

88, December 5

4

State of Minnesota

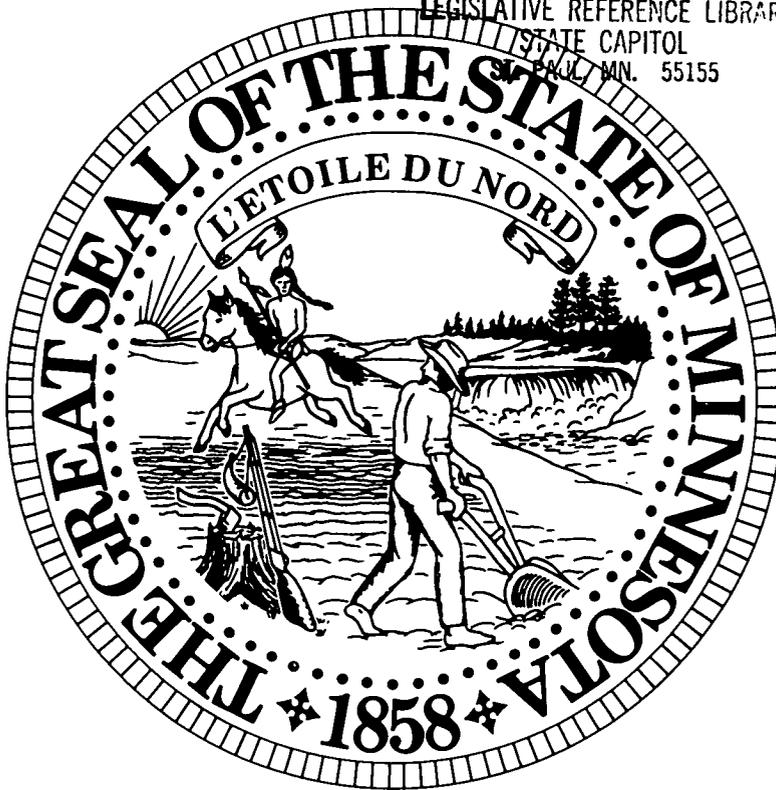
STATE REGISTER

Department of Administration—Print Communications Division

RECEIVED

DEC 05 1988

LEGISLATIVE REFERENCE LIBRARY
STATE CAPITOL
ST. PAUL, MN. 55155



Published every Monday

5 December 1988

Volume 13, Number 23

Pages 1363-1402

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. 13 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
23	Thursday 17 November	Monday 28 November	Monday 5 December
24	Monday 28 November	Monday 5 December	Monday 12 December
25	Monday 5 December	Monday 12 December	Monday 19 December
26	Monday 12 December	Monday 19 December	Monday 26 December

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

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

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

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

Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Rudy Perpich, Governor

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

**Stephen A. Ordahl, Director
Print Communications Division**

Robin PanLener, Editor

Paul Hoffman, Assistant Editor

Debbie Kobold, Circulation Manager

Bonita Karels, Staff Assistant

For Legislative News

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

SENATE

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

Contents

Minnesota Rules: Amendments & Additions

Issues 14-23 inclusive (issues #1-13 appeared in #13) . . . 1366

Proposed Rules

Optometry Board

License renewal 1368

Adopted Rules

Minnesota State Agricultural Society (Minnesota State Fair)

Operation and management of the Minnesota State Fair and the Minnesota State Fairgrounds 1369

Attorney General

Rule reviews 1376

Commerce Department

Interest rate disclosure 1378

Securities offerings 1379

Emergency Rules

Board of Social Work

Adopted emergency rules relating to social worker licenses 1381

Official Notices

Minnesota Comprehensive Health Association

Board of directors meeting 1384

Meeting of legislative and public policy committee 1384

Ethical Practices Board

1989 campaign expenditure limits 1384

Finance Department

Maximum interest rate for municipal obligations for December 1384

Health Department

Opinion sought on a request for waiver of HMO statutes and rules by physicians of Minnesota 1385

Human Services Department

Criteria to be used to determine the medical appropriateness of procedures subject to second surgical opinions 1385

Minnesota Regent Candidate Advisory Council

Draft criteria for university regents 1387

Ombudsman for Mental Health and Mental Retardation

Meeting notice 1388

Pollution Control Agency and the Public Facilities Authority

Applications accepted for the capital cost component grant program, a set aside of the independent state grants program for construction of municipal wastewater treatment facilities 1388

Pollution Control Agency

Opinion sought on rules for training and certification of storage tank installers 1389

Vocational Technical Education Board

Opinion sought on rules for licensure of postsecondary technical education personnel 1389

State Contracts & Advertised Bids

Administration Department

Materials Management Division: Contracts 1390
Awards 1391

Print Communications Division: Contracts 1393
Awards 1395

Education Department

Request for proposals for teacher assistance through mentorship program 1395

Health Department

Request for proposal for continuing education assistance with nursing child assessment training 1396

Supreme Court Decisions

Decisions and Orders filed November 23 and December 2, 1988 1397

Announcements 1398

Minnesota Rules: Amendments and Additions

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

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

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

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

Minnesota State Agricultural Society (Minnesota State Fair) S.F. 1.1-.21; S.E. 2.1-.18; S.F. 3.1-.14 (adopted) 1369

Agriculture Department

1511.0100-.0170 (proposed emergency) 982
 525.1110; .1410; .1470; .1510; .2020; .2320; .2330; .2390;
 .2430; .2520; 1530.0740; .0750; .0810 (adopted) . . . 980 and 1107
 1525.0510; .0520; .0550; .1470 s.3; .2030; .2040; .2050; .2060;
 .2070; .2090; .2100; .2110; .2120; .2130; .2140; .2150; 2160;
 .2170; .2180; .2190; .2200; .2210; .2220; .2230; .2240; .2250;
 .2260; .2270; .2280; .2290 (repealed) 980 and 1107

Attorney General 2010.0300; .0500; .9915; .9940; .9960 (adopted) 1376

Commerce Department

2640.0100; .1100; .1700; .3300; .3500; .4100; .5100;
 .5200; .5500; .5600; .6000; .6700; .6800; .6900; .7000;
 .8200; .8900; .9200 (adopted) 1056
 2640.0100 s.7 (repealed) 1056
 2675.6400 (withdrawn) 975
 2755.0400 (proposed) 1175
 2790.0200 (repealed) 1378
 2790.1750-.1751; .2200 (adopted) 1378
 2875.0115; .0116; .3500; .3531-.3533 (adopted) 1379
 2875.3500 s.4 (repealed) 1379

Jobs & Training Department

3300.0100; .0200; .0400; .0500; .0601 (adopted) 932
 3300.0500 s.2 (repealed) 932
 3310.0400; .0500; 3315.0200 s.2,3,4; .1100 s.1; .3400 s.1;
 .6200 s.2 (repealed) 1057
 3315.0100; .0200-.0202; .0210; .0300; .0400; .0500; .0600;
 .0810; .0915; .1000; .1100; .1200; .1301; 1310; .1315; .1400;
 .1500; .1600; .1650; .1700; .1800; .1900; .2010; .2100; .2200;
 .2410; .2610; .2700; .2750; .2810; .3210; .3220; .3600; .3700;
 .3800; .4100; .5100; .6100 (adopted) 1057
 3315.0300-.6200 s.1 (renumbered) 1057

Education Board

3500.0550 (proposed) 800
 3515.5700; .7200 (overlap period repealer) 1048

3515.8400-.8800; .9000 (repealed overlay period) 1238 **Vocational Technical Education Board**

3700.0100; .0200; .0205; .0210; .0215; .0220; .0225; .0230;
 .0235; .0240; .0245; .0250; .0255; .0260; .0265; .0270;
 .0275; .0280; .0290 (proposed) 1048
 3700.0205 s.5,6 (proposed repealer) 1048
 3700.0900-.0903 (adopted) 1238
 3709.0100-.0220 (proposed) 1143

Environmental Quality Board 4415.0010-.0215 (proposed) 802

Health Department

4617.0002; .0060; .0061; .0062; .0063; .0064; .0065; .0070;
 .0075; .0080; .0085; .0090; .0095; .0100 (adopted) 1190
 4625.2300; .5000 (proposed) 817
 4630.2000 (proposed) 817
 4655.1070; .1072; .1074; .1076; .1078; .1080; .1082;
 .1084; .1086; .1088; .1090; .1092; .1094; .1096; .1098;
 .1100 (adopted emergency) 1270
 4670.2300 (adopted) 1057
 4670.4200; .4210; .4220; .4230; .4240 (proposed) 1023
 4730.0500 (proposed) 975

