

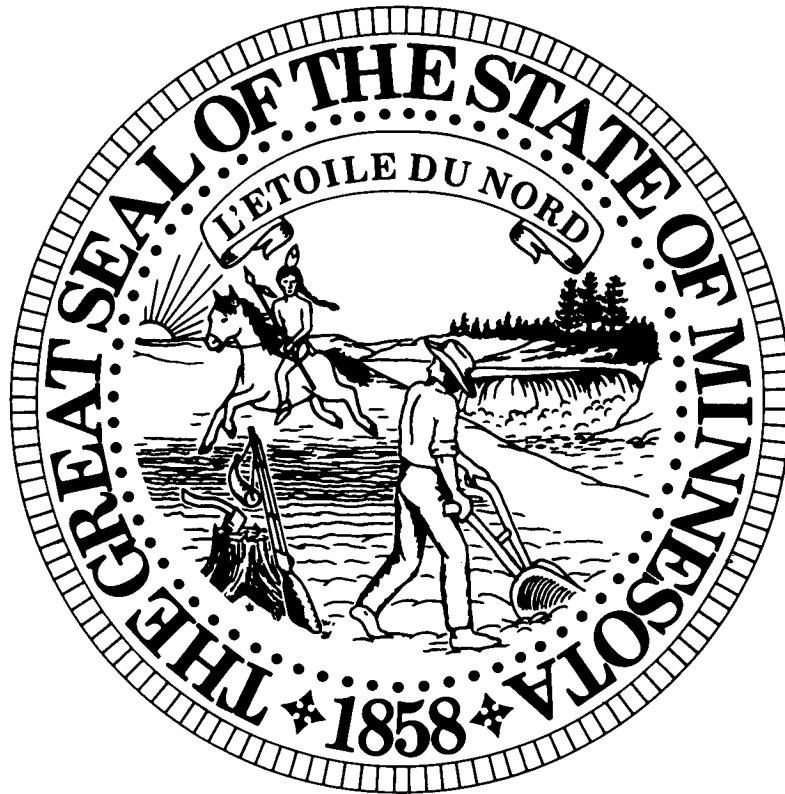
89, July 24

2

State of Minnesota

STATE REGISTER

Department of Administration—Print Communications Division



Published every Monday

24 July 1989

Volume 14, Number 4

Pages 145-192

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 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
4	Monday 10 July	Monday 17 July	Monday 24 July
5	Monday 17 July	Monday 24 July	Monday 31 July
6	Monday 24 July	Monday 31 July	Monday 7 August
7	Monday 31 July	Monday 7 August	Monday 14 August

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

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

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

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
Minnesota Documents Division**

Robin PanLener, Editor

Paul Hoffman, Assistant Editor

Debbie George, Circulation Manager

Bonita Karels, Staff Assistant

FOR LEGISLATIVE NEWS

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

SENATE

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

Contents

Minnesota Rules: Amendments & Additions

Issues 1-4 inclusive 148

Proposed Rules

Commerce Department

Credit unions 149

Health Department

Certification procedures for environmental testing laboratories 151

Natural Resources Department

Lake Superior shoreland management 158

Veterinary Medicine Board

Veterinary license renewal fees 159

Adopted Rules

Agriculture Department

Bulk pesticide storage 161

Health Department

WIC program 164

Human Services Department

Grants for child care resource and referral programs and child care services 165

Teaching Board

Teaching licenses 165

Commissioners' Orders

Natural Resources Department

Order No. 2340: Regulations for the taking of common crows 166

Order No. 2341: Early season regulations for taking Canada geese in 1989 167

Executive Orders

Order No. 89-5: Providing for the development and administration of technology related assistance for individuals with disabilities; rescinding Executive Orders 87-6 and 87-15 170

Official Notices

Health Department

Opinion sought on rules for procedures for assessing clients of intermediate care facilities for the mentally retarded for the purposes of medical assistance program reimbursement to those facilities 171

County Law Libraries

Joint notice of county law library fees 171

Public Service Department

Opinion sought on rules for utility conservation improvement programs 173

Transportation Department

Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed 174

State Contracts & Advertised Bids

Administration Department

Materials Management Division: Commodities and requisitions open for bid 175

Print Communications Division: Printing, typesetting, mailing and related services open for bid 176

Professional, Technical and Professional Contracts

State Designer Selection Board

Proposals sought for projects at Bemidji State University and the Minnesota Department of Health, Minneapolis 177

Education Department

Proposals sought to provide education and support services to adult homeless individuals 180

Minnesota Historical Society

Advertisement for bids for manufacturing and delivery of *Northern Lights: Teacher Edition* 180

Human Services Department

Proposals sought for inhalant abuse demonstration project for children 181

Jobs & Training Department

Funds available for extended employment programs 181

Proposals sought for medical teledictation service 181

Human Services and Jobs & Training Departments, and the Vocational Technical Education Board

Proposals sought for project to reduce dependency on the aid to families with dependent children program 181

Natural Resources Department

Proposals sought to prepare a renovation plan for the department's exhibits at the Minnesota State Fair 182

Transportation Department

Proposals sought for highway user cost allocation study 183

Contract available for management information study 183

Supreme Court Decisions

Decisions and Orders filed Friday 21 July 1989 184

Announcements 185

Minnesota Rules: Amendments and Additions

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

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

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

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

Issues 1-4

Agriculture Department

1505.2010-.2150 (adopted) 161

Rural Finance Authority

1650.0010-.0070 (proposed) 67

1651.0010-.0100 (proposed) 69

Commerce Department

2675.6400 (proposed) 149

2751.0100-.1200 (proposed) 45

Jobs & Training Department

3300.0100; .0500; .0601 (proposed) 6

Health Department

4617.0002; .0005; .0010; .0015; .0020; .0025; .0030; .0035; .0037;

.0040; .0042; .0043; .0044; .0045; .0046; .0047; .0049; .0050;

.0052; .0054; .0056; .0058; .0060; .0061; .0062; .0063; .0064;

.0065; .0075; .0080; .0085; .0170; .0175; .0180 (adopted) ... 164

4670.0100; .0600; .0610; .1600; .1980; .2300

(proposed) 104

4670.0620 (proposed repealer) 104

4705.1600 (proposed) 4

4740.2010-.2040 (proposed) 151

4717.4600-.5300 (proposed repealer) 151

Mediation Services Bureau

5530.0100-.1300 (proposed) 50

Medical Examiners Board

5600.2500; 5601.0100; .0300; .0400; .0700; .0800; .1200; .1700;

.1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600;

.2700; .2800; .2900 (proposed) 61

5601.1000; .1100 (proposed repealer) 61

5620.0100-.0160 (proposed) 59

Natural Resources Department

6120.2800 (proposed) 158

Peace Officer Standards & Training Board

6700.0100; .0300; .0400; .0401; .0500; .0501; .0600; .0700;

.0900; .0902; .1000; .2700-.2704 (adopted) 12

6700.0100 s.5, 9; .1100; .1200; .1201 (repealed) 12

Psychology Board

7200.0100; .0400; .0500; .0600; .0800; .0900; .1000; .1100; .1200;

.1300; .1410; .1450; .1600; .1700; .1800; .2000; .2600; .3000;

.3200; .3500; .3510; .3605; .3610; .3620; .3700; .3900; .4600;

.4700; .4810; .4900; .5000; .5100; .5200; .5300; .5400; .5600;

.5700; .6000 (adopted) 74

7200.1400; .3600; .3800; .4800; .5200 s.6 (repealed) 74

Public Safety Department

7520.0100; .0200; .0350; .0680 (proposed) 108

7520.0680 (proposed repealer) 108

Teaching Board

8700.1919 (adopted) 165

8700.2810; .7719 (proposed-withdrawn) 110

Veterinary Medicine Board

9100.0500 (proposed) 159

Human Services Department

9500.1100 (adopted) 8

9505.0175; .0260; .0323 (adopted) 8

9500.1070 s.4, 6, 23 (repealed) 8

9565.5500; .5510; .5520 (adopted) 165

9575.0010; .0020; .0090; .0380; .0530; .0620;

.0720 (proposed) 101

9575.0090 s. 2, 3 (proposed repealer) 101

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 Commerce

Proposed Permanent Rules Relating to Credit Unions

Notice of Hearing

NOTICE IS GIVEN THAT a public hearing will be held pursuant to *Minnesota Statutes* Section 14.14, subdivision 1 (1989), in the above entitled matter in the Large Hearing Room, 500 Metro Square Building, St. Paul, Minnesota 55101, on August 23, 1989 at 9:00 A.M. and continuing until all persons and groups have had an opportunity to be heard concerning adoption of the proposed rules by submitting either oral or written data, statements, or arguments. Statements, briefs or written material may be submitted within the comment period described in this notice without appearing at the hearing by sending them to Administrative Law Judge, Peter C. Erickson 5th Floor, Flour Exchange Building, 310 4th Avenue South, Minneapolis, Minnesota 55415, telephone (612) 341-7606. The rule hearing procedure is governed by *Minnesota Statutes* Section 14.14-14.20 and by *Minnesota Rules* Parts 1400.0200-1400.1200, as amended. Questions regarding procedure may be directed to the Administrative Law Judge at the above-listed address.

The Commissioner proposes to adopt amendments to the rules relating to credit unions. Authority for the adoption of these rules is contained in *Minnesota Statutes* Section 52.05 and Section 45.023. A text of the proposed rules follows this notice in the *State Register*.

The proposed rules, if adopted will govern the operations of credit unions with particular emphasis on membership requirements.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the Department of Commerce and is available at the Office of Administrative Hearings. This Statement of Need and Reasonableness includes a summary of all of the evidence and arguments which the Department anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the Department of Commerce or the Office of Administrative Hearing and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Pursuant to *Minnesota Laws 1983*, chapter 188 codified as *Minnesota Statute* Section 14.155, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in greater detail in the Statement of Need and Reasonableness.

All interested or affected persons will have an opportunity to participate by presenting oral and/or written evidence at the hearing. Questioning of agency representatives or witnesses, and of interested persons making oral statements will be allowed in order to explain the purpose or intended operation of the proposed rule, or a suggested modification, or for other purposes material to the evaluation or formulation of the proposed rules. As a result of the hearing process, the proposed rule may be modified.

Written material may be submitted to the Administrative Law Judge and recorded in the hearing record for five working days after the public hearing ends. The comment period may be extended for a longer period not to extend 20 calendar days if ordered by the Administrative Law Judge at the hearing. Comments received during the comment period will be available for review at the Office

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

Proposed Rules

of Administrative Hearings. Following the five to twenty day comment period, there will be a three day period in which the Commissioner and interested persons may respond in writing to any new information submitted. During the three day period, the agency may indicate in writing whether there are any amendments suggested by other persons which the agency is willing to adopt. Additional evidence may not be submitted during the three day period. The written response will be added to the record of the proceeding.

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

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 Statute* 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 St., St. Paul, Minnesota, 55101, telephone (612) 296-5184.

One free copy of this Notice and the proposed rules may be obtained by contacting Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Building, St. Paul, MN 55101, (612) 296-5689. Additional copies will be available at the door on the date of the hearing.

Dated: 14 July 1989

Michael A. Hatch
Commissioner of Commerce

Rules as Proposed (all new material)

2675.6400 SELECT GROUP IDENTIFICATION

Subpart 1. **Select group identification.** A select group is one that:

- A. has a common bond as defined in *Minnesota Statutes*, section 52.05, subdivision 1; and
- B. cannot feasibly form and maintain a credit union with its own membership, but desires to join an existing credit union.

Subp. 2. **Application procedure.** Residents of this state may apply to be a select group by including the following information in writing:

- A. the basis on which the undersigned residents or individuals represent the select group;
- B. a description of the basis of common bond affinity of the members of the petitioning group consistent with *Minnesota Statutes*, section 52.05, subdivision 1;

C. if the members of the group are part of an existing credit union, a waiver or consent from the board of directors of the existing credit union that states that the credit union has no objection to the applicants' certification as a select group eligible to petition another existing credit union for membership; and

D. a count or reasonable estimate of the potential numbers of the group, the basis on which the potential number was determined, and a statement whether the group is aware of any existing credit union service available to the group. This statement is solely for informational use by the department.

Subp. 3. **Groups with fewer than 1,500 potential members.** Groups with fewer than 1,500 potential members will be considered too small to be feasible as a separate credit union unless the requirements of subpart 1 are satisfied and:

- A. the group desires to form its own credit union; or
- B. the group cannot obtain an agreement from an existing credit union to be part of it.

Subp. 4. **Groups with more than 1,500 potential members.** A group with more than 1,500 potential members will also be considered as a select group if it otherwise can comply with subpart 1.

Subp. 5. **Approval.** Upon receipt of an application from a group, the commissioner shall, within 30 days of receipt of the application, approve or disapprove it. If disapproved, the commissioner shall provide the applicants with a written explanation on which the denial was based. The commissioner may ask for additional information or statements at any time before the application is considered complete. All group applications, except for applications from groups made up of members of existing credit unions or groups made up of people who have a common employer which qualifies them for membership in an existing credit union, will be considered separately from any consideration of the membership provisions of existing credit unions.

Subp. 6. **Subsequent action by an existing credit union.** For an existing credit union to qualify for approval of a bylaw amendment to include an eligible select group in its field of membership, in addition to the requirements in Minnesota Statutes, section 52.02, the existing credit union must be capable of serving the eligible select group, and the commissioner may require:

A. the existing credit union and representatives of the eligible group to agree on and submit a plan of operation to facilitate servicing of the members of the eligible select group for the commissioner's consideration on a case by case basis; and

B. a statement that solicitations will not be directed at individuals to join the select group as a condition for membership in the credit union.

Department of Health

Proposed Permanent Rules Relating to Certification Procedures for Environmental Testing Laboratories

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health (hereinafter "Department"), intends to adopt a rule relating to certification procedures for environmental testing laboratories, proposed parts 4740.2010 to 4740.2040. The Department intends to adopt the rule without a public hearing following the procedures set forth in the Administrative Procedure Act at *Minnesota Statutes* §§ 14.22 to 14.28 (1988). The statutory authority to adopt the rules is *Minnesota Statutes* §§ 144.97 and 144.98 (1988).

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 requests 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 Department will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1988).

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

Mr. Al Tupy
Laboratory Services Section
Division of Public Health Laboratories
Minnesota Department of Health
717 Delaware Street Southeast
Minneapolis, Minnesota 55440
Telephone: (612) 623-5680

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

The rule establishes procedures by which environmental testing laboratories may become certified by the Department to perform tests for certain specified analytes under two testing programs: the Safe Drinking Water Act, 42 *United States Code* §§ 300f *et seq.*,

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

Proposed Rules

Minnesota Statutes §§ 144.381 *et seq.*, and 40 *Code of Federal Regulations* § 141; and the Clean Water Act, 33 *United States Code* § 1251 *et seq.* and 40 *Code of Federal Regulations* § 136. The rule establishes application procedures; standards and procedures for the granting of provisional certification, base certification, test category certification, and certification renewal; and standards and procedures governing suspension and revocation of certification.

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 Al Tupy upon request at the above address.

Pursuant to *Minnesota Statutes* § 14.115, subd. 2, the impact on small businesses has been considered in the promulgation of the rule. Anyone wishing to present evidence or argument as to the rule's effect on small businesses may do so. The Department's position regarding the impact of the rule on small businesses is set forth in the Statement of Need and Reasonableness.

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 a written request to Al Tupy at the above address.

Sister Mary Madonna Ashton
Commissioner

Rules as Proposed (all new material)

4740.2010 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4740.2020 to 4740.2040 have the meanings given them in this part.

Subp. 2. **Acceptable performance or acceptable results.** "Acceptable performance" or "acceptable results" means analytical test results generated by a laboratory that fall within the range of standard deviations of the mean allowed by the approved provider.

