon request;
- K. production of instructional resources for teachers, upon request;

N. a written scope and sequence of library media learner outcomes based on, but not limited to, outcomes contained in Model Learner Outcomes for Educational Media and Technology (E730), written and published by the Minnesota Department of Education, Division of Instructional Effectiveness, in 1986. The publication is incorporated by reference. ~~It is revised every five years. When a new edition is published, the new edition replaces the older edition in this item.~~ The publication is available at the Legislative Reference Library, 645 State Office Building, 100 Constitution Avenue, St. Paul, Minnesota 55155, and from local libraries through the interlibrary loan system. In this item, "scope" and "sequence" have the meanings given in part 3500.1150, subpart 7.

Subp. 2. **Personnel.** In all schools, library media ~~instruction and service shall be given by a licensed media person as defined by the Board of Teaching. Licensed media personnel shall be assigned in numbers that assure all components of subpart 1 are fully implemented. Provisions must be made for support staff as necessary~~ appropriate to the enrollment and educational program shall be given by persons licensed for their positions.

Subp. 4. **Facilities.** There shall be a well-equipped, ~~centrally located, central~~ library media center room, of a size appropriate to the library media program and the enrollment in every elementary, middle, and secondary school building. ~~Additional plus, in all new school buildings, the auxiliary space and facilities shall be provided needed~~ needed for work storage, ~~listening, viewing, technological listening,~~ and conference purposes. In one- and two-room elementary schools, provisions shall be made for a library media services service.

Minnesota Housing Finance Agency

Adopted Permanent Rules Relating to Housing Trust Fund

The rules proposed and published at *State Register*, Volume 13, Number 33, pages 1984-1986, February 13, 1989 (13 S.R. 1984) are adopted as proposed.

Department of Labor and Industry

Adopted Permanent Rules Relating to Occupational Safety and Health Standards

The rule proposed and published at *State Register*, vol 13, number 37, pages 2194-2195, March 13, 1989 (13 S.R. 2194) is adopted as proposed.

Rules as Adopted

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

Subpart 1. **Title 29.** The Minnesota Department of Labor and Industry Occupational Safety and Health Codes and rules are amended by incorporating and adopting by reference, and thereby making a part thereof, Title 29 of the Code of Federal Regulations as listed in subparts 2 to 7.

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the Federal Register on October 24, 1978 and corrected in Volume 43, No. 216 on November 7, 1978 which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes made prior to February 1, 1989:

A. to K. [Unchanged.]

L. Federal Register, Vol. 54, No. 12, dated January 19, 1989; "Air Contaminants (1910.1000) - Final Rule."

Subp. 3. to 7. [Unchanged.]

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.

Adopted Rules

Department of Labor and Industry

Adopted Permanent Rules Relating to Workers' Compensation Rules of Practice

The rules proposed and published at *State Register*, Volume 13, Number 33, pages 1986-1989, February 13, 1989 (13 S.R. 1986) are adopted as proposed.

Nursing Home Administrator Licensure Board

Adopted Permanent Rules Relating to Licensing of Nursing Home Administrators

The rules proposed and published at *State Register*, Volume 13, Number 9, pages 432-439, August 29, 1988 (13 S.R. 432) are adopted with the following modifications:

Rules as Adopted

6400.0600 LICENSE REQUIREMENTS.

No initial license shall be issued to a person as a nursing home administrator unless the individual:

B. Is of sound mental health. For the purposes of this part, mental health means ~~an individual's emotional or intellectual ability to adapt to a changing environment~~ the absence of any mental impairment that would be likely to interfere with the performance of the duties of a nursing home administrator.

6400.0900 EXAMINATION.

Subp. 2. **Applicant examination void.** Examination results are considered void ~~one year~~ two years after the date the examination is taken if the applicant has not become fully licensed.

Subp. 3. **Examination void.** For holders of a lapsed license, all previous examination results are considered void if the license has been lapsed for ~~one year~~ two years or longer.

6400.1300 ACTING ADMINISTRATOR.

An applicant for an acting nursing home administrator's license must furnish satisfactory evidence that the applicant:

C. is of good moral character and otherwise suitable. For the purposes of this part, moral character means the individual's ability to distinguish between right and wrong and act accordingly; and

6400.2200 REVOCATION, SUSPENSION, REFUSAL.

Subpart 1. **Criteria.** The board may suspend or revoke a license or refuse to renew a license of a nursing home administrator after due notice and an opportunity to be heard at a formal hearing, upon substantial evidence that the person:

B. ~~has been the administrator of a facility during the time when there have been four or more uncorrected violations of Minnesota Department of Health rules, for which fines are in the four highest fine categories prescribed in rule and a final determination has been made that the fines were properly assessed~~ is not eligible to be employed as a nursing home administrator under Minnesota Statutes, section 144A.04, subdivision 6;

D. is found by the board to be incompetent to practice as a nursing home administrator. For purposes of this part, incompetence means that the licensee:

- (1) has practiced fraud, deceit, or misrepresentation as a nursing home administrator; or
- (2) has committed acts of misconduct in the operation of a nursing home under the licensee's jurisdiction; or
- (3) has practiced without annual licensure; or
- (4) has wrongfully transmitted or surrendered possession of the licensee's license to any other person, either temporarily or permanently; or
- (5) has paid, given, has caused to be paid or given, or offered to pay or give to any person, a commission or other consideration for solicitation or procurement either directly or indirectly for nursing home patronage. Nothing herein shall be construed to limit or restrict commercial advertisement; or
- (6) has practiced fraudulent, misleading, or deceptive advertising with respect to the institution of which the licensee has charge; or
- (7) has falsely impersonated another licensee of a like or different name; or
- (8) has failed to exercise true regard for the safety, health, or life of a patient; or

Emergency Rules

- (9) has wilfully permitted unauthorized disclosure of information relating to a patient or the patient's record; or
(10) has discriminated with respect to patients, employees, or staff on account of age, race, sex, religion, color, national origin, marital status, status with regard to public assistance, or disability; or

Board of Podiatric Medicine

Adopted Permanent Rules Relating to License Renewal Fees for Podiatrists

The rule proposed and published at *State Register*, Volume 13, Number 32, pages 1901-1904, February 6, 1989 (13 S.R. 1901) is adopted as proposed.

Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§ 14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§ 14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Health

Notice of Continuation of Emergency Rule Governing the Procedures for Exceptions to Nursing Home Bed Moratorium, Parts 4655.1070 to 4655.1098

NOTICE IS HEREBY GIVEN that the State Department of Health is continuing the above-entitled emergency rules in effect for an additional 180 days in accordance with *Minnesota Statutes*, section 14.35.