Board of Social Work

4740.0100-.0300 (adopted emergency) 1381
 4740.0100-.0170 (proposed) 1079
 4740.1010-.1090 (proposed) 1079

Housing Finance Agency

4900.0010; .0610; .0630; .0640; .0660 (proposed) 1264
 4900.0640 subpart 3 (proposed repealer) 1264
 4900.1530-.1533; .1550; .1560; .1570 (repealed) 932

Occupational Safety and Health Review Board

5215.0700 s.1 (proposed renumbering) 1266
 5215.0710; .0720; .0750; .2530 s.6 (proposed repealer) 1266
 5215.0711; .0721; .0730; .2000; .2560; .5300; .6100
 (proposed) 1266

Labor & Industry Department

5225.0010; .0090; .0500; .0550; .0600; .0700; .0880;

Minnesota Rules: Amendments & Additions

.0900; .1000; .1200; .1350; .2100; .2200; .2400; .2500;
 .2600; .2610; .3100; .3200; .3400; .3500; .4000; .4100;
 .4200; .4300; .4400; .4500; .4600; .4700; .4800; .4900;
 .5000; .5100; .5200; .9000 (proposed) 912
 5225.0800; .2000; .2500 s. 1, 2; .2800 (proposed repealer) .. 912

Marriage and Family Therapy Board

5300.0100-.0360 (proposed emergency) 984

Mediation Services Bureau

5510.2410; .2905; .2915; .2930; .3005 (adopted) 1275
 5510.2810 subpart 6; .2910; .3010; .3110 (adopted repealer) . 1275

Natural Resources Department

6115.0060; .0065; .0080; .0120 (proposed) 1229
 6116.0010-.0070 (adopted) 1235

Optometry Board

6500.2000 (proposed) 1368

Podiatric Medicine Board

6900.0010; .0020; .0030; .0160; .0200; .0210; .0250;
 .0300; .0400 (adopted) 1237
 6900.0300 s.6 (repealed) 1237

Pollution Control Agency

Chapters 7001 and 7005 (revisor's instructions) 1092
 7001.0150; .0560; .0650; .0730; 7045.0020; .0075; .0125;
 .0127; .0135; .0214; .0365; .0450; .0458; .0478; .0552;
 .0564; .0584; .1300; .1305; .1310; .1315; .1320; .1325;
 .1330; .1350; .1355; .1360; .1380 (adopted) 1238
 7001.0020-.3550; 7035.0300-.2875 (adopted) 1150
 7001.0020; .1200; .1210; .1215; .1220; 7002.0020; .0100;
 7005.0100; .0116; .0520; .1310; .1600; .2860; .2950; .2960;
 .2990 (proposed) 1086
 7002.0020 s.8 (proposed repealer) 1086
 7005.0100; .3020; .3030; .3040; .3050; .3060 (proposed) 1092
 7005.0100 s.9,10a,44; .3030 s.3,4,14,15,16,17,18,19;
 .3040 s.6 (proposed repealer) 1092
 7005.0390; .0400; .1850 s.8; Chapter 7002 (revisor's
 instructions) 1086
 7035.0100; .0200; .0500; .0900; .1000; .1500; .2000;
 .2100; .2200; .2300; .2400 (repealed) 1150
 7046.0020; .0031; .0040; .0050; .0070 (proposed) 925
 7075.0409; .0411; .0428; (proposed) 1181
 7075.1005; .1010; .1020; .1030; .1040; .1050; .1060;
 .1070; .1080; .1090; (proposed) 1176
 7075.1105; .1110; .1115; .1120; .1125; .1130; .1135; .1140;
 .1145; .1150; .1155; .1160 (adopted) 1238

Psychology Board

7200.0100; .0400; .0500; .0600; .0800; .0900; .1000; .1100;
 .1200; .1300; .1410; .1450; .1600; .1700; .1800; .2000;
 .2600; .3000; .3200; .3500; .3510; .3605; .3610; .3620;
 .3700; .3900; .4600; .4700; .4810; .4900; .5000; .5100;

.5200; .5300; .5400; .5600; .5700; .6000 (proposed) 876
 7200.1400; .3600; .3800; .4800; 5200 s.6 (proposed repealer) . 876

Public Safety Department

7406.0100; .0300; .0500; .0700 (proposed) 977
 7410.2500; .2600; .2610; .2800 (adopted) 980
 7520.1000; .1100 (proposed) 1044
 7530.0010; .0020; .0030; .0040; .0050; .0060
 (proposed emergency) 1276

Public Service Department

7605.0100-.0160 (proposed) 1232

Public Utilities Commission

7817.0100; .0200; .0300; .0400; .0600.;
 .0900 (proposed) 1185
 7840.1150 (proposed) 930

Reinvest in Minnesota (RIM) Reserve Program

8400.3000-.3930 (adopted) 1056

Transportation Department

8800.2800 (adopted) 1154

Unlicensed Mental Health Service Providers Board

9000.0050-.0200 (proposed emergency) 1102

Human Services Department

REVISOR INSTRUCTIONS 911
 9500.1090; .1095; .1100; .1130 (proposed) 859
 9500.1100 s .21a (proposed repealer) 859
 9500.1206; .1232; .1257; .1262; .1266 (proposed) 1028
 9505.0275; .1693; .1696; .1699; .1701; .1703; .1706;
 .1709; .1712; .1715; .1718; .1724; .1727; .1730; .1733;
 .1736; .1739; .1742; .1745; .1748 (adopted) 1150
 9505.1500-.1690 (repealed) 1150
 9505.0297; .0446 (proposed) 1224
 9505.0500; .0510; .0520; .0521; .0522; .0530; .0540
 (proposed) 864
 9505.5000; .5005; .5010; .5015; .5035; .5040; .5050;
 .5055; .5060; .5065; .5070; .5075; .5080; .5090; .5096;
 .5100; .5105 (proposed) 855
 9505.5095 (proposed repealer) 855
 9525.0215-.0355 (proposed) 836
 9525.0210; .0220; .0230; .0240; .0250; .0260; .0270;
 .0280; .0290; .0300; .0310; .0320; .0330; .0340; .0350;
 .0360; .0370; .0380; .0390; .0400; .0410; .0420; .0430
 (proposed repealer) 836
 9525.2000-.2140 (proposed) 824
 9575.0620 (adopted) 1057
 9575.1500 (proposed) 1031

Workers' Compensation Court of Appeals

9800.0100; .0300; .0400; .0500; .0510; .0900; .1000; .1100;
 .1400; .1500; .1600; .1710; .1720; .1800 (adopted) 981
 9800.0500 s.2; .0600; .0900 s.4; .1300 (repealed) 981

Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Board of Optometry

Proposed Permanent Rules Relating to License Renewal

Notice of Intent to Amend and Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Board of Optometry proposes to amend *Minnesota Rule* 6500.2000, relating to annual license renewal fee and penalty fee without a public hearing following the procedures set forth in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to amend the rule is *Minnesota Statutes*, section 148.53.

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 amendment addressed, the reason for the comment and any change proposed.

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

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

Burton H. Skuza, O.D., Executive Director
Minnesota Board of Optometry
2700 University Avenue West, Room 103
St. Paul, Minnesota 55114

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

A copy of the proposed rule is attached to this notice. A free copy of the rule is available upon request from Burton H. Skuza, O. D., at the above address.

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 Burton H. Skuza, O.D. at the above address.

If no hearing is required, upon amendment 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 amended rule, must submit the written request to Burton H. Skuza at the above address.

Dated: 23 November 1988

Burton H. Skuza, O.D.
Executive Director

Rules as Proposed**6500.2000 INDIVIDUAL ANNUAL LICENSE RENEWAL.**

Subpart 1. **Fee.** On or before January 1 of each year, the board shall receive a license renewal fee of ~~\$65~~ \$90 from every licensed optometrist who desires to continue to be entitled to practice in this state.

Subp. 2. **Address of practice.** At the time of paying the fee required ~~herein~~ by this part, the optometrist shall inform the board of the address or addresses of the place or places where ~~he conducts his~~ the practice is conducted. ~~He~~ The optometrist shall also inform the board of any change in the address or addresses of ~~his~~ the practice during the 12-month period within one month of the change.

