

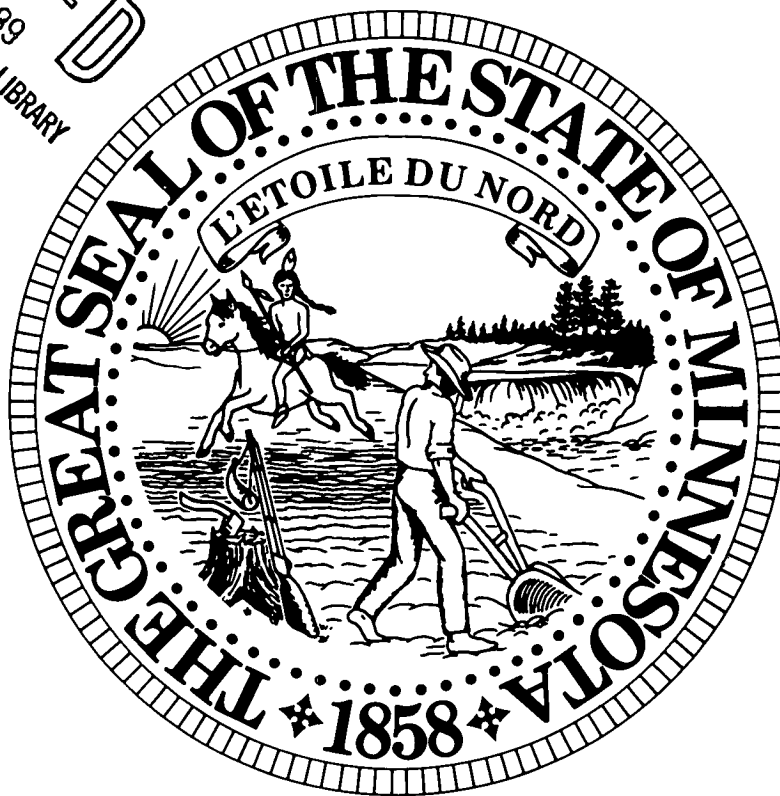
2

State of Minnesota

# STATE REGISTER

Department of Administration—Print Communications Division

**RECEIVED**  
AUG 08 1989  
LEGISLATIVE REFERENCE LIBRARY  
STATE CAPITOL  
ST. PAUL, MN. 55155



Published twice weekly

7 August 1989

Volume 14, Number 6

Pages 265-320

# 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
6	Monday 24 July	Monday 31 July	Monday 7 August
7	Monday 31 July	Monday 7 August	Monday 14 August
8	Monday 7 August	Monday 14 August	Monday 21 August
9	Monday 14 August	Monday 21 August	Monday 28 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 Communication 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 1-6 inclusive . . . . . 268

## Proposed Rules

### Commerce Department

Petroleum tank release compensation board . . . . . 269

### Dentistry Board

Licensure . . . . . 272

### Vocational Technical Education Board

Part-time licenses, financial aid administrator, and certain new venture programs . . . . . 276

## Adopted Rules

### Education Department

Special education . . . . . 281

## Commissioners' Orders

### Department of Natural Resources

Order No. 2343: Regulations for hunting in Camp Ripley during 1989 . . . . . 288

## Executive Orders

Emergency Order 89-6: providing for Personnel and Equipment for the Monticello Nuclear Power Plant Exercise . . . . . 290

## Errata

### Administration Department

Bindery error causes missing pages in July 31, 1989 STATE REGISTER . . . . . 291

## Official Notices

### Commerce Department

Hearing date change . . . . . 291

### Minnesota Comprehensive Health Association

Meeting of the studies committee . . . . . 292

### Ethical Practices Board

Advisory opinion #101 on legal defense fund . . . . . 292

### Health Department

Opinion sought for proposed rules governing various subjects . . . . . 292

### Higher Education Facilities Authority

Public hearing on proposal to issue revenue bonds for the Gustavus Adolphus College . . . . . 293

### Human Services Department

Opinion sought on rules for eligibility to participate in the medical assistance program . . . . . 293

### Investment Board

Meeting of the Administrative Committee . . . . . 294

### Metropolitan Council

Pre-drafting for the preparation of an amendment to the transit portion of the *Transportation Development GuidelPolicy Plan* of the *Metropolitan Development Guide* . . . . . 294

Preliminary review schedule for amendment of the *Transportation Development GuidelPolicy Plan* . . . . . 295

### Minnesota State Retirement System

Regular meeting of the board of directors . . . . . 296

### Regional Transit Board

Public hearing on the 1990 budget . . . . . 296

## Secretary of State

Vacancies in multi-member agencies . . . . . 296

## Trade & Economic Development Department

Public hearing on proposed project and issuance of bonds on behalf of Borgmann Enterprises . . . . . 298

Public hearing on proposed project and issuance of bonds on behalf of Dyno Graphics Corp and BBBB Partnership . . . . . 299

Public hearing on proposed project and issuance of bonds on behalf of Sauk Rapids Investments/ Diversified Products, Inc. . . . . 300

## State Contracts & Advertised Bids

### Administration Department

Materials Management Division: Commodities and requisitions open for bid . . . . . 301

Print Communications Division: Printing, typesetting, mailing and related services open for bid . . . . . 302

## Professional, Technical & Consulting Contracts

### Commerce Department

Proposals sought for services to be provided to the Minnesota Workers' Compensation Assigned Risk Plan . . . . . 303

### State Designer Selection Board

Proposals sought for a project for Comstock Memorial Union at Moorhead State University . . . . . 303

### Health Department

Proposals sought for conducting a training program for lead-based paint abatement contractors . . . . . 306

### Human Services Department

Proposals sought for design, development, implementation, and maintenance of a Medicaid Management Information System . . . . . 307

### Pollution Control Agency

Proposals sought for statements of qualifications of consultants to assist in preparation of a supplemental environmental impact statement on the Winona County incinerator . . . . . 308

## Trade & Economic Development Department Advisory Task Force on Biodegradable Plastics

Proposals sought for study of impact on consumers and businesses of required use of biodegradable plastics . . . . . 308

## Transportation Department

Proposals sought for highway user cost allocation study . . . . . 310

## Non-State Public Contracts

### Metropolitan Council

Invitation for sealed bids for computer systems maintenance . . . . . 310

## State Grants

### Board on Aging

Proposals sought for regional ombudsman offices for older Minnesotans . . . . . 311

### Corrections Department

Availability of funds for battered women services . . . . . 312  
Availability of funds for sexual assault services . . . . . 312

## Supreme Court Decisions

Decisions and Orders filed Friday 4 August 1989 . . . . . 312

## Announcements . . . . . 313

# 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 1-6

### 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

2741.0010-.0260 (proposed emergency) ..... 217

2741.0010-.0260 (proposed) ..... 197

2751.0100-.1200 (proposed) ..... 45

2820.0010; .1350-.1353; .2700-.2703; .4700 (adopted) ..... 216

2890.0010; .0060; .0070; .0090 (proposed) ..... 269

### Dentistry Board

3100.0100; .1400; .2000; .3300; .3400; .3500; .4100; .6200; .7000; .8700 (proposed) ..... 272

### Jobs & Training Department

3300.0100; .0500; .0601 (proposed) ..... 6

### Education Department

3515.6300; .6500; .6900-.7200 (proposed repealer) ..... 276

3525.0200; .0300; .0550; .0650; .0700; .0800; .1100; .1310;

.1550; .2310; .2325; .2330; .2335; .2350; .2430; .2440;

.2445; .2450; .2470; .2500; .2600; .2700; .2800; .2850;

.2950; .3000; .3100; .3150; .3300; .3400; .3500; .3600;

.3700; .3800; .3900; .4000; .4100; .4200; .4300; .4400;

.4600; .4700 (adopted) ..... 281

3525.0200 s.9a; .1600; .2300; .2320; .2330; .2330 s.2-4; .2360;

.4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500;

.5600; .5700; .5800; .5900; .6000; .6100; .6200; .6300;

.6400; .6500; .6600; .6700; .6800; .6900; .7000; .7100;

.7200; .7300; .7400; .7500 (repealed) ..... 281

3525.2600; .2700; and .2800 renumbered as 3525.2750;

.2550 and .2650 respectively (renumbered) ..... 281

### Vocational Technical Education Board

3700.1100; .1400; .1410; .1415; .1420; 3709.0355;

.0360 (proposed) ..... 276

### 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

### Labor & Industry Department

5205.0010 (adopted) ..... 216

### 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

## Proposed Rules

### Public Safety Department

7520.0100; .0200; .0350; .0680 (proposed) .....	108
7520.0680 (proposed repealer) .....	108

### Teaching Board

8700.1910 (adopted) .....	165
8700.2810; .7719 (proposed-withdrawn) .....	110

### Unlicensed Mental Health Providers Board

9000.0050; .0100; .0110; .0120; .0130; .0140; .0160; .0190; .0200 (adopted) .....	217
--	-----

### 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 Petroleum Tank Release Compensation Board

#### Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in *Minnesota Statutes*, section 14.22-14.28. Authority for the adoption of these rules is contained in *Minnesota Statutes*, Section 46.023 and 115C.07, Subd. 3.

All persons have 30 days to submit comments 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. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a 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*, sections 14.13 to 14.20.

**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

---

---

Persons who wish to submit comments or a written request for a public hearing should submit them to:

Robin H. Hanson  
Petrofund Board  
Department of Commerce  
500 Metro Square Building  
St. Paul, MN 55101  
(612) 297-4017

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 rules has been prepared and is available upon request from Robin H. Hanson.

Pursuant to *Minnesota Statutes* Section 14.115, 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 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 wish to receive a copy of the adopted rule, must submit the written request to Robin H. Hanson.

Phil Troutwine  
Chair  
Petroleum Tank Release  
Compensation Board

### Rules as Proposed

#### 2890.0010 DEFINITIONS.

Subpart 1. to 6. [Unchanged.]

Subp. 7. Volunteer. "Volunteer" means a person who:

- A. is not a responsible person under Minnesota Statutes, section 115C.02;
- B. holds legal or equitable title to the property where a release occurred; and
- C. incurs reimbursable costs on or after May 22, 1989.

#### 2890.0060 REIMBURSEMENT OF COSTS.

Subpart 1. **Generally.** Each responsible person who has ~~taken corrective action and~~ incurred reimbursable costs after June 4, 1987, in response to a release, and each volunteer who has incurred reimbursable costs on or after May 22, 1989, in response to a release, may apply to the board for partial reimbursement of eligible costs.

Subp. 2. **Conditions for reimbursement.** A reimbursement may not be made unless the board determines that:

~~A.~~ the commissioner has determined that the corrective action has, or when completed will have, adequately addressed the release ~~and that the release no longer poses a threat to in terms of public health and, welfare of, and the environment;~~

Subp. 2a. Amount of reimbursement. The board shall reimburse a responsible person or volunteer who is eligible for 90 percent of the portion of the total reimbursable costs less than \$250,000.

Subp. 2b. Reduced reimbursement. The board shall reduce the amount of reimbursement to be made under this part if it finds that the responsible person or volunteer has not complied with one or more of the following requirements:

~~B.~~ A. at the time of the release the tank was in substantial compliance with state and federal rules and regulations applicable to the tank, including rules or regulations relating to financial responsibility;

~~C.~~ B. the agency was given notice of the release as required by Minnesota Statutes, section 115.061;

~~D.~~ C. the responsible person or volunteer, to the extent possible, fully cooperated with the agency in responding to the release; ~~and~~

~~E.~~ D. if the responsible person is an operator, the person exercised due care with regard to operation of the tank, including maintaining inventory control procedures; and

E. the reimbursement shall be reduced as much as 100 percent for failure by the responsible person or volunteer to comply with items A to D. In determining the amount of the reimbursement reduction, the board shall consider:

- (1) the likely environmental impact of the noncompliance;

- (2) whether the noncompliance was negligent, knowing, or willful;
- (3) the deterrent effect of the award reduction on other tank owners and operators; and
- (4) the amount of reimbursement reduction recommended by the commissioner.

Subp. 3. **Multiple responsible persons.** If there is more than one responsible person or volunteer who incurs eligible corrective action reimbursable costs for a single release or at a single corrective action site, each responsible person or volunteer must apply separately for reimbursement. The reimbursement available to each applicant shall be 75 percent of the applicant's total eligible costs greater than \$10,000 and less than \$100,000. Not more than \$250,000 may be reimbursed for cost associated with a single release, regardless of the number of persons eligible for reimbursement.

Subp. 4. **Eligibility of other persons.** Notwithstanding Minnesota Statutes, section 115.09, subdivisions 1 to 3, the board shall provide full reimbursement to a person who has taken corrective action if the board determines that:

A. [Unchanged.]

B. the commissioner has determined that the person was not a responsible person or volunteer under Minnesota Statutes, section 115C.02; and

C. [Unchanged.]

#### **2890.0070 ELIGIBLE COSTS.**

**Subpart 1. Reimbursable corrective actions.** Costs associated with the following corrective actions may be eligible for reimbursement from the fund:

A. to F. [Unchanged.]

**Subp. 2. Documentation of reasonableness.** It is the responsibility of the applicant to prove the reasonableness of all incurred eligible costs. Upon request of the board or the board's staff, the applicant shall document the reasonableness of any costs included on the reimbursement application by providing one or more of the following:

A. evidence that the work was performed by a person or persons whose services were solicited through a competitive bidding procedure;

B. evidence that the cost is substantially equivalent to that charged by comparable person or persons in the same geographical area;

C. evidence that there was only one party reasonably available to perform the necessary work; or

D. evidence that there was only one party reasonably qualified to perform the necessary work.

The board shall reimburse only those costs which it determines to be reasonable.

#### **2890.0090 APPLICATION PROCESS.**

**Subpart 1. Applications.** A person who requests compensation from the fund shall complete, sign, and submit to the board a written application. The application shall be made on a form prescribed by the board and shall contain at least the following:

A. the name of the ~~responsible~~ person making the application;

B. to D. [Unchanged.]

Subp. 2. [Unchanged.]

**Subp. 3. Subsequent applications.** An eligible responsible person or volunteer who has already obtained partial reimbursement from the board and who has incurred additional or continuing eligible costs due to the same release may reapply if:

A. the amount of the person's original reimbursement was less than ~~75~~ 90 percent of the eligible costs ~~between \$10,000 and \$100,000 up to \$250,000.~~

B. the eligible costs submitted on a subsequent application are not related to any new releases at the site. The total reimbursement to a responsible person or volunteer for a release shall not exceed ~~75~~ 90 percent of the total eligible costs ~~between \$10,000 and \$100,000 up to \$250,000~~ regardless of the number of applications for reimbursement submitted by the responsible person or volunteer.

Subp. 4. to 6. [Unchanged.]

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

### Board of Dentistry

#### Proposed Permanent Rules Relating to Licensure

##### Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Board of Dentistry (hereinafter "Board") intends to adopt the above-entitled rules 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 rules is *Minnesota Statutes* §§ 150A.04, subd. 5; 150A.06, subds. 1, 2, 2a, and 4; 150A.08, subds. 1(6) and 3; 150A.10, subd. 1, 150A.11, subd. 2; and 214.06 (1988).

All persons have until September 8, 1989, in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the comment period which will close on September 8, 1989. If 25 or more persons submit a written request for a public hearing within the comment period, ending September 8, 1989, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address and is encouraged to identify the portion of the proposed rules 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:

Douglas R. Sell, Executive Director  
Minnesota Board of Dentistry  
Suite 109  
2700 University Avenue West  
St. Paul, Minnesota 55114  
Telephone: (612) 642-0579

The proposed rules 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 rules as noticed.

The rules proposed for adoption amend the basis for licensure by credentials of dental hygienists; increase existing fees and add a fee for licensure verification; require additional education for applicants who have failed any part of a clinical examination twice; add a basis for disciplinary action for failure to provide dental records to patients pursuant to *Minnesota Statutes* § 144.335; update titles of specialty dental practices for purposes of advertising; remove an expanded function for dental hygienists; and make various editorial changes to *Minnesota Rules* pts. 3100.0100, 3100.4100, and 3100.6200, without modifying the substantive meaning of the rule. A free copy of the rules is available upon request from Douglas R. Sell.

A Statement of Need and Reasonableness has been prepared and is available from Douglas R. Sell upon request. The Statement describes the need for and reasonableness of each provision of the proposed rules, identifies the data and information relied upon to support the proposed rules, and addresses the Board's position regarding the applicability of the small business rulemaking provisions and the impact of the proposed amendments on small businesses.

*Minnesota Statutes* § 14.115 specifies certain actions which an agency must take if an agency engages in rulemaking which may affect small businesses. It is the Board's position that the Board's rules are not subject to section 14.115 pursuant to subdivision 7(b) or (c). Nevertheless, should the rule amendments covered by this Statement of Need and Reasonableness be considered subject to section 14.115 and that they will impact on small businesses, the Board makes the following description of the probable quantitative and qualitative small business impact of the proposed rules. The impact will be negligible. The amendments which are editorial in nature will have no impact. See amendments to *Minnesota Rules* pts. 3100.0100, 3100.3500, subp. 3; 3100.4100; 3100.6200 J; 3100.7000; and 3100.8700, subp. 1A. The amendments to *Minnesota Rules* pts. 3100.1400 and 3100.3300 to .3500 relate to applicants. While they may result in increasing the cost of becoming licensed, these amendments will, more importantly, help assure that only applicants who meet minimally acceptable standards will be licensed or registered. *Minnesota Rules* pt. 3100.2000 amendments increases fees but only by a small amount. The new fee for licensure and registration verification will be borne by those requesting the verification such as insurance companies, hospitals, and clinics. It is appropriate that those who benefit from and need the verification information should bear the cost, which is minimal, i.e., \$5 for each license or registration verified. The increase and new fees are mandated by statute (*Minnesota Statutes* § 16A.128, subd. 1a) to assure that the Board's income will match its appropriations and general support costs. The impact on any regulated individual will be minimal. The proposed new rule, *Minnesota Rules* pt. 3100.6200 L which adds as a ground for disciplinary action the failure to comply with *Minnesota Statutes* § 144.335, and



the deletion of an obsolete dental hygienist duty (performing soft tissue curettage) from *Minnesota Rules* pt. 3100.8700, subp. 1B also should not have any material quantitative or qualitative impact on licensees or registrants.

Pursuant to *Minnesota Statutes* § 16A.128, subd. 2a (1988), a copy of this notice and the proposed rules were sent to the chairs of the House Appropriations Committee and Senate Finance Committee prior to their submission to the State Register.

