

State of Minnesota

# STATE REGISTER

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Department of Administration—Documents Division



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# State Register

## Judicial Notice Shall Be Taken of Material Published in the State Register

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, official notices to the public, state and non-state public contracts, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

### Printing Schedule and Submission Deadlines

Vol. 12 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
31	Friday 15 January	Monday 25 January	Monday 1 February
32	Monday 25 January	Monday 1 February	Monday 8 February
33	Monday 1 February	Monday 8 February	Monday 15 February
34	Monday 8 February	Friday 12 February	Monday 22 February

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

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

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

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

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

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

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

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### Proposed Rules

Pursuant to Minn. Stat. of 1982, §§ 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 Agriculture

### Proposed Permanent Rules Relating to Buying and Storing Grain

#### Notice of Intent to Adopt a Rule Without a Public Hearing and Notice of Intent to Adopt a Rule With a Public Hearing if Twenty-Five or More Persons Request a Hearing

Notice is hereby given that the Minnesota Department of Agriculture intends to adopt the above-entitled rule without a public hearing, following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in Minnesota Statutes, Sections 14.22-14.28. The statutory authority to adopt this rule is Minnesota Statutes, Sections 16A.128; 223.19; 232.22, subs. 3 and 4; 232.24, subd. 1; and 236.08.

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.

## Proposed Rules

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Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state their name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any proposed change. If a public hearing is required, the department will proceed according to Minnesota Statutes, Sections 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON MARCH 29, 1988, IN CONFERENCE ROOM A, MINNESOTA DEPARTMENT OF AGRICULTURE, 90 WEST PLATO BOULEVARD, ST. PAUL, MINNESOTA 55107, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THIS SAME RULE PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF AGRICULTURE. To verify whether a hearing will be held, please call the Minnesota Department of Agriculture between March 3, 1988 and March 18, 1988 at (612) 296-6906.

Comments or written requests for a public hearing must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-6906.

The proposed rule may be modified if the modifications are supported by the data and views submitted to the department and do not result in a substantial change 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 upon request from Ms. Milligan.

The proposed rule does not impose any additional compliance or reporting requirements or small business as defined in Minnesota Statutes, section 14.115, other than that which is required by statutes. Standards set by the rule are necessary for safe storage to protect the quality of grain.

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

Dated: 4 January 1988

Jim Nichols, Commissioner  
Department of Agriculture

### **Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer Than Twenty-Five Persons Request a Hearing in Response to Notice of Intent to Adopt a Rule Without a Public Hearing**

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room A, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, on March 29, 1988, commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rule may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rule, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THIS SAME RULE WITHOUT A PUBLIC HEARING PUBLISHED IN THE *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF AGRICULTURE. TO VERIFY WHETHER A HEARING WILL BE HELD, PLEASE CALL THE DEPARTMENT OF AGRICULTURE BETWEEN MARCH 3, 1988 and MARCH 18, 1988 at (612) 296-6906.

Following the department's presentation at the hearing, all interested or affected persons 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 Phyllis Reha, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7611, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period, the department and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the

three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rule-making record. Upon the close of the record, the Administrative Law Judge will write a report as provided for in Minnesota Statutes, sections 14.15 and 14.50. The rule hearing is governed by Minnesota Statutes, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The department's authority to adopt the proposed rules is contained in Minnesota Statutes, sections 16A.128; 223.19; 232.22, subds. 3 and 4; 232.24, subd. 1; and 236.08.

The proposed rules govern licensing of grain buyers and storers and licensee requirements. The proposed rules do not impose any additional compliance or reporting requirements on small business as defined in Minnesota Statutes, section 14.115, other than what is required by statute. Standards set by the rules are necessary for safe storage to protect the quality of grain.

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

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Carol Milligan, Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota 55107; telephone (612) 296-6906.

Additional copies will be available at the hearing. If you have any questions on the content of the rule, contact Carol Milligan.

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

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

Minnesota Statutes, chapter 10a, requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minnesota Statutes, section 10A.01, subdivision 11, as 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 travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communication or urging others to communicate with public officials; or

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

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

Dated: 4 January 1988

Jim Nichols, Commissioner  
Department of Agriculture

### **Rules as Proposed (all new material)**

#### **DEPARTMENT OF AGRICULTURE BUYING AND STORING OF GRAIN**

##### **1562.0100 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of this chapter, the terms defined in this part have the meanings given them.

Subp. 2. **Bond.** "Bond" means an obligation acceptable to and running to the state, as obligee, for the purpose of:

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

## Proposed Rules

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A. indemnifying producers of grain against the breach of a cash sale contract by a grain buyer licensed under Minnesota Statutes, chapter 223;

B. indemnifying depositors of grain against the breach of a grain storage contract by a public grain warehouse operator licensed under Minnesota Statutes, chapter 232; or

C. indemnifying depositors of grain against the breach of a grain bank storage contract by a public or private grain warehouse operator licensed under Minnesota Statutes, chapter 236.

Subp. 3. **Cash sale.** "Cash sale" means:

A. a sale for which payment is tendered to the seller not later than the close of business on the next business day after the sale, either by cash or by check, or by mailing or wiring funds to the seller's account in the amount of at least 80 percent of the value of the grain at delivery; or

B. a sale of a shipment of grain which is part of a multiple shipment sale, for which a scale ticket clearly marked "cash" has been received by the seller before completion of the entire sale, and for which payment is tendered in cash or by check not later than ten days after the sale of that shipment, except that when the entire sale is completed, payment is tendered in cash or by check not later than the close of business on the next business day, or within 48 hours, whichever is later.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of agriculture or the commissioner's designee.

Subp. 5. **Department.** "Department" means the Minnesota Department of Agriculture.

Subp. 6. **Depositor.** "Depositor" means a person who is the owner or legal holder of an outstanding grain warehouse receipt, grain bank receipt, or open scale ticket marked for storage on which a receipt is to be issued, representing any grain stored in a public grain warehouse or grain bank.

Subp. 7. **Grain.** "Grain" means any cereal grain, coarse grain, or oilseed in unprocessed form for which a standard has been established by the United States Secretary of Agriculture or the Minnesota Board of Grain Standards, or any other agricultural crop which the commissioner may designate by rule.

Subp. 8. **Grain bank.** "Grain bank" means a feed-processing plant that receives and stores grain, the equivalent of which, except as is otherwise permitted by Minnesota Statutes, section 236.04, it processes and returns to the grain's owner in amounts, at intervals, and with added ingredients that are mutually agreeable to the grain's owner and the person operating the plant.

Subp. 9. **Grain bank bond.** "Grain bank bond" means an obligation acceptable to and running to the state, as obligee, for the purpose of indemnifying depositors of grain against the breach of a grain bank storage contract by a person with a grain bank license.

Subp. 10. **Grain bank receipt.** "Grain bank receipt" means a nonnegotiable receipt issued to the owner of the grain, or the owner's agent, for grain which is being stored for the purpose of being processed into feed.

Subp. 11. **Grain buyer.** "Grain buyer" means a person who purchases grain from a producer with the exception of a person who purchases seed grain for crop production or who purchases grain as feed for the person's own livestock.

Subp. 12. **Grain buyer's bond.** "Grain buyer's bond" means an obligation acceptable to and running to the state, as obligee, for the purpose of indemnifying producers of grain against the breach of a cash sale contract by a licensed grain buyer.

Subp. 13. **Grain purchase receipt.** "Grain purchase receipt" means a memorandum issued by a grain buyer to a seller at the time grain is delivered from the seller to the grain buyer, and which shows the weight or quantity and kind of grain.

Subp. 14. **Grain storage bond.** "Grain storage bond" means an obligation acceptable to and running to the state, as obligee, for the purpose of indemnifying depositors of grain against the breach of a grain storage contract by a person licensed to store grain.

Subp. 15. **Grain warehouse.** "Grain warehouse" means an elevator, flour, cereal or feed mill, malthouse or warehouse in which grain belonging to a person other than the warehouse operator is received for purchase or storage.

Subp. 16. **Grain warehouse receipt.** "Grain warehouse receipt" means a formal record issued to a depositor by a grain warehouse operator under Minnesota Statutes, section 232.23.

Subp. 17. **Independent grain buyer.** "Independent grain buyer" means a person who buys grain from producers and does not operate a grain warehouse.

Subp. 18. **Person.** "Person" means a corporation, company, joint stock company or association, partnership, firm, or individual and includes their agents, trustees, assignees, or duly appointed receivers.

Subp. 19. **Private grain warehouse operator.** "Private grain warehouse operator" means a person operating a grain warehouse for the sole purpose of purchasing, handling, processing, and shipping grain or its byproducts who is not licensed by the commissioner to accept grain belonging to others for storage. "Private grain warehouse operator" includes any person licensed under the United States Warehouse Act.

Subp. 20. **Producer.** "Producer" means a person who grows grain on land that the person owns or leases.

Subp. 21. **Public grain warehouse operator.** "Public grain warehouse operator" means a person operating a grain warehouse in which grain belonging to persons other than the grain warehouse operator is accepted for storage or purchase or who offers grain storage or warehouse facilities to the public for hire.

Subp. 22. **Public terminal warehouse.** "Public terminal warehouse" has the meaning given in Minnesota Statutes, section 233.01.

Subp. 23. **Scale ticket.** "Scale ticket" means a memorandum issued by a grain elevator or warehouse operator to a depositor at the time grain is delivered showing the weight and kind of grain.

Subp. 24. **Vehicle.** "Vehicle" means a device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

Subp. 25. **Voluntary extension of credit contract.** "Voluntary extension of credit contract" means a contract for the purchase of a specific amount of grain from a producer in which title to the grain passes to the grain buyer upon delivery but the price is to be determined or payment for the grain is to be made at a date later than the date of delivery of the grain to the grain buyer. Voluntary extension of credit contracts include deferred or delayed payment contracts, unpriced sales, no-price-established contracts, average pricing contracts, and all other contractual arrangements with the exception of cash sales and grain storage agreements evidenced by a grain warehouse receipt or scale ticket marked "storage."

Subp. 26. **Warehouse.** "Warehouse" means all or a portion of a building, structure, or other protected enclosure in which grain is or may be stored.

#### **1562.0200 LICENSING.**

Before purchasing or storing grain in Minnesota a person must file with the commissioner an application for a license on forms provided by the commissioner. No person may buy grain from producers in Minnesota without first obtaining a grain buyer's license or store grain for others in Minnesota without first obtaining a grain storage license.

Applications may be submitted any time during the year. Each license must be renewed every year on July 1. All licenses expire at midnight each June 30. Only one person may obtain a license to buy or store grain at any one grain warehouse.

A separate license is required for each home rule charter or statutory city or town in which a grain buyer or public grain warehouse operator buys or stores grain.

#### **1562.0300 LICENSE EXCEPTIONS.**

The following persons are not required to obtain a license to buy grain in Minnesota:

- A. a person who does not buy grain from producers;
- B. a producer selling the producer's own grain;
- C. a person who buys seed grain for crop production; and
- D. a person who purchases grain as feed for the person's own livestock or poultry.

#### **1562.0400 TYPES OF LICENSES.**

Subpart 1. **Grain buyer.** A license to buy grain is a license issued to an independent grain buyer, private grain warehouse operator, or public grain warehouse operator who buys grain from producers.

Subp. 2. **Grain storage.** A license to store grain is a license issued to a public grain warehouse operator who accepts grain for storage or who offers grain storage facilities to the public for hire.

Subp. 3. **Grain bank.** A grain bank license is a license issued to a private or public grain warehouse operator who processes grain into feed and who has a license to buy grain.

#### **1562.0500 GRAIN STORAGE LICENSE REQUIREMENTS.**

Subpart 1. **Place of business.** A public grain warehouse operator must have a permanent established place of business at each licensed location where the books, records, and files necessary to conduct the business are kept and maintained, and where the license and tariff are posted in a conspicuous place.

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## Proposed Rules

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Subp. 2. **Warehouse equipment.** Each licensed location must include a warehouse that is equipped for the weighing, drying, grading, storing, handling, processing, and shipping of grain.

Subp. 3. **Multiple warehouse license.** Grain warehouses located within the same home rule charter or statutory city or town and operated by the same person may be included under the same license.

Subp. 4. **Inspection; approval.** A grain warehouse must be inspected and approved by the commissioner before a license is issued and grain is stored.

Subp. 5. **Cleanliness.** A grain warehouse must be kept reasonably clean of dust, rubbish, and materials that might increase the fire hazard or interfere with the handling of grain.

Subp. 6. **Grain quality.** Grain must be maintained in good quality condition at all times and be kept free of rodents, insects, birds, and contaminants harmful to the quality of the grain.

Subp. 7. **Records and accounts.** A person licensed to store grain shall maintain a daily position record of each kind of grain stored in the warehouse including warehouse-owned cash grain, grain priced but not paid, and grain bought but not priced.

### 1562.0600 LICENSING OF LEASED FACILITIES.

A person shall obtain a grain buyer's license or storage license for each grain warehouse leased, except that all grain warehouses located within the same home rule charter or statutory city or town and leased and operated by the same person may be covered by a single license. A person may not lease storage space that is licensed and operated by another person licensed to buy or store grain.

A warehouse must be under the control of the licensed warehouse operator leasing the warehouse.

All grain or commodities stored in a leased warehouse must be covered under the licensee's storage bond and must be included under the licensee's insurance policy, as required by Minnesota Statutes, section 232.23, subdivision 16.