Subp. 3. **Compliance with continuing education requirements.** As specified at in parts 6500.0900 to 6500.1700 ~~hereof~~, submission to the board of satisfactory proof of compliance with continuing education requirements is and shall be a condition precedent to annual license renewal.

Subp. 4. **Default; revocation of license.** When an optometrist defaults in payment of the annual renewal fee ~~as set forth at~~ under part 6500.2000, subpart 1, the board, ~~upon a hearing,~~ may ~~revoke his~~ invoke the procedures of part 6500.2800 for the revocation of the license; provided that the payment of ~~such the~~ the fee at or before the ~~time of hearing completion of the procedures of part 6500.2800,~~ time of hearing completion of the procedures of part 6500.2800, with such additional sum not exceeding ~~\$25~~ \$30 as may be fixed by the board, shall excuse the default. In the event any ~~such~~ default remains unexcused at the ~~time of hearing completion of the procedures of part 6500.2800~~ time of hearing completion of the procedures of part 6500.2800 and a license is revoked for nonpayment of renewal fees, the board may, in its discretion, refuse to issue a new license to any person whose license has been so revoked until such time as that person repasses or, if ~~he was~~ previously licensed by reciprocity, passes the examinations and complies with all other requirements for initial licensure by examination in this state.

Subp. 5. **Practicing optometry without a current license.** Practicing optometry without a renewed or current license shall have the same force, effect, and potential legal consequences as practicing optometry without a license.

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.

Minnesota State Agricultural Society Minnesota State Fair

Adopted Rules Governing the Operation and Management of the Minnesota State Fair and the Minnesota State Fairgrounds

The Minnesota State Agricultural Society board of managers adopted the following updated version of rules Nov. 3, 1988, at a general business session. The rules are published here as official public notice.

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

CHAPTER ONE: GENERAL

S.F. 1.1—Authority These rules are promulgated pursuant to authority granted the Minnesota State Agricultural Society by *Minnesota Statutes* 37.16. Because the Minnesota State Agricultural Society is not an agency of state-wide jurisdiction, these rules will not be contained in *Minnesota Rules*.

S.F. 1.2—Definitions For purposes of these rules, the following definitions shall apply:

A. Board of managers: The board of managers of the Minnesota State Agricultural Society, which is responsible for the management and control of the Minnesota State Fair.

B. Commercial exhibitor: Any person or firm which shows goods, machinery or services for advertising purposes from an assigned fairgrounds location during the period of the State Fair. Institutions or individuals operating under commercial exhibit contracts are permitted to take orders, but may not accept payment for future delivery or make deliveries from their assigned premises.

C. Competitive exhibitor: Any person or firm which enters animals or articles for competitive exhibition at the State Fair.

D. Concessionaire: Any person or firm which sells, makes deliveries, and/or accepts deposits for future delivery on or from an assigned fairgrounds location during the period of the State Fair.

E. Department superintendent: That employee of the State Fair who is head of a specific State Fair department and reports to the secretary and general manager.

F. Institutional exhibitor: Any institution or organization whose exhibit, in the discretion of the rental services department, qualifies as educational or as a service to the State Fair and/or fair going public. No retail sales, order taking, deposit acceptance, contribution solicitation or product/service deliveries are allowed under the terms of this space rental agreement. Space, if available, may be provided upon proper and timely application, and, if requested, upon submission of a showing of qualification.

G. Merchandise permit: The license issued by the State Fair to vendors who desire to solicit orders for and/or deliver articles of food and merchandise to concessionaires at the State Fair. Such a permit does not authorize retail sales of any kind.

H. Minnesota State Agricultural Society (State Fair): The Public Corporation and Department of State charged with the responsibility for management of the State Fairgrounds and the conduct of the annual Minnesota State Fair.

I. Secretary and general manager: The secretary and general manager of the Minnesota State Fair is the chief operating officer of the State Fair.

J. Space rental committee: The committee of three or more members of the board of managers, designated by the president.

K. State Fairgrounds: That certain area of land in Ramsey County, Minnesota defined and described in *Minnesota Statutes* 37.01 and other real estate parcels as recorded with Ramsey County Register of Deeds, including the area outside as well as inside the fenced portion thereof.

S.F. 1.3—All pay gates Entry into the Minnesota State Fair shall be solely contingent upon the presentation and surrender of a valid ticket of admission in accordance with the most current schedule of gate prices as established by the board of managers. Only properly identified emergency vehicles with crew, such as police, fire and ambulance, as well as properly identified State Fair service vehicles with crew, shall be exempted from this rule when engaged in legitimate emergency or service duty which requires passage through State Fair admission gates.

S.F. 1.4—Gate controls Outside gates and exhibit buildings of the Minnesota State Fair will be open to visitors on days and during operating hours as set by the board of managers. Persons not involved in the preparation for or teardown of exhibits at the State Fair may be prohibited from entering the fairgrounds during the preparation and teardown period. Outside gate admission fees will be charged during night-time (non-operating) hours with the same fee schedule in effect as during day time (operating) hours. Persons entering the grounds during non-operating hours, in addition to paying established gate fees, will be required to provide proof of their having business on the grounds during said non-operating periods. Exhibitors, concessionaires and/or employees, such as watchmen, etc., wishing to enter or remain on the grounds during the overnight period must first obtain an overnight badge from the appropriate State Fair department superintendent. No badge will be issued without proper identification.

S.F. 1.5—Pass-out gates A pass-out system is operated by the State Fair at several of its outside gates. Persons exiting through these gates may, upon request, have their hand and/or vehicle stamped for readmittance without additional charge. Readmittance will be honored the same day as issuance only.

S.F. 1.6—Admission prices The State Fair board of managers shall annually review and establish outside gate admission prices for persons and vehicles including specific fee exemptions and discounts for special groups such as children, seniors, employees, exhibitors and concessionaires.

S.F. 1.7—Vehicle restrictions Maximum vehicle speed limits on the State Fairgrounds, as well as appropriate allowances and restrictions dealing with vehicle parking, delivery hours, restricted areas, tow-away zones and impound arrangements, shall be established by the secretary and general manager. The secretary and general manager shall provide for the placement of such traffic

control signals and signs on the State Fairgrounds as deemed necessary for the proper safety, protection and control of the fairgrounds and the public thereon. When any police officer or security person finds a vehicle illegally parked on the fairgrounds, he is authorized to provide for the removal and impoundment of such vehicle. Cost of removal and storage shall be borne by the vehicle's owner.

S.F. 1.8—Pedestrian right-of-way When walking on or about any street, sidewalk or other area generally open to the public on the State Fairgrounds, pedestrians shall have at all times the right-of-way as against all vehicles, other than identifiable emergency vehicles. Drivers of all vehicles, other than identifiable emergency vehicles, shall yield the right-of-way to any and all pedestrians on the fairgrounds.

S.F. 1.9—Two-wheeled and track-vehicles Two-wheeled vehicles, such as bicycles, motorcycles, motorscooters, etc., will not be allowed on the Minnesota State Fairgrounds during the period of the annual State Fair unless such two-wheeled vehicles are on display in an exhibit contracted by the society and, in such case, said two-wheeled vehicles must be kept in exhibit location and may not, under any circumstances, be operated on the streets of the fairgrounds. Track-type vehicles, including snowmobiles, may not be operated anywhere on the fairgrounds at any time of the year without the express authorization and approval of the secretary and general manager.

S.F. 1.10—Bannering, picketing, interfering No person or group of persons shall banner, picket or engage in any other activities on the State Fairgrounds before or during the annual State Fair which in any way interfere with a concessionaire, commercial or institutional exhibitor's preparing or conducting his concession or exhibit or which interfere with the free movement of any State Fair patron.

S.F. 1.11—Handing out materials The sale, posting or distribution of any merchandise, products, promotional items and printed or written material except from a fixed location on the fairgrounds approved by the space rental department superintendent shall be prohibited. Those merchandise, products, promotional items and printed or written materials which are authorized by the space rental superintendent for sale or distribution from a fixed location shall not be handed out to any State Fair patron unless requested by that patron.