If no hearing is required, upon adoption of the rules by the Board, the rules, 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 rules must submit the written request to Douglas R. Sell.

Dated: 25 July 1989

Douglas R. Sell  
Executive Director

## Rules as Proposed

### 3100.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of ~~these rules~~ this chapter and unless the context otherwise requires, the terms in subparts 2 to 21 have the meanings given them.

Subp. 2. **Act.** "Act" ~~shall mean~~ means Laws of Minnesota 1969, chapter 974, codified as Minnesota Statutes, sections 150A.01 to 150A.12, ~~as from time to time amended.~~

Subp. 3. to 5. [Unchanged.]

Subp. 6. **Board.** "Board" ~~shall mean~~ means the Board of Dentistry.

Subp. 7. to 9a. [Unchanged.]

Subp. 10. **Dental technician.** "Dental technician" means a person other than a licensed dentist who performs any of the services described in Minnesota Statutes, section 150A.10, subdivision 3 ~~of the act.~~

Subp. 11. and 13. [Unchanged.]

Subp. 14. **Minnesota Professional Corporations Act.** "Minnesota Professional Corporations Act" means Minnesota Statutes, sections 319A.01 to 319A.22, ~~as from time to time amended.~~

Subp. 15. **National board.** "National board" ~~shall mean~~ means an examination administered nationally and acceptable to the board.

Subp. 16. [Unchanged.]

Subp. 17. **Registered dental assistant.** "Registered dental assistant" means an assistant registered by the board pursuant to Minnesota Statutes, section 150A.06, subdivision 2a, ~~of the act.~~

Subp. 18. and 20. [Unchanged.]

Subp. 21. **Supervision.** "Supervision" ~~shall be defined in~~ means one of the following ~~classifications~~ levels of supervision, in descending order of restriction:

A. ~~"Direct supervision" means the dentist is in the dental office, personally diagnoses the condition to be treated, personally authorizes the procedure and before dismissal of the patient, evaluates the performance of the auxiliary.~~

B. ~~"General supervision" means the dentist has authorized the procedures and they are being carried out in accordance with his diagnosis and treatment plan.~~

C. ~~"Indirect supervision" means the dentist is in the office, authorizes the procedures, and remains in the office while the procedures are being performed by the auxiliary.~~

D. ~~"Personal supervision" means the dentist is personally operating on a patient and authorizes the auxiliary to aid his treatment by concurrently performing supportive procedures.~~

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

## Proposed Rules

A. “Personal supervision” means the dentist is personally operating on a patient and authorizes the auxiliary to aid in treatment by concurrently performing supportive procedures.

B. “Direct supervision” means the dentist is in the dental office, personally diagnoses the condition to be treated, personally authorizes the procedure, and before dismissal of the patient, evaluates the performance of the auxiliary.

C. “Indirect supervision” means the dentist is in the office, authorizes the procedures, and remains in the office while the procedures are being performed by the auxiliary.

D. “General supervision” means the dentist has authorized the procedures and they are being carried out in accordance with the dentist’s diagnosis and treatment plan.

### 3100.1400 APPLICATION FOR LICENSURE BY CREDENTIALS.

Any person who is already a licensed dentist or dental hygienist in another state or Canadian province desiring to be licensed to practice dentistry or dental hygiene in Minnesota shall present to the board an application and credentials as prescribed by the act. The applicant shall conform to the following rules of the board:

A. to C. [Unchanged.]

D. An applicant for licensure as a dental hygienist must have been in active practice in another state or Canadian province, or United States government service for at least one of the two years prior to ~~receipt of the board~~ receiving a completed application ~~by the board and~~. The applicant must submit at least two character references from dentists and two references from practicing dental hygienists.

E. to J. [Unchanged.]

### 3100.2000 FEES.

Subpart 1. **Application fees.** Each applicant for licensure as a dentist or dental hygienist or for registration as a registered dental assistant shall submit with a license or registration application a fee in the following amounts:

- A. dentist application, ~~\$75~~ \$100;
- B. dental hygienist application, ~~\$30~~ \$45; and
- C. dental assistant application, ~~\$20~~ \$25.

Subp. 2. **Annual license or registration fees.** Each dentist, dental hygienist, and registered dental assistant shall submit with an annual license or registration renewal application a fee as established by the board not to exceed the following amounts:

- A. dentist, ~~\$70~~ \$80;
- B. dental hygienist, ~~\$25~~ \$30; and
- C. registered dental assistant, ~~\$17~~ \$20.

Subp. 3. **Licensure by credentials.** Each applicant for licensure as a dentist or dental hygienist by credentials pursuant to Minnesota Statutes, section 150A.06, subdivision 4 and part 3100.1400 shall submit with ~~his or her~~ the license application a fee in the following amounts:

- A. dentist, ~~\$275~~ \$425; and
- B. dental hygienist, ~~\$80~~ \$100.

Subp. 4. [Unchanged.]

Subp. 5. **Duplicate license or registration fee.** Each licensee or registrant shall submit with a request for issuance of a duplicate of ~~his or her~~ the original license or registration or of an annual renewal ~~thereof of it~~ a fee in the following amounts:

- A. original dentist or dental hygiene license, ~~\$8~~ \$10; and
- B. initial and renewal registration certificates and license renewal certificates, ~~\$6~~ \$8.

Subp. 6. **Reinstatement fee.** No dentist, dental hygienist, or registered dental assistant whose license or registration has been suspended or revoked shall have ~~his or her~~ the license or registration reinstated or a new license or registration issued until ~~he or she~~ has submitted to the board a fee has been submitted to the board in the following amount:

- A. dentist, ~~\$75~~ \$100;
- B. dental hygienist, ~~\$30~~ \$45; and
- C. registered dental assistant, ~~\$20~~ \$25.

Subp. 7. to 9. [Unchanged.]

Subp. 9a. Verification of licensure. Each institution or corporation shall submit with a request for verification of a licensure or registration a fee in the amount of \$5 for each license or registration to be verified.

Subp. 10. [Unchanged.]

### **3100.3300 EXAMINATION OF DENTISTS.**

Subpart 1. to 4. [Unchanged.]

Subp. 4a. Additional education for two failed clinical examinations. When an applicant fails twice any part of the clinical examination required by Minnesota Statutes, section 150A.06, subdivision 1, the applicant may not take it again until the applicant successfully completes additional education provided by an institution accredited by the Commission on Accreditation. The education must cover all of the subject areas failed by the applicant in each of the two clinical examinations. The applicant may retake the examination only after the institution provides to the board information specifying the areas failed in the previous examinations and the instruction provided to address the areas failed, and certifies that the applicant has successfully completed the instruction. The applicant must take the additional instruction provided above each time the applicant fails the clinical examination twice.

Subp. 5. [Unchanged.]

### **3100.3400 EXAMINATION OF DENTAL HYGIENISTS.**

Subpart 1. to 3. [Unchanged.]

Subp. 3a. Additional education for two failed clinical examinations. When an applicant fails twice any part of the clinical examination required by Minnesota Statutes, section 150A.06, subdivision 2, the applicant may not take it again until the applicant successfully completes additional education provided by an institution accredited by the Commission on Accreditation. The education must cover all of the subject areas failed by the applicant in each of the two clinical examinations. The applicant may retake the examination only after the institution provides to the board information specifying the areas failed in the previous examinations and the instruction provided to address the areas failed, and certifies that the applicant has successfully completed the instruction. The applicant must take the additional instruction provided above each time the applicant fails the clinical examination twice.

Subp. 4. [Unchanged.]

### **3100.3500 EXAMINATION OF REGISTERED DENTAL ASSISTANTS.**

Subpart 1. and 2. [Unchanged.]

Subp. 2a. Additional education for two failed clinical examinations. When an applicant fails twice any part of the clinical examination required by Minnesota Statutes, section 150A.06, subdivision 2a, the applicant may not take it again until the applicant successfully completes additional education provided by an institution accredited by the Commission on Accreditation. The education must cover all of the subject areas failed by the applicant in each of the two clinical examinations. The applicant may retake the examination only after the institution provides to the board information specifying the areas failed in the previous examinations and the instruction provided to address the areas failed, and certifies that the applicant has successfully completed the instruction. The applicant must take the additional instruction provided above each time the applicant fails the clinical examination twice.

Subp. 3. **Additional examination ~~contract~~ content.** All candidates shall be examined for general knowledge of the act and the rules of the board.

Subp. 4. [Unchanged.]

### **3100.4100 CONTINUING DENTAL EDUCATION.**

Subpart 1. to 3. [Unchanged.]

Subp. 4. **Exemptions.** A licensee or registrant who pays an annual license or registration renewal fee ~~and meets any of the following conditions~~ is exempt from complying with the CDE requirements if he or she files with the board an affidavit specifying the condition within which he or she falls:

- A. resides permanently outside the state and does not practice within the state; or
- B. is retired from practice and does not perform any dental services on a volunteer or free basis; or

**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

---

---

~~C. is permanently disabled and unable to practice dentistry, that the licensee or registrant does not practice, including on a volunteer or free basis, within the state.~~

Subp. 5. [Unchanged.]

### 3100.6200 CONDUCT UNBECOMING A LICENSEE OR REGISTRANT.

“Conduct unbecoming a person licensed to practice dentistry or dental hygiene or registered as a dental assistant or conduct contrary to the best interests of the public,” as used in *Minnesota Statutes*, section 150A.08, subdivision 1, clause (6), shall include the act of a dentist, dental hygienist, registered dental assistant, or applicant in:

A. to I. [Unchanged.]

J. failing to cooperate with the board, its agents, or those working on behalf of the board as required by part ~~3100.6300~~ 3100.6350; ~~and~~

K. failing to maintain adequate safety and sanitary conditions for a dental office as specified in part 3100.6300; ~~and~~

L. failing to provide access to and transfer of medical and dental records as prescribed by *Minnesota Statutes*, section 144.335.

### 3100.7000 ADVERTISING DENTAL SPECIALTY PRACTICE.

Subpart 1. **Specialty areas.** The following special areas of dentistry are recognized as suitable for the announcement of specialty dental practices:

A. endodontics (endodontist);

B. oral and maxillofacial surgery (oral surgeon/oral ~~and~~ maxillofacial surgeon);

C. ~~maxillofacial surgeon~~;

~~D.~~ oral pathology (oral pathologist);

~~E.~~ D. orthodontics (orthodontist);

~~F.~~ E. ~~pedodontics~~ pediatric dentistry (~~pedodontist~~ pediatric dentist);

~~G.~~ F. periodontics (periodontist);

~~H.~~ G. prosthodontics (prosthodontist); and

~~I.~~ H. public health.

Subp. 2. and 3. [Unchanged.]

### 3100.8700 DENTAL HYGIENISTS.

Subpart 1. **Permissible duties.** Dental hygienists may perform the following services under the general supervision of a dentist:

A. all services permitted under parts 3100.8400 to ~~3100.8600~~ 3100.8500, subpart 1;

B. complete prophylaxis to include scaling, root planing, ~~soft tissue curettage~~, polishing of restorations, and temporary replacement of restorations;

C. to E. [Unchanged.]

Subp. 2. and 3. [Unchanged.]

## State Board of Vocational Technical Education

### Proposed Permanent Rules Relating to Part-time Licenses, Financial Aid Administrator, and Certain New Venture Programs

#### Notice of Intent to Adopt a Rule Without a Public Hearing

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

---

---

## Proposed Rules

All persons have 30 days until 4:30 p.m., Tuesday, September 5, 1989, in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

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

Glenda Moyers, Supervisor  
Minnesota Technical Institute System  
100 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
Telephone: (612) 296-5707

Georgia Pomroy, License Revision Specialist  
Minnesota Technical Institute System  
100 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
Telephone: (612) 296-0680

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

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

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

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

Glenda Moyers  
Minnesota Technical Institute System  
100 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-5707

Georgia Pomroy  
Minnesota Technical Institute System  
100 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-0680

Helen Henrie, Deputy Director  
Minnesota Technical Institute System

### Rules as Proposed (all new material)

#### 3700.1100 FINANCIAL AID ADMINISTRATOR.

Subpart 1. **License required.** A person must be licensed as a financial aid administrator under this part if the person is responsible for any of the activities listed in this subpart:

A. serving as a primary resource person on financial aid and providing information on financing higher education to current and prospective students, parents, secondary counselors, social service agencies, and technical institute staff members;

B. completing all institutional applications and reports for program participation required by the institute, the state and federal government, or other agencies;

C. interpreting state and federal regulations for the development of policies and procedures in administering financial aid programs and services;

D. establishing uniform procedures and standards for the awarding and disbursing of financial aid and the monitoring of student academic progress;

**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

---

E. complying with federal, state, and local audit requirements for financial aid administrators;

F coordinating the integration of agency funding into the awarding process; and

G. developing forms and brochures providing student consumer information regarding applications and rights and responsibilities, as well as all documents necessary for program management.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100, except that the applicant need not comply with part 3515.1400, items A to D.

Subp. 3. **Educational and occupational experience requirement.** An applicant for a license as financial aid administrator must meet the requirements listed in item A, B, C, or D. The education must be from an accredited postsecondary institution.

A. 4,000 hours of verified occupational experience as a financial aid office administrator/director and a bachelor's or higher degree with a major in educational counseling and guidance, postsecondary student personnel administration, federal aid administration, or business administration.

B. 6,000 hours of verified occupational experience providing administrative support to a financial aid administrator/director and a two-year program or a program of 90 or more quarter credits or associate degree in financial aid assistant.

C. 8,000 hours of verified occupational experience as a financial aid administrator/director.

D. 8,000 hours of verified occupational experience providing administrative support to a financial aid administrator/director, and 60 hours of beginning or intermediate student financial aid administration workshops sponsored by professional national, state, or regional financial aid administrator associations or 15 quarter credits in student financial aid and administration theory and practice.

Subp. 4. **Initial renewal requirements.** An applicant must submit verification of completion of philosophy of vocational education and an approved human relations course before the applicant's first license renewal.

Subp. 5. **Conversion of current financial aid officers.**

A. A current financial aid officer license converts to a financial aid administrator license on the effective date of this part and upon the next renewal the applicant's license will indicate financial aid administrator.

B. Applicants verifying one year of experience within a Minnesota technical institute performing the duties listed in part 3700.0350, subpart 1, within five years before the effective date of this part are eligible for a license as a financial aid administrator.

### 3700.1400 PART-TIME INSTRUCTOR LICENSURE.

#### 3700.1410 LICENSES FOR PART-TIME CONTINUOUS OR PART-TIME GENERAL STUDIES INSTRUCTIONAL PERSONNEL.

Subpart 1. **Listed here.** An applicant for a license to teach, part-time, in a postsecondary continuous program or general studies courses shall meet the requirements in this part if the applicant is not licensed to teach the offering full time. The requirements are in addition to the requirements for a particular license (listed in the part that covers that particular license).

Subp. 2. **Who must be licensed.** A person holding a position as a part-time continuous program or part-time general studies instructor must be licensed according to this part if the person is not licensed for full-time instruction in the offering. A part-time continuous program or part-time general studies instructor is responsible for teaching credit or clock hours course content that has been identified for incorporation into an approved continuous program by a qualified full-time continuous program or general studies instructor.

Subp. 3. **Scope of practice.** Part-time personnel licensed in this part cannot provide more than 270 clock hours or 12 quarter credits of instruction in a fiscal year.

Subp. 4. **Length of issuance.** Initial licenses are granted for five years upon submission of an application bearing the signature of a recommending authorized postsecondary administrator as evidence of completion of six clock hours of teacher training. Five-year renewals are granted upon submission of an application bearing the signature of a recommending authorized administrator as evidence of completion of 24 clock hours of teacher training and maintenance of currency in the respective field of licensure.

Subp. 5. **General requirements.** The applicant:

A. must complete six clock hours of teaching techniques as determined by the local technical institute administrator before issuance of initial license;

B. must get the signature of the recommending local authorized postsecondary technical institute administrator; and

C. need not comply with the human relations and teacher education sequence provisions in parts 3315.1400, 3515.2100, 3515.5700, and 3515.5800.

**3700.1415 PART-TIME CONTINUOUS PROGRAM INSTRUCTOR LICENSE.**

Subpart 1. **Listed here.** An applicant for a license to teach part-time in a continuous program must meet the requirements in this part and part 3700.1410.

Subp. 2. **Specific license requirements.** An applicant must meet the requirements in item A, B, C, or D.

A. The applicant must verify meeting the full-time requirements for licensure in the specific field including the recency requirements without regard to parts 3515.1400 and 3515.2100.

B. The applicant must have a bachelor's or higher degree with a major acceptable for full-time licensure. The degree must include or the applicant must add 15 quarter credits in the specific field of licensure. The recency requirement may be satisfied if the degree is received, or if any of the following are accumulated within five years of applying for the license:

- (1) 15 quarter credits;
- (2) 180 clock hours in the specific field of licensure content;
- (3) 150 clock hours of secondary, postsecondary, business, industrial, or military teaching in the primary program content;

or

- (4) 500 hours of the required occupational experience.

C. The applicant must have 4,000 hours of vendor, business, or industrial training and development experience or 4,000 hours teaching primary program content in the specific field of licensure in an accredited postsecondary, business, industrial, or military setting. A minimum of 2,000 of the required hours must be experienced within five years of applying for the license.

D. The applicant must have a minimum of one year of the technical training or education that is required for full-time licensure or is listed as a substitute for occupational experience in the requested license field and one-half of the total occupational experience as required for that license. The recency requirement of the requested license field also must be met.

**3700.1420 PART-TIME GENERAL STUDIES CONTINUOUS PROGRAM LICENSE.**

Subpart 1. **Listed here.** An applicant to teach in a part-time general studies continuous program area must meet the requirements in this part and part 3700.0410.

Subp. 2. **General requirements.** The applicant must have the academic preparation required for a full-time license in the field.

**3709.0355 COLLISION AND PROPERTY DAMAGE APPRAISAL.**

Subpart 1. **May teach.** A teacher who has a collision and property damage appraisal license may teach in the collision and property damage appraisal program and may also teach:

- A. auto damage appraisal;
- B. construction damage appraisal; and
- C. claim representative trade knowledge.

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

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of verified occupational experience as a multi-line insurance damage appraiser or adjuster in automotive, property, and casualty lines.