Subp. 3. **Approved provider.** "Approved provider" means a provider of performance evaluation samples that the commissioner has determined:

A. provides an adequate volume of samples to perform statistically valid analyses;

B. calculates the number of standard deviations of the mean allowed using the results of all labs submitting test results after the exclusion of outlying values; and

C. allows a range of standard deviations of the mean no less stringent than the range allowed by the EPA.

Subp. 4. **Base certification.** "Base certification" means acknowledgment by the commissioner that a laboratory has the policies, procedures, equipment, and practices to produce reliable data in the analysis of environmental analytes described in part 4740.2040.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of health or the commissioner's designee.

Subp. 6. **EPA.** "EPA" means the United States Environmental Protection Agency.

Subp. 7. **Fees.** "Fees" means the fees described in *Minnesota Statutes*, section 144.98, subdivision 3.

Subp. 8. **Inspection.** "Inspection" means an on-site evaluation of laboratory facilities, records, personnel, equipment, methodology, and quality assurance practices by the commissioner for compliance with the applicable provisions of this chapter.

Subp. 9. **Performance evaluation sample.** "Performance evaluation sample" means a sample obtained from an approved provider to evaluate the ability of a laboratory to produce an analytical test result meeting the definition of acceptable performance. The concentration of the analyte in the sample is unknown to the laboratory at the time of analysis.

Subp. 10. **Quality control data.** "Quality control data" means data generated to assess the accuracy and precision of test data. Quality control data includes data on calibration standards, performance evaluation samples, blind standards, known standards, duplicate samples, blanks, spiked samples, and limits for quality control spiked samples, reference standards, duplicates, and detection levels.

4740.2020 ADMINISTRATIVE PROCEDURES REGARDING CERTIFICATION.

Subpart 1. **Application.** A laboratory may request to be certified by the commissioner for the analysis of the environmental analytes described in part 4740.2040. The laboratory must specify the analytes for which it seeks certification. No analyte shall be certified without the laboratory meeting base certification requirements. The laboratory shall apply on a form that is provided by the commissioner and that requests the following information:

A. the address and phone number of the laboratory;

- B. the ownership of the laboratory;
- C. the names of officers or managing agents of the laboratory and the laboratory director;
- D. signatures of two managing agents with authority to bind the laboratory and proof of their authority to bind;
- E. the names of professional staff performing or responsible for the analyses, their educational level, field of study, and analytical laboratory experience; and
- F. written assurance that the laboratory meets the standards of parts 4740.2010 to 4740.2040.

With the application the laboratory shall submit:

- (1) the applicable fees, including a nonrefundable base certification fee and fees for each test category in which the lab seeks certification;
- (2) a quality assurance plan meeting the standards of part 4740.2030, subpart 4;
- (3) a laboratory procedures manual meeting the standards of part 4740.2030, subpart 6; and
- (4) the most recent performance evaluation results on the analytes for which the laboratory seeks certification. The performance evaluation samples must be from an approved provider and be analyzed within one year of the date of the application.

The commissioner shall certify a laboratory at a specific location. When a laboratory owns or manages laboratory facilities at different locations, a separate application must be submitted for each separate laboratory location.

Subp. 2. Application review. Within 60 days after receiving the application and information required in subpart 1, the commissioner shall:

- A. issue provisional certification with the expiration date clearly marked; or
- B. reject the laboratory's application if the performance evaluation results are not acceptable or if the quality assurance plan or laboratory procedures manual does not meet the standards of part 4740.2030, subparts 4 and 6; or
- C. notify the laboratory in writing of any omission or error in application. If the laboratory does not submit to the commissioner the required information within 60 days after receiving the error notice, the commissioner shall reject the application.

Subp. 3. Issuance of provisional certification. The commissioner shall issue a provisional certification to a laboratory that:

- A. has submitted all required and requested information;
- B. has demonstrated acceptable performance in the testing for analytes for which the laboratory seeks certification;
- C. has paid the fees; and
- D. provides written assurance that the laboratory adheres to base certification and analyte specific certification requirements of parts 4740.2010 to 4740.2040.

The provisional certification is valid until the commissioner, after an inspection, approves or denies certification. If, one year after the date of issuance of the provisional certification, the commissioner has not inspected the laboratory, the commissioner shall renew a provisional certification if the laboratory files a renewal application according to subpart 6.

Subp. 4. Denial of certification. When the commissioner determines after inspection that a provisionally certified laboratory does not comply with applicable provisions of parts 4740.2010 to 4740.2040, the commissioner shall, within 60 days after the inspection, notify the laboratory in writing of the deficiencies preventing certification. Within 30 days after receiving the notice, the laboratory must remedy the deficiencies and provide documentation of the correction to the commissioner. If the laboratory provides no documentation of deficiency corrections within 30 days, the commissioner shall notify the laboratory that its certification is denied. The laboratory may not reapply for certification until it has corrected all deficiencies. The laboratory must submit written documentation of the steps taken to correct the deficiencies with its new application.

Subp. 5. Certification approved. The commissioner shall approve base certification and analyte certification for a laboratory when the commissioner determines, after an inspection, that the laboratory complies with the applicable provisions of parts 4740.2010 to 4740.2040. The certification approval is valid for one year from the date of issuance of the provisional certification.

Subp. 6. Certification renewal. The commissioner shall renew a base certification and analyte certification if the commissioner receives from the laboratory an application meeting the standards of subpart 1 and appropriate fees at least 30 days before the

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

Proposed Rules

expiration date of the certificate. With the renewal application the laboratory shall submit any changes to the quality assurance plan or laboratory manual or a statement that the plan and manual continue to accurately describe current practices. The revised manual and plan must continue to meet the standards of part 4740.2030, subparts 4 and 6. The renewal certification is valid for one year. The commissioner shall inspect a laboratory certified by renewal at least once every three years.

Subp. 7. **Suspension of certification.** The following are grounds to suspend a base certification or analyte certification of the laboratory:

A. failure to report unacceptable results on a performance evaluation sample or to submit a corrective action plan to the commissioner as described in part 4740.2030, subpart 2;

B. failure to notify the commissioner within 30 days of changes described in part 4740.2030, subpart 10; or

C. failure to use approved methodology or follow methodology in sample analysis.

The commissioner shall restore the certification when the laboratory demonstrates it is in compliance with parts 4740.2010 to 4740.2040.

During the time of suspension, the laboratory must notify clients who request analysis of the analyte for which the certification has been suspended of the suspension.

Subp. 8. **Revocation of certification.** The following are grounds to revoke a base certification or analyte certification of the laboratory:

A. failure to comply with applicable standards of parts 4740.2010 to 4740.2040;

B. failure to correct deficiencies noted in the inspection report within the specified time frame;

C. use of another laboratory to analyze performance evaluation samples and reporting the results as the laboratory's own;

D. use of fraudulent or deceptive practices in the laboratory's analysis or reporting of data;

E. failure to produce acceptable results on an initial and follow-up performance evaluation sample; or

F. revocation of certification by a certifying authority with which the commissioner has a reciprocity agreement.

Within 30 days after the revocation, the laboratory must notify all clients for which it is presently analyzing samples that it is not certified. The laboratory must also notify new clients that it is not certified. The laboratory shall provide verification of this notice to the commissioner. The laboratory shall not advertise itself as certified and shall remove or replace any advertisements that indicate that it is certified.

A laboratory that has had its certification revoked may not reapply for certification until it has corrected all deficiencies. It may reapply according to subdivision 1 and, with the application, must provide documentation of the steps taken to correct the deficiencies.

Subp. 9. **Certification of laboratories in other states.** A laboratory in another state may request certification in Minnesota. In addition to following the application process described in subpart 1, the laboratory shall submit with its application an out-of-state inspection fee unless a reciprocity agreement exists.

The commissioner may enter into agreements with federal agencies and agencies of other states for reciprocal recognition of laboratory certification programs or portions of programs as substantially equivalent.

When such an agreement exists, the commissioner shall certify an out-of-state laboratory that completes the application form under subpart 1, submits the appropriate fees, provides a copy of current certification from the reciprocal state, private or federal agency, and provides a copy of the certifying authority's most recent inspection report. The laboratory shall notify the commissioner within 30 days after any action relevant to certification that is taken by the reciprocal certifying authority.

Subp. 10. **Variance.** The commissioner may grant a variance from a requirement of parts 4740.2010 to 4740.2040. However, no variance shall be granted from an EPA approved method required for analysis under the Safe Drinking Water Program. To request a variance, a laboratory shall indicate in writing:

A. the rule part and language from which the variance is sought;

B. reasons for the request;

C. alternate measures that will be taken if the request for a variance is granted;

D. length of time of the variance; and

E. data to assure analytical results of equal reliability.

The commissioner shall review information submitted with the variance request. If the laboratory proposes alternatives equivalent or superior to those requirements in the rule and shows that strict enforcement of the rule would cause undue hardship, and that the variance will not adversely affect the reliability of the data produced by the laboratory, the commissioner shall grant the variance,

provided the variance does not conflict with statutory provisions. The commissioner shall grant or deny the variance within 60 days after receipt of the request, giving the laboratory written justification for the decision.

Subp. 11. **Appeal of administrative decision.** The commissioner shall notify the laboratory in writing of the reasons for a decision to deny a variance or to deny, suspend, revoke, or refuse to renew a certification. The laboratory shall have 30 days from the date of receiving the decision to appeal the decision. A request to appeal the decision must be in writing, must indicate the facts the laboratory disputes, and must be signed by the laboratory director. Upon receipt of an appeal request, the commissioner shall initiate the procedure for a contested case hearing according to *Minnesota Statutes*, chapter 14, and the rules of the Office of Administrative Hearings.

4740.2030 REQUIREMENTS FOR BASE CERTIFICATION.

Subpart 1. **Methodology.** The laboratory shall specify the analytical methodology, sample collection, and preservation procedures used for each analyte for which it seeks certification. The analytical methodology, collection, and preservation procedures used for samples required to be analyzed under a permit, program, or rule administered by a state agency must meet the requirements specified by that permit, program, or rule. The analytical methodology, collection, and preservation procedures used to analyze samples for the Safe Drinking Water Program must comply with the *Code of Federal Regulations*, title 40, sections 141.21 to 141.24, and *Minnesota Rules*, chapter 4720. The analytical methodology, collection, and preservation procedures used to analyze samples under the Clean Water Program must comply with the *Code of Federal Regulations*, title 40, section 136.3.

Alternative methodology may be used if the EPA approves the methodology and the laboratory submits a copy of the EPA approval to the commissioner.

Subp. 2. **Performance evaluations.** The laboratory shall analyze a performance evaluation sample for each certified analyte at least once during the term of certification. The laboratory shall handle and analyze the performance evaluation samples with its usual analysts, equipment, and methods. The laboratory shall obtain the performance evaluation samples from an approved provider. The commissioner shall publish at least annually in the *State Register* a list of approved providers of performance evaluation samples. If the commissioner determines performance evaluation samples are not available for an analyte, the commissioner may review the laboratory's quality control data to evaluate precision and accuracy for that analyte.

The laboratory must show acceptable performance as determined by the approved provider on each performance evaluation sample.

The laboratory shall provide the commissioner with the results of performance from the approved provider within 14 days after the laboratory receives them. When a provider notifies the laboratory that a performance evaluation sample result falls outside acceptable results, the laboratory must promptly take corrective action. Within 14 days after receiving notice of the unacceptable results, the laboratory must submit to the commissioner documentation of the corrective action planned and taken. Within 30 days after receiving notice of unacceptable results, the laboratory must request a follow-up performance evaluation sample from an approved provider. The laboratory shall provide the commissioner with the results of the follow-up performance evaluation within 14 days after receiving them.

The commissioner may supply blind performance evaluation samples to certified laboratories on a randomly chosen basis and to a specific laboratory if the commissioner receives a complaint about the laboratory's performance or suspects fraud in the generation of reporting or test results. A blind performance evaluation sample is one that is not distinguishable as a performance evaluation sample.

Subp. 3. **Records.** The laboratory shall maintain records according to items A to E for each sample processed.

A. The laboratory shall maintain the records in items B, C, and D for three years from the date of analysis for the Clean Water Program and ten years from the date of analysis for the Safe Drinking Water Program.

B. Each sample must be labeled with a number, bar code, or other identification affixed to the sample and to the accompanying paperwork. The paperwork must contain the collector's name, the date, the time of collection, and special remarks relevant to the sample. The laboratory shall record the date the sample was analyzed, the analyst, the method used, and any deviation from specified procedures.

C. The laboratory shall maintain a record of quality control data generated as part of its quality assurance plan and quality control activities specific to each analysis.

D. The laboratory shall maintain records of equipment. The records must include the name of the item of equipment, the

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

Proposed Rules

manufacturer's name, the serial number, the date the item was placed in service, and the date it was removed from service. The laboratory shall maintain records of maintenance and repair on each item of equipment.

E. The laboratory shall supply any analytical, quality control, or equipment and maintenance data requested by the commissioner within the timeframes in item A. The laboratory shall maintain records for an additional period of time if the commissioner specifies the records and the time period in writing to the laboratory.

Subp. 4. **Quality assurance plan.** The laboratory shall possess and follow a written plan of quality assurance actions. The plan may incorporate documents by reference. The plan must contain a table of contents and numbered pages. Unless the laboratory states why an item is not applicable, the plan must describe policies and procedures used to:

- A. collect samples, including containers and preservatives;
- B. track samples from the time the laboratory receives them to the time they are disposed, including chain of custody procedures for samples requested to be processed for possible legal action;
- C. calibrate instruments, including frequency;
- D. check internal quality control;
- E. maintain functional equipment, including routine maintenance procedures and schedules;
- F. determine data accuracy and precision for each certified analysis, according to subpart 5;
- G. validate data conversion, transcription, and reporting;
- H. correct unacceptable performance evaluation results or internal quality assurance checks; and
- I. record changes in training and education of laboratory personnel, including on-the-job training relevant to analysis tasks.

Subp. 5. **Minimum quality control practices.** The laboratory shall use at a minimum the quality control practices described in items A to G. The laboratory must record and maintain all quality control data in this subpart according to subparts 3 and 4.

A. At least one reagent blank must be analyzed on each analysis day for those tests for which reagent blanks are considered good laboratory practice.

B. A duplicate must be run as part of every analysis set and at least ten percent of all samples run must be duplicates.

C. Duplicate samples must be collected in the field at least ten percent of the time for methodologies requiring extraction when the laboratory is doing the collection.

D. A spiked sample must be analyzed as a part of every analysis set, and at least ten percent of all samples run must be spiked when spiking is applicable to the method.

E. When 20 or more samples are run in an analysis set, the standard curve must be verified by running an additional working standard within the range of the standard curve.

F. When the verification value of the working standard is not within ten percent of the value indicated by the standard curve, appropriate corrective action must be taken.

G. When available, external reference standards for each analyte must be run periodically.

Subp. 6. **Laboratory procedures manual.** The laboratory shall possess a written manual of procedures used by laboratory personnel to analyze samples. Actual practice must conform to the written procedures. The manual must have a table of contents and numbered pages. The manual must be reviewed annually and changes must be initialed by the laboratory director or the director's designee. The description of each test procedure must include sections describing the sample used for the analysis, the sample acceptance and rejection criteria, the reagents, supplies, and materials and equipment used, step-by-step analysis procedures, methods of calculation, detection limits, reporting limits, safety precautions, and limitations of the procedure.

Subp. 7. **Reagents.** The laboratory shall use analytical chemicals meeting or exceeding minimum standards required in the methodology. The chemicals must be dated at time of receipt and removed before expiration of shelf life.

Subp. 8. **Equipment.** Instruments must meet the specifications of the methodology required for the analyte and program and must be maintained, monitored, and calibrated to assure accuracy.

Subp. 9. **Sample reporting.** The laboratory shall indicate on the data sheet a sample that is:

- A. incorrectly collected or preserved as determined by inspection; or
- B. not analyzed within the holding time specified in the methodology.

Subp. 10. **Duty to notify.** The laboratory shall notify the commissioner in writing within 30 days of changes in:

- A. laboratory location;
- B. laboratory ownership;

- C. major analytical equipment;
- D. test methodology; and
- E. professional staff performing or responsible for the analyses.