S.F. 1.12—Advertising vehicles The operation or parking of any sound trucks or vehicles upon which any advertising signs, political or otherwise, have been affixed in any manner shall be prohibited within or without the fenced off areas of the fairgrounds. Nothing in this rule shall be construed as being applicable to lettered service trucks advertising a firm or its products while making necessary deliveries of merchandise or service to concessionaires, commercial or institutional exhibitors on the State Fairgrounds, or to the normal advertising on bumpers and windows of motor vehicles.

S.F. 1.13—Conflict of interest No manager, officer or employee of the State Fair shall:

- A. Enter into any contract between himself and the State Fair other than his contract of employment.
- B. Have or acquire any financial interest, whether direct or indirect, in any contract between the State Fair and any concessionaire, commercial or institutional exhibitor, performer, vendor or contractor.
- C. Engage or participate in personal business or financial transactions that conflict with his obligations and interests as a member of the board of managers, officer or employee of the State Fair, or the interests of the State Fair.
- D. Be entitled to any special consideration involving the storage of vehicles and materials on the State Fairgrounds or the use of State Fair buildings, machinery, or equipment, except as may be specifically provided by his contract of employment as approved by the board of managers.
- E. Be allowed to purchase any material for himself or herself through use of the name, credit or account of the State Fair.

S.F. 1.14—Use of vehicles by State Fair employees All vehicles used by managers, officers or employees of the State Fair in connection with the operation of the State Fair shall:

- A. Be the property of the manager, officer or employee, in which the State Fair shall have no interest and shall be under no obligation for upkeep, fuel, oil, repairs; or
- B. Be used by the State Fair as part of a service contract, through rental or on a courtesy basis; or
- C. Be the sole property of the State Fair to be used only on State Fair business.

No vehicle shall be rented by the State Fair from any of the said managers, officers or employees. All expenses incurred involving the use of privately-owned vehicles of managers, officers or employees while in the conduct of the State Fair business shall be claimed on official expense account blanks.

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

S.F. 1.15—Equal employment opportunities The following policies concerning fair and equal employment shall be followed by the State Fair:

A. It shall be the policy of the State Fair to foster the employment of all individuals with the State Fair in accordance with their fullest capacity and ability, regardless of race, color, creed, religion, sex, national origin, disability, age, marital status or status with regard to public assistance, and to safeguard their right to hold employment with the State Fair without discrimination; and

B. Every contract for or on behalf of the State Fair for materials, supplies or construction and/or space rental contracts for commercial sale or exhibit purposes may be cancelled or terminated by the State Fair when discrimination on account of race, color, creed, religion, sex, national origin, disability, age, marital status, or status with regard to public assistance, exists in the hiring or employment of common or skilled labor by the contractor pursuant to the contract for or on behalf of the State Fair.

S.F. 1.16—Acceptance of gift No employee of the State Fair shall personally accept from a person or company that does business with the State Fair, any gift, gratuity, cash, merchandise or thing of value.

S.F. 1.17—Hiring of relatives No relative of a State Fair employee or a relative of a member of the board of managers shall be given preferential treatment in being promoted or being hired for employment at the State Fair. Where bona fide business reasons require, such as security or sound cash-handling policies, relatives may be precluded from working in the same State Fair department.

S.F. 1.18—Pets No dogs or other pets, other than seeing-eye dogs, shall be permitted on the State Fairgrounds at any time. This prohibition does not apply to the State Fair campgrounds or to other exhibit areas expressly designated by the secretary and general manager.

S.F. 1.19—Roller skates and skateboards Use of roller skates or skateboards shall not be permitted on the State Fairgrounds at any time except in an exhibit contracted by the society.

S.F. 1.20—Practice driving The State Fairgrounds may not be used by any person, organization or firm to conduct lessons for or to practice driving automobiles or other motor vehicles, unless such activity is covered under a contract with the society.

S.F. 1.21—Use of metal detectors The use of metal detectors or similar devices for the purpose of finding items of value shall be prohibited on the fairgrounds. Furthermore, any activity of discovery, whether undertaken with or without a detection device, which results in digging, probing or otherwise disturbing the ground, shall be prohibited on the fairgrounds. This rule shall neither limit nor prohibit activities or the use of detection devices as may be directed by the secretary and general manager in the legitimate conduct of society work.

CHAPTER TWO: SPACE RENTAL

S.F. 2.1—Length of space rental contracts Space rental contracts are for the designated period of the annual State Fair and, unless otherwise agreed in writing, commence on the first day and expire with close of the State Fair each year. Such contracts cannot be sold, transferred, assigned, or devised by will without the written approval of the State Fair.

S.F. 2.2—Renewal policy In order to attract and maintain high-quality concessions and exhibits, it is the policy of the Minnesota State Fair to annually extend to the concessionaires, commercial and institutional exhibitors from the prior year's State Fair the opportunity to renew their space rental contracts for the next State Fair. However, the State Fair reserves the right to refuse to renew any space rental contract, when in the sole discretion of the State Fair management, such action is in the best interest of the State Fair and its patrons. Concession, commercial and institutional exhibit contract renewals are normally made on the basis of a renewal for the same space, purpose, products, and ownership as in the prior year. Grounds or space alterations or other changes may make it necessary to eliminate certain previously available space from one year to the next. In such instances, the State Fair reserves the right to offer substitute locations or discontinue contracts entirely. The State Fair reserves the right to not renew any space rental contract where the concessionaire, commercial or institutional exhibitor has violated any regulation of the State Fair or any state or federal law.

S.F. 2.3—Renewal procedures As close to November 1 as is practical, the space rental department will send renewal applications to concessionaires, commercial, or institutional exhibitors from the prior year's State Fair. The applications must be returned within 30 days of mailing to assure timely processing of the renewal application. Any request for approval of change in location, purpose, or products must be noted on the renewal application.

S.F. 2.4—Space rental rates General policy determinations governing the rates charged for concession, commercial and institutional exhibit space at the State Fair shall be set by the board of managers and shall be implemented by the staff of the space rental department.

S.F. 2.5—New application policy Application forms will be available and new applications for concession, commercial and institutional exhibit space at the State Fair shall be accepted by the space rental department beginning on January 1 of each year. Normally there are more applications for space than space available and the space rental department, in its review of these applications, shall exercise its best judgment in determining what is in the best interest of the State Fair and its patrons. Among the factors to be considered by the space rental department in reviewing new applications shall be the health and safety of the fair-going public, the

extent to which the proposed product or service duplicates those of existing concessions, geographic mix and balance of products and services on the fairgrounds, the product originality and overall quality of the proposed concession, commercial or institutional exhibit, the experience and financial stability of the applicant, and such other factors as the space rental department deems appropriate in determining the best interests of the State Fair and its patrons.

S.F. 2.6—Space rental decisions The following kinds of decisions of the space rental department shall be in writing and shall be approved by the secretary and general manager and the director of operations:

- A. A determination not to renew a concession or exhibit contract;
- B. A determination to grant a renewal with certain changes as to location, purpose, and products;
- C. A determination approving or denying a new application for a space rental contract; and
- D. A determination approving or denying the proposed sale, transfer or conveyance of any interest in a concession or exhibit at the State Fair.

S.F. 2.7—Space rental review Any member of the public adversely affected by a decision of the space rental department shall have the right to petition the space rental committee for review of such decision. The review shall be initiated by any such person submitting a request for review in writing to the secretary and general manager within 20 days of the date of the letter of action taken by the space rental department. The secretary and general manager shall set a meeting of the committee within 45 days thereafter, at which time the committee shall review the matter with the State Fair staff and the person requesting review. If the committee determines that the person was improperly or unfairly handled by the space rental department, it shall have the authority to direct the space rental department to take such remedial steps as the committee deems fair and appropriate. After final disposition of any matter reviewed pursuant to this regulation, the committee shall report such disposition to the board. Requests for review received by the secretary and general manager after August 1, will be heard after that year's State Fair.

S.F. 2.8—Construction and maintenance of improvements Any new construction of or alteration to concession, commercial or institutional exhibit buildings, booths, tents or enclosures must be approved in advance by the space rental department. A concessionaire, commercial or institutional exhibitor intending to erect or alter such a facility shall submit complete plans and specifications to the space rental department, showing that the proposed construction will be in compliance with applicable building codes and will be of an appropriate design and appearance. All tents must be flameproofed and accompanied by a letter of certification showing annual treatment for flameproofing by an approved vendor. The management shall from time to time engage qualified engineering personnel to inspect and evaluate the structural condition of buildings on the grounds. Changes and/or maintenance as shall be ordered by said engineering personnel to insure structural stability and public safety must be accomplished by lessee within a reasonable specific time limit or structure may be ordered closed, removed or torn down at the expense of the owner.