Subp. 4. **Occupational experience substitution.** The applicant may substitute the education described in item A, B, or C for up to 2,100 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. An associate or higher degree with a major in engineering, building inspection, construction supervision, automotive technician, accounting, business administration, business management, marketing, or sales may be substituted for 2,000 hours.

B. A diploma in collision and property damage appraisal, auto body repair, auto parts merchandising, automotive mechanics, marketing, carpentry, or sales may be substituted. A one-year program or 45 quarter credit program equals 1,050 hours. A two-year program or 90 quarter credit program equals 2,100 hours.

**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

---

C. The completion of courses for credit or clock hours in introduction to computers or microcomputers, introduction to spreadsheets, customer communications, business law, applied mathematics, construction materials, blueprint reading, real estate insurance, business correspondence, carpentry, photography, auto insurance, auto estimating collision damage, auto body shop, use of industry reference manuals, building insurance, building construction, building manuals, and building damage. One clock hour of instruction equals one clock hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

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

### 3709.0360 BUSINESS TO BUSINESS TELEMARKETING.

Subpart 1. **May teach.** A teacher who has a business to business telemarketing license may teach in the business to business telemarketing program and may also teach courses in:

- A. telecommunications marketing management;
- B. telephone techniques;
- C. selling techniques;
- D. market research; and
- E. telemarketing customer service.

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

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience.

A. At least 4,000 of the hours must be experience as a manager/supervisor staffing and training in business to business telemarketing. No substitution is allowed for these hours.

B. 4,000 hours may be in any of the following: telemarketing consultant, business or industrial telemarketing trainer, telemarketing salesperson, telephone customer service representative, direct marketing project manager that includes marketing information systems, or business to business field sales.

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

A. A bachelor's or higher degree with a major in business management, business administration, communications, marketing, or advertising may be substituted for 4,000 hours.

B. An associate degree in business administration, business management, marketing, or advertising may be substituted for 1,000 hours. An associate degree in business to business telemarketing may be substituted for 2,000 hours.

C. A diploma in business to business telemarketing may be substituted. A one-year program or a program of 45 or more credits equals 1,050 hours. A two-year program or a program of 90 or more credits equals 2,100 hours. A two-year program in marketing, management, supervision, advertising, or sales equals 1,050 hours.

D. The completion of courses for credit or clock hours in telemarketing content. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Occupational experience substitution.** Teaching experience at an accredited postsecondary institution, industrial or business setting in primary content of business to business telemarketing for 1,500 hours of the 2,000 required in part 3709.0100, subpart 1, item A. Two hours of teaching equal one hour of the occupational experience.

**REPEALER.** *Minnesota Rules*, parts 3515.6300, 3515.6500, 3515.6900, 3515.7000, 3515.7100, and 3515.7200, are repealed.

A person with a license issued under a part repealed in this repealer who is using the license may keep and renew the license under that part as long as the person remains employed by the person's employer on the effective date of this repealer.



# Adopted Rules

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

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

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

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

## Department of Education

### Adopted Permanent Rules Relating to Special Education

The rules proposed and published at *State Register*, Volume 13, Number 33, pages 1960-1984, February 13, 1989 (13 S.R. 1960) are adopted with the following modifications:

#### Rules as Adopted

#### STANDARDS AND PROCEDURES

##### 3525.0200 DEFINITIONS FOR SPECIAL EDUCATION.

Subp. 1a. **Administrator or administrative designee.** "Administrator" or "administrative designee" means a representative of the school district, other than the pupil's teacher, who is licensed to provide or supervise the provision of special education and who has the authority to make decisions about the appropriateness of the proposed program and who has the authority to commit the responsible district's resources. An administrator or an administrative designee must ~~be in attendance~~ participate at each IEP meeting and must be identified at the ~~beginning of the meeting.~~

Subp. 1b. **Assessment or reassessment.** "Assessment" or "reassessment" means a ~~full and an~~ appropriate individual educational evaluation of a pupil's performance or development conducted by appropriately licensed personnel in accordance with recognized professional standards and parts 3525.2500 to 3525.2850.

Subp. 3a. **Functional skills assessment.** "Functional skills assessment" means the use of test instruments and assessment procedures to determine current levels of skill development and factors relevant to ~~the emergence of future skills that currently are critical to increased:~~

Subp. 18a. **Regular education program.** "Regular education program" means the normal early childhood, elementary, secondary, gifted, or vocational education offerings, including instruction, training, aids, and services in the classroom or other appropriate places.

Subp. 20a. **Special education.** "Special education" means any specially ~~designated~~ designed instruction and related services or support services to meet the unique cognitive, affective, or psychomotor needs of a pupil as stated in the IEP.

Subp. 23. **Support services.** "Support services" means any specially designed services that assist in the delivery of instruction or related services to a pupil. This includes braillists, interpreter services, ~~management aides~~ program or pupil support assistants, transportation, and other similar services.

##### 3525.0300 PROVISION OF FULL SERVICES.

Children and youth who are handicapped and who are eligible for special education services based on a ~~full and an~~ appropriate individual assessment shall have access to free appropriate public education, as that term is defined by applicable law. The special education shall be suited to the pupil's individual needs including the special education based on ~~adequate~~ an appropriate assessment and according to the IEP. School districts shall provide education suitable to pupils' individual needs regardless of the severity of the pupil's mental, physical, or emotional disability, or other impairment or handicap. The responsibility of the school district is not diminished by the availability of nonpublic schools or other services located within the district.

**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

---

### 3525.0650 INTERAGENCY COMMITTEES.

Subpart 1. **Local participation.** A district shall establish or participate in a local interagency early intervention committee and a local community transition interagency committee according to Minnesota Statutes, section 120.17, subdivisions 12 and 16. The local committees shall:

- A. meet at least quarterly to fulfill the duties prescribed in statute; and
- B. report annually when directed to the Department of Education summarizing progress and recommendations.

Operating procedures ~~and progress toward~~ fulfilling the requirements in each statute must be included in the district's total special education system plan.

### 3525.0700 PARENTAL INVOLVEMENT.

Parents of children with handicaps have a right to be involved by the school district in the education decision-making process by participating ~~at each meeting~~ or being afforded the opportunity to participate at each IEP meeting to develop, review, or revise the IEP. School district staff members shall document efforts to contact and involve parents in developing a pupil's IEP including scheduling IEP meetings at a mutually agreed upon time and location. At the time of contact, the district shall inform the parents of their right to bring anyone of their choosing to accompany them to the meeting. The district shall inform the pupil's parents about the alternatives and methods of instruction as described in *Minnesota Statutes*, section 120.17, subdivision 2.

### 3525.0800 RESPONSIBILITY FOR ENSURING THE PROVISION OF INSTRUCTION AND SERVICES.

Subp. 4. **Resident district responsibilities; district initiated out-of-district placement.** If the resident district places a pupil in an out-of-district placement, the resident district is still responsible to assure that an appropriate IEP is developed, that the pupil is placed in the least restrictive environment, and that due process procedures associated with these responsibilities are followed.

It is the responsibility of the providing district, agency, or academy to implement the IEP, conduct periodic and annual reviews, convene and facilitate the IEP team meeting, and assure that due process procedures associated with these responsibilities are followed.

The annual IEP must be developed jointly by the providing district, agency, or academy and resident district. The resident district must, at a minimum, involve a district administrator or an administrative designee according to part 3525.0200, subpart 1a, to assure that the pupil's educational needs and rights are met. The resident district may appoint a member of the providing district as its administrative designee.

Subp. 5. **Responsibility for disagreements.** The resident district is responsible for resolving disagreements between the pupil's parents and district, including conciliation and due process hearings when the placement has been made by the resident district. If the providing district, agency, or academy receives a request for a conciliation conference or due process hearing from the parent, the providing district, agency, or academy must notify the resident district of the parent's request within 24 hours one school day.

Subp. 7. **Pupils placed for care and treatment.** The educational and financial responsibilities of the resident and providing districts for pupils placed for care and treatment under *Minnesota Statutes*, section 120.17, subdivisions 6 and 7, are as follow:

#### B. Nondistrict placement:

(1) When the pupil is placed in a residential facility or foster care by someone other than the resident district, the district in which the facility is located is responsible for providing an appropriate education program as set forth in statutes and parts 3525.0200 to 3525.4700 including the notice and hearing provisions. The resident district is responsible for assuming the cost of the educational program when notified in accordance with *Minnesota Statutes*, sections 120.17, subdivision 6, and 124A.036. The district is not responsible for the cost of care and treatment.

Subp. 9. **~~For determination of Financial and legal responsibility for pupils 18-21 years of age~~ 18-20.** For a pupil who is age 18 through 24 20 years of age and is receiving special education, the district where the pupil's parents, legal guardian, or conservator lives shall be financially responsible for the cost of the special education program even in those cases where the pupil serves as the parent according to part 3525.0200, subpart 11a, for due process purposes.

### 3525.2325 EDUCATION PROGRAMS FOR K-12 PUPILS AND REGULAR EDUCATION STUDENTS PLACED IN CENTERS FOR CARE AND TREATMENT.

Subpart 1. **When education is required.** The district in which the facility is located must provide regular education, special education, or both to a pupil or regular education student in kindergarten ~~to~~ through grade 12 placed in a facility, or in the student's home for care and treatment. Education services must be provided to a pupil or regular education student who is:

D. For those education programs run by the Department of Corrections, the district shall be the Department of Corrections for the purpose of this part. The district is responsible for ensuring that a cooperative agreement is reached with the care and treatment center facility which addresses all the requirements of Department of Human Services Rules, parts 9545.0900 to 9545.1090 and 9545.1400 to 9545.1500 which pertain to the provision of education services for students placed in centers for care and

treatment. Provision of special education services requires implementation of all due process safeguards defined in state and federal law. Some procedures are modified to assure the pupil's access to education.

For purposes of this part, pupils and regular education students placed in the following facilities by someone other than the district are considered to be placed for care and treatment:

- (1) chemical dependency and other substance abuse treatment centers;
- (2) shelter care facilities;
- (3) home, due to accident or illness;
- (4) hospitals;
- (5) day treatment centers;
- (6) correctional facilities;
- (7) residential treatment centers; and
- (8) mental health programs.

~~Provision of special education services requires implementation of all due process safeguards defined in state and federal law. Some procedures are modified to assure the pupil's access to education.~~

**Subp. 2. Education programs for students and pupils and regular education students placed in short-term programs for care and treatment.** A placement for care and treatment is a short-term placement if the anticipated duration of the placement is less than 31 school days. The school district must begin to provide instruction to the pupil or regular education student immediately after the pupil or student is enrolled in the education program. If the student is enrolled in the educational program without an educational record or IEP, the district's procedures must include immediate phone contact with the home school to see if the regular education student has been identified as handicapped.

A. If a regular education student has been identified as handicapped and has a current IEP:

Initial due process procedures for previously identified pupils placed for care and treatment in a short-term facility may be accomplished by telephone; however, the required written documentation, including notices, consent forms, and IEP's, must follow immediately. If the pupil has a current IEP in the home school, the home school must give the providing agency an oral review of the IEP goals and objectives and services provided. The providing agency must contact the parents and together an agreement must be reached about continuing or modifying special education services in accordance with the current IEP goals and objectives. If agreement is not reached over the phone, the providing district shall hold a team meeting as soon as possible. At least the following people shall receive written notice to attend: the person or agency placing the pupil, the resident district, the appropriate teachers and related services staff from the providing district, the parents, and, when appropriate, the pupil. This meeting may be held in conjunction with a meeting called by a placing agency. A copy of the documentation, including the modified IEP, must be provided to the parents with a copy of their rights, including a response form.

B. If a regular education student has not been identified as handicapped or if the providing district cannot determine if a student has been identified as handicapped:

(3) Based on the documented results of the screening, a decision must be made about the need for prereferral interventions or ~~a full~~ an appropriate special education assessment according to parts 3525.2500 to 3525.2850, based on the providing district's criteria. It is not required that ~~a full~~ an appropriate assessment be started unless it appears that it can be completed.

**Subp. 3. Education programs for pupils and regular education students placed in long-term programs for care and treatment.** A placement made for care and treatment is long term if it is anticipated to extend beyond 30 school days. The pupil or regular education student must receive educational services immediately upon enrollment in the education program:

A. If the student has been identified as handicapped and has a current IEP:

If the education staff of the providing district ~~believes~~ decides that the pupil's current IEP can be implemented while the pupil is placed for care and treatment, the education staff must contact the parents to secure an agreement to continue to provide special education services according to the IEP. If the parents do not agree with the providing district's proposal, the district shall hold a team meeting as soon as possible.

**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

---

If the education staff needs additional assessment information or the pupil's current IEP cannot be fully implemented while the pupil is placed for care and treatment, the education staff must:

(1) contact the parents to secure an agreement to provide special education on an interim basis while an assessment is being completed; or

(2) call a team meeting to revise the current IEP or develop a short-term IEP while the pupil is undergoing additional assessment to determine an appropriate program.

B. If the student has not been identified as handicapped or if the providing district cannot determine if the student has been identified as handicapped.

The student entering a residential facility for a long-term placement must be screened to determine if there is a need for a ~~full~~ an appropriate educational assessment. An assessment must begin with a review of screening and other information such as the parent or student interview, available educational and social history, and the purpose of the treatment placement. The assessment must be conducted according to parts 3525.2500 to 3525.2850.

If the student meets the providing district's entrance criteria for special education, an IEP must be developed. Special education services must be provided by appropriately licensed staff in accordance with the IEP. If the student was not assessed or was assessed and does not meet entrance criteria for special education, regular education services must be provided in accordance with the student's education plan.

Subp. 5. **Minimum service required.** The team must predict how long the pupil or regular education student must be placed for care and treatment. If the prediction is for a restricted period of more than 170 days or its equivalent, exclusive of summer school, the district shall make available:

(1) the instruction necessary for the student or pupil to make progress in the appropriate grade level for the successful completion of the courses, programs, or classes the student or pupil would have been enrolled in if the student or pupil were not placed for care and treatment;

(2) preferably a normal school day in accordance with part ~~3525.2310~~. ~~The district shall make available~~ 3525.2300;

(3) an average of at least two hours a day of one-to-one instruction ~~unless~~; or

(4) a minimum of individualized instruction for one-half of the normal school day if it is justified in the pupil's IEP or student's education plan that ~~an average of two hours per day is not~~ none of these options are appropriate. The district shall apply for a variance from length of a normal school day in accordance with part 3525.2300.

If the predicted restricted period is fewer than 171 days, exclusive of summer school, the district shall make available at a minimum either small group instruction for one-half of the normal school day or at least an average of one hour a day of one-to-one instruction.

Provision of special educational services for pupils outside of the providing school district's regular calendar is optional unless the pupil has an extended year IEP.

Subp. 6. **Placement, services, and due process requirements for pupils.**

B. The nature of and the restrictiveness of some long-term facilities require the pupils to remain on site. When a pupil's treatment and educational needs allow, integration shall be provided in a regular educational setting. The determination of the amount and site of integrated services must be a joint decision between parents, the treatment and education staff, and when possible final educational placement decisions must be made by the IEP team of the providing educational agency. If the IEP team concludes a pupil can benefit from an average of more than three hours of educational services, it must, in conjunction with care and treatment center staff, consider the feasibility and appropriateness of an education placement at a regular school site.

### 3525.2330 REQUIREMENT FOR EARLY CHILDHOOD SERVICES.

Subpart 1. **Special education services required.** A district shall provide special education instruction and related services to pupils beginning at birth. Pupils who are handicapped and younger than ~~six~~ seven years old on September 1 of any year shall be provided special education services in one or more early childhood program alternatives as determined by the team and written on the IEP.

### 3525.2335 EARLY CHILDHOOD CRITERIA FOR ELIGIBILITY AND PROGRAM ALTERNATIVES.

Subpart 1. **Definition and criteria for eligibility.**

A. Early childhood special education must be available to pupils from birth to ~~six~~ seven years of age who have a substantial delay or disorder in development or have an identifiable sensory, physical, mental, or social/emotional condition or impairment known to hinder normal development and need special education.

C. The team shall determine that a child from the age of three years to the age of ~~five~~ six years and 11 months is eligible for early childhood special education when:

Subp. 2. **Program alternatives.** Appropriate program alternatives to meet the special education needs, goals, and objectives of the pupil must be determined on an individual basis. Choice of specific program alternatives must be based on the pupil's current levels of performance, pupil special education needs, goals, and objectives, and written in the IEP. Program alternatives are comprised of type of services, setting in which services occur, and amount of time and frequency in which special education services occur. A pupil may receive special education services in more than one alternative based on the IEP.

A. There are two types of special education services: services provided directly and services provided indirectly.

(1) Direct special education services are provided by a teacher or a related services professional when the services are related to instruction. Direct services occur when a teacher provides instruction directly to the pupil, or to the pupil, parent, or caregiver together in a center-based, home-based, or community-based setting. Direct services occur when a related services professional provides services related to instruction directly to the pupil, or to the pupil, parent, or caregiver together in a center-based, home-based, or community-based setting.

(2) Indirect special education services include ongoing progress review; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor, observe, and follow up. Indirect services may be provided by a teacher or related services professional to another teacher, related services professional, support staff, parents, and public and nonpublic agencies to the extent that the services are written in the pupil's IEP.

B. There are three types of settings: home, district early childhood special education (ECSE) classroom, and community-based programs.

(1) Home includes the home of the pupil and parent or relative, or legal family day-care setting in which the pupil is placed by the parent. Home is the preferred setting for pupils under age three to receive special education.

(2) District ECSE classroom includes classrooms that are located in one of the district's elementary schools or community center buildings housing elementary students or preschool-aged nonhandicapped children. District ECSE classes must have at least one program support assistant employed while pupils are in attendance. The maximum number of pupils in an ECSE classroom at any one time with a teacher and a program support assistant is eight. The maximum number of pupils in an ECSE classroom at any one time with an early childhood team according to part 3525.2335, subpart 5, is 16. Class size must be adjusted downward based on age, severity of disabilities or delays, and amount of services necessary to meet the IEP goals and objectives.

(3) Community-based programs are any early childhood ~~program classrooms~~ programs other than an ECSE classroom or district elementary school or community center including early childhood family education, licensed public or private nonsectarian child care programs other than a family day-care setting, licensed public or private nonsectarian early education programs, community cultural centers, Head Start programs, and hospitals.

C. Amount of time and frequency of special education services must be determined individually and written in the pupil's IEP for pupils who are not yet five years old on September 1. For pupils who are five years old as of September 1, requirements for amount of time and frequency of special education services must be determined individually, written on the pupil's IEP, and be consistent with part ~~3525.2340~~ 3525.2300. Direct or indirect special education services must be provided a minimum of an average of one hour every week unless the parents request or the team recommends an alternative.

