

86, August 4

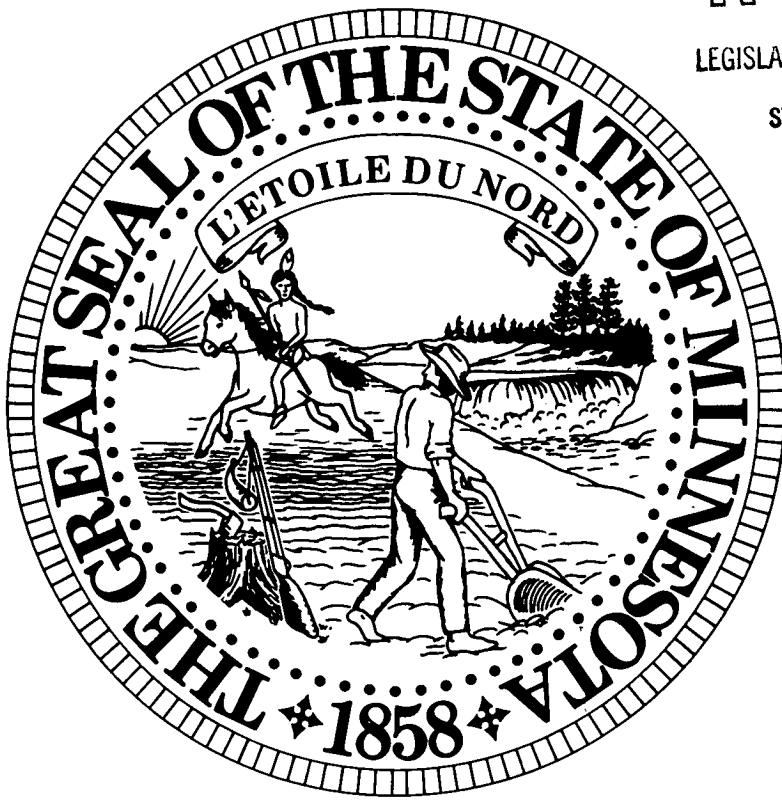
STATE OF MINNESOTA

STATE REGISTER

DEPARTMENT OF ADMINISTRATION—DOCUMENTS DIVISION

4

RECEIVED
AUG 4 - 1986
LEGISLATIVE REFERENCE LIBRARY
STATE CAPITOL
ST. PAUL, MN. 55155



Monday 4 August 1986
VOLUME 11, NUMBER 5
Pages 121-168

STATE REGISTER

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

Volume 11 Printing Schedule and Submission Deadlines

Vol. 11 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
5	Monday 21 July	Monday 28 July	Monday 4 August
6	Monday 28 July	Monday 4 August	Monday 11 August
7	Monday 4 August	Monday 11 August	Monday 18 August
8	Monday 11 August	Monday 18 August	Monday 25 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 Office of the State Register editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The *State Register* is published by the State of Minnesota, Department of Administration, Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to Minn. Stat. § 14.46. Publication is weekly, on Mondays, with an index issue in September. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$130.00 per year, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota. Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$3.50 per copy.

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.

Governor: Rudy Perpich

**Director, Minnesota Documents
Division:** Stephen A. Ordahl

Editorial Staff: Paul Hoffman

**Commissioner, Department of
Administration:** Sandra J. Hale

Editor: Robin PanLener

Circulation Manager: Debbie Kobold

Support Staff: Bonnie Karels

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 111 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 AND ADDITIONS

Issues 1-5 Inclusive 124

PROPOSED RULES

Energy and Economic Development Department

Proposed Rules Relating to Hazardous Waste
Processing Facility Loans 125

Health Department

Environmental Health Division

Notice of Withdrawal of Rules as Proposed
Regarding Delivery of Medications in Lodging
Establishments 128

Minnesota Racing Commission

Proposed Permanent Rules Relating to Harness
Racing 128

Transportation Department

Proposed Rules Relating to Variances for Tank
Motor Vehicles 130

ADOPTED RULES

Chiropractic Examiners Board

Adopted Rules Relating to Chiropractic License
Fees 134

Human Services Department

Adopted Rules Relating to General Assistance
Eligibility; Work Readiness 134

Mediation Services Bureau

Adopted Rule Relating to Transfer of Exclusive
Representative Status 141

OFFICIAL NOTICES

Charitable Gambling Control Board

Notice of a Public Hearing on Proposed Rules
Governing Lawful Gambling, the Distribution of
Lawful Gambling Equipment, and the
Manufacture of Lawful Gambling Equipment 141

Commerce Department

Cancellation of Hearing on Proposed Rules Relating
to Medical Malpractice Insurance (Home Health
Care Aides) 142
Deactivation of the Minnesota Joint Underwriting
Association to Insurance Specified Classes of
Business 143

Education Department

Publication of Manual of Uniform Terminology for
Data Collection 143

Energy & Economic Development Department

Tax Exempt Financing Issuance Authority 143

Health Department

Outside Opinion Sought Concerning Review of Care
and Classification of Residents in Facilities
Participating in the Medical Assistance Program 144
Outside Opinion Sought to Establish Guidelines
Covering Asthma Problems in Children 144

Human Services Department

Outside Opinion Sought on Nursing Home Operating
Cost Payment Rate Determination 145

Labor & Industry Department

Outside Opinion Sought on Rules Governing Fair
Labor Standards and Child Labor Standards 145

Metropolitan Council

Goals for Disadvantaged and Women Business
Enterprise Participation 145
Public Hearing on 1987 Work Program and Budget 146

Natural Resources Department

Notice of Intent to Hold State Copper, Nickel, and
Associated Minerals Lease Sale; State Lands to
be Offered for Copper, Nickel, and Associated
Minerals Exploration 146

Pollution Control Agency

Outside Opinion Sought Regarding Amendments to
Rules Governing the Fee System for Hazardous
Waste Generators and Hazardous Waste
Facilities 146

Teachers Retirement Association

Meeting Notice 147

Transportation Department

Debarment Order for Allied Blacktop, Inc. 147
Debarment Order for Richard C. Pearson 148
Debarment Order for Eugene J. Capistrant 148
Outside Opinion Sought Regarding Preparation to
Draft Rules Governing Trunk Highways in
Recreation Areas 148

STATE CONTRACTS

Administration Department

Contracts & Requisitions Open for Bid 150

Agriculture Department

Request for Proposals for Advertising Campaign
Promoting the Quality of Minnesota Certified
Seed Potatoes 151

Energy & Economic Development Department

Request for Proposals for a Contract to Prepare a
Report for the Minnesota Insulation Standards
Program 152

Human Services Department

Request for Proposal for Medical Care Case
Management Services 152

Jobs & Training Department

Notice of Proposed Contracts for Federal Fiscal
Year 1987 153

Public Employees Retirement Association

Request for Proposals for Management Analysis
Study 157

STATE GRANTS

Health Department

Summary of Activities Funded for the Preventive
Health and Health Services Block Grant for
Federal Fiscal 1987 159

SUPREME COURT DECISIONS

Decisions Filed Friday 25 July 1986 160

NOTICE

How to Follow State Agency Rulemaking Action in the State Register

State agencies must publish notice of their rulemaking action in the *State Register*. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a **NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION** also.

The PROPOSED RULES section contains:

- Proposed new rules (including notice of hearing and/or notice of intent to adopt rules without a hearing).
- Proposed amendments to rules already in existence in the Minnesota Rules.
- Proposed emergency rules.
- Withdrawal of proposed rules (option; not required).

The ADOPTED RULES section contains:

- Notice of adoption of new rules and rule amendments adopted without change from the previously published proposed rules. (Unchanged adopted rules are not republished in full in the *State Register* unless requested by an agency.)
- Adopted amendments to new rules or rule amendments (adopted changes from the previously published proposed rules).
- Notice of adoption of emergency rules.
- Adopted amendments to emergency rules (changes made since the proposed version was published).
- Extensions of emergency rules beyond their original effective date.

The OFFICIAL NOTICES section includes (but is not limited to):

- Notice of intent to solicit outside opinion before promulgating rules.
- Additional hearings on proposed rules not listed in original proposed rules calendar.

ALL ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES published in the *State Register* and filed with the Secretary of State before April 8, 1985 are published in the *Minnesota Rules 1985*. ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES filed after April 8, 1985 are included in a supplement published in Spring, 1986. Proposed and adopted EMERGENCY (formerly called TEMPORARY) RULES appear in the *State Register* but are generally not published in the *Minnesota Rules* due to the short-term nature of their legal effectiveness. Those that are long-term may be published.

The *State Register* publishes partial and cumulative listings of rule in the MINNESOTA RULES AMENDMENTS AND ADDITIONS list on the following schedule:

Issues 1-13, inclusive	Issue 39, cumulative for 1-39
Issues 14-25, inclusive	Issues 40-51, inclusive
Issue 26, cumulative for 1-26	Issue 52, cumulative for 1-52
Issues 27-38, inclusive	

MINNESOTA RULES AMENDMENTS AND ADDITIONS

NOTE: This listing includes all proposed and adopted rules printed in this issue except emergency rules and errata for this issue. Please see those sections for the appropriate rule numbers.

CHIROPRACTIC EXAMINERS BOARD

2500.1000; .1100 (adopted) 134

COMMERCE DEPARTMENT

2675.2600; .2610; .2620; .2630 (proposed) 102
 2791.0100 (proposed) 29

ENERGY AND ECONOMIC DEVELOPMENT DEPARTMENT

8300.5000-.5006 (proposed) 125

ENVIRONMENTAL QUALITY BOARD

4410.0200; .0500; .3100; .3600; .4300; .4400;
 .4600; .7500 (proposed) 31

HEALTH DEPARTMENT

4625.5101; .5110; .5111; .5115; .5120; .5121;
 .5130; .5140; .5150; .5160; .5170 (proposed withdrawn) 128
 4705.0100; .0300; .0400; .0500; .0600; .0900;
 .1400 (adopted) 104
 4705.0600, s.3, i.D; .1600 (repealed) 104

HOUSING FINANCE AGENCY

4900.0381 (adopted) 6
 4900.1360-4900.1362 (adopted) 6

MEDIATION SERVICES BUREAU

5510.1210 (adopted) 141

POLLUTION CONTROL AGENCY

7010.0010-.0080 (adopted) 43
 7010.0100; .0200; .0300; .0400; .0500; .0600;
 .0700 (repealed) 43

PUBLIC SAFETY DEPARTMENT

7500.0100-.3600 (adopted) 6
 7500.0100, s.12,15,20,21; .0900; .1000; .1100;
 .1700; .1800, s.5; .1900; .2300; .2800; .3200;
 s.1; .3300 (repealed) 6

PUBLIC UTILITIES COMMISSION

7845.0100-.1000 (proposed emergency) 105

RACING COMMISSION

7884.0120; .0130; .0160; .0200 (proposed) 128
 7884.0130, s.2 and 3 (proposed repealer) 128

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

7950.0100; .0200; .0300; .0400; .0500 (proposed) 73

TEACHING BOARD

8700.0310; .3810; .5503-.5512; .6410; .7500
 (adopted) 48

PROPOSED RULES

8700.3800 (repealed effective 7/1/89)	48	.1260; .1262; .1264; .1266; .1268; .1270; .1300;	
8700.5400-5406; .6400 (repealed effective 7/1/90)	48	.1302; .1304; .1306; .1308; .1310; .1312; .1314;	
TRANSPORTATION DEPARTMENT		.1316; .1318 (adopted)	134
8860.0100; .0200; .0300; .0400; .0500; .0600;		9500.1450-.1464 (proposed)	35
.0700; .0800 (proposed)	130	9500.1450-.1464 (proposed repealer effective 12/31/88)	35
HUMAN SERVICES DEPARTMENT		9500.1650-.1663 (proposed)	69
9500.1200; .1206; .1209; .1216; .1222; .1258;		9525.0010; .0020; .0030; .0040; .0050; .0060;	
		.0070; .0080; .0090; .0100 (repealed)	77
		9525.0015-.0165 (adopted)	77

PROPOSED RULES

Pursuant to Minn. Stat. of 1984, §§ 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 Energy and Economic Development

Proposed Permanent Rules Relating to Hazardous Waste Processing Facility Loans

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Energy and Economic Development Authority Board proposes to adopt the above-entitled rules without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The specific statutory authority to adopt the rules is Minnesota Statutes, section 41A.04, subdivision 4.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and 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. 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.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Martin B. English
 Resource Development Finance Division
 900 American Center Building
 150 East Kellogg Boulevard
 St. Paul, MN 55101
 Telephone: 612-297-1945

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

PROPOSED RULES

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

These rules govern loan application and bond issuance procedures for the Minnesota Energy and Economic Development Board's Hazardous Waste Processing Facility Loan Program. The rules may affect small businesses by making available the opportunity to obtain project financing for eligible costs at a favorable rate of interest through the issuance of industrial revenue bonds.

The rules describe the purpose of the program, definitions and the availability for businesses of eligible financial assistance. The rules also describe the contents of an application and the application procedures. Also, the criteria for approval of eligible financial assistance is outlined. The rules additionally describe principal and interest assistance through the program and bond issuance procedures.

(A copy of the rule is available for review from Martin English at the aforementioned address upon request.)

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 Martin English at the aforementioned address upon request.

If no hearing is required, upon adoption of the noncontroversial rule, the rule and the required supporting noncontroversial rule, the rule and the required supporting documents will be delivered 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 final rule as proposed for adoption, must submit the written request to Martin English at the aforementioned address.

July 17, 1986

Mark B. Dayton
Chairman, Minnesota Energy
and Economic Development
Authority Board

Rules as Proposed (all new material)

8300.5000 SCOPE AND AUTHORITY.

Parts 8300.5000 to 8300.5006 apply to applications for financial assistance for hazardous waste processing facilities made to the authority under Minnesota Statutes, sections 115A.162 and 116M.07, subdivision 9.

8300.5001 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 8300.5000 to 8300.5006, the following terms have the meanings given to them.

Subp. 2. **Authority.** "Authority" means the Minnesota Energy and Economic Development Authority created in Minnesota Statutes, section 116M.06.

Subp. 3. **Board.** "Board" means the Waste Management Board established in Minnesota Statutes, section 115A.04.