S.F. 2.9—Off-season use of improvements on grounds State Fair owned buildings may not be used by concessionaire, commercial or institutional exhibitor for storage or any other purpose during the non-fair period without the written approval of the space rental superintendent. Privately owned structures on the grounds may only be used by their owners during the non-fair period for storage of furniture, equipment and supplies used by that person as a part of his State Fair concession, commercial or institutional exhibit. Such structures may be used for other purposes only with the written approval of the space rental superintendent.

S.F. 2.10—Ownership of improvements All buildings, tents, booths, or other enclosures, whether portable or permanently affixed to State Fair property, are personal and not real property. The use of any such improvements on the fairgrounds is subject to the space rental contract and the regulations of the State Fair. All portable improvements must be removed from the fairgrounds by September 13 following the State Fair or they will be removed or torn down by the State Fair. In the event, for any reason whatsoever, the State Fair determines that the space rental contract for a concession, commercial or institutional exhibit involving an improvement permanently affixed to State Fair property shall not be renewed and that the permanent improvement should be removed from the grounds, the State Fair shall give written notice to the owner and provide a reasonable time for the removal of the permanent improvement and restoration of the underlying real property. Failure to remove the permanent improvement within the time specified by the State Fair shall result in the forfeit of all claims to the permanent improvement and the State Fair may take possession of or remove the same, charging any expense for removal and restoration to the owner.

S.F. 2.11—Multiple ownership of concessions, commercial and institutional exhibits It is the policy of the board of managers to have as many different persons as is possible and practical participating as commercial or institutional exhibitors and concessionaires at the State Fair. The board discourages ownership of multiple concessions by any one person, partnership or corporation. Owners of multiple concessions, commercial or institutional exhibits will not be allowed to enter into additional space rental contracts

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

unless there are compelling factors which indicated that it would be in the best interest of the State Fair and the fair-going public to do so.

S.F. 2.12—Approval of transfers A concessionaire, commercial or institutional exhibitor may transfer his interest in a concession, commercial or institutional exhibit contract when, in the judgement of the space rental department, it is in the best interest of the State Fair and the fair-going public to continue to have that concession or exhibit participate in the State Fair. In reviewing a request for such a transfer, the space rental department shall consider, among other things, the following: 1. Quality and character of any structures, improvements and personal property involved. 2. Nature and originality of any products or services presented. 3. Geographic mix, balance and extent of product/service presentation about the State Fair.

A concessionaire, commercial or institutional exhibitor desiring to transfer their interest in a space rental contract should so notify the space rental department in writing between January 1 and August 1. The space rental department shall respond in writing to the request for transfer within 30 days after the receipt thereof. If a request for transfer is approved, the concession, commercial or institutional exhibit will be posted as such for 30 days at the State Fair space rental department to advise members of the public interested in obtaining a concession, commercial or institutional exhibit at the State Fair that the particular concession, commercial or institutional exhibit is available for transfer. The State Fair may subsequently enter into a space rental contract with a proposed purchaser or transferee upon satisfaction of the following:

A. The proposed concession, commercial or institutional exhibit purchaser or transferee has applied for rental space according to procedures defined under *State Fair Rule S.F. 2.5—New application policy* and had their application reviewed and accepted by the space rental department.

B. A full and appropriate financial disclosure has been made in writing concerning the transfer of the concession, commercial or institutional exhibit and any personal property involved.

C. The transaction does not violate the State Fair's policy concerning multiple ownership of concessions and exhibits or any other rule, regulation, policy or procedure of the State Fair as promulgated in its space rental rules and regulations and information manual.

D. The proposed purchaser or transferee has adequate experience and financial stability to successfully own and operate a concession, commercial or institutional exhibit at the State Fair.

E. The proposed transaction is reasonable, in the best interest of the State Fair and is consistent with the health, safety and enjoyment of the fair-going public.

It is the policy of the board of managers to not approve concession, commercial or institutional exhibit transfers where the proposed purchase price is not reasonably related to the actual values of the personal property involved in a proposed transfer. Because of the large number of high quality new applications for concessions, commercial and institutional exhibits, it is the general policy of the board of managers not to allow transfer of portable concessions, commercial or institutional exhibits or space in State Fair owned buildings. Proper completion and execution of a Minnesota State Fair space rental department transfer policy acknowledgement verifying understanding and acceptance of State Fair transfer policy, procedures and terms, and delivery of a copy of same to the space rental department, along with a properly executed purchase agreement between the parties, shall constitute finalization of approved concession, commercial or institutional exhibit transfer.

S.F. 2.13—Use of space A commercial or institutional exhibitor or concessionaire must confine his business, and the promotion and advertising of same on the fairgrounds to the space assigned him. Failure to comply with this rule will subject commercial or institutional exhibitor or concessionaire to forfeiture of space privileges without reimbursement.

S.F. 2.14—Risk of loss The State Fair assumes no liability for loss or damage to any property of the exhibitor or concessionaire due to fire, tornado, weather conditions, theft, vandalism, or other causes. It is suggested that a commercial or institutional exhibitor or concessionaire bringing property or goods onto the State Fairgrounds protect such property or goods by appropriate insurance.

S.F. 2.15—Prize drawings The following will apply to all concessionaires, commercial or institutional exhibitors who intend to hold a sign-up prize drawing at the State Fair.

A. All concessionaires, commercial and institutional exhibitors who intend to hold a prize drawing must first obtain permission from the space rental superintendent and obtain from him the necessary forms; and

B. Drawings must be completed during the period of the State Fair. Only the advertised prize may be awarded and no further drawing or purchase shall be necessary for the person to be eligible for the prize drawing; and

C. All concessionaires, commercial or institutional exhibitors who conduct prize drawings must submit to the space rental department, within two weeks after the close of the State Fair, a written statement listing the name, address and prize delivered to each winner; and

D. If persons signing up for a prize drawing are subject to sales appointments, contracts or calls because they have signed up for a prize drawing, this must be indicated in writing at the drawing registration point; and

E. All persons or companies which do not comply with this rule may be subject to removal from the grounds and/or forfeiture of contract as the State Fair may elect.

S.F. 2.16—Merchandise permits Parties desiring merchandising permits for the designated period of the annual State Fair must obtain such permits from the office of the space rental superintendent. Delivery trucks not properly identified with said merchandise permits shall be prohibited from entering the grounds at any time during the period of the State Fair.

S.F. 2.17—Regulation of conduct and activities The society recognizes that the State Fair is a proper forum for the free exchange of ideas necessary to a free society, yet reserves the right to regulate all activities, concessions and exhibitions on the fairgrounds with regard to time, manner and place in pursuance of its valid interest in maintaining peace and order and protection of the general public. Concessionaires, commercial and institutional exhibitors shall comply with all applicable state and federal laws and must be familiar with procedures and information set forth in the space rental information manual.

S.F. 2.18—Sales tax permit Concessionaires, commercial and institutional exhibitors involved in taxable retail sales shall be responsible for obtaining a Minnesota State Sales Tax Permit. Non-compliance with Minnesota tax laws may be grounds for cancellation of space and/or denial or renewal.

CHAPTER THREE: COMPETITIVE EXHIBITS

S.F. 3.1—Exhibition times Times for the setup of entries, the dismantling and removal of entries and the hours of public viewing will be set annually by the competitive exhibits superintendent and will be stated in individual department premium books.

S.F. 3.2—Responsibility for exhibits The State Fair will use diligence to protect livestock and articles entered for exhibition, after their arrival and placement, but under no circumstances will it be responsible for any loss, injury or damage done to or caused by any animal or article on exhibition. It is the responsibility of the competitive exhibitor to obtain appropriate insurance for any damages due to or caused by the exhibit and to identify and hold the State Fair harmless against any claim arising out of incidents involving the exhibit. Removal or pickup of exhibits at established times as stated in individual department premium books, entry blanks and/or entry receipts, shall be the responsibility of the competitive exhibitor. The State Fair shall not be responsible for any exhibit not removed or picked up at established time and will dispose of all exhibits not removed or picked up within one year of such established time.

