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The Minnesota  
**State Register**

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# 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 and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals for commodities, including printing bids.

### Printing Schedule and Submission Deadlines

Vol. 21 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 15	Monday 7 October	Monday 23 September	Monday 30 September
# 16	Monday 14 October	Monday 30 September	Monday 7 October
# 17	Monday 21 October	Monday 7 October	Monday 14 October
# 18	Monday 28 October	Monday 14 October	Monday 21 October

  

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An "Affidavit of Publication" can be obtained at a cost of \$5.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

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### 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:

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

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

## Minnesota Rules: Amendments & Additions

Volume 21, issue #15..... 476

### Proposed Rules

#### Public Safety Department

School bus driver qualifications..... 477

### Adopted Rules

#### Agriculture Department

Seed potato certification ..... 482

#### Pollution Control Agency

Wastewater and storm assistance..... 482

### Official Notices

#### Agriculture Department

Special local need registration for Dithane ST fungicide ..... 483

#### Minnesota Comprehensive Health Association

Meeting October 22, 1996 of the Managed Care Work Group..... 483

#### Health Department

Applications for essential community provider designation... 483

#### Human Services Department

Comments sought on planned amendments and repeal of rules of the Minnesota Merit System on definitions, salary adjustments and increases, compensation plan, administration of the plan, merit increases, work out of class, emergency appointment, temporary appointment, employee's appointment prior to adoption of the rules, extension of probationary period, leaves of absence, and appeals ..... 484

Formation of TEFRA Option Advisory Committee ..... 485

Availability of the Minnesota Health Care Program's provider participation list ..... 485

#### Labor and Industry Department

Prevailing wage certifications for commercial construction projects..... 485

#### Metropolitan Council

Public hearing on proposed service elimination to the Route 55 Saturday transit service ..... 486

#### Public Employees Retirement Association

Meetings October 10, 1996 of the Board of Trustees and on October 9, 1996 of the Legislative Committee of the Board of Trustees..... 486

#### Secretary of State

Vacancies in multi-member agencies ..... 486

### State Grants and Loans

#### Minnesota Board on Aging

Proposals sought for regional ombudsman offices for older Minnesotans..... 489

## Economic Security Department

Funds available for ongoing employment support services projects in supported employment for the development of on-going employment support services to individuals with serious and persistent mental illness employed in supported employment ..... 490

## Professional, Technical & Consulting Contracts

### Administration Department

Wanted to buy or lease residential properties in Rice and Steele Counties in Minnesota ..... 491

Proposals sought for total foodservice management contract for foodservice facilities in the State Capitol complex, St. Paul, Minnesota..... 491

### Attorney General

Solicitation of interest for outside legal counsel..... 492

### DUAL NOTICE:

#### State Board of Investment, and the Minnesota State Retirement System

Proposals sought for consulting services to assist the boards in carrying out responsibilities with 403(b) tax shelter annuity vendors, 457 annuity vendors, and 401(a) defined contribution plan vendors ..... 492

### Public Safety Department

Proposals sought for survey on youth and traffic safety..... 493

## Non-State Public Bids, Contracts & Grants

### Minnesota Historical Society

Bids sought for the repair of the foundation at the Sibley House ..... 493

Bids sought for the repair of the Sibley House piped storm drain system..... 494

### Metropolitan Council

Proposals sought for Americans with Disabilities Act (ADA) paratransit services, Metro Mobility, for the Metropolitan Council of Minneapolis, St. Paul, Minnesota..... 494

## STATEMENT OF OWNERSHIP, MANAGEMENT, AND CIRCULATION

A *State Register Contracts Supplement* listing commodity and service contracts advertised by the state is published every Tuesday, Wednesday and Friday. Award results are currently only available from the Materials Management Helpline.

Vendors interested in responding to the commodity and service contracts advertised in the *Contracts Supplement* should contact the Department of Administration **Materials Management Division Helpline** 612/296-2600.

Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.

# 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 1-800-657-3757.

**Volume 21, issue #15**

**Agriculture Department**

1555.6730; .6740; .6800; .6845; .6950 (adopted)..... 482  
 1555.6810; .6820; .6830; .6850; .6851; .6852; .6860; .6870; .6880;  
 .6890; .6900 (repealed)..... 482

**Pollution Control Agency**

7077.0100; .0105; .0115; .0277; .0278; .0280; .0287; .0288; .0290  
 (adopted)..... 482

7077.0500; .0505; .0510; .0515; .0520; .0525; .0530; .0535; .0540;  
 .0545; .0550; .0555; .0560; .0600; .0610; .0615; .0620; .0625;  
 .0640; .0650 (repealed)..... 482

**Public Safety Department**

7414.0200; .0300; .0400; .1100; .1200; .1250; .1400; .2100; .2100  
 (proposed)..... 477  
 7414.0400 s.2,3,4 (proposed repealer)..... 477

## 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 Public Safety

### Driver and Vehicle Services Division

#### Proposed Permanent Rules Relating to School Bus Driver Qualifications

##### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing and Notice of Hearing if 25 or More Requests for Hearing are Received

**Introduction.** The Minnesota Department of Public Safety intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, §§ 14.22 to 14.28 and the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rule within 30 days or by 4:30 p.m. on November 7, 1996, a public hearing will be held in the 5th Floor Conference Room of the Veteran's Service Building, 20 West 12th Street, St. Paul, Minnesota, 55155, starting at 9:00 a.m. on November 22, 1996. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after November 7, 1996 and before November 22, 1996.

**Agency Contact Person.** Comments or questions on the rule and written requests for a public hearing must be submitted to: Catherine Ann Moore, Department of Public Safety, Room 120, Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota, 55155, by telephone at (612) 296-2608, or by fax at (612) 296-3141.

**Subject of Rule and Statutory Authority.** The Department of Public Safety has proposed amendments to *Minnesota Rules*, parts 7414.0200 to 7414.2100, governing school bus driver qualifications. The rules address testing, driver background checks, and physical examination requirements.

The statutory authority to adopt these rules is found in *Minnesota Statutes* §§ 14.06, 171.321, subd. 2, and 299A.01.

A copy of the proposed rule is published in the *State Register*. The subject matter of the rules is described above. A free copy of the rule is available upon request from the agency contact person.

**Comments.** You have until 4:30 p.m. on November 7, 1996, to submit written comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comments are encouraged. Your comments should identify the portion of the proposed rule addressed, the reason for your comments, and any changes proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rule must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on November 7, 1996. Your written request for a public hearing must include your name and address. This information should be both legible. You must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule.

**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

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**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Accommodations.** If you need an accommodation to make this hearing accessible, please contact the agency contact person at the number listed above.

