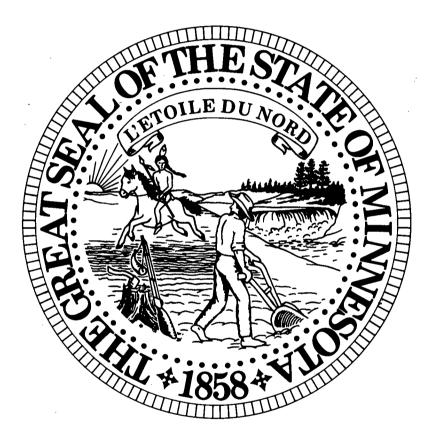
State of Minnesota

STATE REGISTER

Department of Administration--Print Communications Division



Rules edition Published every Monday

25 September 1989

Volume 14, Number 13

Pages 833-888

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 and commissioners' orders, proposed and adopted rules, official notices, state and non-state contracts, contract awards, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

A Contracts Supplement is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 14 *Submission deadline for Issue Adopted and Proposed Rules, Number Commissioners' Orders**		*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date	
13	Monday 11 September	Monday 18 September	Monday 25 September	
14	Monday 18 September	Monday 25 September	Monday 2 October	
15	Monday 25 September	Monday 2 October	Monday 9 October	
16	Monday 2 October	Monday 9 October	Monday 16 October	

^{*}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.

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

The STATE REGISTER is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to Minnesota Statutes § 14.46. A STATE REGISTER Contracts Supplement is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme and tax courts; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the STATE REGISTER be self-supporting, the following subscription rates have been established: the Monday edition costs \$130.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the Contracts Supplement); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the STATE REGISTER circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Rudy Perpich, Governor Sandra J. Hale, Commissioner Department of Administration Stephen A. Ordahl, Director Print Communications Division Robin PanLener, Editor Paul Hoffman, Assistant Editor Debbie 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

^{**}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.

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Minnesota Rules: Amendments and Additions =

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

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

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

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

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Minnesota Rules: Amendments & Additions 3

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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 Finance

Rural Finance Authority

Notice of Withdrawal of Proposed Rules

NOTICE IS HEREBY GIVEN that the Proposed Rules Relating to the Beginning Farmer Loan Participation Program, and the Notice to Adopt the Proposed Rules Without a Public Hearing published in the *STATE REGISTER*, Volume 12, Number 35, on February 29, 1988 are hereby withdrawn.

Thomas Triplett, Chairman Rural Finance Authority

Higher Education Coordinating Board

Proposed Permanent Rules Relating to Requirements for Registration

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Higher Education Coordinating Board 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 contained in 136A.111 and 136A.70.

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:

Rose Herrera Hamerlinck Minnesota Higher Education Coordinating Board 550 Cedar Street, Suite 400 St. Paul, MN 55101 (612/296-7963)

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 Rose Herrera Hamerlinck 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 Rose Herrera Hamerlinck.

Dated: 12 September 1989

David R. Powers Executive Director

Rules as Proposed

4840.0400 REQUIREMENTS FOR REGISTRATION.

- Subpart 1. Fees. The initial registration fee is \$200 and the annual renewal fee is \$150. Neither fee is refundable.
- A. The fees for initial registration and for annual renewal are as authorized by law, recommended by the board, and approved by the commissioner of finance according to Minnesota Statutes, section 16A.128.
- B. A school shall reimburse the board for reasonable costs associated with a site evaluation visit outside Minnesota if the visit is necessary under subpart 3 and Minnesota Statutes, section 136A.64, subdivision 1.
- Subp. 2. Plan to preserve permanent records. Each school located in Minnesota shall maintain permanent records for all students enrolled at any time. Records include school transcripts, documents, and files containing student data relating to academic credits earned, courses completed, grades awarded, degrees awarded, and periods of attendance.
 - A. To preserve permanent records, a school shall submit a plan which meets all of the following:
 - A. (1) at least one copy of the records held in a secure depository;
- $\frac{B_{-}(2)}{2}$ an appropriate official designated to provide a student with official copies of records or a transcript official transcripts upon request;
- C. (3) a method of, acceptable to the board, of complying with items A subitems (1) and B should (2) for at least 50 years if the school eease ceases to exist; and
- D. (4) if the school has no binding agreement for preserving and providing official copies of student records under this item, a continuous surety bond in an amount not to exceed \$20,000 or a trust arrangement should the school cease to exist.
 - B. When a school decides to cease postsecondary education operations, it must inform the board of the following:
 - (1) the planned date for termination of postsecondary education operations;
 - (2) the planned date for the transfer of the student records;
 - (3) confirmation of the name and address of the organization to receive and hold the student records; and
- (4) the official at the organization receiving the student records who is designated to provide official copies of records or transcripts upon request.

[For text of subps 3 to 7, see M.R. 1989]

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

State Board of Vocational Technical Education

Proposed Permanent Rules Relating to Vocational Postsecondary Teacher Licenses; Technical Occupations

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Board of Vocational Technical Education intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, Section 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 136C.04, Subdivision 9.

All persons have 30 days until 4:30 p.m., Tuesday, October 24, 1989, 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 either:

Glenda Moyers, Supervisor

Minnesota Technical College System

100 Capitol Square Building 550 Cedar Street

St. Paul, MN 55101

Telephone: (612) 296-5707

Georgia Pomroy, License Revision Specialist

Minnesota Technical College System

100 Capitol Square Building

550 Cedar Street St. Paul, MN 55101

Telephone: (612) 296-0680

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

A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Glenda Moyers or Georgia Pomroy at the above address.

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

Glenda Moyers

Minnesota Technical College System

100 Capitol Square Building 550 Cedar Street

St. Paul, MN 55101 (612) 296-5707

Georgia Pomroy

Minnesota Technical College System

100 Capitol Square Building

550 Cedar Street St. Paul, MN 55101 (612) 296-0680

> Helen Henrie, Deputy Director Minnesota Technical College System

Rules as Proposed (all new material)

3700.0700 LICENSES IN THE TECHNICAL OCCUPATIONAL AREA.

Subpart 1. **Listed here.** An applicant for a license to teach postsecondary vocational programs and courses in the technical occupational area must meet the requirements in this part. These requirements are in addition to the requirements listed in part 3700.0100 and for a particular license (listed in the part that covers that particular license).

- Subp. 2. Recent occupational experience. An applicant for a license to teach in the technical occupational area must have 2,000 hours of occupational experience within the five years just before applying for that license.
 - Subp. 3. **Does not apply.** Part 3515.9921 does not apply to parts 3700.0705 to 3700.0770.

3700.0710 AUDIO RECORDING SPECIALIST.

- Subpart 1. May teach. A teacher who has an audio recording specialist license may teach in the audio recording specialist program and may also teach courses in:
 - A. basic audio recording and reinforcement;
 - B. audio for nonmedia professionals;
 - C. mixing I and II; and
 - D. sound tracks for slide productions.
- Subp. 2. Other requirements. The applicants must meet the requirements listed in part 3700.0100 and the requirement for a teacher in the technical area under part 3700.0700.
- Subp. 3. Occupational experience requirement. The applicant must have 8,000 hours of occupational experience as a primary audio engineer in multi-track recording of music and audio for television film and audio-visual and must have experience in three of the areas listed in this subpart:
 - A. audio time code lock;
 - B. musical instrument digital interface (MIDI);
 - C. audio location recording;
 - D. troubleshooting audio equipment; and
 - E. audio recording project planning and management.
- Subp. 4. Substitution for occupational experience. The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of occupational experience required under subpart 3. The education must be from an accredited postsecondary institution. If the substitution is made, the applicant must still comply with the recency requirements in part 3700.0700, subpart 2.
- A. A bachelor's or higher degree with a major in audio recording, television production, or speech and broadcasting may be substituted for 4,000 hours.
 - B. An associate degree in audio recording specialist, television, or radio production may be substituted for 2,000 hours.
- C. A diploma in audio recording specialist, television, or radio production may be substituted. A one-year program or a program of 45 or more quarter credits equal 1,050 hours. A two-year program or a program of 90 or more quarter credits equal 2,000 hours.
- D. The completion of courses for credit or clock hours for audio recording specialist, television, and radio production. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.
- Subp. 5. **Substitution for recent occupational experience.** Teaching experience in primary program content at an accredited postsecondary institution or industrial setting may be substituted for 1,500 of the 2,000 hours required in part 3700.0700, subpart 2, if the teaching is done during the five-year period. The teaching must be in audio recording. Two hours of teaching equal one hour of occupational experience.

3700.0715 AUTOMATED SYSTEMS TECHNOLOGY.

- Subpart 1. May teach. A teacher who has an automated systems technology license may teach in the automated systems technology, automated packaging equipment maintenance, automated manufacturing, automated equipment maintenance, flexible automation, and robotics programs and may also teach courses in:
 - A. schematic reading;
 - B. programmable logical controller (PLC);
 - C. industrial electronics (nonconsumer);
 - D. AC/DC motor controls;
 - E. introduction to robotics;
 - F. nonservo robots:

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- G. servo robots;
- H. manufacturing cells;
- I. computerized integrated manufacturing (CIM); and
- J. automated packaging technology.
- Subp. 2. **Other requirements.** The applicant must meet the requirements listed in part 3700.0100 and the requirements for a teacher in the technical occupational area under part 3700.0700.
- Subp. 3. **Educational and occupational experience requirement.** The applicant must have the educational and occupational experience as described in item A, B, or C. The education must be from an accreditated postsecondary institution.
- A. A bachelor's or higher degree with a major in computer science, industrial technology, or the following fields of engineering: robotics, industrial process control, mechanical, electrical, computer, packaging, or motion control and 4,000 hours of occupational experience in automated manufacturing process application and industrial controls. This experience must be in at least two of the following areas: production planning, systems interfacing, manufacturing methods, programming systems, or system troubleshooting and repair of system, and system configuration and product process.
- B. An associate degree in robotics, manufacturing technology, electronics, automated systems, automated manufacturing, automated machinery, automated packaging, instrumentation technology, or computer technology and 6,000 hours of occupational experience in automated manufacturing process application and industrial controls. A minimum of 4,000 hours in this area must be in at least two of the following: planning, systems interfacing, manufacturing methods, programming systems, or troubleshooting and repair of system and system configuration and product process. The 4,000 hours must include the 2,000 hours required in part 3700.0700, subpart 2. The remaining experience may be in any of the following: robotics/flexible automation application, flexible automation programming, quality control in a production environment, computer aided drafting (CAD), packaging technology, vision systems, mechanical power transmission, fluid power mechanics, computerized numerical controls (CNC), electronics technician, and electrician with voltage application in excess of 220 watts.
- C. A two-year diploma program or a program of 90 or more quarter credits in artificial intelligence, automated equipment, automated packaging, automated systems, electronics, fluid power, instrumentation technology, or computer technology and 6,000 hours of occupational experience in automated manufacturing process application and industrial controls. A minimum of 4,000 of the hours in this area must be in at least two of the following: planning, systems interfacing, manufacturing methods, programming systems, or troubleshooting and repair of system and system configuration and product process. The 4,000 hours must include the 2,000 hours required in part 3700.0700, subpart 2. The remaining experience may be in any of the following areas: robotics/flexible automation application, flexible automation programming, quality control in a production environment, computer aided drafting (CAD), packaging technology, vision systems, mechanical power transmission, fluid power mechanics, computerized numerical controls (CNC), electronics technician, and electrician with voltage application in excess of 220 watts.
- Subp. 4. **Substitution for recent occupational experience.** Teaching experience at an accredited postsecondary institution, industrial, or business setting in primary program content in automated systems technology may be substituted for 1,500 of the 2,000 hours required in part 3709.0700, subpart 2. Two hours of teaching equal one hour of occupational experience.

3700.0720 PRINTED CIRCUIT BOARD TECHNOLOGY.

- Subpart 1. May teach. A teacher who has a printed circuit board technology license may teach in the printed circuit board program and may also teach courses in:
 - A. introduction to computer aided drafting (CAD);
 - B. basic electricity;
 - C. introduction to DOS;
 - D. fundamentals of electronic drafting; and
 - E. introduction to UNIX.
- Subp. 2. **Other requirements.** The applicant must meet the requirements listed in part 3700.0100 and the requirements for a teacher in the technical area under part 3700.0700.
- Subp. 3. Educational and occupational experience requirement. The applicant must have the educational and occupational experience described in item A, B, or C. The education must be from an accredited postsecondary institution.
- A. A bachelor's or higher degree with a major in electrical engineering or industrial technology and 4,000 hours of occupational experience designing printed circuit boards, which must include computer aided drafting (CAD).
- B. An associate degree in industrial technology, electrical or electronic drafting, mechanical drafting, electro-mechanical technology, computer aided design, or electronics technology and 6,000 hours of occupational experience designing printed circuit boards, which must include computer aided drafting (CAD).

- C. A diploma or certificate in a two-year program or a program of 90 or more quarter credits in electrical or electronic drafting, mechanical drafting, electro-mechanical technology, industrial engineering technology, printed circuit design technology, or electronics technology and 6,000 hours of occupational experience designing printed circuit boards, which must include computer aided drafting (CAD).
- Subp. 4. Substitution for recent occupational experience. The applicant may substitute teaching experience in primary program content, at an accredited postsecondary institution, industrial, or military setting in computer aided printed circuit board design for 1,500 of the 2,000 hours required under part 3700.0700, subpart 2. Two hours of teaching equal one hour of the occupational experience required.

3700.0725 ENVIRONMENTAL TECHNOLOGY.

- Subpart 1. May teach. A teacher who has an environmental technology license may teach in the environmental technology, air and water analysis technology, water/waste treatment technician, food laboratory testing and management, and environmental technology programs and also teach courses in:
 - A. chemistry;
 - B. microbiology;
 - C. instrument analysis;
 - D. air analysis; and
 - E. wastewater analysis.
- Subp. 2. **Other requirements.** The applicant must meet the requirements listed in part 3700.0100 and the requirements for a teacher in the technical area under part 3700.0700.
- Subp. 3. Educational and occupational experience requirement. The applicant must meet the educational and occupational experience described in item A, B, or C. The education must be from an accredited postsecondary institution.
- A. A bachelor's or above degree with a major in chemistry, environmental science, or chemical engineering and 4,000 hours of occupational experience with a minimum of 2,000 hours in laboratory analysis in an energy research center, industrial environmental laboratory, chemical quality control laboratory, or in operational testing, sampling, and monitoring in effluent discharge and must include the 2,000 hours required in part 3700.0700, subpart 2. These experiences must be in a laboratory using Environmental Protection Agency standards. The remaining 2,000 hours may be in evaluation and required process control outcome in a treatment center plant or on site sampling and analysis of stack emissions, ambient air, and noise pollution.
- B. An associate degree in environmental technology, food science laboratory testing and management, chemical laboratory testing and management, water/waste treatment, or water and air analysis and 6,000 hours of occupational experience with a minimum of 2,000 hours in laboratory analysis in an energy research center, industrial environmental laboratory, chemical quality control laboratory, or in operational testing, sampling, and monitoring in effluent discharge and must include the 2,000 hours required in part 3700.0700, subpart 2. These experiences must be in a laboratory using Environmental Protection Agency standards. The remaining hours may be in evaluation and required process control outcome in a treatment center plant or on site sampling and analysis of stack emissions, ambient air, and noise pollution.
- C. A two-year diploma or a program of 90 or more quarter credits in environmental technology, food science laboratory testing and management, chemical laboratory testing and management, water/waste treatment or water and air analysis and 6,000 hours of occupational experience with a minimum of 2,000 hours in laboratory analysis in an energy research center, industrial environmental laboratory, chemical quality control laboratory, or operational testing, sampling, and monitoring in effluent discharge and must include the 2,000 hours required in part 3700.0700, subpart 2. These experiences must be in a laboratory using Environmental Protection Agency standards. The remaining hours may be in evaluation and required process control outcome in a treatment center plant or on site sampling and analysis of stack emissions, ambient air, and noise pollution.
- Subp. 4. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content, at an accredited postsecondary institution, industrial, or military setting in environmental laboratory analysis according to Environmental Protection Agency standards for 1,500 of the 2,000 hours required under part 3700.0700, subpart 2. Two hours of teaching equal one hour of the occupational experience.

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3700.0730 LASER ELECTRO OPTICS TECHNOLOGY.

Subpart 1. May teach. A teacher who has a laser electro optics technology license may teach in the laser electro optics technology program and may teach courses in:

- A. laser materials processing techniques;
- B. medical laboratory lasers; and
- C. vacuum systems for laser technology.
- Subp. 2. Other requirements. The applicant must meet the requirements listed in part 3700.0100 and the requirements for a teacher in the technical area under part 3700.0700.
- Subp. 3. **Educational and occupational experience requirement.** The applicant must have the educational and occupational experience described in item A, B, or C. The education must be from an accredited postsecondary institution.
- A. A bachelor's or higher degree with a major in mechanical or electrical engineering or laser technology and 4,000 hours of occupational experience in maintenance, testing, and operation of industrial laser systems, laboratory laser systems, or medical laser systems. The 4,000 hours must include the 2,000 hours required in part 3700.0700, subpart 2.
- B. An associate degree in laser technology or electronics technology and 6,000 hours of occupational experience with a minimum of 4,000 hours in maintenance, testing, and operation of industrial laser systems, laboratory laser systems, or medical laser systems. The 4,000 hours must include the 2,000 hours required in part 3700.0700, subpart 2. The remaining hours may be in installation maintenance or testing of electronic equipment.
- C. A diploma in laser electro optics technology or electronics technology. A two-year program or a program of 90 or more quarter credits and 6,000 hours of occupational experience with a minimum of 4,000 hours in maintenance, testing, and operation of industrial laser systems, laboratory laser systems, or medical laser systems. The 4,000 hours must include the 2,000 hours required in part 3700.0700, subpart 2. The remaining hours may be in installation, testing, or maintenance of electronic equipment.
- Subp. 4. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content, at an accredited postsecondary institution, industrial, or military setting in laser electro optics technology for 1,500 of the 2,000 hours required under part 3700.0700, subpart 2. Two hours of teaching equal one hour of the occupational experience required.