4740.2040 CERTIFIED TEST CATEGORIES.

Subpart 1. **Scope.** The commissioner shall certify the analytes in subparts 2 to 4 for a specific program. The programs for which the commissioner shall certify an analysis are:

- A. the Clean Water Program, *Code of Federal Regulations*, title 40, part 136; and
- B. the Safe Drinking Water Program, *Code of Federal Regulations*, title 40, part 141.

To be certified for a specific program, the laboratory shall use the sample collection, preservation, and handling techniques required in the methodology meeting the conditions of the specific program.

Subp. 2. Inorganic analytes.

A. Inorganic analytes eligible for certification under the Clean Water Program are:

- (1) Acidity;
- (2) Alkalinity;
- (3) Biochemical Oxygen Demand, 5 day;
- (4) Biochemical Oxygen Demand, carbonaceous;
- (5) Chemical Oxygen Demand;
- (6) Chloride;
- (7) Color;
- (8) Cyanide;
- (9) Nitrogen, Ammonia;
- (10) Nitrogen, Total Kjeldahl;
- (11) Nitrogen, Nitrate;
- (12) Nitrogen, Nitrite;
- (13) Oil and Grease;
- (14) Oxygen, dissolved;
- (15) Phenol, Total Compounds;
- (16) Phosphorus, Ortho;
- (17) Phosphorus, Total;
- (18) Residue (Solids), total;
- (19) Residue (Solids), filterable (dissolved);
- (20) Residue (Solids), nonfilterable (TSS);
- (21) Residue (Solids), volatile;
- (22) Specific Conductance;
- (23) Sulfate;
- (24) Sulfide; and
- (25) Surfactant.

Total residual chlorine, pH, and turbidity analyses under the Clean Water Program need not be done by a certified laboratory as long as the analyses are performed as soon as practicable but not later than one hour after collection and the methodology used is that specified under the *Code of Federal Regulations*, title 40, section 136.3.

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

Proposed Rules

B. Inorganic analytes eligible for certification under the Safe Drinking Water Program are:

- (1) Cyanide;
- (2) Fluoride;
- (3) Nitrogen, Nitrate;
- (4) Nitrogen, Nitrite; and
- (5) Sulfate.

Subp. 3. **Bacteriology.**

A. Bacteriological analytes eligible for certification under the Clean Water Program are:

- (1) Fecal Coliform Bacteria;
- (2) Total Coliform Bacteria; and
- (3) Fecal Streptococci Bacteria.

B. Bacteriological analytes eligible for certification under the Safe Drinking Water Program are:

- (1) Fecal Coliform Bacteria;
- (2) Total Coliform Bacteria; and
- (3) *Escherichia coli*.

Subp. 4. **Metal chemistry.** The analysis of lead is eligible to be certified for the Clean Water Program and the Safe Drinking Water Program.

REPEALER. *Minnesota Rules*, parts 4717.4600, 4717.4700, 4717.4800, 4717.4900, 4717.5000, 4717.5100, 4717.5200, and 4717.5300 are repealed 60 days after the effective date of parts 4740.2010 to 4740.2040.

Department of Natural Resources

Proposed Permanent Rules Relating to Lake Superior Shoreland Management

Notice of Intent to Adopt Rule Amendments Without a Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources intends to adopt the above entitled amendments without a public hearing, following the procedures set forth in *Minnesota Statutes*, § 14.21-14.28. The proposed North Shore Rule will be an amendment to "Adopted Permanent Rules Relating to Management of Shoreland Areas," Part 6120.2500-6120.3900 which became effective on July 3, 1989.

Changes are proposed to Part 6120.2800, Subpart 1. "Responsibilities and Authorities" to adopt a special set of regulations for the management of the shoreline of Lake Superior and the lower reaches of its tributary streams. This rule amendment is authorized by *Minnesota Statutes*, Section 105.485, subdivision 3. The amendments are being made to incorporate the shoreland management standards in the document entitled "North Shore Management Plan," December 1988.

Persons interested shall have 30 days to submit comments on the proposed amendments. The proposed amendments may be modified in final adoption if modifications are supported by the data and views submitted to the Department of Natural Resources and do not result in a substantial change in the proposed language.

Unless twenty-five or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period, a public hearing will not be held. The written request must be specific on which amendment(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of *Minnesota Statutes*, §§ 14.13-14.20.

Persons who wish to submit comments or written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed amendments, should address their correspondence to:

Tom Lutgen—DNR Waters
500 Lafayette Road
St. Paul, Minnesota 55155-4032

A statement that describes the need for and reasonableness of each provision of the proposed amendments is available from the Department of Natural Resources upon request.

Upon adoption of the final amendments without a public hearing, the proposed amendments, this notice, the statement of need and reasonableness, all written comments received, and the final amendments as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. 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 final amendments as proposed for adoption, should submit a written request to the above address.

Please be advised that *Minnesota Statutes* chapter 10A requires a lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. *Minnesota Statutes* § 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250 not including his own 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 his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

Joseph N. Alexander
Commissioner of Natural Resources

Rules as Proposed

6120.2800 SCOPE.

Subpart 1. [Unchanged.]

Subp. 1a. North Shore Management plan. The minimum standards and criteria for the subdivision, use, and development of the shoreland of Lake Superior, other than for the city of Duluth, are those specified in the North Shore Management plan, A Shoreland Management Plan for Lake Superior's North Shore, December 1988, adopted by the North Shore Management Board on November 29, 1988. The plan is incorporated by reference, is available through the Minitex interlibrary loan system, and is not subject to frequent change.

Local governments shall comply with part 6120.3900, subpart 6, in administration of their shoreland management controls.

Local governments shall adopt shoreland management controls conforming to the North Shore Management Plan within 18 months of the effective date of this part.

Subp. 2. and 3. [Unchanged.]

Board of Veterinary Medicine

Proposed Permanent Rules Relating to Veterinary License Renewal Fees

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Board of Veterinary Medicine (hereinafter "Board"), intends to adopt the above-entitled rule amendment without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* §§ 14.22 to 14.28 (1988). The statutory authority to adopt the rule amendment is *Minnesota Statutes* §§ 156.01, subd. 1, 156.03 and 214.06 (1988).

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

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

Proposed Rules

Any person may make a written request for a public hearing on the rule amendment 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 requests 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 amendment addressed, the reason for the request, and any change proposed. If a public hearing is required, the Board will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1988).

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

Roland C. Olson, DVM
Executive Director
Minnesota Board of Veterinary Medicine
Suite 105
2700 University Avenue
St. Paul, Minnesota 55114
Telephone: (612) 642-0597

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

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of the proposed rule amendment and identifies the data and information relied upon to support the proposed rule amendment has been prepared and is available from Roland C. Olson upon request.

Minnesota Statutes § 14.115 requires administrative agencies, when proposing a rule or an amendment to an existing rule, to consider various methods for reducing the impact of the proposed rule or amendment on small businesses and to provide opportunity for small businesses to participate in the rulemaking process. It is the Board's conclusion that *Minnesota Statutes*, § 14.115 does not apply to the proposed rule amendment.

If no hearing is required, upon adoption of the rule amendment, the rule amendment 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 amendment must submit the written request to Roland C. Olson.

Dated: 7 July 1989

Roland C. Olson, DVM
Executive Director

Rules as Proposed

9100.0500 RENEWAL FEE.

Subpart 1. [Unchanged.]

Subp. 2. **Amount.** The annual fee for licensure renewal is ~~\$30~~ \$40 and must be paid to the executive ~~secretary~~ director of the board on or before March 1 of each year. By January 1 of the year for which the renewal fee is due, the board will issue a renewal application to each current licensee to the last address maintained in the board file. Failure to receive this notice does not relieve the licensee of the obligation to pay renewal fees in such a manner that they are received by the board on or before the renewal date of March 1.

Subp. 3 to 6. [Unchanged.]

Adopted Rules

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

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

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

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

Department of Agriculture

Adopted Permanent Rules Relating to Bulk Pesticide Storage

The rules proposed and published at *State Register*, Volume 13, Number 38, pages 2257-2267, March 20, 1989 (13 S.R. 2257) are adopted with the following modifications:

Rules as Adopted

1505.2010 DEFINITIONS.

Subp. 3. **Bulk pesticide.** "Bulk pesticide" means a pesticide that is held in an individual container with a pesticide content of 56 U.S. gallons or more, or 100 pounds or more net dry weight, including mini-bulk pesticide unless otherwise specified. Only technical grade, formulated grade, and other similar grades of ~~undiluted~~ bulk pesticide are included in this definition.

Subp. 4. **Bulk pesticide storage facility.** "Bulk pesticide storage facility" means a site at which a bulk pesticide is stored, ~~distributed, or repackaged by a person who distributes or repackages the bulk pesticide.~~

Subp. 6. **Containment area.** "Containment area" means a facility, device, or system or a combination of these designed to prevent the escape or movement of a pesticide from the place it is stored or kept under conditions that might otherwise result in ~~contamination~~ of unreasonable adverse effects on the environment.

Subp. 18. **Repackaging.** "Repackaging" means a registrant's or manufacturer's authorized ~~transferring transfer and subsequent~~ labeling of a registered pesticide from a bulk pesticide container to another pesticide container 56 U.S. gallons or more in an unaltered state in preparation for sale delivery to another dealer or user.

~~Subp. 23. Tank mix. "Tank mix" means a mixture of registered pesticides prepared according to label directions for site application.~~

1505.2020 NEW FACILITIES.

Subp. 4. **Time extension.** The commissioner shall grant a time extension of up to 180 days for delays due to construction or equipment or material procurement ~~may be granted by the commissioner~~ if requested in writing by the facility owner or manager. The commissioner shall set forth in writing the reasons for granting or denying a requested time extension within 15 days of the request.

1505.2030 PREVIOUSLY ESTABLISHED FACILITIES.

A person who operates a bulk pesticide storage facility established before July 1, 1989, must comply with items A to C.

B. The person must, by July 1, 1991, comply with parts 1505.2070 and 1505.2080. The commissioner shall grant a time extension of up to one year ~~may be granted by the commissioner~~ for delays due to construction or equipment or material procurement, if requested in writing by the facility owner or manager. The commissioner shall set forth, in writing, the reasons for granting or denying a requested time extension within 15 days of the request.

C. After being granted a bulk pesticide storage permit by the commissioner, and before beginning any construction or ~~modification of~~ substantially altering an existing bulk pesticide storage facility, the person must submit to the commissioner:

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

Adopted Rules

1505.2040 BULK PESTICIDE STORAGE PERMIT.

Subp. 3. **Denial; revocation; suspension; modification.** ~~An initial or revised~~ After written notice and a hearing, a bulk pesticide storage permit may be denied, revoked, ~~or suspended, or modified, in whole or in part,~~ for one or more of the following reasons:

- A. ~~violation of a term or condition of the permit~~ failure to fully comply with parts 1505.2010 to 1505.2150;
- B. obtaining the permit by misrepresentation or by failure to disclose all relevant facts; or

C. discovery of unreasonable adverse effects to the environment caused by the activities of the permit holder in the conduct of actions undertaken under the permit.

Subp. 4. **Notice.** ~~If a permit is denied, revoked, or suspended, the commissioner shall send the applicant a written notice of denial, revocation, or suspension. Details that formed the basis of the decision must be included. The owner or manager must be given 30 days from the date of the notice to request an administrative meeting before the commissioner to present justification for an appeal of the decision.~~

~~Following the date and time of the administrative meeting, the commissioner has 15 days in which to analyze the facts presented and grant a permit or advise the owner or manager, in writing, of the commissioner's determination to uphold the original decision not to grant a permit.~~

~~Subp. 5. **Permit transfer.** A bulk pesticide storage permit may be transferred from one person to another if an application for a permit detailing any changes and including the required fee is filed with the commissioner prior to the transfer.~~

Subp. 6 5. **Permit exceptions.** Persons who store bulk pesticides in a storage container of a rated capacity of less than 500 U.S. gallons or who store bulk pesticides in individual storage containers at a site where the total storage amount of bulk pesticide is less than 500 U.S. gallons, are not required to obtain a bulk pesticide storage permit, but are required to comply with all other applicable provisions of this part.

1505.2050 APPLICATION AND PERMIT FEE.

Subpart 1. **Information required.** Application for a bulk pesticide storage permit must be on forms provided by the commissioner. The application must contain at least, but is not limited to, the following information:

I. at least one scale drawing of the loading and ~~bulk pesticide~~ secondary containment areas to include a construction material specification or design guide;

1505.2060 GENERAL REQUIREMENTS.

Subpart 1. **Establishment number.** A facility that repackages ~~or transfers~~ bulk pesticides ~~or custom mixes any quantity of pesticides for application by another person~~ must obtain a pesticide producer establishment number from the United States Environmental Protection Agency.

Subp. 2. **Exception.** A person who ~~tank mixes or custom mixes~~ pesticides for application by the person's firm only, is not required to secure a pesticide producer establishment number from the United States Environmental Protection Agency.

Subp. 3. **Storage containers and appurtenances.**

B. Storage containers may only be constructed of stainless steel, fiberglass, polyethylene, ferrous metal, cross-linked polyolefin, or other commissioner-approved materials that are suitable for the stored bulk pesticide. Polyvinyl chloride tanks, fittings, and appurtenances are prohibited.

Ferrous metal tanks must have a protective lining that inhibits corrosion and does not react chemically with the stored pesticide.

Unlined ferrous metal tanks may be used only with proof of compatibility from the pesticide manufacturer.

1505.2070 LOADING AREAS.

Subpart 1. **Containment for liquid bulk pesticide loading sites.** An area used for the loading of liquid bulk pesticide into fixed storage containers, mobile containers, or pesticide application equipment at a bulk pesticide storage facility must be provided with a means of containment that is elevated above the surrounding area, constructed of reinforced concrete or other commissioner-approved material, and designed and constructed for the intended purpose. The means of containment must not contain a drain and must comply with either item A or B.

B. A sloped surface that contains a sediment trap must comply with subitems (1) to (3).

(2) The area must be sloped to a sediment trap used only for the temporary collection of spilled or released pesticides. The sediment trap may not be greater than two feet deep or hold more than ~~450~~ 109 U.S. gallons.

Subp. 3. Load area exceptions and underground plumbing.

C. A load area is not required for areas used for loading anhydrous ammonia tanks with pesticides used to control the nitrification process, if:

(1) the bulk pesticide storage container, pump, and associated connections are located within a secondary containment area;

(2) all pesticide delivery hoses are placed in the secondary containment area between uses;

(3) no aluminum components are used; and

(4) all pesticide releases are immediately abated and recovered.

D. Any underground plumbing used for transferring rinsates or sediment from a sediment trap to rinsate tanks must be designed, constructed, installed, and maintained to prevent the release of pesticides to the environment and the backflow of pesticide rinsates to the sediment trap.

1505.2080 SECONDARY CONTAINMENT AREAS.

Subp. 4. **Walls.** The walls of a secondary containment area must be made of ferrous metal, inorganic soil, stainless steel, reinforced concrete, or solid reinforced masonry and must be designed to withstand a ~~fully~~ full hydrostatic head of any released liquid. Cracks and seams must be sealed as needed to prevent leakage. Walls constructed of inorganic soil must be lined as provided under subpart 5, item D, be protected from erosion, and have a horizontal to vertical slope of at least three to one, unless a steeper slope is consistent with good engineering practice. Walls may not exceed six feet in height above the interior grade.

Subp. 5. Lining.

D. Soil liners must comply with subitems (1) to (5).

(4) Soil liners must be maintained to prevent cracking or other conditions that may compromise the integrity of containment. Pesticide releases into an inorganic soil-bentonite liner containment area must be managed by removal of contaminated soils within 48 hours. ~~Disposition of contaminated soils is subject to approval from the Department of Agriculture. Contaminated soils must be~~ used at labeled rates consistent with labeled end uses for the intended crop, or stored and used later at labeled rates consistent with labeled end uses for the intended crop, or disposed of according to local, state, and federal regulations. Integrity of the inorganic soil walls and inorganic soil-bentonite liner after a spill must be restored under all circumstances.