The notice adopting the emergency rules was published at *State Register*, Volume 13, number 22, pages 1270-1275, Monday, November 28, 1988 (13 S.R. 1271). The rules became effective November 8, 1988 and are scheduled to expire May 6, 1989. This notice of continuation will extend the effective life of the above-entitled rules through November 2, 1989.

Dated: 24 May 1989

Sister Mary Madonna Ashton
Commissioner of Health

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.

Errata

Board of Unlicensed Mental Health Service Providers

Notice of Corrected Comment Period for Alternative Notice of Intent to Adopt Rules Without a Public Hearing, Notice of Intent to Adopt Rules With a Public Hearing if 25 or More Persons Request a Hearing, Notice of Intent to Cancel the Hearing if Fewer Than 25 Persons Request a Hearing

The first page of this notice under the heading: Explanation of Alternative Notice, published an erroneous date which indicated that the comment period would close on May 5, 1989. This is an error. The comment period will close on May 25, 1989, and persons will have from the date of the notice until May 25th to comment on the proposed rule concerning the adoption of fees for filing as a mental health service provider, providing for renewal fees, and for late fees for filing. This notice corrects the notice that was published in the *State Register* of April 24, 1989, Volume 13, Issue 43, page 2630, Roman Numeral I of the Notice.

Dated: 24 April 1989

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 Health

Notice of Extension of Comment Period on Proposed Permanent Rules Relating to Health Maintenance Organizations

NOTICE IS HEREBY GIVEN that the comment period for receipt of comments on Proposed Permanent Rules Relating to Health Maintenance Organizations has been extended to May 31, 1989.

The Proposed Permanent Rules Relating to Health Maintenance Organizations were published in the *State Register*, Monday, April 17, 1989.

Dated: 21 April 1989

Sister Mary Madonna Ashton
Commissioner of Health

Department of Human Services

Medical Assistance Payment Rate for Independent Practicing Certified Registered Nurse Anesthetists

The Department of Human Services has established a Medical Assistance payment rate for the services of certified registered nurse anesthetists who are practicing independently. Medical Assistance payment is limited to cases in which the nurse anesthetist performed services in an outpatient setting and is not medically directed or supervised by an anesthesiologist. The payment rate is \$11.70 per 15 minute unit of service. This rate is based on 65% of the anesthesiologist conversion factor and follows the payment methodology used for other physician extenders. The payment methodology is not expected to increase or decrease Medical Assistance expenditures. The Department's enrollment of certified registered nurse anesthetists was based on state legislation and was effective February 1, 1989.

Additional information about this payment methodology is available from:

Department of Human Services
Health Care Management Division
Health Policy Development Section
444 Lafayette Rd.
St. Paul, Minnesota 55155-3853

Department of Labor and Industry

Labor Standards Division

Notice of Correction to Prevailing Wage Rates

The prevailing wage rate certified June 1, 1988 for labor classifications 101—Common Laborer and 102—Skilled Laborer in Kanabec county and 102—in Chisago county for Highway/Heavy construction projects has been corrected.

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

Ken Peterson, Commissioner
Department of Labor and Industry

Department of Labor and Industry

Outside Opinion Sought Concerning Proposed Rules of Practice for the Workers' Compensation Division

NOTICE IS HEREBY GIVEN that the Minnesota Department of Labor and Industry, Workers' Compensation Division, is seeking information or opinions from sources outside the agency in preparing to propose amendments to the Rules of Practice for the Workers' Compensation Division. The adoption of the rule is authorized by *Minnesota Statutes* Sections 176.83, subdivision 1, 7, 8, 9, and 15, section 176.17(2), and 176.171(2) (1988). These statutes permit the Department of Labor and Industry to adopt procedural rules to implement the Workers' Compensation Act, Chapter 176. These amendments do not include the litigation procedures contained in *Minnesota Rules*, part 1415.

The Minnesota Department of Labor and Industry, Workers' Compensation Division, requests information concerning the subject matter of these rules. Interested or affected persons or groups may submit oral or written information. Written information should be addressed to:

Penny Johnson, Compensation Attorney
Department of Labor and Industry
443 Lafayette Road
St. Paul, Minnesota 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-6490 and in person at the above address.

All statements of information and opinions shall be accepted until June 30, 1989. Any written material received by the Department of Labor and Industry before that date will become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

Dated: 21 April 1989

Ken Peterson, Commissioner
Department of Labor and Industry

Martin County Law Library

Proposed Law Library Fees For Criminal Convictions

Pursuant to *Minnesota Statutes* 140.422, the law library fee to be collected for any petty misdemeanor, misdemeanor, gross misdemeanor and felony conviction in Martin County shall be five dollars. This fee shall be assessed for all convictions on or after the date of July 1, 1989.

Official Notices

Department of Public Safety

Office of Pipeline Safety

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing the Enforcement of Pipeline Safety

NOTICE IS HEREBY GIVEN that the State Department of Public Safety is seeking information of opinions from sources outside the agency in preparing to propose the adoption of the rule governing the enforcement of Pipeline Safety. The adoption of the rule is authorized by *Minnesota Statutes*, section 299F.57, which permits the agency to promulgate and enforce safety standards for the transportation of gas and gas pipeline facilities.

The State Department of Public Safety requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

William Barbeau
Director, Office of Pipeline Safety
Room 130, Market House
289 E. 5th St.
St. Paul, MN 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-0649 and in person at the above address.

Any written material received by the State Department of Public Safety shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 17 April 1989

Paul J. Tschida, Commissioner
Department of Public Safety

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.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek **STATE REGISTER Contracts Supplement**, published every Thursday. Call (612) 296-0931 for subscription information. Thank you.

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.