### 1562.0700 BOND.

Subpart 1. **Requirement.** Before a license to buy or store grain is issued, the applicant for the license must file with the commissioner a bond in an amount prescribed by this part. The bond provides coverage at all licensed locations.

Subp. 2. **Grain buyer's bond.** The grain buyer's bond amount is based on the latest total annual dollar amount of grain purchased by the grain buyer in Minnesota as follows:

GRAIN BUYER'S BOND	TOTAL ANNUAL GRAIN PURCHASES
\$10,000	\$100,000 or less
\$20,000	\$100,001 to \$750,000
\$30,000	\$750,001 to \$1,500,000
\$40,000	\$1,500,001 to \$3,000,000
\$50,000	more than \$3,000,000

Subp. 3. **Grain buyer's bond; first-time applicant.** A first-time applicant for a grain buyer's license shall file a \$20,000 grain buyer's bond with the commissioner. This bond must remain in effect for the first year of the license. A first-time applicant includes a person previously licensed to buy grain who has not renewed the license for one or more years.

Subp. 4. **Grain storage bond.** The amount of bond required for grain storage is based on 50 percent of the local market value of grain stored by a public grain warehouse operator in Minnesota. The minimum grain storage bond is \$20,000. The maximum grain storage bond is \$500,000, excluding any grain bank liability. The storage bond amount may be increased during the license year. However, the storage bond may not be reduced during the license year.

Subp. 5. **Grain bank bond.** The grain bank bond is based on 50 percent of the local market value of grain stored in grain banks in Minnesota. A person licensed to store grain may include the additional liability for grain bank grain in the determination of the amount of the storage bond in lieu of obtaining a separate grain bank bond. The minimum grain bank bond is \$1,500. The maximum grain bank bond is \$150,000. The grain bank bond amount may be increased during the license year. The grain bank bond may not be reduced during the license year.

### 1562.0800 FEES.

Subpart 1. **License to buy grain.** The fee for a license to buy grain is based on the latest total annual dollar amount of grain purchased in Minnesota as follows:

A. For annual grain purchases under \$1,500,000, the license fee is \$100 plus \$50 for each additional home rule charter or statutory city or town in which the grain buyer is to be licensed to buy grain.

B. For annual grain purchases of \$1,500,000 to \$3,000,000, the license fee is \$200 plus \$50 for each additional home rule charter or statutory city or town in which the grain buyer is to be licensed to buy grain.

C. For annual grain purchases over \$3,000,000, the license fee is \$300 plus \$50 for each additional home rule charter or statutory city or town in which the grain buyer is to be licensed to buy grain.

Subp. 2. **License to store grain.** The fees for a license to store grain are as follows:

A. For a license to store grain, the license fee is \$40 for each home rule charter or statutory city or town in which a public grain warehouse is operated.

B. A person with a license to store grain in a public grain warehouse is subject to an examination fee for each licensed location, based on the following schedule for one examination:

BUSHEL CAPACITY	EXAMINATION FEE
Less than 150,001 bushels	\$ 275
150,001 to 250,000 bushels	385
250,001 to 500,000 bushels	495
500,001 to 750,000 bushels	605
750,001 to 1,000,000 bushels	715
1,000,001 to 1,200,000 bushels	825
1,200,001 to 1,500,000 bushels	935
1,500,001 to 2,000,000 bushels	1,045
More than 2,000,000 bushels	1,155

The fee for the second examination is \$22 per hour per examiner for warehouse operators who choose to have it performed by the commissioner.

Subp. 3. **Grain bank license.** The license fee is \$30 for each home rule charter or statutory city or town in which a private or public grain warehouse is operated and which will be used to operate a grain bank.

#### 1562.0900 STATEMENT OF GRAIN IN STORAGE.

Subpart 1. **Monthly grain storage reports.** A person with a grain bank license or a license to store grain must, by the tenth day of each month, file with the commissioner on forms provided by the commissioner a monthly storage report showing the net monetary liability, based on the local market price, of all grain outstanding on grain bank receipts, grain warehouse receipts, and scale tickets marked "store" as of the close of business on the last day of the preceding month.

Subp. 2. **Determination of grain bank and grain storage bond amount.** The monthly grain storage reports referred to in subpart 1, shall be used for the purpose of determining the dollar amount of the grain bank bond and the grain storage bond, and for determining whether these bond amounts should be increased during the license year.

Subp. 3. **Penalty.** If a person wilfully neglects or refuses to file the reports required in subpart 1 for two consecutive months, the commissioner may immediately suspend the person's license and the licensee must surrender the license to the commissioner. Within 15 days the licensee may request an administrative hearing subject to Minnesota Statutes, chapter 14 to determine if the license should be revoked. If no request is made within 15 days, the commissioner shall revoke the license.

Subp. 4. **Exceptions.** A person with the maximum grain bank bond or grain storage bond is not required to submit a monthly grain storage report. A person who has the maximum grain bank bond or storage bond and who requests a reduction in the bond amount must submit 12 consecutive monthly grain storage reports, to verify the request for a reduced bond amount. Persons having their bond amount reduced under this procedure must continue to submit monthly storage reports to the department. A reduction in the bond amount under this provision shall commence with the next licensing period.

#### 1562.1000 VOLUNTARY EXTENSION OF CREDIT CONTRACT.

Subpart 1. **Form.** A voluntary extension of credit contract must include a statement of the legal and financial responsibilities of the grain buyer and seller and the following statement in not less than ten point, all capital type, framed in a box with space provided for the seller's signature:

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"THIS CONTRACT CONSTITUTES A VOLUNTARY EXTENSION OF CREDIT. THIS CONTRACT IS NOT COVERED BY ANY GRAIN BUYER'S BOND."

BUYER \_\_\_\_\_ SELLER \_\_\_\_\_  
 (Type or print name) (Type or print name)

BY \_\_\_\_\_ BY \_\_\_\_\_  
 (Buyer's signature) (Seller's signature)

If a written contract is provided at the time the grain is delivered to the grain buyer, the seller shall sign the contract in the space provided directly beneath the statement. If the seller does not sign the contract at the time of delivery, then the buyer shall send the contract to the seller by certified mail, return receipt requested, to be signed. All contracts must be put in writing.

Subp. 2. **Requirements.** Voluntary extension of credit contracts must be consecutively prenumbered.

Subp. 3. **Not a storage agreement.** A contract sale of grain is not a storage agreement. The title to grain delivered on a voluntary extension of credit contract transfers to the grain buyer upon delivery, and no storage charges may be charged with respect to that grain. A voluntary extension of credit contract sale of grain is not covered by either the grain storage bond or the grain buyer's bond.

## 1562.1100 WAREHOUSE EXAMINATIONS.

Subpart 1. **Required examinations.** A person with a license to store grain is subject to two grain inventory examinations per year, for the purpose of determining whether there is enough grain at the warehouse to satisfy all grain storage obligations.

Subp. 2. **First warehouse examination.** The commissioner shall perform at least one of the required warehouse examinations during the license year.

Subp. 3. **Second warehouse examination.** The second examination may be performed by an independent third party qualified to do a physical grain measure-up, or weigh-up, if the independent third party agrees to perform the second warehouse examination, within 30 days of the date of the licensee's fiscal year end. In the absence of such an agreement the commissioner shall perform the second examination. The results of the grain inventory examination must include an accounting of all outstanding warehouse receipts, grain bank receipts, and other evidence of grain storage obligations.

Subp. 4. **Warehouses with a Commodity Credit Corporation storage agreement.** At the request of Commodity Credit Corporation, the commissioner shall perform warehouse examinations at warehouses with a uniform grain storage agreement. The results of these examinations must be forwarded to Commodity Credit Corporation.

Subp. 5. **Required information; form.** A grain inventory examination must include the following information:

### GRAIN INVENTORY EXAMINATION

Name of Elevator

Date

	KIND OF GRAIN
I. Physical Measurement of Grain Inventory	
Grain Inventory as of .....	# bushels
plus or minus Receipts	"
plus or minus Sales — Shipments	"
Adjusted Inventory as of .....	* # bushels
II. Grain Inventory per Books as of .....	*
Storage Liability	# bushels
Grain Bank Liability	"
Other	"
Warehouse Owned	"
Total Grain Inventory per Books	# bushels
III. Other Grain Detail	
Obligations on Grain Delivered to the Elevator	
Deferred Payment Contracts	# bushels
Delayed Price Contracts	"
Other	"
Total	# bushels
IV. Grain Inventory Measured by .....	
This Report Prepared by .....	

\*These dates should be the same.

**1562.1200 GRAIN PURCHASE RECEIPT.**

An independent grain buyer, upon purchasing grain, shall issue a grain purchase receipt. A duplicate copy of each grain purchase receipt must remain in the possession of the independent grain buyer as a permanent record. The original grain purchase receipt must be delivered to the seller upon receipt of each load of grain.

The grain purchase receipt must state specifically whether the grain was sold on contract or for cash and the price at which the grain was sold. For contract purchases, if the price is not determined at the time of delivery, then the grain purchase receipt must be marked "price later."

All grain purchase receipts must be consecutively prenumbered and must contain the following information:

- A. the name and address of the grain buyer;
- B. the name of the seller;
- C. the location and date of the transaction;
- D. the weight or volume and kind of grain; and
- E. the signature of the grain buyer.

For the sale of grain designated "contract" on the grain purchase receipt, the grain buyer must put the terms of the contract in writing as required by Minnesota Statutes, section 223.177, subdivision 3. The term "contract" signifies any form of sale except a cash sale. A contract sale of grain is not covered by the grain buyer's bond.

**1562.1300 SCALE TICKET.**

A grain warehouse operator, upon receiving grain, shall issue a scale ticket for each load of grain received. A duplicate copy of each scale ticket must remain in the possession of the grain warehouse operator as a permanent record. The original scale ticket must be delivered to the seller or depositor upon receipt of each load of grain.

The scale ticket must state specifically whether the grain was sold on contract or for cash and the price at which the grain was sold. If the grain was not sold, then the scale ticket must state whether the grain was received for storage. The term "contract" signifies any form of sale except a cash sale.

All scale tickets must be consecutively prenumbered and must contain the following information:

- A. the name and address of the grain warehouse operator;
- B. the name of the seller or depositor;
- C. the location and date of the transaction;
- D. the weight, volume, and kind of grain; and
- E. the signature of the grain warehouse operator.

**1562.1400 DETERMINATION OF GRADE.**

If the grade of grain is established at the time of delivery to a warehouse, it must be recorded on the original and duplicate copy of the scale ticket. If the grade is not established at the time of delivery, the grade and factors that relate to the grade must be recorded on the duplicate copy of the scale ticket retained by the grain warehouse operator. The depositor or seller must be notified of the grade within 48 hours after the grade has been determined.

**1562.1500 WAREHOUSE RECEIPT.**

If grain is received for storage, the grain warehouse operator shall issue a grain warehouse receipt to the depositor within five working days of the date of deposit.

Storage contracts on grain being stored end on the expiration date of the storage license if not ended earlier by the depositor. In the absence of a demand for delivery, order to sell, or notice by the grain warehouse operator, it is presumed that the parties intended to renew the storage contract for the next licensing year.

**1562.1600 CHARGES; RATES.**

Subpart 1. **Filing of rates for storing and handling grain.** A person licensed to store grain shall file with the commissioner a

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tariff or schedule of all charges relating to the storage of grain including charges for receiving, storing, redelivery, and handling on forms provided by the commissioner.

Subp. 2. **Posting of charges.** Every warehouse operator shall post conspicuously in the warehouse, at each licensed location, a statement of all charges relating to the storage of grain.

Subp. 3. **Charges to depositor.** No charge different from that filed with the commissioner and posted may be made to any depositor for the same service.

All depositors must be notified of any changes in the tariff or schedule of charges prior to their implementation. A conspicuous posting of the revised tariff in the warehouse, plainly visible to all customers, qualifies as notification to depositors.

### 1562.1700 CLAIMS AGAINST A BOND.

Subpart 1. **Filing a claim.** Claims against a bond may be filed by the persons indicated in this subpart.

A. A producer claiming to be damaged by the breach of an agreement to purchase grain according to the terms of a cash sale must file a claim with the commissioner within 180 days of the date of breach.

B. A depositor claiming to be damaged by the breach of an agreement to store grain, including an agreement to sell grain which was originally delivered for storage, must file a claim with the commissioner within 180 days of the date of breach.

Subp. 2. **Form of claim.** All claims must be in writing, must state the facts upon which the claim is based, must include any supporting evidence, and must be signed by the claimant. The supporting evidence may consist of, but is not limited to, a purchase agreement, a scale ticket, a grain purchase receipt, a check indicating insufficient funds, a warehouse receipt, or an assembly sheet.

Subp. 3. **Where to file.** All claims must be filed at the following address: Minnesota Department of Agriculture, Grain Inspection Division, Warehouse Section, 316 Grain Exchange Building, Minneapolis, MN 55415.

Subp. 4. **Bond limitations.** The bonds are not cumulative from one year to the next. A claim against the bond may only be made against the bond in effect at the time the agreement is breached. A bond is not liable for claims filed after 180 days from the date of breach of the bond.

Subp. 5. **Public notice of a claim.** Upon determining that a producer or depositor has filed a valid claim, the commissioner shall publish notice of the claim in the official county newspaper of the county in which the licensee's place of business is located.

The notice must state that a claim against the bond of a licensee has been filed with the commissioner, the name and address of the licensee, that any additional claims should be filed with the commissioner, the bond disbursement date, and where the claims should be filed.

The public notice of the claim must appear for three consecutive days in newspapers with a daily circulation and for two consecutive publications in newspapers published less than daily.