S.F. 3.3—Board of Animal Health The exhibition of livestock shall be under the supervision of the Minnesota Board of Animal Health and its applicable rules and regulations will be complied with in full. Health requirements for individual departments will be set forth in their respective premium books.

S.F. 3.4—General entry requirements Competitive exhibitors must file proper entry blanks with any applicable fees prior to the designated closing date for entries. The State Fair reserves the right to refuse entries or prohibit the exhibition of animals or articles entered if the showing of such animals or articles is contrary to law, or violative of the State Fair's valid interest in providing for the health, safety and protection of the fair going public. Exhibits entered in the wrong lot or category may be transferred prior to judging at the discretion of the department superintendent to the proper lot or category of competition. Deception of any type by an exhibitor, as determined by the judge or department superintendent, will ban the exhibitor from any further competition and result in the forfeiture of all premiums. Mechanical or artistic articles must be entered in the name of the artist, inventor, manufacturer or maker. No officer of the society or member of the board of managers or State Fair employee or department superintendent, or member of such person's family, shall be permitted, directly or indirectly, to make a competitive entry in any department over which that person has supervisory responsibility or in which that person is employed.

S.F. 3.5—Animal entry requirements When animals are entered for competition by an entity other than an individual, that entity (whether a corporation, partnership, breeding establishment or other form) must have been in existence as of the closing date of entries. Appropriate documentation showing the status of the entity must be available for inspection by the department superintendent. All animals entered under a breed classification must be recorded in a breeding association recognized as representative of the particular breed. The competitive exhibitor must produce a certificate of registry at the request of the department superintendent. All animals shown must be owned by the competitive exhibitor from the time of making entry, except as otherwise provided in special rules of the department.

S.F. 3.6—Judges No person who is a competitive exhibitor can act as judge in a class in which he or she is competing. Judges shall be responsible for reading and understanding the general rules and all special rules applicable to the department or class in which they are to serve.

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

S.F. 3.7—Interference with judging Judges shall report to the department superintendent any competitive exhibitor who in any way, whether in person or by agent or employee, interferes with them or shows any disrespect to them during the judging. The department superintendent may, at his discretion, exclude any such competitive exhibitor from further competition. The secretary and general manager may withhold from such competitive exhibitor any or all premiums that have been awarded and may also exclude such competitive exhibitor from further competition at the State Fair.

S.F. 3.8—Award books Judges and persons acting as clerks to the judges must use special care, after awards have been made, to record the proper names in the award books. The judge, department superintendent and clerk recording the awards of the department must sign the award book at the close of each class immediately after all awards in such class have been made.

S.F. 3.9—Qualification of entries If there is any question as to the regularity of an entry or the right of any animal or article to compete in any lot or category, the judge or judges shall report same to the department superintendent in charge for adjustment. Judges shall place a reserve award in each lot. Should any animal or article awarded a prize be disqualified, the animal or article awarded the next lower prize shall graduate into the next higher position, if in the opinion of the judge, it is worthy of such prize. Judges must not award a prize to an unworthy exhibit. No premium or distinction of any kind shall be given to any animal or article that is not deserving.

S.F. 3.10—Finality of decisions In judging livestock, the decision of the official State Fair veterinarian and judge as to soundness shall be final. The decision of the judge shall be final in all cases, except when mistake, fraud, misrepresentation or collusion, not known at the time of the award is discovered. In such cases, the secretary and general manager shall take appropriate action or refer the matter to the board of managers.

S.F. 3.11—Interpretation of rules A faithful observance of all rules governing the exhibit will be required, and when in doubt as to the application or meaning of a rule, the department superintendent in charge shall interpret such a rule. This opinion when required by either a competitive exhibitor or judge must be reduced to writing and returned to the competitive exhibits coordinator with the award books.

S.F. 3.12—Protests and appeals A protest from the decision of a judge will only be accepted from an exhibitor named in the official entry blank for competition in the lot of class under protest, and must be filed with the secretary and general manager within five (5) hours after the award has been made. An award is deemed to have been made when the notation of the decision of the judge is entered into the department award book. All protests must be made in writing and must be accompanied by a deposit of twenty (\$20.00) dollars. The protest must state plainly and specifically the facts upon which the complaint or appeal is based. The right to appeal will lie only when it is charged that the award has been made in violation of the rules governing the exhibit, or when it is charged that the decision of the judge has been influenced or interfered with by another person. No protest or appeal based upon the statement that the judge or judges are incompetent or have overlooked an animal or article will be considered. The twenty (\$20.00) dollar deposit will be returned only if the protest or appeal is upheld.

S.F. 3.13—Late showing of exhibit No animal or exhibit will be judged or awarded a prize if it is not ready for judging and promptly brought into the show-ring when the lot is called or the exhibit category is called or the exhibit category is judged.

S.F. 3.14—Premium money Cash premiums awarded will be paid by check made out to the exhibitor and mailed to the post office address as stated on the entry blank. Competitive exhibitors may forfeit all premium money if exhibits are removed from the grounds prior to the official time of release. The board of managers reserves the right to make reductions in premiums if the financial conditions of the Minnesota State Fair make such reductions necessary.

Office of the Attorney General

Adopted Permanent Rules Relating to Rule Reviews

The rules proposed and published at *State Register*, Volume 12, Number 42, pages 2285-2289, April 18, 1988 (12 S.R. 2285) are adopted with the following modifications:

Rules as Adopted

2010.0500 RULE SUBMISSION AND AGENCY FAILURE TO SUBMIT REQUIRED DOCUMENTS.

Subpart 1. **Rule submission.** A rule is considered submitted to the attorney general when the rule and the record consisting of the required documents are received at the Office of the Attorney General, ~~Administration/~~ Public Finance Division located at 515 Transportation Building, John Ireland Boulevard, Saint Paul, Minnesota 55155.

2010.9940 RECOMMENDED NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption
of the Rule of the State _____
Governing _____

NOTICE OF
SUBMISSION OF
RULE ADOPTED
WITHOUT PUBLIC
HEARING TO THE
ATTORNEY GENERAL

Pursuant to your request and in accordance with *Minnesota Statutes*, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19_____, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received, and other required documents also have been submitted to the Attorney General.

[(If the proposed rule has been modified:) The proposed rule which was published in the *State Register* and made available to the public on _____, 19_____, has been modified. A free copy of the rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General within 14 calendar days of the date of submission to the attorney general. You may submit written comments to the attorney general on the legality of the rule. Any written comments must be submitted within eight calendar days of the date of submission of the rule to the Attorney General. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in *Minnesota Rules*, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
~~Administration~~ Public Finance Division
515 Transportation Building
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone Number: (612) ~~296-9745~~ 297-2040

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of appropriate person in the agency]

[Name] _____

[Title] _____

Dated: _____

2010.9960 RECOMMENDED NOTICE OF SUBMISSION OF THE EMERGENCY RULE TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT 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.

Adopted Rules

In the Matter of the Proposed Adoption
of the Rule of the State _____
Governing _____

NOTICE OF
SUBMISSION OF
EMERGENCY RULE

TO THE ATTORNEY
GENERAL

Pursuant to your request and in accordance with *Minnesota Statutes*, section 14.32:

PLEASE TAKE NOTICE that the above-captioned emergency rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19_____, for review as to legality and form to the extent form relates to legality. The proposed emergency rule, the rule as adopted, all the notices, all written comments received and other required documents also have been submitted to the attorney general.

[(If the proposed emergency rule has been modified:) The proposed emergency rule which was published in the *State Register* and made available to the public on _____, 19_____, has been modified. A free copy of the emergency rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General on the tenth working day following date of receipt of the rule. You may submit written comments to the Attorney General. Any written comments must be submitted within seven working days of the date of this notice. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
~~Public Finance Division~~
515 Transportation Building
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone: (612) ~~296-9715~~ 297-2040

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of appropriate person in the agency]

[Name]

[Title]

Dated: _____

Department of Commerce

Adopted Permanent Rules Relating to Interest Rate Disclosure

The rules proposed and published at *State Register*, Volume 13, Number 7, pages 335-338, August 15, 1988 (13 S.R. 335) are adopted with the following modifications:

Rules as Adopted

2790.1750 INTEREST RATE DISCLOSURE; DISCLOSURE SHEET.

Subp. 3. **Contents of disclosure sheet for universal life insurance policies.** "Universal life insurance policy" means any individual life insurance policy under the provisions of which separately identified interest credits (other than in connection with dividend accumulations, premium deposit funds, or other supplementary accounts) and mortality and expense charges are made to the policy. A universal life insurance policy may provide for other credits and charges, such as charges for the cost of benefits provided by rider. The disclosure sheet must contain the following information. No additional or alternative information may be included on the disclosure sheet, for purposes of this part, without the approval of the commissioner.