State Contracts and Advertised Bids

Commodity: Micro Computer
Contact: Joan Breisler 612/296-9071
Bid due date at 2pm: May 5
Agency: Iron Range Resources & Rehab Board
Deliver to: Eveleth
Requisition #: 43000 10540

Commodity: Sugar Pine, Redwood Lumber
Contact: Pam Anderson 612/296-1053
Bid due date at 2pm: May 5
Agency: Natural Resources Department
Deliver to: Grand Rapids
Requisition #: 29007 10173

Commodity: Purchase of copiers
Contact: Teresa Ryan 612/296-7556
Bid due date at 2pm: May 4
Agency: Anoka-Ramsey Community College
Deliver to: Coon Rapids
Requisition #: 27152 46612

Commodity: Reverse Osmosis Deionization
Contact: Joe Gibbs 612/296-3750
Bid due date at 2pm: May 4
Agency: State University
Deliver to: Bemidji
Requisition #: 26070 14033

Commodity: CMS Equipment
Contact: Joan Breisler 612/296-9071
Bid due date at 2pm: May 5
Agency: Public Service Department
Deliver to: St. Paul
Requisition #: 80100 03938

Commodity: Rental of Ditchwitch Tractor w/Plow
Contact: Mary Jo Bruski 612/296-3772
Bid due date at 2pm: May 5
Agency: Military Affairs
Deliver to: Camp Ripley, Little Falls
Requisition #: 01000 05732

Commodity: Baby Diaper Changing Stations
Contact: Linda Parkos 612/296-3725
Bid due date at 2pm: May 5
Agency: Transportation Department
Deliver to: Various
Requisition #: 79000 94287

Commodity: IBM PC Compatible—Rebid
Contact: Joan Breisler 612/296-9071
Bid due date at 2pm: May 5
Agency: State University
Deliver to: Bemidji
Requisition #: 26070 14019

Commodity: Misc. Office Furnishings—Brainerd—Rebid
Contact: Linda Parkos 612/296-3725
Bid due date at 2pm: May 5
Agency: Community College
Deliver to: Brainerd
Requisition #: 02310 16735 2

Commodity: Misc. Office Furniture—Rochester—Rebid
Contact: Linda Parkos 612/296-3725
Bid due date at 2pm: May 5
Agency: Community College
Deliver to: Rochester
Requisition #: 02310 16722 4

Commodity: Text Information Mgmt Software
Contact: Margaret Frank 612/296-3778
Bid due date at 2pm: May 8
Agency: InterTech
Deliver to: St. Paul
Requisition #: 02410 90213

Commodity: 1989 Mini Van
Contact: Brenda Thielen 612/296-9075
Bid due date at 2pm: May 8
Agency: Jobs & Training
Deliver to: Alexandria
Requisition #: 21603 79355

Commodity: Marshall Stability/Tensile Tester Kit
Contact: Joe Gibbs 612/296-3750
Bid due date at 2pm: May 8
Agency: Transportation Department
Deliver to: Various
Requisition #: 7900 94438

Commodity: Copier-rental
Contact: Teresa Ryan 612/296-7556
Bid due date at 2pm: May 5
Agency: Administration Department: Print Communications
Deliver to: St. Paul
Requisition #: 02520 92076

Commodity: Aerial work platform
Contact: Mary Jo Bruski 612/296-3772
Bid due date at 2pm: May 9
Agency: Transportation Department
Deliver to: Oakdale
Requisition #: 79282 01636

Commodity: Executive office furniture
Contact: Linda Parkos 612/296-3725
Bid due date at 2pm: May 9
Agency: Revenue Department
Deliver to: St. Paul
Requisition #: 67540 10477

Commodity: Spectrofluorometer
Contact: Joe Gibbs 612/296-3750
Bid due date at 2pm: May 10
Agency: State University
Deliver to: Bemidji
Requisition #: 26 070 14027

State Contracts and Advertised Bids

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: Jr. Park Naturalist, 10M
8pp self cover, saddle stitch, 8½" x
3¾", camera ready 2-sided
Contact: Printing Buyer's Office
Bids are due: May 2
Agency: DNR—Parks
Deliver to: St. Paul
Requisition #: 6672

Commodity: "BASIC STUFF" booklet,
5M 28pp + cover, 7½" x 9½", 2-
sided, camera ready, saddle stitch
Contact: Printing Buyer's Office
Bids are due: May 2
Agency: State University
Deliver to: Mankato
Requisition #: 6604

Commodity: "A Vision for Arts
Education in Minnesota: 1988" 5M
books 16pp, halftones, reverses, tints,
2-sided, camera ready, 8" x 8¾",
saddle stitch
Contact: Printing Buyer's Office
Bids are due: May 2
Agency: State Arts Board
Deliver to: St. Paul
Requisition #: 6753

Commodity: Purple Loosestrife Poster,
10M 17½" x 22½", enlarge camera
ready, 1-sided, 4-color
Contact: Printing Buyer's Office
Bids are due: May 2
Agency: DNR—Ecological Services
Deliver to: St. Paul
Requisition #: 6340

Commodity: Fish Disposition Report,
10M 5-part sets, 4¼" x 7¼" incl. stub,
type to set, preprinted numbering, 20
sets stapled per book, print 2-sides
Contact: Printing Buyer's Office
Bids are due: May 2
Agency: DNR—Fisheries
Deliver to: St. Paul
Requisition #: 6610

Commodity: Communication Center
Large Envelope, 5M 9"x12" plus 2¼"
flap, type to set, 1-sided
Contact: Printing Buyer's Office
Bids are due: May 2
Agency: Services for the Blind
Deliver to: St. Paul
Requisition #: 6533

Commodity: Windowed Envelopes, 5M
7¾" x 3¾", type to set, 1-sided
Contact: Printing Buyer's Office
Bids are due: May 2
Agency: Jobs & Training Department
Deliver to: St. Paul
Requisition #: 6751

Commodity: Payroll Envelope, 20M—
must have union bug—type to set
Contact: Printing Buyer's Office
Bids are due: May 4
Agency: Labor & Industry Department
Deliver to: St. Paul
Requisition #: 4466

Commodity: MN Natural History Series
#5 Bat Poster, 20M, 12" x 18",
camera ready, 2-sided, 4-color
Contact: Printing Buyer's Office
Bids are due: May 4
Agency: DNR—Fish & Wildlife
Deliver to: St. Paul
Requisition #: 6473

Commodity: Employee Biweekly Time
Report, 7M books, 28 3-part sets per
book, negs available, 1-sided, sheet
size varies
Contact: Printing Buyer's Office
Bids are due: May 4
Agency: Administration Department:
Central Stores
Deliver to: St. Paul
Requisition #: 6684

Commodity: Trout Streams of Southeast
Minnesota, 20M 7¼" x 3¾" finished
size, camera ready, 2-colors
Contact: Printing Buyer's Office
Bids are due: May 4
Agency: DNR—Fisheries
Deliver to: St. Paul
Requisition #: 6793

Commodity: 1989 Small Game Hunting
& Trapping Regs (500M 7-fold
accordion) & 1989 Waterfowl Hunting
Regs (300M 5-fold accordion) both 3-
¼" x 6" type to set, 2-sided
Contact: Printing Buyer's Office
Bids are due: May 8
Agency: DNR
Deliver to: St. Paul
Requisition #: 6719 & 20

Commodity: Prospectus, 40M books
32pp + cover, 8½" x 11", 2-sided,
camera ready, saddle stitch
Contact: Printing Buyer's Office
Bids are due: May 8
Agency: State University
Deliver to: Moorhead
Requisition #: 6248