Subp. 6. **Bond disbursement date.** The bond disbursement date is 90 days from the date the commissioner publishes a public notice of a claim. At the end of this time period, the commissioner will initiate bond payments on all valid claims received by the department.

### 1562.1800 BOND COVERAGE.

Subpart 1. **Grain buyers bond.** The grain buyers bond provides for payment of loss to producers caused by a licensed grain buyer's failure to pay, upon the owner's demand, for grain purchased in Minnesota according to the terms of a cash sale.

Subp. 2. **Grain storage bond.** The grain storage bond provides for payment of loss caused by the failure of a person licensed to store grain in Minnesota to deliver stored grain to the depositor's order, or for nonpayment of grain when the depositor orders that the grain be sold in lieu of taking redelivery of the grain in storage.

Subp. 3. **Grain bank bond.** The grain bank bond provides for payment of loss caused by the failure of a person with a grain bank license in Minnesota to deliver grain bank-receipted grain to the depositor's order, or for nonpayment of grain when the depositor orders that the grain bank-receipted grain be sold in lieu of taking redelivery of the grain in the grain bank.

### 1562.1900 LOST, STOLEN, OR DESTROYED WAREHOUSE RECEIPTS.

While a warehouse receipt is outstanding, no other warehouse receipt may be issued for any part of the grain represented by the original warehouse receipt except that, in case of a lost, stolen, or destroyed warehouse receipt, the depositor is entitled to a new warehouse receipt, plainly designated to be a duplicate or substitute for the one missing or destroyed indicating the dates of issuance of the original and the replacement warehouse receipts. Before issuing a duplicate warehouse receipt the warehouse operator shall require the depositor to make and file an affidavit stating that the depositor is lawfully entitled to possession of the original receipt and that the depositor has not negotiated or assigned it, the circumstances in which it was lost or destroyed, and that, if lost, a diligent effort has been made to find it. The warehouse operator may require the depositor to post a bond in an amount not more than double

the value at the time the bond is given of the grain represented by the missing or destroyed warehouse receipt. The bond must be conditioned to indemnify the warehouse operator against any loss which might be sustained because of the issuance of a duplicate receipt, must be in a form approved by the commissioner, and must be executed by a corporate surety licensed to operate in Minnesota. A valid duplicate or substitute warehouse receipt has all the rights of the document in lieu of which it was issued.

**1562.2000 SHORTAGES OF GRAIN.**

Whenever it appears that a warehouse operator does not have on hand grain of sufficient quality and quantity to cover the outstanding warehouse receipt obligations, notice must be given by the commissioner to the warehouse operator requiring that the shortage be corrected immediately. If the warehouse operator fails to comply with that order and the commissioner determines that the interests of depositors may be threatened, then the commissioner shall seal the warehouse to prevent any further removal of grain until the shortage is corrected.

If it appears that the warehouse operator is in default to warehouse receipt holders and unable to correct the default within a reasonable time the commissioner shall make arrangements to protect the warehouse receipt holders by either redelivering the grain, on a pro rata basis, to each warehouse receipt holder of record or liquidating the grain inventory, depositing the proceeds in an interest-bearing trust account, and distributing the proceeds, on a pro rata basis, to each warehouse receipt holder of record. The proceeds must remain in the trust account until the bond disbursement date, if applicable. Valid claims by warehouse receipt holders in excess of the amount in the trust account will be applied against the storage bond. The warehouse operator, the operator's surety, and each warehouse receipt holder of record must be notified of the shortage and the proposed action to be taken by the commissioner to protect warehouse receipt holders. Notice must be mailed to each warehouse receipt holder's last known address as evidenced by the records of the warehouse operator.

If any interested party files a written objection to the department's proposed action within ten days of receipt of the commissioner's notice, the commissioner shall apply to the district court for the appointment of a trustee or receiver to manage and supervise the operations of the grain warehouse operator in default.

An audit or other investigation of the affairs of the warehouse operator must be made by the commissioner for the purpose determining the amount of the shortage and computing the loss sustained by each depositor.

**1562.2100 MOVEMENT OF ENCUMBERED GRAIN.**

Grain encumbered by a warehouse receipt may be moved to another public grain warehouse with the depositor's request, pursuant to Minnesota Statutes, section 232.23, subdivision 13. The original warehouse receipt must be canceled and the receiving public grain warehouse operator must issue a currently-dated warehouse receipt for the grain being moved and stored. All storage charges must be paid through the date of cancellation of the original warehouse receipt.

**1562.2200 TERMINATION OF LICENSE; CHANGE OF OWNERSHIP.**

When a license is terminated by reason of sale, discontinuance of business, failure to renew a license, or for any other reason, the grain buyer or warehouse operator must discontinue buying grain from producers or storing grain, and redeliver or purchase all grain belonging to others in the warehouse. If a licensee sells or leases a grain warehouse to another person, proper indemnity must be provided to all depositors. Agreement in writing by the warehouse operator's successor to assume liability for all warehouse receipts outstanding at the time of take-over and reissuance of warehouse receipts by the successor constitutes sufficient indemnity. The commissioner must be notified of a change in ownership so that a new license and bond may be issued.

**REPEALER.** Minnesota Rules, parts 1560.5400; 1560.5500; 1560.5600; 1560.5700; 1560.5800; 1560.5900; 1560.6000; 1560.6100; 1560.6200; 1560.6300; 1560.6400; 1560.6500; 1560.6600; 1560.6700; 1560.6800; 1560.6900; 1560.7000; 1560.7100; 1560.7200; 1560.7300; 1560.7400; 1560.7500; and 1560.7600 are repealed.

## Department of Human Services

### Proposed Permanent Rules Relating to Licensing of Day Care Facilities

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

Notice is hereby given that the State Department of Human Services intends to adopt the above-entitled rule without a public

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hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes, section 245A.02, subdivisions 3, 10 and 11; section 245A.03, subdivision 1; section 245A.09, subdivision 1, and section 252.28, subdivision 2.

All persons have 30 days or until 4:30 p.m. on March 2, 1988 in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

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

Jane Nelson, Rules & Bulletins Division  
Department of Human Services  
Second floor, 444 Lafayette  
St. Paul, Minn. 55155-3816

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

A copy of the proposed rule amendment is attached. Additional copies are available at no cost upon request from Jane Nelson. A copy of the rule may also be viewed at any of the 87 county welfare or human services agencies in the State of Minnesota.

The purpose of the proposed amendment is to correct a procedural error that is inconsistent with statute. As adopted, the variance provision allows for contested case proceedings when the commissioner denies a variance request. However, Minnesota Statutes, section 245A.08, subdivision 1, provides for an appeal and hearing under Minnesota Statutes, Chapter 14, only in the case of denial of application (245A.05), correction order and fines (245A.06), and immediate suspension, suspension, revocation, and probation (245A.07).

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

Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

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 Jane Nelson.

Dated: 10 January 1988

Sandra S. Gardebring  
Commissioner

### Rules as Proposed

#### 9502.0335 LICENSING PROCESS.

Subpart 1. to 8a. [Unchanged.]

Subp. 8b. **Agency variance role.** The agency may request that the commissioner delegate to the agency the authority to grant variances to the standards governing licensed capacity, child/adult ratios and age distribution restrictions in parts 9502.0365 and 9502.0367 if the need for the variance is to cover short overlaps of time when children are entering or leaving the residence, or emergencies for a short period of time if the total of all variances to the standards does not exceed 30 days in any 12-month period of licensure. The applicant or provider must verify in writing that the totals have not been and will not be exceeded for this period of time. A variance for any part of the day shall constitute a variance for the entire day.

A. and B. [Unchanged.]

C. If the agency has not been delegated the authority to rule on requests for variances, or if the request seeks variance of a rule part provision the agency does not have the authority to vary, the agency shall, within 15 days after the request is received, mail to the department a copy of the request and the agency's recommendation to approve, further investigate, or deny the request. The

agency shall also mail a copy of its recommendation to the applicant or provider. The commissioner shall grant or deny a request for a variance within 30 days after the department receives the request from the agency. ~~If the commissioner denies the applicant's or provider's request for a variance, the applicant or provider may appeal the decision according to Minnesota Statutes, sections 14.57 to 14.70. The applicant or provider shall be informed of the right to appeal at the time of denial.~~

Subp. 9. to 16. [Unchanged.]

## Department of Revenue

### Proposed Permanent Rules Relating to the Definition of Resident and Domicile

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

Notice is hereby given that the Minnesota Department of Revenue intends to amend the rule described above without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, Sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes, Section 290.52.

The rule proposed for amendment relates specifically to the definition of resident and domicile for purposes of individual income taxes.

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

Any person may make a written request for a public hearing on the amendments within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed amendments 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:

Amy Eisenstadt  
Mail Station 7110  
St. Paul, Minnesota 55146-7110  
(612) 296-5339

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

A statement of Need and Reasonableness that describes the need for and reasonableness of each amendment to the rule and identifies the data and information relied upon to support the proposed amendments has been prepared and is available upon request by contacting Ms. Eisenstadt at the above address.

If no hearing is required, upon adoption of the amendments, the amended 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 amended rule as adopted, must submit a request in writing to Ms. Eisenstadt at the above address.

#### Rules as Proposed

##### 8001.0300 RESIDENT AND DOMICILE DEFINED; CONSIDERATIONS.

Subpart 1. **Resident.** The term "resident" means:

A, any individual person ~~maintaining a home in Minnesota during any part of a tax year who is, during that part of such year,~~ domiciled in Minnesota, subject to the exception set forth in subpart 9; 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. any individual person (other than an individual deemed a nonresident under the Soldiers' and Sailors' Relief Act of 1940, United States Code, title 50 appendix, section 574, or an individual eligible for reciprocity under Minnesota Statutes, section 290.081) who is not domiciled in Minnesota but who maintains a place of abode in Minnesota and spends in the aggregate more than one-half of the taxable year in Minnesota.

A person may be a resident of Minnesota for income tax purposes, and taxable as a resident, even though the person is not deemed a resident for other purposes.

Subp. 2. [Unchanged.]

Subp. 3. **Considerations.** The following items listed will be considered in determining whether or not a person is domiciled in this state:

A. to Z. [Unchanged.]

Any one of the items listed above will not, by itself, determine domicile.

Charitable contributions made by a person will not be considered in determining whether that person is domiciled in Minnesota.

Subp. 4. Days within and days without Minnesota. In counting the number of days spent within and without Minnesota, a person shall be treated as present in Minnesota on any day if the person is physically present in Minnesota at any time during that day. However, a person in transit between two points outside Minnesota who is physically present in Minnesota less than 24 hours, will not be treated as present in Minnesota on any day during transit.

Items A and B are examples of the application of this subpart:

A. T is flying from New York to California and must change flights in Minnesota. T is scheduled to arrive in Minnesota at 7:00 P.M. on March 1, and is scheduled to depart at 1:00 P.M. on March 2. Since T is in transit between two points outside Minnesota and is present in state less than 24 hours, neither March 1 nor March 2 is treated as a day within Minnesota.

B. T has been in Minnesota from March 1 to April 15. On April 15, T departed from Minnesota at 6:00 A.M. T is treated as present in Minnesota on April 15.

Subp. 5. Records. Any person domiciled outside Minnesota who maintains a place of abode within Minnesota and claims to be a nonresident of the state must have available for examination adequate records to substantiate that more than one-half of the tax year was spent outside Minnesota.

Adequate records means any contemporaneously kept records that establish the places of physical presence of the person on particular dates. Adequate records include, but are not limited to, calendars, diaries, canceled checks, credit card receipts, and airline tickets.

Subp. 6. Definition of abode. An abode is a dwelling place permanently maintained by a person, whether or not owned and whether or not occupied by the person. It does not need to be permanent in the sense that the person does not intend to abandon it at some future time. However, a cabin or cottage not suitable for year-round use and used only for vacations is not an abode. Additionally, quarters which contain sleeping arrangements but do not contain facilities for cooking or bathing will not generally be considered an abode.

A person who moves a domicile outside Minnesota is not considered to be maintaining an abode in Minnesota even though the person continues to own or rent a dwelling in Minnesota if the person has moved personal furnishings and belongings from the dwelling and is making a good faith effort to sell or sublease the dwelling.

Subp. 7. Domiciliary residents. The physical presence test does not apply to persons who are domiciled in Minnesota throughout the tax year. There is no presumption that a person domiciled in Minnesota has lost that domicile if the person is absent from Minnesota over one-half of the tax year.

Subp. 8. Part-year domiciliaries. Persons domiciled in Minnesota who move their domiciles outside Minnesota during the tax year and persons domiciled outside Minnesota who move their domiciles to Minnesota during the tax year are part-year residents of Minnesota. The physical presence test does not apply to such persons unless a Minnesota abode is maintained during the period domiciled outside of Minnesota.

Subp. 9. Certain persons deemed nonresidents. A person domiciled in Minnesota is deemed a nonresident for the period of time that the person is a qualified individual under the Internal Revenue Code, section 911, if no Minnesota homestead application is filed for any property in which the person has an interest during the period the person is a qualified individual. A homestead application filed before the move to a foreign country does not affect a person's eligibility for this exception.

Subp. 10. **Examples.** Items A to E contain examples of the application of this part:

A. T was domiciled in Minnesota from January 1, 1987, through September 1, 1987, and did not leave the state during that period. On September 2, 1987, T sold his Minnesota dwelling and changed his domicile to Texas.

T was a part-year resident of Minnesota in 1987. Although T was physically present in Minnesota over 183 days, the physical presence test does not apply because T did not maintain an abode in Minnesota during the part of the year he was not domiciled in Minnesota.