(5) An owner or manager shall submit to the commissioner, upon request, certification by a registered engineer practicing in the geotechnical field to verify that the coefficient of permeability of the liner does not exceed 1×10^{-6} cm/sec or that the inorganic soil lined containment area will contain released liquid to the height of the containment wall for at least 72 hours.

1505.2090 RECOVERY, USE, OR DISPOSAL OF PESTICIDE RELEASES.**Subp. 2. Precipitation accumulations.**

B. Precipitation, if contaminated with pesticide residues, must be:

(4) used at a rate of no more than five percent of the total tank mix for delivery rates of 40 gallons per acre or less and ten percent for delivery rates of more than 40 gallons per acre. Records must be kept indicating amounts, crop to which applied, and dates.

Subp. 3. Use of pesticide rinsate, pesticide containing sludge, or pesticide containing washwater accumulations.

C. Rinsates and sludges may be used at a rate of no more than five percent of any total tank mix for delivery rates of 40 gallons per acre or less and ten percent for delivery rates of more than 40 gallons per acre. Washwater not contaminated with pesticides may be used undiluted.

1505.2150 EXEMPTIONS.

Subpart 1. **Mobile containers.** The secondary containment requirements of part 1505.2080 do not apply to rail cars, nurse tanks, other mobile containers, or mini-bulk containers which are located at the bulk pesticide storage facility for less than ten consecutive days incidental to loading fixed bulk pesticide containers.

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

Adopted Rules

Subp. 2. **Alternate technology.** The commissioner ~~may~~ shall exempt any person from a requirement under this part if compliance is not technically feasible, but only if the commissioner finds that the alternative measures provide substantially similar protection to the ground and surface water of the state. A person requesting an exemption shall submit to the commissioner in writing a request for an exemption detailing the alternative measures proposed. The commissioner has 45 days to analyze the facts presented and grant the exemption or advise the person of an unsatisfactory review and detail all changes necessary to achieve compliance.

EFFECTIVE DATE. Parts 1505-2010 to 1505-2150 are effective July 1, 1989.

Department of Health

Adopted Permanent Rules Relating to WIC Program

Rules as Adopted

The rules proposed and published at *State Register*, Volume 13, Number 42, pages 2503-2522, April 17, 1989 (13 S.R. 2503) and Volume 13, Number 43, pages 2583-2603, April 24, 1989 (13 S.R. 2583) are adopted with the following modifications:

4617.0002 DEFINITIONS.

Subp. 25. **Nutrition education coordinator.** "Nutrition education coordinator" means a competent professional authority who is a dietitian, home economist, nutritionist, or registered nurse ~~who performs the duties under part 4617.0055, subpart 9.~~

Subp. 37. **Proxy.** "Proxy" means ~~a~~ the person other than a participant who obtains vouchers from a local agency or buys authorized foods for the participant and who is designated as a proxy by a participant.

4617.0035 STAFF QUALIFICATIONS.

Subp. 2. **Commissioner's review.** The commissioner shall review the qualifications of a certifier, dietetic technician, home economist, licensed practical nurse, or physician's assistant and review the agency's plans for the supervision of a certifier, dietetic technician, physician's assistant, or licensed practical nurse to ensure compliance with this part.

Subp. 7. **Physician's assistant.** ~~A physician's assistant hired after September 30, 1987, shall enroll in a self-study course designed by the commissioner within 30 days of the first day of employment, take an examination on the course that is designed by the commissioner within six months of the enrollment date, and pass the examination in no more than three attempts within one year after the enrollment date. A physician's assistant approved under this subpart who voluntarily terminates employment or takes a leave of absence may be rehired as a physician's assistant in a local agency within two years after the date employment is voluntarily terminated or the leave of absence begins without repeating the self-study course. A physician's assistant who is rehired after an involuntary termination or is rehired more than two years after the date employment was terminated or the leave of absence began must repeat the self-study course. A physician's assistant must meet the requirements of item A and of item B or C.~~

A. A nutrition education coordinator shall supervise a physician's assistant on-site at least four hours a month, audit and document at least ten of the physician's assistant's charts at least quarterly, and observe and document at least three certifications at least quarterly.

B. A physician's assistant hired after September 30, 1987, must meet the requirements of subitems (1) to (3).

(1) Within 30 days after the first day of employment, the physician's assistant must enroll in a self-study course designed by the commissioner.

(2) Within six months after enrolling in a self-study course under subitem (1), the physician's assistant must take an examination on the self-study course in subitem (1).

(3) Within one year after enrolling in the self-study course under subitem (1), the physician's assistant must pass the examination in subitem (2), in no more than three attempts.

C. A physician's assistant approved under this subpart who voluntarily terminates employment or takes a leave of absence may be rehired as a physician's assistant by a local agency within two years of the date employment is terminated or the leave of absence begins without repeating the self-study course if supervision is provided according to item A. A physician's assistant who is rehired after an involuntary termination or is rehired more than two years after the date employment was terminated or the leave of absence began must be considered a new hire under item B.

4617.0056 CONTENTS OF NUTRITION EDUCATION SESSIONS.

Subp. 2. **Contents of nutrition education for the parent or caretaker of an infant participant.** A nutrition education session for a parent or caretaker of a participant who is an infant must include information and training regarding:

E. the value of using infant formula or breastfeeding until the infant is one year of age.

Department of Human Services

Adopted Permanent Rules Relating to Grants for Child Care Resource and Referral Programs and Child Care Services

The rules proposed and published at *State Register*, Volume 13, Number 42, pages 2543-2551, April 17, 1989 (13 S.R. 2543) are adopted with the following modifications:

Rules as Adopted

9565.5510 CHILD CARE RESOURCE AND REFERRAL PROGRAM GRANTS.

Subp. 6. **Development of resource file and referral process.** A public or private nonprofit agency receiving a resource and referral grant shall:

H. demonstrate ~~that funding will be available~~ a commitment to continue the program ~~for at least two years following~~ after the state grant is discontinued; and

Subp. 9. **Technical assistance to providers and employers.** The child care resource and referral agency shall provide technical assistance to employers and existing and potential providers of all types of child care services. The technical assistance shall include:

A. information on ~~all~~ aspects of initiating new child care services including licensing, zoning, program and budget development, and assistance in finding information from other sources;

F. identification of employer child care options, and the benefits available to employers using the various options to expand child care services to employees.

Subp. 11. **Maximum grant amount and match requirements.** The maximum child care resource and referral program grant the commissioner may award an agency to establish, improve, expand, or operate an existing child care resource and referral service is \$60,000 per year. The maximum grant the commissioner may award a public or private nonprofit agency to plan a resource and referral program is \$10,000 per year. Except for planning grants, a public or private nonprofit agency receiving a child care resource and referral grant must match those funds with a local match of 25 percent and must demonstrate ~~that funding will be available~~ a commitment to continue the program ~~for two years~~ after the state grant is discontinued. A public or private nonprofit agency receiving a grant to plan a resource and referral program must match those funds with a local match of 25 percent and must demonstrate that it has the expertise and organizational ability to complete the planning proposal within a maximum period of two years.

Subp. 12. **Resource and referral grant proposal ranking.** Grant proposals that meet the requirements of subparts 6 to 9 shall be ranked by an advisory task force established under *Minnesota Statutes*, section 245.872, subdivision 3. The advisory task force shall use the criteria in items A to G to rank the grant proposals.

C. The ability of the grant applicant to demonstrate that the program and nonstate funding for the program will continue ~~for at least two years following~~ after the state grant is discontinued.

Board of Teaching

Adopted Permanent Rules Relating to Teaching Licenses

The rule proposed and published at *State Register*, Volume 13, Number 43, page 2608, April 24, 1989 (13 S.R. 2608) is adopted as proposed.

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

Commissioners' Orders

Department of Natural Resources

Commissioner's Order No. 2340: Regulations for the Taking of Common Crows; Superseding Commissioner's Order No. 2308

Pursuant to authority vested in me by *Minnesota Statutes* § 97B.731, subd. 3, and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking of common crows (*Corvus brachyrhynchos*).

Section 1. CROW SEASON.

(a) **Dates and Hours.** Common crows may be taken from July 1 through November 1, both dates inclusive, from one-half hour before sunrise to sunset.

(b) **Bag Limits.** Crows may be taken and possessed without limit. Crows taken must be retrieved and removed from the field. Crows must be killed before being removed from the site where taken.

(c) **Eligibility.** Residents and nonresidents may take crows with legal firearms, bow and arrow, and falconry without a license. A person age 14 or 15 must possess a firearms safety certificate; a person age 13 must possess a firearms safety certificate and be accompanied by a parent or guardian; and a person age 12 or younger must be accompanied by a parent or guardian.

(d) **Open Zone.** Crows may be taken statewide during the prescribed dates and hours.

Section 2. METHODS OF TAKING.

(a) **Legal Firearms.** A person may take crows with shotguns not larger than 10 gauge or with a handgun or rifle of any caliber.

(b) **Legal Bow and Arrow.** Bows may not be drawn, held or released by mechanical means except under permits issued under *Minnesota Statutes* § 97B.315, or except that a person may use a mechanical device attached to the bowstring if the person's own strength draws, holds and releases the bowstring. A person may not hunt with an arrow that is poisoned or has an explosive tip.

(c) **Electronic Calls and Radios.** Crows may be taken by the use or aid of recorded or electronically amplified crow calls or sounds. Electronic devices may not be left unattended. The use of radio equipment to take crows is prohibited.

(d) **Prohibited Methods.** A person may not take crows:

- (1) with a trap, net, or snare;
- (2) using bird lime;
- (3) with a swivel or set gun;
- (4) by dragging a rope, wire or other device across a field; or
- (5) by using fire.

Sec. 3. DEPREDATION.

(a) **Taking When Causing Damage.** Persons may take crows state wide at any time of year when found committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock or wildlife, or when concentrated in such numbers and manner as to constitute health problems or other nuisances. All provisions of this order not inconsistent with this section apply to such taking.

(b) **Nests and Eggs.** Crow nests and eggs may not be disturbed at any time.

Sec. 4. PUBLIC LANDS AND REFUGES.

(a) **Game Refuges, Wildlife Management Areas, and Waterfowl Production Areas.** Crows may be taken from September 1 through the last day of the open season on State Wildlife Management Areas, unless otherwise closed to hunting. Federal Waterfowl Production Areas are open to hunting, except where posted otherwise. Crows may also be taken in State Game Refuges open to small game hunting, except refuges closed to waterfowl hunting are closed to taking crows.

(b) None of the provisions of this order shall be construed as modifying or superseding any order establishing game refuges or permitting the taking of any wild animals within such refuges or within state parks.

Sec. 5. Commissioner's Order No. 2308 is hereby superseded.

Dated at Saint Paul, Minnesota, this 27 day of June, 1989.

Joseph N. Alexander, Commissioner
Department of Natural Resources

Department of Natural Resources**Commissioner's Order No. 2341: Early Season Regulations for Taking Canada Geese in 1989**

Pursuant to authority vested in me by *Minnesota Statutes* §§ 97A.045, 97A.401, 97B.801, 97B.805 (1988) and other law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following early season regulations for taking Canada geese.

Section 1. TWIN CITIES METROPOLITAN CANADA GOOSE ZONE HUNT.

(a) **Season Length and Hours.** Canada geese may be taken in the Twin Cities Metropolitan Canada Goose Zone as described in Sec. 1(c) during the 10-day period beginning September 1, 1989, dates inclusive, from one-half hour before sunrise to sunset each day.

(b) **Daily and Possession Limits.** From September 1 to September 10, 1989 no person shall in any one day take more than four (4) Canada geese. No person shall have in possession more than eight (8) Canada geese.

(c) The Twin Cities Metropolitan Canada Goose Zone is described as follows:

All of Hennepin County and Ramsey County.

In Anoka County, all of Columbus Township lying south of County State Aid Highway (CSAH) 18, Anoka County, all of the municipalities of Ramsey, Andover, Anoka, Coon Rapids, Spring Lake Park, Fridley, Hilltop, Columbia Heights, Blaine, Lexington, Circle Pines, Lino Lakes, Centerville, and all of the municipality of Ham Lake except that portion described as follows:

Beginning at the intersection of CSAH 18, Anoka County, and U.S. Highway 65, thence east along CSAH 18 to the eastern boundary of Ham Lake, thence north along said boundary to the north boundary of Ham Lake, thence west along said boundary to U.S. Highway 65, thence south along U.S. Highway 65 to the point of beginning.

In Carver County, all of the municipalities of Victoria, Chaska, Chanhassen, and Carver and the Township of Chaska.

In Scott County, all of the municipalities of Shakopee, Savage, Prior Lake, and Jordan, and all of the Townships of Jackson, Louisville, St. Lawrence, Sand Creek, Spring Lake, and Credit River.

In Dakota County, all of the municipalities of Burnsville, Eagan, Mendota Heights, Mendota, Sunfish Lake, Inver Grove Heights, Apple Valley, Lakeville, Rosemount, Farmington, Hastings, Lilydale, West St. Paul, and South St. Paul, and all of the Township of Nininger.

In Washington County, all of the municipalities of Cottage Grove, St. Paul Park, Newport, Woodbury, White Bear Lake, Oakdale, Landfall, Lake Elmo, Pine Springs, Willernie, Birchwood, Mahtomedi, Dellwood, Forest Lake, Marine, Stillwater, Oak Park Heights, Bayport, Hugo, Lakeland, Lakeland Shores, St. Croix Beach, St. Mary's Point, Afton, and Hastings; all of the Townships of Gray Cloud Island, May, Grant, Stillwater, Baytown, Denmark, and West Lakeland, and that portion of Forest Lake Township lying south of State Trunk Highway (STH) 97 and CSAH 2, Washington County, and those portions of New Scandia Township lying south of STH 97, and of a line drawn due east from the intersection of STH 97 and STH 95 to the east boundary of the state.

Sec. 2. SOUTHWEST BORDER CANADA GOOSE ZONE HUNT.

(a) **Season Length and Hours.** Canada geese may be taken in the Southwest Border Canada Goose Zone as described in Sec. 2(c) during the 10-day period beginning September 1, 1989, dates inclusive, from one-half hour before sunrise to sunset each day.

(b) **Daily and Possession Limits.** From September 1 to September 10, no person shall, in any one day, take more than two (2) Canada geese. No person shall have in possession more than four (4) Canada geese.

(c) The Southwest Border Canada Goose Zone is described as follows:

All of Martin and Jackson Counties except that portion of Jackson County lying north and west of U.S. Highway (Hwy.) 60 and described as follows:

Beginning at the intersection of U.S. Hwy 60 and the north boundary of Jackson County; thence southwesterly along U.S. Hwy. 60 to the west boundary of Jackson County; thence north along the west boundary of Jackson County to the north boundary of Jackson County; thence east along the north boundary of Jackson County to the point of beginning.

(d) Notwithstanding the provisions of Commissioner's Order No. 2321, the use of motorized watercraft is allowed in the waterfowl feeding and resting area on South Heron Lake established by Sec. 1(e) of Commissioner's Order No. 2321 for the 10-day period beginning September 1, 1989.

Sec. 3. FERGUS FALLS/ALEXANDRIA CANADA GOOSE ZONE HUNT.

(a) **Season Length and Hours.** Canada geese may be taken in the Fergus Falls/Alexandria Canada Goose Zone as described

Commissioners' Orders

in Sec. 3(c) during the 10-day period beginning September 1, 1989, dates inclusive, from one-half hour before sunrise to sunset each day.

(b) **Daily and Possession Limits.** From September 1 to September 10, no person shall in any one day take more than two (2) Canada geese. No person shall have in possession more than four (4) Canada geese.