Commodity: Referral card, 15M
2-parts, 6"x7¾" overall incl. stub,
1- and 2-sided, camera ready
Contact: Printing Buyer's Office
Bids are due: May 5
Agency: Jobs & Training Department
Deliver to: Minneapolis
Requisition #: 6413

Commodity: Equipment usage form,
3M books of 20 3-part sets,
12¼"x4¼" overall, camera ready,
1- and 2-sided
Contact: Printing Buyer's Office
Bids are due: May 5
Agency: Transportation Department
Deliver to: St. Paul
Requisition #: 6557

Professional, Technical & Consulting Contracts

Commodity: Development brochure, 13M 8½"x14" folded in 4ths to 3½"x8½", camera ready, 2-sided, color separation, 4-color process

Contact: Printing Buyer's Office

Bids are due: May 5

Agency: State University

Deliver to: Mankato

Requisition #: 6673

Commodity: Dept. field purchase order, 37,500 sets (1,500 pads of 25 sets) 4-parts, 4¾"x7¾" detached, 4¾"x9½" overall, type to set + negs 1-sided forms, 2-sided cover

Contact: Printing Buyer's Office

Bids are due: May 5

Agency: Administration Department:
Central Stores

Deliver to: St. Paul

Requisition #: 6781

Professional, Technical & Consulting Contracts

Administration Department

Request for Proposals to Provide Assessment and Referral Counseling for the State Employee Assistance Program

NOTICE IS HEREBY GIVEN that the Department of Administration intends to engage the services of a counselor in each of the following areas to provide assessment and referral counseling services for State employees and their dependents: Bemidji, Brainerd, Cambridge, Crookston, Duluth, Faribault, Fergus Falls, Grand Rapids, Hibbing, Mankato, Marshall, Morris, Rochester, St. Cloud, Willmar, and Winona.

Contractors shall be expected to maintain full-staffed offices in each of the locations indicated to provide five-day-per-week service to clients.

Contractors will also be mandated to use a percentage of the amounts for local outreach activities, subject to approval by the program office.

The estimated amount of the contract in each of these areas will not exceed \$5,000. Responses must be received by May 15, 1989.

Direct inquiries to:

Keith M. Tvedten
Director
State Employee Assistance Program
Suite 200, -Summit Bank Building
205 Aurora Avenue
St. Paul, Minnesota 55103
(612) 296-0765

Professional, Technical & Consulting Contracts

Request for Proposals for Videotape on Drinking Water Quality Issues

The Department of Administration is seeking proposals for creation of an approximately eight minute videotape that highlights issues related to wellhead protection, protecting surface and subsurface areas surrounding public water wells. State agencies involved in the project include the Department of Administration, the Department of Health, the State Planning Agency, and the House and Senate Offices of Public Information.

Proposals must include evidence of experience in the production of videotape, resumes and background information about staff who will work on the production, any prior knowledge or experience in the subject matter area, prior experience working with state government projects, assistance expected from project sponsors, evidence of compliance with deadlines on previous projects, proposals for any interviews or location shoots, description of graphics or any other visuals to be used in the production, and samples of videotapes produced by staff who will work on this project.

Potential contractors must submit detailed work plans with detailed time and cost estimates including hourly billing rates. The Request for Proposals containing detailed information and other expectations of proposals from potential contractors may be obtained from the Department of Administration. Estimated cost of the production should not exceed \$12,500.

The contractor will begin work in late June. Periodic review of progress will be required. A finished videotape, to be approved by the project team, is due by September 15, 1989.

The deadline for submitting proposals is Tuesday, May 30, 1989, 4:30 p.m. Please direct proposals and inquiries to:

Gunilla Montgomery
Training Coordinator
Water Supply and Engineering
Minnesota Department of Health
717 Delaware Street, SE
P.O. Box 9441
Minneapolis, MN 55440
(612) 623-5326

Dated: 20 April 1989

Department of Corrections

Minnesota Correctional Facility—Oak Park Heights

Notice of Request for Proposals for Providing Inmate Medical Services

NOTICE IS HEREBY GIVEN that the Minnesota Correctional Facility—Oak Park Heights is requesting proposals for providing emergency room services and specialized clinical services to inmates. The contract period will run from July 1, 1989 through June 30, 1991. The estimated cost is \$5,000 for the period from July 1, 1989 through June 30, 1990 and \$5,000 for the period from July 1, 1990 through June 30, 1991. Specific details on the purpose and scope of these medical services can be obtained by calling Ken Carlson, MCF—Oak Park Heights, Health Services Director, at (612) 779-1436.

The proposals must be submitted by 4:30 p.m. on May 26, 1989. Send the proposals to: Ken Carlson, MCF—Oak Park Heights, Box 10, Stillwater, MN 55082.

Department of Corrections

Minnesota Correctional Facility—Shakopee

Notice of Request for Proposals for Oral Surgery Services

NOTICE IS HEREBY GIVEN to request proposals for the provision of oral surgery services for inmates of the Minnesota Correctional Facility in Shakopee as referred by the Medical staff of that facility. Proposals shall be based on services to be provided in the office of oral surgeon submitting the proposal. Transportation of inmates to and from the oral surgeon's office will be provided by MCF—Shakopee staff. Proposal shall cover period of July 1, 1989 to June 30, 1991 and shall be submitted on a per service basis. Proposals must be submitted by 4:00 P.M. on May 15, 1989.

Professional, Technical & Consulting Contracts

To submit proposals or for additional information, contact:

Lynwood Watson, Jr., Business Manager
MCF—Shakopee
P.O. Box 7
1010 West 6th Avenue
Shakopee, Minnesota 55379
PHONE #: 612-496-4440

Department of Corrections

Minnesota Correctional Facility—Shakopee

Notice of Request for Proposals for Dental Laboratory Services

NOTICE IS HEREBY GIVEN to request proposals for the provision of dental laboratory services for the inmates of the Minnesota Correctional Facility in Shakopee, as referred by the dental staff of that facility. Proposals shall be based on services to be provided in the laboratory submitting the proposal. Proposal shall cover the period of July 1, 1989 to June 30, 1991 and shall be submitted on a per service basis. Proposals must be submitted by 4:00 PM. on May 15, 1989.

To submit proposals or for additional information, contact:

Lynwood Watson, Jr., Business Manager
MCF—Shakopee
P.O. Box 7
1010 West 6th Avenue
Shakopee, Minnesota 55379
PHONE #: 612-496-4440

Department of Corrections

Minnesota Correctional Facility—Stillwater

Correction to Notice of Request for Proposal for Chemical Dependency Education

The notice that appeared on April 24, 1989 on page 2648 of the *STATE REGISTER* should be corrected to note that inquiries be directed to Don Engeldinger (612) 779-2760 at the same address as noted earlier.