**Modifications.** The proposed rule may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must not result in a substantial change in the proposed rule as printed in the *State Register* and must be supported by data and views submitted to the department or presented at the hearing. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for November 22, 1996 will be canceled if the department does not receive 25 or more requests that a hearing be held on the rules. If you request a public hearing and one is held, the department will notify you before the scheduled hearing. You may also call the agency contact person after November 7, 1996 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes* §14.131 to 14.20. The hearing will be held on November 22, 1996, in Conference Room D, 5th Floor Veterans Service Building, 20 West 12th Street, Saint Paul, Minnesota 55155, beginning at 9:00 a.m. and will continue until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the Administration Law Judge. The Administrative Law Judge assigned to conduct the hearing is Judge Howard L. Kaibel, Jr. Judge Kaibel can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, 100 Washington Avenue South, Minneapolis, Minnesota, 55401-2138, or by telephone at 612-341-7608.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the department may respond in writing with rebuttal arguments or material within five business days after the submission period ends to any new information submitted after the hearing. All written materials and responses submitted to the Administrative Law Judge during the period must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day rebuttal period. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 and 14.20. Questions about the procedure may be directed to the administrative law judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment and response period also submit a copy of written views or data to the agency contact person at the address above.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rule, including a description of who will be affected by the proposed rule and an estimate of the probable cost of the proposed rule. The statement may also be reviewed and copies obtained at the cost of reproduction from the Office of Administrative Hearings.

**Lobbyist Registration.** *Minnesota Statutes*, Chapter 10A, requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement should be directed to the Ethical Practices Board at First Floor South, Centennial Building, 658 Cedar Street, Saint Paul, Minnesota, 55155, telephone (612) 296-5148 or 1 (800) 657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, after the end of the comment period, the department of public safety may adopt the rule. The rule and supporting documents will be submitted to the Office of Administrative Hearings for review as to legality. You may request to be notified of the date the rule is submitted to the office. If you want to be so notified, or wish to receive a copy of the adopted rule, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person at the address listed above.

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rule. You may request to be notified of the date on which the Administrative Law Judge's report will be available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rule and files it with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Donald E. Davis, Acting Commissioner  
Department of Public Safety

**7414.0200 BASIC REQUIREMENT.**

Satisfactory completion of a school bus driver's examination is required of every person who is required by *Minnesota Statutes*, section 171.321 to have to obtain a school bus driver's endorsement to operate a motor vehicle that is owned by a government agency; a nonpublic school corporation or agency; or a private person, firm, association, or corporation, and that is used to transport children to and from public or nonpublic schools and school-related activities.

**7414.0300 TESTS.**

Subpart 1. **Initial driver's endorsement.** The test or examination required for an initial school bus driver's endorsement on a ~~Minnesota driver's license shall~~ must include a written test and a road test.

Subp. 2. **Written test.** The written test ~~shall~~ must be based on the provisions of the Highway Traffic Regulation Act, *Minnesota Statutes*, chapter 169 and, driver license laws and, rules relating to school bus operation ~~prescribed by the State Board of Education and driver qualifications,~~ and a the general knowledge of the operation of school buses, including knowledge of the equipment, devices, and laws peculiar to school buses. The written test must contain a minimum of 50 questions. There must be at least two forms for the test, with the questions arranged in different order on each form. The written test ~~shall be~~ is satisfactorily completed if a minimum score of ~~70~~ 80 percent is obtained. ~~In determining whether a score of 70 has been obtained, the commissioner of public safety shall weight each portion of the test with regard to the criticalness of the specific factor being tested in relation to overall driving safety.~~

Subp. 3. **Road test.** The road test ~~shall~~ must be given in a school bus that is representative of the bus the applicant expects to operate. There are two separate classes of endorsement: one for a school bus with a capacity of 16 passengers or fewer; the other for a school bus with a capacity of over 16 passengers. ~~An endorsement issued to an applicant taking the test in the smaller bus will be restricted to a bus of that size. An endorsement issued to an applicant taking the test in the larger bus will be unrestricted.~~

The components of the road test shall be must consist of a test of knowledge of bus equipment, a skills test, and a driving test. The road test is satisfactorily completed if a minimum score of ~~70~~ 80 percent is obtained. ~~In determining whether a score of 70~~ 80 percent has been obtained, the commissioner of public safety shall weight each portion of the test with regard to the criticalness of the specific factor being tested in relation to overall driving safety.

Subp. 4. **Endorsement classification.** There are four separate classes of endorsement, with each endorsement based upon the passenger capacity and the gross vehicle weight (GVW) of the school bus used to take the road test, as follows:

- A. school bus designed to transport 15 or fewer passengers;
- B. school bus designed to transport 16 to 23 passengers with a GVW of 26,000 pounds or less;
- C. school bus designed to transport 24 or more passengers with a GVW of 26,000 pounds or less; or
- D. if the applicant takes the test in a bus that is over 26,000 pounds GVW, the endorsement is unrestricted.

**7414.0400 DRIVER BACKGROUND CHECK.**

Subpart 1. **Scope.** Before issuing or renewing a driver's license with a school bus driver's endorsement, the Department of Public Safety shall conduct a background check to investigate the applicant's criminal and driving records. The department shall use the criteria ~~listed in subparts 2 and 3~~ required by *Minnesota Statutes*, section 171.3215, when issuing or denying an application for a new school bus driver's endorsement or when renewing or canceling an existing endorsement.

Subp. 2. [See repealer.]

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

**7414.1100 PHYSICIAN'S PHYSICAL EXAMINATION CERTIFICATE.**

An applicant for a school bus driver's endorsement shall must be in good physical and mental health; ~~able-bodied; and free from communicable disease.~~ As evidence of physical fitness and mental alertness, the applicant shall submit to a physical examination by a reputable physician designated by the local school authorities; and the physician's certificate of physical fitness and mental alertness shall accompany the application for school bus driver's endorsement when presented to the Department of Public Safety physically qualified to operate a school bus. The applicant must undergo a physical examination.

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

## Proposed Rules

The physical examination must be performed by a licensed physician, with the following exceptions:

A. A licensed optometrist may perform that part of the physical examination that pertains to visual acuity and field of vision as specified in part 7414.1200, item A.

B. An audiologist registered under chapter 4750 or certified by the American Speech-Language-Hearing Association may perform that part of the physical examination that pertains to hearing loss as specified in part 7414.1200, item B.