B. Same facts as item A, but T decided not to sell his Minnesota abode.

T was a full-year resident of Minnesota in 1987. T was physically present in Minnesota over one-half of the year and maintained an abode in Minnesota.

C. Same facts as item A, but T did not sell his Minnesota dwelling although he listed it for sale with a real estate broker at fair market value from September 1 through December 31, 1987.

T was a part-year resident of Minnesota in 1987, assuming T removed personal belongings and furnishings from his Minnesota abode when he changed domicile. Although T was physically present over one-half of the year and continued to own a dwelling in Minnesota, T will not be considered to have maintained an abode in Minnesota because he moved belongings from the dwelling and made a good faith effort to sell the dwelling.

D. T moved from Minnesota to Florida on February 1, 1987. T maintained an abode in Minnesota and lived in that abode May 1, 1987 to September 1, 1987.

T was not a full-year resident of Minnesota under the physical presence test. Although T maintained a Minnesota abode, she was not physically present in Minnesota over one-half of the year.

However, the department could review the steps T took to change her domicile and could consider T a full-year resident if it were determined she remained domiciled in Minnesota.

E. T moved his domicile to Minnesota on June 1, 1987. T did not have an abode in Minnesota prior to June 1, 1987. T was physically present in Minnesota throughout the period of June 1, 1987 to December 31, 1987.

T was a part-year resident of Minnesota in 1987. Although T was physically present in Minnesota over one-half of the year, he did not have a Minnesota domicile during the part of the year T was domiciled outside the state. Therefore, the physical presence test does not apply.

## **Secretary of State**

### **Proposed Permanent Rules Relating to Voter Registration; Election Programs; Automatic and Administrative Recounts; and Election Judge Training**

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

Notice is hereby given that the Secretary of State intends to adopt the above-entitled rule without a public hearing following the procedure set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 201.022, 201.221, 204B.25, 204C.361, 206.57.

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

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

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

## Proposed Rules

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

Jeff Sigurdson  
Election Division  
180 State Office Building  
St. Paul, MN 55155  
(612) 296-6011

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the Election Division upon request.

You are advised, pursuant to *Minnesota Statutes*, section 14.115, that the proposed rule will not have an impact on small business in Minnesota. Also pursuant to *Minnesota Statutes*, section 14.11, the adoption of this rule will not have any impact upon agricultural land nor will the adoption of this rule result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following the adoption of this rule within the meaning of that law.

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 Election Division.

Dated: 25 January 1988

Joan Anderson Growe  
Secretary of State

### Rules as Proposed

#### COUNTY AUDITOR'S DUTIES

##### 8200.0300 DELEGATION OF DUTIES.

The county auditor may delegate to municipal officials all duties assigned to ~~him~~ the county auditor by ~~these rules chapter 8200~~ and by Minnesota Statutes, chapter 201, except the preparation and distribution of lists of registered voters and the duties assigned to ~~him~~ the county auditor by parts 8200.8100 to 8200.8300. The auditor may delegate the responsibility to accept voter registrations, but a delegation of this responsibility does not relieve the auditor of ~~his~~ the duty to accept voter registrations.

##### 8200.0400 FILING RULES WITH SECRETARY OF STATE.

~~Whenever~~ If a county auditor adopts rules for the delegation of assigned voter registration duties ~~assigned to him under part 8200.0300~~, the auditor shall file a copy of the rules with the secretary of state no later than five working days before the effective date of the rules.

##### 8200.0700 MAINTENANCE OF ~~DUPLICATE~~ VOTER REGISTRATION FILE.

~~Duplicate~~ Voter registration files ~~shall~~ must be maintained by street address or alphabetically by voter's last name. Whichever system of arrangement is used, it ~~shall~~ must be used consistently throughout the political subdivision.

##### 8200.0800 DELIVERY OF ~~DUPLICATE FILE~~ VOTER REGISTRATION RECORDS FOR ELECTIONS.

The county auditor shall provide for the transportation of the ~~duplicate~~ necessary voter registration ~~file records~~ to the precinct polling place on election day. The auditor shall prescribe procedures ~~which will~~ to ensure the safety of the voter registration records and their timely delivery at the precinct polling place on election day. ~~It shall be the duty of The auditor to~~ shall maintain the dignity and integrity of the voting system.

#### VOTER REGISTRATION CARDS

##### 8200.1100 PRINTING SPECIFICATIONS.

Voter registration cards printed for the purpose of distribution and mailing must be printed pursuant to items A to ~~F~~ E.

A. The size must be six inches by ~~4-3/4~~ 8-3/4 inches, including a three-fourths inch stub.

B. The paper must be at least 100-pound white offset.

C. Red ink must be used on the ~~original~~ card for printing the X's and the following words: "Name," "Township or City of Legal Residence," "Complete Address of Legal Residence," "Date of Birth," "Address of Your Last Registration or Check if NONE,"

and "Legal Signature of Voter." The certification must also be printed in red ink on the original card. ~~The X and the words "Legal Signature of Voter" on the duplicate card must be printed in red ink.~~ The remainder of the form must be printed in blue ink. The secretary of state may approve alternate forms of voter registration cards to be attached to or included in tax booklets and forms used by state agencies if the forms contain the information required in Minnesota Statutes, section 201.071.

D. ~~The duplicate card must have a light blue screen.~~

~~E.~~ The card must have ~~three~~ two 1/16-inch perforations that result in the ~~three~~ two equal-sized six-inch by four-inch cards.

~~F.~~ E. The top stub must have a substance applied to it so that the card can be sealed when it is folded together for mailing.

**8200.1200 ORIGINAL REGISTRATION CARD; FORMAT.**

Subpart 1. **Form.** The original voter registration card must be in the form shown in part 8200.9910.

Subp. 2. **Box for office use only.** In the upper right-hand corner of the card there must be a box marked for "office use only" which contains "W \_\_\_\_," "P \_\_\_\_," and "S.D. No. \_\_\_\_." These initials stand for "ward," "precinct," and "school district." Other information may also be included. Judges of election shall record the type of election day voter registration proof and its number, if any, in the "office use only" box.

**8200.1500 REVERSE SIDE.**

Subpart 1. **Required format.** The reverse side of the original (white) registration card ~~shall~~ must be in the form in subpart 2.

Subp. 2. **Form of reverse side of registration card.**

Post office will not deliver without first class postage

RETURN TO:  
(here the county auditor shall supply the address)

**8200.1700 PRINTING AND DISTRIBUTING REGISTRATION CARDS.**

Each county auditor ~~in each county with voter registration~~ shall ~~cause to be~~ have printed and shall maintain an adequate number of voter registration cards in compliance with chapter 8200 and Minnesota Statutes, chapter 201 ~~and these rules.~~ Any ~~An~~ election official who causes voter registration cards to be printed shall print the cards in a form prescribed by chapter 8200 and Minnesota Statutes, chapter 201 ~~and these rules.~~ The auditor shall provide voter registration cards to any person or group who requests a reasonable number of cards for the purpose of distribution. In those areas ~~which have~~ having preelection day registration, the auditor shall encourage preelection day registration by making registration cards available to persons and groups for distribution.

**8200.2100 DUTIES OF AUDITOR.**

Each county auditor ~~in every county with voter registration~~ shall designate a number of public buildings within the county where persons may obtain, complete, and deposit registration cards. The county auditor or ~~his~~ a designee shall be on duty in the designated building ~~so designated~~ and it ~~shall be the duty of the person on duty to~~ shall transmit completed registration cards, or ~~copies thereof~~ a record of them if the county auditor does not maintain the original registration file, within two working days after receipt to the county auditor.

**8200.2200 BUILDINGS FOR REGISTRATION.**

A ~~Each~~ political subdivision ~~with voter registration~~ shall have at least one building where voter registration cards may be obtained and deposited, for every 30,000 residents of the political subdivision. The auditor may designate more buildings than are required by law.

**NOTIFICATIONS**

**8200.2600 PROPERLY COMPLETED REGISTRATIONS.**

~~When~~ If a county auditor determines that a registration card is not faulty or defective, ~~he~~ the auditor shall ~~separate the parts of the card.~~ Using the information on the original card, the auditor shall complete the duplicate card. The auditor shall then file the original card in the original card file and the duplicate card in the duplicate card file and enter the registration on the state registration

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## Proposed Rules

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system. The county auditor shall maintain ~~both files~~ the file in an orderly manner. The county auditor shall ~~cause~~ have a card notice ~~to be~~ mailed to each newly registered voter indicating the voter's name, address, precinct, and polling place. The card ~~shall~~ must require that it be returned if not deliverable.

### 8200.2800 REGISTRATIONS RECEIVED FEWER THAN 20 DAYS BEFORE ELECTION.

When an auditor receives correctly completed registrations during the period when registrations cannot be accepted for an election, the auditor shall notify the applicant that ~~he~~ the applicant must register on election day to vote at the upcoming election. Included in this notification ~~shall~~ must be information to the voters concerning the manner in which they may register to vote on election day at the polls. In the notice to the applicant the auditor shall explain that the registration card received by the auditor makes the applicant an eligible voter at the next election following the upcoming election.

### 8200.3700 REMOVAL OF CARDS FROM REGISTRATION FILES.

~~Whenever~~ If a registration card is to be removed from the registration files, except that of a deceased person or that of a voter who has reregistered in another county or state, the county auditor ~~shall~~ may notify the person whose card is to be removed of ~~such action~~ the removal and the reason for ~~such action~~ the removal in writing. The cards removed ~~shall~~ must be maintained in separate files for one year.

### 8200.3800 EMERGENCY VOTING CARD.

Subpart 1. **When required.** ~~When any~~ If a voter who has registered prior to an election day is challenged because ~~his~~ the voter's name does not appear in the duplicate registration file of the precinct in which he or she desires to vote, ~~he~~ the voter may register on that election day by following the election day registration procedures ~~provided by~~ in parts 8200.1100 to 8200.9300 and 8220.0300 to 8220.4800. Or, if it appears upon examination that ~~such~~ the voter's name was erroneously omitted from the file, ~~he~~ shall the voter must be permitted to vote in the precinct ~~and an emergency voting card shall be signed by the applicant and the judges, containing the information in subpart 2 after completing the required name and address information and signing the oath on the precinct election list. The judges shall note on the list that the voter was permitted to vote pursuant to instructions from the county auditor and two judges shall initial the entry.~~

Subp. 2. [See Repealer.]

### 8200.5100 REGISTRATION AT PRECINCT ONLY.

Subpart 1. **Procedure; proof.** Any person otherwise qualified but not registered to vote in the precinct in which the person resides may register to vote on election day at the polling place of the precinct in which the person resides in areas with voter registration. To register on election day a person must complete and sign the original registration card, ~~sign the duplicate card~~, and provide proof of residence. A person may prove residence on election day only (1) by presenting (i) a valid Minnesota driver's license, learner's permit, or a receipt for either that contains the voter's valid address in the precinct; (ii) a valid Minnesota identification card issued by the Minnesota Department of Public Safety or a receipt for the identification card that contains the voter's valid address in the precinct; or (iii) a current student identification card that contains the student's valid address in the precinct, a current student fee statement that contains the student's valid address in the precinct, or a copy of a current student registration card that contains the student's valid address in the precinct; (2) by having a valid registration in the same precinct under a different address; (3) by presenting an "ineffective registration notice" mailed by the county auditor or municipal clerk; or (4) by having a person who is registered to vote in the precinct and knows the applicant is a resident of the precinct sign the oath in part 8200.9939.

The oath in (4) must be attached to the voter registration card until the address of the applicant is verified by the county auditor. The oath must be printed on a four-inch by six-inch card by the county auditor. After every election day the county auditor shall file the oaths and maintain them for one year.

Subp. 2. [Unchanged.]

### 8200.5400 NOTATION OF IDENTIFICATION ON ~~ORIGINAL~~ REGISTRATION CARD.

When a voter uses a Minnesota driver's license, learner's permit, or Minnesota identification card to prove residence when registering on election day, the election judge who is registering voters shall record the number on the card in the "office use only" area of the original registration card.

### 8200.9910 VOTER REGISTRATION CARD, SPECIFIED IN PART 8200.1200, SUBPART 1.

VOTER REGISTRATION CARD. Type or print in ink.

**Proposed Rules**

X Name \_\_\_\_\_  
Last First Middle Initial

W \_\_\_\_\_ P \_\_\_\_\_

S.D. No. \_\_\_\_\_

X Township or City of Legal Residence \_\_\_\_\_  
Township or City County

**OFFICE USE ONLY**

Election Day Voter

Registration Proof

\_\_\_\_ Driver's License

\_\_\_\_ Minn. I.D. Card

\_\_\_\_ Witness

\_\_\_\_ Prior Registration

\_\_\_\_ Ineffective Notice

\_\_\_\_ Student I.D.

X Complete Address of Legal Residence (include street or rural mail route address) \_\_\_\_\_

House No. and Street or Rural Rte. No. \_\_\_\_\_

Apt. No. or Rural Box No. \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

X Date of Birth \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year

(Number if applicable)

Telephone No. \_\_\_\_\_

X Address of Your Last Registration

or

\_\_\_\_ Check if NONE

House No. / Street Name or Rte. / Box No. Apt No.