Department of Health

Division of Maternal and Child Health: Services for Children with Handicaps

Consultant Contracts Available for Medical and Related Services for Children with Special Health Care Needs

Openings exist at field clinics for:

1. Board certified or approved physicians to provide medical examinations;
2. Registered public health or pediatric nurses to provide nursing services;
3. Licensed psychologists to provide psychological assessments;
4. Certified audiologists to provide audiological examinations;
5. Certified speech pathologists to provide speech assessments;
6. Experienced social worker to provide social work services at diabetes clinics in Willmar;
7. Licensed educational consultant to provide educational assessments at field clinics in northwestern Minnesota.

Qualified, interested persons should contact Alpha Adkins, Services for Children with Handicaps, 717 Delaware Street, S.E., Minneapolis, Minnesota 55440. Phone (612) 623-5165 by May 10, 1989.

A total of \$230,713.00 has been budgeted to fund these positions. Funding for individual positions varies by category and position.

Professional, Technical & Consulting Contracts

Department of Health

Community Health Services Division

Emergency Medical Services Section

Notice of Request for Proposal for EMS Medical Director

The Minnesota Department of Health is requesting proposals from eligible physicians to serve as medical director of its Emergency Medical Services Section for the period from July 1, 1989, to June 30, 1990.

Qualifications for the position include: current active practice of emergency medicine or a related specialty; recognized standing in the professional community, e.g., current or recent chairmanships and memberships of the American College of Emergency Physicians, Minnesota Medical Association, and other relevant professionals associations; experience in working with governmental agencies; familiarity with the state emergency medical systems grants program and other federal and state programs; an interest in assisting the Department of Health in defining and achieving goals specific to the planning, development, and regulation of emergency medical services, and the setting of appropriate guidelines and standards.

Minimum tasks include: assisting the Department of Health in the administration of emergency medical services rules and regulations; reviewing requests for licensure, waivers and variances; representing the Department in its contacts with associations, public and private agencies, and the general public; providing general technical assistance to the Department; providing regular progress reports.

Candidates must respond in the form of a written proposal to enter into a contract as required by the Department of Health. Reimbursement for a maximum of 300 hours assistance will be \$19,000, which includes travel and expenses. The deadline for proposals is June 23, 1989.

Copies of the Request for Proposal (RFP), containing additional information about medical director duties and complete instructions for submitting a proposal, will be available after May 22, 1989, from:

Donald O. Hedman, Grants Manager
Emergency Medical Services Section
Minnesota Department of Health
393 N. Dunlap St.
P.O. Box 64900
St. Paul, MN 55164-0900
(612) 643-2165

Department of Human Services

Willmar Regional Treatment Center

Notification of Request for Proposal for Medical Services

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

1. Services of Radiologists to interpret X-ray films; provide radiological supervision and X-ray consultation; provide specialized X-ray procedures. Estimated amount of the contract will not exceed \$14,300 per year.

2. Services of Psychiatrist to provide consultation to Adolescent Treatment Unit, Psychiatric Rehabilitation Unit and Chemically Dependent Unit; special skills in adolescent and chronic mental illness psychiatry. Estimated amount of the contract will not exceed \$52,416.00.

3. Services of two Protestant Chaplains—1 full-time Chaplain and 1 for 16 hours per week to conduct services and other ministries to Mentally Ill, Developmentally Disabled and Chemically Dependent client. Estimated amount of the contract will not exceed \$34,575.00.

4. Services of a Psychiatrist to provide consultation for newly admitted mentally ill clients, consultive services in the clinical management of developmentally disabled clients and related educational guidance of treatment staff. Estimated amount of contract will not exceed \$35,568.00.

Professional, Technical & Consulting Contracts

5. Services of Nurse Practitioner responsibilities will include health assessment, management consultations to medical staff, and services to clients in the area of annual physical and admission exams. Estimated amount of contract will not exceed \$32,844.00 annually.

6. Services of Physicians to provide medical and surgical consultations as needed to clients of Willmar Regional Treatment Center. Estimated amount of contract will not exceed \$20,000.

7. Services of Psychiatrist to provide consultation for newly admitted M.I. clients and consultive services in the clinical management of developmentally disabled clients and related educational guidance of treatment staff. Estimated amount of contract will not exceed \$30,600.

8. Services of Physical Therapist to provide consultative services for the developmentally disabled, clients, assessments, evaluations, treatment plans, instructional services to staff and follow up reviews on physical therapy programs. Estimated amount of contract will not exceed \$17,500.

9. Services of Psychiatrist to provide consultation for newly admitted M.I. clients and consultive services in the clinical management of M.I. clients and related educational guidance of treatment staff. Estimated amount of contract will not exceed \$50,000.

Questions: 612-231-5396—Stephen Grams

RESPONSES FOR THE ABOVE SERVICES MUST BE RECEIVED BY MAY 24, 1989.

ADDRESSED TO:

Mr. Stephen Grams, Business Manager
Willmar Regional Treatment Center
Box 1128
Willmar, MN 56201

Department of Human Services

Chemical Dependency Program Division

Request for Proposals to Provide Permanent Housing for Homeless Chemically Dependent Persons—Due Date: 6/5/89

The Chemical Dependency Program Division of the Minnesota Department of Human Services (hereafter CDPD) is requesting proposals for provision of board and lodging or other needed services to supply or support permanent housing of homeless chemically dependent persons. Funds may be used for renovation of buildings to provide housing; for equipment and furnishings, or for supportive services to existing projects providing housing to homeless people so that services are better geared to chemical dependency needs. In order to be considered for funding, proposals must be geared to persons who are identified as chemically dependent and who are homeless or at risk of becoming homeless as evidenced by current housing conditions or assessment of ability to obtain and retain adequate housing without assistance.

Proposals should not exceed \$60,000. The project should start no sooner than 8/1/89 and must have all work completed by 6/30/90. Interested persons may obtain a copy of the Request for Proposals and CDPD proposal forms and instructions by contacting:

Dorrie Hennagir
Chemical Dependency Program Division
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3823
612/296-4617

Eight copies of each proposal must be in the CDPD offices, 444 Lafayette Road, St. Paul, MN 55155-3823, no later than 4:20 PM on June 5, 1989. Proposals which are mailed in must have a legible post-mark date of no later than June 2, 1989.

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.