### 7414.1200 DISQUALIFICATION ELIGIBILITY; PHYSICAL QUALIFICATIONS.

An applicant for an initial school bus driver's endorsement or for renewal of a school bus driver's endorsement whose physical examination discloses communicable diseases, or mental or physical conditions of an intermittent or continuing nature that might reasonably affect the ability to operate a school bus, must be denied a school bus driver's endorsement. One or more of the deficiencies specified in items A to M disqualify the applicant for a school bus driver's endorsement: For the purposes of this chapter, "direct threat" means a significant risk or high probability of substantial harm to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. The determination that a person poses a direct threat to the health or safety of others must be based on an objective and individual assessment.

A person is physically qualified to operate a school bus if the person meets all of the following requirements:

A. The person must not have visual acuity less than 20/40 Snellen in either each eye with or without lenses or by correction with lenses; total form corrective lenses. The person must not have a field of vision of less than 70 degrees in the horizontal meridian less than 140 degrees in either each eye (drivers, A person required to wear corrective lenses shall must wear properly prescribed lenses when driving);.

B. hearing less than 30 db (10/20) in the better ear, with or without a hearing aid; The person must not have an average hearing loss in the better ear greater than 40 decibels at 500 hertz (Hz), 1,000 Hz, and 2,000 Hz, with or without a hearing aid, when tested with an audiometer calibrated to the American National Standard Specification for Audiometers, ANSI S3.6-1989, published by the Acoustical Society of America, 1989. This standard is incorporated by reference. It is available through the Minitex interlibrary loan system and at the State Law Library, Minnesota Judicial Center, 25 Constitution Avenue, Saint Paul, Minnesota 55155. This standard is not subject to frequent change.

C. abusers of alcohol or users of narcotics or drugs that may impair driving ability; The person must not use an amphetamine, a narcotic, or other habit-forming drug. A driver may use a substance or drug when it is prescribed by a licensed medical practitioner who is familiar with the person's medical history and assigned duties and who has determined that the prescribed substance or drug will not pose a direct threat to the health or safety of others.

D. coronary or heart ailment likely to interfere with safe driving; electrocardiogram is required when other findings indicate desirability; The person must not have a current clinical diagnosis of alcoholism unless the person remains abstinent from alcohol, has abstained from using alcohol for enough time to recover good judgment, is beyond having alcohol-withdrawal effects, and is no longer physically or mentally impaired so as to pose a direct threat to the health or safety of others.

E. The person must not have a clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure, that will pose a direct threat to the health or safety of others. When findings indicate the need, an electrocardiogram may be required.

E. The person's blood pressure must not be over 160/90;

F. failure to have a satisfactory Mantoux or chest x-ray as required by Minnesota Department of Health, parts 4605.3400 and 4605.3500;

G. a communicable disease listed in Minnesota Department of Health rules, parts 4605.0200 to 4605.0600, 4605.1700 to 4605.2200, and 4605.2600 to 4605.5100;

H. G. The person must not have a loss of, impairment, or defect of foot, leg, hand, or arm, unless the commissioner grants a waiver after determining that the loss or impairment will not interfere with the applicant's ability to transport students safely; that poses a direct threat to the health or safety of others.

I. H. The person must not have a mental, nervous, organic, or functional, or psychiatric disease likely to interfere with safe driving; that will pose a direct threat to the health or safety of others.

J. I. The person must not have an established medical history or a current clinical diagnosis of diabetes mellitus requiring insulin for control, unless controlled by diet or oral medication only; the person has not had an episode of loss of consciousness or voluntary control within the preceding five years. The person's physician must certify that the person's medical condition will not pose a direct threat to the health or safety of others.



K. epilepsy or other episodic (Paroxysmal) periods of unconsciousness; L. The person must not have an established medical history or a current clinical diagnosis of epilepsy, unless the person has not had an episode of loss of consciousness or voluntary control within the preceding five years. The person's physician must certify that the person's medical condition will not pose a direct threat to the health or safety of others.

K. The person must not have an established medical history or clinical diagnosis of a condition that is likely to cause a loss of consciousness that will pose a direct threat to the health or safety of others.

L. use of medication that the examining physician determines is likely to interfere with safe driving; or

M. lack of good general health. The person must not have an established medical history or clinical diagnosis of a respiratory dysfunction that will pose a direct threat to the health or safety of others.

M. The person must not have an established medical history or clinical diagnosis of a rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease, or a communicable disease, that will pose a direct threat to the health or safety of others.

N. The person must not have any other medical condition that will pose a direct threat to the health or safety of others.

**7414.1250 APPEAL.**

If the applicant is denied a school bus driver's endorsement based upon physical qualifications, the applicant may appeal the denial. This appeal must include the following information:

A. the name, address, and telephone numbers of the applicant, employer, and physicians involved in the proceeding;

B. a medical report from an impartial medical specialist in the field in which the conflict arose. The specialist selected must be agreed upon by the applicant and the department; and

C. a description and a copy of all evidence upon which the applicant relies.

The applicant shall submit the medical records and statements of all physicians who have given opinions on the applicant's qualifications. The commissioner may request further information from the applicant if the commissioner determines that a decision cannot be made on evidence submitted.

**7414.1400 PERIODIC REEXAMINATION.**

Each school bus driver is required to take and pass a physical examination every two years in order to retain the school bus driver's endorsement. The two-year reexamination period will start from the examination date of the most recent physical examination certificate submitted by a school bus driver. The Department of Public Safety will send physical examination certificates to school bus drivers. A school bus driver shall return the certificate, completed by the examining physician, along with a \$2 processing fee, on or before the expiration of the two-year period, to the Department of Public Safety. ~~Failure~~ If the driver fails to pass and the physical examination or return the physical examination will result in cancellation of certificate, the commissioner of public safety will cancel the school bus driver's endorsement from the Minnesota ~~driver~~ driver's license.

**7414.2100 RENEWAL REQUIREMENTS.**

[For text of subp 1, see M.R.]

Subp. 2. **Noncompliance.** Failure to comply with any of the requirements of this ~~part shall~~ chapter will result in the cancellation or denial of the school bus driver's endorsement.

**REPEALER.** Minnesota Rules, part 7414.0400, subparts 2, 3, and 4, are repealed.

**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

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 citation to its previous *State Register* publication will be printed.

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

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

## Department of Agriculture

### Adopted Permanent Rules Relating to Seed Potato Certification

The rules proposed and published at *State Register*, Volume 21, Number 3, pages 77-86, July 15, 1996 (21 SR 77), are adopted as proposed.

## Pollution Control Agency

### Adopted Permanent Rules Relating to Wastewater and Storm Assistance

The rules proposed and published at *State Register*, Volume 20, Number 42, pages 2245-2276, April 15, 1996 (20 SR 2245), are adopted with the following modifications:

#### Rules as Adopted

#### **7077.0287 COMPLETION OF CONSTRUCTION AND INITIATION OF OPERATION; STORM WATER TREATMENT SYSTEMS.**

A. Within ten days following ~~initiation~~ of completion of construction, the municipality must notify the commissioner in writing of the initiation of operation date.