(c) The Fergus Falls/Alexandria Canada Goose Zone is described as follows:

Beginning at the intersection of State Trunk Highway (STH) 55 and STH 28; thence east on STH 28 to County State Aid Highway (CSAH) 33, Pope County; thence north along CSAH 33 to CSAH 3, Douglas County; thence north along CSAH 3 to CSAH 69, Otter Tail County; thence north along CSAH 69 to CSAH 46, Otter Tail County; thence east along CSAH 46 to the eastern boundary of Otter Tail County; thence north along the east boundary of Otter Tail County to CSAH 40, Otter Tail County; thence west along CSAH 40 to CSAH 75, Otter Tail County; thence north along CSAH 75 to STH 210; thence west along STH 210 to STH 108; thence north along STH 108 to CSAH 1, Otter Tail County; thence west along CSAH 1 to CSAH 14, Otter Tail County; thence north along CSAH 14 to CSAH 44, Otter Tail County; thence along CSAH 44 to CSAH 35, Otter Tail County; thence along CSAH 35 to STH 108; thence along STH 108 to CSAH 19, Wilkin County; thence along CSAH 19 to STH 55, thence along STH 55 to the point of beginning.

Sec. 4. EARLY GOOSE HUNT APPLICATION AND PERMIT.

(a) A small game license and a permit issued by the Commissioner of Natural Resources are required to take Canada geese during the seasons established in Secs. 1, 2 and 3. Permits must be obtained by mailing or delivering a 1989 Special Canada Goose Hunt Application to the appropriate address provided on the application. If mailed, applications must be postmarked no later than August 1, 1989, or if hand delivered, no later than 4:30 p.m., August 1, 1989. Applicants must supply full name, complete address including state and zip code, and sign the application, otherwise the application will be rejected.

(b) Each applicant must submit along with his or her application a cashier's check, money order or personal check in the amount of \$3.00 payable to the Minnesota Department of Natural Resources. Any checks that are returned to the Department of Natural Resources for nonpayment will invalidate the application and the check will be destroyed. A separate application and fee is required for each hunt. Fees are non-refundable.

(c) Persons participating in these seasons must possess a permit validated for the zone in which they are hunting.

Sec. 5. SPECIAL PROVISIONS ON TAKING.

(a) Taking Canada geese during the seasons established by Secs. 1, 2 and 3 is prohibited on or within 100 yards of all surface waters including but not limited to wetlands, lakes, rivers, and streams except on specific waters as described or shown on a map that shall be provided to the permittee by the Commissioner.

(b) Taking Canada geese during the seasons established by Secs. 1 and 3 in the Twin Cities Metropolitan Canada Goose Zone and Fergus Falls/Alexandria Canada Goose Zone on public roads and their rights-of-way is prohibited. Taking Canada geese on public roads and their rights-of-way is permitted during the season established by Sec. 2 in the Southwest Border Canada Goose Zone.

(c) **Methods of Take.**

(1) Canada geese may be taken only with a shotgun no larger than 10 gauge.

(2) A person may not take geese with a shotgun capable of holding more than three shells, unless it is plugged with a one-piece filler which is incapable of removal without disassembling the gun.

(3) A person may not take geese by the aid of baiting or on or over any baited area. A baited area is considered to be baited for 10 days after the removal of the bait.

(4) The use of live decoys or records or tapes of migratory birds or electrically amplified imitations of bird calls is prohibited.

Sec. 6. RETRIEVAL.

A person may not kill any migratory game bird without making a reasonable effort to retrieve the bird and include it in his daily bag limit. Wounded birds reduced to possession shall be immediately killed and included in the daily bag limit.

Sec. 7. OPENING DAY POSSESSION LIMIT.

No person shall have in possession on the opening day of each of the above established seasons more than a single daily limit. Thereafter, possession limits shall apply.

Sec. 8. LOCAL ORDINANCES.

None of the provisions of this order shall be construed as modifying or superseding any ordinance or rule prohibiting discharging of firearms by any local unit of government including county, city, or township.

Sec. 9. FIELD LIMIT.

No person shall possess, have in custody or transport more than the daily bag limit of Canada geese, tagged or not tagged, at or between the place where taken and either:

- (a) His automobile or principal means of land transportation;
- (b) His personal abode or temporary or transient place of lodging;
- (c) A migratory bird preservation facility;
- (d) A post office; or
- (e) A common carrier facility.

Sec. 10. FEDERAL REGULATIONS.

Nothing in this order shall be construed as allowing any hunter to hunt or take any Canada geese in violation of applicable federal regulations.

Sec. 11. GAME REFUGES AND STATE PARKS.

None of the provisions of this order shall be construed as modifying or superseding any order establishing game refuges within the state nor as permitting the taking of any wild animals within such refuges or within state parks, except that the Fox Lake Statutory Game Refuge in Martin County, the Douglas County Statutory Goose Refuge in Douglas County and the Otter Tail County Statutory Goose Refuge in Otter Tail County, all as addressed by the Commissioner's Order No. 2318, Secs. 2(e), (f), and (g), are open to Canada goose hunting for the period beginning September 1 and ending September 10, 1989, both dates inclusive, in addition to the open seasons prescribed for them by Commissioner's Order No. 2318 or superseding orders. All other statutory game refuges, posted sanctuaries, and state duck refuges are closed to hunting during the seasons established by Secs. 1, 2, and 3.

Sec. 12. STEEL SHOT AND SIZE REGULATIONS.

It shall be unlawful to take ducks, mergansers, geese, coot or moorhens on all lands and waters within the boundaries of the state while possessing shotshells loaded with shot made of any material other than steel or such nontoxic materials as may be approved by the Director of the U.S. Fish and Wildlife Service.

Sec. 13. BLINDS AND DECOYS ON PUBLIC LANDS AND PUBLIC WATERS.

When not in use, any blind located on public land or in public waters is deemed public and not the exclusive property of the person or persons that constructed it. Such blinds are open to use by the public on a first come first served basis. Any use of threat or force against another to gain possession of any such blind shall be unlawful.

A person may not erect a blind or place decoys in public waters or on public land more than one hour before the open season. During the open season, a person may not place decoys in public waters or on public land more than one hour before lawful shooting hours.

Sec. 14. FEDERAL DUCK STAMP.

Each waterfowl hunter 16 years of age and over must carry on his person a valid Federal Migratory Bird Hunting and Conservation Stamp (duck stamp) signed in ink across its face.

Sec. 15. MINNESOTA MIGRATORY WATERFOWL STAMP.

Except for residents under the age of 18 and over the age of 65 years, no person who is otherwise required to possess a Minnesota small game license shall hunt or take migratory waterfowl within this state without first purchasing a stamp and having the stamp in possession while hunting or taking migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across its face. People who are hunting on their own property shall not be required to possess a Minnesota waterfowl stamp.

Sec. 16. At all times until delivery to the taker's residence or a commercial processing facility, migratory waterfowl must be transported in an undressed condition. An undressed migratory waterfowl is one with a fully feathered wing attached.

Dated at Saint Paul, Minnesota, this 29 day of June, 1989.

Joseph N. Alexander, Commissioner
Department of Natural Resources

Executive Orders

Executive Order 89-5: Providing for the Development and Administration of Technology Related Assistance for Individuals With Disabilities; Rescinding Executive Orders 87-6 and 87-15

I, RUDY PERPICH, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable statutes do hereby issue this Executive Order:

WHEREAS, the 1989 Minnesota Legislature transferred the Governor's Advisory Council on Technology for People with Disabilities from the Department of Trade and Economic Development to the Minnesota Council on Disability; and

WHEREAS, the Governor's Advisory Council on Technology for People with Disabilities has been designated as the lead agency to prepare Minnesota's application for funds under the federal Technology-Related Assistance for Individuals with Disabilities Act, Title I, state grants program; and

WHEREAS, the Governor's Advisory Council on Technology for People with Disabilities has been a model program for cooperation among public and private sector organizations in planning for technology-related assistance for individuals with disability in Minnesota;

NOW, THEREFORE, I hereby order that:

1. The Governor's Advisory Council on Technology for People with Disabilities shall continue. The council shall consist of 14 members and a chair to be appointed by the Governor according to *Minnesota Statutes* 1988, Section 15.059. Members shall be appointed from consumers, service agencies, the private sector, third-party funding sources, education and library systems. Ex officio members shall include the commissioners of Human Services, Jobs and Training, and State Planning, the Chancellor of the State University System, and the Chair of the Council on Disability or their designees.

2. The Minnesota Council on Disability shall serve as the administrative agency for the Advisory Council.

3. The Governor's Advisory Council on Technology for the People with Disabilities shall advise the Minnesota Council on Disability on its duties under *Minnesota Laws* 1989, Chapter 335, Section 186. The Advisory Council shall:

a. Prepare, in accordance with 34 *CFR* Part 345, the federal grant application under the U.S. Technology-Related Assistance for Individuals with Disabilities Act, Title I, state grants program.

b. Recommend to the Council on Disability work and spending plans for the development and administration of a comprehensive, consumer-responsive system of assistive technology devices and services.

c. Monitor the Council on Disability's work and spending plans, including monitoring the disbursement of federal, state, and other funds and use of in-kind services and equipment.

d. Help coordinate the involvement of state agencies in the provision of technology-related services.

e. Ensure individual and family involvement in the development, implementation and evaluation of programs.

f. Submit regular reports on its activities to the Council on Disability.

Pursuant to *Minnesota Statutes* 1988, Section 4.035, this Order shall be effective fifteen days after publication in the State Register and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1988, Section 4.035, subdivision 3.

IN TESTIMONY WHEREOF, I have set my hand this 7th day of July, 1989.



Rudy Perpich
Governor

Official Notices

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

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

Department of Health

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Procedures for Assessing Clients of Intermediate Care Facilities for the Mentally Retarded (ICF/MR) for the Purpose of Medical Assistance Program Reimbursement to Those Facilities

NOTICE IS HEREBY GIVEN that the State Department of Health is seeking information or opinions from sources outside the Department of Health in preparing to propose the adoption of rules governing assessment of ICF/MR clients and the assignment of ICF/MR reimbursement classes under the medical assistance program. The adoption of the rule is authorized by *Laws of Minnesota, 1989*, Chapter 282, Article 3, Section 3, which permits the commissioner of health to assign reimbursement classifications to ICF/MR clients based on the assessment of each ICF/MR client; requires notice of client reimbursement classification; permits the client, client's representative or facility to request a reconsideration of the classification assigned to the applicant; requires the ICF/MR facility to allow the commissioner access to information relating to the client's assessment; and permits the commissioner to audit assessments of clients.

The Minnesota State Department of Health 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:

Mike Dean
Health Resources Division
Central Medical Building
P.O. Box 64900
393 North Dunlap
St. Paul, MN 55164-0900

Oral statements will be received during regular business hours over the telephone at (612) 643-2156 and in person at the above address.

All statements of information and opinions shall be accepted until further notice. Any written material received by the State Department of Health shall become a part of the rulemaking record to be submitted to the attorney general or administrative law judge if the rule is adopted.

Michael G. Dean
Management Analyst

County Law Libraries

Joint Notice of Law Library Filing Fees

Pursuant to *Minnesota Statutes* 140.422 (140.421 for Hennepin and Ramsey Counties), the following law library fees are in effect. Civil fees include probate matters EXCEPT as noted. Criminal conviction includes felonies, gross misdemeanors, and misdemeanors EXCEPT as noted.

COUNTY	CIVIL	CONCILIATION	CRIMINAL CONVICTION	PETTY MISD.	NOTES:
Aitkin	5	5	5	5	
Anoka	7	5	10	—	\$5 on Probate matters.
Becker	5	—	10	5	\$5 on Misdemeanors.
Beltrami	8	8	6	6	
Benton	10	5	10	5	
Big Stone	10	10	5	5	
Blue Earth	10	10	2	2	Nothing on parking tickets.

Official Notices

COUNTY	CIVIL	CONCILIATION	CRIMINAL CONVICTION	PETTY MISD.	NOTES:
Brown	7	7	2	2	
Carlton	10	5	2	2	Nothing on parking tickets.
Carver	7	5	—	—	
Cass	5	5	—	—	
Chippewa	10	10	10	10	Nothing on misd. or petty misd. traffic violations.
Chisago	5	3	5	2	\$2 on Misdemeanors.
Clay	10	5	5	5	\$10 on Felonies.
Clearwater	6	6	—	—	
Cook	10	10	10	10	
Cottonwood	5	5	—	—	
Crow Wing	8	8	8	8	
Dakota	7	7	—	—	
Dodge	10	5	—	—	
Douglas	10	5	10	5	\$5 on Misdemeanors.
Faribault	10	10	—	—	
Fillmore	12	8	12	2	\$5 on Misdemeanors.
Freeborn	10	5	10	—	
Goodhue	10	3	—	—	
Grant	10	10	5	5	
Hennepin	8	3	—	—	
Houston	10	7	10	5	\$5 on Misdemeanors. Nothing on parking tickets.
Hubbard	10	10	10	5	
Isanti	5	3	5	5	
Itasca	5	5	5	5	
Jackson	5	5	3	3	Nothing on non-moving traffic violations.
Kanabec	5	3	5	2	\$2 on Misdemeanors. Nothing on parking tickets.
Kandiyohi	10	10	see note	5	\$15 on Felonies. \$10 on Gross Misd. \$5 on Misdemeanors.
Kittson	5	5	5	5	
Koochiching	10	10	10	5	
Lac Qui Parle	10	10	10	10	Nothing on misd. or petty misd. traffic violations.
Lake	10	10	10	10	Nothing on parking tickets.
Lake of the Woods	10	10	10	10	
Le Sueur	10	5	—	—	
Lincoln	5	5	2	2	
Lyon	5	5	2	2	
Mahnomen	5	5	—	—	
Marshall	6	6	6	6	
Martin	5	5	5	5	
McLeod	5	5	—	9.90	Assessed on speeding tickets.
Meeker	10	10	5	5	
Mille Lacs	7	1	10	2	\$5 on Misdemeanors.
Morrison	10	1	10	1	\$5 on Misdemeanors.
Mower	10	10	—	—	
Murray	10	10	5	5	
Nicollet	5	5	2	2	
Nobles	5	5	3	3	Nothing on parking tickets.
Norman	7.50	7.50	7.50	—	\$5 on Probate matters.
Olmsted	10	5	—	—	
Otter Tail	10	—	10	5	\$5 on Misdemeanors. Nothing on parking tickets.

COUNTY	CIVIL	CONCILIATION	CRIMINAL CONVICTION	PETTY MISD.	NOTES:
Pennington	7.50	5	7.50	—	
Pine	5	3	5	2	\$2 on Misdemeanors.
Pipestone	5	5	3	3	
Polk	7.50	7.50	7.50	5	
Pope	10	10	5	5	
Ramsey	8	3	—	—	
Red Lake	7.50	7.50	7.50	2.50	
Redwood	6	6	2	2	Not on ordinance violations.
Renville	—	—	—	—	No law library fees.
Rice	10	10	—	2	
Rock	5	5	3	3	
Roseau	5	5	5	5	
St. Louis	10	5	—	—	Right reserved to assess \$2 on all criminal convictions.
Scott	5	5	—	—	
Sherburne	5	3	5	5	
Sibley	7	7	—	—	\$2 on all traffic violations.
Stearns	10	5	10	5	
Steele	10	7	—	—	
Stevens	10	10	5	5	
Swift	10	10	5	5	
Todd	10	5	10	3	\$5 on Misdemeanors.
Traverse	10	10	5	5	Nothing on parking tickets.
Wabasha	10	5	—	—	
Wadena	10	4	10	5	\$5 on Misdemeanors.
Waseca	10	5	—	—	
Washington	7	3	1	1	
Watonwan	10	10	10	2	\$2 on Misdemeanors.
Wilkin	10	10	5	5	
Winona	10	10	5	2	\$2 on Misdemeanors. Nothing on parking tickets.
Wright	5	3	5	5	
Yellow Medicine	10	10	10	10	Nothing on misd. or petty misd. traffic violations.

Department of Public Service

Energy Division

Notice of Solicitation of Outside Opinion and Comments on Proposed Rules Governing Utility Conservation Improvement Programs

NOTICE IS HEREBY GIVEN that the Minnesota Department of Public Service is seeking opinion and comments in preparing to adopt permanent rules governing utility conservation improvement programs. The rules will be adopted to implement legislative changes (*Laws of Minnesota, 1989*, Chapter 338) which will move authority for conservation improvement programs from the Minnesota Public Utilities Commission to the Department of Public Service.