St. Anthony Falls Heritage Board

Notice of Availability of Contract for Heritage Interpretive Plan

The St. Anthony Falls Heritage Board is seeking individuals and firms with experience in interpretive planning and physical design for historic resources to submit proposals for development of a comprehensive interpretive plan for the St. Anthony Falls Heritage Interpretive Zone. These services, which will be provided under contract, are outlined in detail in the Request for Proposal (RFP). The formal RFP may be requested and inquiries directed to: Mark Schwartz, Contract Office, Minnesota Historical Society, 1500 Mississippi Street, St. Paul, MN 55101, (612) 296-2155 The deadline for submitting completed proposals is 5:00 p.m. CDT May 22, 1989.

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 Health

Community Health Services Division

Emergency Medical Services Section

Notice of Availability of Funds for Minnesota Poison Information Centers

The Commissioner of Health announces the availability of funds for the provision of poison information services in the State of Minnesota. Non-profit corporations and units of government are eligible to apply.

Approximately \$550,000 will be available for the year July 1, 1989, through June 30, 1990. Of that amount, \$400,000 is from State general funds and \$150,000 from federal Preventive Block Grant funds. The availability and specific amount of funding are contingent on the outcome of State and federal budget deliberations.

Proposals for poison information services should be specifically designed to serve the needs of the general public and health professionals. The services are not intended to fulfill the duties of units of government, private industry or others who may be required by State law to provide information on issues such as worker right-to-know and hazardous materials response.

Proposals will be due on June 9, 1989. Following a review of the proposals received and a recommendation by the Minnesota Poison Information Advisory Task Force, the Commissioner will designate one or more regional poison information centers. Funds will be administered through contract(s) between the State and the designated grantee(s) for a one-year period, July 1, 1989, through June 30, 1990. The Commissioner reserves the right to extend the poison center(s) designation and the terms of the contract(s) for an additional year, from July 1, 1990, through June 30, 1991, without reopening the designation process. In that case, the next designation of state poison information center(s) would not occur until mid-1991.

In selecting a grantee(s), the Commissioner will use the five selection criteria specified in the enabling legislation (*Minnesota Statutes* 145.93), plus such general considerations as the availability of matching funds and in-kind support and the ability to pursue additional funding from other sources. Applicants will be expected to demonstrate the ability to initiate services as soon as possible following selection and awarding of funds.

Selection criteria, and additional information on the format and content of proposals, are contained in a Request for Proposal which will be supplied to all eligible grantees submitting a Notice of Intent to Apply for Funds.

Notices of Intent must be submitted by May 15, 1989, to:

Commissioner of Health
Minnesota Department of Health
717 S.E. Delaware St.
P.O. Box 9440
Minneapolis, MN 55440

and to:

Donald O. Hedman, Grants Manager
Emergency Medical Services Section
Minnesota Department of Health
393 N. Dunlap St.
P.O. Box 64900
St. Paul, MN 55164-0900
(612) 643-2165

Department of Health

Community Health Services Division

Emergency Medical Services Section

Notice of Availability of Grants for Regional Emergency Medical Services

The Commissioner of Health announces the availability of funds for two-year grants to all eight geographic emergency medical services (EMS) regions in Minnesota: Northwest, Northeast, West Central, Central, Southwest, South Central, Southeast and Metropolitan.

The total estimated amount available for the two-year period from July 1, 1989, through June 30, 1991—including all sources of funding—is \$1,720,000, or \$215,000 per region.

Of the \$1,720,000 amount:

- An estimated \$1,040,000 is available under the Minnesota Emergency Medical Services System Support Act [*Minnesota Statutes* 144.8093]. Each of the eight EMS regions would receive \$130,000.
- Funding from federal Preventive Block Grant sources is expected to be available in the amount of \$400,000. Each region would receive \$50,000.
- Funding from the State's Special EMS Relief Account, based on figures from its first 10 months of operation, is estimated to be \$280,000, or \$35,000 per region. (Half of the \$10 fine for violation of the seat-belt use requirement currently goes into the Special EMS Relief Account [*Minnesota Statutes* 169.686]. If proposed legislation is approved, designating the entire fine to the account, this source of funding would double.)

This announcement does not obligate the Commissioner to fund proposed projects, and the right is reserved to modify or cancel the solicitation if it is deemed in the right interest of the State to do so.

I. Purpose

The purpose of these grants is to continue the development maintenance and improvement regional EMS systems throughout the State of Minnesota.

II. Objective

The long-range objective is the reduction of death and disability due to medical emergencies by promoting the prevention of medical emergencies and improving the quality of emergency medical care. Particular emphasis is given to supporting and improving emergency trauma and cardiac care and training.

III. Process

The Commissioner will accept proposals for two-year regional projects from each of the regions: Northwest, Northeast, West Central, Central, Southwest, South Central, Southeast, and Metropolitan. Proposals will be due on June 16, 1989. Following each proposal with one of the following options: 1) approving the proposals at requested funding level, 2) approving proposal at a different funding level, 3) denying funding for the proposal, or 4) returning the proposal for additional information.

State Grants

IV. Eligible Grant Applicants

Proposals will be considered from not-for-profit corporations or governmental entities. Proprietary corporations are ineligible as the primary grantee under the Federal block grant legislation which supports this grant program. The regional EMS project must provide services in all counties within the region and must have the demonstrated support of the majority of Community Health Boards and other organizations and agencies that are actively involved in regional EMS activities. The EMS regional system shall be governed by a body consisting of appointed representatives from each of the counties in that region and shall also include representatives from EMS organizations.

V. Proposal Contents

Additional information on the organization, format and content of proposals will be mailed on May 15, 1989, to all parties that submit a Letter of Intent as described below.

At a minimum, however, proposals will be expected to contain at least the following information:

- A. Project Administration/Management
 - 1. Administrative Structure
 - 2. Qualifications of Personnel
 - 3. Regional Advisory Committee
- B. Budget
 - 1. Line-Item Breakdown
 - 2. Narrative
- C. Regional EMS Plan (including the following components)
 - 1. Trained Personnel
 - 2. Transportation
 - 3. Public Safety Coordination
 - 4. Communications
 - 5. Public Involvement
 - 6. Facilities Access (critical care systems planning)
 - 7. System Management

Section C, the regional EMS plan, will be the basis for developing a project workplan by addressing the following elements: current status; desired status; needs/problems; steps in progress; objectives; and evaluation measures.

Grant applicants are expected to **address** in their proposals each of the program components listed in Section C above. However, applicants will not necessarily be expected to develop **objectives** in their proposals for each of the program component.

VI. Notices of Intent

Interested parties must submit a Notice of Intent to Apply for Funds no later than May 15, 1989. The Notice of Intent must include: 1) Name of applicant organization, 2) type of organization, and 3) name, address and telephone number of a contact person.