Pursuant to the provisions of Minnesota Statutes §14.101, 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.

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## Department of Agriculture

### Agronomy and Plant Protection Division

#### Notice of Special Local Need Registration

On September 25, 1996, the Minnesota Department of Agriculture issued a Special Local Need (SLN) registration for Dithane ST fungicide manufactured by Rohm and Haas Company, Independence Mall West, Philadelphia, PA 19105, for use on seed potatoes for control of potato storage diseases.

A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

Objections may be submitted to: John C. Sierk, Pesticide Regulatory Consultant, Minnesota Department of Agriculture, Agronomy and Plant Protection Division, 90 West Plato Boulevard, St. Paul, MN 55107. Comment deadline is November 6, 1996.

## Minnesota Comprehensive Health Association

### Notice of Meeting of Managed Care Work Group

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Managed Care Work Group will be held on Tuesday, October 22, 1996, at Blue Cross and Blue Shield of Minnesota, RiverPark Building, 3400 Yankee Drive, Eagan, at 8:00 A.M. The meeting will be in room S2-7.

For additional information, please call Lynn Gruber at (612) 593-9609.

## Minnesota Department of Health

### Health Policy and Systems Compliance Division

#### Notices Regarding Applications for Essential Community Provider Designation

##### I. Applications received

**NOTICE IS HEREBY GIVEN** that applications for Essential Community Provider designation have been received from the applicants listed below. Pursuant to *Minnesota Statutes* section 62Q.19, subdivision 1, the public has 30 days from the date of this publication to submit written comments regarding these applications. Written comments should be submitted to: Tom Johnson, Minnesota Department of Health, Health Policy and Systems Compliance Division, 121 East Seventh Place, P.O. Box 64975, St. Paul, Minnesota 55164-0975. Telephone inquiries may be directed to Mr. Johnson at (612) 282-6333.

**Rice County Community Health Services**

128 Northwest Third Street, Suite 1

Faribault, Minnesota 55021

Date application was received: September 20, 1996

**Gillette Children's Specialty Healthcare**

200 University Avenue East

St. Paul, Minnesota 55101

Date application was received: September 23, 1996

##### II. Denial of application

The following application for designation as an Essential Community Provider has been denied, since the applicant does not meet the eligibility requirements of *Minnesota Statutes* § 62Q.19, Subd. 1.:

Barnesville Area Clinic

Barnesville, Minnesota

Dated: 27 September 1996

Anne M. Barry, Commissioner  
Minnesota Department of Health

## Department of Human Services

### Health and Public Safety

#### **REQUEST FOR COMMENTS on Planned Amendments and Repeal of Rules of the Minnesota Merit System Governing Definitions, Salary Adjustments and Increases, the Compensation Plan, Administration of the Plan, Merit Increases, Work out of Class, Emergency Appointment, Temporary Appointment, Employee's Appointment Prior to Adoption of the Rules, Extension of Probationary Period, Leaves of Absence, and Appeals**

(*Minnesota Rules*, parts 9575.0010; 9575.0340; 9575.0350; 9575.0360; 9575.0380; 9575.0670; 9575.0680; 9575.0690; 9575.0740; 9575.1000 to 9575.1080; 9575.1190; 9575.1500; 4670.0100; 4670.1220; 4670.1310; 4670.1320; 4670.1400 to 4670.1450; 4670.1600; 4670.2520; 4670.2530; 4670.2540; 4670.2630; 4670.3000 to 4670.3080; 4670.3450; 4670.4200 to 4670.4240; 7520.0100; 7520.0640; 7520.0650; 7520.0660; 7520.0680; and 7520.1000 to 7520.1100.)

**Subject of Rule.** The departments of Human Services, Health, and Public Safety are considering rule amendments that would clarify the definition of the term "permanent" employee, amend the definition of "temporary" employee to allow more flexibility in the length of appointment, provide a 1997 salary adjustment for employees covered by the Minnesota Merit System, amend the salary ranges in the compensation plan for 1997, clarify the requirements that must be met to appoint employees who were first hired by an agency before adoption of the merit system rules, and modify the requirements needed to appoint emergency and temporary appointments and to extend the probationary period. The departments also are considering repeal of rules covering appointments above the first step of the salary range, merit increases, appeal of denial of merit increases, appointments for work out of class, and leaves of absence. Repeal of these rules is being proposed since local and county appointing authorities already have policies in these areas that would apply to local and county human services, social services, health and emergency management employees and the rules, in many cases, are obsolete.

**Persons Affected.** The amendments to the rules and repeal of rules would affect employees of the county human services, social services, health and emergency management agencies covered by the Minnesota Merit System. Rule amendments to the compensation plan and salary adjustments and increases would affect only those employees of county human services, social services, health, and emergency management agencies who are not covered by the terms of collective bargaining agreements. The departments do not contemplate appointing an advisory committee to comment on the planned rules.

**Statutory Authority.** *Minnesota Statutes*, selections 256.012, 144.071, and 12.22, subd. 3 authorize the departments to adopt rules to provide local and county appointing authorities with an effective system of personnel administration based on merit principles.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on Friday, December 13, 1996. The departments do not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules. Written or oral comments, questions, requests to receive a draft of the rules when they have been prepared, and requests for more information on the planned rules should be addressed to:

Betty Carlson  
Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3822  
Telephone: 612-282-2649

Dated: 30 September 1996

John Petraborg  
Acting Commissioner  
Department of Human Services

Anne Barry  
Commissioner  
Department of Health

Arne H. Carlson  
Governor

## Department of Human Services

### Notice of Formation of TEFRA Option Advisory Committee

*Laws of Minnesota 1996*, Chapter 451, Article 1, section 2, authorizes the Commissioner of Human Services to study and report to the Minnesota Legislature, by February 1, 1997, on the number of children found eligible for Medical Assistance (MA) under the TEFRA Option as a result of the modifications in *Minnesota Statutes*, section 256B.055, subdivision 12, paragraph (e). The report must include information on the medical conditions of the children found eligible, the services provided to those children. The report must also include recommendations on any changes in criteria developed in consultation with interested family, client, provider, and county representatives.

The Commissioner of Human Services is seeking persons, including clients, advocates, other interested persons to assist in this study. The Department will hold meetings in mid-November and early December. Please note: Participants will not be reimbursed for serving on the advisory committee.

Persons wishing to assist in the study should send a letter of interest no later than November 1, 1996. The letter should include a description of the person's qualifications, interest or experience in this area and should be sent to Shelly Engle, Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3848. (612) 297-7011.