Subp. 3. **Placement Provision of special education in a community-based setting.** ~~A pupil who is already attending or receiving care in the home or a community-based setting may receive special education services directly or indirectly from the school district in the same environment. In those cases when the team determines that an integrated setting is appropriate and the district chooses to place the pupil in a community-based program to receive special education services, the district may contract for that service to meet the instructional needs of the pupil if the community-based program meets State Board of Education rules. A school district may provide direct or indirect special education services by district special education staff to a pupil attending a community-based program. A school district may contract for special education services with a community-based program if the program meets State Board of Education rules.~~

Subp. 4. **Case loads for early childhood program alternatives.** A teacher case load must be adjusted downward based on age, severity of disability or delay, travel time necessary to serve pupils in more than one program alternative, and if the pupils on the teacher's case loads are receiving services in more than one program alternative or the pupil is involved with a number of other agencies. The district shall reduce the teacher-to-pupil case load to the extent necessary to ensure the provision of services delineated in the pupil's IEP. The maximum number of pupils that can be assigned to a teacher in any early childhood program alternative is:

**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

---

- A. birth ~~to~~ through two years: 12 pupils per teacher;
- B. three ~~to~~ through six years: 16 pupils per teacher; and
- C. birth ~~to~~ five through six years: 14 pupils per teacher.

### Subp. 5. Early childhood teams.

B. A home- or community-based team consists of an ECSE teacher and no more than two related services professionals whose combined assignment is equal to that of the teacher. The ECSE teacher and assigned related services professionals shall function as a team to provide special education services through consultation, cooperative planning, and implementation of the IEP by ~~meeting~~ consulting a minimum of once every two weeks to plan for the pupil. Direct or indirect special education services must be provided a minimum of an average of one hour every week with instruction by the ~~ECSE~~ teacher occurring a minimum of an average of once every two weeks unless the parents request or the team recommends an alternative. The maximum number of pupils that can be assigned to a full-time home- or community-based team is 24. The teams' caseloads must be adjusted downward based on pupil's age, severity of disability or delay, travel time necessary to serve pupils, and amount of services necessary to meet the IEP goals and objectives. Additional related or support services shall be provided as appropriate.

### 3525.2350 MULTIDISABILITY TEAM TEACHING MODELS.

Subp. 3. **Team member responsibility.** The team member licensed in a pupil's disability shall be responsible for conducting the pupil's assessment, ~~IEP development and coordination, and periodic and annual reviews and participating at team meetings when an IEP is developed, reviewed, or revised~~. At least weekly, consultation and indirect services as defined in part 3525.2340, subpart 2, item B, must be provided to the regular or special education teacher providing instruction if not licensed in the disability. The frequency, amount of time, and documentation of the specific consultation and indirect services shall be included in the pupil's IEP.

### 3525.2470 SUSPENSION, EXCLUSION, AND EXPULSION.

Subp. 2. **Team meeting required.** A team meeting shall be held before exclusion or expulsion of a pupil. Within five school days of a suspension, a team meeting shall occur. If a pupil is placed on in-school suspension status according to the district policy established for all students for all or part of the day for two or more consecutive days or three times in one month, a team meeting must be held. The team shall:

### 3525.2500 IDENTIFICATION OF CHILDREN WHO ARE HANDICAPPED.

School districts shall develop systems ~~for locating persons residing within their jurisdiction who may be handicapped. Those systems shall be~~ designed to identify persons who are handicapped beginning at birth, students with handicaps attending school, and persons who are handicapped and are of school age who are not attending any school.

The district's identification system shall be developed in accordance with the requirement of nondiscrimination and included in the district's total special education system plan.

## ASSESSMENT, NOTICE, AND HEARING

### 3525.2600 EDUCATIONAL ASSESSMENT.

Subpart 1. **Assessment.** An assessment:

A. must be conducted when a person's needs are considered by the local school district to be interfering with or affecting the person's academic or functional skill acquisition in the present educational placement and the person is thought to be in need of a possible initiation or change in the person's educational placement, program, or services;

Subp. 2. **Function of the assessment.** The assessment must reflect the person's current level of performance and shall be the basis for later educational planning. The assessment must:

A. Be conducted by a multidisciplinary team ~~that shall address the following areas of education performance: evaluation of the person's intellectual functioning, academic performance, communicative status, motor ability, vocational potential, sensory status, physical status, emotional and social development, and functional skills in accordance with the assessment plan developed as part of the referral review~~. The team shall conduct an in-depth a comprehensive assessment in those areas of suspected disability using technically adequate instruments and procedures.

B. Include a review of the person's functioning in current and anticipated environments. The environmental ~~assessments~~ review must address classroom performance based on the specific instructional strategies used in the classroom, performance in other daily routine environments, and information reported by parents, classroom teachers, and others involved regularly with the person. Specific instructional strategies include curriculum and curriculum modifications, classroom grouping patterns, and supports such as adaptive devices, materials and equipment available, and staff members.

Subp. 3. **Assessment summary report.** For the person assessed, results of any or all assessments shall be summarized in a report. The summary report shall include the reason for referral, summary of instruments and procedures used, results and interpretation of the assessment including the review of the person's functioning in current and anticipated environments, and, the person's current level of performance, and the ~~examiner's~~ team's judgments and recommendations. The assessment summary report shall contain the ~~examiner's~~ team's signature, title, and date of report.

#### **3525.2700 CONDUCT BEFORE ASSESSMENT.**

Subpart 1. **Student performance review.** After a referral is submitted and before conducting an assessment, the team shall conduct a review of the person's performance in the following areas: intellectual functioning, academic performance, communicative status, motor ability, vocational potential, sensory status, ~~and~~ physical status, emotional and social development, and behavior and functional skills. The referral review must be documented and used as the basis to plan the assessment to ensure that the person is assessed in areas of the presenting problems. The referral review shall:

Subp. 2. **Team duties after review.** Based on the referral review, the team shall:

C. ~~Arrange to~~ Conduct the assessment within a reasonable time not to exceed 30 days from the date the district receives parental permission to conduct the assessment or the expiration of the ten-day parental response time in cases other than initial assessment, unless a conciliation conference or hearing is requested.

#### **3525.2850 READING AND WRITING ASSESSMENT FOR PUPILS WHO ARE BLIND.**

A. Pupils who are blind ~~according to Minnesota Statutes, section 290.06, subdivision 3f, paragraph (4)(c),~~ shall receive a reading and writing assessment at least once every three years to determine whether or not instruction in braille should begin or continue. An individual is blind if central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

D. It is recommended that braille instruction for a blind pupil begin under the following conditions if indicated by the assessment ~~unless the team determines otherwise and~~:

#### **3525.3000 PERIODIC REVIEWS.**

The providing school district shall determine the effectiveness of the pupil's IEP by conducting periodic reviews of the pupil's program plan. The IEP team shall address the plan for, location of, and frequency of at least one periodic review and one annual review of the pupil's progress in achieving the prescribed educational goals and objectives and the appropriateness of the program and placement, and if only one periodic review is done, it must not be done at the same time as the annual review. The periodic review shall determine:

#### **3525.3100 REQUIREMENTS FOR FOLLOW-UP REVIEW.**

The responsible school district shall conduct a follow-up review of the student's ~~or other person's~~ current performance no later than 12 calendar months after special education services are discontinued to determine if progress is satisfactory.

#### **3525.3600 NOTICE OF CHANGE OR REFUSAL TO CHANGE EDUCATIONAL PLACEMENT OR PROGRAM.**

Before the initiation or significant change or the refusal to initiate or significantly change a pupil's educational placement or special education services, as set forth in part 3525.2900, subpart 5, the school district shall prepare and serve a notice that meets the requirements of parts 3525.3200 to 3525.3400.

B. For purposes of this part, a significant change in program or placement requiring a notice to parent and revision of the IEP shall occur when:

- (3) there is a change in the type of site or setting in which the pupil receives special education;

#### **3525.3900 NOTICE OF A HEARING.**

Written notice of the time, date, and place of hearings shall be given to all parties by the district at least ten days in advance of the hearings; and the hearing shall be held at a time, date, and place mutually convenient to all parties.

**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

---

---

Within five days of receipt of the parent's written request for a hearing, the district shall serve the parent with a written notice of rights and procedures relative to the hearing that informs the parent:

E. That the hearing officer will make a written decision based only on evidence received and introduced into the record at the hearing not more than 45 days from the receipt of the request for the hearing and that the proposed action will be upheld only upon showing by the school district by a preponderance of the evidence. A proposed action that would result in the ~~regular education student pupil~~ being removed from regular education program may be sustained only when, and to the extent the nature or severity of the handicap is such that a regular education program would not be satisfactory and the ~~regular education student pupil~~ would be better served in an alternative program. Consideration of alternative educational programs must also be given.

**REPEALER.** *Minnesota Rules*, parts 3525.0200, subpart 9a; 3525.1600; ~~3525.2300~~; 3525.2320; 3525.2330, subparts 2, 3, and 4; 3525.2360; 3525.4800; 3525.4900; 3525.5000; 3525.5100; 3525.5200; 3525.5300; 3525.5400; 3525.5500; 3525.5600; 3525.5700; 3525.5800; 3525.5900; 3525.6000; 3525.6100; 3525.6200; 3525.6300; 3525.6400; 3525.6500; 3525.6600; 3525.6700; 3525.6800; 3525.6900; 3525.7000; 3525.7100; 3525.7200; 3525.7300; 3525.7400; and 3525.7500, are repealed.

**RENUMBER RENUMBERER.** *Minnesota Rules*, parts 3525.2600; 3525.2700; and 3525.2800, should be renumbered as 3525.2750; 3525.2550, and 3525.2650 respectively.

## Commissioners' Orders

---

---

### Department of Natural Resources

#### Commissioner's Order No. 2343: Regulations for Hunting in Camp Ripley During 1989

PURSUANT TO AUTHORITY vested in me by law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for hunting in Camp Ripley during 1989.

##### Section 1. WEAPONS.

All persons hunting within Camp Ripley must use a legal bow and arrow. Legal bows must have a pull of no less than 40 pounds at or before full draw and arrowheads must be sharp and have a minimum of two metal cutting edges, be of a barbless broad head design, and must have a diameter of at least seven-eighths inch. The bow may not be drawn, held, or released by mechanical means, except for permits issued under *Minnesota Statutes* § 97B.106 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.

##### Sec. 2. DEER SEASON AND HUNTER QUOTA.

Camp Ripley shall be open for the taking of any deer by bow and arrow on October 17 and 18, and October 28 and 29, 1989, from one-half hour before sunrise to sunset each day, according to the following provisions.

(a) Each hunter must have a valid Minnesota bow and arrow deer hunting license and a 1989 permit validated for the Camp Ripley Archery Hunt. No other persons will be permitted to enter Camp Ripley. Permits are not transferable between individuals or hunting dates.

(b) Not more than 2,000 preference permits and regular permits combined shall be issued for each 2-day hunting period except that the number of permits may be modified to accommodate all members of a selected party if the party as a whole makes total permits exceed 2,000. No hunter will be allowed to hunt during both hunting periods. If more than 2,000 applications are received for a hunting period, a preference drawing and general drawing will be held to select the 2,000 hunters. In the event either hunting period is undersubscribed, a random drawing will be conducted from unsuccessful 1989 applicants to reach a total of 2,000 archers for each time period.

##### Sec. 3. PERMIT APPLICATION.

Persons wishing to hunt must apply for a permit as follows:

(a) No person shall apply for both the preference and general drawings, submit more than one application per year or apply for more than one hunting period. Submission of more than one application is a misdemeanor and will disqualify the applicant. Each applicant must sign his own application.

(b) **Preference Permits.** Those archers unsuccessful in the 1988 Camp Ripley drawing shall have preference status and shall



be issued a 1989 Camp Ripley preference permit by correctly and completely filling out and submitting the preference application mailed to them by the Department of Natural Resources. All preference applications and a \$5.00 application fee per hunter must be received on or before August 15, 1989 at Archery Hunt, R.R. #4, Box 19A, Little Falls, MN 56345. All application fees are non-refundable. Those applicants applying incorrectly or late shall be eliminated from the 1989 preference drawing. Persons applying for a preference permit in 1989 may not enter the general drawing in 1989. Those permits remaining after the issuance of preference permits shall be issued in the general drawing up to a combined total of 2,000 permits for October 17 and 18 and 2,000 permits for October 28 and 29, 1989.

**(c) General Drawing.**

(1) All applicants without preference shall enter the general drawing. All persons entering the general drawing shall make application on official application forms that are mailed to them by the Department of Natural Resources or are available by writing: Archery Hunt, R.R. #4, Box 19A, Little Falls, MN 56345, or by visiting the above address between 8:00 a.m. to 4:30 p.m. Monday through Friday. Persons requesting the application forms by mail must include with their request a stamped, self-addressed business-size envelope for return of the application forms to them.

(2) Persons applying in the general drawing who wish to hunt together as a party must all submit their applications together in one envelope. Up to six persons may submit their applications together as one party. In the general drawing, either all members of a party will be selected, or none will be selected. Each party, regardless of member size, shall have one chance in the general drawing.

(3) Incomplete or incorrect applications will be rejected. Applications will not be returned for correction. Each applicant must submit along with his or her application a cashier's check, money order, or personal check in the amount of \$5.00 payable to DNR Archery Hunt. Any checks that are returned to the Department of Natural Resources for nonpayment shall invalidate the application and the check will be destroyed. Refunds of application fees shall not be made for any reason. Both successful and unsuccessful applicants in the general drawing will be notified by mail.

(4) General drawing applications must be hand-delivered or received by mail at the Department of Natural Resources (DNR) Area Wildlife Office, R.R. #4, Box 19A, Little Falls, MN 56345 no later than 4:30 p.m. on August 15, 1989.

**Sec. 4. COYOTES AND PORCUPINES.**

Porcupines and coyotes may be taken in Camp Ripley without limit by the same means and at any time that deer may be taken. Only persons lawfully hunting deer within Camp Ripley may take porcupines and coyotes.

**Sec. 5. SPECIAL INSTRUCTIONS.**

**(a) Access.**

(1) Hunters shall enter and leave Camp Ripley only by way of the southeast railroad gate and only from 6 p.m. October 16, 1989 to 8 p.m. October 18, 1989, or 6 p.m. October 27, 1989 to 8 p.m. October 29, 1989, as per their permit.

(2) Each archer receiving a permit will be issued a 1989 map of Camp Ripley in advance of the Camp Ripley hunt. The maps issued shall show areas of Camp Ripley that are closed to hunting. No person shall enter any area that is indicated on the map as being closed, except for the road from the southeast railroad gate through the checkpoint to the open hunting area. A zoning system may be used to regulate access into various portions of the open areas of Camp Ripley. Maps issued in any year previous to 1989 are not valid for purposes of determining which areas are open or closed. Violators of this paragraph or section 5(a) (6) will have their hunting permits immediately revoked and their bows seized.

(3) Each hunter must register at the DNR checkpoint prior to hunting each day.

(4) Hunters will be permitted beyond the DNR checkpoint only from one hour before sunrise to one hour after sunset on Saturday and Sunday of each weekend, or as otherwise authorized by an agent of the Commissioner.

(5) Hunters shall not pursue wounded deer into closed areas or closed zones. Attempts to retrieve wounded or dead deer from closed areas or closed zones require prior approval of and accompaniment by an agent of the Commissioner.

(6) No person or vehicle shall pass beyond any road or trail barrier, gate, or warning sign anywhere in Camp Ripley.

**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

---

---

### (b) Weapons Possession and Transportation.

(1) No firearms may be possessed or transported on any person or in any vehicle in Camp Ripley except by special firearms permit.

(2) When being transported, bows must be unstrung or completely contained in a case or contained in the trunk of a car with the trunk door closed. While in the field, bows must be unstrung or cased from one-half hour after sunset to one hour before sunrise.

### (c) Vehicle Restrictions.

(1) Off-road vehicles such as trail-bikes, motor bikes, all-terrain vehicles and snowmobiles shall not be permitted in Camp Ripley during the hunting season established by this order. All other vehicles are restricted to operating only on designated roads.

(2) Vehicles in line overnight at the checkpoint must be occupied. Hunters must stay with their vehicles.

(3) Maximum speed limit on roads in the hunting areas is 35 mph or as otherwise posted.

### (d) Tree Stands.

(1) No permanent tree stands shall be erected. Portable stands shall not be left up overnight.

(2) No licensed hunter shall occupy any elevated deer stand from sunset to one hour before sunrise.

### (e) Other Restrictions.

(1) No fires are permitted anywhere in the hunting areas, except in emergencies.

(2) No person shall destroy or remove any Camp Ripley property.

(3) No deer shall be removed from Camp Ripley or be transported beyond the DNR checkpoint until registered at the checkpoint.

(4) The Commissioner may close the season without prior notice for any reason deemed necessary.

(5) No wild animals other than deer, porcupines, and coyotes as permitted by this order shall be taken in Camp Ripley at any time.

(6) Except as specifically authorized 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.

Dated at Saint Paul, Minnesota this 21 day of July, 1989.

Joseph N. Alexander, Commissioner  
Department of Natural Resources

## Executive Orders

---

---

### Emergency Executive Order #89-6: Providing for Personnel and Equipment for the Monticello Nuclear Power Plant Exercise

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 Minnesota Department of Public Safety, Division of Emergency Management, has requested assistance in providing personnel and equipment to support the Monticello Nuclear Power Plant Exercise; and

WHEREAS, adequate personnel and equipment are not available from the Department of Public Safety, other participating state agencies, Sherburne and Wright Counties of Minnesota, and other local authorities:

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to active duty on July 26, 1989, in the service of the State, such elements and equipment of the military forces of the State as required to provide the necessary support needed by the Department of Public Safety and Sherburne and Wright Counties to successfully complete the Monticello Nuclear Power Plant Exercise.

2. The cost of subsistence, transportation, fuel, and pay and allowances of said individuals shall be defrayed by the Department of Public Safety, Division of Emergency Management, as provided by an inter-agency agreement dated July 17, 1989.

Pursuant to *Minnesota Statutes* 1988, Section 4.035, this Order shall be in effect one day, July 26, 1989.  
IN TESTIMONY WHEREOF, I have set my hand this 25th day of July, 1989.