Subp. 4. **Chairperson.** "Chairperson" means the chairperson of the board.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of the Department of Energy and Economic Development.

Subp. 6. **Hazardous waste processing facility.** "Hazardous waste processing facility" means any real or personal property to be used for the collection or processing of hazardous waste as those terms are defined in Minnesota Statutes, section 115A.03, subdivisions 5, 13, and 25.

Subp. 7. **Hazardous waste processing facility loan or loan.** "Hazardous waste processing facility loan" or "loan" has the meaning given to it in Minnesota Statutes, section 116M.03, subdivision 15.

Subp. 8. **Private person.** "Private person" means any person, including individuals, firms, partnerships, associations, societies, trusts, private corporations, or natural persons. "Private person" includes the plural or the singular and does not include a public or governmental body.

8300.5002 ELIGIBLE APPLICANTS FOR THE HAZARDOUS WASTE PROCESSING FACILITY LOAN PROGRAM.

A private person proposing to develop and operate a hazardous waste processing facility is eligible to apply to the authority for a loan.

8300.5003 ELIGIBLE PROJECT FOR HAZARDOUS WASTE PROCESSING FACILITY LOAN.

An eligible project must be a hazardous waste processing facility as defined in part 8300.5001, subpart 6.

8300.5004 PROCEDURES FOR HAZARDOUS WASTE PROCESSING FACILITY LOAN APPLICATIONS.

Subpart 1. **In general.** To apply for assistance from the authority, an applicant shall submit an application to the commissioner on a form provided by the commissioner. An application must be completed, dated, and signed by an owner, general partner, or an authorized officer of an applicant. The commissioner shall follow the procedures under part 8300.3013, subparts 2 to 7 and 9 to 11.

Subp. 2. **Contents.** Applications must comply with part 8300.3011, subparts 2 and 3.

Also, applications must include information necessary for certification by the board under Minnesota Statutes, section 115A.162 and information demonstrating that general casualty and pollution liability insurance is available for the proposed hazardous waste processing facility and the cost of obtaining the insurance must be included in all financial data required to be provided under part 8300.3011, subpart 2, item J.

In addition, the application must contain a certification that the applicant, the officers and directors of the applicant, any shareholder or partner which has a five percent or more ownership of the applicant, and the proposed hazardous waste processing facility, if any, have never been a defendant in any civil or criminal action or the respondent in any administrative consent decree or assurance relating to the collection or processing of hazardous waste as those terms are defined in Minnesota Statutes, section 115A.03, subdivisions 5, 13, and 25.

8300.5005 PROCEDURES FOR APPLICATION PROCESSING.

Subpart 1. **In general.** Processing of applications must comply with parts 8300.3012 and 8300.3013, subparts 2 to 7 and 9 to 11.

Subp. 2. **Initial review for completeness.** When an application is received by the commissioner, a copy of the application will be sent to the chairperson or a designee for review. Upon receipt of the notification from the chairperson or a designee that the application is either complete or incomplete for certification by the board, the commissioner will follow the procedure under subpart 1.

Subp. 3. **Forward application to board.** Upon determination that the application is complete it will be forwarded to the board for certification pursuant to Minnesota Statutes, section 115A.162.

8300.5006 REVIEW AND APPROVAL.

Subpart 1. **Certification must be completed.** The authority may not approve an application nor make a loan to an applicant unless the application has been certified by the board.

Subp. 2. **Authority review and approval.** If the board has certified an application, the authority shall approve the application and make the loan if funds are available and if the authority finds that the following criteria are satisfied:

- A. the applicant is eligible under part 8300.5002;
- B. the project is eligible under part 8300.5003;
- C. the application is complete and contains all required certifications;
- D. the development and operation of the hazardous waste processing facility as proposed in the application is economically feasible; and that the hazardous waste processing facility's feasibility is sufficient to allow the authority to sell the bonds as required for its financing;
- E. upon review of the application, there is a reasonable expectation that the principal and interest on the loan will be fully repaid;
- F. the hazardous waste processing facility is unlikely to be developed and operated without a loan from the authority as certified to by the applicant in the application; and
- G. the applicant has complied with parts 8300.5002 to 8300.5006.

Subp. 3. **Authority review and disapproval.** The authority shall disapprove the application if it finds that one or more of the criteria set forth in subpart 2 have not been satisfied.

Subp. 4. **Additional information and certifications.** The following additional information is required by the authority, if applicable, prior to disbursing financial assistance:

- A. all additional information and certifications required under part 8300.3012, subpart 2; and

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

PROPOSED RULES

B. a certificate of the general casualty insurer and a certificate of the pollution liability insurer that the insurance is in full force and effect. Prior to expiration of any insurance policy, the applicant shall furnish the commissioner with evidence that the policy has been renewed, replaced, or is no longer required.

Health Department Environmental Health Division

Notice of Withdrawal of Rules as Proposed

Notice is given that the rules regarding delivery of medications in lodging establishments are hereby withdrawn. The rules as proposed were published in the *State Register*, March 3, 1986, at 10 S.R. 1776.

Minnesota Racing Commission

Proposed Permanent Rules Relating to Harness Racing

Notice of Proposed Adoption of a Rule without a Public Hearing

NOTICE is hereby given that the Minnesota Racing Commission proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes, section 240.23.

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

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

Minnesota Racing Commission
11100 West 78th Street, Suite 201
Eden Prairie, Minnesota 55344
Telephone: (612) 341-7555

The proposed rule may be modified if the modifications are supported by data and views 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 the Minnesota Racing Commission upon request.

Promulgation of the proposed rule will not result in the expenditure of public monies by local public bodies, fix or adjust any fees, or have an impact on agricultural land. The affect, if any, that the proposed rule may have on small businesses is discussed in the Statement of Need and Reasonableness.

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

Dated: 24 July 1986

Ray Eliot, Chair
Minnesota Racing Commission

Rules as Proposed**7884.0120 ELIGIBILITY AND ENTERING.**

Subpart 1. to 5. [Unchanged.]

Subp. 6. **Maximum number in field.** The maximum size of fields for all races shall be determined by allowing eight feet per horse in the front tier and not more than two trailing horses as follows:

A. For overnight events, the maximum number of horses shall be ten on a one-mile track.

B. For stakes races, the maximum number of horses shall be 14 on a one-mile track. If the number of horses declared to start exceeds 14 on a one-mile track, unless a lesser number of horses is specified in the conditions of the race, the race shall be run in two divisions or elimination heats.

Subp. 7. **Conditions precedent to entering.** No horse shall be permitted to enter to race unless:

A. a valid eligibility certificate has been granted or validated for that horse by the USTA, and the eligibility certificate has been filed with the racing secretary;

B. the current ownership of the horse has been registered with the USTA, and the registration papers have been filed with the racing secretary. For purposes of this subpart, a photocopy of the current registration papers will be accepted to the same extent as the original unless:

(1) a genuine question is raised as to the authenticity of the original registration papers; or

(2) the horse is entered in a claiming race;

C. the registration papers and a valid eligibility certificate have been filed with the racing secretary;

~~D.~~ if the horse is leased,

(1) a copy of the lease is on file with the association and the USTA; and

(2) the horse races in the name of the lessee;

~~E.~~ D. the horse has qualified as provided in part 7884.0190;

~~F.~~ E. the horse has been lip tattooed;

~~G.~~ F. the horse is at least two years old but not older than 14 years old; and

~~H.~~ G. if it is a spayed mare, that fact is noted on the program, registration certificate, eligibility certificate, and the list of such horses is posted in the office of the racing secretary.

Subp. 8. to 15. [Unchanged.]

7884.0130 PREFERENCE SYSTEM.

Subpart 1. **Association to establish preference system.** Each association shall ~~keep a list of all horses excluded from races because of too many entries and such horses are to have preference in any race in which they may afterwards be entered.~~ establish a preference system giving preference dates to horses in all overnight events in accordance with the date of the horse's last previous start in a purse race during the current year as its preference date with the following exceptions:

A. The preference date on a horse that has drawn to race and has been scratched is the date of the race from which scratched.

B. When a horse is racing for the first time in the current year, the date of the first declaration into a purse race shall be considered its preference race.

C. Wherever horses have equal preference in a race, the actual preference of the horses in relation to one another shall be determined from the most recent previous starts which do not result in equal preference.

D. When an overnight race has been reopened because it did not fill, all eligible horses declared into the race prior to the reopening shall receive preference over other horses subsequently declared, irrespective of the actual preference dates.

Subp. 2. and 3. [See Repealer.]

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

7884.0160 ALSO ELIGIBLES.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Also eligibles released.** Also eligibles not moved into a race by ~~10:00 a.m.~~ of the day of the race scratch time shall be released.

Subp. 4. and 5. [Unchanged.]

7884.0200 STAKES RACES.

Subpart 1. to 11. [Unchanged.]

Subp. 12. **Stakes races conducted in eliminations.** For stakes races conducted in eliminations:

A. to C. [Unchanged.]

D. If there are two elimination heats, the first ~~four~~ five finishers in each heat shall qualify for the final heat.

E. If there are three or more elimination heats, ~~no more than~~ three horses from each elimination heat shall qualify for the final heat, in addition to the fastest time of all the fourth place finishers.

F. [Unchanged.]

~~G. The stewards shall draw by lot the post positions for the final heat to determine which of the elimination heat winners shall have the pole position, and shall in that manner determine all of the other positions for the final heat.~~

Subp. 13. [Unchanged.]

REPEALER. Minnesota Rules, part 7884.0130, subparts 2 and 3 are repealed.

Department of Transportation

Proposed Permanent Rules Relating to Variances for Tank Motor Vehicles

Notice of Intent to Adopt a Rule without a Public Hearing

Notice is hereby given that the State Department of Transportation proposes to adopt the above-entitled rules without a public hearing. The Commissioner has elected to follow the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The adoption of these rules is authorized by Minnesota Statutes, section 221.033, subdivision 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.

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. 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:

Elizabeth M. Parker
Minnesota Department of Transportation
815 Transportation Building
St. Paul, Minnesota 55155
612-297-2913

The proposed rule may be modified if the modifications are supported by the data and views submitted and do not result in a substantial change in the proposed rule as published with this notice.

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 free upon request from:

Elizabeth M. Parker
815 Transportation Building
St. Paul, Minnesota 55155
612-297-2913

or

Office of Motor Carrier Safety and Compliance
Minnesota Department of Transportation
Minnesota Administrative Truck Center
100 Stockyard Road
South St. Paul, Minnesota 55075
612-296-7109

The adoption of this rule will not require the expenditure of public moneys by local public bodies. It does not require local agencies or school districts to incur costs mandated by the state under Minn. Stat. section 3.982, and it does not impose a fee.

The adoption of this rule will affect small businesses as defined in Minn. Stat. section 14.115. The rule will establish a procedure for granting variances to people who transport gasoline in intrastate commerce in tank truck vehicles that were manufactured between 1950 and 1975, that have a capacity of 3000 gallons or less and that fail to comply with tank construction specifications. This will exempt those persons from being required to modify their small tank trucks to bring them into compliance with federal cargo tank construction specifications. It is estimated that this will provide a cost saving of several hundred dollars to \$6,000 per cargo tank, depending on the present condition of the tank.

The principal users of small gasoline cargo tanks are petroleum distributors. Most of the distributors are small businesses within the definition of Minn. Stat. section 14.115. These rules are being proposed to reduce the burden on small businesses. Under current law, Minn. Stat. 221.033, subd. 1, the persons using small cargo tanks to transport gasoline in intrastate commerce must operate tanks that comply with the federal cargo tank construction specifications or must stop using the vehicles. Because Minnesota adopted the federal regulations only in 1970, and because cargo tanks are used for many years, there are many old nonconforming tank vehicles in service. Those tanks are illegal. Tank manufacturing companies have estimated that it could cost up to \$6,000 per cargo tank, depending on the condition of the tank, to bring it into compliance. Therefore the department proposes to adopt a variance procedure to allow those cargo tanks to be used legally, despite noncompliance with current specifications if they meet less burdensome, alternative requirements. These rules will reduce the burden of the current hazardous material regulations on small businesses.

These rules establish minimal reporting requirements. Only one application and registration must be made. If the tank owner sells the tank, he must report the buyer's name. Otherwise the single registration is effective for as long as the tank is in service. A sale of a tank must be reported within 30 days. That is the only reporting requirement after the variance is granted. The department has developed a one page form that requests the information prescribed in proposed Parts 8860.0400 and 8860.0600 for reporting the results of the inspection that is necessary in order to qualify to receive a variance. That one form also serves as a registration form, thus simplifying the reporting requirement.

There are no schedules or deadlines for compliance apart from the fact that compliance is required after the effective date of the rules.

The applicant for a variance must certify that the tank has been inspected visually within the past two years. This means that a person who is qualified to judge the condition of cargo tanks must examine the tank to see if it has corroded areas, bad dents, defects in welds, defects in piping, valves and gaskets, or other conditions including leakage that might make the tank unsafe. This procedure is necessary to make sure that the tank can safely contain the cargo. It is especially important because of the uncertainty about the standards under which the tank was manufactured. The requirement is a reasonable one because it duplicates the federal requirement imposed on similar nonconforming cargo tanks and because the visual inspection is the least expensive and least time consuming kind of inspection. The cost of a visual inspection, when performed by a tank manufacturer, has been estimated at \$75.00-\$100.00 by one local tank manufacturer and from \$60.00-\$75.00 by another. The federal regulation says that the inspection must be made by a "responsible and experienced inspector", but it doesn't define those who qualify. That requirement

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

is generally understood in the industry to include cargo tank manufacturers, owners, mechanics, and sometimes, drivers who are familiar with tank construction and maintenance.

If the tank has been in an accident, has been out of service for one year or more, or has had the shell modified, it must be pneumatically or hydrostatically tested. This may cost from \$400. to \$900. per cargo tank, but will only rarely be necessary.

These rules establish performance standards that replace the design standards in the current regulation.

We cannot exempt small businesses from compliance with these rules because these rules replace more burdensome rules and create exceptions for small businesses. The benefits of these rules will apply to all businesses.

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

Elizabeth M. Parker
Minnesota Department of Transportation
815 Transportation Building
St. Paul, Minnesota 55155

Additional copies of this Notice and the proposed rule are available from the person named above.