## Department of Human Services

### Notice of Availability of the Minnesota Health Care Program's Provider Participation List [Also Known as DHS Rule 101 Provider Compliance List]

**NOTICE IS HEREBY GIVEN** that the Minnesota Health Care Program's provider participation list for July 1, 1996 is now available. The provider participation list is a compilation of health care providers who are in compliance with DHS Rule 101. This list is distributed on a quarterly basis to the Department of Employee Relations, the Department of Labor and Industry, and the Department of Commerce. To obtain the list, contact Fred Lewis, Rule 101 specialist, at (612) 296-7583/1-800-657-3991. Or send your request to Fred Lewis, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3856 or fax Attention: Fred Lewis at (612) 296-5690.

John Petraborg  
Acting Commissioner  
Department of Human Services

## Department of Labor and Industry

### Labor Standards Division

### Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective October 7, 1996 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

**Blue Earth:** Asbestos Removal - Centennial Student Union - Mankato State University-Mankato.

**Carver:** Waconia Lift Station & Forcemain Improvements-Waconia & Victoria.

**Clay:** Air Conditioning Upgrade - King Biology & Owens Hall - Moorhead State University-Moorhead.

**Dakota:** ISD #191 Diamonhead Educational Center - Toilet Remodeling-Burnsville.

**Douglas:** DNR New Multi-Purpose Building-Carlos.

**Hennepin:** Fridley School District Remodeling & Renovation-Fridley; Hamilton School Asbestos Abatement-Minneapolis; Hennepin County Central Food Facility Relocation-Minneapolis; Southwest Mezzanine Development - MSP International Airport; Informational/Directional Signage Adjustments - 1996 - MSP International Airport-Minneapolis.

**Itasca:** Revisions & Addition to Itasca County Highway Garages-Warba & Balsam Township.

**Washington:** Government Center West Wing HVAC Mechanical Modifications-Stillwater; Washington County Courts Renovation Project-Stillwater.

Copies of the certified wage rate for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

Gary W. Bastian, Commissioner

## Metropolitan Council

### Notice of Public Hearing on Route 55 Saturday Transit Service Elimination

The Metropolitan Council will hold a public hearing on proposed service elimination to the Route 55 Saturday transit service effective January 1, 1997. The hearing will be held November 12, 1996, at 6:30 p.m. at New Hope City Hall, Parks and Recreation Conference Room, 4401 Xylon Avenue North, New Hope, MN. Interested persons are encouraged to attend the hearing and offer comment on the proposed service elimination. People who are unable to attend the hearing may submit comments until November 26, 1996 through the following methods:

**Written Comment** send to: Paul Colton, Project Administrator, Metropolitan Council, 230 East 5th Street, St. Paul, MN 55101.

**E-Mail Comments** send to: Attention of Paul Colton at [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)

**Voice Comments:** Recorded on the Council's Public Comment Line at 291-6536.

**TTY Comments:** to the attention of Paul Colton 291-0904.

## Public Employees Retirement Association

### Notice of Meetings of the Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, October 10, 1996 at 9:30 a.m. in the offices of the association, 514 St. Peter Street, Suite 200, Saint Paul, Minnesota.

A meeting of the Legislative Committee of the Board of Trustees will be held on Wednesday, October 9, 1996, at 2:00 p.m. in the offices of the association.

## 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, 100 Constitution Ave., St. Paul, MN 55155-1299; (612)297-5845, or in person at Room 174 of the State Office Building. In accordance with the Minnesota Open Appointments Law, the Secretary of state acts as an administrator in publishing vacancies, receiving applications, and recording appointments.

Applications will be reviewed and appointments made by the Appointing Authorities for these various agencies. Completed applications are to be submitted to the Secretary of State by **October 29, 1996**. Appointing Authorities for these agencies may also choose to review applications received by the Secretary of State after that date. Applications are kept on file for a one year period.

The 1995 Annual Report and Registration is now available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the 1995 fiscal year.

To order copies of the 1995 Annual Report please call the Minnesota Bookstore at (612)297-3000 or 1-800-657-3757.

**AMERICAN INDIAN ADVISORY COUNCIL ON CHEMICAL DEPENDENCY**, 444 Lafayette Rd., St. Paul, MN 55155-3823 (612)296-4606. *Minnesota Statutes* 254a.035

**APPOINTING AUTHORITY:** Commissioner of Human Services

**COMPENSATION:** \$55 Per diem plus expenses.

**ONE VACANCY:** Applicants must reside in Minneapolis to fill this vacancy.

The council establishes policies and procedures for American Indian chemical dependency programs, and reviews and recommends proposals for funding. The council consists of 17 member including; one member from each of the eleven reservations, two members from Minneapolis, two members from St. Paul, one member from Duluth, and one member from International Falls. Quarterly meetings. The expiration date of the council is June 30, 1997.

**BOARD OF PEACE OFFICER STANDARDS AND TRAINING**, #200, 1600 University Ave., St. Paul, MN 55104-3060 (612)643-3060. *Minnesota Statutes* 626.841

**APPOINTING AUTHORITY:** Governor

**COMPENSATION:** \$55 Per diem.

**ONE VACANCY:** County sheriff for a four year term expiring in January, 1999.

The board licenses peace officers and part-time peace officers, establishes minimum qualifications and standards of conduct, and regulates professional peace officer education and continuing education for peace officers. The board consists of 15 members including; two sheriffs, four municipal police officers (at least two chiefs of police); two peace officers, one who is a member of the Minnesota Trooper's Assn., the superintendent of the Bureau of Criminal Apprehension is an ex-officio member, two members from peace officers or former peace officers currently employed in a professional peace officer education program, one member from among administrators of Minnesota colleges or universities that offer professional peace officer education, one member from among elected city officials from cities of under 5,000, and two members from among the general public. Members must file with the Ethical Practices Board. The board meets six times a year for 3 hours at 1600 University Ave., #200, St. Paul, MN. The board does not expire.

**MINNESOTA NON-PROFIT PROGRAM REVIEW COMMITTEE**, 400 Centennial Office Bldg., 658 Cedar St., St. Paul, MN 55155 (612)296-5900. *Minnesota Statutes* 15.014

**APPOINTING AUTHORITY:** Commissioner of Finance

**COMPENSATION:** Expenses

**SEVEN MEMBERS:** To be appointed by the commissioner from the banking and finance industry, and two public members to be appointed at large.

To help state agency commissioners evaluate nonprofit organizations' business and financial plans - for certain organizations awarded state bonded funds by the legislature. The committee consists of 9 members including; seven members to be appointed by the Commissioner of Finance from the banking and finance industry, and two public members. Meetings are held as needed in St. Paul. The committee has a perpetual duration.