3700.0735 METALLURGICAL TECHNOLOGY.

- Subpart 1. May teach. A teacher who has a metallurgical technology license may teach in the metallurgical technology program and may teach metallurgical specific courses.
- Subp. 2. Other requirements. The applicant must meet the requirements listed in part 3700.0100 and the requirements for a teacher in the technical area under part 3700.0700.
- Subp. 3. Educational and occupational experience requirement. The applicant must meet the educational and occupational experience described in item A, B, or C. The education must be from an accredited postsecondary institution.
- A. A bachelor's or higher degree with a major in engineering, metallurgy, industrial technology, chemistry, or physics and 4,000 hours of occupational experience with a minimum of 2,000 hours in metallography, failure analysis of materials, and physical or mechanical testing of materials. The remaining hours may be in chemical analysis of metals, nondestructive testing, or quality control of metal manufacturing.
- B. An associate degree in engineering, metallurgical technology, nondestructive testing, powder metal technology, or industrial laboratory technology and 6,000 hours of occupational experience with a minimum of 2,000 in metallography, failure analysis of material, and physical or mechanical testing of materials. The remaining hours may be in chemical analysis of metals, nondestructive testing, or quality control of metal manufacturing.
- C. A two-year program or a program of 90 or more quarter credits in metallurgical technology, nondestructive testing, powder metal technology, or industrial laboratory technology and 6,000 hours of occupational experience with a minimum of 2,000 hours in metallography, failure analysis of materials, and physical or mechanical testing of materials. The remaining hours may be in chemical analysis of metals, nondestructive testing, or quality control of metal manufacturing.
- Subp. 4. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content, at an accredited postsecondary institution, industrial, or military setting in metallurgical technology or nondestructive testing for 1,500 of the 2,000 hours required under part 3700.0700, subpart 2. Two hours of teaching equal one hour of the occupational experience.

3700.0740 METROLOGY TECHNOLOGY.

Subpart 1. May teach. A teacher who has a metrology technology license may teach in the metrology technology program and may teach metrology specific courses.

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- Subp. 2. Other requirements. The applicant must meet the requirements listed in part 3700.0100 and the requirements for a teacher in the technical area under part 3700.0700.
- Subp. 3. Educational and occupational experience requirement. The applicant must meet the educational and occupational experience described in item A, B, or C. The education must be from an accredited postsecondary institution.
- A. A bachelor's or higher degree with a major in mathematics, industrial technology, physics, or engineering and 4,000 hours of occupational experience testing, calibrating, troubleshooting, and repairing precision measurement equipment.
- B. An associate degree in engineering, instrumentation technology, metrology, electronics technician, or applied physics and 6,000 hours of occupational experience testing, calibrating, troubleshooting, and repairing precision measurement equipment.
- C. A two-year program or a program of 90 or more quarter credits in metrology, instrumentation technology, or electronic technology and 6,000 hours of occupational experience testing, calibrating, troubleshooting, and repairing precision measurement equipment.
- Subp. 4. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content, at an accredited postsecondary institution, industrial, or military setting in metrology technology for 1,500 of the 2,000 hours required under part 3700.0700, subpart 2. Two hours of teaching equal one hour of the occupational experience.

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3709.0200 ARTIFICIAL INTELLIGENCE TECHNICIAN.

[For text of subpart 1, see M.R. 1989]

Subp. 2. Other requirements. The applicant must meet the requirements in part 3709.0100 and the requirements for a teacher in the technical area under part 3700.0700.

[For text of subp 3, see M.R. 1989]

Subp. 4. Occupational recency substitution. Teaching experience at an accredited postsecondary institution or at an industrial setting may be substituted for 1,500 of the 2,000 hours required in part 3709.0100, subpart 1, item A 3700.0700, subpart 2, if the teaching is done during the five-year period. The only substitution allowed for the 500 hours of programming artificial intelligence required under subpart 3, item B, is teaching programming artificial intelligence. Otherwise, the teaching of any programming may be substituted. Two hours of teaching equal one hour of occupational experience.

3709.0210 VIBROACOUSTICS TECHNOLOGY.

[For text of subpart 1, see M.R. 1989]

- Subp. 2. Other requirements. The applicant must meet the requirements in part 3709.0100 and the requirements for a teacher in the technical area under part 3700.0700.
- Subp. 3. Occupational experience requirement. An applicant must have 8,000 hours of verified occupational experience in testing and measuring of both acoustics and mechanical vibrations and must include the 2,000 hours of occupational experience within the five years just before applying for licensure.

[For text of subp 4, see M.R. 1989]

Subp. 5. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial or military setting may be substituted for 1,500 of the 2,000 hours required in part 3700.0100, subpart 1, item A 3700.0700, subpart 2, if the teaching is done during the five-year period. The teaching must be in vibroacoustics specific technology. Two hours of teaching equal one hour of occupational experience.

3709.0220 PLASTIC COMPOSITES TECHNOLOGY.

[For text of subpart 1, see M.R. 1989]

- Subp. 2. Other requirements. The applicant must meet the requirements in part 3709.0100 and the requirements for a teacher in the technical area under part 3700.0700.
- Subp. 3. Occupational experience requirement. An applicant must have 8,000 hours of verified occupational experience in polymer composites. This experience must be in at least two of the following: research and development, design, formulations, and manufacturing and must include the 2,000 hours of occupational experience within the five years just before applying for licensure.

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[For text of subp 4, see M.R. 1989]

Subp. 5. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution or at an industrial or military setting in plastic composites technology may be substituted for 1,500 of the 2,000 hours required in part 3709.0100, subpart 1, item A 3700.0700, subpart 2, if the teaching is done during the five-year period. The teaching must be in plastic composites technology. Two hours of teaching equal one hour of occupational experience.

3709.0280 TELECOMMUNICATIONS SYSTEMS TECHNICIAN.

[For text of subpart 1, see M.R. 1989]

Subp. 2. Other requirements. The applicant must meet the requirements in part 3709.0100 and the requirements for a teacher in the technical area under part 3700.0700.

[For text of subps 3 and 4, see M.R. 1989]

Subp. 5. Occupational recency substitution. Teaching experience at an accredited postsecondary institution, or at an industrial or military setting may be substituted for 1,500 of the 2,000 hours required in part 3709.0100, subpart 1, item A 3700.0700, subpart 2, if the teaching is done during the five-year period. The teaching must be in telecommunications. Two hours of teaching equal one hour of occupational experience.

RENUMBER. The Revisor of Statutes shall renumber Minnesota Rules, parts 3709.0200 as 3700.0705; 3709.0220 as 3700.0750; 3709.0280 as 3700.0755; and 3709.0210 as 3700.0760.

LICENSE CONVERSION. EXISTING LICENSES, CONVERSION TO NEW LICENSES. On the date this rule becomes effective, the board shall convert a license listed in column A and issued under part 3515.9921 to the license listed in column B. At the next renewal date for the license, the renewal license must show the new license category.

Α.

- 1. automated manufacturing technology robotics automated packaging equipment maintenance automated systems technology
- 2. water and waste treatment technician occupations food laboratory testing and management environmental technician occupations

В.

- 1. <u>automated systems</u> technology
- 2. <u>environmental</u> technology

State Board of Vocational Technical Education

Proposed Permanent Rules Relating to License to Teach Swine Production Management

Rules as Proposed (all new material)

3700.0285 SWINE PRODUCTION MANAGEMENT.

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

- A. swine specific content;
- B. agriculture commodity marketing and purchasing; and
- C. agricultural employee and employer relationships.
- Subp. 2. Other requirements. The applicant must meet the requirements under part 3700.0100 and the requirements for a teacher in the agricultural occupational area under part 3700.0200.
 - Subp. 3. Educational and occupational experience requirement. The applicant must have either:
- A. a bachelor's degree or above with a major in an agricultural field and 4,000 hours of occupational experience as an owner/ operator, manager, supervisor, or service representative in the swine production areas of breeding, farrowing, nursery, and finishing; or

Proposed Rules

B. two years of postsecondary education from an accredited postsecondary institution in swine production management and 6,000 hours of occupational experience as an owner/operator, manager, supervisor, or service representative in the swine production areas of breeding, farrowing, nursery, and finishing.

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

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 Public Safety

Adopted Permanent Rules Relating to the Uniform Fire Code

The rules proposed and published at *State Register*, Volume 13, Number 47, pages 2811-2823, May 22, 1989 (13 S.R. 2811) are adopted with the following modifications:

Rules as Adopted

7510.3100 PURPOSE.

The purpose of parts 7510.3100 to 7510.3270 7510.3280 is to adopt uniform fire safety standards governing the maintenance of buildings and premises; regulate the storage, use, and handling of dangerous and hazardous materials, substances, and processes; and regulate the maintenance of adequate egress facilities.

7510.3110 SCOPE.

The scope of parts 7510.3100 to 7510.3270 7510.3280 is intended to be consistent with Minnesota Statutes, section 299F.011.

7510.3120 RULES AND STANDARDS ADOPTED BY REFERENCE.

The Uniform Fire Code, as promulgated by the International Conference of Building Officials, and the Western Fire Chiefs Association (Whittier, California, 1988) is incorporated by reference and made a part of *Minnesota Rules* pursuant to statutory authority, subject to the alterations and amendments in parts 7510.3100 to 7510.3270 7510.3280. The Uniform Fire Code is not subject to frequent change and is available at the State Law Library, 117 University Avenue, Saint Paul, Minnesota 55155.

7510.3140 ARTICLE 2 OF UNIFORM FIRE CODE.

Subp. 7. Sec. 2.304(c). Sec. 2.304 of the Uniform Fire Code is amended by adding a subsection to read:

Sec. 2.304. (c) Standard 101 Incorporated. Whenever the Uniform Fire Code, as amended by parts 7510.3100 to 7510.3270 7510.3280, is silent on any subject, for any reason, in any situation, the provision of protection shall be in accordance with National Fire Codes, 1988, Standard Number 101, issued by the National Fire Protection Association (Quincy, Massachusetts, 1988) which is adopted by reference as part of this code as though set forth herein in its entirety. Standard Number 101 is not subject to frequent change and is available at the State Law Library, 117 University Avenue, Saint Paul, Minnesota 55155.

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

Adopted Rules =

7510.3260 ARTICLE 82 OF UNIFORM FIRE CODE.

Sec. 82:102 of the Uniform Fire Code is amended by adding a subsection to read:

Subpart 1. Article 82. Article 82 of the Uniform Fire Code is deleted in its entirety and replaced with the following:

<u>Sec. 82.101.</u> LP Gas Storage and Handling. The storage, handling, transportation, and use of liquified petroleum gas and the installation of all equipment pertinent to systems for such uses shall be designed, constructed, installed, operated, and maintained in accordance with the provisions of U.F.C. Standard No. 82-1.

<u>Sec. 82.102.</u> LP Gas Systems at Utility Gas Plants. The design, construction, location, installation, and operation of refrigerated and nonrefrigerated liquified petroleum gas systems at utility gas plants shall be in accordance with the provisions of U.F.C. Standard No. 82-2.

Sec. 82.102. (d) Sec. 82.103. Submittal of Plans. Where an underground container is permitted, plans of its installation, regardless of capacity, shall be submitted for review to the state fire marshal before construction.

For any installation utilizing aboveground storage containers of over 2,000 gallons water capacity, or when aggregate water capacity of all aboveground containers exceeds 4,000 gallons, plans shall be submitted to the state fire marshal before construction.

Subp. 2. Uniform Fire Code Standard No. 82-1. Part I of Uniform Fire Code Standard No. 82-1 is deleted in its entirety.

Telecommunication Access for Communication-impaired Persons Board

Adopted Permanent Rules Relating to Eligibility for Services Under the Telecommunication Access for Communication-impaired Persons Act

The rules proposed and published at *State Register*, Volume 13, Number 35, pages 2087-2091, February 27, 1989 (13 S.R. 2087) are adopted with the following modifications:

Rules as Adopted

8775.0100 DEFINITIONS.

- Subp. 7. **Communication-impaired person.** "Communication-impaired person" means a person <u>eertified as determined by the division to be</u> deaf, severely hearing impaired, hard-of-hearing, <u>or</u> speech impaired, or deaf and blind, by (1) determination of a qualified physician, audiologist, or speech and language pathologist, or (2) when made before the adoption of parts 8775.0100 to 8775.0600, determination of division staff under the authority of law or other rules relating to communication impaired persons <u>as defined by subparts 8, 12, 13, and 20.</u>
- Subp. 13. Hearing impaired. "Hearing impaired" means a condition in which hearing in both ears is impaired. These individuals require use of a telephone device for the deaf to communicate effectively on the telephone.
- Subp. 13 14. Household criteria. For determining priority when initially distributing equipment or receiving more than one communication device, "household criteria" means the higher priority given for a household having more than one communication-impaired person or for a household with a communication-impaired person living alone.
- Subp. 44 15. **Household income.** "Household income" means the total income of a communication-impaired person and immediate family living in the same residence. The immediate family includes spouse and minor children. However, The income of a minor child must not be included unless when the dependent minor child is over under 15 years of age and residing with the parents or custodial parent. If the communication-impaired person is a minor child, then parents and siblings residing with the minor are immediate family. If a dependent minor child is temporarily living outside the family or custodial parent's residence, the household income is considered to be the income of the parents or custodial parent plus the income of minor siblings over the age of 15 and residing with the parents or custodial parent.
 - Subp. 45 16. Income. "Income" means money received in the preceding calendar year from each of the following sources:
- Subp. 46 17. **Resident of Minnesota**. "Resident of Minnesota" means an individual who lives in Minnesota or who has moved to Minnesota and intends to remain in Minnesota.
- Subp. 17. Severely hearing impaired, "Severely hearing impaired" means a condition in which hearing in both ears is impaired to the degree that the affected person is unable to understand speech, even when amplified. These individuals require use of a telephone device for the deaf to communicate effectively on the telephone.

8775.0300 ELIGIBILITY FOR TACIP SERVICES.

- Subp. 2. **Application process.** The applicant shall complete the application form and return it to the division's regional service center for hearing-impaired people. An application may be made by the applicant, the applicant's spouse, or a person authorized by the applicant to act in the applicant's behalf. <u>All documentation must be provided within 30 days of the first interview with the division.</u> The applicant shall provide medical documentation of hearing loss on request.
- Subp. 3. **Documenting, verifying, and reviewing eligibility.** The division shall verify the applicant's household income, age, and access to telephone service, and that the applicant is a communication-impaired person. When If the division becomes aware that a condition of eligibility ehanges has changed, the division may verify eligibility:
- A. In a timely manner Within 30 days, an applicant shall document income or authorize the division to verify the income. The division shall help an applicant or recipient obtain documents that the applicant does not possess and cannot obtain. Information previously verified and retained by the division need not be verified again unless the information no longer applies to current circumstances.
- B. The division shall not request information about an applicant for or recipient of TACIP services that is not of public record from a source other than within the division without the applicant's or recipient's previous written consent. The division may request information about an applicant or recipient that is not of public record from the telephone companies by obtaining the applicant's or recipient's previous written consent on an application or recertification redetermination form. The division shall not provide third parties with access to information about an applicant's eligibility status or other case record information without the previous written consent of that applicant or recipient, except when access to specific case information is granted to agencies designated by the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13. Information designated as confidential by the Minnesota Government Data Practices Act may only be made available to agencies granted access under that law and must not be provided to an applicant, recipient, or third party.
- Subp. 5. **Persons not eligible.** Persons who are residents of <u>a</u> residential or treatment <u>facilities</u> <u>facility</u> that <u>receive directly or indirectly receives</u> federal <u>funds under funding and is required to be fully accessible to all residents by the Rehabilitation Act of 1973, United States Code</u>, title 29, section 774, and are eligible for and can obtain communication devices through federal provisions are not eligible to receive TACIP services under this chapter.

8775.0400 PRIORITY FOR INITIAL DISTRIBUTION OF COMMUNICATION DEVICES.

Subp. 4. Fourth priority: hard-of-hearing hearing impaired. The fourth in priority are those eligible, hard-of-hearing hearing impaired persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

8775.0500 HOUSEHOLDS ELIGIBLE TO RECEIVE SEVERAL DEVICES.

- Subp. 3. **Two or more eligible persons.** If a household contains more than one eligible communication-impaired person with various communication impairments, the board <u>or its designee</u> may approve more than one telephone device as necessary for efficient communication.
- Subp. 4. Hard-of-hearing <u>Hearing impaired</u>. A communication-impaired person who is <u>hard-of-hearing hearing impaired</u> is eligible for a ring signaler and amplification device if <u>both devices are more than one device is</u> necessary for efficient communication.