July 18, 1986

Richard P. Braun
Commissioner of Transportation

Rules as Proposed (all new material)

8860.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Cargo tank.** "Cargo tank" means a tank permanently attached to or forming a part of a motor vehicle or a bulk liquid or compressed gas packaging not permanently attached to a motor vehicle that by reason of its size, construction, or attachment to a motor vehicle, is loaded or unloaded without being removed from the motor vehicle.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Transportation.

Subp. 4. **Tank motor vehicle.** "Tank motor vehicle" means a motor vehicle to which a cargo tank is attached.

8860.0200 SCOPE.

Parts 8860.0200 to 8860.0800 apply to a tank motor vehicle that:

- A. transports gasoline;
- B. has a cargo tank with a capacity of 3,000 gallons or less;
- C. has a cargo tank that was manufactured between 1950 and 1975 to transport petroleum;
- D. is used only in intrastate transportation; and

E. fails to comply with cargo tank specifications in Code of Federal Regulations, title 49, sections 178.340 to 178.341-7, as amended through November 1, 1985, which are incorporated by reference. A cargo tank that does not bear the manufacturer's metal certification plate described in section 178.340-10, paragraph (b) or a cargo tank for which a manufacturer's metal certification plate cannot be obtained fails to comply with the cargo tank specifications.

8860.0300 GENERAL REQUIREMENT.

A person who transports gasoline in a tank motor vehicle described in part 8860.0200 must comply with the federal regulations adopted in Minnesota Statutes, section 221.033, subdivision 1, or must obtain a variance under parts 8860.0400 to 8860.0800.

8860.0400 PROCEDURAL REQUIREMENTS.

The commissioner shall grant a variance to the owner of a tank motor vehicle described in part 8860.0200 to allow that tank to be operated in intrastate transportation in Minnesota notwithstanding noncompliance with the specification regulations incorporated by reference in part 8860.0200 when the applicant:

A. submits an application for a variance and registers each tank motor vehicle to be operated under the variance on a form prescribed by the commissioner under part 8860.0600;

B. certifies that the cargo tank on each tank motor vehicle for which a variance is sought has been inspected visually within the preceding two years and marked according to the requirements of Code of Federal Regulations, title 49, section 177.824, paragraphs (b) and (h), as amended through November 1, 1985, which are incorporated by reference, and that each vehicle meets those requirements; and

C. certifies that a cargo tank on a tank motor vehicle described in part 8860.0500 for which a variance is sought has been hydrostatically or pneumatically tested according to and meets the requirements of Code of Federal Regulations, title 49, section 177.824, paragraph (d), as amended through November 1, 1985, which are incorporated by reference.

8860.0500 HYDROSTATIC OR PNEUMATIC TESTING.

The following cargo tanks must be hydrostatically or pneumatically tested:

A. a cargo tank that has been out of service transporting dangerous articles for one year or more before the date on which the application is submitted to the commissioner;

B. a cargo tank that has been involved in an accident in which it may have been dented, torn, or damaged so as to affect its product retention integrity; or

C. a cargo tank that has a shell that has been modified since the original manufacture date of the tank.

8860.0600 APPLICATION FOR VARIANCE.

An application for a variance must describe:

A. the name of the tank motor vehicle owner;

B. the owner's business name, address, telephone number, and any intrastate permit or certificate number held by the owner;

C. the number of tank motor vehicles for which a variance is sought, and the serial number, date of manufacture, and date of last visual inspection of each cargo tank;

D. the capacity of each cargo tank in gallons;

E. the name of the manufacturer of each cargo tank; and

F. the name and business address of the operator or lessee of a tank motor vehicle described in the application.

8860.0700 COMMISSIONER'S DUTIES.

Subpart 1. **Grants or denials.** Within 30 days of receiving a variance application, the commissioner shall either grant or deny the variance. The commissioner shall prepare a written explanation of each denial or grant. The application may be resubmitted.

Subp. 2. **Effective life; revocation.** A variance is effective for the life of the cargo tank, but must be revoked by the commissioner when the cargo tank fails to comply with the visual or hydrostatic test and marking requirements described in part 8860.0400.

8860.0800 ADDITIONAL REQUIREMENTS.

Subpart 1. **Ownership transferred.** A person who sells a cargo tank or tank motor vehicle for which a variance has been granted shall report the name of the buyer to the commissioner in writing within 30 days of the sale.

Subp. 2. **Copy goes with tank.** A copy of the variance must be carried in the tank motor vehicle operated under the variance.

Subp. 3. **Date of last test or inspection shown.** A tank motor vehicle operated under a variance granted under part 8860.0400 must show the date of the last test or visual inspection according to the requirements of Code of Federal Regulations, title 49, section 177.824, paragraph (h), as amended through November 1, 1985.

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 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.

Board of Chiropractic Examiners

Adopted Rules Relating to Chiropractic License Fees

The rules proposed and published at *State Register*, Volume 10, Number 38, pages 1878-1880, March 17, 1986 (10 S.R. 1878) are adopted as proposed.

Department of Human Services

Adopted Permanent Rules Relating to General Assistance Eligibility; Work Readiness

The rules proposed and published at *State Register*, Volume 10, Number 44, pages 2211-2224, April 28, 1986 (10 S.R. 2211) are adopted with the following modifications:

Rules as Adopted

9500.1206 DEFINITIONS.

Subp. 32. **Suitable employment.** "Suitable employment" means a job within the local labor market that:

C. pays at least the minimum wage prescribed by state or federal law and provides ~~more than 80 hours of work~~ a gross income of at least \$268 per month; and

9500.1209 ELIGIBILITY DETERMINATION.

Subp. 3. **Assistance unit composition.** The local agency must determine the composition of an applicant's or recipient's assistance unit as provided in items A and B.

A. The local agency must assess the categorical eligibility of each applicant or recipient under ~~parts 9500.1102 {Emergency} and 9500.1220 {Emergency}~~ part 9500.1258, unless the applicant or recipient informs the local agency of his or her election not to receive general assistance. If an applicant or recipient does not meet the conditions of a category of eligibility, under ~~part 9500.1102 {Emergency} or 9500.1220 {Emergency}~~ 9500.1258, or the applicant or recipient is disqualified under ~~parts 9500.1105 9500.1264 to 9500.1107 {Emergency}~~ 9500.1268, or 9500.1254, subpart 5, the local agency must inform the applicant or recipient of his or her ineligibility for general assistance. The local agency may use one form per filing unit to inform the ineligible members of a filing unit of their ineligibility for general assistance.

9500.1216 FULL STANDARDS.

Except as provided by parts 9500.1218 to 9500.1222, the full standards of assistance must be used to determine the eligibility of an assistance unit under part 9500.1209, subpart 4, and the minimum monthly payment to an assistance unit under part 9500.1229, subpart 4. The full standard must be based on the number of individuals in the assistance unit and must be computed as follows:

D. When an assistance unit contains no adult because a parent or parents are disqualified from receiving general assistance under ~~parts 9500.1105 9500.1264 to 9500.1107 {Emergency}~~ 9500.1268 or 9500.1254, subpart 5, and the parent or parents do not have countable income in an amount equal to or in excess of their own needs, the full standard applicable to the assistance unit is the special child standard provided by this item. The parent's or parents' needs are equal to the full standard for adults as specified in item B. The special child standard must be determined as follows:

9500.1222 REDUCED STANDARD FOR AN ASSISTANCE UNIT SHARING A RESIDENCE WITH A RESPONSIBLE RELATIVE WHO HAS INCOME OTHER THAN GENERAL ASSISTANCE OR AFDC.

Subpart 1. **Applicability of reduced standards.** The reduced standards in this part must be applied to determine the eligibility

of an assistance unit under part 9500.1209, subpart 4, and the minimum monthly payment to an assistance unit under part 9500.1229, subpart 4, when the conditions in items A to C apply to the assistance unit.

A. The applicant's or recipient's filing unit and assistance unit are composed of only one individual, the individual is an adult, and the individual does not meet an eligibility category under part ~~9500.1102, [Emergency] item A, B, H, I, J, O, or P~~ 9500.1258, subpart 1, item A, B, H, I, J, O, or P.

Subp. 2. **Reduced standard.** The reduced standard applicable to an assistance unit provided for in subpart 1 must be determined as follows:

B. Calculate the amount of the parent's or parents' countable income. In this part "parent's or parents' countable income" means the parent's or parents' monthly gross income minus the following deductions:

(4) benefits received from the social security retirement program if the parent was receiving benefits under the social security disability or supplemental security income program at the time he or she became eligible for the social security retirement program or if the parent meets a category of eligibility under part ~~9500.1102 [Emergency], item A, B, H, or J~~ 9500.1258, subpart 1, item A, B, H, or J;

9500.1258 CATEGORIES OF ELIGIBILITY.

Subpart 1. **Categories of ongoing eligibility.** When the local agency determines the composition of an applicant's or recipient's assistance unit under part 9500.1209, subpart 3, as ~~proposed at State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986)~~ the local agency must determine whether the applicant or recipient meets the conditions of one or more of the categories of eligibility under the following items:

M. The applicant or recipient meets one or more of the following:

(1) ~~lives more than two hours round trip from all in a local labor market with no potential suitable employment, not including time needed to transport his or her children to and from child care;~~

(8) ~~is completing regularly attending a GED program, the time commitment of which precludes participation in work readiness with a minimum of six hours of classroom instruction per week.~~

P. The applicant or recipient is functionally illiterate. For purposes of this item, "functionally illiterate" means the individual is unable to read at or above the eighth grade level. An applicant or recipient shall be determined functionally illiterate according to subitems (1) to (3):

(1) The local agency may determine that the applicant or recipient is obviously functionally illiterate based on personal observations ~~and~~ or information in the applicant's or recipient's case file.

Subp. 2. **Categories providing for six months of eligibility.** An applicant who is not eligible for general assistance under subpart 1, but who meets the conditions of part 9500.1209, subpart 4, as ~~proposed at State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986)~~ and who has received six months of work readiness services and payments is eligible to receive general assistance for a maximum of six months during any consecutive 12-calendar month period if the conditions in item A or B are met:

A. the individual is medically certified as having borderline mental retardation, as defined in part 9500.1302, subpart 2; or

B. the individual is certified by a qualified professional, as defined in part 9500.1302, subpart 6, as exhibiting perceptible symptoms of mental illness and the mental illness interferes with medical certification of the individual's condition.

~~After issuing the monthly general assistance payment during the sixth and final month Unless the local agency has information that a recipient meets one or more of the categories of eligibility under subpart 1, the local agency shall provide the recipient with written notice of his or her termination from general assistance, after issuing the monthly general assistance payment during the sixth and final month. The notice must inform the recipient of the right to appeal as specified in part 9500.1260, and notice that the recipient may be eligible for work readiness services and payments if he or she meets the criteria of part 9500.1306, subpart 3.~~

9500.1260 GENERAL ASSISTANCE INELIGIBILITY; WORK READINESS NOTICE.

Subp. 2. **Work readiness notice.** Upon determining that an applicant or recipient is not eligible for general assistance because he or she does not meet a category of eligibility under part 9500.1258, the local agency shall inform the individual of the availability of its work readiness program and shall determine the individual's eligibility for services and payments under part 9500.1306, subpart 3. If an applicant or recipient is eligible for work readiness services and payments, he or she shall be informed that an

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

appeal of the general assistance determination of ineligibility may be made under Minnesota Statutes, section 256.045 while receiving work readiness services and payments. The local agency shall also inform the individual that eligibility for work readiness services and payments is time limited.

If the applicant or recipient subsequently wins the appeal, the assistance received under the work readiness program pending appeal must be considered general assistance. ~~The local agency shall also inform the individual that eligibility for work readiness services and payments is time limited.~~ If a recipient files an appeal before the effective date of the termination of his or her general assistance, continues to receive general assistance pending the appeal in accordance with part 9500.1268, and does not prevail in the appeal, the assistance received pending the appeal shall be considered general assistance and not work readiness payments, and the recipient's participation in work readiness services pending the outcome of the appeal shall not be counted toward the two- or six-month limitation on eligibility for the work readiness program. If a recipient files an appeal after the effective date of the termination of his or her general assistance, receives work readiness services and payments pending the appeal, and does not prevail in the appeal, the assistance received pending the appeal shall be considered work readiness assistance and shall be counted toward the two- or six-month limitation on eligibility for the work readiness program.

9500.1262 REQUIREMENTS FOR CONTINUED ELIGIBILITY.

Subpart 1. **Requirements for continued eligibility for specific categories of ongoing eligibility.** A recipient of general assistance whose eligibility is based on part 9500.1258, subpart 1, item G or L, and who is not eligible under another category of eligibility under part 9500.1258, must comply with the following requirements as conditions for continued eligibility.

A. Recipients who are eligible under part 9500.1258, subpart 1, item G shall participate in an English language skills program if assigned to a program by the local agency and if the program is available in the recipient's local labor market. If the recipient ~~does not~~ fails, without good cause, to participate in the assigned English language skills program, the recipient must be disqualified from receiving general assistance as prescribed in part 9500.1266.

B. Adult recipients who are eligible for general assistance under part 9500.1258, subpart 1, item L, must comply with the following:

(3) An adult who is required to participate in and comply with the work readiness program under subitem (1) or (2) who ~~does not~~ fails, without good cause, to participate in and comply with the requirements of the work readiness program must be disqualified from general assistance as provided in part 9500.1266. The standard of assistance applicable to the disqualified member's assistance unit must be based on the number of remaining eligible members of the assistance unit.

Subp. 2. **Requirements for continued eligibility under categories of six-month eligibility.** A recipient of general assistance whose eligibility is based on part 9500.1258, subpart 2 must comply with the following requirements to remain eligible for general assistance:

B. The local agency may assign a recipient who is eligible for general assistance under part 9500.1258, subpart 2 to the work readiness program for work readiness services. A recipient so assigned must comply with the work readiness program requirements ~~established~~ determined by the local agency to be applicable to the recipient. If the local agency determines that the recipient has failed, without good cause, to comply with work readiness requirements, the recipient is disqualified from receiving general assistance as provided in part 9500.1266.

9500.1266 DISQUALIFICATION.

A recipient who fails, without good cause, to comply with the requirements of part 9500.1262, is disqualified from receiving general assistance as provided in items A to D.