City or Township County State Zip

Previous Name (If changed since last registration) \_\_\_\_\_

**CHECK INSTRUCTIONS TO DETERMINE WHETHER YOU ARE QUALIFIED TO REGISTER**

I certify that I will be at least 18 years old on election day and that I am a citizen of the United States, reside at the address shown above and will have resided in Minnesota for 20 days immediately preceding election day, and that I am not under guardianship of the person, have not been found by a court to be legally incompetent to vote, and have not been convicted of a felony without having my civil rights restored. I understand that giving false information to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than ~~\$5,000~~ \$10,000, or both.

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Date

\_\_\_\_\_  
X Legal Signature of Voter  
Also sign the blue card.

**8200.9919 FORM FOR VOTER REGISTRATION INSTRUCTIONS, SPECIFIED BY PART 8200.1400.**

**Instructions for Voter Registration**

**Read Carefully Before Registering**

ITEMS INDICATED BY A RED "X" MUST BE COMPLETED BY THE REGISTRANT BEFORE THE REGISTRATION WILL BE ACCEPTED.

1. Print in ink or type all information requested on the white card.
2. Print or type your legal name; nicknames are not acceptable.
3. Print or type the name of the township or city in which you live and are eligible to vote.
4. Print or type the house number and street name or the rural route and box number where you live.
5. Include your full birthdate; month, day, and year.
6. Give the address where you were last registered. If you have never been registered before, check the box for "none."
7. Give your previous name if it has been changed since you last registered.
8. Enter telephone number in appropriate space (optional).
9. Date and sign the ~~WHITE~~ card with your legal written signature.

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## Proposed Rules

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10. ~~Date and sign the BLUE CARD with your legal written signature.~~

~~11. Review the cards card to determine that they are it is correctly completed.~~

~~12. 11. Fold the form, use the sealing tab, and mail or return to your county auditor at your county courthouse. An eligible voter is a person who at the time of any election:~~

- a. is 18 years of age or older;
- b. is a citizen of the United States; and
- c. has resided in Minnesota for 20 days.

The following persons are not eligible voters:

- a. any person who has been convicted of a felony or treason, whose civil rights have not been restored;
- b. any person who is under guardianship of the person;
- c. any person who has been found by a court to be legally incompetent, whose civil rights have not been restored.

### ASSISTANCE TO HANDICAPPED VOTERS

Call your county auditor or city clerk if you need information about registration or voting assistance for elderly and handicapped individuals or residents of health care facilities or hospitals. Registration and absentee instructions can be made available in large type, in Braille, or on cassette tape.

### 8220.1950 DUPLICATE PROGRAM TO SECRETARY OF STATE.

When state offices and questions are to be voted on, the person preparing the computer program shall deliver an exact duplicate or an exact electronic equivalent of the program to the secretary of state at least three days prior to the election. The program must be sealed so that it cannot be opened without breaking the seal. Attached to the exterior of the sealed program must be a certificate signed by the person who prepared the program naming the election jurisdiction for which the program was prepared and stating that the program is an exact duplicate of the program provided to the election jurisdiction and that the program was prepared in accordance with Minnesota statutes and parts 8220.0050 to 8230.4250 and the instructions of the election jurisdiction requesting the program.

### 8235.0200 AUTOMATIC AND ADMINISTRATIVE RECOUNTS.

This chapter establishes procedures for the conduct of all automatic and administrative recounts provided for in Minnesota Statutes, sections 204C.35 and 204C.36. The secretary of state or secretary of state's designee is the recount official for recounts conducted by the State Canvassing Board. The county auditor or auditor's designee is the recount official for recounts conducted by the county canvassing board. The county auditor or auditor's designee shall conduct recounts for county offices. The municipal clerk or clerk's designee is the recount official for recounts conducted by the municipal governing body. When the person who would otherwise serve as recount official is a candidate for the office to be recounted, the appropriate canvassing board shall select an election official from another jurisdiction to conduct the recount. "Legal adviser" means counsel to the recount official and the canvassing board for the office being recounted. The scope of an automatic or administrative recount is limited to the recount of the ballots cast and the declaration of the person nominated or elected.

### 8240.2400 TRAINING PLAN.

Each training authority shall submit a training plan to the secretary of state by August 1 of each general election year.

The training plan shall include the names of persons conducting training; number of sessions planned; projected attendance at each session; training materials to be used; training methods employed; and an outline of the content of the basic training course, review course, emergency training course, and any health care facility absentee voting course.

Copies of all materials which will be distributed at the training sessions shall be submitted with the training plan or as soon thereafter as they are available.

The training plan shall be subject to approval by the secretary of state, who shall approve the plan if it conforms to applicable state statutes and these rules.

If there is no change in the approved training plan on file with the secretary of state, the training authority ~~may file a notice to this effect with the secretary of state in lieu of the need not submit a new training plan until a change occurs.~~

**REPEALER.** Minnesota Rules, parts 8200.1300; 8200.1600; 8200.3800, subpart 2; 8200.9916; 8200.9922; and 8200.9925, are repealed.

# Adopted Rules

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

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

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

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

## Department of Human Services

### Adopted Permanent Rules Relating to Diagnostic Categories

The adopted amendments to Minnesota Rules, part 9500.1100 result from the implementation of the Consolidated Chemical Dependency Treatment Fund and are published under authority of Minnesota Statutes, section 256.969, subdivision 2. These changes were effective January 13, 1988 for hospital inpatient reimbursement under the Medical Assistance and General Assistance Medical Care Programs. The Department did not receive any comments concerning the proposed amendments which were published December 14, 1987. Differences between the proposed amendments and the adopted amendments are necessary to ensure that the official language data based on Minnesota Rules is correct. A prior adopted amendment to expand the number of Neonate Groups was accomplished independent from the Office of the Revisor of Statutes.

Comments concerning the amendments may be directed to:

Paul Olson, Supervisor  
Audit Division  
Hospital Reimbursement Section  
520 Lafayette Road  
St. Paul, MN 55101

#### Rules as Adopted

##### 9500.1100 DEFINITIONS.

Subpart 1. to 19. [Unchanged.]

Subp. 20. **Diagnostic categories.** "Diagnostic categories" means the classification of inpatient hospital services according to the diagnostic related groups (DRGs) under medicare with adjustments as follows:

Diagnostic Categories	DRG Numbers Within the Diagnostic Category
A. to <del>S.</del> <u>N.</u> [Unchanged.]	
O. Newborns and Other Neonates with Conditions Originating in the Perinatal Period	<del>(385-390)</del>
P. to S. [Unchanged.]	
T. Substance Use and Substance Induced Organic Mental Disorders (Ages 0-20)	(433, 434, 435)
U. Substance Use and Substance Induced Organic Mental Disorders (Ages over 21)	(433, 434, 435)
V. to JJ. [Unchanged.]	
<u>KK.</u> <u>Extreme Immaturity</u>	<u>(386)</u>

**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

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<u>LL.</u>	<u>Prematurity with Major Problems</u>	(387)
<u>MM.</u>	<u>Prematurity without Major Problems</u>	(388)
<u>NN.</u>	<u>Full-term Neonates or Neonates Died or Transferred</u>	(385, 389, 390)

Subp. 21. to 52. [Unchanged.]

## Department of Labor and Industry

### Adopted Exempt Permanent Rules Relating to OSHA Standards

#### Rules as Adopted

#### 5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

The Minnesota Department of Labor and Industry Occupational Safety and Health Codes and rules are amended by incorporating and adopting by reference, and thereby making a part thereof, Title 29 of the Code of Federal Regulations as follows:

Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the Federal Register on October 24, 1978 and corrected in Volume 43, No. 216 on November 7, 1978 which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes made prior to ~~June~~ December 1, 1987:

Federal Register, Vol. 43, No. 234 to Vol. 52, No. 91 [Unchanged.]

Federal Register, Vol. 52, No. 176, dated September 11, 1987; "Occupational Exposure to Benzene (1910.1028); Final Rule."

Federal Register, Vol. 52, No. 186, dated September 25, 1987; "Servicing of Single Piece and Multi-Piece Rim Wheels at Marine Terminals (1917.44); Final Rule."

Federal Register, Vol. 52, No. 187, dated September 28, 1987; "Revision of Telecommunications Training Records (1910.268); Final Rule."

Federal Register, Vol. 52, No. 187, dated September 28, 1987; "Revision of Construction Industry Test and Inspection Records (1926.550, 1926.552, and 1926.903); Final Rule."

Part 1915 to Part 1928 [Unchanged.]

## State Board of Vocational Technical Education

### Adopted Permanent Rules Relating to Postsecondary Vocational Licensure; Business and Office Occupations

The rules proposed and published at *State Register*, Volume 12, Number 11, pages 442-456, September 14, 1987 (12 S.R. 442) are adopted with the following modifications:

#### Rules as Adopted

#### 3700.0300 LICENSES IN THE BUSINESS AND OFFICE OCCUPATIONAL AREA.

Subp. 3. **Does not apply.** Part 3515.9920 does not apply to parts 3700.0305 to ~~3700.0365~~ 3700.0340 and 3700.0350 to 3700.0380.

#### 3700.0330 ADMINISTRATIVE SUPPORT LICENSE.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience in one or more of the areas listed in items A to E. The 8,000 hours may include the 2,000 hours required under part 3700.0300, subpart 2:

- D. word processing secretary; ~~and~~
- E. correspondence specialist; and
- F. clerical data entry.

# Emergency Rules

## Proposed Emergency Rules

According to Minn. Stat. of 1984, §§ 14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

## Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§ 14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

## Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

## Department of Labor and Industry

### Adopted Emergency Rules Relating to Workers' Compensation Cost of Medical Record Copies

The rules proposed and published at *State Register*, Volume 12, Number 20, pages 1066-1067, November 16, 1987 (12 S.R. 1066) are adopted with the following modifications:

#### Rules as Adopted

#### 5219.0030 [Emergency] COST OF MEDICAL RECORDS.

Subpart 1. **Doctor's office notes submitted with bill.** ~~No~~ A charge of 50 cents is allowed for a copy copies of a doctor's doctors' office notes covering the services billed which are submitted without a request from the employer or insurer. This charge shall apply regardless of the number of pages submitted.

Subp. 2. **Schedule of charges Requests for additional records.** Reasonable charges for ~~other~~ providing copies of existing medical records or reports ~~obtained from health care providers under Minnesota Statutes, section 176.135, subdivision 7, pursuant to a request~~ are as follows for each patient:

**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

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

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

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## Department of Agriculture

### Food Inspection Division

#### Notice of Intent to Solicit Outside Opinion Regarding Proposed Amendments to Rules Governing Processing and Packaging of Smoked Fish

Notice is hereby given that the Minnesota Department of Agriculture is seeking information or opinions from sources outside the agency in preparing proposed amendments to rules governing processing and packaging procedures for smoked fish sold in Minnesota (*Minnesota Rules* pts. 1545.3130-1545.3350). The adoption of these rules is authorized by *Minnesota Statutes*, Secs. 28A.10 and 31.11 which allow the department to adopt rules as necessary to carry out provisions of the Minnesota consolidated food licensing law.

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

Mr. Howard Anderson  
Minnesota Department of Agriculture  
90 West Plato Boulevard  
St. Paul, MN 55107

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-1590, and in person at the above address.

All statements of information and comment must be received by February 22, 1988. Any written material received by the department shall become part of the rulemaking record.

Dated: 25 January 1988

Jim Nichols  
Commissioner

## Ethical Practices Board

### Advisory Opinion #98 re: Hennepin County Disclosure Law

Issued 1-21-88 to James Johnson—SUMMARY—98. In lieu of registration with the Hennepin County filing officer under *Minnesota Statutes* §§ 383B.041 to 383B.058, a committee or fund registered with the Ethical Practices Board that makes contributions of more than \$100 in a calendar year to a Hennepin County-registered committee or fund may notify the recipient committee or fund of its registration with the Board and instruct the recipient committee or fund to include the notice when the recipient committee discloses receipt of the contribution.

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

## Department of Finance

### Maximum Interest Rate for Municipal Obligations in February 1988

Pursuant to *Minnesota Statutes*, Section 475.55, Subdivision 4, Commissioner of Finance, Tom Triplett, announced today that the maximum interest rate for municipal obligations in the month of February, 1988 would be nine (9) percent per annum. Obligations which are payable wholly or in part from the proceeds of special assessments or which are not secured by General Obligations of the municipality may bear an interest rate of up to ten (10) percent per annum.

Dated: 20 January 1988

Peter Sausen  
Assistant Commissioner  
Cash and Debt Management

## Department of Health

### Notice of Completed Application and Notice of and Order for Hearing in the Matter of the License Applications of North Ambulance, Hennepin County EMS, and Health One

PLEASE TAKE NOTICE that the Commissioner of Health (hereinafter "Commissioner") has received three separate completed license applications to provide Scheduled Advanced Life Support Transportation Services in portions of the Metropolitan area. The applications are being consolidated prior to referring them to the administrative law judge's office and therefore one hearing date will be held.

IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes*, §§ 14.57 to 14.69 (1986) and 144.802 (Supp. 1987), a public hearing will be held on April 12, 1988, at the Minnesota Department of Health, 717 Delaware Street, Minneapolis, Minnesota, commencing at 2:00 p.m. If you have an interest in this matter you are hereby urged to attend the public hearing. Failure to do so may prejudice your rights in this and any subsequent proceedings in this matter.

1. The purpose of the hearing is to determine whether the applications for licensure as scheduled life support transportation services should be granted to North Ambulance Service, Hennepin County EMS, and Health One, based upon the criteria set out at *Minnesota Statutes*, § 144.802, subd. 3(g)(Supp. 1987).