Rudy Perpich  
Governor

---

---

## Errata

### Department of Administration

#### Print Communications Division

#### Notice of Bindery Error Causing Missing Pages in July 31, 1989 *STATE REGISTER*

A technical problem at the bindery caused certain copies of the July 31, 1989 *STATE REGISTER*, Volume 14, Number 5, to be bound with some sections repeating and others missing. If you have received an issue of the *STATE REGISTER* for that date, please check to see if you have all pages consecutively numbered. If your issue is missing pages, please call Debbie George, circulation manager, (612) 296-0931 (toll-free in Minnesota 1-800-652-9747) and leave a message to that effect with your name and address so that an error-free issue can be sent to you as soon as possible.

---

---

## Official Notices

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

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

---

---

## Department of Commerce

### Notice of Hearing Date Change

The hearing in the matter of the proposed adoption of amendments to the rules relating to credit unions scheduled for August 23, 1989 has been rescheduled to September 18, 1989. The time, location and all other matters regarding the hearing contained in the Notice of Hearing published in the *State Register* on July 24, 1989, page 149 remain the same. If additional time is needed the hearing may extend to the morning of September 19, 1989.

Dated: 28 July 1989

Michael A. Hatch  
Commissioner of Commerce

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Studies Committee**

NOTICE IS HEREBY GIVEN that a meeting of the Studies Committee of the Minnesota Comprehensive Health Association will be held at 3:00 p.m. on Tuesday, August 15, 1989, at Group Health, Inc., 2829 University Avenue S.E., Minneapolis, Minnesota. For additional information, please call (612) 456-8466.

## **Ethical Practices Board**

### **Advisory Opinion #101 re: Legal Defense Fund**

Issued 7-27-89 to Eric Sandrock—SUMMARY—101. Contributions to and payments from a legal defense fund established by a candidate are not subject to the registration and reporting requirements of *Minnesota Statutes* Ch. 10A.

The full text of the opinion is available upon request from the Ethical Practices Board, 625 North Robert Street, St. Paul, MN 55101-2520; (612) 296-5148.

## **Department of Health**

### **Division of Environmental Health**

### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Various Subjects**

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is seeking information or opinions from sources outside the agency in preparing to propose the adoption of new rules and revision of existing rules relating to the subjects listed below. The adoption of the rules is authorized by the statutory provisions listed. The Department of Health requests information and opinions concerning the subject matter of the rules. 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 the contact persons listed. Oral statements will be received during regular business hours over the telephone at the number listed for the particular subject matter and in person at the above address.

All statements of information and opinions shall be accepted until the rules are formally proposed for adoption. Any written material received by the Department of Health shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

<b>Subject Matter</b>	<b>Statutory Authority</b>	<b>Contact Person</b>	<b>Phone</b>
Water Well Construction Code	<i>Laws 1989</i> , Chap. 326, Art. 3	Ronald Thompson	612/623-5264
Monitoring and Dewatering Wells and Environmental Bore Holes	<i>Laws 1989</i> , Chap. 326, Art. 3	Ronald Thompson	612/623-5264
Requirements for Water Well Contractors and Monitoring Well Engineers	<i>Laws 1989</i> , Chap. 326, Art. 3	Ronald Thompson	612/623-5264
Infectious Waste	<i>Laws 1989</i> , Chap. 337, Sec. 7	Darrell Anderson	612/623-5333
Health Services in Board and Lodging Establishments	<i>Laws 1989</i> , Chap. 282, Art. 2, Sec. 49	Charles Schneider	612/623-5335
Lead Abatement	<i>Laws 1989</i> , Chap. 282, Art. 2, Sec. 20	Douglas Benson	612/623-5653
Health Risk Limits for Groundwater	<i>Laws 1989</i> , Chap. 326, Art. 1, Sec. 8	David Gray	612/623-5352
X-Ray Equipment Standards	<i>Minnesota Statutes</i> , Sec. 144.121	Wm. Breitenstein	612/623-5346

Children's Camps

*Minnesota Statutes,*  
Sec. 144.74

Charles Schneider 612/623-5335

Dated: 28 July 1989

Raymond W. Thron, Ph.D., P.E., Director  
Division of Environmental Health

## Higher Education Facilities Authority

### Notice of Public Hearing on Proposal to Issue Revenue Bonds on Behalf of Gustavus Adolphus College

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds on behalf of the Gustavus Adolphus College, a Minnesota nonprofit corporation and institution of higher education (the "College"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on August 23, 1989 at 2 o'clock p.m. Under the proposal, the Authority would issue its revenue bonds in an aggregate principal amount of up to approximately \$2,500,000, to provide financing for a Project generally described as (i) the refunding of certain outstanding debt associated with the construction of an 11 unit student apartment complex completed in August, 1988, which facility houses 44 students; and (ii) the refinancing of the College's portion of outstanding debt in connection with the Authority's Pooled Revenue Bonds, Series 1983-A, which debt was used to finance in part the construction of the Lund Center for Physical Education and Health, a student athletic facility. The apartment complex and the Lund Center are owned and operated by the College and located on the campus of the College, the street address of which is Gustavus Adolphus College, St. Peter, Minnesota 56082. At said time and place the Authority shall give all parties who appear an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 7 August 1989

BY ORDER OF THE MINNESOTA HIGHER  
EDUCATION FACILITIES AUTHORITY'  
Joseph E. LaBelle  
Executive Director

## Department of Human Services

### Assistance Payments Division

### Notice of Solicitation of Outside Information or Opinions Regarding Amendments to Rules Governing Eligibility to Participate in the Medical Assistance Program

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose amendments to the rules governing eligibility to participate in the medical assistance program, *Minnesota Rules*, part 9505.0115, subpart 3.

The adoption of the amendment to the rules is authorized by *Minnesota Statutes*, section 256B.04, subdivision 2.

The proposed amendment extends the interval from 3 months to 6 months for the required review of a recipient's assets as part of a redetermination of the recipient's continued eligibility to participate in the medical assistance program.

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

Eleanor Weber  
Rules Division  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, MN 55155-3816

Oral statements will be received during regular business hours over the telephone at (612) 297-4301 by Eleanor Weber and in person at the above address.

## Official Notices

---

---

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

Dated: 31 July 1989

Eleanor E. Weber  
Assistant Director, Rules Division

## State Board of Investment

### Meeting Notice of the State Board of Investment Administrative Committee

The State Board of Investment Administrative Committee will meet on Wednesday, August 16, 1989 from 9:00-11:00 A.M. in the MEA Building, 41 Sherburne Avenue, Conference Room A, St. Paul, Minnesota.

## Metropolitan Council

### Pre-Drafting Notice for the Preparation of an Amendment to the Transit Portion of the *Transportation Development Guide/Policy Plan of the Metropolitan Development Guide*

#### 1. Preface

The Metropolitan Council is required by the regional transit legislation passed by the 1989 Minnesota Legislature to amend its *Transportation Development Guide/Policy Plan* by January 1, 1990. Specifically, the legislation states (Section 20):

“Notwithstanding the provisions of Section 473.146, by January 1, 1990, the Council shall revise the light rail transit element of its transportation plan, taking into consideration all the comprehensive plans and studies of corridors and preliminary design plans of regional railroad authorities”

*Minnesota Statutes* 473.146, also known as the Metropolitan Governance Act, requires certain steps be carried out in preparing policy plans and amendments affecting the regional transit system. These steps include preparing a pre-drafting notice requesting input before the amendment is prepared, and a pre-drafting review of the proposed amendment by the affected metropolitan agency.

The 1989 regional transit legislation has made the pre-drafting requirements subordinate to January 1, 1990 deadline for adopting the plan amendment. To comply with the intent of the Metro Governance requirement, the Council proposes to include foreshortened levels of predrafting notification and review.

#### 2. Plan Amendment Content

The *Transportation Development Guide/Policy Plan*, adopted by the Metropolitan Council in October, 1988, addresses both highway and transit service needs. The plan amendment will address the light rail transit component of the plan. The focus of the plan amendment will be the light rail transit-related policies, strategies, and plan discussion of the 2010 Metropolitan Transit System Plan and transportation finance areas of the plan. The amendment will consider plans and studies, both completed and underway, of the regional railroad authorities and other agencies.

#### 3. Relationship to the Metropolitan Development and Investment Framework

The current *Transportation Development Guide/Policy Plan* was prepared to be consistent with the Council's *Metropolitan Development and Investment Framework* (MDIF). The amendment will also be prepared taking into consideration the planning and investment strategies, policy area recommendations, and socioeconomic forecasts of the MDIF.

#### 4. Problem Statement

Planning for light rail transit in the Metropolitan Area has changed significantly since the adopting of the current policy plan. Planning funds were made available to county regional railroad authorities for preparing comprehensive and preliminary design plans. Several county regional railroad authorities are considering LRT applications in corridors beyond those specially identified in the policy plan. Concern has been expressed as to whether or not the Council's policy plan excessively constrains local planning initiatives. In addition, the 1989 regional transit legislation requires an LRT Development and Financial Plan to be prepared by the

Regional Transit Board and a coordination plan to be prepared by a new joint LRT advisory Committee. The new planning environment requires that the regional transportation policy plan be amended to reflect new information regarding LRT that has been recently developed.

#### **5. Major Issues to be Examined**

- a) Does the information generated by the plans and studies of the regional railroad authorities warranted a reconsideration of the overall philosophy of the Council's transportation policy plan?
- b) What changes are needed in the policies, strategies and performance evaluation criteria of the plan?
- c) What changes are needed in the 2010 Metropolitan Transit System Plan?
- d) What changes are needed in the Transportation Finance chapter of the plan?
- e) Are new policy or plan directions needed given the forthcoming development of the regional LRT plan by the RTB?

#### **6. Work Under Way**

Recent plans and studies to be considered in the policy plan amendment include:

- The adopted comprehensive LRT plans for Anoka and Hennepin Counties;
- The draft comprehensive LRT plan for Ramsey County;
- Information developed for the forthcoming comprehensive LRT plans in Carver, Dakota, Scott and Washington Counties
- Information developed for the forthcoming preliminary design plans being prepared by the regional railroad authorities in Hennepin and Anoka counties.
- The Light Rail Transit Planning Analysis of the Midway Corridor, prepared by the Regional Transit Board and Ramsey County Regional Railroad Authorities;
- Information developed for the I-35W Corridor Study

#### **7. Contact for Public Response**

The Metropolitan council requests additional information and comments concerning the subject, issues and plan direction of the proposed plan amendment. Interested or affected persons or groups may submit data or views in writing to Steve Keefe, Chair, Metropolitan Council, 230 East Fifth St., St. Paul, MN 55101. Questions on the pre-drafting notice may be directed to Steve Wilson at (612) 291-6344. Comments may be submitted until August 25, 1989. The plan amendment will be drafted in September, 1989 and a public hearing will occur in November, 1989. The final plan adoption will take place in December, 1989.

Steve Keefe, Chair  
Metropolitan Council

## **Metropolitan Council**

### **Notice of Preliminary Review Schedule for Amendment of the Transportation Development Guide/Policy Plan**

The Transportation Development Guide/Policy Plan guides the Metropolitan Council's planning for transportation management in the twin cities area. It presents the Council's philosophy, goals and policies in regard to the future development of the transportation system.

The amendment is being initiated in response to the regional transit legislation passed by the 1989 Minnesota Legislature, which requires the Council to amend its Transportation Development Guide/Policy Plan by January 1, 1990.

The following is a preliminary review schedule for the plan amendment.

<b>July, 1989</b>	Plan amendment initiation and pre-drafting notification
<b>September, 1989</b>	Preparation of draft plan amendment
<b>November, 1989</b>	Public hearing on draft plan amendment
<b>December, 1989</b>	Metropolitan Council adoption of plan amendment

A notice of public hearing will be published. If you have any questions regarding the schedule or the draft plan amendment, please call Stephen Wilson at 291-6344.

## Official Notices

---

### Minnesota State Retirement System

#### Board of Directors, Regular Meeting

A meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, August 11, 1989 at 8:30 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

### Regional Transit Board

#### Public Hearing on 1990 Budget

The Regional Transit Board will hold a public hearing on Monday, August 14, 1989 at 4:00 p.m. on the 1st floor Mears Park Centre, 230 E. 5th Street, St. Paul, MN. 55101 on its draft 1990 Budget. The 1990 Budget is developed pursuant to the requirements of *Minnesota Statutes*, Sections 473.38 (IRTB Budget) and 437.163 (Metropolitan Agency Budget Preparation; Review and Approval). Interested persons are encouraged to attend this hearing and offer public comment. Interpreters will be provided. Please call Mary Fitzgerald, board secretary, if you wish to speak at the public hearing. You may also sign up at the hearing. The 1990 Budget may be obtained or examined at the Regional Transit Board offices, 7th floor, Mears Park Centre, 230 E. 5th Street, St. Paul, MN. 55101, telephone: 292-8789.

Elliott Perovich  
Chairman

### Office of the Secretary of State

#### Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. The application deadline is August 29, 1989.

#### STATE ADVISORY COUNCIL ON MENTAL HEALTH

444 Lafayette Rd., St. Paul 55155-3828. 612-297-4164

*Minnesota Statutes* 245.697

APPOINTING AUTHORITY: Governor. COMPENSATION: Reimbursed for expenses.

VACANCY: One member, must be a current or former client of a mental health service. This is a new second position opened in addition to the one announced three weeks ago.

The Council advises the governor, the legislature, and state agency heads about policy, programs, and services affecting people with mental illness. Thirty members include commissioner designees from the Departments of Education, Corrections, Vocational Rehabilitation, and the Housing Finance Agency, one representative from the state agency responsible for the state's Title XIV program, one member from each of the four core mental health professional disciplines (psychiatry, psychology, social work, nursing); one representative from each of the following advocacy groups: Mental Health Association of MN, MN Alliance for the Mentally Ill, MN Mental Health Law Projects; providers of mental health services, consumers of mental health services, family members of persons with mental illnesses, legislators, social service agency directors, county commissioners, and other members reflecting a broad range of community interest.

#### HOUSING TRUST FUND ADVISORY COMMITTEE

MHFA, 400 Sibley St., Suite 300, St. Paul, 55101-1998. 612-296-9846

*Laws of 1988 Chapter 654, Section 5*

APPOINTING AUTHORITY: Minnesota Housing Finance Agency. COMPENSATION: None.

VACANCY: One member must represent the interests of Minnesota Realtors.

The committee advises and assists the Minnesota Housing Finance Agency in providing loans and grants from the housing trust fund account. Eight members to represent the interests of realtors, lenders, nonprofit developers, apartment owners, low income persons, housing advocates, advocates for the homeless, and single or multi-family builders. Meeting schedule not yet established.



**RESOURCE PROGRAMS ADVISORY COUNCIL**

17 W. Exchange St., Suite 400., St. Paul 55102. 612-296-1302  
*Minnesota Statutes 129C.10*

APPOINTING AUTHORITY: Board of the MN Center for Arts Education. COMPENSATION: None.

VACANCY: Two members, one preferably from greater Minnesota, to be elementary or secondary arts teachers specializing in visual art, theater, music, dance, media arts or literary arts, or a principal with arts experience.

The council advises the board of the Minnesota Center for Arts Education on the development of statewide K-12 arts education programs and on contracts and grants related to the operation of these programs. Members consist of elementary and secondary art educators, representatives from post-secondary educational institutions, Department of Education, state arts board, regional arts council, educational cooperative service units, school district administrators, parents and other organizations involved in arts education. The council will include representatives from a variety of arts disciplines and from various areas of the state.

**MN COMMISSION ON BICENTENNIAL OF THE UNITED STATES CONSTITUTION**

40 N. Milton St., Suite 200, St. Paul 55104. 612-296-6134  
*Executive Order 86-2, 1986*

APPOINTING AUTHORITY: Governor. COMPENSATION: None.

VACANCY: Thirteen members, to plan and develop programs celebrating the Constitution and Bill of Rights of the United States.

The commission will coordinate and establish bicentennial celebration activities in the state of Minnesota. The commission has honorary and active chairs and fifteen members appointed by the chief justice and fifteen members appointed by the governor.

**ADVISORY COUNCIL ON BATTERED WOMEN**

Dept. of Corrections, 300 Bigelow Bldg., 450 N. Syndicate Ave., St. Paul 55104. 612-642-0253  
*Minnesota Statutes 241.64*

APPOINTING AUTHORITY: Commissioner of Corrections. COMPENSATION: Reimbursed for expenses.

VACANCY: One member to be knowledgeable in the fields of health, law enforcement, social services or the law. Preference will be given to women not currently employed or affiliated with a battered women program; preference will also be given to lesbian, old, differently abled, or women of color. A vacancy published 1-30-89 for a formerly battered women who is not currently employed by a battered women program also remains open.

The council advises the Department of Corrections on funding for emergency shelters and programs for battered women. Eighteen members include persons knowledgeable in the fields of health, law enforcement, social services to battered women, and four public members. Monthly meetings.

**JUVENILE JUSTICE ADVISORY COMMITTEE**

Dept. of Jobs and Training, 690 American Center Bldg., 150 E. Kellogg Blvd., St. Paul 55101. 612-296-8601  
*Minnesota Statutes 268.29*

APPOINTING AUTHORITY: Governor. COMPENSATION: Reimbursed for travel expenses.

VACANCY: One youth member, under the age of 24.

The committee is the supervisory board for the Dept. of Jobs and Training with respect to preparation and administration of the state plan and award of grants. Fifteen members must have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice. At least one fifth must be under the age of twenty-four at the time of the initial appointment and at least three must have been or will currently be under the jurisdiction of the juvenile justice system. The majority of members including the chair, must not be full time employees of the federal, state or local governments.

**STARS ADVISORY COUNCIL**

Administration Bldg., 50 Sherburne Ave., St. Paul 55155. 612-296-6013  
*Minnesota Statutes 16B.465 as amended by Laws of 1989*

APPOINTING AUTHORITY: Governor. COMPENSATION: None.

VACANCY: One member to represent a political subdivision. This is a new agency.

The council assists in and helps shape the development and operation of the statewide telecommunications access and routing system—STARS. Ten members, including one member appointed by the governor under the open appointments process, to be a representative of a political subdivision. Meeting schedule varies, approximately bimonthly, located in St. Paul.

## Official Notices

---

### **COUNCIL ON HEALTH PROMOTION AND WELLNESS (COMMISSIONER'S TASK FORCE)**

Health Promotion & Ed., 717 SE Delaware St., P.O. Box 9441, Mpls. 55440. 612-623-5479

*Minnesota Statutes* 145.98

APPOINTING AUTHORITY: Commissioner of Health. COMPENSATION: Expenses.