C. If an individual who is disqualified applies for general assistance during the period of disqualification, the individual is considered a recipient and the application shall be denied unless the individual is eligible for general assistance on the basis of a category of eligibility other than the categories in part 9500.1258, subpart 1, item G or L.

D. If a recipient who received a notice of disqualification complies with the requirements of part 9500.1262, on or before the effective date commencement of the disqualification period, assistance must be continued without a period of disqualification.

9500.1268 APPEAL OF DISQUALIFICATION.

A recipient who is disqualified from receiving general assistance under part 9500.1266 may appeal the decision. The appeal must be a written request for a hearing submitted to the department or the local agency under Minnesota Statutes, section 256.045. If appeal is made on or before the effective date commencement of the disqualification period and the recipient is otherwise eligible, he or she shall continue to receive general assistance while the appeal is pending, unless the recipient requests in writing that assistance be discontinued pending a hearing decision.

9500.1302 DEFINITIONS.

Subp. 6. **Program month.** "Program month" means a 30-day period of eligibility for work readiness assistance beginning with

the first date for which a work readiness payment is made to the registrant, and each subsequent 30-day period in which the registrant is eligible for work readiness assistance and for which the registrant is provided with work readiness payments.

Subp. 7. Qualified professional. "Qualified professional" means a social worker employed by the local agency, a social worker with a master's degree in social work, a licensed consulting psychologist, a licensed psychologist, a licensed physician or psychiatrist, or a public health nurse.

Subp. 7 8. Registrant. "Registrant" means an individual who has applied for work readiness services and payments, who has been determined eligible for those services and payments by the local agency, and who has elected to begin receiving those services and payments. "Registrant" also means a recipient who is required to participate in the work readiness program under part 9500.1262.

Subp. 8 9. Vocational advisor. "Vocational advisor" means an individual employed by or under contract with the local agency who has sufficient education, training, or experience to identify the types of available suitable employment in a registrant's local labor market and the qualifications required for that employment; to identify the registrant's physical, social, vocational, and educational barriers to obtaining available suitable employment; and to identify the types of services and activities necessary to enable the registrant to overcome the barriers and obtain suitable employment.

9500.1304 LOCAL AGENCY RESPONSIBILITY TO PROVIDE WORK READINESS PROGRAM AND PROGRAM DESCRIPTION.

Subp. 2. Preparation of work readiness program description. Each local agency shall develop a written description of its work readiness program. The description must:

C. contain a summary of work readiness program requirements including a registrant's responsibility to cooperate when the local agency assesses the registrant's employability and prepares the registrant's employability development plan, and the responsibility to comply with job registration, work search, and employment acceptance and retention requirements as conditions for continuing eligibility; and

Subp. 5. Retention of documents in case files. The local agency shall retain copies of all work readiness program notices, assessments, plans, and other documents given to or completed by an applicant or registrant, in accordance with parts 9500.1300 to 9500.1318, in the applicant's or registrant's case file.

9500.1306 APPLICATION PROCESS AND ELIGIBILITY CRITERIA.

Subpart 1. Assessment of general assistance eligibility. Before determining an applicant's eligibility for work readiness services and payments, the local agency must determine the applicant's need for emergency general assistance under Minnesota Statutes, section 256D.07, and the applicant's eligibility for the general assistance program under part 9500.1209 ~~as proposed at State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986).~~ If the applicant is eligible for general assistance, the applicant is ineligible for work readiness services and payments except as provided in part 9500.1262, subparts 1, item B, and 2. If the applicant is ineligible for general assistance, the local agency shall notify the applicant of the determination and of the right to appeal the decision as provided under part 9500.1260.

Subp. 3. Eligibility criteria. If the local agency determines that the applicant is ineligible for general assistance, it must determine the applicant's eligibility for the work readiness program. An applicant or registrant is eligible for the work readiness program if the applicant or registrant meets the conditions in items A to D:

A. The applicant or registrant is not categorically eligible for general assistance under part 9500.1209, subpart 3, item A ~~as proposed at State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986).~~

B. The applicant or registrant meets the eligibility requirements under part 9500.1209, subpart 4 ~~as proposed at State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986).~~ If the applicant or registrant is married and resides with his or her spouse, the income and property of the applicant or registrant and his or her spouse shall be considered in accordance with part 9500.1209, subpart 4, ~~as proposed State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986).~~

9500.1308 REQUIREMENT TO INFORM APPLICANTS.

Subp. 2. Duty to inform eligible applicants of work readiness requirements. At the time the local agency determines that an applicant is eligible for the work readiness program, the local agency must provide the applicant with a notice of the determination on

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 form prescribed by the commissioner, a copy of the program description prescribed under part 9500.1304, subpart 2, and a written notice meeting the standards established in part 9500.1252, which informs the applicant of:

B. the applicant's right to choose the months in which he or she will receive work readiness services and payments, including the option to elect to receive work readiness services and payments immediately; ~~and~~

C. the disqualification that will be imposed if a registrant is terminated from suitable employment for misconduct, quits suitable employment without good cause, refuses without good cause to accept an offer of suitable employment, or fails, without good cause, to comply with other work readiness program requirements; and

D. that an assessment of continuing eligibility for work readiness services and payments will be conducted during the registrant's second program month.

9500.1310 WORK READINESS SERVICES AND PAYMENTS.

Subpart 1. **Requirement of concurrent services and payments.** In order for a ~~monthly work readiness payment or a program month of work readiness services~~ to count toward the two or six program month limitation on eligibility for the work readiness program, as provided by part 9500.1312, the registrant must receive work readiness services during the program month ~~that for which a work readiness payments are payment is~~ made. Upon an eligible applicant's election to begin receiving work readiness services and payments, the local agency shall provide the services and payments to the registrant. ~~If A program month preceding the program month in which the written employability assessment and the employability development plan are not completed within the first month of an election to receive work readiness services or payments, that month, in accordance with subpart 2, items A and B,~~ must not be counted against a registrant's total program months of work readiness eligibility, provided the registrant did not fail, without good cause, to cooperate with the assessment and plan development. A program month during which a registrant fails, without good cause, to comply with the requirements of the work readiness program but for which the registrant receives a work readiness payment shall be considered a program month during which work readiness services and payments were received.

Subp. 2. **Work readiness services.** The following services must be provided to a work readiness registrant;

B. The vocational advisor shall develop a written employability development plan for each registrant within the registrant's first 30 days that work readiness services are provided to a registrant program month. The plan must be based on the assessment provided under item A and the vocational advisor's knowledge of the level of competition for employment that is or may become available, and must be designed to address the registrant's barriers to employment and prepare the registrant for suitable employment. The registrant must be given a copy of his or her plan and the plan must:

(5) specify ~~that~~ the registrant's job search requirements, which must be limited to the local labor market, must be reasonable, and must be based upon the assessment performed under item A;

C. No work readiness program shall require a registrant to travel to a potential job, training, or other activity site unless the local agency provides funds in advance to the registrant, in addition to the monthly program payment, to cover the cost of the transportation or unless transportation is otherwise available to the registrant without cost, or is unnecessary.

D. A registrant who is categorically eligible under part 9500.1258, subpart 1, item L, and who is the sole parent or stepparent residing with one or more children under the age of 12 shall not be required to participate in any work readiness program activities during hours in which the child is at home unless the local agency provides funds in advance to the registrant, in addition to the monthly program payment, to cover the cost of child care; ~~or unless child care is otherwise available to the individual without cost.~~

Subp. 3. **Work readiness payments.** A registrant who meets the eligibility conditions of part 9500.1306, subpart 3, shall receive work readiness payments during the applicable period of work readiness eligibility. If the registrant is married and lives with his or her spouse, the couple is considered a filing unit comprised of two individuals. If the registrant's spouse is also a registrant, the couple shall be considered one assistance unit composed of two persons for purposes of determining the applicable standard of assistance, the amount of countable income, the amount of real and personal property, and the monthly work readiness payment amount.

The payment amount must be equal to the amount of assistance that would be paid to the registrant's assistance unit if the assistance unit was eligible for general assistance under part 9500.1209 ~~as proposed at State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986).~~ If the registrant resides with his or her spouse and the spouse receives general assistance, the monthly work readiness payment to the registrant under this part must be equal to the amount the general assistance monthly payment made to the registrant's spouse would increase if the registrant were added to the spouse's general assistance grant.

The first work readiness payment must be prorated ~~for~~ to cover the period beginning with the effective date of the completed application for the work readiness program, the date that the applicant is determined eligible for work readiness services and payments, or the date that the eligible applicant elects to begin receiving work readiness services and payments, whichever is later, and ending with the last day of that month. The amount of the first payment must be determined by dividing the number of days to be

covered by the payment by the number of days in the month, to determine the percentage of days in the month that are covered by the payment, and multiplying the monthly payment amount by this percentage.

Subsequent work readiness payments must be made monthly on the first day of the month. A registrant shall continue to receive work readiness payments during the months that he or she elects to receive work readiness services and payments and meets the eligibility requirements of part 9500.1306. The final payment must be prorated to cover the number of program days ~~equal to the number of days in the registrant's first month of work readiness services and payments which were not covered by the registrant's first work readiness payment for which the registrant is eligible in that month.~~ The amount of the final payment must be determined by subtracting the percentage of days in the first month covered by the first work readiness payment from 100 percent, and multiplying the final monthly payment amount by the remaining percentage. Emergency general assistance is available to a registrant in accordance with Minnesota Statutes, section 256D.06, subdivision 2.

9500.1312 ASSESSMENT DURING SECOND MONTH FOR ADDITIONAL ELIGIBILITY; NOTICES TO REGISTRANTS.

Subpart 1. **Required assessment.** Except for registrants participating in work readiness under part 9500.1262, the local agency shall conduct an assessment of the registrant's progress in securing suitable employment and an assessment of the registrant's eligibility for an additional four program months of work readiness services and payments during the registrant's second program month of work readiness services and payments under part 9500.1310.

The local agency must offer the registrant an opportunity to meet with the local agency and to provide information relevant to the assessment. If the registrant does not meet with the local agency or provide information relevant to the assessment, the local agency must complete the assessment based on the information contained in the registrant's case file.

Subp. 2. **Notice of assessment.** ~~When the second work readiness payment is mailed or given to the registrant,~~ The local agency shall provide a written notice meeting the standards established under part 9500.1252 to inform the registrant that the local agency will be assessing the registrant's eligibility for an additional four program months of work readiness services and payments. The notice must be mailed or given to the registrant no later than ten days before the assessment and must include the following:

A. The notice must identify the conditions that must be met in order for the registrant to be eligible for an additional four program months.

B. The notice must inform the registrant that the registrant will not receive work readiness payments beyond the second program month until the assessment has been completed and the registrant found eligible for four additional program months.

Subp. 3. **Assessment of additional eligibility.** A registrant is eligible for four additional program months of work readiness services and payments if the registrant meets one or more of the following conditions:

D. The registrant, as determined by a vocational advisor, cannot reasonably be expected to secure suitable employment at this time given the registrant's work history, skills, education, physical and mental ability, and the availability of suitable employment.

Subp. 4. **Notice of determination.** If the local agency determines through the assessment that the registrant meets one or more of the conditions in subpart 3, items A to D, the local agency must notify the registrant that he or she is eligible for work readiness services and payments for a combined total of six program months in any consecutive 12-calendar month period. If the local agency determines, upon completion of the assessment under subpart 1, that the registrant does not meet one or more of the conditions in subpart 3, items A to D, the local agency must terminate the registrant's work readiness services and payments effective at the end of the registrant's second program month of participation in the work readiness program. If the local agency determines that the registrant is ineligible for continued work readiness services and payments, the local agency shall notify the registrant of its determination and that the registrant is not eligible to receive work readiness services and payments for more than two program months during any consecutive 24-calendar month period.

Subp. 5. **Registrant moves to another county after second month assessment for additional eligibility is completed.** If a registrant moves to another county after the ~~second month~~ assessment for additional eligibility required under subpart 1 is completed, the new county of residence must complete another ~~second month~~ assessment for additional eligibility and determine the registrant's eligibility for additional work readiness services and payments. A registrant shall not receive more than a total of six program months of work readiness services and payments in any consecutive 12-month period, regardless of the number of assessments conducted.

Subp. 6. **Notice of termination.** A registrant who is in the last program month of his or her two or six program months of work

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

readiness services and payments shall be notified of the termination of services and payments and of the appeal rights in accordance with the procedures specified in part 9500.1318.

Subp. 7. Assessment following reapplication. If an individual, whose eligibility for work readiness was terminated after two program months because the local agency determined that the individual did not meet one or more of the conditions under subpart 3, items A to D, applies for work readiness, the local agency must determine if the applicant's circumstances have changed and if the applicant is eligible for any additional work readiness services or payments.

9500.1314 REGISTRANT DUTIES.

A registrant shall comply with all requirements of the local agency work readiness program as, including the requirements explained under part 9500.1308, subpart 2, and the requirements specified in the employability development plan provided under part 9500.1310, subpart 2, item B. Except for registrants participating in work readiness under part 9500.1262, a registrant who fails, without good cause, to comply with the local agency work readiness requirements shall be disqualified from the receipt of work readiness services and payments under part 9500.1316.

9500.1316 FAILURE TO COMPLY WITH WORK READINESS REQUIREMENTS AND DISQUALIFICATION.

Subpart 1. Determination and notice of failure to comply. If a local agency determines that a registrant has failed, without good cause, to comply with the requirements of the work readiness program, the local agency must notify the registrant of its determination. The notice must meet the standards established in part 9500.1252, and must contain the information in items A to E.

Subp. 2. Disqualification. A registrant who is notified of the local agency determination as provided in subpart 1 shall comply with the requirements of the work readiness program as stated in the notice by the specified date.

If the local agency determines that a registrant has taken the required action on or before the date specified in the notice, a period of disqualification must not be imposed. If the local agency determines that the registrant failed, without good cause, to take the required action by the specified date, the local agency must assess the registrant's eligibility for general assistance under part 9500.1209 as proposed at State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986), before disqualifying the registrant for not meeting the requirements.

If the local agency determines that the registrant is eligible for general assistance, the registrant shall be terminated from work readiness services and payments and shall be eligible for general assistance.