8775.0600 TRAINING AND MAINTENANCE.

The commissioner of human services shall maintain the communication devices until the five year warranty period expires and at which time the board shall decide whether to repair or replace defective units. The commissioner shall provide training, without charge, to first-time users of the devices.

8775.0800 APPEALS.

Subp. 3. Conciliation conference. Within ten 30 calendar days of receiving a request for appeal, a representative of the Regional Service Center for the Hearing Impaired shall meet with the aggrieved party and attempt to resolve informally the matter leading to the appeal. Within five ten calendar days of the conciliation conference, the representative shall prepare a written summary of the issues addressed at the conciliation conference and shall send a copy of the written summary to the aggrieved party and to the board.

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

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 Commerce

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

NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes*, section 62I.21, the Minnesota Joint Underwriting Association (MJUA) and the Market Assistance Plan (MAP) are activated to provide assistance to the following classes of business unable to obtain insurance from private insurers:

Soil Recycling Rubbish Hauler Agricultural Manufacturer Accounting Firm

The MJUA and MAP are activated to provide assistance to the above classes of business for a period of 180 days following publication of this notice. A public hearing will be held, for the purpose of determining whether activation should continue beyond 180 days, at the Office of Administrative Hearings, 310-4th Avenue South, 5th Floor, Flour Exchange Building, Minneapolis, Minnesota 55415 on October 16, 1989 at 9:00 a.m. and continuing until all interested persons and groups have had an opportunity to be heard. The hearing shall be governed by *Minnesota Statute* Sections 14.57-14.69 and by *Minnesota Rules* Parts 1400.1500-1400.8400, (1985). Questions regarding the procedure may be directed to Administrative Law Judge, Howard L. Kiebel, Jr., 310 4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415, telephone (612) 341-7606. The authority for this proceeding is found in Chapter 62I of *Minnesota Statutes*, specifically sections 62I.21 and 62I.22. (A copy of those sections follows this notice.)

Prior to the hearing a pre-hearing conference will be held at 9:00 a.m. on October 8, 1989, at the Office of Administrative Hearings, 310 4th Avenue South, 5th Floor Flour Exchange Building, Minneapolis, Minnesota 55415.

Minnesota Statutes, Chapter 62I, which governs the Minnesota Joint Underwriting Association provides for temporary activation for 180 days by the Commissioner of Commerce. To extend the Minnesota Joint Underwriting Association's authority beyond the 180 day period a hearing must be held. Those classes of business for which the Minnesota Joint Underwriting Association was temporarily activated, by this notice and by previously published notices, must prove, at that hearing, that they meet the statutory requirements for coverage by the Minnesota Joint Underwriting Association.

Among those requirements are:

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

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

Activation of a class of business does not guarantee coverage to any class member. Coverage of individual class members is determined by the Minnesota Joint Underwriting Association on a case by case basis once the class has been activated. The MJUA's address is: Pioneer Post Office Box 1760, St. Paul, MN 55101. Their phone number is (612) 222-0484.

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

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

Anyone wishing to oppose activation beyond the 180 days for any particular class, must file a petition to intervene with the

administrative law judge at least 10 days before the hearing date. If no notice to intervene is filed for a class, then the class is activated beyond the 180 day period without further action.

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

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

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

Dated: 14 September 1989

Michael A. Hatch Commissioner of Commerce

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

At any time the commissioner of commerce deems it necessary to provide assistance with respect to the placement of general liability insurance coverage on Minnesota risks for a class of business, the commissioner shall by notice in the *State Register* activate the market assistance plan and the joint underwriting association. The plan and association are activated for a period of 180 days from publication of the notice. At the same time the notice is published, the commissioner shall prepare a written petition requesting that a hearing be held to determine whether activation of the market assistance plan and the joint underwriting association is necessary beyond the 180-day period. The hearing must be held in accordance with section 621.22. The commissioner by order shall deactivate the market assistance program and the joint underwriting association at any time the commissioner finds that the market assistance program and the joint underwriting association are not necessary.

62I.22 HEARING.

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

- Subd. 2. **NOTICE.** The commissioner of commerce shall publish notice of the hearing in the *State Register* at least 30 days before the hearing date. The notice should be that used for rulemaking under chapter 14. Approval by the administrative law judge of the notice prior to publication is not required. The notice must contain a statement that anyone wishing to oppose activation beyond 180 days for any particular class, must file a petition to intervene with the administrative law judge at least ten days before the hearing date. If no notice to intervene is filed for a class then the class is activated beyond the 180 day period without further action.
- Subd. 3. **CONTESTED CASE**; **REPORT.** The hearing and all matters after the hearing are a contested case under chapter 14. Within 45 days from the commencement of the hearing and within 15 days of the completion of the hearing, the administrative law judge shall submit a report to the commissioner of commerce. The parties, or the administrative law judge, if the parties cannot agree, shall adjust all time requirements under the contested case procedure to conform with the 45 day requirement.
- Subd. 4. **DECISION.** The commissioner shall make a decision within ten days of the receipt of the administrative law judge's report.
- Subd. 5. **WAIVER OR MODIFICATION.** If all parties to the proceeding agree, any of the requirements of this section may be waived or modified.
- Subd. 6. CASE PRESENTATION. The department of commerce, upon request by small businesses as defined by section 14.115, subdivision 1, shall assist small businesses in any specific class requesting continuation of coverage beyond the 180 day period, in coordinating the class and presenting the case in the contested hearing.

Executive Council State Board of Investment Land Exchange Investment Advisory Council

Meeting Notice

The Executive Council, State Board of Investment and Land Exchange Boards will meet on Wednesday, October 4, 1989 at 8:30 a.m. in Room 15, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Tuesday, October 3, 1989 at 2:00 p.m. in Conference Room "A", MEA Building, 41 Sherburne Avenue, Saint Paul, MN.

Department of Human Services

Assistance Payments Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Aid to Family with Dependent Children; Community Work Experience Programs

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of a rule governing community work experience programs. The adoption of the rule is authorized by *Minnesota Statutes*, section 256.737, which authorizes the commissioner to adopt rules governing community work experience programs.

The purpose of the rule is to continue the pilot community work experience demonstration programs approved on January 1, 1984; to establish voluntary community work experience programs in other counties; to set forth individual participation requirements; to provide exemptions from participation; to provide sanctions for failure to participate; to allow for voluntary program participation; to restrict the type of work done by participants; and to establish local agency requirements.

The State Department of Human Services 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: Jim Schmidt, Department of Human Services, Rules and Bulletins Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3816. Oral statements will be received during regular business hours over the telephone at (612) 296-7815 and in person at the above address.

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

Dated: 15 September 1989

Jim Schmidt Rulemaker

Department of Human Services

Assistance Payments Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Aid to Families with Dependent Children; Job Opportunities and Basic Skills Training Program

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of an Aid to Family with Dependent Children (AFDC) rule governing the Job Opportunities and Basic Skills Training (JOBS) Program. The adoption of the rule is authorized by *Minnesota Statutes*, section 256.01, subdivision 4 and section 256.871, subdivision 7 which authorize the Commissioner of Human Services to adopt rules governing the AFDC Program.

The proposed rule will establish standards and requirements for complying with Title II of the Family Support Act of 1988, Public Law 100-485, which created the JOBS Program for AFDC recipients. The JOBS Program is designed to assist needy families with children to become self-sufficient by providing needed education, training, employment and support services that will help them avoid long-term welfare dependence.

The rule will set forth individual participation requirements: exemptions from participation; sanctions for failure to participate; conciliation and hearing procedures. JOBS Program components will include educational activities, job skills training, job readiness, and job development and placement services. The JOBS Program may also include job search, on the job training, work supplementation, and community work experience program elements. The rule will also address child care and other supportive services for JOBS participants.

The State Department of Human Services 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: Jim Schmidt, Department of Human Services, Rules and Bulletins Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3816. Oral statements will be received during regular business hours over the telephone at (612) 296-7815 and in person at the above address.

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

Dated: 15 September 1989

Jim Schmidt Rulemaker

Department of Human Services

Medical Assistance Payment Rate

The Department of Human Services has established a Medical Assistance payment rate for the services of certified registered nurse anesthetists performed under the medical direction of an anesthesiologist. This payment methodology and payment rate are designed to conform with Medicare upper limits for outpatient Medical Assistance services. Medical Assistance payment is limited to cases performed in the outpatient setting by hospital-employed nurse anesthetists. The payment rate is \$7.42 per 15 minute unit of service and is the same as the rate established by Medicare for medically-directed nurse anesthetist services. The payment methodology is not expected to increase or decrease Medical Assistance expenditures. The rate is effective November 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 (612) 296-2846

The Department of Human Services will change the Medical Assistance payment methodology for the medical direction of nurse anesthetists by anesthesiologists. This change will be effective on November 1, 1989. This change in policy corresponds to the policy used by Medicare carriers for medical direction of concurrent anesthesia procedures. The reduction reflects the reduced personal involvement of the anesthesiologist in each procedure when he or she is medically directing nurse anesthetists during two to four concurrent procedures. Beginning in April 1988, providers were required to use new HCPCS modifiers that acknowledged that the anesthesiologist was directing concurrent cases and indicated the number of the cases.

The new payment methodology for concurrently medically directed anesthesia procedures is as follows: If the anesthesiologist medically directs two physician-employed or hospital-employed nurse anesthetists, the Department will reduce the number of base units for the procedure by 10 percent. If the anesthesiologist medically directs three physician-employed or hospital-employed nurse anesthetists, the Department will reduce the number of base units for the procedure by 25 percent. If the anesthesiologist medically directs four physician-employed or hospital-employed nurse anesthetists, the department will reduce the number of base units for the procedure by 40 percent. If the anesthesiologist medically directs two, three or four nurse anesthetists concurrently, and any of the medically directed procedures are cataract or iridectomy procedures, the Department will reduce the base units associated with each

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cataract or iridectomy procedure by 10 percent. In all cases in which the anesthesiologist furnishes medical direction, he or she must be physically present in the operating suite. The time unit used for billing will remain at 15 minutes.

The change in payment methodology is expected to reduce expenditures in the Medical Assistance and General Assistance Medical Care Programs by \$169,121 in FY 1990.

Legislative Commission to Review Administrative Rules and Secretary of State

Notice to All State Agencies Filing and Publishing Exempt Rules

Laws 1989, Chapter 155 (Minnesota Statutes, Section 3.846) imposes new notice and publication requirements on rules that are exempt by law from the rulemaking provisions of the Administrative Procedure Act. Under the new law, exempt rules will have the force and effect of law only if an agency:

- files a notice of the exempt rule with the LCRAR and with the Secretary of State, and
- publishes a notice of the exempt rule in the State Register.

The notice must cite the statutory authority for the exempt rule, and must contain:

- a copy of the exempt rule, or
- a description of the nature and effect of the rule, and an announcement that a free copy of the rule is available from the agency.

These requirements apply to exempt rules adopted on or after May 18, 1989. They do not apply to section 14.02, subdivision 4, clauses (a) to (h).

Chapter 155 also allows for alternative compliance to these notice and publication requirements by satisfying the requirements of Section 14.38, subdivision 7.

Dated: 18 September 1989

Maryanne Hruby, Director, LCRAR Bert Black, Director, Business Services Division, Office of the Secretary of State

Minnesota Pollution Control Agency

Ground Water and Solid Waste Division

Notice of Permanent List of Priorities Among Releases or Threatened Releases of Hazardous Substances, Pollutants, or Contaminants

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is publishing for public comment a proposed update of the Permanent List of Priorities (PLP) among releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA may take removal or remedial actions. The statutory basis for, and an explanation of, the MPCA's PLP is discussed below.

Pursuant to the Minnesota Environmental Response and Liability Act (MERLA), Minnesota Statutes § 115B.17 (1986), the MPCA is authorized to take any removal or remedial action which the MPCA deems necessary to protect the public health, welfare, or environment whenever there is a release, or substantial threat of release, from a facility of any pollutant or contaminant which presents an imminent and substantial danger to the public health, welfare, or environment; or whenever a hazardous substance is released or there is a threatened release of a hazardous substance from a facility.

Minnesota Statutes § 115B.17, subd. 13 (1986), requires the MPCA to establish priority rules among releases or threatened releases of hazardous substances, pollutants, or contaminants. The priority rules, Minnesota Rules ch. 7044, became effective on July 10, 1984.

Minnesota Statutes § 115B.17, subd. 13 (1986), also requires the MPCA to adopt a permanent priority list and to update the list annually according to the criteria set forth in the priority rules. Before any update of the PLP is adopted by the MPCA, it must be published in the State Register to allow for a 30-day public comment period. This notice is therefore published to inform the public that the MPCA is proposing to update its December 1988, PLP and to solicit public comments only on the proposed modifications.

The proposed modifications to the December 1988, PLP are hereinafter referred to as the "proposed December 1989, Update of the PLP." The proposed December 1989, Update of the PLP was developed according to the process set forth in *Minnesota Rules* pt. 7044.0400 (1987). Each site listed has been ranked using the modified Hazard Ranking System (HRS) method as required by *Minnesota Rules* pt. 7044.1000. Each site has also passed the prescreening test of *Minnesota Rules* pt. 7044.1200 (1987), for eligibility.

The numerical scores generated by the HRS scoring process should not be interpreted as exact number priorities. The scores shown indicate the relative ranking and general classification of sites, but sites with scores within approximately ten points of each other may be considered roughly equivalent in terms of a known or possible public health or environmental threat. Generally, the cleanup of a hazardous waste site involves a three-phase program:

- 1. Remedial Investigation/Feasibility Study—investigation of the extent, magnitude, and nature of the release or threatened release, and identification and selection of the most cost-effective removal or remedial action(s);
 - 2. Remedial Design—detailed design of the selected cost-effective removal or remedial action(s); and
 - 3. Response Action—implementation of the selected cost-effective removal or remedial action(s).

All sites listed on the proposed December 1989, Update of the PLP have been assigned to one or more response action classes as required by *Minnesota Rules* pt. 7044.0300. (The terms response action, removal action, and remedial action are defined in *Minnesota Statutes* § 115B.02.) The proposed December 1989, Update of the PLP is presented in order of their HRS score. Each of the four response action classes is defined as follows:

CLASS A—Declared Emergencies. This class includes all sites at which an emergency has been declared by the MPCA Commissioner pursuant to MERLA. According to *Minnesota Rules* pt. 7044.0200, an "emergency" means that there is an imminent risk of fire or explosion, that a temporary water supply is needed where an advisory has been issued, or that immediate adverse human health effects may be anticipated due to direct contact or inhalation and an advisory has been issued. An "advisory" means a warning by the MPCA Commissioner, Minnesota Department of Health, Minnesota Department of Natural Resources, or the Minnesota Department of Agriculture issued to the public concerning a hazardous substance, pollutant, or contaminant at or near a site.

CLASS B—Response Actions Completed and Operation and Maintenance/Long-term Monitoring Ongoing. This class includes all sites where response actions have been completed and long-term monitoring of these completed response actions is in progress. This class also includes all sites where activities are necessary to operate and maintain response actions that have previously been completed. Examples include continued operation of a ground water pump out system, long-term monitoring, and work necessary to maintain the integrity of the site such as maintaining cover or closure.

CLASS C—Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site. This class includes all sites where remedial design and implementation of response actions (other than Class A or B) such as barrel removal, soil decontamination, first year ground water pump out or monitoring are necessary to effect a permanent remedy or cleanup of a site.

CLASS D—Remedial Investigations and Feasibility Studies (RI/FS) Necessary or in Progress. This class includes all sites which require a remedial investigation (RI) to determine the extent, magnitude, and nature of the release or threatened release, and a feasibility study (FS) to determine the alternatives and selection of the most cost-effective response action(s).

Funding sources for removal or remedial actions at a site include federal Superfund (CERCLA), state Superfund (MERLA), and funding by responsible parties. These sources of funding are noted in each of the class listings. In cases where site activities are funded by responsible parties, Request for Response Actions, Consent Orders, and Stipulation Agreements are noted.

Proposed changes to the December 1988, PLP, which are reflected in the proposed December 1989, Update of the PLP, include the following: site additions; changes in HRS score; and changes in response action classification.

The MPCA proposes the following 9 sites to be added to the December 1988, PLP (HRS scores are in parentheses): Brooklyn Park Dump, Brooklyn Park (35.5); Burlington Northern Car Shops—Waite Park, Waite Park (38); General Coatings, Inc., Eagan (10); Grand Rapids Area Sanitary Landfill, Itasca County (34); Leech Lake Sanitary Landfill, Cass Lake (25); Pig's Eye Landfill, St. Paul (43.5); Schloff Chemical, St. Louis Park (7); Tower Asphalt, Lakeland (40); and Winona Ground Water Contamination (Clarks Lane/ Gilmore Avenue), Winona (25).

The MPCA proposes the following changes in HRS scores be made to the December 1988, PLP: Dakhue Sanitary Landfill (40 to 42) and Sibley County Sanitary Landfill (38 to 9).