VACANCY: Fifteen members; this is a new agency.

The task force advises the commissioner of health on primary and secondary prevention of mortality, morbidity, and disability from noninfectious diseases and conditions which are attributable (in whole or in part) to health behaviors. Fifteen members having experience or interest in health promotion and wellness, including one member from each congressional district, and five members representing community health service agencies. Four hour meetings held quarterly at the MN Department of Health.

### **ADVISORY COMMITTEE ON GENETICALLY ENGINEERED ORGANISMS**

300 Centennial Office Bldg., 658 Cedar St., St. Paul, 55155. 612-297-2376

*1989 Session Laws*, Chpt 346, Sec. 4

APPOINTING AUTHORITY: MN Environmental Quality Board. COMPENSATION: None.

VACANCY: Fifteen members; this is a new agency.

The committee provides advice at the request of the MN Environmental Quality Board on general issues involving genetic engineering and on issues relating to specific proposals, including the identification of research needed for adequate regulation of field trials. Fifteen members. Meetings held in St. Paul. Tentative schedule: 1:30 to 5:00 PM every third Wednesday of each month from September through March.

### **VOTING SYSTEMS ADVISORY TASK FORCE**

Election Division, Office of the Secretary of State., 180 State Office Bldg., St. Paul 55155. 612-296-2805

*Minnesota Statutes* 206.57

APPOINTING AUTHORITY: Secretary of State. COMPENSATION: None.

VACANCY: One member, with DFL affiliation, to fill remainder of term ending in January 1990.

The task force examines voting machines or electronic voting systems proposed for use in Minnesota and advises the secretary of state on certification of this equipment for use at elections in this state. Members include representation from each major political party and from cities and counties using voting equipment. The task force meets only when new equipment is proposed for use.

### **STATE BOARD OF EDUCATION CAREER TEACHER TASK FORCE**

705 Capitol Square, 530 Cedar St., St. Paul 55001. 612-297-1925

*Minnesota Statutes* 15.014

APPOINTING AUTHORITY: Education Board. COMPENSATION: None.

VACANCY: Nine members; this is a new agency.

The task force advises the State Board of Education on the implementation of the Career Teacher Law. Nine members to be representative of the Minnesota public, knowledgeable in the field of education. The majority of members are to be teachers. Meetings to be held at the Capitol Square Building in St. Paul. Meeting schedule is undetermined at this time.

## **Department of Trade & Economic Development**

### **Minnesota Agricultural and Economic Development Board**

#### **Notice of Public Hearing on Proposed Project and the Issuance of Bonds under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A**

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on August 23, 1989, at 10:30 a.m. o'clock, at 900 American Center Building 150 East Kellogg Boulevard, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf of Borgmann Enterprises, a Minnesota Partnership/Laser Engineering, Inc., a Minnesota Corporation (the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project to be financed consists of the constructing and equipped of a manufacturing facility in the City of Chaska, Minnesota [general description of the location being at 1200 Lakeview Drive; Legal description of Lot 3, Block 1, Lakeview Industrial Park, in Arbor Park, Chaska, Minnesota (the "Project")]. The initial owner of the Project will be the Applicant and the Project is expected to be operated and managed by Applicant. It is contemplated that the Project will be used for laser cutting, screen printing and forming of plastics and certain ancillary sales, office and manufacturing purposes. The estimated amount of the Board's proposed bond issue is an amount not to exceed \$1,380,000. The bonds will be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and a mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. In addition, the Bonds and the Project may be subsequently considered by the Board for financial assistance to be provided by the Economic Development Fund created and established under *Minnesota Statutes* 1986, Chapter 116M or other financial or special assistance from the Board. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 900 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

Dated: 26 July 1989

BY ORDER OF THE MEMBERS OF THE  
MINNESOTA AGRICULTURAL AND ECONOMIC  
DEVELOPMENT BOARD  
David Speer, Administrator  
Minnesota Agricultural and Economic  
Development Board

## **Department of Trade & Economic Development**

### **Minnesota Agricultural and Economic Development Board**

#### **Notice of Public Hearing on Proposed Project and the Issuance of Bonds Under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A**

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on August 23, 1989, at 10:00 a.m. o'clock, Room 3 at 900 American Center Building 150 East Kellogg Boulevard, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf of Dyno Graphics Corporation and BBBB Partnership (collectively, the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project to be financed consists of the constructing and equipped of a manufacturing facility in the City of Chaska, Minnesota [general description of the location being at 4080 Norex Drive, Chaska, Minnesota (the "Project") ]. The initial owner of the Project will be BBBB Partnership and the Project is expected to be operated and managed by Dyno Graphics Corporation. It is contemplated that the Project will be used for manufacturing membrane switches, decorative overlays, control panels and labels. The estimated amount of the Board's proposed bond issue is an amount not to exceed \$1,300,000. The bonds will be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and a mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. In addition, the Bonds and the Project may be subsequently considered by the Board for financial assistance to be provided by the Economic Development Fund created and established under *Minnesota Statutes* 1986, Chapter 116M or other financial or special assistance from the Board. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the

## Official Notices

---

Board at 900 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

Dated: 26 July 1989

BY ORDER OF THE MEMBERS OF THE  
MINNESOTA AGRICULTURAL AND ECONOMIC  
DEVELOPMENT BOARD  
David Speer, Administrator  
Minnesota Agricultural and Economic  
Development Board

## Department of Trade & Economic Development

### Minnesota Agricultural and Economic Development Board

#### Notice of Public Hearing on Proposed Project and the Issuance of Bonds Under *Minnesota Statutes 1986, Chapter 116M and Minnesota Statutes, Chapter 41A*

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on August 23, 1989, at 9:30 a.m. o'clock, Room 3 at 900 American Center Building 150 East Kellogg Boulevard, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf of Sauk Rapids Investments/Diversified Products, Inc., a Minnesota corporation, acting on behalf of Sauk Rapids Investments, a partnership to be formed by John Walters and Robert J. Menne, Jr. (the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project to be financed consists of the constructing and equipped of a manufacturing facility in the City of Sauk Rapids, Minnesota [general description of the location being at Industrial Boulevard, in Sauk Rapids Industrial Park East, Sauk Rapids, Minnesota (the "Project")]. Legal description of Block 2, North One-Half of Lot 5, all of Lots 6, 7, and 8, Sauk Rapids Industrial Park East, Benton County, Minnesota. The initial owner of the Project will be the Applicant and the Project is expected to be operated and managed by Applicant, Leisure Island, Inc., Diversified Products, Inc. and/or Wyoming Investments, a Minnesota partnership. It is contemplated that the Project will be used for manufacture of aluminum hull boards, aluminum pontoon boats and boat upholstery. The estimated amount of the Board's proposed bond issue is an amount not to exceed \$1,600,000. The bonds shall be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and a mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. In addition, the Bonds and the Project may be subsequently considered by the Board for financial assistance to be provided by the Economic Development Fund created and established under *Minnesota Statutes 1986, Chapter 116M* or other financial or special assistance from the Board. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 900 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

Dated: 26 July 1989

BY ORDER OF THE MEMBERS OF THE  
MINNESOTA AGRICULTURAL AND ECONOMIC  
DEVELOPMENT BOARD  
David Speer, Administrator  
Minnesota Agricultural and Economic  
Development Board

# 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:** Maintenance on Savin and  
Connon copiers  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** August 11  
**Agency:** Public Safety  
**Deliver to:** St. Paul  
**Requisition #:** Price Contract

**Commodity:** Ebersee monitor  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 11  
**Agency:** Transportation  
**Deliver to:** St. Paul  
**Requisition #:** 79000 02190

**Commodity:** Ramp metering cabinets  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 16  
**Agency:** Transportation  
**Deliver to:** St. Paul  
**Requisition #:** 79000 02543

**Commodity:** Snow Max  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 9  
**Agency:** Iron Range Resources &  
Rehabilitation Board  
**Deliver to:** Biwabik  
**Requisition #:** 43000 11195

**Commodity:** Copier purchase  
**Contact:** Terese Ryan 296-9075  
**Bid due date at 2pm:** August 9  
**Agency:** State University  
**Deliver to:** Winona  
**Requisition #:** 26074 13123

**Commodity:** Concrete culverts  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 10  
**Agency:** Military Affairs  
**Deliver to:** Camp Ripley, Little Falls  
**Requisition #:** 01000 06007

**Commodity:** Epoxy sealer  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 10  
**Agency:** Transportation  
**Deliver to:** Oakdale  
**Requisition #:** 79900 03926

**Commodity:** Underbody snow plow  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** August 11  
**Agency:** Transportation  
**Deliver to:** St. Paul  
**Requisition #:** 79832 01803

**Commodity:** Inductance Subst. box  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 11  
**Agency:** State University  
**Deliver to:** Mankato  
**Requisition #:** 26071 19121

**Commodity:** Photo ID system  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** August 11  
**Agency:** State University  
**Deliver to:** Bemidji  
**Requisition #:** 26070 13842

**Commodity:** Roll towel service  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** August 11  
**Agency:** Itasca Community College  
**Deliver to:** Grand Rapids  
**Requisition #:** Price Contract

**Commodity:** Underbody snow plow  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** August 11  
**Agency:** Transportation—Central Shop  
**Deliver to:** St. Paul  
**Requisition #:** 79382 01803

**Commodity:** School furniture—Rebid  
**Contact:** John Bauer 296-2621  
**Bid due date at 2pm:** August 11  
**Agency:** Normandale Community  
College  
**Deliver to:** Bloomington  
**Requisition #:** 27156 10511 1

**Commodity:** Car wash service (Twin  
Cities only)  
**Contact:** Dale Meyer 296-3773  
**Bid due date at 2pm:** August 15  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Tubing: telescopic square  
tubing and fittings  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 16  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

## State Contracts and Advertised Bids

**Commodity:** Pens and markers  
**Contact:** Norma Cameron 296-2546  
**Bid due date at 10am:** August 16  
**Agency:** Various  
**Deliver to:** St. Paul  
**Requisition #:** Price Contract

**Commodity:** Partitions  
**Contact:** John Bauer 296-2621  
**Bid due date at 2pm:** August 14  
**Agency:** State University  
**Deliver to:** Winona  
**Requisition #:** 26074 13124

**Commodity:** Mobile repeaters  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 14  
**Agency:** Public Safety  
**Deliver to:** No. St. Paul  
**Requisition #:** 07500 63377

**Commodity:** Zenith 386 PC's  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 2pm:** August 14  
**Agency:** Lakewood Community College  
**Deliver to:** White Bear Lake  
**Requisition #:** 27154 46875

**Commodity:** Maintenance of film cleaning machine, RTI evaluator & conditioner  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** August 14  
**Agency:** Public Safety  
**Deliver to:** St. Paul  
**Requisition #:** Price Contract

**Commodity:** Projector repair  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** August 14  
**Agency:** Public Safety  
**Deliver to:** Plymouth  
**Requisition #:** Price Contract

**Commodity:** Rubbish disposal—Coon Rapids  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** August 14  
**Agency:** Anoka-Ramsey Community College  
**Deliver to:** Coon Rapids  
**Requisition #:** Price Contract

**Commodity:** Rental of snowmobiles  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** August 15  
**Agency:** Natural Resources  
**Deliver to:** Various  
**Requisition #:** 29000 52478

**Commodity:** Master control system  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 15  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073 21310

**Commodity:** Ramp metering cabinets  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 2pm:** August 17  
**Agency:** Transportation  
**Deliver to:** St. Paul  
**Requisition #:** 79000 62543 1

**Commodity:** Staplers/staples  
**Contact:** Norma Cameron 296-2546  
**Bid due date at 2pm:** August 16  
**Agency:** Admin Department Central Stores  
**Deliver to:** St. Paul  
**Requisition #:** Price Contract

## 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:** Explore Northeast MN travel guide, @200M books, 56pp self cover, 8 1/4"x10 3/4", camera ready, 4-color, saddle stitch  
**Contact:** Printing Buyer's Office  
**Bids are due:** August 16  
**Agency:** Trade & Economic Development  
**Deliver to:** St. Paul  
**Requisition #:** 0326

**Commodity:** 1898-90 class schedules, various quantities totaling near 250M books, 8"x10 1/2", camera ready, various sizes 24-48 pages, saddle stitch  
**Contact:** Printing Buyer's Office  
**Bids are due:** August 16  
**Agency:** State University  
**Deliver to:** Winona  
**Requisition #:** 0612

**Commodity:** Journeyman pipefitter license, 3M 7 1/4"x2 3/8" overall, type to set + negs available, 2-sided, requires union bug  
**Contact:** Printing Buyer's Office  
**Bids are due:** August 11  
**Agency:** Labor & Industry  
**Deliver to:** St. Paul  
**Requisition #:** 0579

**Commodity:** Contracting pipefitting license, 400, 8 1/2"x11" type to set, 1-sided, requires union bug  
**Contact:** Printing Buyer's Office  
**Bids are due:** August 11  
**Agency:** Labor & Industry  
**Deliver to:** St. Paul  
**Requisition #:** 0575

**Commodity:** Pipefitter license renewal, 3M, 4"x8 1/2" + gear drive, fanfold computer gear drive type to set, 1-sided, union bug required  
**Contact:** Printing Buyer's Office  
**Bids are due:** August 11  
**Agency:** Labor & Industry  
**Deliver to:** St. Paul  
**Requisition #:** 0576

**Commodity:** Contractor pipefitter license, 400, 7 1/4"x2 3/8", type to set, 2-sided, requires union bug  
**Contact:** Printing Buyer's Office  
**Bids are due:** August 11  
**Agency:** Labor & Industry  
**Deliver to:** St. Paul  
**Requisition #:** 0578

---

---

## Professional, Technical & Consulting Contracts

**Commodity:** Salary deduction report, 200M continuous 3-part form, type to set, 2-sided, 9 7/8"x11" overall

**Contact:** Printing Buyer's Office

**Bids are due:** August 11

**Agency:** PERA

**Deliver to:** St. Paul

**Requisition #:** 0620

**Commodity:** PERA and You, 6 page brochure, 24M and 7.5M, 8 1/2"x11" folded twice to 8 1/2"x3 2/3", camera ready, 2-sided

**Contact:** Printing Buyer's Office

**Bids are due:** August 11

**Agency:** PERA

**Deliver to:** St. Paul

**Requisition #:** 0558

**Commodity:** Wage detail report, 3M, type to set + camera ready, 2-sided, 8 1/2"x11"

**Contact:** Printing Buyer's Office

**Bids are due:** August 11

**Agency:** Jobs & Training

**Deliver to:** St. Paul

**Requisition #:** 0601

**Commodity:** Official intra-state health certification, 3-part form, 50M, negs available, 1-sided, 8"x5"

**Contact:** Printing Buyer's Office

**Bids are due:** August 11

**Agency:** Animal Health Board

**Deliver to:** St. Paul

**Requisition #:** 0490

**Commodity:** International fuel tax agreement license, 10M continuous forms 1-up, 9 1/2"x3 5/8", type to set, 1-sided

**Contact:** Printing Buyer's Office

**Bids are due:** August 11

**Agency:** Public Safety

**Deliver to:** St. Paul

**Requisition #:** 0584

---

---

## Professional, Technical & Consulting Contracts

### Department of Commerce

#### Notice of Request for Proposals for Services to Be Provided to the Minnesota Worker's Compensation Assigned Risk Plan

Notice of Request for Proposals for services to be provided to the Minnesota Workers' Compensation Assigned Risk Plan on behalf of the Minnesota Department of Commerce by an individual or organization qualified to act as administrator for the Plan.

The Department of Commerce intends to contract with an individual or organization to act as administrator on behalf of the Minnesota Workers' Compensation Assigned Risk Plan and according to the specifications issued. The administrator must be qualified to develop and implement the policies and procedures of the Plan's servicing carriers, financial managers and other contractors; To coordinate the Plan's activities with the Minnesota Workers' Compensation Insurers' Association, the Workers' Compensation Reinsurance Association, and the Minnesota Department of Labor and Industry. The contract period is planned to be from October 1, 1989 through September 30, 1993.

Interested parties should obtain the Formal Request for Proposals from:

Tammy Wetterling  
Department of Commerce  
500 Metro Square Building  
St. Paul, Minnesota 55101  
Phone: (612) 296-4972

Proposals must be submitted by August 21, 1989.

### State Designer Selection Board

#### Request for Proposal for a Project

##### To Registered Professional in Minnesota:

The State Designer Selection Board has been requested to select designer for a project. Design firms who wish to be considered for this project should submit proposals on or before 4:00 P.M., August 29, 1989, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

# Professional, Technical & Consulting Contracts

## The proposal must conform to the following:

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

### 4) Mandatory Proposal contents in sequence:

a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.

b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.

c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.

d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall **list and total** all fees associated with these projects whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects listed pursuant to the above.

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

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

### 5) Statutory Proposal Requirements:

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

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

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
  - b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights;
- or

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

d) A statement certifying that the firm has an application pending for a certificate of compliance.

### 6) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:

a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or

b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

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

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

### 7) PROJECT—33-89

Comstock Memorial Union  
Expansion and Remodeling  
Moorhead State University



---

---

## Professional, Technical & Consulting Contracts

**APPROPRIATION:** \$1.7 million for the preparation of the facility program: including schematic design, design development, construction documents, bidding, construction, and equipment.

**SCOPE OF PROJECT:** Plan, construct, equip, and furnish an expanded and remodeled student union. The project will include new construction and remodeling.

**PROJECT GROSS SQUARE FEET (GSF):** The building is expected to have an addition of approximately 12,000 GSF with exact dimensions determined following the program review phase.

**PROGRAM SUMMARY:** This facility will be expanded/remodeled, affecting the following spaces:

**Remodeled Spaces:**

- Union Station restaurant
- Underground restaurant
- Exchange/Job Shop (printing services)
- Main lounge area
- Ballroom floor
- Administrative offices
- Student development
- Recreational TV center
- Career and Placement Services
- Outing Center (rental services)
- Student design center
- Bowling lanes
- Comstock Room
- Et Cetera Shop

**New Spaces:**

- Union Station restaurant expansion
- Underground restaurant expansion
- Auditorium/theatre (seating capacity—350)
- Career and Placement Services expansion
- Counseling Center

Architectural firms planning to submit a proposal should make an on campus visit to understand the integration of the project with the existing student union building. Advance arrangements can be made by contacting John McCune, Vice President for Administrative Affairs, Moorhead State University.