Notices of Intent must be submitted to:

Commissioner of Health
Minnesota Department of Health
717 S.E. Delaware St.
P.O. Box 9440
Minneapolis, MN 55440

and to:

Donald O. Hedman, Grants Manager
Emergency Medical Services Section
Minnesota Department of Health
393 N. Dunlap St.
P.O. Box 64900
St. Paul, MN 55164-0900
612/643-2165

Supreme Court Decisions

Decisions Filed 28 April 1989

CX-88-1027, C0-88-1764 State of Minnesota v. Robert Edward Thieman, Appellant. Pine County.

The evidence is sufficient to support defendant's conviction of first-degree murder.

The trial court did not err by admitting defendant's confession and a prior threat that defendant had made to victim's son.

A consecutive sentence for attempted second-degree murder cannot be regarded as a departure to correct the trial court's use of an inapplicable guideline grid.

Affirmed. Yetka, J.

C9-88-936 State of Minnesota v. Robert Lee Crisler, Appellant. Court of Appeals.

Miranda warning given by police before subjecting suspect to custodial interrogation consists of four individual warnings: (1) the suspect has the right to remain silent; (2) any statements made can and will be used against the suspect in a court of law; (3) the suspect has the right to talk to an attorney before being questioned and to have the attorney present during questioning by the police; and (4) if unable to afford to hire an attorney, one will be appointed at no cost before any questioning if desired.

Affirmed. Simonett, J.

CX-88-721 In re Petition for Disciplinary Action against Richard D. Weiblen, an Attorney at Law of the State of Minnesota. Supreme Court.

An attorney's pattern of professional misconduct involving multiple offenses including conduct which demonstrates: (1) misunderstanding of legal procedures and rules governing professional conduct; (2) representation of a client whose interest is adverse to his own; (3) violation of rules of court resulting in interference with legal proceedings; (4) continued *ex parte* contracts with judges in contested cases; and (5) an attempt to secure a general exculpation from potential malpractice claims by appending to an endorsement of a real estate closing check a general release, merits indefinite suspension.

Indefinite suspension. Per Curiam.

Announcements

DNR State Park News: The lower campground at William O'Brien State Park, near Marine-on-the-St. Croix will be closed this summer to rehabilitate the campground and improve its design and aesthetic character. The upper campground and group camp will remain open, as will the separate camp by the river reserved for canoeing groups. The closed campground will be reopened later this year depending on growing conditions. • Campers visiting Minnesota's state parks may reserve campsites up to 15 days ahead of arrival. Reservations are accepted Monday through Friday, 8 a.m.-4 p.m. all year long either by phone or in person at the participating park. Up to three campsites may be reserved at a time. In the family campsites, a semi-modern site has a fee of \$7 or \$8 per night, a rustic site of \$6/night, and electric sites charge an additional \$2. Backpacking and canoe campsites are \$5/night. If reservations are made in advance, there is a \$3 non-refundable service fee for each reservation. Minnesota residents 65 and older or handicapped persons may camp Sunday through Thursday (except holidays) at half-price. Maps, reservation details and other information about Minnesota state parks are available free by calling the DNR Information Center, Monday through Friday (7:30 a.m.-4:30 p.m.), at (612) 296-4776 or call toll-free in Minnesota 800-652-9747 (ask for the DNR). • Minnesota's state forest campgrounds will all be open for the camping season beginning May 13. State forest campgrounds are located throughout the forested parts of Minnesota—many on lakes or canoe routes. Campgrounds have rustic sites with fireplaces and picnic tables. In addition, vault toilets, parking spurs and drinking water are provided at all campgrounds where fees are charged. Campground fees increased this year on May 1 from \$5 to \$6 per night (including tax). The last fee increase occurred in 1983. Campground fees are collected through a self-registration system and no full-time attendants are on duty. Persons interested in additional information on state forest campgrounds and recreation facilities may request a brochure by writing the DNR Information Center, 500 Lafayette Road, St. Paul, MN 55155-4040 or calling (612) 296-6157 (metro area) or outstate, 1-800-652-9747 (ask for the DNR). • Howard Hanson, of Excelsior, Minnesota, has been named the Minnesota State Parks 1990 Vehicle Permit Contest winner. Hanson's design features a dramatic scene of the historic suspension bridge over the St. Louis River gorge in Jay Cooke State Park. The design depicts two hikers looking down from the bridge in a fall scene of bright golden and orange colored leaves contrasted by evergreen trees along the rocky river gorge. The 1990 permit commemorates the 75th anniversary of Jay Cooke State Park. The 1990 vehicle permit featuring Jay Cooke State Park will be on sale in October. The 1989 vehicle permit is currently available at all Minnesota state parks and features an Eastern Bluebird and Camden State Park. The annual permit provides entry to all 64 state parks, open year-round, throughout Minnesota.

Announcements

Seaplane Pilots Safety Seminar: The tenth annual Minnesota Seaplane Pilots Safety Seminar, to be held May 5, 6, 7 at the Breezy Point Resort in Breezy Point. Program highlights include educational and safety presentations, exhibits, movies, dual refresher training, and a flying contest. Both the flying events and exhibits are free to the public. For more information, contact Donald Goserud, Minn. Dept. of Transportation, Office of Aeronautics, at 612-296-7285.

Forum to Discuss River Recreation Area: A public forum to discuss the newly-created Mississippi National River and Recreation Area is scheduled for Wednesday, May 10, at the offices of the Metropolitan Council. The forum will include a review of the federal recreation area legislation. Local officials will have an opportunity to ask questions and discuss their concerns about the future of the Mississippi River corridor. After a recent federal study concluded that the Metropolitan Area's river system is a valuable national resource, Congress last year designated a 69-mile stretch of the Mississippi a National River and Recreation Area. The law calls for a 22-member coordinating commission to design an overall management plan by November 1991 for the river corridor. The plan is required to incorporate existing federal, state, regional and local plans to streamline and coordinate future development along the Mississippi. The meeting will be held at 7 p.m. in the Council Chambers, Mears Park Centre, 230 E. Fifth St., St. Paul. It is cosponsored by the National Park Service, the Association of Metropolitan Municipalities and the Minnesota Department of Natural Resources. For more information and to register, call the Council at 291-6500.

Metro Council Seeks Minority Issues Advisory Committee Members: The Metropolitan Council is now taking applications from Twin Citians interested 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 six vacancies on the committee. Blacks, Hispanics and American Indians are especially encouraged to apply. One vacancy is in District D, which includes north Minneapolis, Brooklyn Park, Brooklyn Center, New Hope, Crystal and Osseo. District G also has a vacancy, which includes the western half of Hennepin County, Carver and Scott Counties, and the cities of Lakeville and Burnsville in Dakota County. The remaining four vacancies can be filled from anywhere in the seven-county Metropolitan Area. 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 May 19. Call Chris Yankovec of the Council staff at 291-6414 for more information or application forms. The Council will make the appointments in late May.