2. This proceeding has been initiated pursuant to and will be controlled in all aspects by *Minnesota Statutes*, §§ 144.801 to 144.8093(1986 and Supp. 1987), *Minnesota Statutes* §§ 14.57 to 14.69(1986), and Rules for Contested Cases of the Office of Administrative Hearings, *Minnesota Rules* pts. 1400.5100-1400.8402(1987). Copies of the rules and statutes may be obtained for a fee from the Department of Administration, Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, telephone: (612) 297-3000.

3. Peter C. Erickson, Office of Administrative Hearings, 500 Flour Exchange, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, telephone: (612) 341-7606, will preside as administrative law judge at the hearing, and will make a written recommendation on these applications. After the hearing, the record and the administrative law judge's recommendation will be forwarded to the Commissioner to make the final determination in this matter.

4. At the hearing the applicants will present their evidence showing that the application for licensure should be granted and then all persons will be given an opportunity to cross-examine witnesses, to be heard orally, to present witnesses, and to submit written data or statements. All persons are encouraged to participate in the hearing and are requested to bring to the hearing all documents, records, and witnesses needed to support their position. It is not necessary to intervene as a party in order to participate in the hearing.

5. Any person wishing to intervene as a party must submit a petition to do so under *Minnesota Rules* pt. 1400.6200 (1987) on or before February 22, 1988. This petition must be submitted to the administrative law judge and shall be served upon all existing parties and the Commissioner. The petition must show how the contested case affects the petitioner's legal rights, duties or privileges and shall state the ground and purposes for which intervention is sought and indicate petitioner's statutory right to intervene if one exists.

6. In addition to or in place of participating at the hearing any person may also submit written recommendations for the disposition of the application. These recommendations must be mailed to the administrative law judge on or before March 2, 1988.

7. Any subpoena needed to compel the attendance of witnesses or the production of documents may be obtained pursuant to *Minnesota Rules* pt. 1400.1700(1987).

8. Please be advised that if not public data is admitted into evidence, it may become public data unless an objection is made and relief is requested under *Minnesota Statutes* § 14.60, subd. 2(1986).

9. You are hereby informed that you may choose to be represented by an attorney in these proceedings, may represent yourself, or be represented by a person of your choice if not otherwise prohibited as the unauthorized practice of law.

10. A Notice of Appearance must be filed with the administrative law judge identified above within 20 days following receipt of this Notice by any person intending to appear at the hearing as a party.

11. In accordance with the provisions of *Minnesota Statutes* § 14.61 (1986), the final decision of the Commissioner of Health in this proceeding will not be made until the Report of the Administrative Law Judge has been made available to the parties in the proceeding for at least 10 days. Any party adversely affected by the Report of the Administrative Law Judge has the right to file exceptions and present arguments to the Commissioner. Any exceptions or arguments must be submitted in writing and filed with the Commissioner of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440, within 10 days of the receipt of the Administrative Law Judge's Report.

Dated: 25 January 1988

## **Department of Health**

### **Office of Health Systems Development**

#### **Notice of Intent to Solicit Outside Opinions Concerning a Request for a Waiver of HMO Statutes and Rule by NWNL Health Network, Inc.**

Notice is hereby given that the Department of Health is seeking opinions and comments pertaining to a request by NWNL Health Network, Inc. (formerly Senior Health Plan) for a waiver of HMO statutes and rules regarding coverage of chemical dependency services for RamseyCare members. Chemical Dependency coverage will be provided by Ramsey County. Such waivers are authorized for demonstration projects by *Minnesota Statutes*, § 62D.30.

The Request submitted by NWNL Health Network, Inc. is available for inspection during normal business hours at the following location:

Alternative Delivery Systems  
Room 456  
Minnesota Department of Health  
Minneapolis, Minnesota 55440  
(612) 623-5365

Comments on the request must be received by February 5, 1988.

## **Department of Human Services**

#### **Addendum to Notice in 1/25/88 State Register Regarding the Availability of Funds Administered by DHS for AZT**

The notice published in the 1/25/88 *State Register*, Vol. 12 #30, page 1577-1578 should contain the following addition:

Patients eligible to receive AZT without cost for the period of available funds must have gross income for the preceding calendar year and anticipated gross income for the 1988 calendar year of 185% of the poverty level which is approximately \$10,200 per year. If sufficient patients meeting the outlined criteria and falling within this income guideline are not available to utilize the total grant allocation, then patients meeting the criteria and who have incomes above this level will be considered. A sliding fee may be utilized in these cases.

If there are more patients in either category (those with incomes under \$10,200 per year and over \$10,200 per year) than available funds under this grant, DHS will utilize a random lottery/selection process to determine which patients will be eligible to receive AZT.

## **Department of Labor and Industry**

#### **Notice of Prevailing Wage Determinations for Highway/Heavy and Commercial Projects**

On February 1, 1988 the Commissioner certified prevailing wage rates for Highway/Heavy and Commercial construction projects in the following Minnesota counties: Aitkin, Becker, Beltrami, Carlton, Cass, Clay, Clearwater, Cook, Crow Wing, Hubbard, Itasca, Kittson, Koochiching, Lake, Lake of the Woods, Mahnommen, Marshall, Norman, Ottertail, Pennington, Polk, Red Lake, Roseau, St. Louis, Wadena, and Wilkin.

Copies may be obtained by contacting the Minnesota Documents Division, 117 University Avenue, St. Paul, Minnesota 55155. The charges for the cost of copying and mailing are \$.50 for the first county and \$.30 for any additional counties. A sales tax of 6% must be added to all orders. A check or money order payable to the State of Minnesota must accompany each request.

Ray Bohn, Commissioner  
Department of Labor and Industry

## Private Detective and Protective Agent Services Board

### Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Regulation of Private Detective and Protective Agent Licensing

Notice is hereby given that the State of Minnesota is seeking information or opinions from sources outside the agency in preparing to promulgate new rules governing private detective and protective agent licensing. The promulgation of these rules is authorized by *Minnesota Statutes*, section 326.3331, which requires the agency to "adopt rules under Chapter 14 to govern the selection, training, conduct, discipline, and licensing of private detectives and protective agents, and any other matters necessary to carry out duties imposed by sections 326.32 to 326.339.

The State of Minnesota requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to: Marie Ohman, Executive Director, Private Detective and Protective Agent Services Board, 1246 University Avenue, St. Paul, MN 55104. Oral statements will be received during regular business hours over the telephone at 612/642-0775, and in person at the above address, with an appointment.

All statements of information and comment shall be accepted until March 28, 1988. Any written material received by the State of Minnesota shall become part of the record in the event that the rules are promulgated.

Marie Ohman, Executive Director  
Private Detective and Protective Agent Services Board

## Board of Teaching

### Notice of Intent to Solicit Outside Opinion Concerning Proposed Amendments Relating to *Minnesota Rules*, Part 8700.5200 Teachers of American Indian Language and American Indian History and Culture

Notice is hereby given that the Board of Teaching is seeking information or opinions from sources outside the Board in preparing to propose the adoption of amendments to the rules governing the licensure of teachers of American Indian Language and American Indian History and Culture. Any interested persons may submit data or reviews on this subject in writing or orally to:

Kenneth L. Peatross, Executive Secretary  
Minnesota Board of Teaching  
608 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-2415

Any written material received by the Board shall become part of the hearing record in the event that the amendments to the rules governing this subject are promulgated.

Kenneth L. Peatross, Executive Secretary  
Minnesota Board of Teaching

## Department of Trade and Economic Development

### Community Development Division

### Notice of Availability of Amounts of Tax Exempt Financing Authority as of January 2, 1988

Pursuant to *Minnesota Laws 1987*, ch. 268, article 16

The Department gives notice that the amounts of tax exempt financing authority available to qualified issuers as of January 2, 1988, is as follows:

Manufacturing Pool (Small Issue Bonds)	\$89,400,500
Multifamily Housing Pool	\$36,245,000
Public Facilities Pool	\$25,371,000

## Official Notices

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The issuance authority in the pools shown above is available to qualified issuers submitting applications, the required deposit and supporting documents by any Monday through the second to the last Monday in October.

The issuance authority shown below is available to issuers submitting applications during the period beginning with the week ending on the last Monday in October through the second last Monday in December.

### Unified Pool

\$N/A

Application forms are available from the Department upon request.

## State Contracts and Advertised Bids

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Pursuant to the provisions of Minn. Stat. § 14.10, subd. 6, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

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

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

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## Department of Administration: Materials Management Division

### Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid. Buyer's initials are listed next to each commodity.

**Commodity:** Courses of Microworx  
Computer Curriculum & Software  
**Contact:** M.J.B  
**Bid due date at 2pm:** February 2  
**Agency:** Board of Vo-Tech Education  
**Deliver to:** St. Paul  
**Requisition #:** 36000 10301

**Commodity:** Trucks and Vans  
**Contact:** D.M.  
**Bid due date at 2pm:** February 3  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Sch. 113-D

**Commodity:** Gas Chromatography  
System  
**Contact:** J.G.  
**Bid due date at 2pm:** February 3  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073 20321

**Commodity:** Torque Wrench  
**Contact:** D.R.T  
**Bid due date at 2pm:** February 4  
**Agency:** Transportation  
**Deliver to:** Central Shop, St. Paul  
**Requisition #:** 79000 82933

**Commodity:** Digital Computer Equip.  
**Contact:** B.V.  
**Bid due date at 2pm:** February 4  
**Agency:** Higher Educ. Coord. Brd  
**Deliver to:** St. Paul  
**Requisition #:** 60000 05592

**Commodity:** AT Compatible  
**Contact:** B.V.  
**Bid due date at 2pm:** February 4  
**Agency:** State Planning  
**Deliver to:** St. Paul  
**Requisition #:** 30000 16719

**Commodity:** Microwave Systems  
**Contact:** P.A.  
**Bid due date at 2pm:** February 5  
**Agency:** Transportation  
**Deliver to:** Various  
**Requisition #:** 07500 46912

Department of Administration: Printing & Mailing Services

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

**Commodity:** 15M 3-part form #4 sulphite, camera ready, 8½"x11"  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Revenue  
**Deliver to:** St. Paul  
**Requisition #:** 4582

**Commodity:** 5M 3-part continuous form, 8½"x7" with ½" pinfeed, type to be set  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Revenue  
**Deliver to:** St. Paul  
**Requisition #:** 4581

**Commodity:** Invoice, type to be set, 8½"x11" finished, 3,500, 4-part form continuous  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Administrative Hearings  
**Deliver to:** Minneapolis  
**Requisition #:** 4504

**Commodity:** 25M, 2-part form, camera ready, 8½"x7½" pinfeed finished  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Revenue  
**Deliver to:** St. Paul  
**Requisition #:** 4589

**Commodity:** 35M, 2-part continuous, 8½"x11" pinfeed finished, type to be set, fan fold  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Revenue  
**Deliver to:** St. Paul  
**Requisition #:** 4580

**Commodity:** 2,500 3-part form, 8½"x11" + 3/8 tearship, camera ready  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Charitable Gambling Control Board  
**Deliver to:** St. Paul  
**Requisition #:** 4576

**Commodity:** 25M, certificate, 2-sided, 20# white, type to be set  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Natural Resources  
**Deliver to:** St. Paul  
**Requisition #:** 3862

**Commodity:** 15M, wallet-size license, 3½"x6¼", type to be set, tag stock  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Labor & Industry  
**Deliver to:** St. Paul  
**Requisition #:** 4586

**Commodity:** 5M, Kraft-open end envelopes, type to be set, one-sided, 6"x9", 28# brown  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Board of Electricity  
**Deliver to:** St. Paul  
**Requisition #:** 4591

**Commodity:** 32M, type to be set, lottery applications, see sample  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Natural Resources  
**Deliver to:** St. Paul  
**Requisition #:** 4268

**Commodity:** 100M, 3"x2" + ¼" die cut tab, labels, camera ready, per sample  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 2  
**Agency:** Electricity Board  
**Deliver to:** St. Paul  
**Requisition #:** 4589

**Commodity:** 32M, 3-part form, camera ready, one-side, 6¼"x3½" overall, see sample  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 3  
**Agency:** Agriculture-Livestock  
**Deliver to:** So. St. Paul  
**Requisition #:** 4603

**Commodity:** 15M notice cards, 4"x13" overall, camera ready, 100# buff tag  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 3  
**Agency:** Employee Relations  
**Deliver to:** St. Paul  
**Requisition #:** 4651

**Commodity:** 40M 4-part form, negs, 8½"x6¼" overall  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 3  
**Agency:** Human Services  
**Deliver to:** St. Paul  
**Requisition #:** 4641

**Commodity:** 10M 3-part form, type to be set, 8"x10¾" overall  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 4  
**Agency:** Jobs & Training  
**Deliver to:** St. Paul  
**Requisition #:** 4636

**Commodity:** 31M certificates, 3-parts, 10¼"x3¾" overall, type to be set, 100# tag  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 4  
**Agency:** Public Safety  
**Deliver to:** St. Paul  
**Requisition #:** 4616

**Commodity:** 3M inspection records, 9"x5" overall, 110# index, camera ready  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 4  
**Agency:** Agriculture  
**Deliver to:** St. Paul  
**Requisition #:** 4517

**Commodity:** Bookbinding of magazines: 5½"x7½" and 8½"x11"  
**Contact:** Printing buyer's office  
**Bid due date at 2pm:** February 4  
**Agency:** Natural Resources  
**Deliver to:** St. Paul  
**Requisition #:** 4628

## State Contracts and Advertised Bids

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**Commodity:** 600 3-part forms, type to be set, 8½"×11" overall

**Contact:** Printing buyer's office

**Bid due date at 2pm:** February 4

**Agency:** State Patrol

**Deliver to:** So. St. Paul

**Requisition #:** 4550

**Commodity:** 100M brochures, camera ready, 14¼"×8½", 3-fold, 80# white enamel, 4-color

**Contact:** Printing buyer's office

**Bid due date at 2pm:** February 4

**Agency:** Public Safety

**Deliver to:** St. Paul

**Requisition #:** 4551

**Commodity:** Various decals, see samples

**Contact:** Printing buyer's office

**Bid due date at 2pm:** February 4

**Agency:** State Patrol

**Deliver to:** St. Paul

**Requisition #:** 4609-10-1-2

**Commodity:** Brochure—see samples

**Contact:** Printing buyer's office

**Bid due date at 2pm:** February 5

**Agency:** MN Amateur Sports Comm

**Deliver to:** St. Paul

**Requisition #:** 3721&2

**Commodity:** 50 22 ring binders, type to be set, 1-sided, as per sample

**Contact:** Printing buyer's office

**Bid due date at 2pm:** February 4

**Agency:** Public Safety

**Deliver to:** Eagan

**Requisition #:** 4554

**Commodity:** 10M 3-part memo forms, 9½"×11" sheet size, type to be set, 20#

**Contact:** Printing buyer's office

**Bid due date at 2pm:** February 5

**Agency:** MN Housing Finance Agency

**Deliver to:** St. Paul

**Requisition #:** 4715

**Commodity:** 2-part form, 3M sets, negs furnished, 8½"×11" finished size

**Contact:** Printing buyer's office

**Bid due date at 2pm:** February 5

**Agency:** Public Safety

**Deliver to:** St. Paul

**Requisition #:** 4364

## Lawyer Trust Account Board

### Request for Proposals for Legal Services for the Poor, Education Programs, and Administrative Enhancement

The Lawyer Trust Account Board invites proposals for programs in the areas of legal services for the poor, law-related education for the public and the enhancement of the administration of justice which will be funded by interest on lawyers' trust accounts.