**SITE:** Comstock Memorial Union is located on the Moorhead State University campus at the intersection of 6th Avenue South and 14th Street.

**PURPOSE OF THE PROJECT:**

- Career and Placement Services and the Counseling Center will be relocated to a common area.
- Seating and serving areas for both restaurants will be increased.
- The auditorium, a new space on the upper level, will provide for visiting lecturers, tele-conferences, and as a general assembly room for seminars.
- The floor plan will be re-designed so the lower level will house service oriented offices, while the upper level will be remodeled for student organization activities.

**BUILDING CONSTRUCTION:** New construction shall blend in (roof lines, landscape, and architecture) with the existing student union, and shall have exterior brick with a concrete masonry unit (CMU) backup structure, structural steel on concrete columns, hollow core precast floor, open web bar joists, and metal roof deck. Interior partitions shall be a metal stud system with vinyl clad gypsum board. The new exterior will incorporate precast concrete to continue the existing architecture.

A sub-structure spread footing, pad footing, and pier system shall be designed for future vertical expansion. Depending on soil conditions (to be researched) and load requirements, a deep caisson system may be required.

**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, oversight of project construction for owner (including on-site observation), and project acceptance. Food service consultant will be required; must be approved by Minnesota State University System.

## Professional, Technical & Consulting Contracts

---

---

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:** 7.5% of the Allocated Construction Cost.

### UNIVERSITY CONTACT:

John McCune  
Vice President for Administrative Affairs  
Moorhead State University, Moorhead, MN 56560  
(218) 236-2072

### STATE UNIVERSITY SYSTEM CONTACT:

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

Bernard Jacob, Chairman  
State Designer Selection Board

## Department of Health

### Division of Environmental Health

### Requests for Proposal for Conducting a Training Program for Lead-Based Paint Abatement Contractors

The Minnesota Department of Health (MDH) intends to retain a contractor for conducting a training program for abatement contractors on specific lead-based paint abatement methods required to ensure safe collection, removal, transportation, and disposal of lead containing material.

The following topics are to be included in the program content:

1. Background on the Use of Lead
2. Health Effects of Lead
3. Overview of Lead-Based Paint Regulations (specifically in reference to Minnesota)
4. Organizing an Abatement Plan
5. Contract Specifications
6. Interpretation of XRF Data
7. OSHA Lead Standard, Worker Protection, & Safety Hazards
8. Personal Protective Equipment (types, limitations, selection, cleaning and maintenance)
9. Abatement Techniques, Including Replacement, Encapsulation and Removal
10. Preparation, Cleanup Techniques and Clearance Criteria
11. Hazardous Waste Disposal Requirements

Contractor must provide all course materials, including course promotion/registration brochure, audiovisual, slides, overhead transparencies, deleaders manual, handouts, and other written materials. Slides and transparencies are to be reproduced in handouts. Please state in proposal if audio-visual equipment is requested.

#### Eligibility

Applicants must be an organization familiar with the most recent regulations and techniques for the abatement and removal of lead-based paint hazards. Applicants should have conducted lead abatement training at least once before, with more than once being desirable. Applicant must be able to conduct the training program in Minnesota. Approximately 100 persons will be in attendance. Location, meeting space, refreshments, etc. will be provided by MDH.

#### Project Start and Completion Dates

The Lead-Based Paint Abatement Training Program is to be held in April or May of 1990 and will last no more than five days.

---

---

## Professional, Technical & Consulting Contracts

### Project Costs

Anticipated costs for this project are not to exceed \$30,000 for all expenses including transportation, room and board, and lodging for lecturers and guest speakers, printing of materials and any other administrative costs.

### Proposals

Applicants may apply for this project by submitting a proposal to the Minnesota Department of Health Lead Program. Proposals must be received by 4:30 p.m. Monday, October 16, 1989. In addition to a detailed description of the proposed course, proposals must include: name of the organization; the name, address, and telephone number of the contact person; the dollar amount requested; the names and qualifications of the instructors; a list of subcontractors (if any); and a description of where and when this course has previously been conducted. The successful bidder will also have to provide evidence of worker's compensation insurance; Federal Employer Identification Number; and if applicable, a Minnesota Tax Identification Number. Proposals should be directed to:

Kay Markling  
Health Educator, Lead Program  
Division of Environmental Health  
Minnesota Department of Health  
717 S.E. Delaware Street  
P.O. Box 9441  
Minneapolis, MN 55440  
(612-623-5218)

All applicants will be notified in writing of final award decision by Thursday November 30, 1989. A formal contract will be executed prior to initiation of the project.

## Department of Human Services

### Notice of Request for Proposals for the Design, Development, Implementation, and Maintenance of a Medicaid Management Information System (MMIS)

The Department of Human Services is seeking proposals from qualified organizations for the Design, Development, Implementation, and Maintenance of a Medicaid Management Information System.

The respondent will:

- Transfer an existing operational MMIS which is either certified or approved for operation and awaiting certification, and modify the system to meet the system requirements of the State of Minnesota Health Care programs. The existing Minnesota MMIS shall not be considered a viable transfer candidate.
- Install the new Minnesota MMIS on State hardware to be operated by State personnel.
- Maintain and/or modify the Minnesota MMIS for a period of three (3) years after start of operations.

Interested organizations will be required to respond to all of the specifications contained in the Request for Proposals and will be required to submit a firm, fixed price bid for the Design, Development, Implementation, and Maintenance of a Medicaid Management Information System.

The Commissioner of Human Services will appoint an evaluation committee to review each proposal. The evaluation committee will examine the content of each proposal and will submit their findings to a selection committee comprised of DHS management. The selection committee will review the findings and will recommend to the Commissioner of Human Services their choice for a contractor. Evaluation and selection will be completed by December 8, 1989. All responders will be notified of the results by mail.

The Request for Proposals containing detailed specifications may be requested from the Department of Administration. The deadline for submitting proposal is 4:00 p.m. October 6, 1989. Please direct all proposals and inquiries to:

Mr. Don Olson  
Contracts and Technical Services  
Materials Management Division  
Minnesota Department of Administration  
112 Administration Building  
50 Sherburne Avenue  
St. Paul, Minnesota 55155

## **Professional, Technical & Consulting Contracts**

---

---

Late proposals will not be accepted. Six copies of the proposal must be submitted in a sealed mailing envelope or package with the responder's address clearly written on the outside. The proposal must be signed by an authorized member of the contracting firm. Prices and terms of the proposal as stated must be valid for the length of the project.

### **Minnesota Pollution Control Agency**

#### **Notice of Request for Statements of Qualifications of Consultants to Assist in Preparation of a Supplemental Environmental Impact Statement (EIS) on the Winona County Incinerator**

The Minnesota Pollution Control Agency (MPCA) expects to prepare a Supplemental Environmental Impact Statement (EIS) on the proposal by Winona County to construct a municipal solid waste (MSW) incinerator in the city of Winona, Minnesota. The Scope of the EIS will be determined shortly, but the Supplemental EIS is expected to include financial analysis and assessments of health risks associated with air emissions from combustion of mixed MSW at the Northern States Power Company facility at French Island in LaCrosse, Wisconsin. The Supplemental EIS scope may include financial analyses and health risk assessments of other sites and technologies. The health risk assessment will include an evaluation of human health risks associated with impacts of MSW combustion on the aquatic food chain. Health risks associated with alternative sites and technologies may also be evaluated.

The MPCA staff intends to utilize a two-stage process in the selection of a consultant to assist in the preparation of the supplement to the EIS. The first stage, which is initiated by the publication of this Notice, will consist of a review of qualifications of Consultant Contractors to assist in the preparation of the supplement. Qualifications of responding Contractors will be reviewed and a list of qualified Contractors will be prepared. In response to the Request For Statements of Qualifications, interested parties should provide information on their specific experience with health risk assessments, especially relating to the food chain, financial analysis of alternatives, and experience in preparing environmental impact statements.

During the second phase of selection, Requests for Proposals (RFPs) and a project work plan will be sent to the Contractors on the list of qualified Contractors, and the Contractor will be selected from those Contractors who respond to the RFP.

This notice of the Request for Statements of Qualifications does not obligate the MPCA to enter into a contract for services, or to otherwise reimburse any party for services or products provided.

Persons interested only in receiving a copy of the Request for Statements of Qualifications should contact:

Patricia Kiesling  
Office of Planning and Review  
Minnesota Pollution Control Agency  
520 Lafayette Road, North  
Saint Paul, Minnesota 55155  
Tel. (612) 296-7797

Persons having questions about the nature of the project, or the selection process may contact:

Eric J. Kilberg, EIS Project Manager  
Office of Planning and Review  
Minnesota Pollution Control Agency  
520 Lafayette Road, North  
Saint Paul, Minnesota 55155  
Tel. (612) 296-8643

### **Department of Trade & Economic Development**

#### **Advisory Task Force on Biodegradable Plastics**

#### **Request for Proposals for Study of Impact on Consumers and Businesses of Required Use of Biodegradable Plastics**

The Advisory Task Force on Degradable Plastics requests proposals for a study of the impacts on consumers and businesses of requiring that all plastic films sold for use in Minnesota as of July 1, 1992 be made of biodegradable materials.

---

---

## Professional, Technical & Consulting Contracts

### Notice of Project

The Advisory Task Force has been directed to develop a report to the Minnesota Legislature regarding the feasibility and consequences of requiring the wider use of degradable plastic products by industry and consumers.

Specifically, the Task Force needs information about the implications of a requirement that all plastics films, sold for use in Minnesota by industry or consumers, be made of biodegradable materials. This project would exclude plastics used for bottles, containers, coatings, and closures, and in those films that come in direct contact with food items.

### Project Tasks

This project will require close work with staff, and periodic meetings with the Task Force in order to monitor the progress of the study. The project would include the following activities:

- 1) Reporting on the use of plastic films in Minnesota including the source of those films, the nature of their application, and their disposal.
- 2) Reporting on those companies in Minnesota that manufacture films, including nature of the films produced.
- 3) Reporting on the scientific and commercial feasibility of complying with such a mandate.
- 4) Estimating the cost impact on consumers and industry of such a mandate.
- 5) Estimating the impact on the agricultural sector which would produce and process the commodities required in the production of biodegradable materials.
- 6) Estimating other ramifications such as: product availability, implications on business practices, impact on consumer products and practices.
- 7) Reporting on the impact of the use of alternative materials such as paper, coated papers, metals and glass.
- 8) Estimating the impact of such a mandate on the solid waste management systems in Minnesota.
- 9) Producing a final written report containing the findings, including a listing of other sources used in conducting the study.

### Proposal Content

- 1) A description of consultant's background, experience and qualifications relevant to this project.
- 2) A projected budget, including hourly wages of staff that would be assigned to the project, and anticipated timeframes for completion of the project.
- 3) A description of the principal steps which will be used in completing this project.
- 4) A description of the methodology to be used in developing estimated impacts.
- 5) A description of how the findings would be presented in order to facilitate the task force's selection of alternate mandates.

### Submission of Proposals

All proposals should be submitted by 4:30 p.m., August 25, 1989 to Bart Bevins, Rural Development Board, Department of Trade and Economic Development, 900 American Center Building, 150 East Kellogg, St. Paul, MN 55101-1421. Any questions regarding this project should be directed to Mr. Bevins at 612/297-1170.

### Completion Date

This project should be completed by November 17, 1989. This request for proposal does not obligate the State to complete the project and the State reserves the right to cancel this solicitation if necessary.

### Evaluation

Proposals will be reviewed for:

- 1) Consistency of the proposal with the goals of the Task Force.
- 2) Presence of sufficient budget detail to review and understand proposed expenditure.
- 3) Qualifications of personnel and company.

All proposals received will be reviewed by staff and the Task Force. The Task Force will select the consultant for this project no later than August 30, 1989 based on the proposals' content.

David J. Speer, Commissioner

## Professional, Technical & Consulting Contracts

---

---

### Department of Transportation

#### Request for Proposal for a 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 State reserves the right to cancel this solicitation.

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

## Non-State Public Contracts

---

---

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

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

### Metropolitan Council

#### Invitation for Sealed Bids for Computer Systems Maintenance

The Metropolitan Council is requesting sealed bids for maintenance of some of its computer systems. The systems include an IBM 4381-P13 and supporting equipment and a PS2 network comprised of approximately 130 PS2 Computers.

Specifications for this Computer systems equipment may be obtained by contracting Roy Larson, Information Systems Manager, at 612 291-6480. Specifications will be available August 4, 1989.

Sealed bids for maintenance of this computer equipment will be accepted by the Metropolitan Council until 11:30 a.m. C.D.T., on the 30th of August, 1989. The Purchasing Officer will publicly open the sealed bids in the Office of the Metropolitan Council at 1:30 p.m. C.D.T. on the 30th of August, 1989.

All sealed bids will be addressed to:

Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101  
ATTN: Purchasing Officer

All sealed bids shall be marked "Computer Systems Maintenance—To be opened at 1:30 p.m., August 30, 1989."

Steve Keefe  
Chair  
Metropolitan Council

---

---

## State Grants

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

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

---

### Minnesota Board on Aging

#### Notice of Request for Proposals for Regional Ombudsman Offices for Older Minnesotans

The Minnesota Board on Aging operates the Office of Ombudsman for Older Minnesotans pursuant to *Minnesota Statutes* 256.974. The Statute as amended authorizes the Board to make grants for the provision of ombudsman services in multi-county areas. The MBA is currently seeking proposals from public or private non-profit agencies interested in sponsoring a regional office to provide long-term care ombudsman services.

The Minnesota Board on Aging has designated the areas listed below as ombudsman service regions. The approximate amount of funding for each regional office for calendar year 1990 is also listed. The Minnesota Board on Aging will determine the exact amount of funding available for each office at its September meeting.

Northwest Office of Ombudsman for Older Minnesotans (Economic Development Regions 1, 2, and 4)	\$ 47,000
Northeast Office of Ombudsman for Older Minnesotans (Economic Development Region 3)	\$ 33,400
Central Office of Ombudsman for Older Minnesotans (Economic Development Regions 5, 7E and 7W)	\$ 39,800
Metropolitan Office of Ombudsman for Older Minnesotans (Economic Development Region 11)	\$132,000
Southwest Office of Ombudsman for Older Minnesotans (Economic Development Regions 6W and 8)	\$ 39,400
Southcentral Office of Ombudsman for Older Minnesotans (Economic Development Regions 6E and 9)	\$ 35,700
Southeast Office of Ombudsman for Older Minnesotans (Economic Development Region 10)	\$ 42,700

An informational meeting for all interested applicants is scheduled for 10:30 a.m., August 30, 1989 in Conference Rooms 2A and 2B at 444 Lafayette Road, St. Paul, Minnesota. The deadline for the submission of proposals is Friday, October 6, 1989.

For further information, or to receive a copy of the RFP contact:

Sharon Zoesch  
Office of Ombudsman for Older Minnesotans  
Minnesota Board on Aging  
444 Lafayette Road  
St. Paul, Minnesota 55155-3843  
(612) 296-2770

## State Grants

---

### Department of Corrections

#### Notice of Availability of Funds for Battered Women Services

The Minnesota Department of Corrections, Victim Services Unit, announces the availability of grant funds for battered women services in the Fargo, Moorhead and Crookston areas serving the Hispanic communities. Both existing and new programs are eligible to apply for these funds.

A total of \$35,513 is available for direct services to battered women, community education, professional training and coordination and consultation to enhance overall response to battered women for a one year period, July 1, 1989-June 30, 1990. These funds are being made available through appropriation by the Minnesota Legislature (State). Successful applicant(s) may be eligible for continued funding after the initial grant period.

Private, non-profit and governmental units are eligible to apply. The deadline for grant proposal submission is **August 28, 1989, 4:30 p.m.** To receive a request for proposals which describes how to apply for this funding contact Pat Prinzevalle, Minnesota Department of Corrections, Victim Services Unit, 300 Bigelow Building, 450 North Syndicate, St. Paul, Minnesota 55104; Telephone (612) 642-0253.

Dated: 28 July 1989

### Department of Corrections

#### Notice of Availability of Funds for Sexual Assault Services

The Minnesota Department of Corrections, Victim Services Unit, announces the availability of grant funds for sexual assault services in the Twin City Metropolitan Area serving Hispanic and Black communities. Both existing and new programs are eligible to apply for these funds.

A total of \$44,000 (two programs @ \$22,000) is available for direct services to victims of sexual assault, community education, professional training and coordination, and consultation to enhance overall response to victims of sexual assault for a one year period, July 1, 1989-June 30, 1990. These funds are being made available through appropriation by the Minnesota Legislature (State), the Federal Preventive Health and Health Services Block Grant (MDH), and the Victim of Crime Act (VOCA). VOCA funding requires 20% in-kind or cash match for agencies currently providing effective services to victims and 35% cash or in-kind match for agencies not yet providing victim services. The RFP contains detailed requirements. Successful applicant(s) may be eligible for continued funding after the initial grant period.

Both private, non-profit and governmental units are eligible to apply. The deadline for grant proposal submission is **August 28, 1989, 4:30 p.m.** To receive a request for proposals which describes how to apply for this funding contact Pat Prinzevalle, Minnesota Department of Corrections, Victim Services Unit, 300 Bigelow Building, 450 North Syndicate, St. Paul, Minnesota 55104; Telephone: (612) 642-0253.

## Supreme Court Decisions

---

### Decisions Filed 4 August 1989

**C6-88-1445 State of Minnesota v. Jerald Boitnott, Appellant. Benton County.**

1. The evidence was sufficient to prove intent beyond a reasonable doubt.
2. The trial court did not err in refusing to give the requested instruction on self-defense under the facts and circumstances of the case.
3. Where the trial court made clear that the jury could convict on first degree felony murder and second degree intentional murder only if the state proved the defendant intentionally caused the death of the victim, no separate accident instruction was required.
4. Defendant failed to identify any evidence or describe any theory on which a first degree manslaughter instruction might be based.
5. The trial court did not abuse its discretion in admitting a phone conversation into evidence.
6. There was no misconduct in the prosecutor's closing argument which was either serious or which played a substantial part in influencing the jury.

Affirmed. Wahl, J.