LIFE INSURANCE POLICY FACT SHEET

UNIVERSAL LIFE PRODUCTS

III. CALCULATION OF EARNINGS ON FIRSTYEAR PREMIUM

- A. Amount of first year premium \$ _____
- B. Amount of premium allocated to death benefit and expenses \$ _____
- C. Balance upon which interest will be calculated \$ _____
- D. Amount of interest income at advertised rate \$ _____
- E. Policy value at end of first year \$ _____*

*NOTE: This value may not be available without surrender charges which are disclosed below.

Subp. 4. Contents of disclosure sheet for other than universal life products. The disclosure sheet must contain the following information. No additional or alternative information may be included on the disclosure sheet, for purposes of this part, without the approval of the commissioner.

LIFE INSURANCE POLICY FACT SHEET

OTHER THAN UNIVERSAL LIFE PRODUCTS

III. FIRST YEAR VALUES

This policy should be purchased only for long-term planning. The values shown below assume the illustrated dividend or other nonguaranteed payment and the illustrated premiums are paid.

- A. Amount of first year premium \$ _____
- B. Guaranteed cash value, end of first year \$ _____
- C. Dividend or other nonguaranteed payment, end of first year \$ _____
- D. The amount you will receive if you surrender at the end of the first year (III-B plus III-C minus any surrender charge) \$ _____

Signature of Agent

Date: ____/____/____

Signature of Applicant

Date: ____/____/____

Department of Commerce

Adopted Permanent Rules Relating to Securities Offerings

The rules proposed and published at State Register, Volume 13, Number 3, pages 119-122, July 18, 1988 (13 S.R. 119) are adopted with the following modifications:

Rules as Adopted

2875.0116 NONISSUER TRANSACTIONS INVOLVING PREVIOUSLY EXEMPTED SECURITIES.

Subp. 2. Nonissuer transactions. Any security described in subpart 1, shall be exempt for purposes of nonissuer transactions effected on or after July 1, 1987, provided that the nonissuer transaction does not constitute a public distribution offering.

2875.3500 DIVIDEND AND INTEREST COVERAGE.

Subp. 2. Debt securities.

B. In connection with the offering of bonds or similar interest-bearing securities issued by the United States, any state, any political subdivision of any state, or any corporate or other instrumentality of one or more of those entities, except those which are

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

exempt from registration under *Minnesota Statutes*, section 80A.15 or are rated in one of the top four letter rating categories by Fitch Investors Service, Inc., Standard and Poor's Corporation, or Moody's Investor Services, Inc., the cash flow of the user or borrower of the offering proceeds or, if a different entity, the cash flow of the entity obligated to make payment of principal and interest on the bonds or securities or obligated to make payments under a lease, sale, loan, or guarantee arrangement sufficient to make principal and interest payments on the bonds or securities, computed in accordance with generally accepted accounting principles, exclusive of extraordinary income, for its last fiscal year prior to the public offering, or the average of its last three fiscal years prior to the public offering, shall be sufficient to cover the interest, including that which is deferred and not paid, on the bonds or securities proposed to be offered to the public. If the bonds or securities proposed to be offered are unconditionally guaranteed, both as to payment of interest and as to the repayment of principal, by an entity other than the user or borrower of the proceeds, then the cash flow of the guarantor shall be used in determining whether the bonds or securities qualify for registration.

2875.3530 DEBT SECURITIES.

Subp. 3. **Bonds issued by governmental entities.** With respect to bonds or similar interest-bearing securities issued by the United States, any state, any political subdivision of any state, or any corporate or other instrumentality of one or more of those entities other than those which are exempt from registration under *Minnesota Statutes*, section 80A.15, or are rated in one of the top four letter rating categories by Fitch Investors Service, Inc., Standard and Poor's Corporation, or Moody's Investor Services, Inc., the protective provisions specified in subpart 1 shall apply to the user or borrower of the offering proceeds, or, if a different entity, the person obligated to make payment of principal and interest on the bonds or securities or obligated to make payments under a lease, sale, loan, or guarantee arrangement sufficient to make principal and interest payments on the bond or securities.

2875.3531 SECURITY INTEREST.

In connection with the offering of bonds or similar interest-bearing securities issued by the United States, any state, any political subdivision of any state, or any corporate or other instrumentality of one or more of those entities, the trustee must be granted, for the benefit of the bondholders or security holders, a mortgage and security interest of first priority in the facility to be constructed, land to be acquired, and other real or personal property to which the offering proceeds will be applied unless:

B. the securities are rated in one of the top four letter rating categories by Fitch Investors Service, Inc., Standard and Poor's Corporation, or Moody's Investor Services, Inc.; or

2875.3532 PROHIBITION; NONRECOURSE LOANS.

No part of the offering proceeds resulting from the sale of bonds or similar interest-bearing securities issued by the United States, any state, any political subdivision of any state, or any corporate or other instrumentality of one or more of those entities may be loaned to a person on a nonrecourse basis.

This prohibition does not apply to bonds or similar interest-bearing securities exempt from registration under *Minnesota Statutes*, section 80A.15 or rated in one of the top four letter rating categories by Fitch Investors Service, Inc., Standard and Poor's Corporation, or Moody's Investor Services, Inc.

2875.3533 SUITABILITY STANDARD.

Except with respect to bonds or similar interest-bearing securities exempt from registration under *Minnesota Statutes*, section 80A.15 or those rated in one of the top four letter rating categories by Fitch Investors Service, Inc., Standard and Poor's Corporation, or Moody's Investor Services, Inc., purchasers of bonds or similar interest-bearing securities issued by the United States, any state, any political subdivision of any state, or any corporate or other instrumentality of one or more of the foregoing, shall have a minimum annual gross income of \$30,000 and a net worth of \$30,000, or in the alternative, a net worth of \$75,000. Net worth is determined exclusive of home, home furnishings, and automobiles.

A purchaser will be considered to meet the standards in this part if the purchaser has certified within the 24-month period immediately preceding the purchase that the standards are satisfied.

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 Health Board of Social Work

Adopted Emergency Rules Relating to Social Worker Licenses

The rules proposed and published at *State Register*, Volume 13, Number 11, pages 602-608, September 12, 1988 (13 S.R. 602) are adopted with the following modifications:

Rules as Adopted

4740.0110 [Emergency] DEFINITIONS.

Subp. 6. **Supervision.** "Supervision" means taking professional responsibility for training, work experience, and performance in the practice of social work of a supervisee. Supervision ~~includes planning for and evaluating the work performance of the supervisee, and includes regular face-to-face contact~~ also means direction of social work practice in face-to-face sessions between the supervisor and supervisee.

Subp. 7. **Supervisor.** "Supervisor" means a person who meets the educational and experience requirements for licensing as a social worker under Minnesota Statutes, section 148B.21, or another qualified professional, such as, but not limited to, an agency director, a consulting supervisor, a school principal, or a nursing home administrator, whom the board deems appropriate when a social work supervisor, as required, is unobtainable.

4740.0140 [Emergency] EXAMINATION.

B. The examination required for each of the categories of licensing described in Minnesota Statutes, section 148B.21, subdivisions 1 to 6, is the examination of the American Association of State Social Work Boards. Cut-off scores are determined on a nationwide basis.

E. An applicant who fails an examination may take the examination at the next scheduled offering of the examination after paying the examination fee. The applicant ~~shall~~ may take the examination only one additional time within the year following the original examination. If the applicant fails the additional examination, the applicant shall take only one examination per year after failing the additional examination.

4740.0150 [Emergency] RECIPROCITY.

The board ~~may~~ shall grant a license to an applicant who provides satisfactory verification that the applicant is licensed under the laws of a state or territory of the United States that imposes substantially the same requirements as parts 4740.0110 to 4740.0310 [Emergency]. If the applicant fails to provide satisfactory verification, the applicant must pass the examination required by part 4740.0140 [Emergency]. The board shall not issue a license until the licensing agencies of the states in which the applicant has held

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.