Morel: Minnesota's mushroom

ROON: A Tribute to Morel Mushrooms, this delightful treatise on the "filet mignon" of mushrooms will help the stalker of this elusive prey find, and prepare in a variety of ways, its mouth-watering madness. Code #19-55, \$12.00.

Edible Mushrooms, a classic guide to safe mushrooms, describes 60 species in detail, with photographs (many in color) to show each in its natural habitat. Advice to amateur mushroom hunters. Paperbound, 118 pp. Code #19-11, \$9.95.

Malfred Ferndock's Morel Cookbook, brim full of morel lore, interesting and tall tales, recounts of the hunt, and many savory recipes. Spiral bound, 117 pgs., black & white photos and drawings. Code #19-83, \$8.50.

Northland Wildflowers, the perfect mushroomers companion. An excellent guide for identification and enjoyment of wildflowers, with 308 color photographs and descriptions of 300 species. Paperbound. 236 pp. Code #19-9, \$12.95.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$1.50 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard orders accepted over phone and through mail. **Prices are subject to change.**

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.

Minnesota's North Shore

Historic Sites and Place Names of Minnesota North Shore. Stories recounted by a retired DNR Forester about the North Shore's timbermen, pioneer settlers, commercial fishermen, and others who knew the area first hand. Stock #9-11. 35pp. \$3.50 + tax.

Up North. A memorable collection of essays and stories that capture the mystic moods, seasonal subtleties and colorful characters that fill the landscape up north. Stock #19-16. \$14.95 + tax.

A Family Guide to Minnesota's North Shore. The 150 miles from Duluth to the Canadian border offer travelers wilderness experiences, places of historic significance, and visions of astonishing beauty. Stock #19-84. \$3.95 + tax.

Boundary Waters. Almost 100 pages of beautiful color photographs of Minnesota's canoe country, by Jerry Stebbins with rich text by Greg Breining. Stock #19-69. \$24.99 + tax.

Minnesota II. Colorful photographs showing the lyrical balance between country and city, land and water, inhabited by 4.2 million people across 84,000 square miles. A delight for the eyes, with photos by Richard Hamilton Smith and text by Richard A. Coffey. Stock #19-30. \$32.50 + tax.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$1.50 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard orders accepted over phone and through mail. **Prices are subject to change.**



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.

Guides for Small Businesses

These helpful guides are designed to achieve a practical balance between basic theory and day-to-day business practices. Continuing self-education is important for small business owners in an ever changing business world, and these do just that in "shirt sleeves" fashion and in language the small company can use to translate ideas into decisions and actions.

Starting and Managing a Small Business of Your Own. Stock #16-40. \$4.75 + tax.

Guides for Profit Planning. Stock #16-41. \$4.50 + tax.

A Handbook of Small Business Finance. Stock #16-42. \$2.00 + tax.

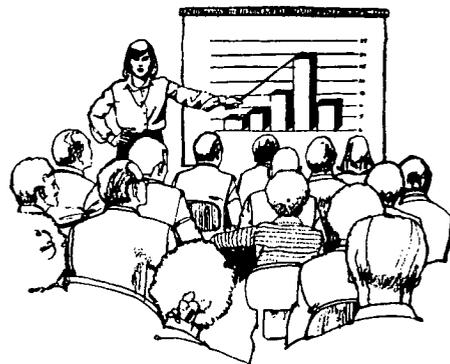
Starting and Managing a Small Service Business. Stock #16-48. \$2.00 + tax.

U.S. Government Purchasing and Sales Directory. Lists products and services bought by the military departments and civilian agencies. 191 pages, Stock #16-35, \$5.50 + tax.

For Women: Managing Your Own Business. 230 pages, Stock #16-14, \$6.50 + tax.

Managing for Profits. Stock #16-68, \$5.50 + tax.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$1.50 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard orders accepted over phone and through mail. **Prices are subject to change.**



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

River Stories That Warm Your Heart

A Stretch on the River. 1950 novel about the son of a wealthy family who goes to work on a Mississippi River towboat to avoid being drafted. With power, gusto and humor, author Richard Bissel creates an energetic, rowdy, and delightful account of a typical trip up the river, accurately re-creating a colorful era of towboating on America's major waterway. Stock #17-6, \$8.95 plus tax.

High Water. During the worst flood on the Mississippi River anyone can remember, the mate of a towboat has his hands full on a perilous trip, working with an unhappy crew, an angry captain, and too many barges to push against too much river. A 1954 Richard Bissel novel reveals the drama, humor and charm of working on the river. Stock #17-8. \$8.95 plus tax.

Old Times on the Mississippi River. George Merrick's lively, loving, and humorous reminiscences of his steamboat life from the bottom up, as a pantry boy, apprentice engineer, second clerk, and "cub" pilot. First published in 1909, he describes steamboat operations—from machinery and personnel to the economics of the business—with vivid examples and rich detail. 323 pp. includes appendices and index. Stock #17-45. \$8.95 plus tax.

Canoeing with the Cree. Minnesota's distinguished newsman, Eric Sevareid, wrote his first book in 1935 about a canoe journey he and a classmate made to Hudson Bay. The classic recounts their trip on the Mississippi, Minnesota and Red River of the North Rivers into Lake Winnipeg, and then God's River to Hudson Bay. 209 pp. includes index, maps and photos. Stock #17-14. \$6.95 plus tax.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$1.50 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard orders accepted over phone and through mail. **Prices are subject to change.**



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

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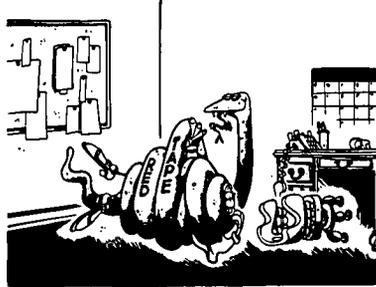
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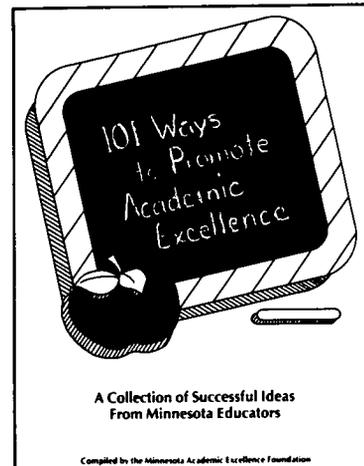
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