The MPCA proposes that changes in response action classification be made to 10 sites listed on the December 1988, PLP. Changes in response action classification come as a result of completion of certain tasks required for a site, or reassessment of the cleanup tasks required at a site following acquisition of additional site information. The proposed changes in response action classification are as follows: Anoka Municipal Sanitary Landfill (C,D to C); Atwater Municipal Well Field (A,B,C to B,C); Electric Machinery (C,D to B); Faribault Coal Gasification Plant Site (C to B); Flying Cloud Sanitary Landfill (C,D to C); Hopkins Agricultural Chemical/Allied Chemical (C to B); Lund's Farmer Seed and Nursery (A,C,D to A,B); Reilly Tar (C,D to B,C,D); McLaughlin Gormley King Co. (C to B); and Waite Park Ground Water Contamination (B,C,D to B).

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The December 1988, PLP listed 157 sites. As a result of the 9 proposed site additions, the proposed December 1989, Update of the PLP lists a total of 166 sites.

The PLP will be updated annually as required by *Minnesota Rules* pt. 7044.0600 according to the criteria set forth in *Minnesota Rules* ch. 7044. Notice of any future updates of the PLP will be published in the *State Register* for the purpose of soliciting public comments.

Based on the above considerations, the proposed December 1989, Update of the PLP is offered for public comment. Additional information regarding specific sites on the proposed December 1989, Update of the PLP may be obtained by writing the Public Information Office, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155, or phoning (612) 296-7283.

The MPCA invites members of the public to submit written comments on the proposed December 1989, Update of the PLP. To be considered, all comments must be received no later than 4:30 p.m., October 30, 1989. Written comments should be submitted to: Meri Lapp, Program Development Section, Ground Water and Solid Waste Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155.

All written comments received by the above deadline will be considered by the MPCA in establishing the December 1989, Update of the PLP.

Gerald L. Willet Commissioner

STATE OF MINNESOTA Environmental Response and Liability Act Proposed December 1988 Permanent List of Priorities

CLASS A SITES Declared Emergencies

Site	Score	Comments
Lakeland Ground Water Contamination	38	ERLA funded
St. Paul Park Ground Water Contamination	36	ERLA funded
Duluth Former City Dump	28	ERLA funded
Winona Ground Water Contamination (Clarks Lane/		
Gilmore Avenue)	25	ERLA funded
Askov Ground Water Contamination	18	ERLA funded
Lansing Ground Water Contamination	17	ERLA funded
Lund's Farmer Seed and Nursery, St. Cloud	14	ERLA funded

CLASS B SITES

Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing

Site	Score	Comments
FMC Corp.—Fridley Plant (vault)	66	Consent Order 10/28/86
Boise Cascade/Medtronic, Fridley	59	Consent Decree 1/24/84
Boise Cascade/Onan, Fridley	59	Consent Decree 12/28/84
Oakdale Dump	59	Consent Order 7/26/83
Reilly Tar, St. Louis Park	59	
St. Regis Paper, Cass Lake	53	Consent Order 2/26/85
PCI, Inc., Shakopee	52	Consent Order 6/25/85
Burlington Northern, Brainerd	47	Consent Order 3/26/85
Faribault Coal Gasification Plant Site, Faribault	46	Consent Order 7/26/88
Whittaker Corporation, Minneapolis	40	Request for Response Action 4/23/85
General Mills, Minneapolis	39	
Electric Machinery, St. Cloud	38	Request for Response Action 3/23/86
Perham Arsenic Site, Otter Tail County	38	ERLA funded
Nutting Truck and Caster, Faribault	38	Consent Order 4/26/84
Winona County Sanitary Landfill	34	Request for Response Action 3/26/85

Ironwood Sanitary Landfill (Advance Transformer),		
Spring Valley	34	Consent Order 8/26/86
Waite Park Ground Water Contamination Site	32	Request for Response Action 10/22/85
Kurt Manufacturing, Fridley	31	Consent Order 8/24/84
Atwater Municipal Well Field	31	ERLA funded
Hastings Former City Dump	31	
Jackson Municipal Well Field	26	ERLA funded
Wadena Arsenic Site	25	ERLA funded
Weisman Scrap, Winona	25	Request for Response Action 3/25/86
Boise Cascade Paint Waste Dump, Ranier	17	Consent Order 6/25/85
Lund's Farmer Seed and Nursery, St. Cloud	14	
West Duluth Industrial Site	11	Stipulation Agreement 9/8/86
DNR-Duxbury Pesticide Site	11	Request for Response Action 12/18/84
3M Kerrick Disposal Site, Kerrick	9	Consent Order 1/25/84
Hutchinson Technology, Inc.	9	•
Tonka/Woyke Site, Annandale	9	Consent Order 11/25/86
McLaughlin Gormley King Co., Minneapolis	4	Consent Order 11/19/85
Hopkins Agricultural Chemical/Allied Chemical,		
Minneapolis	3	Request for Response Action 6/25/85
Minneapolis Community Development Agency/FMC	1	Consent Order 11/26/85

CLASS C SITES

Response Actions Necessary or in Progress First Year Operation and Maintenance

Site	Score	Comments
FMC Corp.—Fridley Plant	66	Consent Order 10/28/86
U.S. Naval Industrial Reserve Ordnance Plant (NIROP),		
Fridley	63	Request for Response Action 5/22/84
Twin Cities Army Ammunition Plant/New Brighton/		
Arden Hills/St. Anthony Site	59	Federal Facility Agreement 7/28/87
Reilly Tar, St. Louis Park	59	Consent Decree 9/22/86
Koppers Coke, St. Paul	55	Request for Response Action 3/25/86
Pine Bend Sanitary Landfill/Crosby American		
Demolition Landfill, Inver Grove Heights	52	Consent Order 4/23/85
Anoka Municipal Sanitary Landfill, Ramsey	51	Consent Order 5/30/85
Waste Disposal Engineering, Andover	51	Consent Order 3/21/84
MacGillis & Gibbs, Co., New Brighton	48	ERLA funded; CERCLA funded
Bell Lumber & Pole, Co., New Brighton	48	Consent Order 5/30/85
Freeway Sanitary Landfill, Burnsville	46	Request for Response Action 2/25/86
University of Minnesota—Rosemount Research Center	46	Consent Order 5/30/85
Joslyn Mfg. & Supply Co., Brooklyn Center	44	Consent Order 5/30/85
Burnsville Sanitary Landfill	43	Request for Response Action 4/28/87
Oak Grove Sanitary Landfill, Anoka County	43	CERCLA funded
Union Scrap Iron and Metal Co., Minneapolis	43	CERCLA funded
Dakhue Sanitary Landfill, Dakota County	42	Consent Order 6/23/87
Kummer Sanitary Landfill, Beltrami County	42	CERCLA funded
LeHillier/Mankato	42	CERCLA funded
Minnegasco, Minneapolis	42	Request for Response Action 6/24/86
Washington County Landfill, Lake Elmo	42	Consent Order 10/24/84
Conoco, Inc.—Wrenshall Refinery	41	Request for Response Action 6/23/87
Kandiyohi County Sanitary Landfill	41	
Shafer Metal Recycling, Minneapolis	41	
Arrowhead Refinery Co., Hermantown	40	CERCLA funded
Ashland Refinery, St. Paul Park	40	
Flying Cloud Sanitary Landfill, Eden Prairie	40	Consent Order 9/25/85
NL Industries/Taracorp/Golden Auto, St. Louis Park	40	Consent Order 2/26/85
Kluver Sanitary Landfill, Douglas County	39	

Official Notices =

Baytown Township Ground Water Contamination,	20	
Washington County	38	
Burlington Northern Car Shops, Brainerd	38	
Burlington Northern Car Shops, Waite Park	38	EDI A C J. J
Lakeland Ground Water Contamination	38	ERLA funded
Sauk Centre Sanitary Landfill	38	D 6 D A-4: 6/24/96
Windom Dump	38	Request for Response Action 6/24/86
Faribault Municipal Well Field	36	
Robbinsdale Development Site	36	EDI A Condad
St. Paul Park Ground Water Contamination	36	ERLA funded
Brooklyn Park Dump	35.5	CEDCIA ()
South Andover, Andover	35 34	CERCLA funded
Adrian Municipal Well Field		CERCLA funded
Ashland Oil—Cottage Grove	34	Request for Response Action 3/26/85
Battle Lake Area Sanitary Landfill, Otter Tail County	34	D
Chisago-Isanti County Sanitary Landfill	34	Request for Response Action 6/16/88
Grand Rapids Area Sanitary Landfill	34	CEDCLA Conded
La Grande Sanitary Landfill, Douglas County	34	CERCLA funded
Olmsted County Sanitary Landfill	34	D A-45 A/26/00
Pickett Sanitary Landfill, Hubbard County	34	Request for Response Action 4/26/88
St. Augusta Sanitary Landfill/Engen Dump, Stearns	2.4	
County This Ciris Air France Process Procedure Missesselle	34	
Twin Cities Air Force Reserve Base, Minneapolis	34	Compant Onder 5/20/95
3M Chemolite Disposal Site, Cottage Grove	33	Consent Order 5/30/85
Ashland Oil/Park Penta/Sonford Products Site, St. Paul	22	
Park	32	EDI A C., d. d. CEDCI A C., d. d.
Long Prairie Ground Water Contamination	32	ERLA funded; CERCLA funded
St. Louis River/Interlake/Duluth Tar, Duluth	32	CERCLA funded
St. Louis River/U.S. Steel, Duluth	32	Consent Order 3/26/85
Atwater Municipal Well Field	31	ERLA funded
East Bethel Demolition Landfill	31	Consent Order 4/28/87
Highway 96 Dump	31	Request for Response Action 7/22/86
Honeywell, Inc.—Golden Valley Plant	31	Consent Order 11/19/85
Koch Refining/N-ReN Corp., Rosemount	31	Consent Order 10/22/85
Tonka Main Plant, Mound	31	Request for Response Action 7/22/86
Agate Lake Scrap Yard, Brainerd	30	Request for Response Action 1/28/86
Isanti Solvent Site, Isanti County	30 30	Consent Decree 11/12/87 CERCLA funded
Ritari Post and Pole, Wadena County		CERCLA fullded
Greater Morrison Sanitary Landfill, Morrison County	29 29	Dequest for Despense Action 0/22/96
Louisville Sanitary Landfill, Jordan	29	Request for Response Action 9/23/86
Western Lake Superior Sanitary District Landfill/	20	
Duluth Dump, St. Louis County	29	
Becker County Sanitary Landfill	28	Dequest for Despense Action 9/22/99
Duluth Former City Dump	28 28	Request for Response Action 8/23/88
Spring Grove Municipal Well Field	28 28	Consent Order 3/23/88
Yonak Sanitary Landfill, Wright County		
Koochiching County Sanitary Landfill	27	
Pipestone County Sanitary Landfill	27	Stimulation Agreement 1/24/84
Electronic Industries, Inc., New Hope Gofer Sanitary Landfill, Martin County	26 26	Stipulation Agreement 1/24/84
Buekers Sanitary Landfill, Stearns County	25	
Dodge County Sanitary Landfill	25 25	
	25 25	
Elk River Sanitary Landfill Fergus Falls Sanitary Landfill	25 25	
Foot, S.B. Tanning Sludge Disposal Area, Red Wing	25 25	
Houston County Sanitary Landfill	25 25	
Leech Lake Sanitary Landfill Cass Lake	25 25	
LEELH LAKE MADHALV LAHUHU LAKS LAKE	7.3	

Official Notices

Discolate Control Control	2.5	
Pine Lane Sanitary Landfill, Chisago County	25	
Ponderosa Sanitary Landfill, Blue Earth County	25	
Wadena Sanitary Landfill	25	
Winona Ground Water Contamination (Clarks Lane/	25	EDIAC II
Gilmore Avenue)	25	ERLA funded
Andersen Corporation, Bayport	24	Consent Order 1/27/87
HWK Enterprises/Meeker Mfg./Design Classics/Litch-		
field Municipal Well Site, Litchfield	24	
Owatonna City Dump	23	D 4 D 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4
Ashland Oil Co.—Pine County	22	Request for Response Action 12/18/84
Salol Sanitary Landfill, Roseau County	22	
Wabasha County Sanitary Landfill	22	
Duluth Air Force Base	21	
Kanabec County Sanitary Landfill	21	
Sheldahl, Northfield	21	
Trio Solvent Site, New Brighton	21	Request for Response Action 8/26/86
McGuire Wire Salvage Site, Mora	20	
Askov Ground Water Contamination	18	Request for Response Action 10/28/86, 12/16/86
Northwoods Sanitary Landfill, St. Louis County	18	
Clay County Sanitary Landfill	17	
Lansing Ground Water Contamination	17	ERLA funded
Tellijohn Sanitary Landfill, LeSueur County	17	
Anchor Glass Container, Shakopee	16	
Central Cooperative Oil Association, Medford	16	
Woodlake Sanitary Landfill, Hennepin County	16	
Hopkins Sanitary Landfill	15	
Meeker County Sanitary Landfill	15	
Redwood County Sanitary Landfill	15	
Crow Wing County Sanitary Landfill	14	
East Mesaba Sanitary Landfill, St. Louis County	14	
American Hoist and Derrick (Amhoist), St. Paul	13	
Isanti Rumpel, Isanti County	13	Consent Decree 11/12/87
Waseca County Sanitary Landfill	13	
DM&IR Car and Locomotive Shops, Duluth	11	
Glidden Company, Minneapolis	11	
West Duluth Industrial Site	11	Stipulation Agreement 9/8/86
Bassett Creek/Irving Avenue Dump, Minneapolis	10	
Karlstad Sanitary Landfill, Kittson County	10	•
Schnitzer Iron and Metal Co., St. Paul	10	Consent Order 7/28/87
Northwest Refinery, Former, New Brighton	9	Request for Response Action 4/22/86
Sibley County Sanitary Landfill	9	
Ford—Twin Cities Assembly Plant, St. Paul	8	
Fritz Craig Salvage Operation, Park Rapids	8	
Schloff Chemical, St. Louis Park	7	
Control Data Corporation—Printed Circuits Operation,		
St. Louis Park	6	Consent Order 4/26/88
Superior Plating Inc., Minneapolis	6	
Kaplan, H.S. Scrap Iron and Metal Company, St. Paul	4	
Valentine-Clark, St. Paul	4	
Ecolotech, Inc.—St. Paul	3	
Gopher Oil—Delaware, Minneapolis	3	
Gopher Oil—Thornton, Minneapolis	3	
Isanti Martin, Isanti County	3	Consent Order 11/12/87
Metals Reduction, St. Paul	2	
Portec-Pioneer Division, Minneapolis/St. Paul	2	
-		

CLASS D SITES Remedial Investigations/Feasibility Studies Necessary or in Progress

	-	idies Necessary or in Progress
Site	Score	Comments
U.S. Naval Industrial Reserve Ordnance Plant (NIROP),		
Fridley	63	Request for Response Action 5/22/84
Twin Cities Army Ammunition Plant/New Brighton/		
Arden Hills/St. Anthony Site	59	Federal Facility Agreement 7/28/87
Reilly Tar, St. Louis Park	59	Consent Decree 9/22/86
Koppers Coke, St. Paul	55	Request for Response Action 3/25/86
Pine Bend Sanitary Landfill/Crosby American		
Demolition Landfill, Inver Grove Heights	52	Consent Order 4/23/85
MacGillis & Gibbs Co., New Brighton	48	ERLA funded; CERCLA funded
Bell Lumber & Pole Co., New Brighton	48	Consent Order 5/30/85
Freeway Sanitary Landfill, Burnsville	46	Request for Response Action 2/25/86
Joslyn Mfg. & Supply Company, Brooklyn Center	44	Consent Order 5/30/85
Pig's Eye Landfill, St. Paul	43.5	
Burnsville Sanitary Landfill	43	Request for Response Action 4/28/87
Oak Grove Sanitary Landfill, Anoka County	43	CERCLA funded
Union Scrap Iron and Metal Co., Minneapolis	43	CERCLA funded
Dakhue Sanitary Landfill, Dakota County	42	Consent Order 6/23/87
Kummer Sanitary Landfill, Beltrami County	42	CERCLA funded
Minnegasco, Minneapolis	42	Request for Response Action 6/24/86
Conoco, Inc.—Wrenshall Refinery	41	Request for Response Action 6/23/87
Kandiyohi County Sanitary Landfill	41	
Shafer Metal Recycling, Minneapolis	41	•
Arrowhead Refinery Co., Hermantown	40	CERCLA funded
Ashland Refinery, St. Paul Park	40	
Tower Asphalt, Lakeland	40	
Kluver Sanitary Landfill, Douglas County	39	
Baytown Township Ground Water Contamination,		
Washington County	38	
Burlington Northern Car Shops, Brainerd	38	
Burlington Northern Car Shops, Waite Park	38	
Lakeland Ground Water Contamination	38	ERLA funded
Sauk Centre Sanitary Landfill	38	
Windom Dump	38	Request for Response Action 6/24/86
Faribault Municipal Well Field	36	
Robbinsdale Development Site	36	
St. Paul Park Ground Water Contamination	36	ERLA funded
Brooklyn Park Dump	35.5	
South Andover, Andover	35	CERCLA funded
Adrian Municipal Well Field	34	CERCLA funded
Ashland Oil—Cottage Grove	34	Request for Response Action 3/26/85
Battle Lake Area Sanitary Landfill, Otter Tail County	34	
Chisago-Isanti County Sanitary Landfill	34	Request for Response Action 6/16/88
Grand Rapids Area Sanitary Landfill	34	
La Grande Sanitary Landfill, Douglas County	34	CERCLA funded
Olmsted County Sanitary Landfill	34	
Pickett Sanitary Landfill, Hubbard County	34	Request for Response Action 4/26/88
St. Augusta Sanitary Landfill/Engen Dump, Stearns		
County	34	
Twin Cities Air Force Reserve Base, Minneapolis	34	
Ashland Oil/Park Penta/Sonford Products Site,		
St. Paul Park	. 32	
St. Louis River/Interlake/Duluth Tar, Duluth	32	CERCLA funded
St. Louis River/U.S. Steel, Duluth	32	Consent Order 3/26/85
*		