If the local agency determines that the registrant is ineligible for general assistance under part 9500.1209 as proposed at State Register, Volume 10, Number 36, pages 1803-1804 (March 3, 1986), the registrant shall be disqualified from receiving work readiness services and payments.

Subp. 4. Period of disqualification. A registrant disqualified under subpart 2 is ineligible during the period of disqualification for any remaining or additional work readiness services or payments for which he or she would otherwise be eligible in accordance with the provisions in items A to F.

B. The disqualification period begins on the first day of the work readiness payment period following the date on which the determination was made. If the notice of disqualification is given or mailed so late in a payment period that ten-day prior notice required under part 9500.1318 cannot be given, the disqualification period begins on the first day of the second work readiness payment period following the date the determination was made. If the registrant appeals on or before the proposed disqualification date, the disqualification process must stop and work readiness payments and services must continue until a final decision is made or until the registrant's period of eligibility is exhausted, and payments and services are terminated in accordance with part 9500.1312, subpart 6, whichever is earlier. If the registrant loses the appeal, the disqualification period must begin on the first day of the next work readiness payment period.

E. The period of disqualification under subpart 2 must not be counted against a registrant's two ~~months~~ or six program months of work readiness eligibility. Following a period of disqualification a registrant who has been disqualified under subpart 2 must complete a new application for work readiness and the local agency must determine if the registrant is eligible for any additional or remaining work readiness services or payments.

9500.1318 NOTICE OF ADVERSE ACTION AND APPEAL RIGHTS.

Subpart 1. Actions requiring notice. The local agency shall notify an applicant or registrant of the following determinations before taking any adverse actions:

B. a determination of ineligibility for four additional program months of work readiness services or payments under part 9500.1312, subpart 1;

Subp. 3. Appeal of adverse action. An applicant or registrant who is the subject of an adverse action under subpart 1 may appeal the local agency determination. The appeal must be a written request for a hearing submitted to the department or the local agency under Minnesota Statutes, section 256.045. If a registrant appeals on or before the effective date of the adverse action, the registrant,

if otherwise eligible, shall continue to receive work readiness services and payments while the appeal is pending, unless the registrant requests in writing that assistance be discontinued pending a hearing decision. If the registrant's appeal of an action specified under subpart 1, item A, B, or D is not upheld, the registrant shall pay back to the local agency the amount of work readiness payments received during the pendency of the appeal.

Bureau of Mediation Services

Adopted Rule Relating to Transfer of Exclusive Representative Status

The rule proposed and published at *State Register*, Volume 10, Number 44, pages 2224-2225, April 28, 1986 (10 S.R. 2224) is adopted as proposed.

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, 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.

Charitable Gambling Control Board

Notice of a Public Hearing on Proposed Rules Governing Lawful Gambling, the Distribution of Lawful Gambling Equipment, and the Manufacture of Lawful Gambling Equipment

Notice of Intent to Adopt a Rule with Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing in the above-captioned matter will be held pursuant to Minnesota Statutes, sections 14.131 to 14.20 (Supp. 1985), in the basement level conference room, State Office Building, 435 Park, St. Paul, Minnesota, on September 20, 1986, commencing at 9:00 a.m. and continuing until all interested persons have an opportunity to be heard.

All interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Mr. Howard Kaibel, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 4th Avenue South, Minneapolis, Minnesota 55415, telephone (612) 341-7608. The written material must be received at the Office of Administrative Hearings before the close of the hearing record.

The hearing record will remain open for the inclusion of written material for five working days after the hearing ends unless a longer period not to exceed twenty calendar days is ordered by the Administrative Law Judge at the hearing. Written material received during this period will be available for review at the Office of Administrative Hearings. The Minnesota Charitable Gambling Control Board ("Board") and interested persons may respond in writing within three business days after the submission period ends to any new information submitted. No additional evidence may be submitted during the three-day period.

This rule hearing procedure is governed by Minnesota Statutes, sections 14.131 to 14.20 and by Minn. Rules pts. 1400.0200 to 1400.1200 (1985). Questions about procedure may be directed to Administrative Law Judge Kaibel at the aforementioned address.

The Board proposes to amend rules governing the conduct of lawful charitable gambling in Minnesota. A draft of the rules proposed for adoption was published in the June 23, 1986 *State Register*. The proposed rules will alter and add to the existing charitable gambling rule presently located in Minn. Rules pts. 7860.0010 to 7860.0310. The authority to adopt rules is Minnesota Statutes, sections 14.06 and 349.151, subd. 4(4). A copy of the proposed rules is enclosed with the notice mailed to all persons

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.

OFFICIAL NOTICES

on the Board's rulemaking mailing list. A free copy of the proposed rules as well as the Statement of Need and Reasonableness may be obtained by contacting:

Mr. Roger Franke
Executive Secretary
Minnesota Charitable Gambling Control Board
N-475 Griggs-Midway Building
1921 University Avenue
St. Paul, Minnesota 55104
(612) 642-0555

The proposed rules may be modified as a result of the rule hearing process. Those who are potentially affected in any manner by the substance of the proposed rules are therefore advised to participate in the process.

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

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

(b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, telephone: (612) 296-5615.

The proposed rule may affect small businesses as defined in Minnesota Statutes, section 14.115. For a discussion of how the Board considered methods to reduce the impact of the rule on small businesses, see the Statement of Need and Reasonableness.

Notice is hereby given that a Statement of Need and Reasonableness is now available for review at the Board and the Office of Administrative Hearings. This Statement of Need and Reasonableness contains a summary of all the evidence and argument which the Board anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the Board or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

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

Dated: 25 July 1986

Roger Franke, Executive Secretary
Charitable Gambling Control Board

Department of Commerce

Notice of Cancellation of Hearing on Proposed Rules Relating to Medical Malpractice Insurance (Home Health Care Aides)

The hearing scheduled for August 19, 1986 in the above captioned matter is hereby cancelled. Notice of the hearing was published in the *State Register* on Monday July 14, 1986 at 11 S.R. 29. The circumstances that necessitated the hearing no longer exist and accordingly the hearing will not be rescheduled.

Michael A. Hatch
Commissioner of Commerce

Department of Commerce

Notice of Deactivation of the Minnesota Joint Underwriting Association to Insurance Specified Classes of Business

Pursuant to Chapter 455, Laws of Minnesota 1986, codified as Chapter 62I of Minnesota Statutes; specifically sections 40 and 41 of Chapter 455, codified as Minnesota Statutes § 62I.21 and § 62I.22 Notice of Temporary Activation, Notice of Activation and Notice of Hearing were published in the *State Register* on May 26, 1986, July 7, 1986 and June 16, 1986 activating the Minnesota Joint Underwriting Association for various classes of business. Subsequently it has been determined that activating the authority of Minnesota Joint Underwriting Association for all of those classes of business is no longer necessary; that certain classes of business do not at this time any longer require the assistance of the Minnesota Joint Underwriting Association. Accordingly the authority of the Minnesota Joint Underwriting Association to offer insurance coverage for the following groups is terminated effective July 22, 1986:

- crane operators
- architects
- design engineers
- volunteer guardianship providers
- directors and officers of nonprofit agencies
- recreational facilities (except for riding stables and water slides)
- home health aides.

Accordingly the hearing scheduled for August 12, 1986 noted in the *State Register* on the above cited days will not deal with these classes of business.

Michael A. Hatch
Commissioner of Commerce

Department of Education, Education Data Systems

Notice of Publication of Manual of Uniform Terminology for Data Collection

The Minnesota Department of Education, Education Data Systems Section, will shortly publish a manual of Uniform Terminology for Data Collection (Data Standards) as required by M.S. 121.931. This terminology is reflective of the student and staff data elements needed for district to department data reporting.

For information concerning these data standards or to receive a copy please write:

Mark Manning, Data Acquisition Unit Supervisor
852 Capitol Square Bldg.
550 Cedar Street
St. Paul, MN 55101

Department of Energy and Economic Development Business Financial Management Division

Tax Exempt Financing Issuance Authority

Notice of Availability

Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 22

The Department gives notice that the amounts of tax exempt financing issuance authority available to qualified issuers as of July 28, 1986, is as follows:

Competitive Pool (Existing Law)

Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 13

Total Pool Available (Priority to Manufacturing Projects)	\$304,472,800
For:	
Pollution Control/Waste Management Projects	\$ 49,564,560
Commercial Redevelopment Projects	\$110,562,980

OFFICIAL NOTICES

Competitive Pool (Federal Volume Limitation Act)

Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 19

Total Pool Available (Priority to a-General Obligation Projects, b-Manufacturing Projects)	\$286,241,237
---	---------------

For:

Pollution Control/Waste Management Projects	\$ 59,856,247
Commerical Redevelopment/Multifamily Housing Projects	\$101,008,432

Qualified 501(c)(3) Bond Pool (Federal Volume Limitation Act)

Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 20

Total Pool Available	\$ 30,725,000
----------------------	---------------

Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 13, Subd. 2, Section 19, Subd. 2, Section 20, Subd. 3, and Section 21, Subd. 2, issuers requesting allocation of issuance authority must submit applications, any applicable deposit and any other supporting documents required. Application forms are available from the Department upon request.

Department of Health, Health Resources Division

Outside Opinion Sought Concerning Proposed Permanent Rules to Replace Parts 4656.0010 to 4656.0100 (Temporary) Relating to Review of Care and Classification of Residents in Facilities Participating in the Medical Assistance Program

Notice is hereby given that the Minnesota Department of Health is considering a permanent rule to replace Minnesota Rules, parts 4656.0010 to 4656.0100 (Temporary). These rules establish procedures for the assessment and classification of residents of nursing homes and boarding care homes participating in the Medical Assistance program and procedures for the review of the appropriateness and quality of care and services furnished to recipients of medical assistance.

Permanent rules are authorized by Minnesota Statutes, sections 144.072, Subdivision 1; 144.0721, Subdivision 1; and 256B.502.

All interested or affected persons or groups are requested to participate. Statements of information or comments may be made orally or in writing. Written statements of information and comment may be addressed to:

Gary Goetzke
Quality Assurance and Review
Minnesota Department of Health
717 Delaware Street S.E.
P.O. Box 9441
Minneapolis, Minnesota 55440

Oral statements of information and comment will be received over the phone at 612/623-5627 between 8:00 a.m./ and 4:30 p.m. Mondays and Fridays.

Statements of information and comment will be accepted until September 30, 1986. Any written material received by the Department shall become part of the rule record. Oral statements will be considered but will not become part of the rule record.

Department of Health, Division of Maternal and Child Health Services for Children with Handicaps

Notice of Intent to Solicit Outside Opinion to Establish Guidelines Covering Asthma Problems in Children

Notice is hereby given that the Services for Children with Handicaps Program is seeking advice from knowledgeable persons to establish guidelines for coverage of children with asthma problems other than cystic fibrosis.

Qualified, interested persons should contact Dr. Carolyn McKay, Director, Division of Maternal and Child Health, 717 Delaware Street S.E., Minneapolis, Minnesota, 55440. Phone (612) 623-5166 by August 28, 1986.

Department of Human Services

Notice of Intent to Solicit Outside Opinion Concerning Rules Relating to Nursing Home Operating Cost Payment Rate Determination

Notice is hereby given that the Minnesota Department of Human Services plans to promulgate permanent rule parts 9549.0050 to 9549.0059—Rules Relating to Nursing Home Operating Cost Payment Rate Determination.

These rules are authorized by Minnesota Statutes, section 256B.431; and governs the determination of operating cost payment rates for nursing homes licensed under Minnesota Statutes, Chapter 144A or boarding care facilities licensed under Minnesota Statutes, section 144.50 to 144.58 participating in the Medical Assistance Program. These rules will replace temporary rule parts 9549.0050 to 9549.0059.

All interested or affected persons or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Jane M. Delage
Department of Human Services
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Oral statements of information and comment will be received during regular business hours over the telephone at 612/297-4302.

All statements of information and comment will be accepted until further notice is given. Any written material received by the Department shall become part of the hearing record.

Department of Labor and Industry, Labor Standards Division

Notice of Intent to Solicit Outside Opinion on Proposed Amendments to Rules Governing Fair Labor Standards and Child Labor Standards

Notice is hereby given that the Minnesota Department of Labor and Industry, Labor Standards Division, is seeking information or opinions from sources outside the agency in preparing to amend Minnesota Rules 5200.0010-5200.0250 and 5200.0970. These rules govern the Minnesota Fair Labor Standards Act, Minnesota Statutes §§ 177.21-177.35, and Minnesota Child Labor Standards Act, Minnesota Statutes Chapter 181A. The promulgation of these rules is authorized by Minnesota Statutes §§ 177.28 and 181A.09, respectively.

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

Don Jackman
Director of Labor Standards
Minnesota Department of Labor & Industry
444 Lafayette Road
St. Paul, MN 55101

Any written material received by the Minnesota Department of Labor and Industry, Labor Standards Division, shall become part of the record in the event that the rules are promulgated.

Oral statements will be received during regular business hours over the telephone at (612) 296-2282 and in person at the above address. Information will be accepted until August 18, 1986.

Date: 25 July 1986

Steve Keefe
Commissioner of Labor & Industry

Metropolitan Council

Goals for Disadvantaged and Women Business Enterprise Participation

The Metropolitan Council announces the following goals for federal fiscal year 1987 for disadvantaged and women business enterprise (DBE and WBE) participation in Urban Mass Transportation (UMTA) and Federal Aid Highway (FHWA) assisted

OFFICIAL NOTICES

projects: 10% for firms owned and controlled by socially and economically disadvantaged individuals, and 2% for women-owned and -controlled firms.

The goals and a description of how they were set are available for inspection during normal business hours at the Council offices for 30 days following the date of this notice. Comments, which are for informational purposes only, may be sent to the Council, 300 Metro Square Bldg., St. Paul, MN 55101; or the U.S. Department of Transportation, 400 7th St. SW., Washington, D.C. 20590, within 45 days from the date of this notice.