The Board has characterized these programs as follows:

(1) **Legal Services for the Poor** establish an attorney client relationship, provide legal advice or representation and accept clients based on financial eligibility criteria.

(2) **Law-related Education Programs** deliver timely, accurate information in various areas of law to members of the public relating to individual situations, legal policy questions or questions about how the legal system functions.

(3) **Programs to Enhance the Administration of Justice** provide administrative, programmatic, and/or training support to multiple legal service, advocacy or alternative dispute resolution programs or are pilot programs in innovative areas to reduce or help solve court related problems and/or improve access to justice.

Inquiries regarding proposal requests should be directed to:

Executive Director  
Lawyer Trust Account Board  
318A State Capitol  
St. Paul, MN 55155  
(612) 296-6822

Application Deadline: March 15, 1988

## Minnesota Department of Education

### Requests for Proposals for Family Participation in Planning for Services for Young Children With Handicaps or Those Children at Risk for Such Handicaps

**INTRODUCTION AND OVERVIEW:** The Minnesota Legislature (*Minnesota Statutes* 120.170) established local interagency early intervention committees for handicapped children under age five and their families in order to develop a comprehensive, coordinated, multidisciplinary early intervention system. Members are to include parents of young children who are handicapped under age five. Presently, more than half of the interagency early intervention committees have parents on them.

In addition, parents of infants and toddlers who are handicapped or at risk for such handicapping conditions need to become knowledgeable and informed about appropriate early intervention systems.

To ensure meaningful family involvement in planning, developing and implementing comprehensive services, the Minnesota Department of Education in cooperation with the Departments of Health and Human Services through the Interagency Planning Project for Young Children with Handicaps announces a request for proposals designed to train parents in the following areas:

- to be advocates for system change.
- to acquire knowledge, skills and confidence in order to identify and carry out planning, development and implementation of comprehensive services for their young children.

The above MAY be accomplished through the offering of workshops and seminars and/or the development of print and audiovisual media. Applications must demonstrate the involvement of groups and individuals who will provide input regarding specific issues affecting minority children with handicaps and their families.

Approximately \$85,000 is available for grants. NO SINGLE GRANT SHALL EXCEED \$35,000. Applications are due in the office of the Interagency Planning Project for Young Children with Handicaps, Rm. 827 Capitol Square Bldg., 550 Cedar St., St. Paul, MN 55101 by 4:30 PM on Friday, April 1, 1988. All applications that are funded shall be for a period of 16 months with a starting date of June 1, 1988 to be completed by Sept. 30, 1989. The Minnesota Dept. of Education reserves the right not to award any grants.

### APPLICATION CONTENT

- Statement of the Problem (maximum one page)
- Statement of How the Proposal Plans to Address the Problem (maximum two pages)
- Materials, if any, to be developed (maximum one page)
- Linkages Within the Community (local, state or both) (maximum one half page)
- Evaluation Component (maximum one page)
- Budget
- Timelines
- Qualifications of Staff

If you need assistance, please call the Interagency Planning Project for Young Children with Handicaps staff: Jan Rubenstein at 612/296/7032 or Marty Smith at 612/623-5538.

## Minnesota Department of Education

### Requests for Proposals for Planning, Developing or Implementing Early Identification, Referral or Intervention Services to Young Children With Handicaps or Those at Risk for Such Handicapping Conditions and Their Families. Part H, PL 99-457

**1. BACKGROUND:** According to the Notice of proposed rulemaking for Early Intervention Program for Infants and Toddlers with Handicaps in the *Federal Register*, V. 52, No. 222, "Part H of PL 99-457 is designed to build upon existing State systems of early intervention services . . . and to use funds to develop a statewide system that fits their own individual characteristics. During the first two years of participation (MINNESOTA is in year one), it is expected that funds will be used to build upon previous planning, development and implementation activities."

One goal of Minnesota's state plan is to "develop state policy and provide direction in the planning of a system for comprehensive, coordinated, interagency, multidisciplinary services for young children with handicaps and their families" through the funding of proposals.

Priorities for funding include:

- multidisciplinary assessment practices
- coordinated, individual intervention plans
- comprehensive systems to identify children in need of services,
- single point of entry or central referral
- service coordination (case management)

## State Contracts and Advertised Bids

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- effective transition services and plans (i.e. transition of a young child from home based early intervention to a preschool program DAC to school setting, or preschool program to kindergarten.)
- involvement of medical professionals
- tracking and followup
- identification and intervention for low incidence populations (i.e. infants who are hearing impaired or physically handicapped)
- use of community based early intervention settings such as the home, daycare or early childhood:family education.

The Minnesota Department of Education, in cooperation with the Departments of Health and Human Services through the Inter-agency Planning Project for Young Children with Handicaps announces a request for proposals from rural areas, small towns and metropolitan areas targeted toward the above priorities. Approximately \$209,000 is available to fund grants amounting to \$40,000, \$20,000 and/or \$10,000.

One original and 12 copies of the application are due in the office of the Interagency Planning Project for young Children with Handicaps, Minnesota Dept. of Education, Rm 827 Capitol Square Bldg., 550 Cedar, St. Paul, MN 55101 by 4:30 p.m. on Wednesday, March 2, 1988. All applications that are funded will have a starting date of April 1, 1988 and will be for a period of 18 months to be completed by Sept. 30, 1989. The Minnesota Department of Education reserves the right not to award any grants.

### APPLICATION CONTENT

- statement of problem
- impact of the problem
- description of the population to be served
- description of the methodology to be used
- significance of the project in Minnesota
- demonstration of interagency participation, linkages within the community, any other initiatives in the area for this priority (such as an MCH grant) and participation of constituencies involved through letters of support
- demonstration of meaningful family involvement at all levels
- description of evaluation approach
- demonstration of ability to support project once funding ends
- fiscal agent
- budget
- timelines
- staff and relationship to project
- statement of 25% inkind contribution.

Applicants cannot request money for capital expenditures OR to support a full-time position because of the intent to continue the project after the seed money is gone. In addition, administrative/indirect costs cannot exceed 10% of the budget. Availability of future funding is dependent on federal allocations for 1988-89. Due to the short turn around time, brevity and clarity are encouraged.

If you are in need of assistance, please call Interagency Planning Project for Young Children with Handicaps staff: Jan Rubenstein 612/296-7032 or Marty Smith 612/623-5538.

## Department of Human Services

### Fergus Falls Regional Treatment Center

### Request for Proposals to Provide the Services of Locum Tenens Psychiatrist and Family Practitioner

Fergus Falls Regional Treatment Center, MN Dept. of Human Services, is soliciting proposals from qualified consultants to supply the following physicians licensed to practice in the State of Minnesota:

1. Services of a full time locum tenens board eligible psychiatrist at the Fergus Falls Regional Treatment Center for diagnosis and treatment of emotional disorders of mentally ill, chemically dependent and mentally retarded clients.
2. Services of a full time locum tenens board eligible family practitioner at the Fergus Falls Regional Treatment Center for the diagnosis and treatment of physical disorders of mentally ill, chemically dependent and mentally retarded clients.

Contract will be written for the period February 1, 1988 through June 30, 1989. More detailed written information on position responsibilities may be obtained by contacting Richard C. Baker M.D., Medical Director, Fergus Falls Regional Treatment Center, Box 157, Fergus Falls, MN 56537-0157. (218) 739-7200.

## **Minnesota Waste Management Board**

### **Request for Proposals from Geotechnical Consulting Firms**

#### **INTRODUCTION**

The Waste Management Board (WMB), a state agency, is working with a number of Minnesota counties on a voluntary siting process to locate a site for a hazardous waste stabilization and containment facility. This facility will be designed to stabilize inorganic hazardous wastes (those containing heavy metals) and to isolate the stabilized residuals in an above-ground containment structure. Currently, the WMB is working with six counties (Carlton, Kanabec, Koochiching, Nobles, Red Lake, and Stearns) to identify study areas. A maximum of 15 study areas will be identified for further geological evaluation.

At those study areas where further evaluation is needed, the WMB desires to carry out an investigation that includes soil and shallow bedrock borings, downhole geophysical logging, analysis of boring samples, and evaluation of the types and distribution of geologic materials at each study area. The results of this evaluation will be used to determine which study areas are suitable for further negotiation between the WMB and the counties with regard to the siting of a stabilization and containment facility.

#### **PURPOSE AND SCOPE OF THE PROJECT**

The WMB, through its Chair, is seeking proposals from a geotechnical consulting firm (Consultant) to provide supervisory and analytical services related to geological investigations of potential sites (study areas) for a hazardous waste stabilization and containment facility.

The specific services to be provided include: planning for and supervising the performance of soil and shallow bedrock borings, performing downhole geophysical logging, performing laboratory analysis of boring samples, and preparing written reports evaluating the subsurface geology of the study areas.

This RFP does not include the performance of the soil and shallow bedrock borings, and sample retrieval. These tasks will be performed by a separate drilling contractor (WMB's Drilling Contractor) retained by the WMB but supervised by the Consultant.

#### **DEADLINE**

Copies of the Request for Proposals are available from the following:

John Betcher  
Minnesota Waste Management Board  
1350 Energy Lane  
St. Paul, MN 55108  
Telephone: (612) 649-5791

Responses should be submitted to the WMB no later than 4:30 p.m., Thursday, February 25, 1988.

## Non-State Public Contracts

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

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

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## Friends of St. Paul and Ramsey County Parks

### Announcement of Upcoming Request for Proposal for Detailed Study of Park Systems

The St. Paul and Ramsey County Parks Task Force requests proposals for a detailed systematic study of the St. Paul and Ramsey County Parks Systems.

The Task Force is seeking from qualified firms or a team of firms and individuals the preparation of a long range systems plan for parks, trails, open space, recreation facilities, and services. The Task Force is also requesting an analysis of the purposes, goals, objectives, standards, and fiscal requirements to serve the outdoor recreational needs of the citizens of the City of St. Paul and Ramsey County for now and in the future. The results of this study will be used to inform the officials of the affected governmental units of the parks and open space deficiencies, strengths, opportunities and obstacles to improving the services to the public.

Interested parties may request a detailed request for proposal by calling or writing to: Peggy Lynch, 1621 Beechwood Ave., St. Paul, MN 55116, 612-698-4543.

Proposals are due March 1, 1988. The Task Force may accept a proposal for a portion of the outlined project if in the opinion of the Task Force the results will better serve the needs of the study.

The award will be made on April 15, 1988 and the study shall be completed by April 17, 1989.

## Supreme Court Decisions

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### Decisions Filed Friday 29 January 1988

**C7-87-1668, CX-87-1714 Michele Mohs, individually and as parent and natural guardian of Jessica Mohs, a minor and Jessica Mohs, individually v. Parrish's Bar, defendant and third party plaintiff, Appellant, Brown Derby Bar, defendant and third party plaintiff v. Kladek, Incorporated, d.b.a. King of Diamonds Bar, third party defendant, Appellant, and Aetna Casualty and Surety Company, intervenor. Ramsey County.**

The rule enunciated in *Milbrandt v. American Legion Post of Mora*, 372 N.W.2d 702 (Minn. 1985), that subrogation rights under the No-Fault Act are created and governed solely by that Act, applies where the insurance carrier pays benefits under the Minnesota Automobile Assigned Claims Bureau plan, Minn. Stat. 65B.63-.65 (1986).

Reversed and certified question answered accordingly. Amdahl, C.J.