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East Bethel Demolition Landfill	31	Consent Order 4/28/87
Highway 96 Dump	31	Request for Response Action 7/22/86
Koch Refining/N-ReN Corp., Rosemount	31	Consent Order 10/22/85
Isanti Solvent Site, Isanti County	30	Consent Decree 11/12/87
Ritari Post and Pole, Wadena County	30	CERCLA funded
Greater Morrison Sanitary Landfill, Morrison County	29	
Louisville Sanitary Landfill, Jordan	29	Request for Response Action 9/23/86
Western Lake Superior Sanitary District Landfill/		
Duluth Dump, St. Louis County	29	
Becker County Sanitary Landfill	28	
Duluth Former City Dump	28	Request for Response Action 8/23/88
Yonak Sanitary Landfill, Wright County	28	•
Koochiching County Sanitary Landfill	27	
Pipestone County Sanitary Landfill	27	
Gofer Sanitary Landfill, Martin County	26	
Buekers Sanitary Landfill, Stearns County	25	
Dodge County Sanitary Landfill	25	
Elk River Sanitary Landfill	25	
Fergus Falls Sanitary Landfill	25	
Foot, S.B. Tanning Sludge Disposal Area, Red Wing	25	
Houston County Sanitary Landfill	25	
Leech Lake Sanitary Landfill, Cass Lake	25	
Pine Lane Sanitary Landfill, Chisago County	25	
Ponderosa Sanitary Landfill, Blue Earth County	25	
Wadena Sanitary Landfill	25	
Winona Ground Water Contamination (Clarks Lane/		
Gilmore Avenue)	25	ERLA funded
Anderson Corporation, Bayport	24	Consent Order 1/27/87
HWK Enterprises/Meeker Mfg./Design Classics/Litch-		
field Municipal Well Site, Litchfield	24	
Owatonna City Dump	23	
Ashland Oil Co.—Pine County	22	Request for Response Action 12/18/84
Salol Sanitary Landfill, Roseau County	22	•
Wabasha County Sanitary Landfill	22	
Duluth Air Force Base	21	
Kanabec County Sanitary Landfill	21	
Sheldahl, Northfield	21	
Trio Solvent Site, New Brighton	21	Request for Response Action 8/26/86
McGuire Wire Salvage Site, Mora	20	
Askov Ground Water Contamination	18	Request for Response Action 10/28/86, 12/16/86
Northwoods Sanitary Landfill, St. Louis County	18	
Clay County Sanitary Landfill	17	
Lansing Ground Water Contamination	17	ERLA funded
Tellijohn Sanitary Landfill, LeSueur County	17	
Anchor Glass Container, Shakopee	16	
Central Cooperative Oil Association, Medford	16	
Woodlake Sanitary Landfill, Hennepin County	16	
Hopkins Sanitary Landfill	15	
Meeker County Sanitary Landfill	15	
Redwood County Sanitary Landfill	15	
Crow Wing County Sanitary Landfill	14	
East Mesaba Sanitary Landfill, St. Louis County	14	
American Hoist and Derrick (Amhoist), St. Paul	13	
Isanti Rumpel, Isanti County	13	Consent Decree 11/12/87
Waseca County Sanitary Landfill	13	
Glidden Company, Minneapolis	11	
Bassett Creek/Irving Avenue Dump, Minneapolis	10	

Official Notices

General Coatings, Inc., Eagan	10	
Karlstad Sanitary Landfill, Kittson County	10	•
Schnitzer Iron and Metal Co., St. Paul	10	Consent Order 7/28/87
Sibley County Sanitary Landfill	9	
Ford—Twin Cities Assembly Plant, St. Paul	8	
Fritz Craig Salvage Operation, Park Rapids	8	
Schloff Chemical, St. Louis Park	7	
Control Data Corporation—Printed Circuits Operation,		
St. Louis Park	6	Consent Order 4/26/88
Superior Plating Inc., Minneapolis	6	
Kaplan, H.S. Scrap Iron and Metal Company, St. Paul	4	
Valentine-Clark, St. Paul	4	
Gopher Oil—Delaware, Minneapolis	3	
Gopher Oil—Thornton, Minneapolis	3	
Isanti Martin, Isanti County	3	Consent Decree 11/12/87
Metals Reduction, St. Paul	2	
Portec-Pioneer Division, Minneapolis/St. Paul	2	

NOTES:

Score—Hazard Ranking System score.

COMMENTS:

If a Consent Order, Consent Decree, Request for Response Action, or Stipulation Agreement is indicated, a Responsible Party is undertaking the necessary response actions pursuant to an enforceable document.

If CERCLA or ERLA funding is indicated, the MPCA is using federal or state Superfund monies, respectively, to finance the necessary response actions being conducted by an MPCA contractor.

Department of Public Service—Energy Division

Notice of Extension of Deadline

The deadline of October 1, 1989 established by publication on June 27, 1989, by the Department of Public Service to seek opinions and information on proposed amendment to *Minnesota Rules* Chapter 7670 (formerly designated as *Minnesota Rules* Chapter 4215) governing energy matters within the State Building Code, is hereby extended to December 21, 1989.

Teachers Retirement Association

Meeting Notice

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Tuesday, October 17, 1989, at 9:30 a.m. in Suite 500, Gallery Building, 17 West Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

Department of Transportation

Meeting Notice

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Thursday, September 28, 1989, at 9:30 a.m. in room 500 South, State Office Building, 100 Constitution Avenue, St. Paul, Minnesota 55155.

This notice is given pursuant to Minnesota Statute 47k.705.

The purpose of this open meeting is to investigate and determine recommendations for variances from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3400 adopted pursuant to *Minnesota Statutes* 161 and 162.

The agenda will be limited to these questions:

- 1. Petition of the City of Ham Lake for a variance from minimum standards on a proposed construction project on MSAS 104 (147th Avenue NE) between Trunk Highway 65 and 149th Avenue NE so as to permit a design speed of 25 miles per hour instead of the required design speed of 30 miles per hour.
- 2. Petition of the City of Woodbury for a variance from minimum standards on a proposed reconstruction project on MSAS 110 (Upper Afton Road) from Century Avenue to Weir Drive so as to permit a street width of 32 feet with no parking instead of the required minimum width of 36 feet with no parking.
- 3. Petition of the City of St. Cloud for a variance from requirements as they apply to a proposed reconstruction project on MSAS 140 (West St. Germaine Street, formerly TH 15) from County Road 137 to the south corporate limits so as to permit plan approval beyond the time frame established by rule thereby qualifying the proposed project for financing with Municipal State Aid Turnback Funds.
- 4. Petition of the County of Watonwan for a variance from minimum standards as they apply to a proposed reconstruction project on C.S.A.H. 3 (Main Street) between Benzel Avenue and Center Avenue South in Madelia, MN so as to permit 45 degree diagonal parking on one side with a street width of 39 feet on one side instead of 45 degree diagonal parking with a one side street width of 45 feet.
- 5. Petition of the County of Beltrami for a variance on a proposed bituminous resurfacing and aggregate shouldering project on CSAH 22 between the junction of County State Aid Highway 15, 8 miles north of Bemidji, and the junction of Trunk Highway 71, in Turtle Lake, MN so as to permit design speeds of 37.5, 36.7 and 39.2 miles per hour instead of the required minimum design speed of forty miles per hour at three sag vertical curves located between engineers station 44 + 50 to 47 + 50, 118 + 95 to 123 + 05, and 165 + 00 to 167 + 00, respectively.
- 6. Petition of the County of Beltrami for a variance on a proposed bituminous resurfacing and aggregate shouldering project on CSAH 12 between a point 2.0 miles east of County Road 407 and the junction of County State Aid Highway 39 at Pennington, MN so as to permit a design speed of 33 miles per hour instead of the required minimum design speed of forty miles per hour at a sag vertical curve located between engineers station 592 + 40 and 531 + 40.
- 7. Petition of the City of Moorhead for a variance from minimum standards for a proposed milling and bituminous resurfacing project on MSAS 115 (First Avenue North) from 8th Street to 21st Street so as to permit a street width of 60 feet, including a 14 foot median, with no parking instead of the required width of 62 feet with no parking.
- 8. Petition of the City of Minneapolis for a variance from minimum standards for a proposed reconstruction project on Washington Street NE between Spring Street NE and Broadwy Street NE so as to permit a street width of 36 feet with parking permitted on both sides instead of the required minimum width of 40 feet with parking on both sides.
- 9. Petition of the City of Minneapolis for a variance from minimum standards for the proposed reconstruction of the Garfield Avenue South bridge over the Soo Line Railroad so as to permit a vertical clearance of 20' 2" over the northerly track and 21' 4" over the southerly track instead of the required 22' 0".
- 10. Petition of the City of Minneapolis for a variance from minimum standards for a construction project on MSAS 166 (Como Avenue) between 15th Avenue SE and 22nd Avenue SE so as to permit a street width of 44 feet, with parking permitted on both sides, instead of the required minimum width of 72 feet with parking permitted on both sides, or the required minimum width of 52 feet with no parking permitted on either side.

The cities and counties previously listed are requested to follow the following time schedule when appearing before the Variance Committee:

9:30 a.m. City of Ham Lake
9:55 a.m. City of Woodbury
10:15 a.m. City of St. Cloud
10:30 a.m. County of Watonwan
11:10 a.m. County of Beltrami
1:00 p.m. City of Moorhead
1:20 p.m. City of Minneapolis

Dated: 14 September 1989

Leonard W. Levine Commissioner Minnesota Department of Transportation

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 <u>STATE REGISTER Contracts Supplement</u>, 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.

Commodity: Tape (video) duplicating

Contact: Don Olson 296-3771 **Bid due date at 2pm:** September 28

Agency: Various **Deliver to:** Various

Requisition #: Price Contract

Commodity: Domain personal

workstations

Contact: Bernadette Vogel 296-3778 Bid due date at 2pm: September 28

Agency: Community College

Deliver to: Hibbing

Requisition #: 27158 91017

Commodity: Duplicator, VCR Contact: Pam Anderson 296-1053 Bid due date at 2pm: September 28 Agency: Normandale Community

College

Deliver to: Bloomington **Requisition #:** 27156 10548

Commodity: Heat recovery system Contact: Mary Jo Bruski 296-3772 Bid due date at 2pm: September 29 Agency: Human Services Regional

Treatment Center **Deliver to:** Brainerd

Requisition #: 55304 08356

Commodity: 1990 Chev handicapped

van

Contact: Brenda Thielen 296-9075 Bid due date at 2pm: September 29 Agency: Human Services Regional

Treatment Center **Deliver to:** Faribault

Requisition #: 55303 14264

Commodity: Colilert mix Contact: Joseph Gibbs 296-3750 Bid due date at 2pm: September 29 Agency: Health Department

Deliver to: Minneapolis **Requisition #:** 12200 41424

Commodity: Lease/purchase 286

computers—rebid

Contact: Bernadette Vogel 296-3778 Bid due date at 2pm: October 3 Agency: Itasca Community College

Deliver to: Grand Rapids **Requisition #:** 27144 44204 1

Commodity: Signs/decals Contact: John Bauer 296-2621 Bid due date at 2pm: October 3 Agency: Natural Resources

Deliver to: Various

Requisition #: 29000 52899

Commodity: One ton pickup cab & chassis trucks w/bodies wt

& measures

Contact: Mary Jo Bruski 296-3772 Bid due date at 2pm: October 3

Agency: Public Service **Deliver to:** St. Paul

Requisition #: 80300 04094

Commodity: Printed continuous form

warrants-rebid

Contact: Norma Cameron 296-2546 Bid due date at 2pm: October 3 Agency: Finance, Revenue, Public

Employ. Retirement **Deliver to:** St. Paul

Requisition #: Price Contract

Commodity: Rebuilt aircraft engine Contact: Mary Jo Bruski 296-3772 Bid due date at 2pm: October 3 Agency: Public Safety Dept. Deliver to: St. Paul

Requisition #: 07500 61143

Commodity: Magnesium chloride Contact: Joan Breisler 296-9071 Bid due date at 2pm: October 3 Agency: Transportation Dept.

Deliver to: St. Cloud

Requisition #: 79350 01026

State Contracts and Advertised Bids

Commodity: Sound repro equipment Contact: Pam Anderson 296-1053 Bid due date at 2pm: October 4 Agency: State University **Deliver to:** Mankato

Commodity: Windows

Requisition #: 26071 19251

Contact: Pam Anderson 296-1053 Bid due date at 2pm: October 4 Agency: Transportation Dept. Deliver to: St. Cloud **Requisition #:** 79350 01029

Commodity: Surveying equipment Contact: John Bauer 296-2621 Bid due date at 2pm: October 2 Agency: Transportation Dept. Deliver to: Maplewood, MN **Requisition #:** 79000 03008

Commodity: 1/2 ton pickup truck pollution control-St. Paul Contact: Mary Jo Bruski 296-3772 Bid due date at 2pm: October 2 Agency: MN Pollution Control Agency

Deliver to: St. Paul, MN Requisition #: 32300 21211 Commodity: Diazo printer Contact: John Bauer 296-2621 Bid due date at 2pm: October 2 Agency: Transportation Dept. Deliver to: Mankato **Requisition #:** 79000 02950

Commodity: Sound console Contact: Pam Anderson 296-1053 Bid due date at 2pm: October 2 **Agency:** State University Deliver to: St. Cloud **Requisition #: 26073 21374**

Commodity: Copier lease-rental-rebid Contact: Teresa Ryan 296-7556 Bid due date at 2pm: October 2 Agency: Community College

Deliver to: Brainerd

Requisition #: 27140 50008

Commodity: IBM PS/2s—no substitute Contact: Bernadette Vogel 296-3778 Bid due date at 2pm: October 4 Agency: Cambridge Regional Treatment Center

Deliver to: Cambridge Requisition #: 27141 48211

Commodity: Carpeting & vinyl flooring, installed—rebid #2 Contact: Pat Anderson 296-3770 Bid due date at 2pm: October 5

Agency: Various **Deliver to:** Various

Requisition #: Price Contract

Commodity: Move of Commerce Dept.

Contact:

Bid due date at 2pm: October 5 Agency: Commerce Dept.

Deliver to: St. Paul

Requisition #: 02310 17126

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.