Metropolitan Council

Public Hearing on 1987 Work Program and Budget

The Metropolitan Council will hold a public hearing on its proposed 1987 work program and budget on Thursday, September 11, 1986, 5 p.m., at the Metropolitan Council Chambers, 300 Metro Square Bldg., 7th and Robert Sts., St. Paul. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance by calling Jane Larson at 291-6500. A draft of the document for public hearing will be adopted by the Council on August 14, 1986. Copies of the proposed work program and budget will be available for public inspection beginning Monday, August 18 at designated libraries throughout the region. For information on the location of these libraries or a free copy of the budget document, call 291-6464.

Department of Natural Resources, Minerals Division

Notice of Intent to Hold State Copper, Nickel, and Associated Minerals Lease Sale; State Lands to be Offered for Copper, Nickel, and Associated Minerals Exploration

The Minnesota Department of Natural Resources announces that plans are being developed to hold the state's tenth sale of copper, nickel, and associated minerals exploration and mining leases. The sale is tentatively scheduled for November or December of 1986. The lease sale plans are being announced at this time in order to give mining companies, public interest groups and all other interested parties additional time to review the areas under consideration.

The purpose of Minnesota's copper, nickel, and associated minerals rules is to promote and regulate the prospecting for, mining and removal of copper, nickel and associated minerals on state-owned and state-administered lands. These rules, and the leases issued under these rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of minimum rentals that increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports, and the addressing of environmental considerations. In addition, the state lessee must comply with all applicable regulatory laws.

The areas under consideration for lease sale covers portions of Beltrami, Carlton, Itasca, Koochiching, Lake, Lake of the Woods, Marshall, Norman, Pine, Roseau and St. Louis Counties. Some of the lands being considered have been offered in previous copper, nickel, and associated minerals lease sales, but in light of present interest shown and geologic data and exploration techniques developed during the past few years, it is felt that within these lands there is significant potential for the discovery of mineral resources. Certain new lands of interest are also being considered for the lease sale.

The exact time of the lease sale will be announced by legal notice at least thirty days prior to the sale. Mining unit books, listing the state lands to be offered at the lease sale, will be available for inspection or purchase at that time.

A map showing the general areas under consideration may be obtained from the Division of Minerals, Box 45, 500 Lafayette Road, St. Paul, MN 55155-4045, telephone (612) 296-4807.

Dated: 25 July 1986

Joseph N. Alexander
Commissioner of Natural Resources

Pollution Control Agency, Solid and Hazardous Waste Division

Notice of Intent to Solicit Outside Opinion Regarding Amendments to Minn. Rules Ch. 7046 Governing the Fee System for Hazardous Waste Generators and Hazardous Waste Facilities

Notice is hereby given that the Minnesota Pollution Control Agency (MPCA) is seeking information or opinions from sources outside the MPCA in reviewing Minn. Rules Parts 7046.0010-7046.0070, Hazardous Waste Facility and Generator Fee Rule.

Minn. Stat. § 116.12 (Supp. 1985) directs the MPCA to establish hazardous waste generator and facility fees to cover the amount appropriated from the special revenue fund to the MPCA for permitting, monitoring, inspection and enforcement expenses of the hazardous waste activities of the MPCA. In establishing these fees, the MPCA is directed to follow the procedures set forth in Minn. Stat. § 16A.128 (as amended 1986 Minn. Laws chapter 436, section 2).

Minn. Stat. § 16A.128 requires annual review of the fees. It also requires adjustment of the fees so that the total fees received nearly equal the sum of the appropriation for the accounts plus the agency's general support costs, statewide indirect costs, and attorney general costs attributable to the fee function.

The MPCA believes it necessary to review the fee rules (Minn. Rules Parts 7046.0010-7046.0070) to comply with the requirements of Minn. Stat. § 16A.128 and is soliciting suggestions on potential amendments to those rules.

The MPCA staff is particularly interested in receiving comments on how the fee schedule should be applied to small and very small quantity hazardous waste generators. Further, the MPCA seeks comments on how the fee schedule can be amended to provide incentives to promote recycling and to be more readily understood and administered.

The MPCA requests information and comment concerning the subject of the fee rules. Written statements and comments concerning these matters will be accepted for consideration until August 29, 1986. Written statements should be addressed to:

Laurie Jacobson
Solid and Hazardous Waste Division
1935 West County Road B2
Roseville, Minnesota 55113

Oral statements will be accepted during regular business hours at 612/296-7039. Any written material received by the MPCA on or before August 29, 1986, shall become part of the rule making record in the event that the amendments are promulgated.

Teachers Retirement Association

Meeting Notice

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Thursday, August 21, 1986 at 10:00 a.m. in Room 302 Capitol Square Bldg. to select an Executive Director and to consider matters which may properly come before the Board.

Department of Transportation

Debarment Order for Allied Blacktop, Inc.

Pursuant to Laws 1984, Chapter 654, Article 2, Section 8, Minnesota Rule 1230.3400, and a Stipulation for Informal Disposition dated July 8, 1986 you are debarred and disqualified from entering into or receiving a Minnesota Department of Transportation contract and from serving as a subcontractor or material supplier under a Mn/DOT contract. Neither you nor any business or entity owned by, or associated with you may enter into a contract with Mn/DOT or serve as a subcontractor or supplier of materials or services under a Mn/DOT contract.

Minnesota Rules 1230.3100, Subpart 9. states:

Subp. 9. Mn/DOT contract. "Mn/DOT contract" means a written instrument:

A. containing the elements of offer, acceptance, and consideration to which the Minnesota Department of Transportation is a party, or acts as an agent for a party under Minnesota Statutes, section 161.36, subdivision 2 and 3, 360.016, subdivisions 2 and 3, or 350.039, subdivisions 2 and 3;

B. for which competitive bids are required or taken; and

C. which is subject to the approval of the commissioner.

This order takes effect on August 15, 1986, and continues until and including January 14, 1987.

Dated: 28 July 1986

Robert J. McDonald
Deputy Commissioner

OFFICIAL NOTICES

Department of Transportation

Debarment Order for Richard C. Pearson

Pursuant to Laws 1984, Chapter 654, Article 2, Section 8, Minnesota Rules 1230.3400, and a Stipulation for Informal Disposition dated July 8, 1986 you are debarred and disqualified from entering into or receiving a Minnesota Department of Transportation contract and from serving as a subcontractor or material supplier under a Mn/DOT contract. Neither you nor any business or entity owned by, or associated with you may enter into a contract with Mn/DOT or serve as a subcontractor or supplier of materials or services under a Mn/DOT contract.

Minnesota Rule 1230.3100, Subpart 9. states:

Subp. 9. Mn/DOT contract. "Mn/DOT contract" means a written instrument:

A. containing the elements of offer, acceptance, and consideration to which the Minnesota Department of Transportation is a party, or acts as an agent for a party under Minnesota Statutes, section 161.36, subdivisions 2 and 3, 360.016, subdivisions 2 and 3, or 360.039, subdivisions 2 and 3;

B. for which competitive bids are required or taken; and

C. which is subject to the approval of the commissioner.

This order takes effect on August 15, 1986, and continues until and including January 14, 1987.

Dated: 28 July 1986

Robert J. McDonald
Deputy Commissioner

Department of Transportation

Debarment Order for Eugene J. Capistrant

Pursuant to Laws 1984, Chapter 654, Article 2, Section 8, Minnesota Rule 1230.3400, and a Stipulation for Informal Disposition dated July 8, 1986 you are debarred and disqualified from entering into or receiving a Minnesota Department of Transportation contract and from serving as a subcontractor or material supplier under a Mn/DOT contract. Neither you nor any business or entity owned by, or associated with you may enter into a contract with Mn/DOT or serve as a subcontractor or supplier of materials or services under a Mn/DOT contract.

Minnesota Rule 1230.3100, Subpart 9. states:

Subp. 9. Mn/DOT contract. "Mn/DOT contract" means a written instrument:

A. containing the elements of offer, acceptance, and consideration to which the Minnesota Department of Transportation is a party, or acts as an agent for a party under Minnesota Statutes, section 161.36, subdivisions 2 and 3, 360.016, subdivisions 2 and 3, or 360.039, subdivisions 2 and 3;

B. for which competitive bids are required or taken; and

C. which is subject to the approval of the commissioner.

This order takes effect on August 15, 1986, and continues until and including January 14, 1987.

Dated: 28 July 1986

Robert J. McDonald
Deputy Commissioner

Department of Transportation

Outside Opinion Sought Regarding Preparation to Draft Rules Governing Trunk Highways in Recreation Areas

Notice is hereby given that the Minnesota Department of Transportation (Mn/DOT) is seeking information or opinions from sources outside the agency in preparing to draft rules for adoption governing Trunk Highways in Recreation Areas. The adoption of rules is authorized by Laws of Minnesota 1986, Chapter 454, Section 4, and promulgation of the recreational use plan prepared under that law shall be in accordance with the Administrative Procedure Act, Chapter 14.

The new law mandates preparation of a recreational use plan for Trunk Highways in Recreation Areas by Mn/DOT in cooperation with the Department of Natural Resources.

The following excerpt is taken from Laws of Minnesota 1986, Chapter 454, Section 4:

Subd. 2. [PLAN.] The commissioner of transportation, in consultation with the commissioner of natural resources, shall prepare a plan for the recreational uses of trunk highway right-of-way and adjacent public land in areas of unusual scenic interest. The plan must provide for the enhancement of such recreational uses by the construction of new recreational facilities or the improvement or rehabilitation of existing recreational facilities, as enumerated in subdivision 1, clause (3). The plan must provide for joint development of these facilities by the departments of transportation and natural resources, where feasible, and must contain provisions permitting local units of government and regional development commissions to participate in the planning and development of recreational facilities.

Subd. 3. [RECREATIONAL FACILITIES.] The commissioner of transportation may, in areas of unusual scenic interest:

(1) construct, improve, and maintain recreational facilities, including parking areas, scenic overlooks, and tourist information facilities, on trunk highway right-of-way and adjacent areas; and

(2) construct, improve, and maintain access ramps and turnoffs to connect trunk highways with recreational land owned by the department of natural resources.

Subdivision 1, requiring the establishment of standards for trunk highway segments located in areas of unusual scenic interest is not subject to the rulemaking process.

Mn/DOT is seeking comments and recommendations in order to develop a list of topics to be considered for discussion and rules. Joint participation by state, regional and local units of government in the planning and development of possible recreation facilities, is solicited and will be used.

Mn/DOT requests information and comments concerning the subject matter of the potential rules be submitted by September 1, 1986. Interested or affected persons or groups may submit data or views on the subject matter of concern orally or in writing. Written statements should be addressed to:

Carol R. Braun
Mn/DOT-Environmental Services Section
Transportation Building—Rm. 704
St. Paul, Mn. 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-1648 and in person at the above address. Any written material received by Mn/DOT will become part of the rulemaking record in the event that the rules are adopted.

Richard P. Braun, Commissioner
Minnesota Department of Transportation

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant 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 \$5,000 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 by calling 296-6152. If the appropriate buyer is not available, contact Harvey Leach or Barbara Jolly at 296-3779.

Department of Administration: Procurement Division

Contracts and Requisitions Open for Bid

Call 296-6152 for Referral to Specific Buyers.

Commodity for Bid	Bid Closing Date at 2 pm	Department or Division	Delivery Point	Requisition #
Explosives	August 4, 1986	Natural Resources	St. Paul	29-001-10341
Commencement Books	August 5, 1986	State University	Mankato	26-071-16924-0202
Commerce Contract	August 5, 1986	Commerce	St. Paul	13-425-09262-9078
\$3.00 Fee Insert	August 5, 1986	Public Safety	St. Paul	07-700-38938-0540
4-Wheel Vehicle	August 5, 1986	Iron Range Resources and Rehabilitation Board	Eveleth	43-000-07099
Construct Pole Bldg.	August 5, 1986	Transportation	Detroit Lakes	79-400-02644
Insulated Tray Food System	August 5, 1986	Human Services Regional Treatment Center	Cambridge	55-201-06660 Rebid
Move Virginia Metal Partitions	August 5, 1986	Economic Security	Economic Security	21-200-13535
Typewriter Maintenance	August 5, 1986	State University	St. Cloud	26-073-19013
Ready Mix Concrete	August 6, 1986	State University	Mankato	26-071-16891
Disposal of Hazardous Waste	August 6, 1986	Pollution Control Agency	Roseville	32-300-15052
Disposal of Hazardous Waste	August 6, 1986	Pollution Control Agency	Roseville	32-300-15053
Microcomputer Software Package	August 6, 1986	Community College	Hibbing	27-158-45897
Steel, Common Use Items	August 6, 1986	Various	Various	Price-Contract
TI Microcomputers	August 6, 1986	State University	Mankato	26-071-16902
Parts Cleaner	August 6, 1986	DOT Transportation	Various	79-000-70831
Professional Liability Insurance for Students at State Community Colleges	August 6, 1986	Community College	St. Paul	27-138-49250
Bus Transportation—Rebid	August 7, 1986	Education		37-010-18598
Laboratory Media	August 7, 1986	Various	Various	Price-Contract
Photo Film Processing (Amateur & Custom)	August 7, 1986	Various	Various	Price-Contract
Van Conversion for Handicapped	August 7, 1986	Jobs & Training	Various	21-607-41423
School/Library Furniture	August 7, 1986	Community College	Minneapolis	27-151-47414
Boat and Motor	August 7, 1986	Natural Resources	Grand Rapids	29-000-43771
Gas Salt Kiln	August 7, 1986	State University	Bemidji	26-070-12063
Tractor	August 8, 1986	Community College	Inver Grove Heights	27-157-47641
Elec. Chain Hoist	August 8, 1986	Transportation	St. Paul	79-000-70843
Map—Explore MN Bkwy—Northwest	August 8, 1986	Transportation	St. Paul	79-000-70814-0178
Paging System Rebid	August 8, 1986	State University	Bemidji	26-070-12005
Computer	August 8, 1986	Administration—Printing & Mailing	St. Paul	02-509-46294
Computer	August 8, 1986	Administration—Printing & Mailing	St. Paul	02-509-46290

<u>Commodity for Bid</u>	<u>Bid Closing Date at 2 pm</u>	<u>Department or Division</u>	<u>Delivery Point</u>	<u>Requisition #</u>
Focus on Financial Aid Tabloid	August 8, 1986	Higher Education Coordinating Board	St. Paul	60-000-04963-0126
Project Monitor Software System	August 11, 1986	Jobs & Training	St. Paul	21-200-13532
Move Dept. of Revenue	August 11, 1986	Revenue	St. Paul	67-520-01007

Department of Agriculture, Plant Industry Division

Request for Proposals for Advertising Campaign to Promote the Quality of Minnesota Certified Seed Potatoes

The Plant Industry Division, Department of Agriculture, is seeking a consultant to provide advertising services under contract to develop and implement, upon review and approval of the department, an advertising campaign to promote the quality of Minnesota certified seed potatoes and thus increase the demand and sales of same through advertising, promotion, and public relations throughout the country. This responsibility of the Department of Agriculture is delegated by M.S. 21.122.