**C1-89-603 C3-89-604 Marcia Swanson, Relator, C1-89-603 v. Medtronic, Inc. and Travelers Insurance Company, and Bonnie J. Soderberg, Relator, C3-89-604 v. Medtronic, Inc. and Travelers Insurance Company. Workers' Compensation Court of Appeals.**

The evidence was sufficient in these cases to establish the requisite causal link between the existence of the employees' thyroid conditions and the work place even though thyroiditis has numerous other causes; but the evidence was also insufficient to establish a causal link between the work place and any permanent impairment.

Affirmed in part and reversed in part. Kelley, J.

Took no part, Popovich, C.J.

**C3-88-401 Elsie R. Harter, as Trustee Under Trust Agreement Regarding Foreclosure Dated as of July 1, 1986 v. Voight O. Lenmark and Estate of Catherine S. Lenmark, deceased, petitioners, Appellants, First Minnesota Savings Bank, F.S.B., Defendant. Court of Appeals.**

1. Demand letters sent by creditor's attorney to personal representative in his individual capacity as a co-debtor did not constitute claims against the estate. *Minnesota Statutes* § 524.3-803 (a)(1) (1988).

2. Although creditor may foreclose a mortgage or other lien on real property of an estate, a deficiency judgment against an estate may be obtained only through action on note after filing the requisite claim.

3. Summary judgment on debtor's claim that time for repayment of the debt was extended was not inappropriate where debtor had defaulted on other conditions of mortgage, and creditor was thereby entitled to accelerate note and foreclosure mortgage.

Reversed in part and affirmed in part. Coyne, J.

**C6-88-1011 Timothy D. Gabrielson, et al. v. James L. Warnemunde, d/b/a Warnemunde Insurance Agency, petitioner, Appellant. Court of Appeals.**

An insurance agent owed no duty of care to the insured, at the time a homeowner's policy was renewed, to inquire into whether the insured had acquired new property which would not be covered. No special circumstances exist in this case which would give rise to a duty of care to make inquiries or update the insurance policy at the time it was renewed.

Reversed. Keith, J.

---

---

## Announcements

**Offices Moved:** Three state agencies' offices have moved recently. The **Council on Black Minnesotans** has moved to the Wright Bldg.—Suite 426, 2233 University Avenue (University & Hampden), St. Paul, MN 55114 and has a new phone (612) 642-0811. The **Minnesota Board of Peace Officer Standards and Training (POST Board)** has moved to the Spruce Tree Centre (Snelling & University), 1600 University Avenue, Suite 200, St. Paul, MN 55104-3825 and also has a new phone number (612) 643-3060. And the **Minnesota Center for Arts Education** has moved to 6125 Olson Memorial Highway, Golden Valley, MN 55422 with a new phone number (612) 591-4700. All but the Minnesota Center for Arts Education are on the interoffice mail system.

**Plumber License Examinations:** Examinations for state journeyman and master plumber's licenses, and water conditioning installer and contractor licenses, will be conducted in September at four locations: Albert Lea Vocational-Technical School, Detroit Lakes Area Vocational-Technical School, Duluth Area Vocational-Technical School and North Hennepin Community College, Brooklyn Park. Applications may be obtained by calling (612) 623-5377 or by writing to the Plumbing Unit, Minnesota Department of Health, 717 Delaware Street S.E., Box 9441, Minneapolis 55440. Applications must be returned by August 15, to be eligible for the March examinations. The next scheduled examinations will be given in March of 1990.

**Vacancies in Judicial Districts:** Vacancies were announced in three judicial districts. District Court Judge Melvin J. Peterson, Judicial District 4 (Minneapolis, Hennepin County), will retire August 31. District Court Judge Roger Klaphake, Judicial District 7 (St. Cloud, Stearns County), will be elevated to the Court of Appeals October 1. District Court Judge James Garrity, Judicial District 7 (Moorhead, Clay County), will reach the mandatory retirement age of 70 and retire November 30. Persons learned in the law and residents of these judicial districts are encouraged to apply for the judicial positions. Applications may be obtained from the Judicial Merit Advisory Commission, 130 State Capitol, St. Paul, MN 55155 or by calling (612) 296-0055. Applications must be returned by August 19.

## Announcements

---

**Sustainable Agriculture Grant Applications:** Applications for grants to a maximum of \$25,000 will be awarded to projects with a potential to demonstrate agricultural practices that reduce chemical use, conserve energy, intensify crop rotations, improve livestock health or detail other profitable or environmentally-sound farming techniques. Farmers, non-profit organizations and educational institutions are invited to apply. "Increasingly, farmers have an interest in reducing their dependence on agricultural chemicals," Minnesota Commissioner of Agriculture Jim Nichols said. "Sustainable agriculture techniques can help bring about this new direction without sacrificing profitability." The program encourages farmer-to-farmer communication and demonstration of practical, alternative solutions for common problems among farmers, program director Rick Gauger said. "We have found that research and demonstration under actual farming conditions can yield valid and convincing results, and that cooperative efforts between farmers and agricultural specialists are often the most successful." Applications are being accepted now through November 15th. All applications will be reviewed by an independent panel of farmers and agricultural specialists. Grant awards will be finalized in January. For more information or to obtain an application, contact the Energy and Sustainable Agriculture Project, Minnesota Department of Agriculture, 90 West Plato Blvd., St. Paul, Minn. 55107, or call (612) 296-7673.

**Arts Board Officers Elected for 1990:** Benjamin Vander Kooi, Jr. of Luverne replaces retiring Arts Board member Marjorie Hayden. In an announcement issued in mid-July, Governor Perpich appointed Mr. Vander Kooi to represent the state at large until January 1991. The Arts Board also elected officers for fiscal year 1990 at their annual meeting July 20 in Saint Cloud. Re-elected to the posts they have held for the previous two years were Chair Karen Gray, Spring Grove, Vice-Chair Jim Nardone of Grand Rapids, and Secretary Mil Sahlstrom, Crookston. Also elected to a third term on the executive committee was board member Leonard Nadasdy, officer-at-large. For more information, contact the Public Information office at the Arts Board (612) 297-2603 or toll-free in Minnesota (800) 652-9747.

**Arts Board Seeks Advisory Panelists:** Nominations are being sought for individuals to serve on advisory panels for Artist Assistance, Artists in Education, Folk Arts, Operating Support, and Touring and Presenting programs. The Arts Board will make final decisions on panel appointments in the fall of 1989; panels will be convened throughout 1990 and 1991. Arts Board advisory panelists, representing the diverse population of the Minnesota arts community, donate their time to read applications, review work samples, and make funding recommendations to the Arts Board. Panelists are appointed to unsalaried one-year terms but may be reappointed for up to three consecutive years. Advisory panel nominees must have experience in at least one of the following areas: an artistic discipline; arts in education; or nonprofit financial or organizational management. Individuals who are interested in serving as panelists or in nominating another person should contact the Arts Board at (612) 297-2603, or toll-free in Minnesota at (800) 652-9747, for information and nomination forms.

**New Regional Transit Board Members Appointed:** The Metropolitan Council Monday made eight appointments to the Regional Transit Board (RTB). They include: John Finley, St. Paul, Ramsey County commissioner, Precinct A; Richard Wedell, Shoreview mayor, Precinct B; Jeff Spartz, Minneapolis, Hennepin County Board chair, Precinct C; and Sandra Hilary, Minneapolis City Council member, Precinct D. These terms end Jan. 1, 1993. For terms ending Jan. 1, 1991, the Council appointed Elwyn Tinklenberg, Blaine mayor, Precinct E; Ruth Franklin, Anoka, current RTB member, Precinct F; Norbert Theis, Jackson Township Board chair, Precinct G; and Edward Kranz, Hastings, current RTB member, Precinct H. A law passed by the 1989 Minnesota Legislature called for revamping the RTB, requiring a minimum of six local elected officials on the board. In addition to the eight appointments made by the Council, Gov. Perpich will appoint two at-large members. Perpich has already named Michael Ehrlichmann chair of the 11-member board. The Council's appointments take effect Aug. 7. The RTB is responsible for planning and coordinating transit for the seven-county Metropolitan Area, including approving light rail transit plans developed by the counties. The RTB also administers Metro Mobility, a paratransit service for elderly people and people with disabilities.

**Employment Outlook Report Available:** The employment outlook to the year 1993 for the seven-county Twin Cities area estimates the number of jobs to grow by 14 percent between 1986 and 1993. This outlook presents projections for 62 industries and more than 400 occupations. The Twin Cities area is expected to follow many statewide employment growth patterns while expanding faster than the state's growth rate of 11 percent. Services, led by business services, and trade are the two industry groups expected to grow the fastest and add the most workers. The outlook to 1993 also affirms a continued shift in demand toward more professional, technical, sales and service occupations, Borgfelt noted. Technological advance is one factor responsible for the fast growth of some occupations and the decline of others. Borgfelt added that the occupations expected to have the most openings due to growth require education and skills ranging from low to high levels. *Twin Cities Area Employment Outlook to 1993* describes these and other employment trends in more detail. It can be obtained by contacting the Research and Statistics Office, Minnesota Department of Jobs and Training, 612/296-6545. The statewide report is available from the same source. The outlook for Greater Minnesota regions will be available in the near future.

## Catching criminals is only one part of law enforcement.

**Police Report Writing Style Manual 1986**—A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms, and introduces the Data Practices Law. Code No. 14-13. \$14.00

**Background Investigation Manual 1986**—A guide to conducting effective thorough background investigations of peace officer candidates. Included are various criteria for use in the selection process: experience, education, and past behavior. Sample forms. Code No. 14-15. \$10.00.

**Motor Vehicle Traffic Laws 1988**—Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code No. 2-85. \$14.00.

**Criminal Code & Selected Statutes 1988**—Governs the conduct of peace officers. Includes continuing education requirements, sentencing standards, and more. Code No. 2-68. \$16.00.

**Blue Binder**—3 ring, 2" capacity. Criminal Code and Motor Vehicle Traffic Laws require 1 binder each. Code No. 10-21. \$4.25.



**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.

## Human Services Laws and Rules

### Human Services Laws 1988

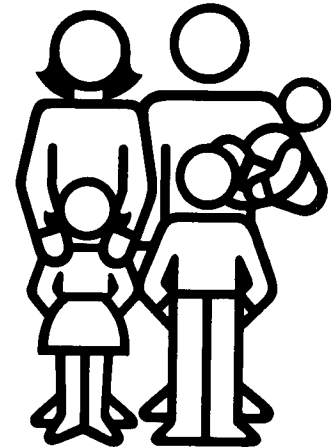
An extract from the statutes. Includes legislative amendments and additions from the most recent session. Code No. 2-56. \$21.95

### Human Services Rules 1988

Rules governing assistance programs, eligibility grant amounts, AFDC and residence requirements. MN Rules Chapter 9500-9580. Code No. 3-95. \$29.95.

**3 ring binder, 2" capacity.** 1 required for each of above listed publications. Code No. 10-21. \$4.25.

**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.



## Woodworking for Wildlife

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

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

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

**Bird Portraits in Color**, a total of 295 species of birds are depicted through magnificent illustrations, reproduced in seven-color lithography, accompanied by authoritative information about birds' activities, habitats, songs, and other characteristics, U of M Press, 1980, index, 92 color plates, hardbound. Code #19-41, \$12.95.

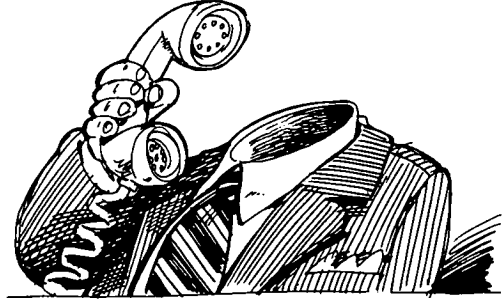
**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$1.50 per order for postage and handling. Prepayment is required. Please include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

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

## Ever called this guy?

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

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



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

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.

## Department of Commerce Regulated Profession Publications

**Banking Laws 1989.** Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76 \$31.95

**Business and Nonprofit Corporation Act 1988.** Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 80B, 302A, 317. Code #2-87 \$11.00

**Fair Labor Standards Act 1987.** Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$5.00

**Insurance Laws 1988.** A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1. \$22.95

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

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

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

**Real Estate Rules 1987.** Contains all education and licensing requirements for agents. Chapters 2800, 2805, and 2810. Code #3-99 \$8.00

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

**Securities Rules 1988.** Subjects include standards of conduct, equity securities, investment companies and more. Chapter 2875. Code #3-5 \$14.00

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

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

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

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

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

## Pheasants in Minnesota

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

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



**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.**

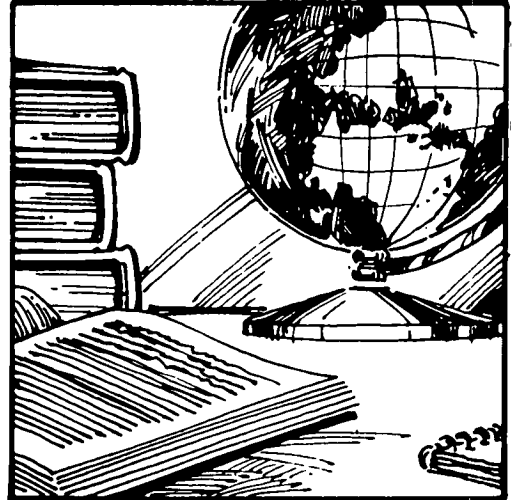
Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

## Get Smart with these Education Resources

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

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

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



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

## Good Business Decisions are Made with Good Information

**Minnesota Manufacturer's Directory.** More than 7,000 entries that include 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 plus tax.

**Business and NonProfit Corporation Act 1988.** A handy reference that contains all the state laws governing the establishment and conduct of corporations in Minnesota. Includes *Minnesota Statutes* Chapters 80B, 302, 302A and 317. Code #2-87, \$11.00 plus tax.

**Minnesota Guidebook to State Agency Services 1987-1990.** Packed with information to help you cut through red tape for easy and fast dealing with state agencies, this treasure of information opens state government to you. Its 640 pages describe agencies, how they work, listing contacts, addresses, phones, and license requirements, grants, forms, reports, maps, publications and much more. Gives historical, statistical and important data useful in hundreds of ways. Code #1-4. \$15.00 plus 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.

Code No.	Quantity	Description			Item Price	Total
<b>Name or Company</b>					<b>Subtotal</b>	
<b>Attention</b>					<b>Plus 6% tax MN Residents Only</b>	
<b>Address</b>						
<b>City</b>			<b>State</b>	<b>Zip</b>	<b>Postage/Handling (per order)</b>	<b>\$1.50</b>
<b>American Express/VISA/MasterCard No.</b>					<b>TOTAL</b>	
<b>Signature</b>				<b>Expiration Date</b>	<b>Telephone (During Day)</b>	

**TO ORDER:**  
Complete attached order blank. Include either your American Express/VISA/MasterCard number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order. Please include 6% sales tax and \$1.50 postage and handling. Ask for our catalogs for *Publications, Outdoors, or Mailing Lists*. **PREPAYMENT REQUIRED**  
Merchandise may be returned at \$1.50 restocking charge, if it is in resalable condition.  
NOTE: *State Register* and other subscriptions do not require sales tax or postage and handling fees. Prices subject to change without notice.  
Please allow 4-6 weeks for delivery. In a hurry? Stop by our Bookstore. Bookstore Hours 8:00-4:30 M-F

Send your order to:  
**Minnesota's Bookstore**  
117 University Ave., St. Paul, MN 55155  
Metro area 612-297-3000 (FAX: 296-2265)  
In Minnesota, toll free 1-800-652-9747

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.

## Resolve Bargaining Disputes and Grievances

**Public Employment Labor Relations Act 1987.** The collective bargaining rights and responsibilities of public employers and public employees. Details employees' right to organize and the legislature's authority. Code #2-90, \$5.00 plus tax.

**Public Sector Labor Relations in Minnesota.** A practical resource and training guide analyzing public sector labor relations in Minnesota. A special emphasis on contract administration, grievance handling and the arbitration process. 286 pages, paperbound. Code #10-51, \$12.50.

**Minnesota Guidebook to State Agency Services 1987-1990.** A treasure of helpful, useful, and interesting information about Minnesota state government. This important resource guides you through applications, fees, licenses, reports, history and travel highlights. Describes agencies in detail, giving addresses, phones and contact people. Code #1-4, \$15.00 plus 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.

## A Wise Investment—the rules of the game

**Securities Laws, 1987.** Governs the activities of broker/dealers, agents and investment advisors. *Minnesota Statutes* Chapter 80A. Code #2-12, \$6.00 plus tax.

**Securities Rules, 1988.** Rules implementing the legislative mandate. Subjects include equity securities and investment companies. *Minnesota Rules* Chapter 2875. Code #3-5, \$14.00 plus tax.

**Minnesota Guidebook to State Agency Services, 1987-1990.** Packed with information to help you, this 640-page resource guides you through license requirements, forms, fees, reports, services, grants, and more. Its listing of addresses, phones, and agency descriptions cut red tape for easy and fast service from state agencies. Code #1-4, \$15.00 plus tax.

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



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

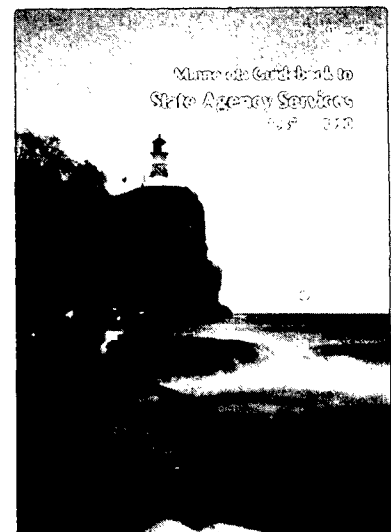
## A Beacon to Guide You—Minnesota's Owners Manual

You'll enjoy smooth sailing through your business with state government with the *Minnesota Guidebook to State Agency Services 1987-1990*.

Considered one of the finest resources to Minnesota's state agencies, this valuable and useful book is a treasure awaiting your discovery.

Packed with information to help you, its 640 pages guide you through license requirements, forms, fees, reports, services, grants, hotlines, maps, history, travel highlights and more. Its listing of addresses, phones, and agency descriptions cuts red tape so you get easy and fast service.

Copies cost \$15.00 (+90¢ tax, MN residents only). Make checks out to the "State of Minnesota" and send to the Print Communications Division, 117 University Avenue, St. Paul, MN 55155. MasterCard and VISA orders can be taken over the phone by calling (612) 297-3000 or toll-free in Minnesota 1-800-652-9747.



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, \$6.95 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, \$9.95 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.