Natural gas and electric utilities covered by the rules are required to submit plans for making significant investments in programs to conserve energy. The new legislation also emphasizes the importance of energy programs targeted to the needs of low income residents. Current authority will remain with the Public Utilities Commission until the Department of Public Service adopts rules and approves two year plans in 1990. Current Commission authority is governed by *Minnesota Statutes*, 216B.241 (1988) and *Minnesota Rules*, parts 7840.0200-7840.1400 and part 7840.1150.

The Department of Public Service requests information and comments concerning the subject matter of these rules. Interested persons may submit statements of information orally or in writing. Written statements should be addressed to:

Official Notices

William Grant, Manager
Energy Information & Analysis Office
MN Department of Public Service
Energy Division
900 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

All statements of information and comment will be accepted until September 22, 1989. Any written material received by the Department of Public Service will become part of the public record in the event that rules are promulgated.

Department of Transportation

Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed Under *Minnesota Statutes* § 169.825

Order No. 75024

WHEREAS, the Commissioner of Transportation has made his Order No. 72156, dated April 8, 1987, which order has been amended by Orders Nos. 73139, 74653 and 74846 designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under *Minnesota Statutes* § 169.825, and

WHEREAS, the Commissioner has determined that the additional following routes, or segment of routes, should be designated to carry the gross weights allowed under *Minnesota Statutes* § 169.825.

IT IS HEREBY ORDERED that Commissioner of Transportation Order No. 72156 is further amended this date by adding the following designated streets and highway routes, or segment of routes, as follows:

COUNTY ROADS

- Blue Earth** — C.S.A.H. 5 (MANKATO) FROM INDUSTRIAL ROAD (C.S.A.H. 12) TO THE C.N.W. RAILROAD CROSSING (12 MONTH).
- Watonwan** — C.S.A.H. 54 (ST. JAMES) FROM T.H. 14 TO C.S.A.H. 27 (12 MONTH).
- C.S.A.H. 27 (11TH STREET IN ST. JAMES) FROM 1ST. AVENUE SOUTH TO 7TH AVENUE SOUTH (UPGRADE FROM SEASONAL TO 12 MONTH).
- C.S.A.H. 56 (1ST. AVENUE SOUTH IN ST. JAMES) FROM 7TH STREET SOUTH TO 11TH STREET SOUTH (UPGRADE FROM SEASONAL TO 12 MONTH).
- C.S.A.H. 12 (ST. JAMES) FROM JCT. T.H. 60 TO JCT. T.H. 4 (UPGRADE FROM SEASONAL TO 12 MONTH).

Dated: 17 July 1989

Leonard W. Levine
Commissioner

State Contracts and Advertised Bids

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

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

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

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

Department of Administration: Materials Management Division

Contracts and Requisitions Open for Bid

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

Commodity: Copier lease/purchase
Contact: Teresa Ryan 612-296-7556
Bid due date at 2pm: July 25
Agency: Labor & Industry
Deliver to: St. Paul
Requisition #: 42600 14112

Commodity: Security table
Contact: John Bauer 612-296-2621
Bid due date at 2pm: July 27
Agency: Corrections
Deliver to: St. Paul
Requisition #: 78630 08497

Commodity: Courier service
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: July 27
Agency: Revenue
Deliver to: St. Paul
Requisition #: 67420 23008

Commodity: Signal pedestal bases
Contact: John Bauer 612-296-2621
Bid due date at 2pm: July 28
Agency: Transportation
Deliver to: Fort Snelling
Requisition #: 79000 95165

Commodity: Unisys hardware
Contact: Joan Breisler 612-296-9071
Bid due date at 2pm: July 28
Agency: State University
Deliver to: Mankato
Requisition #: 26071 19165

Commodity: School furniture
Contact: John Bauer 612-296-2621
Bid due date at 2pm: July 28
Agency: Community College,
Normandale
Deliver to: Bloomington
Requisition #: 27156 10511

Commodity: Software for
chromatography data acquisition
system
Contact: Joe Gibbs 612-296-3750
Bid due date at 2pm: July 28
Agency: Health
Deliver to: Minneapolis
Requisition #: 12400 31661

Commodity: Stainless steel light poles
Contact: Joan Breisler 612-296-9071
Bid due date at 2pm: July 28
Agency: Transportation
Deliver to: St. Paul
Requisition #: 79000 95131

Commodity: Purchase of book copier
Contact: Teresa Ryan 612-296-7556
Bid due date at 2pm: July 31
Agency: State University
Deliver to: Moorhead
Requisition #: 26072 01728

Commodity: Precision approaches for
two Minnesota airports
Contact: Joe Gibbs 612-296-3750
Bid due date at 2pm: July 31
Agency: Transportation
Deliver to: Various
Requisition #: 79000 95179

Commodity: Steamer
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 31
Agency: Transportation
Deliver to: Oakdale
Requisition #: 79382 016772

Commodity: Attorney General move
Contact: John Bauer 612-296-2621
Bid due date at 2pm: July 31
Agency: Attorney General
Deliver to: St. Paul
Requisition #: 06000 07706

Commodity: Busing contract
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 31
Agency: Southwest State University
Deliver to: Marshall
Requisition #: 26175 00222

Commodity: 1989 Pontiac Grand Prix
LE2D
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: July 27
Agency: Public Safety
Deliver to: St. Paul
Requisition #: 07300 60486

State Contracts and Advertised Bids

Commodity: 138" Ford Van
w/modifications
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: July 31
Agency: Jobs & Training
Deliver to: Minneapolis
Requisition #: 21607 87136

Commodity: Woodchips
Contact: John Bauer 612-296-2621
Bid due date at 2pm: July 31
Agency: Itasca Community College
Deliver to: Grand Rapids
Requisition #: 27144 44198

Commodity: Maintenance contract for
building automation services,
Honeywell brand—Bemidji
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: August 1
Agency: State University
Deliver to: Bemidji
Requisition #: 26070 13831

Commodity: New truck mounted striper
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: August 1
Agency: Transportation
Deliver to: Mankato
Requisition #: 79382 01802

Commodity: Hazardous waste learning
stations
Contact: John Bauer 612-296-2621
Bid due date at 2pm: August 2
Agency: Pollution Control
Deliver to: St. Paul
Requisition #: 32400 19812

Commodity: Underground storage
tanks, pipe, fittings and pumps
Contact: Dale Meyer 612-296-3773
Bid due date at 2pm: August 3
Agency: Transportation and other
agencies
Deliver to: Various
Requisition #: Price Contract

Commodity: Carbide plow edges
Contact: Doug Thompson 612-296-
3775
Bid due date at 2pm: August 3
Agency: Transportation
Deliver to: Various
Requisition #: 79200 03419

Commodity: Millwork
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: August 1
Agency: State University
Deliver to: Mankato
Requisition #: 26071 18566

Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

Commodity: Kraft envelopes, 5M
11½" x 5, type to set, 1-sided
Contact: Printing Buyer's Office
Bids are due: July 26
Agency: Bureau of Criminal
Apprehension
Deliver to: St. Paul
Requisition #: 0313

Commodity: Authorization for cash
grant, 5M 2-part snap out form,
5½" x 8½", camera ready, preprinted
numbering
Contact: Printing Buyer's Office
Bids are due: July 28
Agency: Veterans Affairs
Deliver to: St. Paul
Requisition #: 8205

Commodity: Graduate bulletin, 11M
6" x 9" 160pp + 4-color cover, camera
ready, perfect bind
Contact: Printing Buyer's Office
Bids are due: July 28
Agency: State University
Deliver to: St. Cloud
Requisition #: 0309

Commodity: Labels: whirl pak bag,
15M 4" x 2", camera ready, 1-sided
Contact: Printing Buyer's Office
Bids are due: July 28
Agency: Health
Deliver to: Minneapolis
Requisition #: 8157

Commodity: Registration stamp, 500M
1¼" x 1½", camera ready, 1-sided,
preprinted numbering
Contact: Printing Buyer's Office
Bids are due: July 28
Agency: Gaming-Gambling Control
Deliver to: St. Paul
Requisition #: 0159

Commodity: Letterhead, 2-part
continuous feed, 10M, 9½" x 11"
overall, camera ready, 1-sided, fan fold
1-up
Contact: Printing Buyer's Office
Bids are due: July 28
Agency: Nursing Board
Deliver to: St. Paul
Requisition #: 0394

Commodity: Permission to administer
medication, 20M 2-part sets, 8½" x 6"
overall, 1-sided, negs furnished
Contact: Printing Buyer's Office
Bids are due: July 28
Agency: Human Services
Deliver to: St. Paul
Requisition #: 0088

Commodity: GA ID card, 500M,
9½" x 11", rerun, no negs
Contact: Printing Buyer's Office
Bids are due: July 28
Agency: Federal Surplus Property
Deliver to: New Brighton
Requisition #: 0091

Commodity: Drivers license envelopes,
6M 8⅞" x 4¼", type to set, 1-sided
Contact: Printing Buyer's Office
Bids are due: July 28
Agency: Public Safety
Deliver to: St. Paul
Requisition #: 0047

Commodity: X-ray report part I, 5M 3-
part sets, 5½" x 8½" detached, type to
set, 1-sided

Professional, Technical & Consulting Contracts

Contact: Printing Buyer's Office

Bids are due: July 28

Agency: Human Services

Deliver to: St. Paul

Requisition #: 0095

Commodity: Central office manila envelope, 10M 12" x 9" + 3 1/2" flap, type to set, 2-sided, union label required

Contact: Printing Buyer's Office

Bids are due: July 28

Agency: Jobs & Training

Deliver to: St. Paul

Requisition #: 0025

Commodity: Mailer envelope, 40M, #10 double window, type to set, 2-sided; and return envelope, 40M, #9 window, type to set, 2-sided

Contact: Printing Buyer's Office

Bids are due: July 28

Agency: Human Services

Deliver to: St. Paul

Requisition #: 0076 & 0077

Commodity: *The Minnesota Volunteer*, 85M 6 issues per year, 64pp + 4 color 4 page insert + 4-color cover, 5 1/2" x 7 1/2", saddle stitch

Contact: Printing Buyer's Office

Bids are due: August 1

Agency: Natural Resources

Deliver to: St. Paul

Requisition #: Price Contract

Professional, Technical & Consulting Contracts

State Designer Selection Board

Request for Proposal for Two Projects

To Registered Professional in Minnesota:

The State Designer Selection Board has been requested to select designers for four projects. Design firms who wish to be considered for this project should submit proposals on or before 4:00 P.M., August 15, 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 8 1/2" 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 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.

Professional, Technical & Consulting Contracts

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—27-89

Walnut Hall Dining Service Remodeling
Bemidji State University
Bemidji, Minnesota

APPROPRIATION: \$1.0 million for preparation of the facility program; including schematic design, design development, construction documents, bidding, construction, equipment, and furnishings.

SCOPE OF PROJECT: Plan and remodel Walnut Hall—the food service building.

PROJECT GROSS SQUARE FEET (GSF): Total area of Walnut Hall is 57,167 GSF and 38,300 net assignable square feet.

PROJECT SUMMARY: Relocate the existing dish room from the basement to the upper level so that it will be adjacent to the serving and seating areas. Redesign the entire serving area, including moving the main entry stairway, to improve the overall traffic flow. Add new rest rooms and amend all areas to conform to building and handicapped accessibility codes. Remodel the office areas and/or add additional office space. Replace much of the existing production and serving equipment.

Architectural firms that plan to submit a proposal should make an on-site visit in order to understand the integration of the project with the existing campus facilities. Advance arrangements can be made by contacting Thomas Faecke, Vice President for Administrative Affairs, Bemidji State University.

SITE: Walnut Hall is located at the north end of the campus.

PURPOSE OF THE PROJECT:

1. Replace the existing basement dishwasher and eliminate continuing maintenance problems associated with the vertical dish return conveyor system.
2. Improve efficiency through reconfiguring the production/serving/seating areas and major replacement of certain existing equipment.

ARCHITECTURAL RESPONSIBILITIES: The architect shall be responsible for, but not limited to, such tasks as: review of the University's space program, preparation of preliminary schematics and cost estimates, project design, preparation of final working drawings and specifications required for bidding, and project administration during construction, including but not limited to preparation of construction change orders, review and approval of shop drawings and payment requests, and oversight of project construction for owner (including on-site observation), and project acceptance. Prior experience with the design and construction of dining facilities is desirable. Food service consultant will be required; must be approved by Minnesota State University System.

Consultant's fee shall be fixed, and shall be computed as a percentage of the amount budgeted by the State for construction. Consultant's proposal shall state Consultant's policy concerning additional Consultant services resulting from acceptable low bid exceeding or falling short of the construction budget.

ARCHITECTURAL FEE: 8% of the Allocated Construction Cost.

UNIVERSITY CONTACT:

Mr. Thomas A. Faecke
Vice President for Administrative Affairs
Deputy Hall 349
Bemidji State University
Bemidji, Minnesota 56601
(218) 755-2012

STATE UNIVERSITY SYSTEM CONTACT:

Mr. David Hardin
Coordinator of Facilities Management
Minnesota State University System
555 Park Street, Suite 230
St. Paul, Minnesota 55103
(612) 296-6624

7b) PROJECT—28-89

Laboratory Space Utilization Study
Department of Health
Minneapolis, Minnesota

DESCRIPTION OF PROJECT: The proposed project calls for a long range laboratory space utilization study.

PROJECT DETAILS:

The proposed study to include spaces for:

- a. existing lab activities
- b. future lab activities
- c. office spaces
- d. commons areas
- e. mechanical/electrical spaces
- f. tele/computer communications
- g. hazardous material storage and waste

The proposed study to be limited to the 4th, 5th, 6th floors, and associated spaces on other floors. The services of an experienced laboratory specialist is mandatory.

COST ESTIMATE: To bring project from concept through schematic drawings the estimated fees are \$130,000.00.

Preliminary estimates of construction cost are \$2,500,000.00.

SITE LOCATION: Health Department, 717 Delaware Street SE, Minneapolis, Minnesota 55414.

WORK TO BE PERFORMED BY THE DESIGNER: The work to be performed by the designer on this project will be to work with the Health Department Staff, and the Division of State Building Construction staff in the complete planning of space usage. The finished report to include:

Narrative for each space in the building describing its use being specific as to involvement in types of microbes, toxins, viruses, bacteria, chemicals, hazardous wastes, and radioactive materials.

Schematic plans drawn to scale showing locations of lab hoods, sinks, furnishings, and utility spaces. These documents shall include planning for critical areas that cannot be vacated or shut down during construction phase. Ventilation plans may include all floors relative to dependence on the laboratory floors.

Complete cost and construction estimates for building modifications including but not limited to structural, fire protection systems, plumbing, heating, cooling, ventilation, humidification, code compliance, hoods, sinks, furnishings, and security systems.

Preliminary narratives and cost report due January 2, 1990. Final report due April 1, 1990.

Questions concerning this project may be referred to Larry Whitcomb at (612) 297-1546.

Bernard Jacob, Chairman
State Designer Selection Board

Professional, Technical & Consulting Contracts

Department of Education

Notice of Request for Proposals to Provide Education and Support Services to Adult Homeless Individuals

Request for proposals are being solicited to provide education and support services to Adult Homeless individuals through funding from the Stewart B. McKinney Homeless Assistance Act, P.L. 100-77, Section 702.

The Department of Education is interested in the development of model educational components, techniques and organizational structure that utilize effective existing resources. The models should be designed to test strategies and techniques which may lead to promising practices for incorporation into statewide adult basic and community education programs in the future.

Of special interest are models which address the need and basic education of homeless adults with homeless dependents and models which particularly help the adult homeless become less dependent on others and better able to meet their adult responsibilities, emphasizing coping skills and building self-esteem. However, innovative models addressing specialized educational needs of adult homeless individuals will be considered.