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

I. Scope of Project:

To reach prospective buyers and users of Minnesota Certified seed potatoes through the printed media, direct mail brochures, and/or public relations.

II. Objectives:

Increase sales and distribution of Minnesota certified seed potatoes throughout the U.S.A.

III. Project Tasks:

1. Prepare preliminary plans for advertising, promotion and public relations.
2. Prepare schedules for advertising insertions and other related figures.
4. Assess the results following the insertions of advertisements in publications for appearance, date, position, size, and mechanical reproduction.
5. Design direct mail campaign and advertising material to be sent by the Department of Agriculture to grower and broker users of Minnesota Certified Seed Potatoes.

Responder may propose additional tasks or activities if they will substantially improve the results of the project.

IV. Department Contacts:

Prospective responders who have any questions regarding this request for proposal may call or write:

Richard T. Zink, Ph.D., Supervisor, Seed Potato Certification
 MINNESOTA DEPARTMENT OF AGRICULTURE
 University of Minnesota-Crookston
 Hill Hall
 Crookston, MN. 56716
 Phone No. (218) 281-6976—St. Paul, MN. No. (612) 296-8387

Other Department personnel are not allowed to discuss the project with responders before the submitted or proposal deadline.

V. Submission of Proposals:

All proposals must be sent to and received by:

Richard T. Zink, Ph.D., Supervisor, Seed Potato Certification
 Minnesota Department of Agriculture
 University of Minnesota—Crookston
 Hill Hall
 Crookston, MN. 56716
Not later than 4:30 P.M., August 15, 1986.

STATE CONTRACTS

“Late Proposals will not be accepted”. Responder shall submit 2 copies of the proposal. Proposals are to be sealed in mailing envelopes or packages with the responders name and address clearly written on the outside. Each copy of the proposal must be signed by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

VI. Project Costs:

The Department has estimated that the cost of this project shall not exceed \$20,000.00 for professional services and expenses.

VII. Project Completion Date:

The project will be completed by June 30, 1987.

VIII. Proposal Contents

The following will be considered minimum contents of the proposal:

1. A restatement of the objectives, goals and tasks to show or demonstrate the responder's view of the nature of the project.
2. Identify and describe the advertising services to be provided by the responder.
3. Outline the responder's background and experience with particular emphasis on local, state, and federal government work. Identify personnel to conduct the project and detail their training and work experience. No change in personnel assigned to the project will be permitted without the approval of the State Project Director/Manager.
4. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a scheduling and managing tool as well as the basis for invoicing.
5. Identify the level of the Department's participation in the project as well as any other services to be provided by the Department.

IX. Evaluation

All proposals received by the deadline will be evaluated by representatives of the Department of Agriculture. Factors upon which proposals will be judged include, but are not limited to the following:

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

Evaluation and selection will be completed by August 22, 1986. Results will be sent immediately by mail to all responders”.

Department of Energy & Economic Development, Energy Division

Request for Proposals for a Contract to Prepare a Report for the Minnesota Insulation Standards Program

The Energy Division has issued an RFP for a contractor to conduct a study and prepare a report on the Insulation Standards Program. Elements of this project include a review of the Minnesota Insulation Standards Program implementation, making recommendations for revisions to the insulation standards, obtaining input from industry members, and preparing a report to assist in possible future rulemaking procedures.

A copy of the RFP may be obtained from Bruce D. Nelson, Senior Engineer, DEED—Energy Division, 900 American Center Building, 150 E. Kellogg Blvd., St. Paul, MN 55101, telephone (612) 297-2313.

The Department has estimated that the amount of this contract should not exceed \$10,000. The deadline for receipt of proposals is 2:00 p.m., August 30, 1986.

Department of Human Services, Health Care Programs Division

Request for Proposal for Medical Case Management Services

Notice is hereby given that the Health Care Programs Division, Department of Human Services, is seeking proposals concerning

the provision of case management services to recipients of medical assistance who are diagnosed as having Acquired Immune Deficiency Syndrome (AIDS), those with AIDS Related Complex (ARC) if such substantially interferes with the major activities of life, respirator and ventilator dependent individuals, and the chronically mentally ill.

Case management as used in this context means the provision of one or more of the following services and activities:

1. Conducting data collection, planning, and educational activities;
2. Serving as a resource/referral;
3. Assessing client's needs;
4. Developing an individual and integrated services plan to address the client's needs;
5. Assisting the client in gaining access to needed services;
6. Providing an ongoing assessment of the client's needs and the applicability of the services plan;
7. Monitoring, coordinating, and controlling the services provided to assure that necessary services are being provided and in the most economical, efficient and effective manner;
8. Insuring the maximization of the use of the most cost effective and appropriate services;
9. Providing advocacy services on behalf of the client to assist him/her to access, obtain, and/or use needed services;
10. Identifying service providers; and,
11. Undertaking other activities incidental to the above that are essential to the successful performance of case management activities.

The specific array of services and activities that comprise a case management system are dependent upon the target group for whom case management services are directed and their special needs. The case manager must be a medical doctor or registered nurse.

The proposal may be statewide in scope or may be limited to a specific geographical area. It may include all of the above listed conditions or may limit the case management services to specific conditions. The proposal must include specific, quantifiable criteria against which the outcomes of case management can be measured, detail the bidder's knowledge, sensitivity, and grasp of issues and problems impacting individuals for whom the proposal is submitted, and explain how updated knowledge is assured.

The estimated amount of the contract(s) will not exceed \$500,000/year. The length of the contract(s) shall be for a period of one (1) year, and may be renewed for an additional one (1) year period. Responses must be received by 4:00 P.M. on August 25, 1986. Late proposals will not be accepted. The contract(s) will be awarded on or after September 19, 1986. Inquiries and proposals should be directed to:

Mary Kennedy, Assistant Director
Health Care Programs Division
444 Lafayette Road
St. Paul, Mn 55155
612-297-3200

Department of Jobs and Training, Division of Rehabilitation Services

Notice of Proposed Contracts for Federal Fiscal Year 1987

The Minnesota Department of Jobs and Training, Division of Rehabilitation Services is publishing notice that the contracts listed below are available and will be awarded for federal fiscal year 1987 (October 1, 1986 to September 30, 1987):

A. Notice of Proposed Contracts for Medical, Psychiatric, Psychological, Ophthalmological and Low Vision Services,

1. The Division of Rehabilitation Services, Office of Vocational rehabilitation is seeking an individual to function as the Chief Medical Consultant to provide services under contract as follows:

- a. Provide technical supervision and assistance, and review the work of field office medical consultants;
- b. Analyze the medical service program of the division and make recommendations for program modifications;
- c. Participate in the planning, development, and conduct of in-service training, for both medical consultants and VR counseling supervisory staff, in the medical aspects of Vocational Services;

STATE CONTRACTS

- d. Assist the agency in the development of forms, procedures and other operational materials that relate to the medical program;
- e. Review individual case material in order to provide advice on diagnosis, prognosis, medical implications and functional limitations resulting from disability;
- f. Represent the agency at meetings of state and local medical societies;
- g. To review and comment on individual medical plans that exceed certain specific cost limitations;
- h. Assist in the recruitment and selection of field office medical consultants.

The medical consultant will be responsible to the Assistant Commissioner of Rehabilitation Services with primary administrative direction coming from the Director, Office of Vocational Rehabilitation. The individual will be paid at a rate of \$55 per hour. The contract will require an average of 2 to 5 hours per month. Total cost is not expected to exceed \$3,300.00. Inquiries should be directed to:

James R. House
Director, Office of Vocational Rehabilitation
MN Department of Jobs and Training
Division of Rehabilitation Services
5th Floor
390 North Robert Street
St. Paul, Minnesota 55101

All proposals must be received by 4:30 p.m. 8-29-86.

2. The Division of Rehabilitation Services, Office of Vocational Rehabilitation is seeking to employ individuals under contract who will meet with local staff of the section in order to provide them with advice, consultation, and training on medical and psychiatric or psychological aspects affecting the rehabilitation process for specific clients and for the agency, in general. This section will be seeking at least one medical and one psychiatric or psychological contractor in each of the following locations: Bemidji, Brainerd, Duluth, Fergus Falls, Mankato, Minneapolis, Rochester, St. Cloud, St. Paul, Virginia, Willmar, Worthington, Moose Lake and Anoka. All individuals will be paid at a rate of \$40 to \$60 per hour. Most contract work will require an average of 2 to 4 hours per week. Total cost is not expected to exceed \$400,000.00. Inquiries should be directed to:

James R. House
Director, Office of Rehabilitation Services
MN Department of Jobs and Training
Division of Rehabilitation Services
5th Floor
390 North Robert Street
St. Paul, Minnesota 55101

All proposals must be received by 4:30 p.m. 8-29-86.

3. The Division of Rehabilitation Services, Social Security Disability Determination Services Section, is seeking to employ individuals under contract who will advise and consult with disability examiner staff and others regarding the medical and psychological aspects of impairments including the nature and severity of disease processes, appropriate medical development and case documentation for individual claims, proper application of SSA medical policy and assessment of the claimant's residual level of functioning. The contractor will also be required to certify the claimant's determination of disability as required by the Social Security Administration. The section will be seeking twenty to twenty-four Minnesota licensed medical doctors and five Minnesota licensed consulting psychologists. All services will be utilized in St. Paul. Range of pay is \$32 to \$46 per hour. Contracts will vary from 8 to 20 hours per week and will be for 1 year (10/1/86 through 9/30/87) or 1 year with an option to renew for a 2nd year. Total cost is not expected to exceed \$850,000. Inquiries should be directed to:

William T. Ruhl
Assistant Director, Medical Services
Disability Determination Services Section
MN Department of Jobs and Training
Rehabilitation Services
Suite 200—Metro Square Building
Seventh and Robert Streets
St. Paul, Minnesota 55101
(612) 296-4419

All proposals must be received by 4:30 p.m. 8-29-86.

4. The Division of Rehabilitation Services, Office of Services for the Blind and Visually Handicapped is seeking 5 individuals to function as Regional General Medical Consultants in the Northeast (Duluth), Northwest (St. Cloud and Moorhead), South

(Mankato), and Metro (9 county) Regions and 1 individual to function as Pediatric Specialist Medical Consultant (Statewide) to provide medical services under the contract as follows:

- a. serve as the medical expert for the Regional Supervisor(s) and provide face to face medical consultative services on all medical aspects of the rehabilitation program;
- b. review all medical reports on blind and visually handicapped clients obtained in the region(s) during the year;
- c. determine the adequacy of the medical information obtained;
- d. make written recommendations regarding additional medical procedures required;
- e. record and code each disabling condition reported;
- f. make recommendations regarding client limitations;
- g. interpret medical findings to rehab counselors upon requests;
- h. provide consultation and recommendations regarding medical practice, procedures and individual client needs upon request;
- i. make recommendations regarding medical charges upon request.

The medical consultants will be responsible to the respective regional supervisors with primary administrative direction coming from the Director of Services for the Blind and Visually Handicapped. All individuals will be paid at a rate of \$40.00 to \$60.00 per hour depending upon qualifications and previous experience in dealing with blind and visually handicapped persons. Most contract work in the outstate regions will require an average of 2-4 hours per month. Most contract work in the Metro regions (9 county) will require an average of 4-12 hours per month. Total cost of all contracts is not expected to exceed \$25,000.00. Inquiries should be directed to:

Rick Hokanson
Director of Services for the Blind and Visually Handicapped
MN Department of Jobs and Training
Division of Rehabilitation Services
1745 University Avenue
St. Paul, Minnesota 55104
(612) 642-0508

All proposals must be received by 4:30 p.m. 8-29-86.

5. The Division of Rehabilitation Services, Office of Services for the Blind and Visually Handicapped is seeking 4 individuals to function as Regional Ophthalmological Consultants in the Northeast (Duluth), Northwest (St. Cloud), South (Mankato) and Metro (9 counties) Regions to provide ophthalmological services under the contract as follows:

- a. serve as the ophthalmological expert (Doctor of Medicine with American Board of Ophthalmology certification) and advise the Regional Supervisor(s) concerning complex medical program issues;
- b. review and classify (code) all eye reports on blind and visually handicapped clients obtained in the region(s) during the year;
- c. make recommendations regarding client limitations;
- d. make written medical recommendations for additional procedures as needed;
- e. provide consultation and recommendations for individual blind and visually handicapped clients referred by the rehab counselor or the agency psychologists.

The ophthalmological consultants will be responsible to the respective regional supervisor(s) with primary administrative direction coming from the Director of Services for the Blind and Visually Handicapped. The individual will be paid at the rate of \$40.00 to \$60.00 per hour depending upon qualifications and previous experience in working with blind and visually handicapped persons. Most contract work will require an average of 2-4 hours per month. The total cost of all contracts is not anticipated to exceed \$12,000. Inquiries should be directed to:

Rick Hokanson
Director of Services for the Blind and Visually Handicapped
MN Department of Jobs and Training
Division of Rehabilitation Services
1745 University Avenue
St. Paul, Minnesota 55104
(612) 642-0508

STATE CONTRACTS

All proposals must be received by 4:30 p.m. 8-29-86.

6. The Division of Rehabilitation Services, Office of Services for the Blind and Visually Handicapped is seeking 4 individuals to function as Regional General Psychological Consultants in the Northeast (Duluth), Northwest (St. Cloud), South (Mankato) and Metro (9 counties) Regions and 1 individual to function as Youth/Adolescent Psychological Consultant (Statewide) to provide psychological evaluation services under the contract as follows:

- a. review individual case material on blind and visually handicapped clients and consult with the rehab counselor and/or agency psychologist to determine the appropriate assessment tools and techniques;
- b. interview the client to collect information relevant to the referral questions and the assessment battery;
- c. administer and score the psychological tests/inventories;
- d. provide test scores, interpretations, and recommendations relevant to the referral questions in written form within two weeks of the assessment date;
- e. provide follow-up consultation services and resource/referral information to the rehab counselor as needed.