**MINNESOTACARE REGIONAL COORDINATING BOARDS**, 121 E. 7th Pl., PO Box 64975, St. Paul, MN 55164-0975 (612)282-6350. *Minnesota Statutes* 62J.09

**APPOINTING AUTHORITY:** Governor

**COMPENSATION:** Expenses only.

**ONE VACANCY:** Provider.

The state has been divided into six regions and a Regional Coordinating Board has been formed for each region. The boards are locally controlled and may perform the following activities: undertake voluntary activities to educate consumers, providers, and purchasers and community plans & projects promoting health care cost containment; consumer accountability, access, quality & efforts to achieve public health goals make recommendations on ways to improve the affordability, accessibility and quality of health care in the region and throughout the state; provide technical assistance to parties interested in establishing or operating a community integrated service network or integrated service network must compliment assistance provided by the commissioner under sect. 62N.23; advise the commissioner on public health goals, taking into consideration the relevant portions of the community health service plans, plans required by the Minnesota comprehensive adult mental health act. & the community social service act plans developed by the county boards or community health boards in the region under chapters 145A, 245, 256E; prepare an annual regional education plan that is consistent with and supportive of public health goals identified by community health boards in the region; & serve as advisory bodies to identify potential applicants for federal Health Professional Shortage Area & federal Medically Underserved Area designation as requested by the commissioner. The plans must recommend appropriate structure for organizing the health systems to achieve cost containment objectives of the 1992 health care reform legislation, recommend sanctions & process voluntary agreements between providers, & recommend expenditures for major capital, new technologies & medical practices. The Regional Coordinating Boards shall adopt regional public health goals. Managed care organizations will jointly develop a plan for achieving public health goals with RCBs, local public health units & other local organizations providing health services within the service area of the managed care organizations. Health plan action plans & collaboration plans may be reviewed by RCBs. RCBs shall provide technical assistance to parties interested in establishing or operating an ISN or CISN within a region.

The board consists of 17 members including; 4 representatives (reps) of health care providers, each appointed by the Minnesota Medical Association, the Minnesota Hospital Association, the Minnesota Nurses Association and one appointed by the Governor to represent providers other than nurses, hospitals and physicians; 4 reps. of Health Plan Companies who provide coverage for residents of the region - one elected by a vote of all health insurers providing coverage in the region, one elected by a vote of all HMO's

## Official Notices

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providing coverage in the region, one appointed by Blue Cross & Blue Shield of Minnesota, and one appointed by the Governor; 3 reps. of employers in the region to be selected by a vote of the employers who are members of chambers of commerce in the region, at least one must represent self-insured employers; 1 representative of employee unions to be appointed by the AFL-CIO Minnesota, to be either a union member residing or working in the region or who is representing a union that is active in the region; 3 consumer members, one elected by the community health boards in the region (each community health board has one vote), one elected by the state legislators with districts in the region, and one appointed by the Governor; 1 county board member elected by all the county board members in the region (each county board has one vote); and one state agency commissioner representative to be appointed by the Governor. Meetings vary between each of the six boards and are for 4 hours at various locations. The expiration date is July 1, 2000.

**MINNESOTA BOARD OF CHIROPRACTIC EXAMINERS PEER REVIEW COMMITTEE**, 2700 University Ave. W., Suite 20/ As Of 11-1-96, 2829 Univ. Ave. SE, #300, St. Paul, MN 55114-1089/As Of 11-1-96, Mpls., MN 55414-3220 (612)642-0591. *Minnesota Statutes* 148.106

**APPOINTING AUTHORITY:** State Board of Chiropractic Examiners

**COMPENSATION:** \$55 per diem.

**ONE VACANCY:** Professional member; must be available to attend first meeting on Tuesday, December 3, 1996 at 12:30p.m.

The committee makes determinations of whether or not chiropractors properly utilized services rendered, or ordered appropriate treatment or service, and if the cost of treatment was unconscionable. The board consists of 7 members including five chiropractors and two consumer members. Terms are one year in length. Members may serve two full terms. Applications may be submitted at any time and are retained and considered for two years. The committee meets on the first Tuesday of every month for 5 hours at the MN Board of Chiropractic Examiner's Office. The committee does not expire.

**MINNESOTA BOARD ON AGING**, 4th Fl., Human Services Bldg., 444 Lafayette Rd., St. Paul, MN 55155-3843 (612)296-2770. *Minnesota Statutes* 256.975

**APPOINTING AUTHORITY:** Governor

**COMPENSATION:** \$55 Per diem plus expenses.

**ONE VACANCY:** Preferably a representative from congressional district 7 who is knowledgeable on aging issues.

The board develops, coordinates, evaluates, and administers federal and state funds for programs for the aging; makes grants to 14 area agencies on aging and non-profit agencies; serves as advocate for older persons. The board consists of 25 members including; at least one member from each congressional district. Members must file with the Ethical Practices Board. Monthly meetings on the third Friday of each month, committee meetings are the preceding day at 444 Lafayette Rd., St. Paul. Does not expire.

**WORLD TRADE CENTER CORPORATION**, 400 Minnesota World Trade Center, 30 E. 7th St., St. Paul, MN 55101 (612)297-1580. *Minnesota Statutes* 44A.01

**APPOINTING AUTHORITY:** Governor, with Senate approval.

**COMPENSATION:** \$55 per diem plus expenses.

**ONE VACANCY:** Knowledgeable or experienced in international trade in products or services.

This is a public corporation established to facilitate and support Minnesota World Trade Center programs and services and to promote the Minnesota World Trade Center Corporation. The corporation consists of 12 members including: four members appointed by the Governor, four members elected by the association of members who represent the international business community; the Mayor of St. Paul or designee; and the Commissioners of Trade and Economic Development, Agriculture, and Commerce. Members appointed by the Governor must be knowledgeable or experienced in international trade in products or services and serve at the Governor's pleasure. Elected members have six-year terms. Members must file with the Ethical Practices Board. The board meets on the third Wednesday of each month, there is no set meeting location. The board does not expire.



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# State Grants and Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan 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 and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

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## 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 Office of Ombudsman for Older Minnesotans receives and acts on complaints made by nursing home residents, acute care patients, in-home service recipients or their representatives.

The MBA is currently seeking proposals from public or private non-profit agencies interested in sponsoring a regional office to provide ombudsman services.

The applicant may not be an agency engaged in the provision of nursing home, hospital care or home care services either directly or by contract, or have the responsibility for planning, coordinating, funding or administering nursing home, hospital or home care services.

The Minnesota Board on Aging has designated the areas listed below as ombudsman services regions. The approximate amount of funding for each regional office for calendar year 1997 is also listed.