All proposed adult education programs for the homeless must be coordinated with other homeless services to enable homeless adults to master needed education skills while attempting to resolve their hunger, shelter and other basic needs.

Funding will be available for a period of up to 13 months, ending September 30, 1990. The amount available for this period is up to \$125,000. Department of Education funding should be used in conjunction with other funding to maximize the use of available resources.

Applicants must demonstrate experience in adult education.

Copies of the complete application may be obtained by contacting Catharine Cuddeback at 612-296-1436 of the Community and Adult Education Section of the Minnesota Department of Education, 922 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.

Proposals must be submitted by August 21, 1989.

Minnesota Historical Society

Advertisement for Bids for Manufacturing and Delivery of *Northern Lights: Teacher Edition*

BIDS

Sealed bids for the printing of the Minnesota Historical Society's *NORTHERN LIGHTS: TEACHER EDITION*, in accordance with specifications prepared by the Minnesota Historical Society, will be received in the office of the Contract Officer, Minnesota Historical Society, 1500 Mississippi Street, St. Paul, MN 55101 until 2:00 p.m., Central Daylight Time, on August 3, 1989, at which time the bids will be publicly opened and read aloud. Bids received after 2:00 p.m., August 3, 1989, will be returned unopened.

BID SECURITY

Each proposal must be accompanied by a cash deposit, cashier's check, certified check, or corporate surety bond of a surety company duly authorized to do business in Minnesota, in the sum of not less than 5% of the total bid, payable without condition to the Minnesota Historical Society, which is submitted as bid security.

SPECIFICATIONS

Copies of bidding documents for preparation of bids may be obtained by contacting Mark Schwartz, Contract Officer, Minnesota Historical Society, 1500 Mississippi St., St. Paul, MN 55101, (612) 296-2155.

CONDITIONS OF BIDS

The Minnesota Historical Society reserves the right to accept or reject any or all bids and to waive any irregularities therein. No bid may be withdrawn within thirty (30) days after the scheduled closing time for the receipt of bids.

Department of Human Services

Chemical Dependency Program Division

Request for Proposals

The Chemical Dependency Program Division (CDPD) of the Department of Human Services is requesting proposals for up to \$130,800.00 to a single grantee to create an Inhalant Abuse Demonstration Project for children ages 7-14.

All applications must be submitted on the CDPD grant application kit. Questions regarding programmatic issues can be addressed to Sharon Day (612/296-8941) or Sharon Johnson (612/296-4711). Budget questions can be directed to Dorrie Hennagir at (612/296-4617).

The program is scheduled to begin mid-October. For a copy of the grant application kit call (612/296-3991). Proposals are due by August 7, 1989.

Department of Jobs and Training

Division of Rehabilitation Services

Notice of Proposed Contract—Federal Fiscal Years 1990 and 1991

The Minnesota Department of Jobs and Training, Division of Rehabilitation Services is publishing notice that the contract listed below is available and will be awarded for federal fiscal years 1990 and 1991 (October 1, 1989 to September 30, 1991):

Notice for Request for Proposals for Medical Teledictation Service

The Social Security Disability Determination Services Section is seeking the services of a contractor to receive by telephone, transcribe, and deliver medical reports dictated by consulting and treating physicians. Three telephone lines and (3) sets of telerecording equipment are to be used exclusively by this section. Dictation recording equipment is to be provided by the contractor. Compensation is based on a 12-14 (elite type) word line. The contract will run 10/1/89 through 9/30/90 with an additional one year option to renew and is not expected to exceed 450,000 lines for the period 10/1/89 through 9/30/90 and not expected to exceed 450,000 lines for the period 10/1/90 through 9/30/91. Expenditure for this contract is not expected to exceed \$60,000.00 for FY 1990 and \$60,000.00 for FY 1991. Inquiries and request for a copy of the RFP should be directed to:

William T. Ruhl
Assistant Director, Medical Services
Disability Determination Services Section
MN Department of Jobs and Training
Rehabilitation Services
Suite 300—Metro Square Building
Seventh and Robert Streets
St. Paul, Minnesota 55101
(612) 296-4419; (612) 297-4578

All proposals must be received by 4:30 p.m. 8-3-89.

**Departments of Human Services and Jobs and Training and the
State Board of Vocational Technical Education**

**Request for Proposals for Special Project to Reduce Dependency on the Aid to Families
with Dependent Children (AFDC) Program**

The Minnesota Department of Human Services (DHS), in conjunction with the Minnesota Department of Jobs and Training (DJT) and the State Board of Vocational Technical Training (SBVTE), is requesting proposals for special projects intended to reduce dependency on Aid to Families with Dependent Children (AFDC). This request for proposal is authorized by *Minnesota Statutes* 1987, section 256.7365. State funds available are approximately \$2,282,974.

Professional, Technical & Consulting Contracts

Two categories of grants will be funded:

- **Prevention Projects.** Prevention projects must prevent AFDC dependency through helping families or individuals at-risk of long-term dependency avoid a long period of AFDC receipt. Prevention projects target AFDC parents under age 21, non-AFDC parents under age 21, non-custodial parents (especially fathers) whose families fall into one of the previous categories, and individuals under age 21 at-risk of premature parenting.

- **Intervention Projects.** Intervention projects must reduce AFDC dependency by helping families already experiencing long-term dependency become economically independent. Intervention projects target families who have been on AFDC for 36 months or longer, other families on AFDC with substantial barriers to employment, or non-custodial parents (especially fathers) whose families fall into one of the other categories.

Funding is available for new projects testing experimental approaches, projects replicating proven models in new areas, or established projects needing funding to expand services or add new service components, or currently funded projects.

Proposals will be accepted from counties, employment and training service providers, cities, local and state agencies, federally recognized Indian reservations, K-12 school districts, post-secondary educational institutions, job training agencies, community-based organizations, displaced homemaker programs, supported work programs, and other non-profit agencies. Funding will be available from **November 1, 1989 to June 30, 1991**. Twenty-five percent (25%) of the proposed budget for each project must be provided from eligible matching sources.

At least two of the projects selected must be operated by or in cooperation with tribes or organizations representing ethnic minorities (*Minnesota Statutes 256.7365, subd. 4.*). In addition, DHS, DJT, and SBVTE will give special consideration to projects that propose innovative ways to assist the targeted populations, and to proposals which include controlled evaluation designs. The sponsoring agencies will seek to achieve some geographic balance in selecting projects. Proposals which received grants in the biennium ending June 30, 1989 and achieved documented effective results will be given priority for grants in this funding cycle.

Proposals must be received by September 1, 1989. A letter of intent must be received by August 15, 1989. Final selection of proposals for funding will be made by **October 1, 1989**. Projects selected for funding will negotiate with the state for final funding conditions, including requirements for reporting and project evaluation.

For a copy of the full Request for Proposal (RFP) or other questions or information, contact:

Jim Harper, Program Specialist
Minnesota Department of Jobs and Training
150 E. Kellogg Blvd., Room 690
St. Paul, Minnesota 55101
(612) 297-2255 or (612) 297-2664

Department of Natural Resources

Request for Proposals to Prepare a Renovation Plan for the Department's Exhibits at the Minnesota State Fair

The Department of Natural Resources is seeking proposals from qualified firms or individuals to prepare a renovation plan for the Department's exhibits at the Minnesota State Fair. The exhibits are contained in a log building (186' x 66' plus a wing for displaying wildlife) located on the state fairgrounds in St. Paul. If the decision is made to proceed with the renovation project, this renovation plan will be used by a yet-unselected firm to design and construct new exhibits.

This Request for Proposal does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

The goal of the project is to improve the Department's ability to educate the public about the many excellent natural resource programs administered by the DNR, in an environment that is a positive family recreational experience. The objective of the project is to produce a feasible, logical, and sequential development plan for the renovation of the Department's exhibits and presentations at the Minnesota State Fair.

Professional, Technical & Consulting Contracts

Prospective respondents who have any questions regarding the Complete Request for Proposal may call or write:

Judy Melander
Information and Publications Manager
MN/DNR Bureau of Information and Education
500 Lafayette Road
St. Paul, MN 55155-4046
(612) 296-0906

All final deliverables will be submitted to the Department by January 1, 1990.

The Department estimates the cost of this proposal should be in the vicinity of \$15,000.

Department of Transportation

Request for Proposal for a Minnesota Highway User Cost Allocation Study

The State of Minnesota, Department of Transportation, is seeking proposals from qualified, experienced consultants to conduct a Minnesota Highway User Cost Allocation Study.

The scope of the study includes state and local roads and all levels of revenue contribution. Based on study analysis results, the final report shall contain recommendation for changes in Minnesota's present highway financing structure which will help address any inequities that may have been found between a user group's (vehicle class) cost responsibility allocated and the revenue contributions made. Approximately \$300,000 will be available to fund the study. Responders subject to requirements of Minnesota Human Rights Act, Section 363.073.

Proposals must be received by 5:00 P.M., August 22, 1989. It is expected that a consultant will be hired by mid-September, 1989.

The Study must be completed and the final report, with all deliverables submitted by September 25, 1990.

For a complete RFP or other information contact:

Charles Sanft, Director
Truck and Economic Studies Section
Room 820, Transportation Building
John Ireland Boulevard
St. Paul, MN 55155

This request does not obligate the State and the States reserves the right to cancel this solicitation.

All expenses incurred in responding to this request shall be borne by the responder.

Department of Transportation

Operations Division

Notice of Availability of Contract for Management Information Study

The Minnesota Department of Transportation is requesting proposals for the development of a management information system that will meet management and government reporting requirements of the Mn/DOT Equal Employment Opportunity Contract Management Unit. The Minnesota Department of Transportation estimates that the cost of this project need not approach but shall not exceed forty thousand dollars (\$40,000.00). It is anticipated that the contract period will begin on September 1, 1989 and continue through January 31, 1990. For further information, or to obtain a copy of the completed Request for Proposal, contact:

Carl Fransen
Compliance Reviews
E.E.O. Contract Management
Minnesota Department of Transportation
Room 318
Transportation Building
Saint Paul, Minnesota 55155
Telephone (612) 297-1869

Professional, Technical & Consulting Contracts

Proposals must be received at the above address no later than 4:30 P.M. on August 21, 1989. This request does not obligate the State of Minnesota, Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

Supreme Court Decisions

Decisions Filed 21 July 1989

C5-88-1968 In Re Petition for Disciplinary Action against Harlan P. Klein, an Attorney at Law of the State of Minnesota. Supreme Court.

When, during the course of handling a dissolution action, an attorney misrepresents facts to a court and opposing counsel and fraudulently alters and notarizes court documents, indefinite suspension from the practice of law is warranted.

Indefinite suspension. Popovich, C.J.

C1-88-512 Mary Mammenga v. State of Minnesota Department of Human Services, et al., petitioners, Appellants. Court of Appeals.

1. An agency rule requiring a general assistance recipient attending a General Education Development program to attend at least 6 hours of GED instruction per week is not invalid as violative of constitutional due process.

2. An agency rule interpreting "completing a secondary education program" as "completing high school" is within the statutory authority of the agency.

Reversed. Simonett, J.

Dissenting, Wahl & Keith, JJ.

C3-88-1113 Sherry Stern v. Donald J. Dill, D.D.S., Appellant. Court of Appeals.

1. The trial court may grant an extension of time for filing an affidavit identifying expert witnesses after expiration of the 180-day limit under *Minnesota Statutes* § 145.682 (1988).

2. The trial court should have heard respondent's oral motion for an extension of time to file her affidavit identifying expert witnesses.

Affirmed. Simonett, J.

CX-88-1173 State of Minnesota v. Dale Kenneth Goulette, petitioner, Appellant. Court of Appeals.

Imposition of five consecutive sentences, on the facts of this case, unfairly exaggerates the criminality of the defendant's conduct.

Affirmed as modified. Coyne, J.

C2-88-2642 James C. Backaus v. Murphy Motor Freight Lines, Self-Insured and Special Compensation Fund, Relator. Workers' Compensation Court of Appeals.

1. Wages are compensation for labor and services and include neither the income from capital equipment nor the increment in the value of a business interest arising out of the worker's contributions of capital.

2. The burden of proving that any portion of an employee's compensation represents the value of the use of the employee's equipment or the return on capital falls on the employer.

Reversed. Coyne, J.

C3-88-883 State of Minnesota v. Richard James VanWert, petitioner, Appellant. Court of Appeals.

Trial court prejudicially erred in its response to a jury question concerning elements of criminal vehicular operation resulting in injury, *Minnesota Statutes* § 609.21, subds. 2(2), 2(3) (1988). The state must prove not just that the defendant drove his vehicle while under the influence of alcohol or with a blood alcohol concentration of .10 or more but also must prove that defendant drove the vehicle in a negligent manner.

Reversed and remanded for new trial. Keith, J.

Order Regarding Extension of the Experimental Modification of Supreme Court Opinion News Embargo Rule

WHEREAS, the Supreme Court, in an order dated and filed April 5, 1989, authorized a three-month experimental modification of the Supreme Court opinion news embargo rule beginning April 13; and

WHEREAS, the three month period is about to end; and

WHEREAS, the Supreme Court believes that more time is needed to fully measure the results of the experiment;

NOW, THEREFORE, IT IS ORDERED that effective July 14, 1989, and continuing until July 1, 1990, the news media may continue, on an experimental basis, to contact the attorneys involved in the Supreme Court opinion cases after 3 p.m. on Thursday for background information. The information shall not be released until 12:01 a.m. Friday.

Dated: 12 July 1989

BY THE COURT:

Peter S. Popovich, Chief Justice

Announcements

Governor's Appointments: Governor Rudy Perpich appointed former Chief Judge of the Federal District Court **Miles Lord** to the Minnesota Judicial Merit Advisory Commission. Judge Lord retired from the Federal Bench in 1985. He has been engaged in private practice with principal emphasis on personal injury cases, and he is also involved in legal consulting work with other attorneys. Also appointed were: **Carol Kummer** of Minneapolis and **Ellsworth Smogard** of Madison were reappointed to the Minnesota Automobile Assigned Claims Plan Bureau. The committee governs the operations of the Bureau in providing no-fault basic economic loss benefits to eligible recipients. **Ben Vander Kooi**, an attorney from Luverne, will be an at-large member on the Board of the Arts. The board supports the arts by providing grants and services. **Burdette V. Clifford** of Moorhead was reappointed to the Minnesota Educational Computing Corporation Board. This board acquires, leases and disposes of real and personal property, and establishes banking relationships and personnel policies. The Minnesota Medical Malpractice Joint Underwriting Association reappointed three members: **Patricia Murto** of Esko, **Lisa Lebedoff Peilen** of St. Louis Park, and **Penny Scheffler** of Minneapolis. This board was reactivated by the Commissioner of Commerce to provide medical malpractice insurance to doctors who are unable to purchase it elsewhere. **Michael Schultz** of Red Wing was appointed to the Board of Examiners for Nursing Home Administrators. This board licenses nursing home administrators, as well as investigates complaints and rule violations in nursing homes.

Arts Board Awards Grants: The Minnesota State Arts Board approved \$82,200 in grants for the 1990 Series Presenters program on June 22. The program offers assistance to nonprofit organizations in Minnesota that present five or more professional artists, companies, or exhibitions during an annual season. Through this program, the Arts Board provides Minnesota audiences access to outstanding national and regional tours in the performing and visual arts. Grantees for this program were chosen from a field of ten eligible organizations by an advisory panel made up of volunteer artists and arts professionals. The total amount requested for fiscal year 1990 was \$171,900. Series Presenters grantees for fiscal year 1990 were: Chamber Music Society of Saint Cloud \$5,000, College of Saint Benedict, Saint Joseph \$7,500, College of Saint Catherine, Saint Paul \$7,000, Concordia College, Moorhead \$5,000, Greater Lakes Performing Arts, Pequot Lakes \$5,500, Moorhead State University, Moorhead \$8,000, Northrop Dance Series, Minneapolis \$19,500, Ordway Music Theatre, Saint Paul \$11,600, Saint John's University, Collegeville \$5,000, and the University of Minnesota-Morris \$8,100.