The psychological consultants will be responsible to the agency psychologist with primary administrative direction coming from the Director of Services for the Blind and Visually Handicapped. The individuals will be paid at the rate of \$40.00 to \$60.00 per hour depending upon qualifications and previous experience in working with blind and visually handicapped persons. The contract will require an average of 10-12 hours per month. The total cost of all contracts is not anticipated to exceed \$45,000.00. Inquiries should be directed to:

Rick Hokanson
Director of Services for the Blind and Visually Handicapped
MN Department of Jobs and Training
Division of Rehabilitation Services
1745 University Avenue
St. Paul, Minnesota 55104
(612) 642-0508

All proposals must be received by 4:30 p.m. 8-29-86.

7. The Division of Rehabilitation Services, Office of Services for the Blind and Visually Handicapped is seeking 2 individuals to function as Low Vision Consultants (1 of whom would be an optometrist; 1 of who would be an ophthalmologist) to provide low vision services under the contract as follows:

- a. assist in the planning, development and conducting of in-service training for rehab counselors in the area of low vision;
- b. evaluate staff and clinician qualifications (certification);
- c. advise on the development of future low vision services.

The low vision consultants will be responsible to the Director of Services for the Blind and Visually Handicapped and the Assistant Director of Operations. The individuals will be paid at a rate of \$40.00 to \$60.00 per hour. Most contract work will require an average of 4 to 8 hours per month. The total cost of all contracts is not anticipated to exceed \$12,000.00. Inquiries should be directed to:

Rick Hokanson
Director of Services for the Blind and Visually Handicapped
MN Department of Jobs and Training
Division of Rehabilitation Services
1745 University Avenue
St. Paul, Minnesota 55104
(612) 642-0508

All proposals must be received by 4:30 p.m. 8-29-86.

B. Notice of Proposed Contract for Psychometric Testing Services

The Rehabilitation Services Division, Office of Vocational Rehabilitation is seeking a contractor who would provide psychometric testing to about 4,500 disabled clients. The testing would be provided by the contractor in approximately 50 testing locations throughout the State of Minnesota. The contractor would be required to administer any of eight psychometric tests and provide

test scores, together with an interpretation of the tests results, within two weeks of the testing date. Total cost is not expected to exceed \$165,000.00. Inquiries should be directed to:

Jim R. House
Director, Office of Vocational Rehabilitation
MN Department of Jobs and Training
Division of Rehabilitation Services
5th Floor
390 North Robert Street
St. Paul, Minnesota 55101

All proposals must be received by 4:30 p.m. 8-29-86.

C. Notice for Request for Qualifications and Request for Proposal for Mobile/Onsite Medical Examination Services

The Division of Rehabilitation Services, Social Security Disability Determination Services Section, is seeking the services of contractors to provide qualified physicians in certain specialties (e.g., orthopedics, neurology, psychiatry) to travel to various Minnesota cities (e.g. St. Cloud, Bemidji, Duluth, Mankato) to perform consultative examinations and requested lab or x-ray studies and to provide written results of these examinations. The division's fee schedule will be used as a guide to determine compensation and fees may not exceed the division's fee maximums. Several contracts will be written. Expenditure for these contracts is not expected to exceed \$200,000. Reimbursement for mileage according to state regulations is provided. The contract period is 10/1/86 through 9/30/87. Inquiries and request for a copy of the RFQ and RFP should be directed to:

William T. Ruhl
Assistant Director, Medical Services
Disability Determination Services Section
MN Department of Jobs and Training
Rehabilitation Services
Suite 200—Metro Square Building
Seventh and Robert Streets
St. Paul, Minnesota 55101
(612) 296-4419

All proposals must be received by 4:30 p.m. 8-29-86.

Public Employees Retirement Association

Request for Proposals for Management Analysis Study

Overview

The Public Employees Retirement Association of the State of Minnesota (PERA) is a multi-employer pension fund serving approximately 120,000 members and beneficiaries and 2,200 governmental subdivision units within the State as defined in Minnesota Statutes, Chapter 353. While PERA has been in operations since 1931, it became a State agency July 1, 1985. The agency is administered by an Executive Director who is responsible to a policy setting nine-member Board of Trustees. The agency employs 66 full-time staff and extensively utilizes in-house computer based information systems.

The Board of Trustees is desirous of having an independent study performed of the administrative operations of the agency following an internal reorganization in June of 1985, and the transition to and first year of operation as a State agency.

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

Scope of Project

The general scope of the study is that of conducting a performance review of the effectiveness and efficiency of the administrative operations of the PERA agency.

Specific tasks contemplated by the Board of Trustees as essential to the project to be performed include:

A. Conducting a work flow and time study analysis for evaluating operational efficiency and effectiveness. This would include an analysis of the nature and mode of communications between staff and within/between work units; and the assessment of physical layout, equipment, and other resources necessary for staff to perform their work routine.

B. Evaluation of operating policies and procedures, control of resources, staff supervision and management, and reporting relationships.

STATE CONTRACTS

C. Surveying and analysis of staff attitudes regarding: overall management of the agency; management/supervision of specific work units; work environment; inter-personal, inter-unit, and hierarchical communications; staff morale and commitment to and respect for the agency; and staff motivation and opportunities for achievement, advancement, and recognition.

Additional tasks desired by the Board of Trustees to be performed should there be sufficient funding and/or time remaining after the above required tasks include:

- D. Identification and assessment of work routines to benefit from new or enhanced automation.
- E. Development of standards for measuring productivity of individual work routines and of corporate projects.
- F. Evaluation of staffing deployment based upon productivity standards for current and projected work levels.
- G. Development of a detailed implementation plan for any changes recommended by the study, including a means for providing follow-up work adjunct to the implementation phase.

Proposal Contents

The following will be considered as the minimally required contents of a respondent's proposal:

- A. Presentation of a work plan which restates and elaborates upon the overall purpose and task statements referenced above. This would include an outline of the methodologies contemplated for each of the proposed tasks.
- B. Incorporation of a schedule into the work plan which delineates start/stop dates and resources (time and budget) allocations to each of the tasks.
- C. Inclusion of resumes for respondent's staff who shall be conducting the work of the study and inclusion of references to past clients. Experience in conducting management surveys of other public retirement systems may be required.

Reports

It is expected that a Final Report will be prepared for the management of PERA which will address research methodology, findings, recommendations for the improvement of management and operations, and the implementation/follow-up to any recommended changes. It is expected that the report will be structured around and will elaborate on each of the task statements referenced above. Informal interim Progress Reports may also be required for monitoring project activities.

Completion Date

The study shall be completed by December 31, 1986, with the Final Report submitted by that time.

Budget

Maximum funding available for the conducting of this study is \$24,000.00. Respondents must include an overall budget and basis for billing in their proposals.

Agency Contact

Prospective respondents who have any questions regarding this Request for Proposals may call or write:

Dennis C. Anderson, Manager of Finance and Personnel
Public Employees Retirement Association of Minnesota
514 St. Peter Street, Suite 200
St. Paul, Minnesota 55102-1090
Telephone: (612) 297-3106

Submission of Proposals

All proposals must be sent to and received at the above address (Agency Contact) no later than 4:30 p.m., Wednesday, September 3, 1986. Late proposals will not be accepted. Please submit five copies of the proposal. Each copy of the proposal must be signed in ink by an authorized official of the respondent entity. Proposals are to be sealed in mailing envelopes or packaged with the respondent's name and address clearly written on the outside.

Evaluation of Proposals

All proposals received by the due date will be evaluated by the management staff and the Board of Trustees of PERA. An interview may be part of the evaluation process. Factors upon which proposals will be judged include, but not be necessarily limited to, the following:

- A. Work plan and scheduling.
- B. Overall budget and cost basis.
- C. Qualifications of personnel.

D. Experience of respondent in conducting management surveys of public retirement systems.

It is expected that the awarding of a contract would be made by October 1, 1986.

Administrative Provisions

PERA reserves the right to negotiate additional provisions and/or conditions to the contract ensuing from this Request for Proposals process.

STATE GRANTS

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

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

Department of Health**Summary of Activities Funded for the Preventive Health and Health Services Block Grant for Federal Fiscal 1987**

The Minnesota Department of Health has prepared an application for the Preventive Health and Health Services Block Grant for Federal Fiscal 1987. The following is a financial summary of the activities funded in the application:

Service Area	Amount
I. Disease Prevention and Health Promotion	\$567,600
A. Minnesota Center for Health Promotion and Education	
B. Chronic Disease Epidemiology	
C. Disease Prevention and Health Promotion Management	
D. Disease Prevention and Health Promotion Field Services	
E. Acute Disease Programs	
II. Public Health Laboratories	443,200
A. Clinical Laboratory	
III. Environmental Health	348,800
A. Environmental Field Services	
B. Water Supply and Engineering	
C. Radiation Control	
IV. Community Services	\$279,500
A. Community Services Management	
B. Community Development	
C. Public Health Nursing	
V. Emergency Medical Services	279,500
VI. General Support	200,000
A. Rape Prevention	
B. Indirect Cost	

The department invites public review and comment. Copies of the application are available upon request. Requests should be sent to David Hovet, Accounting Director, Section of Financial Management, Minnesota Department of Health, P.O. Box 9441, Minneapolis, MN 55440.

Decisions Filed Friday 25 July 1986

Compiled by Wayne O. Tschimperle, Clerk

C0-85-2334 Abbott-Northwestern Hospital, Inc. v. County of Hennepin, Relator. Tax Court.

The tax court's determination that a lodging facility owned and maintained by a public hospital for preadmission patients, outpatients, and family members of patients is reasonably necessary in today's society to accomplish the purposes for which the hospital was organized was not clearly erroneous nor based upon an erroneous theory of law.

Affirmed. Kelley, J.

DOCUMENTS DIVISION

Publications, Services, Subscriptions

Order Form on Back

For Information, Call 297-3000

NEW PUBLICATIONS:

Physicians Directory 1985. Names and addresses in alphabetical order of licensed chiropractors, doctors of medicine and osteopaths, optometrists, podiatrists and registered physical therapists. Code #1-1. \$15.00.

Health Care Facilities Directory 1986. Contains a list of hospitals and related institutions licensed and/or certified in Minnesota. Alphabetical listing by county. Includes town and facility name, ownership, capacity, available services, address, phone number, and director's name. Code #1-89. \$15.00.

OTHER PUBLICATIONS:

Legislative District Maps. A six-map set of Minnesota Legislative and U.S. Congressional Districts. Shows boundaries since redistricting. (3 maps 17" x 22", 1 map 25" x 29", 2 maps 28" x 40"). Sent to you in a sturdy mailing tube. Code #7-7. \$4.95.

MN Hazardous Waste Rules (as in effect 2-10-86). MN Rules Chapter 7045 and 7046. The rules governing the permits, storage, production and shipment of Hazardous Waste. Code #3-71. \$13.50.

Occupational Safety and Health Rules (as in effect 1-6-86). Chapters 5205-5206, 5210, 5215. State standards for safe working conditions including: personal protective equipment, walking and working surfaces, illumination and ventilation. 84 pp. Code #3-18. \$9.00.

The Medical Alley Directory. Reach the decision-makers without delay at more than 300 medical and bio-tech companies and healthcare delivery organizations. Entries include major products and/or services, company background, special interests, trade name(s), major activities, and addresses and phone numbers. (Code #40-7. \$109.00)

The following two publications are discounted more than 40%.

Education Laws 1984. A complete extract from the 1984 Minnesota Statutes of the empowering legislation relating to public schools. Code #2-83. ~~\$16.00~~ reduced to \$9.00.

Education Laws 1985 Supplement. The 1986 Education Laws (with changes incorporated from the 1986 Legislative Session) will not be available until the Winter of 1986. Code #2-83s1. ~~\$12.50~~ reduced to \$7.00.

* **Minnesota Rules 1985.** 10-volume set. Code #18-200. Single volumes: \$13.00 plus 78¢ tax; Full set: \$125.00 plus \$7.50 tax.

* **Minnesota Rules 1986 Supplement Number 1.** Code #18-200A. \$15.00 + 90¢ tax.

* **Minnesota Statutes 1985 Supplement.** Pocket part supplement to Minnesota Statutes 1984. Code #18-7. \$25.00 plus \$1.50 tax.

State Register Index. Contains cumulative finding aids to Volume 9 of the *State Register*, including Minnesota Rules Amendments and Additions. Executive Orders list & index. Agency & Subject Matter indices. Code #13-9 SR INDEX. \$5.00.

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 38. Selected landmark decisions of the Worker's Compensation Court of Appeals. Annual subscription, quarterly updates. \$89.50.

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.

Minnesota's Seasons. Catalog of lake maps, fishing guides, bikeway maps, cookbooks, travel guides, and more. Free.

Minnesota State Documents Center 1986 Catalog. Contains list of 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.

* These publications require no postage and handling fees

STATE OF MINNESOTA



Department of Administration

Minnesota Documents Division

117 University Avenue • St. Paul, Minnesota 55155

Metro area 612-297-3000

In Minnesota, toll free 1-800-652-9747

Second Class
U.S. Postage
Paid
Permit No.
326630
St. Paul, MN

Please notify us of any address changes so that we can continue to give you our best service. Include your old mailing label to speed your service.

Legislative Reference Library
Attn: Zona DeWitt
645 State Office Bldg.
Interoffice

For Your Convenience, photocopy this order blank

TO ORDER:

Complete attached order blank. Include either your 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 VISA/Mastercard or if you have a customer deposit account. 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.

PREPAYMENT REQUIRED.

Merchandise may be returned if it is in resalable condition.

NOTE:

State Register and other subscriptions do not require sales tax or postage and handling fees.

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



Metro area (612) 297-3000
In Minnesota toll-free 1-800-652-9747

Prices subject to change without notice.

Please allow about 6 weeks for delivery. In a hurry? Stop by our Bookstore. Bookstore Hours 7:30-4:30 M-F