**C3-87-2011 In re the Petition for Disciplinary Action against Richard L. Jensen, an Attorney at Law of the State of Minnesota. Supreme Court.**

Indefinite suspension of attorney is ordered where attorney failed to file a deed for a period of six months; neglected a personal injury action; practiced law while suspended for failure to pay his attorney registration fee; and failed to cooperate in disciplinary proceedings.

Indefinitely suspended. Per Curiam.

## Announcements

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**Environmental Quality Board (EQB):** EAW (Environmental Worksheet) comments due on February 24 for the following projects: Balaton Wastewater Treatment Facility Expansion, Minnesota Pollution Control Agency (MPCA); and Port Crosby Planned Unit Development, City of South St. Paul. A scoping EAW will be held on Tuesday, February 16, 10 a.m. at Coon Rapids City Hall, 1313 Coon Rapids Blvd., for the Riverdale Regional Mall and Peripheral Development, contact 755-2880 for more information. A petition for the Creekview Residential Development in Eden Prairie has been filed for an EAW. For more information contact Gregg Downing, editor *EQB Monitor* (612) 296-8253.

**\$761,000 Allocated to Train Older Workers:** ST. PAUL—The Governor's Job Training Council has approved \$761,000 of new funding from the federal Job Training Partnership Act (JTPA) for 15 projects that will serve older workers, Commissioner Joe Samargia of the Minnesota Department of Jobs and Training announced today. Through these projects, low-income workers over age 55 will prepare for and be placed in private-sector jobs. JTPA services include skills assessment, counseling, remedial education, classroom training, on-the-job training and job placement. For a list of specific grants, contact Don Mohawk (612) 296-8008.

**State Forest Campground Receipts up 20 Percent:** The Minnesota Department of Natural Resources' (DNR) receipts at the state's 33 forest fee campgrounds increased by 20 percent over 1986, with annual receipts going over the \$100,000 level for the first time in program history. Use of the receipts is dedicated to the maintenance of forest campgrounds; fees are \$5 per night paid on the honor system and do not recover the actual cost of maintaining the facilities. Forestry officials cited good camping weather through the fall season and major rehabilitations that have improved existing facilities at 20 state forest campgrounds and day use areas as reasons for the increase. Woodenfrog Campground, located on Lake Kabetogama in the Kabetogama State Forest near International Falls and adjacent to the Voyageur's National Park, collected the largest amount of receipts (\$11,600). Eckbeck Campground on the Baptism River in the Finland State Forest, near Tettegouche State Park on the North Shore collected \$10,500. Both campgrounds were recently rehabilitated with funds provided by the Legislative Commission on Minnesota Resources (LCMR). Rock Lake Campground in the Pillsbury State Forest near Pillager had the highest occupancy rate for the season at 48 percent, while Eckbeck Campground was second at 41 percent, and Thistledew Lake Campground, George Washington State Forest, north of Nashwauk, was third at 38 percent. Thistledew Lake Campground was also recently rehabilitated with LCMR funds and the Rock Lake Campground will be reconstructed next summer. Other state forest campgrounds showing a significant increase in receipts include Bear Lake, George Washington State Forest, Huntersville Forest Landing Campground, Huntersville State Forest (on the Crow Wing River) and Boulder Campground in St. Croix State Forest. The largest decrease in receipts was at Washkish Campground, Red Lake State Forest, which probably was due to the walleyes not biting on Red Lake this year. Washkish Campground had been scheduled for rehabilitation this past summer, but work was not completed due to problems with the contractor. Work has been rescheduled for next summer. Persons wanting further information concerning state forest campgrounds may contact: Minnesota Department of Natural Resources, Division of Forestry, 500 Lafayette Road, St. Paul, MN 55155-4044.

**DNR Receives Gifts of Land:** The Minnesota Department of Natural Resources (DNR) Division of Forestry, has acknowledged the recent transfer of land gifts bordering the Nemadji State Forest. Mr. and Mrs. John M. Giblin of Minneapolis donated 160 acres, and Mr. and Mrs. Harold Flanzer of Chicago donated 560 acres bordering the Nemadji State Forest. Total estimated value of the 720 acres of land is \$54,900. The donated land tracts will be managed under multiple use principles of State Forest Land Management. In 1987 the DNR received a total of 2,100 acres in land donations, of which 800 acres were forestry lands. These generous donations contribute greatly to the state's natural resource management by helping to provide recreational opportunities, wildlife habitat and forest products for all of Minnesota.

**State Receives Land Donation for Wildlife Management Area:** The U.S. Bureau of Land Management has conveyed to the State of Minnesota 1.21 acres of public land in Crow Wing County. The parcel is for management in conjunction with the Upper Dean Wildlife Management Area. Federal authority for the transaction is provided for by the Recreation and Public Purposes Act (43 U.S.C. 869 et seq.), which enables public land to be transferred to non-profit groups and local and state governments. The transfer contains a stipulation that the land must be used for its intended purpose or the tract reverts to Bureau of Land Management for surface management.

**More Minnesota Farmland Eligible for CRP Under Tree Planting Program:** Farmland once ineligible for the Conservation Reserve Program (CRP) may now qualify under new rules designed to encourage the planting of trees. New rules recently announced by the United States Department of Agriculture will make an estimated 3 million additional acres of Minnesota farmland eligible during the next program sign-up Feb. 1-19. Under the program, farmers receive annual payments ranging from \$30 to \$85 per acre to plant grass and trees to reduce erosion. For farmers willing to plant trees, the minimum erosion standards for program eligibility have been reduced. Fields need only have one-third highly erodible land to qualify. Previously, fields needed two-thirds highly erodible land for admission. Criteria for actual soil loss has also been reduced, so many fields previously denied may now be eligible. In addition, farmers will also be allowed to install "filter strips" next to bodies of water of more than five acres. Grass strips, 66 to 99 feet wide, can now be planted next to lakes, rivers or wetlands under the program. No erosion criteria applies. Commissioner of Agriculture Jim Nichols said that farmers who are looking to idle land and live in the state's transition zone may be especially interested in the rule changes. The transition zone cuts across the middle of the state and marks where forest areas gradually turn into prairie. The Minnesota Department of Natural Resources, Division of Forestry predicts that in 20 years a shortage of some species such as aspen and red oak will exist for the wood products industry. CRP plantings will help meet this demand plus offering erosion protection along with aesthetic and recreational benefits. These changes were initiated to help meet the CRP's requirement that one-eighth of all enrolled land be planted to trees. Currently, 6 percent of the 22 million acres enrolled nationally is planted to trees. In Minnesota, 2 percent, or 33,000 of the 1.5 million acres enrolled, have tree cover.

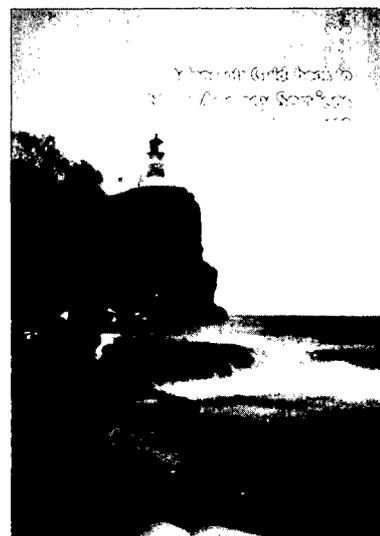
## A Beacon to Guide You—Minnesota's Owners Manual

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

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

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

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



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## Minnesota: national leader in education

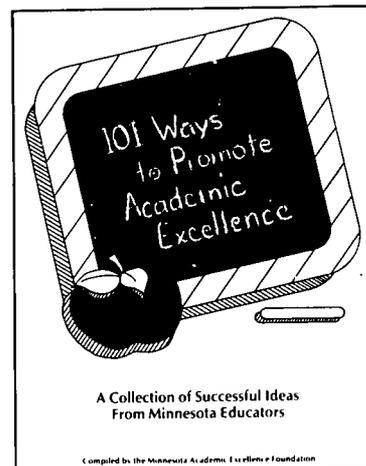
### 101 Ways to Promote Academic Excellence

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

### Education Directory, 1987-88

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers, and enrollment. 128 pages, paperbound. Code #1-93, \$6.00.

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



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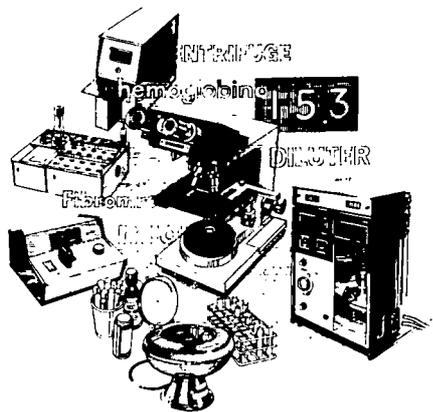
## Buying Or Selling?

In either case, **The Medical Alley Directory** can help you do your job better. Double your business; the 1986 edition is nearly twice as large as last year's. 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, \$49.95.

**Mailing Lists.** We have a large variety of mailing lists, in many formats. A new catalog is being developed. Call or write if you wish to receive a copy when it is updated.

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



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# MAILING LISTS GALORE

## Successful business means successful sales

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

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

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

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

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## Minnesota Manufacturer's Directory 1987-88

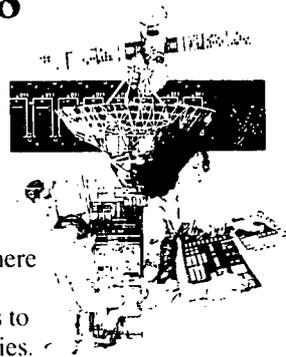


UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$73.00.

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



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



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

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## Voices of the Loon

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

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

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

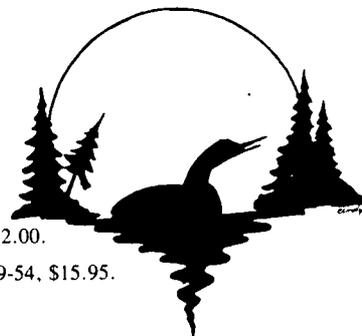
*Loon Calendar 1988*, beautiful photographs and scenes. Code #15-40, \$6.95.

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

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

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

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



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# Minnesota's future environment

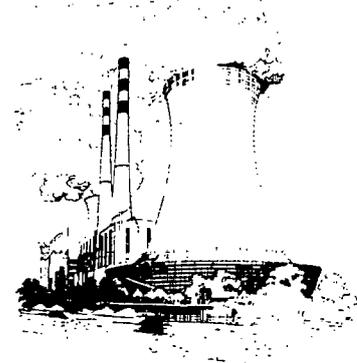
The issue of environmental protection is of continuing interest to both Minnesota business and the general public. Stay abreast of changes in state government regulations with these publications.

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Jane Smith  
NOTARY PUBLIC-MINNESOTA  
RAMSEY COUNTY

My Commission Expires January 1, 1994

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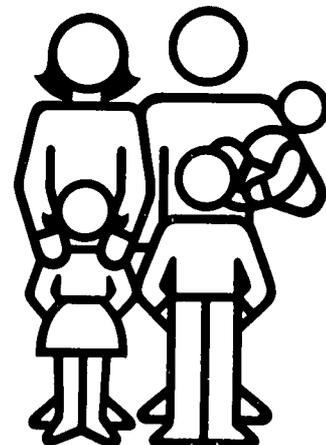
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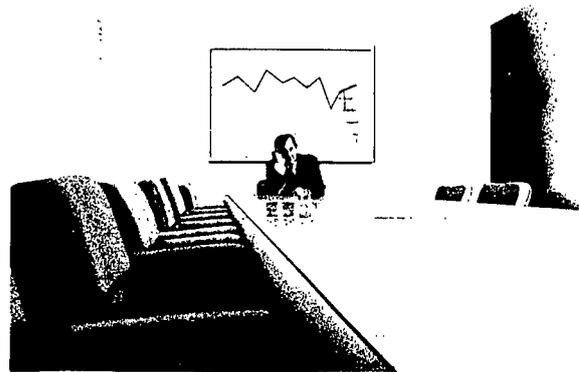
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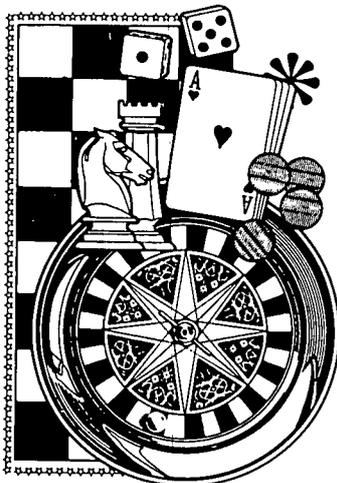
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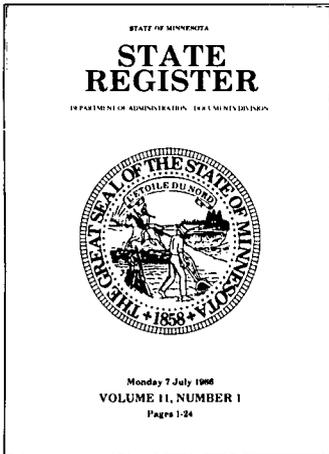
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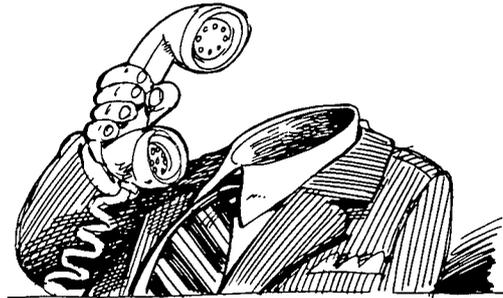
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