Grants Awarded for Housing Programs: Federal grants totaling \$105,000 have been awarded to six nonprofit agencies to fund innovative housing projects. The Jobs and Training Department first announced the availability of funds for innovative housing projects last March and received 23 grant requests for proposals totaling \$587,878. The proposals were to initiate and expand comprehensive services to homeless people by providing long-term, low-income housing options. In addition, they promoted private sector involvement and other assistance that would increase the availability of affordable housing and project development. The department selected six proposals for funding that involved the communities of Duluth, Fridley, Mahtomedi and Minneapolis. Projects to be funded include the pre-development costs to build two 10-unit apartment buildings on the Northeast Metro Technical Institute campus, exploration of the feasibility of the private sale of mobile home parks to current tenants, the establishment of a home equity conversion program for the elderly in Duluth, planning and development costs to remodel a former nursing student residence for housing Indian women, the development and planning costs for a single room occupancy residence in Duluth, and the partial funding for assembling a comprehensive financial plan to promote private/public involvement in

Announcements

Indian housing. Funds for these programs were made available through the Federal Community Services Block Grant (CSBG) to the State of Minnesota.

Arts Partnership Grants Approved: Three local arts organizations are this year's recipients of McKnight Arts Partnership Grants. The Metropolitan Council approved funding Thursday for the grants, which are sponsored by the Metropolitan Council Regional Arts Council and the McKnight Foundation. The grants are awarded each year through the McKnight Arts Partnership Grants Program to small or medium-sized Twin Cities arts organizations which have joint projects with other arts groups. This year's recipients are: The Frederic Chopin Society, Inc., (\$4,000) which will collaborate with Music in the Park Series; Teatro Latino de Minnesota, (\$13,275) with In the City Arts; and the Lyra Concert, (\$20,000) with the Bach Society of Minnesota. The three recipients were chosen by a 12-member panel made up of arts professionals who are current or past members of the Arts Advisory Committee of the Metropolitan Regional Arts Council, as well as arts professionals from the community at large. The panel's choices were then submitted to the Metropolitan Council for funding approval. Five recipients were chosen in 1988, the first year of the program.

Minnesota's North Shore

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

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

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

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

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

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



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

Guides for Small Businesses

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

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

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

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

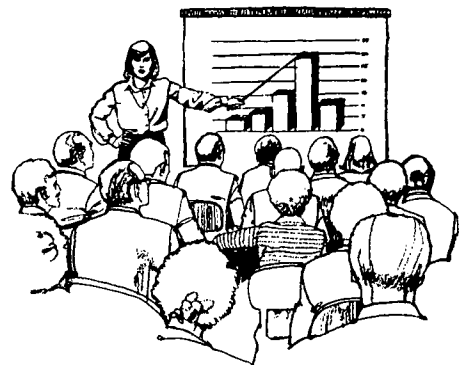
Starting and Managing a Small Service Business. Stock #16-48. \$2.00 + tax.

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

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

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

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



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

River Stories That Warm Your Heart

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

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

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

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

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



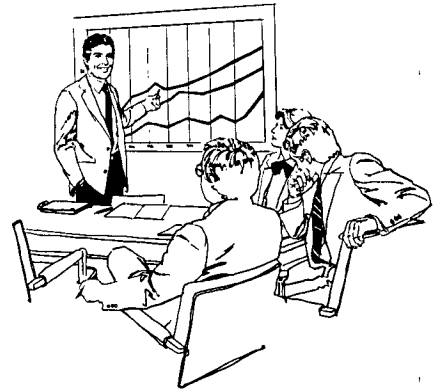
Publication editors: As a public service, please reprint this ad in your publication, either as is, reduced, or redesigned to suit your format.

Looking at Market Expansion?

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

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

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



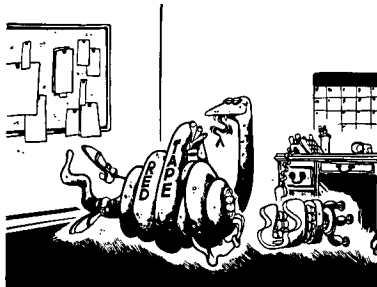
Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

"Red Tape" Choking You?

Relax. Unwind. Cut your frustrations with the *Minnesota Guidebook to State Agency Services 1987-1990*.

Packed with information that cuts red tape and gets results fast, the *Guidebook* tells you how to put your tax dollars TO WORK FOR YOU! It tells how to obtain grants, scholarships, assistance, information services, tax help and forms, maps, reports, guides, newsletters and publications.

You'll gain access to state agencies like never before and have AT YOUR FINGERTIPS emergency phone numbers, crisis and hot lines. This *Guidebook* will save you valuable time and money by



speedily getting you through the fears of license requirements, forms, fees, application and complaint filing, and even tells the length of waiting time for obtaining services.

Need to know about license requirements for your profession and for

recreation? IT'S A BREEZE with the *Guidebook* on your desk. It's a treasure of information on state parks, campgrounds, state forests and wildlife management areas, historic sites, museums, art galleries, festivals, libraries, education resources, agency descriptions with names and phone numbers of real people, statistical data and historical profiles.

It's "MINNESOTA'S OWNER'S MANUAL"—the handiest, fact-filled resource that answers thousands of your questions about Minnesota and how it works. Order today before they're gone. Stop struggling with bureaucratic red tape! Stock #1-4, 640 pages. \$15.00 + 90¢ tax.

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.

**It's
Never
O.K.**

Social workers', counselors' and therapists' guides and directories

It's Never OK. A handbook for professionals on sexual exploitation by counselors and therapists. It covers the therapeutic and prevention issues and employer responsibilities, plus recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16. \$19.95 + tax.

Chemical Dependency Programs Directory 1989. Features comprehensive listings for programs ranging from prevention/intervention services to a wide range of treatment services. Each type of program includes a listing of facilities and description of programs. Stock No. 1-12, \$15.00 + tax.

Process parenting—Breaking the Addictive Cycle. This training manual provides parent education and treatment techniques for professionals working with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 + tax.

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

Publication editors: As a public service please reprint this ad in your publications. Thank you.

Minnesota: national leader in education

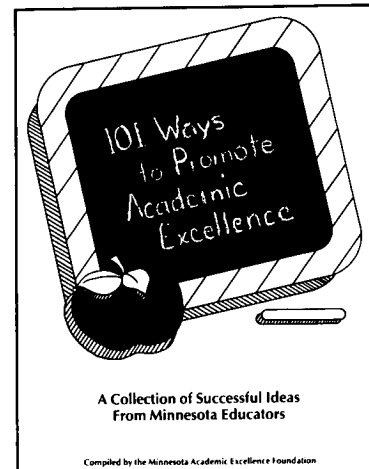
101 Ways to Promote Academic Excellence

A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

Education Directory, 1988-89

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers, and enrollment. 128 pages, paperbound. Code #1-93, \$7.00.

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.*



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.

MAILING LISTS GALORE

Successful business means successful sales

The Print Communications Division has a variety of mailing lists of licensed professionals and permit holders that will enable you to focus your marketing efforts on a targeted audience.

Types of lists available are: registered nurses, real estate agents, physicians, insurance agents, boatowners, hunters, cosmetologists, teachers, and many more! And you can get them on printouts, cheshire/pressure sensitive labels, 9-track magnetic tapes, and now diskettes for minimum orders.

What's more, you can choose from several selection capabilities. You will find our selections most helpful and beneficial to your business when you learn that you can acquire names and addresses of individuals in the areas you need to target most.

Find out more about our mailing lists by writing for our free mailing list service packet. In a hurry? Call (612) 297-2552 for more information. Requests can be sent to: Print Communications Division, Mailing List Service, 117 University Avenue, St. Paul, MN 55155.

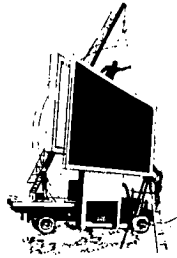
Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Minnesota Manufacturer's Directory 1988-89

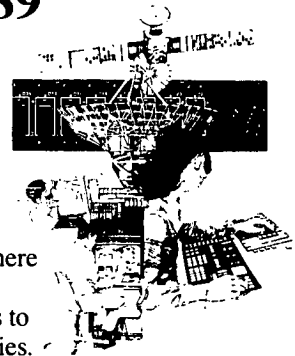


UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$76.50.

NEW: In the directory this year are two titles (where applicable) Chief Engineer and Data Processing Manager.



REVISED: There are more than 7,000 changes to the 7,068 entries.



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.

Voices of the Loon

Its voice severs the bonds to the world of cities, traffic, crowds, lights and noise. The lyrical magic of the loon, sometimes hauntingly eerie, makes the skin tingle, and the hair on the back of the neck stand on edge, awakening a primitive response. Its solitary wail turns the shadowy wilderness into a mysterious path into eternity.

Voices of the Loon, cassette tape, includes introduction and loon call identification, chorus from a distant lake, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during a thunderstorm, and coyotes calling with loons. Code #19-73, \$12.00.

The Loon: Voice of the Wilderness, hardbound with color plates and illustrations, 143 pages. Code #19-54, \$15.95.

Love of Loons. A Voyageur Wilderness Book, with color photos and lore of this delightful state bird make this a beautiful gift. Stock #9-22, \$12.95 + tax.

Loon Lapel Pin. Code #15-30, \$2.49.

Loon Windsock, 56 inches long in full color. Code #15-29, \$19.95.

Loon Nature Print, full-color poster 16" x 22", Code #15-18, \$3.00.

Loon with Baby-poster, 16" x 20". Code #15-48, \$3.00.

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.*



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

Minnesota's future environment

The issue of environmental protection is of continuing interest to both Minnesota business and the general public. Stay abreast of changes in state government regulations with these publications.

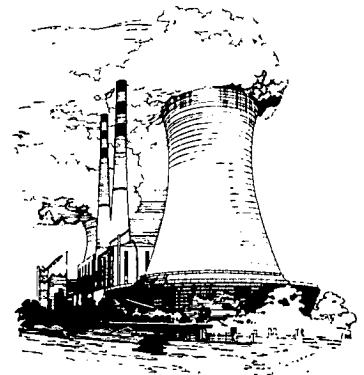
1988 Pollution Control Laws

Laws dealing with water pollution, disposal facilities, solid waste management, the MN Environmental Rights Act, recycling, and more. Code No. 2-21. \$16.00.

1989 Hazardous Waste Rules

Governs the production, storage, transportation and disposal of hazardous waste. MN Rules Chapter 7045 and 7046. Code No. 3-71. \$16.95.

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.

For Real Estate Professionals:

REAL ESTATE RULES 1987

Chapters 2800, 2805, and 2810 from the Minnesota Rules. *Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code No. 3-99. \$8.00

REAL ESTATE LAWS 1988

Includes all the changes made by the 1986 State Legislature. Complete and up-to-date. Code No. 2-92. \$7.00



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.**

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.



Morel: Minnesota's mushroom

The Mushroom Hunter's Field Guide. An all-color guide by Alexander Smith and Nancy Smith Weber with clear and orderly facts, explicit pictures and scientific accuracy. Stock # 9-10, \$14.95 + tax.

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

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

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

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

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

Murder: Minnesota style

Murder in Minnesota: A treasury of vintage crimes in which famous and obscure characters come to life in all their cleverness or murderous madness. Minnesota cases from 1858-1917. 253 pp. photos, index. Code 17-35, \$5.95.

Robber and Hero: On September 7, 1876 six members of the James-Younger gang blasted their way out of Northfield, Minnesota. George Huntington's classic account of the Northfield Bank raid is as fascinating today as it was when first published 19 years after the attempted robbery. 125 pp., charts, maps, photos, with index. Code 17-40, \$5.95.

Secrets of the Congdon Mansion: The prosecutor called it a crime of greed. A complex, intriguing murder case, set in one of Minnesota's most spectacular mansions, and now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball, 64 pp., drawings. Code 19-56, \$4.95.

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

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

Minnesota's Bookstore

Publications, Services, Subscriptions

Order Form on Back—For Information, Call 297-3000

NEW PUBLICATIONS:

Minnesota Rules 1989. An 11-volume set of rules from the approximately 75 agencies empowered to promulgate rules by the Administrative Procedure Act. Stock #18-200, \$160.00 + tax, or \$15 for individual volumes. **NOTE:** This is a subscription service for the set, entitling subscriber to updates as they are produced.

Session Laws 1980. Three-volume set. Stock #18-2, \$38.00 + tax per set.

Chemical Dependency Programs Directory 1989. Features comprehensive listings for programs ranging from Prevention/Intervention Services to a wide range of Treatment Services. Each type of program includes an alphabetical listing of facilities and brief narrative description of programming provided. Stock No. 1-12, \$15.00 plus tax.

Process Parenting—Breaking the Addictive Cycle. A training manual that provides parent education and treatment techniques for professionals who work with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 plus tax.

It's Never Okay: A Handbook for Professionals on Sexual Exploitation by Counselors and Therapists. Therapeutic and prevention issues and employer responsibilities are discussed in this task force report, as well as recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16, \$19.95

Hazardous Waste Rules 1989. Governs the storage, treatment, utilization, processing, transfer, and disposal of hazardous waste. Contains the complete requirements for application for permits for discharge of hazardous waste on construction and operation of a treatment facility. Stock No. 3-71, \$16.95 plus tax.

Environmental Quality Board Rules 1989. Essential for long-term planning. Details the scope, purpose and objectives of the rules. Explains the need for environmental impact statements and the review process. Includes a special section on large energy facilities and high voltage transmission lines. Stock No. 3-54, \$5.00 plus tax.

OTHER PUBLICATIONS

Our Minnesota. More than 100 full-color photos by Les and Craig Blacklock portray Minnesota in her seasonal beauty, with text from the personal journal of Fran Blacklock's thirty years of traveling the state. Stock #9-23. \$12.95 plus tax.

Historic Sites and Place Names of Minnesota's North Shore. John Fritzen, long time employee of the Minnesota DNR draws upon his almost 40 years as a forester, mostly spent on Minnesota's colorful and legendary North Shore, to regale readers with tales of timbermen, pioneer settlers, miners, commercial fishermen and others. Black and white photos. Stock #9-11. \$3.50 plus tax.

Landscaping for Wildlife. Attract songbirds, deer, butterflies, hummingbirds, pheasants, and other wildlife to your property by using the tips in this 144-page, 4-color book. Stock #9-15, \$8.95 plus tax. See "Special Set Offer" below.

Woodworking for Wildlife. Carefully illustrated with a variety of game bird and mammal box designs, including maintenance requirements and important tips on placement of nests in proper habitat areas. 47 pages with diagrams. Stock #9-14, \$3.95 plus tax. See "Special Set Offer" below.

"Special Set Offer." Save 10% by purchasing the two books together on wildlife mentioned above. Stock #9-20, \$10.95 plus tax.

Minnesota Manufacturer's Directory, 1989. More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchasing managers, and four manufactured products. Stock #40-2. \$76.50 + \$4.59 sales tax.

SUBSCRIPTIONS:

State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court Calendar, Supreme Court and Tax Court Decisions. Annual subscription \$130; Trial Subscription (13 weeks) \$40.00; Single copies \$3.50.

Workers Compensation Decisions. Volume 40. Selected landmark decisions of the Worker's Compensation Court of Appeals. Annual subscription. \$105.00.

SERVICES:

Mailing Lists. Lists of Minnesota licensed professionals and permit holders. Write or call (612) 297-2552 for a free mailing list catalog which contains available lists, selections, formats, pricing and ordering information.

American Flag. Perfect for home or office. 3' x 5' with embroidered stars. Heavy nylon bunting. Code No. 6-1. \$21.00, plus tax.

1989 Lake Map Index. Listing over 4,000 lake maps. Free.

1989 Publication Catalog of Minnesota's Bookstore. Lists publications available through Minnesota Documents Center. Free.

State Register Binder. Durable 3½ inches, forest green binders imprinted with the *State Register* logo. \$6.50 plus 39¢ tax.