Commedity: Commercial driver license manual, 100M, 92 pgs + cover, 5½"x8½", saddle stitch, camera ready Contact: Printing Buyer's Office Bids are due: September 25 **Agency:** Public Safety Department

Deliver to: St. Paul Requisition #: 1353

Commodity: TRA annual statement, 63,250 3-part sets, type to set, 2-

sided, 81/2"x61/8"

Contact: Printing Buyer's Office Bids are due: September 29 **Agency:** Teachers Retirement

Association Deliver to: St. Paul Requisition #: 0966 Commodity: 1990 resident individual angling license, 500M numbered, 8"x3½", type to set, 2-sided Contact: Printing Buyer's Office Bids are due: September 29 Agency: Department of Natural

Resources Deliver to: St. Paul Requisition #: 1387

Commodity: Nonqualification certificate, 30M, 8"x8", camera ready,

2-sided

Contact: Printing Buyer's Office Bids are due: September 26 Agency: Public Safety Department

Deliver to: St. Paul Requisition #: 1601 Commodity: 1988 tax rate notice, 110M 5-part form, 2 pts $11\frac{3}{4}$ "x5 $\frac{1}{2}$ ", 3 pts $9\frac{1}{2}$ " x $4\frac{3}{4}$ ", 1-sided with 4th ply 2-

sided, negs available

Contact: Printing Buyer's Office Bids are due: September 26

Agency: Jobs & Training Department

Deliver to: St. Paul Requisition #: 1205

Commodity: Drivers license renewal and voter registration card, 350M, 9"x8" overall, type to set, 2-sided Contact: Printing Buyer's Office Bids are due: September 26 Agency: Public Safety Department

Deliver to: St. Paul Requisition #: 1740

State Contracts and Advertised Bids =

Commodity: Laws and rules regulating licensing of electricians & inspectors of electrical installations, 15M, 48 pages, 3½"x6", type to set, 2-sided,

saddle stitch

Contact: Printing Buyer's Office Bids are due: September 26 Agency: State Board of Electricity

Deliver to: St. Paul **Requisition #:** 1595

Commodity: Engineer's license 1st class, 1M, 8½"x11½" overall, type to set, 1-sided

Contact: Printing Buyer's Office **Bids are due:** September 26

Agency: Labor & Industry Department

Deliver to: St. Paul **Requisition #:** 1590

Commodity: Envelopes, 15M #10, printed front and flat, on-the-ject Contact: Printing Buyer's Office Bids are due: September 26

Agency: Water & Soil Resources Board

Deliver to: St. Paul **Requisition #:** 1665

Commodity: W-2P double window envelopes, 3M 3%"x77%" Contact: Printing Buyer's Office Bids are due: September 26

Agency: PERA
Deliver to: St. Paul
Requisition #: 1623

Commodity: 1989 Form W-2P, 3M total sheets, 3 per sheet, 8"x11" sheet size,

continuous form

Contact: Printing Buyer's Office Bids are due: September 26

Agency: PERA
Deliver to: St. Paul
Requisition #: 1624

Commodity: 1990 nonresident furbearer license, 2.5M 5-part sets, 8"x3½", type to set, 2-sided, preprinted

numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1386

Commodity: 1990 nonresident family angling license, 175M 5-part sets, 8"x3½", type to set, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1389

Commodity: 1990 resident trapping license, 60M 5-part sets, 8"x3½", type to set, 2-sided preprinted numbering Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1390

Commodity: 1990 resident combination sportsman license, 145M 5-part sets, 8"x3½", type to st, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1391

Commodity: 1990 residential individual sportsman license, 135M 4-part forms, 8½"x3½", type to set, 2-sided,

preprinted numbering
Contact: Printing Buyer's Office
Bids are due: September 27
Agency: DNR License Bureau
Deliver to: St. Paul

Requisition #: 1393

Commodity: 1990 resident shelter license, 10M 4-part sets, 8"x3½", type to set, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1395

Commodity: 1990 resident small game license, 350M 5-part sets, 8"x3½", type to set, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1394

Commodity: 1990 nonresident 14-day married couple angling license, 100M 5-part sets, 8"x3½", type to set, 2-sided, preprinted numbering Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1388

Commodity: 1990 nonresident shelter license, 10M 4-part sets, 8½x3½", type to set, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1396

Commodity: 1990 resident trapping license, 25M 5-part sets, 8½"x3½", type to set, 2-sided, preprinted

numbering
ontact: Printing

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1407

Commodity: 1990 nonresident short term 7-day angling license, 180M 4part sets, type to set, 2-sided,

preprinted numbering
Contact: Printing Buyer's Office
Bids are due: September 27
Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1405

Commodity: 1990 resident/nonresident 24-hour angling license, 100M 4-part forms, 8½"x3½", type to set, 2-sided,

preprinted numbering
Contact: Printing Buyer's Office
Bids are due: September 27
Agency: DNR License Bureau

Deliver to: St. Paul **Requisition #:** 1404

State Contracts and Advertised Bids

Commodity: 1990 resident senior citizen angling license, 225M 5-part sets, $8\frac{1}{2}$ "x $3\frac{1}{2}$ ", type to set, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul Requisition #: 1403

Commodity: 1990 nonresident small game hunting license, 11M 5-part sets, $8\frac{1}{2}$ "x $3\frac{1}{2}$ ", type to set, 2-sided,

preprinted numbering Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul Requisition #: 1402

Commodity: 1990 resident senior citizen small game license, 42M 5-part sets, $8\frac{1}{2}x3\frac{1}{2}$ ", type to set, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul Requisition #: 1401

Commodity: 1990 resident shelter license, 200M 4-part sets, 81/2"x31/2", type to set, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul Requisition #: 1400

Commodity: 1990 nonresident shooting preserve license, 8M 4-part sets, $8\frac{1}{2}$ " x $3\frac{1}{2}$ ", type to set, 2-sided, preprinted numbering

Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul Requisition #: 1399

Commodity: 1990 nonresident short term 3-day angling license, 135M 4part sets, $8\frac{1}{2}$ "x $3\frac{1}{2}$ ", type to set, 2sided, preprinted numbering Contact: Printing Buyer's Office Bids are due: September 27

Agency: DNR License Bureau

Deliver to: St. Paul Requisition #: 1398

Commodity: 1990 nonresident individual angling license, 175M 4part sets, $8\frac{1}{2}x3\frac{1}{2}$ ", type to set, 2sided, preprinted numbering Contact: Printing Buyer's Office Bids are due: September 27 Agency: DNR License Bureau

Deliver to: St. Paul Requisition #: 1397

Commodity: 1989 comprehensive annual financial report, 2.5M $8\frac{1}{2}$ "x11", 56 pgs + cover, type to set + camera ready, saddle stitch

Contact: Printing Buyer's Office Bids are due: September 28

Agency: PERA Deliver to: St. Paul Requisition #: 0943

Commodity: Explore Minnesota crosscountry skiing, 20M, 32 pgs + cover, 81/2"x11", camera ready, 2-sided,

saddle stitch

Contact: Printing Buyer's Office Bids are due: September 28 Agency: Office of Tourism Deliver to: St. Paul

Requisition #: 1764

Commodity: Traffic accident report, 100M 2-part sets, camera ready, 1sided, 4M sets of 25 per pad, 81/2"x121/4" overall size Contact: Printing Buyer's Office Bids are due: September 28 Agency: Public Safety Department

Deliver to: St. Paul Requisition #: 1713

Commodity: Embossed foil state seals, camera ready, 20M seals, 23/16", negs

available, 1-sided

Contact: Printing Buyer's Office Bids are due: September 28 Agency: Governor's Office Deliver to: St. Paul Requisition #: 1793

Commodity: Embossed foil seals, 10M, 23/15", self adhesive in roll form on gold foil, camera ready, 1-sided

Contact: Printing Buyer's Office Bids are due: September 28 Agency: Governor's Office Deliver to: St. Paul Requisition #: 1794

Commodity: Information booklets, 3 varieties—25M, 7.5M, 5M—28 pgs + cover, 4"x81/2" camera ready, 2-

colors

Contact: Printing Buyer's Office Bids are due: September 28

Agency: PERA Deliver to: St. Paul Requisition #: 1653

Commodity: Minnesota crime watch warning labels, 32,500, 31/2"x43/4" with \(\frac{1}{8}\)'' overlap of lines, 2-sided, pressure sensitive 4 mil hard vinyl laminated with 1 mil clear polyester cold seal permanent adhesive

Contact: Printing Buyer's Office Bids are due: September 28 Agency: Public Safety Department

Deliver to: St. Paul Requisition #: 1749

Commodity: Letterhead, 1M 8½"x11"

sheets

Contact: Printing Buyer's Office Bids are due: September 28

Agency: BCA Forensic Science Lab

Deliver to: St. Paul Requisition #: 1561

Commodity: Blank mailers, 7M (3 forms per sheet) 9½x11, continuous

Contact: Printing Buyer's Office Bids are due: September 28

Agency: PERA Deliver to: St. Paul Requisition #: 1622

Commodity: Individual (20M) and husband & wife (20M) 1989 3-year ski pass, 91/4" x 31/2" and 111/2" x 31/2", type to set, 2-sided, preprinted numbering, 10 to a pad

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Natural Resources Deliver to: St. Paul

Requisition #: 0598 and 0599

State Contracts and Advertised Bids =

Commodity: Notice of hearing, 20M 5-part sets, 8½" x 11" overall, camera ready, 1-sided pts. 1-4, 2-sided pt. 5
Contact: Printing Buyer's Office
Bids are due: September 29
Agency: Jobs & Training Dept.

Deliver to: St. Paul **Requisition #:** 1746

Commodity: Key punch cards, 120M—20M each pink, green, yellow, orange,

blue, plain

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Teachers Retirement

Association

Deliver to: St. Paul

Requisition #: 1720

Commodity: Annual Renewal Dentist Certificate, 5M, hygienist certificate, 4M and dental assistant certificate, 5M, 10" x 75/16", negs available,

1-sided, 2 part sets

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Health Dept. Deliver to: Minneapolis

Requisition #: 1812 & 1813 & 1814

Commodity: AV equipment ID system, 1M labels, pressure sensitive, camera

ready, 1-sided

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Center for Arts Education Deliver to: Golden Valley

Requisition #: 1654

Commodity: Food Stamp Household Report Envelope, 150M, 31/8" x 81/8",

2-sided, type to set

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Human Services Dept.

Deliver to: St. Paul **Requisition #:** 0699

Commodity: Household Report Form, 60M 4-part sets, 8½" x 22" folded to 8½" x 11", negs available, 2-sided

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Human Services Dept.

Deliver to: St. Paul **Requisition #:** 0700

Commodity: Household Report Form, 260M, 4-pages, 2 parts, 8½" x 11" negs available and camera ready, 2-sided

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Human Services Dept. Deliver to: New Brighton Requisition #: 0702

Commodity: Printed window envelopes, 40M, #14 (5" x 111/2") + flap, type

to se

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Administration Dept. —

Materials Mgmt. **Deliver to:** St. Paul **Requisition #:** 1250

Commodity: Confidential Petty Cash Fund Receipt, 25 receipts per pad, 5-part sets, 1M sets, 125 pads, negs available, 1-sided, preprinted

numbering

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Bureau of Criminal Apprehension

Deliver to: St. Paul Requisition #: 1785

Commodity: Prior Authorization Form, 80M, 2-part sets, 9½" x 11" overall, 1-sided, negs available, preprinted

numbering

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Human Services Deliver to: St. Paul Requisition #: 0637

Commodity: Contractural Services form, 4M 6-part sets, negs available, 2-sided, 8½" x 14¾" overall Contact: Printing Buyer's Office Bids are due: September 29

Agency: Admin Dept.—Central Stores

Deliver to: St. Paul **Requisition #:** 0660

Commodity: Panfish: Minnesota's Mainstay, 10M books, 16" x 9", folded to 4" x 9", 4-color process, negs

available, 2-sided

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Natural Resources Dept.

Deliver to: St. Paul **Requisition #:** 1036

Commodity: Newsletter

"CONNECTOR," 6 issues yearly, 8,700 per issue, 8 pgs. 8½" x 11", type to set, keylines and negs provided, saddlestitch

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Council on Disability

Deliver to: St. Paul **Requisition #:** 0977

Requisition #: 0770

Commodity: Envelopes, 3M, 10" x 13" x 2" camera ready, 1-sided, tyvek
Contact: Printing Buyer's Office
Bids are due: September 29
Agency: Health Dept.
Deliver to: Minneapolis

Commodity: Bass Largemouth & Smallmouth, 10M 3 spread books 16" x 9" folded to 4" x 9", negs furnished, 2-sided, 4-color Contact: Printing Buyer's Office Bids are due: September 29 Agency: Natural Resources Dept.

Deliver to: St. Paul **Requisition #:** 1037

Commodity: Deposit with state depository, 10M, 8½" x 8" detached, negs available, 1-sided, 3-part sets Contact: Printing Buyer's Office Bids are due: September 29

Agency: Admin Dept.—Central Stores

Deliver to: St. Paul Requisition #: 0857

Commodity: Records Storage Card, 1M 3-part form, 6" x 4¾" overall, 1-sided

Contact: Printing Buyer's Office Bids are due: September 29 Agency: Public Safety Dept.

Deliver to: St. Paul **Requisition #:** 0903

State Designer Selection Board

Request for Proposal for Two Projects at the University of Minnesota

To Registered Professionals in Minnesota:

The State Designer Collection Board has been requested to select designers for two projects at the University of Minnesota. Design firms who wish to be considered for this project should deliver proposals on or before 4:00 p.m., October 17, 1989, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

- 1) Six copies of the proposal will be required.
- 2) All data must be on 8½" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.

4) Mandatory Proposal contents in sequence:

- a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.
- b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.
- c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named in 4b above along with adequate staff to meet the requirements of work.
- d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall **list and total** all fees associated with these projects whether or not the fees have been received or are anticipated.

In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects listed pursuant to the above.

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

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

5) Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
 - d) A statement certifying that the firm has an application pending for a certificate of compliance.
 - 6) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:
- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
- b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

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

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

7a) PROJECT-44-89

Agricultural Operations Management Center University of Minnesota—Crookston

The University of Minnesota is planning to construct an Agricultural Operations Management Center to be located at the Crookston, Minnesota campus. The Agricultural Operations Management Center will provide "hands on" learning opportunities for students in agricultural operations incorporating state-of-the-art agricultural technology and telecommunication capabilities. The "Ag Center" will bring to one location the swine, sheep, beef, and horses used in teaching management and husbandry skills. The facility is actually a complex of many separate agricultural facilities as follows:

- An animal arena for all animals at the facility, with seating for up to 300 spectators;
- A livestock holding area to be used by all animals for activities such as weighing, holding, washing, showing, fitting, and judging;
- Office space for ten faculty, with support spaces;
- Classroom/laboratory spaces for instructional programs, with state-of-the-art telecommunications capabilities;
- A large classroom for 50 persons;
- A laboratory for 18 persons at laboratory stations, with support spaces;
- A telecommunications classroom for 24 persons;
- A swine unit of approximately 4,600 asf, with a farrowing house and a finishing house;
- A sheep unit of approximately 4,400 asf of unheated pole barn construction;
- A beef unit of approximately 6,800 asf of unheated pole barn construction;
- A horse unit of approximately 9,700 asf;
- Feed storage for all animals;
- A feed processing center with a grinder/mixer/roller mill;
- A machine/equipment shed to accommodate storage of equipment;
- Outdoor areas associated with each animal unit for controlled outside yard space for the animals;
- Animal waste handling for solid and liquid animal waste.

The site for the project is located at the northern edge of the campus and is a prominent introduction to the campus.

The facility will also host activities for non-University groups. As such, it is important that the overall design express a very positive image and that the architect be able to accomplish this.

The facility has an estimated project cost of \$5,184,000, of which approximately \$3,475,000 is for construction. The 1987 Legislature appropriated \$2,000,000 for planning funds. The University is planning to request construction funds at the next Legislative session.

The design team should have designed projects of this type; experience in agricultural and animal projects of this type is preferred. The services of an agricultural engineer with knowledge of the special challenges posed by facilities of this type is desired on the design team.

7b) PROJECT-45-89

Basic Sciences and Biomedical Engineering Building University of Minnesota—Minneapolis

The University of Minnesota is planning to construct a Basic Sciences and Biomedical Engineering Center Building, which is to be located on the East Bank of the Minneapolis Campus

The site will be the demolished Zoology and Botany Building location. The proposed sophisticated and technical facilities will be a blending of primarily laboratories, support spaces and office areas. The budget assumes that the proposed building will be a simple, quiet, backdrop building next to Coffman Memorial Union. The architectural expression should relate primarily to the main campus mall. The facility is to consist of approximately 250,000 gsf. Programmed areas of major activities are:

Biochemistry 21,000 asf

Cell Biology and Neuroanatomy 33,000 asf

Laboratory Medicine and Pathology 32,000 asf

Pharmacology 32,000 asf

Physiology 20,000 asf

Biomedical Engineering 16,000 asf

It is critical that modular, open plan generic laboratories, common amenities and convenience to resources must be balanced with the schedule and fiscal responsibilities of the University.

The facility has an estimated project cost of \$66,700,000, of which approximately \$52,000,000 is for construction. The 1989 Legislature appropriated \$4,000,000 for working drawings.

Questions regarding this project may be referred to Clinton Hewitt at (612) 625-7355.

Mark Anderson, Chairman State Designer Selection Board

Department of Employee Relations

Request for Proposals for Employee Health Risk Assessment

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employee Relations is requesting proposals from qualified proposers to provide an employee Health Risk Assessment that could potentially be used for approximately 38,000 state employees.

Background

The Minnesota Department of Employee Relations (DOER) serves as the employer for the executive branch of the government. Through the Health and Benefits Division, DOER has made a commitment to enhance the health of state employees. One of the long-term objectives is to contain the rising costs of health care while improving productivity and decreasing absenteeism. Programs are being developed on a state-wide level that will assist employees in attaining optimal health status.

Objectives

The objectives of this project are to provide a high-quality Health Risk Assessment which will:

- Enhance state employees' awareness about their health.
- Serve as a vehicle for communicating valuable health risk information.
- Promote positive attitudes towards health and lifestyle.
- Educate employees about the relationship between their health status and health benefit costs.
- Provide reliable aggregate data to assist in program design and implementation.

Department Contact

Prospective purposers who wish to receive a copy of the complete RFP may call or write:

Sandy Cavanaugh, Director Statewide Health Promotion Program 520 Lafayette Road 3rd Floor St. Paul, MN 55155 (612) 296-1689

Submission of Proposals

The deadline for submissions is 4:30 p.m., Monday, October 16, 1989. Please submit four copies of your proposal.

Department of Natural Resources

Request for Proposals to Assist DNR Managerial Employees with Relocation to New Work Locations

The Minnesota Department of Natural Resources (DNR) is requesting proposals for services involved in relocating DNR managerial employees from one work location to another which is at least 35 miles from the original location.

An employee who owns a home may choose to sell the house independently or may use the services of the Relocation Company.