REGIONAL OFFICES	COUNTIES	1997 FUNDING
Metropolitan	Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington	\$190,000
Central	Benton, Cass, Chisago, Crow Wing, Isanti, Kanabec, Mille Lacs, Morrison, Sherburne, Stearns, Todd, Wright	\$51,500
South Central	Blue Earth, Faribault, Freeborn, Le Sueur, Martin, Mower, Nicollet, Rice, Steele, Waseca, Watonwan	\$50,400
Southeast	Dodge, Fillmore, Goodhue, Houston, Olmstead, Wabasha	\$41,200
Southwest	Brown, Cottonwood, Jackson, Lincoln, Lyon, Murray, Nobles, Pipestone, Redwood, Rock	\$39,100
West Central	Big Stone, Chippewa, Kandiyohi, Lac Qui Parle, McLeod, Meeker, Renville, Sibley, Swift, Yellow Medicine	\$32,400
Midwest	Becker, Clay, Douglas, Grant, Hubbard, Otter Tail, Pope, Stevens, Traverse, Wadena, Wilkin	\$31,900
Northwest	Beltrami, Clearwater, Kittson, Lake of the Woods, Mahnomen, Norman, Pennington, Polk, Red Lake, Roseau	\$29,800
Northeast	Aitkin, Carlton, Cook, Lake, Pine, St. Louis (southern area)	\$26,200
Iron Range	Itasca, Koochiching, St. Louis (northern area)	\$24,200

Proposals are due by 4:30 on Tuesday, November 12, 1996.

Further information and a copy of the grant application package is available from:

Diane Levitt, Assistant State Ombudsman  
Minnesota Board on Aging  
444 Lafayette Road  
St. Paul, Minnesota 55155-4843  
(800) 657-3591

## Department of Economic Security

### Division of Rehabilitation Services

### Extended Employment Program

#### Notice of Availability of Funds for Ongoing Employment Support Services Projects in Supported Employment for the Development of On-going Employment Support Services to Individuals with Serious and Persistent Mental Illness (SPMI) Employed in Supported Employment.

Granting of funds is authorized via *Minnesota Statutes* 268A.13.

#### Eligible Parties must submit an application describing the proposed program.

- Organizations that are eligible to apply for funds under this Request for proposals (RFP) are those organizations which have previously received a DRS- Establishment grant for a Coordinated Employability Project. Organizations must have successfully completed the requirements of the Coordinated Employability establishment grants program. In addition, organizations must no longer be eligible for Coordinated Employability Project establishment grant funding. Organizations must be CARF accredited.

#### Proposed programs should be designed to:

- Develop methods to reimburse the full cost of providing the on-going employment support services necessary for individuals with serious and persistent mental illness to continue their employment in *integrated community based placements* (supported employment).
- Illustrate effective linkages between mental health employability services, DRS, the county, and Community Support Program Services.
- Provide for consumer involvement in the planning, development and delivery of their on-going employment support services.
- Develop methods to receive reimbursement for the full cost of providing on-going employment support services.
- Outcomes expected under this proposal are supported employment outcomes which pay minimum wages or above, provide person served with opportunities to interact with peers who do not have disabilities, and provide the same conditions of work and benefit packages as other employees.

It is anticipated that a total of \$250,000 will be available for that these projects, with individual grants averaging \$35,000. Grants will be awarded for one year and are expected to begin January 1, 1997.

Applications in the form of a request for proposals are available from: John Sherman, Rehabilitation Program Specialist, Rehabilitation Services Branch, 390 North Robert St., St. Paul, MN 55101. Phone (612) 297-3380, FAX (612) 297-5159.

Completed proposals must be received by 4:30 p.m. on November 13, 1996. Mail or deliver proposals to the DRS administrative office, 390 North Robert St., St. Paul, MN 55101 Att. John Sherman.

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# Professional, Technical & Consulting Contracts

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.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612)296-2600 or [TDD (612)297-5353 and ask for 296-2600].

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## Department of Administration

### Real Estate Management Division

#### Wanted to Buy or Lease Residential Properties in Rice and Steele Counties

The State of Minnesota is interested in the following in Rice and Steele Counties: 1) buying or leasing *existing* 3 & 4 bedroom rambler style homes; 2) leasing *newly constructed* 4 bedroom rambler style homes; and 3) buying residential lots. If you own or develop such properties and are interested in selling or leasing, or have an exclusive listing on such properties, please send information to the Department of Administration, Room 309, 50 Sherburne Avenue, St. Paul, MN 55155. Call (612) 296-2278 if you have any questions regarding this request for information.

## Department of Administration

### Facilities Management Bureau

#### Notice of Request for Proposals for a Total Foodservice Management Contract for Foodservice Facilities in the State Capitol Complex, St. Paul, Minnesota

The Department of Administration is requesting proposals for a three-year total foodservice management contract for foodservice facilities in the State Capitol Complex including the Centennial Office Building Cafeteria, the Transportation Building Cafeteria, the Judicial Building Cafe, the State Capitol Cafe, and the State Office Building Cafe. The term of the contract shall be January 1, 1997 to December 31, 2000, with an opportunity for two one-year extensions.

The foodservice provider shall pay the State, on a monthly basis, a building usage fee in an amount equal to a percentage of gross revenues, excluding sales tax, based on a sliding scale schedule. Equipment and smallware inventories are provided by the State.

A Request for Proposal is to be obtained by calling or writing:

Department of Administration  
Plant Management Division  
625 North Robert Street  
St. Paul, Minnesota 55101  
Telephone: (612) 282-5228

Proposal responses must be submitted no later than 3:30 p.m. on October 31, 1996. A mandatory walk-through of foodservice facilities by prospective foodservice providers has been scheduled for October 18, 1996. Evaluation and selection will be completed by November 22, 1996.

## Professional, Technical & Consulting Contracts

### Office of the Attorney General

#### Notice of Solicitation of Interest for Outside Legal Counsel

The Office of the Attorney General is seeking statements of interest from attorneys and firms who wish to be included in an outside counsel selection list.

The Attorney General's Office attempts to handle all legal work for the State because such a policy is directed by law, is cost-effective, allows the Office to impose high standards of quality, permits the State to adopt consistent legal positions, and allows the legislature to easily review the annual legal costs to the State of Minnesota. Nevertheless, the office does enter into a limited number of special attorney appointment contracts each year under the following circumstances:

- when Attorney General staff attorneys do not have sufficient special expertise required to handle a particular legal problem;
- when representation of the State by the Office would present an actual or perceived conflict of interest;
- when the Office lacks sufficient resources to handle particular legal disputes because of size, volume, or time demands;
- when an opinion of private bond counsel representing the interests of prospective investors is required as part of the State's issuance and sale of bonds or other debt instruments.