The Relocation Company will be notified by the Bureau of Human Resources of a managerial transfer so that a representative can contact the employee. The employee may list the property with a Real Estate Broker if the contract contains the required clause allowing for cancellation of the agreement if the employee accepts the Relocation Company's offer. The Relocation Company will order two appraisals of the property and, upon receipt, will review and average the reports. If the two appraisals are within a 71/2% spread, the average will become the guaranteed offer. If the two are not within the 7½% spread, additional appraisal will be ordered by the Relocation Company until the two closest are within this spread. When this process is complete, the Relocation Company will contact the Bureau of Human Resources with the market value guaranteed offer. The Bureau of Human Resources will receive copies of the appraisals. The Relocation Company representative will mail a Contract of Sale which will verify the verbal price. This guaranteed offer is valid for 30 days. Acceptance of the guaranteed offer constitutes a sale of the property to the Relocation Company. The employee may remain in the property for 90 days after the date of the offer. The employee's expenses and obligations to the property will end on the day the Contract for Sale is received by the Relocation Company or the date the property is vacated, whichever is later. An employee may, during the 30 day acceptance period, sell the property to a third party at a price equal to or greater than the offer by the Relocation Company. The Relocation Company will exert its best effort to consummate such sale negotiated by the employee. If the assigned sale does not close, the price paid to the employee will be the original guaranteed offer of the Relocation Company. If the employee requests funds for a down payment or deposit on a home at the new location prior to the closing, the Relocation Company will advance up to 95% of the estimated equity, as needed.

Normal closing costs customarily borne by the buyer may be reimbursed when the employee owned a home at their former location and purchases one new home within one year from the effective date of the transfer.

The DNR may reimburse the mileage cost to the employee's spouse to travel between the original work location and the new location twice and meals and lodging costs not to exceed a total of seven calendar days.

The following household goods movement costs may be reimbursed:

- 1. Containers, packing and unpacking.
- 2. Loading and unloading the van.
- 3. Normal servicing and disconnection and connection at origin and designation of appliances.
- 4. Insurance up to \$15,000 to replace or repair household goods lost, damaged in move.

Requirements for insurance on household goods during transit mandate that movers are liable for insurance at a rate not to exceed \$0.60 per pound per article. A household goods mover may not be hired to pack or ship the employee's household goods until at least two firm bids have been received by the Procurement Division of the Minnesota Department of Administration and the Commissioner of DNR has approved the contract.

The Minnesota DNR will reimburse to the employee the cost of moving up to two automobiles.

For a period of 90 days, the DNR may reimburse the cost of travel by the employee to return to the original work location once each week.

Temporary living expenses incurred by a manager for a period of 90 days from the date of the transfer will be reimbursed.

Documented miscellaneous expenses directly related to the move may be reimbursed.

The preceding description is a summary of the DNR's Relocation Policy. All proposals shall comply in all respects to the actual language of the policy. Prospective responders who have questions regarding the Request for Proposal or who wish to receive a copy of the relocation policy may call or write:

Chuck Armstrong
Bureau of Human Resources
Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-9227

All proposals must be sent to and received by:

Mary O'Neill Bureau of Human Resources Minnesota Department of Natural Resources 500 Lafayette Road St. Paul, Minnesota 55155 (612) 296-6478

Not later than 4:30 p.m., November 3, 1989.

LATE PROPOSALS WILL NOT BE ACCEPTED. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

All proposals received by the deadline will be evaluated by representatives of the DNR. In some instances, an interview will be part of the evaluation process. Factors upon which proposals will be judged include, but are not limited to, the following:

- 1. Expressed understanding of project objectives.
- 2. Project work plan.
- 3. Project cost detail.
- 4. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

Department of Trade & Economic Development

Community Development Division

Request for Proposal for Preparing Study for Aerospace Museum and Learning Center

The Community Development Division is requesting proposals for assistance in preparing a study on the feasibility of the establishment in Sherburn, Minnesota of the Dale A. Gardner Aerospace Museum and Learning Center. Interested parties should submit a proposal to:

Department of Trade and Economic Development Community Development Division

PROPOSAL CONTENT

Proposals for the study should include:

- (1) The search and availability of aerospace artifacts from both public and private entities and the cost involved in obtaining and transporting these artifacts;
- (2) Information on all possible funding sources for the exploratorium, (museum), including a list of Minnesota business that have helped develop and maintain the aerospace industry;
 - (3) Construction cost breakdown, (budget), and the source of funds to complete the construction;
- (4) Anticipated construction schedule and an artist conception of the aerospace museum for both long and short term ranges with a three phase emphasis; 1990-91, 1995-96, 2001-01;
 - (5) Complete administrative analysis including management structure, and annual operating cost; and
 - (6) Comprehensive Market Analysis including anticipated patronage.

A sum of \$10,000 has been appropriated for this project.

Proposals will be accepted from government units, nonprofit corporations, research organizations, or consulting firms.

ADDITIONAL INFORMATION REQUIRED

- (1) A description of the study methodology.
- (2) A description of the respondent's background and experience in similar activities.
- (3) A projected budget and time frame for completion of the feasibility study.

SUBMISSION OF PROPOSALS

All proposals must be submitted by 4:30 p.m., Friday, November 3, 1989 to Michael Dees, Community Development Division, Department of Trade and Economic Development, 900 American Center Building, 150 East Kellogg Boulevard, St. Paul, Minnesota 55101-1421. Any questions regarding this project should be directed to Mr. Dees at 612/296-2262.

COMPLETION DATE

This project should be completed by March 12, 1990. This request for proposal does not obligate the State of Minnesota to complete the project and the State of Minnesota reserves the right to cancel this solicitation if necessary.

EVALUATION

Proposals will be reviewed for:

- (1) a thorough response to the items identified under Proposal Content;
- (2) presence of sufficient budget detail to review and understand projected expenditures;
- (3) qualifications of personnel and/or company; and
- (4) methodology will be reviewed for accuracy and consistency.

David J. Speer, Commissioner Minnesota Department of Trade and Economic Development

Department of Trade and Economic Development

Minnesota Office of Tourism

Request for Proposal for Illustration Services

The Minnesota Office of Tourism is seeking proposals for provision of illustrations for publication for a one-year period commencing Oct. 30, 1989, with an option to renew for each of two consecutive years. Annual contract for professional services plus expenses is estimated to be \$12,000, subject to Tourism approval.

Illustration is for the MINNESOTA EXPLORER newspaper and other Tourism publications. The newspaper is published three times per year; 12-24 pages; four-color broadsheet. Applicants must have newspaper experience and be skilled in black and white, cut-color and airbrush techniques. There will be approximately 10-20 illustrations per issue, plus occasional illustrations for other publication needs.

Those interested should submit a resume of work and a portfolio for consideration to: Susan K. Lasley, Communications Manager, Minnesota Office of Tourism, 250 Skyway Level, 375 Jackson St., St. Paul, MN 55101, 612/297-3879.

Proposals will be accepted at that address until 5 p.m., Thursday Oct. 12. Portfolios may be picked up Oct. 19, or by prior arrangement.

Potential vendors are cautioned that only Susan Lasley is empowered to discuss and provide information on this project.

Dated: 14 September 1989

David J. Speer, Commissioner Minnesota Department of Trade and Economic Development

Department of Trade and Economic Development

Minnesota Office of Tourism

Request for Proposal for Video Creative and Production Services

The Minnesota Office of Tourism is seeking proposals for creative and production services for a 5-7 minute film/video to be presented at the Minnesota Conference on Tourism, January 1990.

Content will include interviews with travel industry personnel, historical footage and news clips, tracing the history of tourism in Minnesota. Production will also focus on the growth and economic impact of tourism as an industry. All location shooting will be done in Minnesota.

For further information, contact: Susan Lasley at 612/297-3879.

Proposal Submissions

Interested parties should submit a summary of experience, ¾-inch demo reel (no longer than 20 minutes in length), treatment, fee schedule for services to be provided, and the name, title, address and phone number of the person empowered to negotiate a contract as a result of this proposal to:

Non-State Public Contracts

Susan Lasley, Communications Manager Minnesota Office of Tourism 375 Jackson Street, 250 Skyway Level St. Paul, Minnesota 55101-1018

Deadline for submissions: 4:30 p.m., October 10, 1989.

Demo reel may be picked up Oct. 19 or by prior arrangement. Potential vendors are cautioned that only Susan Lasley is empowered to discuss and provide information on this project.

Dated: 14 September 1989

David J. Speer, Commissioner Minnesota Department of Trade and Economic Development

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.

Anoka County

Advertisement for Bids and Request for Proposals for the Sheriff's Department Portion of a Criminal Justice Information System

The County of Anoka, State of Minnesota, is requesting sealed proposals from qualified vendors for the Sheriff's Department portion of a criminal justice information system.

The request for proposals will be available to vendors on September 18, 1989 from Stan Mork, McGladrey & Pullen, 1300 Midwest Plaza East, 800 Marquette Avenue, Minneapolis, Minnesota 55402 (612) 332-4300.

There will be a bidders conference on October 6, 1989 at 9 a.m. in the County Board Room, Anoka County Courthouse, 325 E. Main Street, Anoka, MN 55303. All vendors must confirm their attendance, in advance, with Richard Pearson, Director of Purchasing, phone number (612) 421-4760, ext. 1851.

Three (3) copies of the proposal should be delivered to Richard Portnoy, Assistant to the County Administrator, Anoka County Administration Office, 325 E. Main Street, Anoka MN 55303, by 11 a.m. on October 25, 1989.

Proposals must be accompanied by a surety bond or a certified check payable to the Anoka County Treasurer in the amount specified in the bid documents for hardware and software.

The Anoka County Board of Commissioners reserves the right to reject any or all bids and to waive any irregularities or information in the interests of Anoka County.

John "Jay" McLinden Anoka County Administrator

Metropolitan Transit Commission

Request for Proposals for Three-Year Marketing Communications Proposal

NOTICE IS HEREBY GIVEN that the Metropolitan Transit Commission (MTC) and Minnesota Rideshare will receive proposals at its offices at 560 Sixth Avenue North, Minnesota, 55411-4398, from firms interested in developing a 3-year marketing communications proposal for the MTC regular route and rideshare services. Proposals are due postmarked no later than October 17, 1989.

Non-State Public Contracts

The MTC reserves the right to reject any and all proposals.

The successful proposer shall be required to comply with all applicable Equal Employment Opportunity laws and regulations. Proposals will not be subjected to discrimination on the basis of race, color, sex or national origin in consideration for an award.

The contract will be awarded to the firm judged to be the most advantageous to the MTC.

Prospective proposers may obtain Request for Proposals by contacting Mary Cosgrove, Manager of Communications, at (612) 349-7681, or Marcia Diers, Minnesota Rideshare Manager, at (612) 349-7535.

Supreme Court Calendar =

Listed below are the cases scheduled to be heard by the Minnesota Supreme Court in the next few weeks. This listing has been compiled by the Minnesota State Law Library for informational purposes only. Cases may be rescheduled by the Court subsequent to publication in the State Register. Questions concerning dates, locations, cases, etc., should be directed to: Clerk of the Appellate Courts, Room 230 State Capitol, St. Paul, MN 55155 612-296-2581.

Cases Scheduled to be heard during October, 1989

Compiled by Dale A. Hansen, (612) 297-4050

Listed below are the cases scheduled to be heard by the Minnesota Supreme Court in the next few weeks. This listing has been compiled by the Minnesota State Law Library for informational purposes only. Cases may be rescheduled by the Court subsequent to publication in the *State Register*. Questions concerning the time and location of the hearings should be directed to: Clerk of the Appellate Courts, Room 230 State Capitol, St. Paul, MN. 55155, (612) 296-2581.

Monday, October 2, 1989 9:00 AM

C2-88-1720 ARVID MARTIN, Respondent (Attorney: Eric D. Hylden of Halverson, Watters, Bye, Downs & Maki, Ltd.) vs. ITASCA COUNTY, petitioner, Appellant (Attorney: Michael J. Haig, Assistant County Attorney, Itasca County). Opinion Court of Appeals.

Did the former Itasca County personnel policy rule, which required county employees filing for elective office to take an unpaid leave of absence during their candidacy, violate procedural due process?

C6-88-1509 MICHAEL-CURRY COMPANIES, INC., Respondent (Attorney: Gary F. Albrecht of Fabyanske, Svoboda, Westra & Davis, P.A.) vs. KNUTSON SHAREHOLDERS LIQUIDATING TRUST, et al., defendants and third-party plaintiffs, petitioners, Appellants (Attorneys: John L. Devney, J. Patrick McDavitt and Mark J. Ayotte of Briggs and Morgan, P.A.) vs. JOHN A. CURRY, et al., Third-Party Defendants. Opinion Court of Appeals.

Where a contract called for arbitration of any controversy or claim, did the trial court properly order a stay of arbitration pending trial of Appellant's claim of fraud in the inducement of the contract?

Tuesday, October 3, 1989 9:00 AM

C6-88-1378 NATIONAL CITY BANK OF MINNEAPOLIS, Respondent (Attorney: Robert R. Nardi of Willeke & Daniels) vs. ST. PAUL FIRE & MARINE INSURANCE COMPANY, petitioner, Appellant (Attorney: Meagher, Geer, Markham, Anderson, Adamson, Flaskamp & Brennan). Opinion Court of Appeals.

Where a bankers bond defines "counterfeit" as only an imitation of an original, is a bogus stock certificate that does not imitate any authentic stock certificate "counterfeited" within the meaning of the bond?

Was the Respondent required to have actual physical possession of the fabricated stock certificates prior to advancing loan proceeds in order to recover its loss under the Bankers Blanket Bond issued by Appellant?

Is an insured entitled to recover attorney's fees in an action for breach of an insurance contract, where the contract is not a liability policy, does not contain a duty to defend provision and provides that the insurer is not obligated to pay the insured's expenses?

C6-89-290 CALVIN GENE DANIELS, petitioner, Appellant (Attorney: Michael F. Cromett, Assistant State Public Defender) vs. STATE OF MINNESOTA, Respondent (Attorney: Lee W. Barry, Senior Attorney Appellate Section, Hennepin County). Order Hennepin County.

□ Supreme Court Calendar

Did the lower court err by denying the petition for post-conviction relief where the key eyewitness at trial recanted his testimony and where a witness who did not testify at trial also testified at the post-conviction hearing that the key witness fabricated his testimony against Appellant?

Wednesday, October 4, 1989 9:00 AM

C1-88-1837 In the Matter of: DONALD M. GRAMKE, Respondent (Attorney: Leo M. McDonnell of Bye, Boyd & Andresen) vs. CASS COUNTY, petitioner, Relator (Attorney: Merwin Peterson, Assistant State Attorney General). Opinion Court of Appeals.

Does Minnesota Statutes § 387.145 prohibit the appointment of a Chief Deputy Sheriff by the Cass County Board of Commissioners?

Does the evidence in the record support the finding of the Administrative Law Judge that Respondent did not have the authority to carry out the duties of a Chief Deputy Sheriff?

Does the evidence in the record support the finding of the Administrative Law Judge that Respondent was not a confidential employee within the meaning of *Minnesota Statutes* § 197.46?

C1-89-679 MINNEGASCO, INC., petitioner, Respondent (Attorneys: Michelle J. Ulrich and Harold H. Sheff of Olson, Gunn & Seran, Ltd.) vs. COUNTY OF CARVER, Appellant (Attorney: Jean A. Shively, Assistant Carver County Attorney), COUNTY OF DAKOTA, Appellant (Attorney: Jay R. Stassen, Assistant Dakota County Attorney), COUNTY OF SCOTT, Appellant (Attorney: Brian A. Nasi, Assistant Scott County Attorney). Order Minnesota Tax Court.

Must the same level of assessment be applied to Respondent's Class 4 or Class 3a personal property as that applied to the commercial-industry real estate in that same class?

Thursday, October 5, 1989 9:00 AM

C5-88-1940 E.S.P., INC., Respondent (Attorney: Robert G. Share of Briggs and Morgan) vs. MIDWAY NATIONAL BANK OF ST. PAUL, defendent and third-party plaintiff, petitioner, Appellant (Attorney: Paul B. Kilgore of Murnane, Conlin, White, Brandt & Hoffman) vs. FIRST BANK ROBBINSDALE, third-party defendent, Respondent (Attorneys: A. Reid Shaw and John C. Thomas of Oppenheimer, Wolff & Donnelly). Opinion Court of Appeals.

Is Appellant's third-party action barred when commenced 14 days after commencement of the underlying claim but seven days after expiration of the limitations period applicable to the underlying claim?

C7-88-1597 STATE OF MINNESOTA, by BRUCE KASDEN, petitioner, Appellant (Attorneys: Susan M. Robiner and Lawrence P. Schaefer of Leonard, Street & Deinard) vs. INDEPENDENT SCHOOL DISTRICT NO. 97, MOOSE LAKE, MINNESOTA, Respondent (Attorney: Marguerite N. Doran of Newby, Lindgren & Newby, Ltd.). Opinion Court of Appeals.

Is the construction of a driveway through a grove of pine trees, including trees over 100 years old, likely to materially pollute, impair or destroy the scenic or aesthetic value of the grove that the Court of Appeals has determined to be a natural resource within the meaning of the Environmental Rights Act?

Has Respondent established an affirmative defense that no feasible or prudent alternative exists to the proposed location of the driveway and that the proposed location is reasonably required for the promotion of public health, safety and welfare?

Monday, October 9, 1989 9:00 AM

C3-88-1757 CLIFFORD RYAN, Respondent (Attorney: Paul Widick) vs. ITT LIFE INSURANCE CORPORATION, petitioner, Appellant (Attorney: John D. Hanson of Donohue, Rajkowski, Hansmeier, Grunke & Jovanovich, Ltd.). Opinion Court of Appeals.

Did the Court of Appeals correctly determine that the "Legal Actions" provision in Appellant's insurance policy effectively tolled the statute of limitations?

Was Appellant's claim barred by the six-year statute of limitations contained in *Minnesota Statutes* § 541.05(1), the contractual three-year period of limitations, or other conditions in the insurance contract?

C2-88-1765 & C2-88-2012 TIA MARIE JOHNSON and STATE OF MINNESOTA, petitioners, Appellants (Attorney: Brad A. Johnson, Assistant County Attorney, Ramsey County) vs. TERRY LEE HUNTER, Respondent (Attorney: Jay P. Yunek of Erickson, Zierke, Kuderer, Madsen & Wollschlager, P.A.). Opinion Court of Appeals.

Does the doctrine of res judicata, based upon an order dismissing a 1969 paternity action by the State of Minnesota, require dismissal of a paternity action by the child?

Does the doctrine of collateral estoppel, based upon an order dismissing a 1969 paternity action by the State of Minnesota, require dismissal of a paternity action by the child?

Were attorney's fees properly awarded for maintaining a frivolous and meritless claim?

Supreme Court Calendar I

Tuesday, October 10, 1989 9:00 AM

C1-89-21 STATE OF MINNESOTA, Respondent (Attorney: Beverly J. Wolfe, Assistant County Attorney, Hennepin County) vs. VIOLET JEAN JOHNSON, Appellant (Attorney: Marie L. Wolf, Assistant State Public Defender). Judgment Hennepin County.

Was the evidence, which included testimony that Appellant confessed to planning the murder and her purchase of an insurance policy on her brother's life naming her as the primary beneficiary shortly before her husband murdered her brother, sufficient as a matter of law to sustain the jury's verdict that she aided and abetted her husband in the premeditated murder of her brother?

CX-88-1352 TRAIL LEASING, INC., Respondent (Attorney: Elliott B. Knetsch of Grannis, Grannis, Farrell & Knutson, P.A.) vs. DROVERS FIRST AMERICAN BANK, petitioner, Appellant (Attorneys: R. D. Blanchard and Thomas H. Crouch of Meagher, Geer, Markham, Anderson, Adamson, Flaskamp & Brennan). Opinion Court of Appeals.

Wednesday, October 11, 1989 9:00 AM

CX-88-1478 In Re the Marriage of: BARBARA B. ERICKSON, Respondent (Attorney: Richardson Law Office) vs. STEPHEN B. ERICKSON, petitioner, Appellant (Attorney: O'Brien, Ehrick, Wolf, Deaner & Downing). Opinion Court of Appeals.

Does either the law or the record adequately support a finding that the maintenance paid in the instant case was intended by the parties to be only child support?

Does remarriage of the recipient, which by statute terminates maintenance, constitute a substantial change of circumstances warranting modification of a combined maintenance and child support award?

Does payor's loss of tax deductibility for very substantial payments to recipient under their dissolution decree, as a result of recipient's remarriage, constitute a substantial change of circumstances warranting modification?

Does a 4000% increase in recipient's annual income since the decree constitute a substantial change of circumstances which warrants at least a review of the combined maintenance and child support she received under the original decree?

C2-88-1684 In the Matter of the Welfare of: M. M. (Attorney for Joy Wells: Blake & Phillips) (Attorney for Ramsey County Commissioner of Human Services Department: Steven C.DeCoster, Assistant County Attorney, Ramsey County) (Attorney for Guardian Ad Litem: Michael F. Cromett, Assistant Ramsey County Public Defender). Opinion Court of Appeals.

Did the Juvenile Court for Ramsey County properly find that the best interests of M. M. dictated transfer of his guardianship and legal custody to the Commissioner of Human Services rather than to his grandmother?

2:00 PM Supreme Court Chambers

C3-84-2138 Hearing to Consider Proposed Amendments to the *Minnesota Rules* of Evidence.

Supreme Court Decisions

Decisions Filed 22 September 1989

C1-87-2234 Economy Fire & Casualty Company, petitioner, Appellant v. Richard V. Iverson, Orville M. Olson, et al. Court of Appeals.

- 1. The insurer owes duty under its contract of insurance to defend its insured in the underlying tort action based solely on the allegations of the plaintiff's complaint which fall within the scope of the policy coverage.
- 2. The insurer has no obligation to indemnify because the jury finding of self-defense extinguished liability on the part of the insured. Affirmed in part; reversed in part. Wahl, J.

Dissenting in part, Simonett, J., Kelley, J., and Coyne, J.

C4-88-228 Harry Peter Buysse, et al., judgment creditors, v. Baumann-Furrie & Company, Judgment Debtor v. St. Paul Fire & Marine Insurance Company, judgment garnishee, petitioner, Appellant. Court of Appeals.

- 1. A judgment is final if any disagreement among the judgment creditors concerning the distribution of proceeds can be resolved wthout the participation of the judgment debtor.
- 2. Only an insurer's denial of the existence of any coverage for a claim and the resultant exposure of the insured to liability for the entire amount of any damage award provide a basis for requiring the insurer's right to the insured's cooperation to yield to the insured's need to extricate himself or herself without the insurer's agreement.

Reversed and remanded. Coyne, J.

C6-89-905 Randy Even v. Kraft, Inc. and Crawford & Company, Relators, Minnesota Dept. of Jobs and Training, Division of Rehabilitation Services, intervenor. Workers' Compensation Court of Appeals.

The Workers' Compensation Court of Appeals exceeded its statutory authority in reversing the compensation judge's determination that the employee had failed to establish that he was, at the time he left his employment with Kraft, disabled by a work injury.

Reversed and decision of compensation judge reinstated. Keith, J.

Orders

C8-88-2161 Linda Loerch, Dennis Loerch, and Peter Loerch, as infant, by and through his natural parent, Linda Loerch, Appellants v. Eli Lilly & Company, et al., Abbott Laboratories. Hennepin County.

Affirmed. Popovich, C.J.

C6-89-1553 In Re Petition for Disciplinary Action against Robert Frederick Dumbaugh, an Attorney at Law of the State of Minnesota. Supreme Court.

Disbarred. Popovich, C.J.

Announcements:

Environmental Quality Board (EQB): Comments on EAWs (Environmental Assessment Worksheets) due on October 18 concern the following projects and their listed regional governing unit: Mankato Regional Mall,

City of Mankato (507) 625-3161. • Petitions have been received for review of the following projects by the listed regional governing unit: Wabasha County Fairgrounds, City of Wabasha, City Clerk, P.O. Box 127, Wabasha, MN 55981; and Great Sunset Point Plat Outlot E, and Access Bridge, Itasca County, Zoning Administrator, Courthouse, Grand Rapids, MN 55744. For more information on any of the above, contact Gregg Downing, editor *EQB Monitor*, (612) 296-8253.

Workshops Stress Agriculture's Importance: Seven in-service workshops around Minnesota in the coming weeks will help educators better integrate agricultural teaching materials into key subject areas. They

are sponsored by the Minnesota Agriculture in the Classroom (M-AITC) education program, in conjunction with the Minnesota Department of Education. Participating educators will receive 5 Continuing Education Units and gain access to valuable ideas and resources for positive student learning experiences. Workshop presenters are Al Withers, M-AITC program director, and Jan Hoppe, education consultant. All K-12 educators are welcome to attend. Registration fee is \$20 and includes lunch and a resource pack. To register, teachers may contact local Education Cooperative Service Units (ECSU) or Al Withers, M-AITC program director, at (612) 296-6688. Workshop dates and sites are: Oct. 3—ECSU-5, Staples; Oct. 4—WC ECSU, Fergus Falls; Oct. 5—NW ECSU, Thief River Falls; Oct. 31—CM ECSU, St. Cloud; Nov. 7—SE ECSU, Rochester; Nov. 8—SC ECSU, Mankato; Nov. 9—SW and WC ECSU, Marshall.

Evert Appointed to Transportation Advisory Board: The Metropolitan Council Thursday appointed Washington County Commissioner Sally Evert to chair the Transportation Advisory Board

(TAB). The TAB advises and assists the Council in developing plans and programs to meet the transportation needs in the Twin Cities Metropolitan Area. The board consists of a chair and 29 other members, 17 of whom are local elected officials, four represent government units involved in transportation and eight are citizen members. The chair serves at large. Evert, a Stillwater resident, has been a member of the TAB since 1987. She is also a member of the Council's Advisory Committee on Aging.

Board of Animal Health to Meet: The Minnesota Board of Animal Health will discuss the state's Pseudorabies Program and Johne's disease during a 10 a.m. meeting Oct. 6 at the Branding Iron restaurant in Preston, Minn. The public is invited to attend. The Board of Animal Health is charged with the responsibility of administering programs for control and eradication of specific diseases of livestock in the state and to protect Minnesota's livestock from diseases that may be brought in from other states or countries. The board has five members which are appointed by the Governor. Two are practicing veterinarians and three are livestock producers. The Pseudorabies Program is designed to identify and quarantine infected swine herds. In addition, the board administers the monitored feeder pig program. Currently over 6,000 of Minnesota's feeder pig producing swine herds have been tested and found to be free of pseudorabies. Some 550 herds are quarantined for the disease at this time. Johne's disease is one of the major diseases of dairy and beef cattle.

Arts Board to Meet: The next regular meeting of the Minnesota State Arts Board will take place at 9:30 a.m. on Thursday, October 5, 1989 at the Arts Board offices, 432 Summit Avenue in Saint Paul. The public is invited to attend. Open meeting law guidelines will be in effect. Agenda items will include the appointment of Artist Assistance Fellowship advisory panelists for visual arts, music, and dance. Because the Arts Board is located in an historic building, handicap access to the building is limited.

Announcements

Anyone who may have difficulty attending because of a disability should contact Gail Swaim to make arrangements to attend. Call (612) 297-4212 for more information.

Artists in Education Conference: Artists At Work is a hands-on workshop for artists interested in performing, residency, or teaching opportunities in Minnesota elementary and secondary schools. The conference will take place on Saturday, October 7, 1989 at the Landmark Center in Saint Paul. Workshops are open to artists in the visual, performing, literary, folk, and cultural arts. This special one-day conference, designed for both the beginning and the experienced artist in the schools, will feature simulated classroom activities and in-service mini-sessions led by artists. Participants will observe their colleagues demonstrate a variety of approaches for successful school projects. Resource and planning materials handed out at all sessions will aid participants in building and improving their own school arts program methods. The cost for the workshop is \$10.00; box lunches are available for an additional \$5.00. For registration materials call the Arts Board at (612) 297-2603 or (800) 652-9747 toll-free from Greater Minnesota. The deadline for registration is September 27. Artists At Work is the fifth annual artists in education conference sponsored by the Minnesota State Arts Board, United Arts/Resources and Counseling, COMPAS, and the Minnesota Center for Arts Education.

Job Fair for People With Disabilities: A statewide Job Fair for people with disabilities will take place Oct. 6-7 in the new, fully accessible Minneapolis Convention Center, Third Ave. S. at E. Grant St. The Job Fair, conducted by the Job Placement Division of the Minnesota Rehabilitation Association, aims to link employers with qualified applicants with disabilities. Major sponsors of the Job Fair are the Multiple Sclerosis Society of Minnesota and the state Department of Jobs and Training, Division of Rehabilitation Services. About 7,000 sq. ft. of display area has been set aside at the fair for employer representatives to interview candidates. The Job Placement Division will arrange as many pre-scheduled job interviews as possible and will have information for applicant and employer use. A full range of job openings will be available, including managerial, supervisory and entry-level positions. Employers interested in obtaining booth space and people with disabilities who want to apply for jobs may get application forms from the Job Fair, 390 N. Robert St., St. Paul, MN 55101, or in the Twin Cities Metro area by calling 612/296-5646 /V/TDD. Outside the metro area call toll-free 1-800-328-9095 V/TDD. There is no fee to the applicants for this service.



Woodworking for Wildlife

Woodworking for Wildlife, delightfully written and carefully illustrated with a variety of game bird and mammal box designs. Includes important information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Code #9-14, \$3.95.

Help Minnesota's Wildlife, feed the birds and give to the Nongame Wildlife Checkoff on your Minnesota Tax Forms. Poster. 22" x 17", full color. Code #9-2, \$4.00.

Mammals of Minnesota, discusses wild mammals that inhabit Minnesota today, or in the recent past. Tells how to identify them, their distribution in the state, and their natural history. U of M Press, 1977, illustrated, index, bibliography, paperbound, 290 pp. Code #19-35, \$16.95.

Bird Portraits in Color, a total of 295 species of birds are depicted through magnificent illustrations, reproduced in seven-color lithography, accompanied by authoritative information about birds' activities, habitats, songs, and other characteristics, U of M Press, 1980, index, 92 color plates, hardbound. Code #19-41, \$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.

Ever called this guy?

1989 & 1990 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically by name, agency, Minnesota region, plus an index for cross referencing. Over 250 pages, paperback, 8½"x11". Code #1-87, \$11.95

U.S. Government Manual 1988-89. Contains comprehensive information on federal agencies of the legislative, judicial and executive branches of government. Each agency description includes address, phone number, a list of principal officials, a summary of each agency's purpose and programs and activities. Paperback 940 pages with appendices and index. Code #16-46. \$20.00



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.

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Department of Commerce Regulated Profession Publications

Banking Laws 1989. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76 \$31.95 Business and Nonprofit Corporation Act 1988. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 80B, 302A, 317. Code #2-87 \$11.00

Fair Labor Standards Act 1987. Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$5.00 Insurance Laws 1988. A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1. \$22.95

agents licensing requirements. Code #2-1. \$22.95

Insurance Rules 1988. Essential licensing information for businesses and agents. Includes standards on policies, practicies, marketing and continuing education. Code #3-1 \$16.00

Notary Public Laws 1987. Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of the office and procedures for removal from office. Code #2-13 \$4.00

Real Estate Laws 1988. Complete and up-to-date extract from the 1986 Minnesota Statutes. Code #2-92 \$7.00

Real Estate Rules 1987. Contains all education and licensing requirements for agents. Chapters 2800.2805, and 2810. Code #3-99 \$8.00

Securities Laws 1987. Governs the activities of broker/dealers, agents or investment advisors. Chapter 80A. Code #2-12 \$6.00

Securities Rules 1988. Subjects include standards of conduct, equity securities, investment companies and more. Chapter 2875. Code #3-5 \$14 00

Banking Rules 1987. Code #3-81. \$6.00

Uniform Commercial Code 1986. Chapter 336, U.S. laws governing trade, including contracts, title, payment, warranties, performance and liability. Code #2-2 \$10.00

Mailing Lists. All kinds available. Call to receive a copy of mailing list service packet, (612) 297-2552.

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.

Pheasants in Minnesota

Pheasants in Minnesota, focusing exclusively on the ringneck pheasant, this DNR booklet tells of this popular game bird's origin, introduction and development in Minnesota. Through many full-color photos the book shows the pheasant in various settings, tells how to maintain wildlife habitat and explains the wise management of the hunt. A great gift for each member of your hunting party, or as a memento to a special Minnesota hunting vacation. Quantity discounts available. Code #9-13, \$5.95.

Woodworking for Wildlife, delightfully written and carefully illustrated with a variety of game bird and mammal box designs. Includes important information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Code #9-14, \$3.95.



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Get Smart with these Education Resources

Board of Teaching-Licensure Rules 1987. Minnesota Rules Chapter 8700. Requirements for the issuance and renewal of all licenses, from vo-tech and hearing impaired to librarians and media generalists. Includes the Code of Ethics for Minnesota Teachers, and standards for teachers prepared in other states. Code #3-74, \$7.00 plus tax.

Education Directory 1988-89. All the elementary and secondary schools in the state. Includes Minnesota school districts, superintendents, boards, principals, district addresses, phone numbers and enrollment figures. Code #1-93, \$7.00 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.



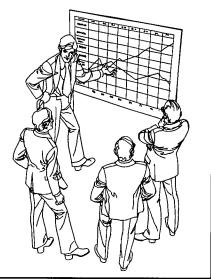
Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Good Business Decisions are Made with Good Information

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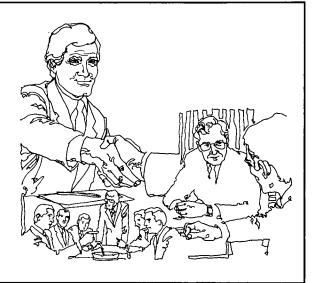
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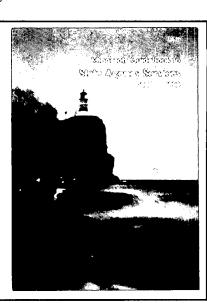
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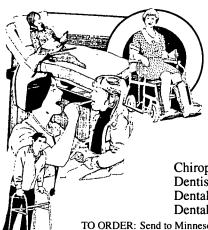
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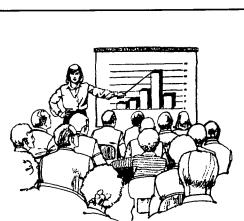
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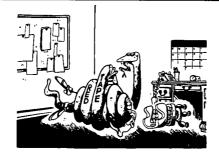
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