Responses to this solicitation will be kept on file for one year and will serve as a starting point for making special attorney appointments. The selection of outside counsel is not subject to competitive bidding laws, but the Office does generally insist on fees discounted from normal hourly billing rates and compliance with the Office's billing, case management, and conflicts policy. The Attorney General's Office is not precluded from soliciting proposals from law firms or individuals which have not responded to this solicitation of interest or from seeking proposals for specific work. Full and continuing disclosure of any actual or potential conflicts of interest will be a condition of any appointment.

Firms who are interested in the inclusion of their names on an outside counsel list should submit a statement of professional interest and qualifications, with references, along with normal and proposed discount fee information. Please also include a statement describing the firm's record and current goals on the hiring, retention, and promotion of lawyers of color, women lawyers, and other historically underrepresented groups in the legal profession, and whether your firm has adopted the aspirating goals and timetables established by the Hennepin County Bar Association, or their equivalent. Please submit all such statements to Chief Deputy Attorney General Lee E. Sheehy, Attn: Paige Purcell, 102 State Capitol, St. Paul, MN 55155, telephone (612) 296-1266.

## DUAL NOTICE: State Board of Investment and Minnesota State Retirement System

### Notice of Request for Proposals for Consulting Services to Assist the Boards in Carrying Out Responsibilities With Respect to 403(b) Tax Shelter Annuity Vendors, 457 Annuity Vendors, and 401(a) Defined Contribution Plan Vendors

The State Board of Investment (SBI) and the Minnesota State Retirement System (MSRS) are soliciting proposals for consulting services. This request for proposal is designed to obtain consulting services to advise the SBI in the monitoring and selection of investment product providers for the state 457 deferred compensation plan, for employee and employer match monies in 403(b) tax sheltered annuity products, for two college faculty 401(a) defined contribution plans and a quasi-state agency 401(a) defined contribution plan; and to advise the MSRS on the selection of record keeping and enrollment/education services providers for the state 457 deferred compensation plan.

All interested vendors should contact the person named below by letter or telephone to request a copy of the Request For Proposal.

James E. Heidelberg  
Minnesota State Board of Investment  
Room 105, MEA Building  
55 Sherburne Avenue  
St. Paul, MN 55155  
Telephone: (612) 296-3328

All proposals must be submitted to the address listed below on or before 3:00 P.M. November 1, 1996. **NO PROPOSALS RECEIVED AFTER THAT DATE AND TIME WILL BE CONSIDERED.**

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## Non-State Public Bids, Contracts & Grants

### Department of Public Safety

#### Office of Traffic Safety

#### Request for Proposals for Survey on Youth and Traffic Safety

The Minnesota Department of Public Safety is seeking proposals to plan, conduct, and evaluate a statewide survey on youth and traffic safety. For this survey youth are defined as individuals from sixteen years to individuals who have not yet reached their twenty-first birthday. Details are contained in a Request for Proposals which may be obtained by calling or writing:

Barry Shaul  
Office of Traffic Safety  
Department of Public Safety  
444 Cedar Street  
Town Square, Suite 100-B  
St. Paul, MN 55101-2156  
(612) 296-6794

The estimated cost of the contract is \$20,000.00. The Department will retain an option to extend the contract for two additional one-year periods. Final date for submitting proposals is October 21, 1996, by 4:00 PM.

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## Non-State Public Bids, Contracts & Grants

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.

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### Minnesota Historical Society

#### Notice of Request for Bids for the Repair of Foundation at the Sibley House

The Minnesota Historical Society is seeking bids from qualified firms and individuals to repair the foundation at the Sibley House.

The work will generally consist of excavation, waterblast, shotcrete, spray bentonite, installation of drain pipe, cleaning and back filling while reducing to grade. The estimated budget for this project is \$25,000.00.

The Request for Bids is available by contacting Ken Anderson of CPMI at (612) 298-5409 or Deane M. Roe, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Bids must be received not later than 2:00 P.M. Central Time on October 16, 1996. Late submissions will not be considered.

Complete specifications and details concerning submission requirements are included in the Request for Bids.

## **Non-State Public Bids, Contracts & Grants**

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### **Minnesota Historical Society**

#### **Notice of Request for Bids for the Repair of the Sibley House Piped Storm Drain System**

The Minnesota Historical Society is seeking bids from qualified firms and individuals to repair the Piped Drain System at the Sibley House.

The work will generally consist of repairing 500 feet of storm drain, two catch basins and repair of asphalt road. The estimated budget for this project is \$20,000.00.

The Request for Bids is available by contacting Ken Anderson of CPMI at (612) 298-5409 or Deane M. Roe, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Bids must be received not later than 2:00 P.M. Central Time on October 16, 1996. Late submissions will not be considered.

Complete specifications and details concerning submission requirements are included in the Request for Bids.

### **Metropolitan Council**

#### **Request for Proposals for ADA Paratransit Services, Metro Mobility, for the Metropolitan Council of Minneapolis, St. Paul, Minnesota**

The Metropolitan Council seeks proposals from qualified firms with expertise in all aspects of the Americans with Disabilities Act (ADA) specialized paratransit operations and maintenance for its ADA paratransit program called Metro Mobility demand service. Qualified firms are encouraged to propose on one or two of the four year contracts for operation of approximately 180,000 vehicle revenue hours in the 660 square mile service area. The Metropolitan Council may award one contract each to separate service providers. The Metro Mobility Service Center (MMSVC), an operating division of the Metropolitan Council, require proposers to provide qualified staff and some equipment for the reservations, scheduling, and dispatch functions of the PASS/Trapeze™ automated scheduling system. Drivers, trainers, and maintenance staffs are also required to perform and support the day-to-day operation of the Council owned and assigned vehicles and computer hardware and software. The selected proposers will also be required to provide approximately eight new mid or large sedans each to supplement the Council owned and assigned vehicles.

Interested proposers may obtain an RFP from Mr. Mark W. Fehrmann, Transportation Systems Evaluation/Implementation Manager by either writing him at 230 East 5th Street, St. Paul, MN 55101 or faxing a request to (612) 229-2739. A pre-proposal conference will be held on Tuesday, October 22, 1996 at 10:00 a.m. CDT, Mears Park Centre, 230 East 5th Street in the Chambers. Proposals must be received by the Metropolitan Council and Mr. Mark W. Fehrmann at Mears Park Centre, 230 East 5th Street, St. Paul, MN 55101 by 4:00 p.m. CST, Monday, November 25, 1996.

Proposals received after this date and time will be rejected as non-responsive and be returned to the respondent unopened. The Metropolitan Council reserves the right to reject any and all proposals. The Metropolitan Council is not responsible for expenses incurred by proposers in the development of their proposals.



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