Emergency Rules

a professional license verify, on a form provided by the board, the status of any disciplinary action involving those licenses. The applicant must:

4740.0180 [Emergency] TERM OF LICENSE, EFFECTIVE DATE.

An initial license is effective when the board notifies the applicant, in writing, that the license is granted and the licensee license has been assigned a number. Unless a license is revoked or suspended, it is valid for two years and must be renewed according to parts 4740.0190 [Emergency] and 4740.0195 [Emergency].

4740.0190 [Emergency] BIENNIAL RENEWAL OF LICENSE.

Licenses must be renewed every two years from the effective date established in part 4740.0180 [Emergency]. A license granted between January 1989 and July June 1989 must be renewed according to part 4785.0195 [Emergency]. For a license to be renewed, a licensee must pay the renewal fee in part 4740.0290 [Emergency] and complete the appropriate number of hours of continuing education.

4740.0195 [Emergency] RENEWAL OF LICENSES ISSUED IN THE TRANSITIONAL PERIOD.

A license issued between January 1989 and July June 1989 must be renewed according to items A and B.

A. A license ending with an odd licensee number must be initially renewed by July 31 of the first next odd-numbered year that follows the effective date established in part 4740.0180 [Emergency].

B. A license ending with an even licensee number must be initially renewed by July 31 of the first even-numbered year that follows the effective date established in part 4740.0180 [Emergency].

4740.0210 [Emergency] INACTIVE LICENSE STATUS.

A license shall be placed on inactive status when a licensee applies for inactive status and pays the inactive status fee in part 4740.0290 [Emergency].

While a person's license is on inactive status, the person shall not practice, attempt to practice, or offer to practice social work.

The board shall reactivate a license of a person who is on inactive status and who desires to resume the practice of social work, if the person notifies the board in writing of this intention, meets the continuing education requirements in effect, and pays the initial renewal license fees. The board shall then reissue a license.

4740.0220 [Emergency] REINSTATEMENT OF EXPIRED LICENSE.

An expired license may be reinstated if:

A. the licensee individual can show good cause for nonrenewal, such as hardship or long-term illness;

C. the licensee individual passes the examination required in part 4740.0140 [Emergency] and pays the fees required in part 4740.0290 [Emergency].

~~A licensee~~ An individual whose license has expired shall not use the title for which the license was issued and shall not practice social work.

4740.0250 [Emergency] SUSPENSION OR REVOCATION OF LICENSE.

Under Minnesota Statutes, chapters 14 and 148B, the board may deny, suspend, revoke, condition, or limit the license of any person whom the board, after a contested case under Minnesota Statutes, chapter 14, determines:

A. has violated a provision of Minnesota Statutes, sections ~~148B.18 to 148B.27~~ 148B.05, 148B.26, and 148B.27;

4740.0260 [Emergency] SUSPENDED OR REVOKED LICENSE.

A licensee whose license has been suspended or revoked must return the license to the board within ten days after the effective date of the suspension or revocation. Failure to comply with this part constitutes grounds for the denial of any subsequent request for reinstatement.

4740.0270 [Emergency] RESTORING A LICENSE.

~~For reasons it finds sufficient and upon a majority vote of a quorum of its members, the board may reinstate a license that has been revoked, reduce a period of suspension, withdraw a reprimand, or otherwise restore a license to full status. A former licensee may have a license restored to full status, have a suspension period reduced, or have a reprimand withdrawn if:~~

A. the former licensee shows competent evidence of completing required rehabilitation or present fitness to perform required occupational duties; and

B. a majority of a quorum of board members votes to restore the license.

4740.0280 [Emergency] VARIANCE.

Subpart 1. **Request for variance.** An applicant or licensee may ask the board for a variance from the provisions of parts 4740.0100 to 4740.0310 [Emergency].

A request for a variance must be submitted to the board in writing and must contain:

C. the alternative measures that will be taken to protect the public if a variance is granted;

E. ~~any other relevant information the board needs to properly evaluate the request for a variance~~ additional information that the board requests from the applicant, that relates to the request for a variance.

4740.0310 [Emergency] ETHICAL STANDARDS.

Subpart 1. **Responsibility to clients.** A licensee's primary professional responsibility is to the client. The licensee shall make every effort to advance the welfare and best interests of families, individuals, groups, and communities. A licensee must respect the rights, including the right to self-determination, of those persons seeking assistance. A licensee must perform professional duties on the highest levels of integrity and confidentiality and shall not hesitate to ask for assistance from other professional disciplines when circumstances dictate. A licensee must protect the public against, and shall report, unethical, incompetent, and dishonorable practices to the board or other appropriate authority, as required under Minnesota Statutes, section 626.556 or 626.557, governing reporting abuse of children and vulnerable adults, and Minnesota Statutes, section 148B.07, subdivision 4, governing reporting unprofessional conduct or incompetence of licensed professionals.

Subp. 2. **Nondiscrimination.** A licensee must not discriminate on the basis of age, sex, race, national origin, religion, ~~sex~~, physical handicap, political affiliation, or social or economic status, according to Minnesota Statutes, sections 363.01 to 364.14. In addition, a licensee must not discriminate on the basis of affectional preference, or choice of lifestyle.

Subp. 3. Relations with clients.

A. A licensee shall not engage in any type of sexual activities with a client, as prohibited in Minnesota Statutes, chapter 148A.

B. A licensee shall not engage in sexual activities with a former client for two years after the professional relationship with the client ends. ~~A licensee who violates this requirement may be liable under,~~ as prohibited in Minnesota Statutes, chapter 148A.

C. A licensee shall not offer medication, controlled substances, or alcoholic beverages to a client, unless ordered by a physician, nor accept these substances from a client.

D. A licensee, ~~while offering dignified and reasonable support,~~ must be cautious in prognosis and shall not exaggerate the efficacy of services.

Subp. 4. **Code of personal conduct.** The licensee must ~~value~~ demonstrate objectivity, integrity, and sound standards in the interest of service to the public and to the profession. Licensed status shall not be used as a claim, promise, or guarantee of successful service, nor shall the license be used to imply that the licensee has competence in another service. The licensee shall not misrepresent professional qualifications, affiliations, and licenses of the licensee or the institutions and organizations with which the licensee is associated.

B. A licensee shall not engage in sexual activities with a former client for two years after the professional relationship with the client ends. ~~A licensee who violates this requirement may be liable under,~~ as prohibited in Minnesota Statutes, chapter 148A.

D. A licensee shall not use any drug, controlled substance, alcoholic beverage, or medication in a manner that impairs the licensee's ability to conduct the practice authorized by license.

E. A licensee must provide professional services to anyone regardless of age, sex, race, national origin, religion, ~~sex, national origin~~ physical handicap, political affiliation, or social or economic status, as required in Minnesota Statutes, sections 363.01 to 364.14. A licensee must also provide professional services to anyone, regardless of affectional preference, or choice of lifestyle. When unable to offer services for any reason, a licensee shall make an appropriate referral.

I. A licensee shall not attempt to diagnose, prescribe for, treat, or advise on problems outside of the licensee's ~~area~~ level of competence.

Subp. 5. Confidentiality and keeping records.

A. Records indicative of the problems and scope of services must be maintained to ensure security and confidentiality of clients. Records which personally identify the client shall not be released to third parties unless:

(1) the client or authorized representative consents in writing;

C. When there is clear and immediate danger to an individual or society, a licensee has the duty to warn the person or others as required under Minnesota Statutes, sections 148.975 and 148.976. A licensee shall communicate information to others without the client's consent.

Emergency Rules

Subp. 6. **Research.** A licensee must conduct research activities with full respect for the rights and dignity of participants and with full concern for their welfare. A person's participation in research must be voluntary, and based on the informed consent of the participant or authorized representative.

~~**EFFECTIVE DATE.** The effective date of parts 4740.0100 to 4740.0310 [Emergency] is November 1, 1988.~~

Official Notices

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

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

Minnesota Comprehensive Health Association

Notice of Board of Directors Meeting

NOTICE IS HEREBY GIVEN that a meeting of the Board of Directors of the Minnesota Comprehensive Health Association will be held at 9:00 a.m. on Tuesday, December 13, 1988, at Prudential Insurance Company of America, 3701 Wayzata Boulevard, Minneapolis, Minnesota, 55416. For additional information, please call (612) 456-8466.

Minnesota Comprehensive Health Association

Notice of Meeting of the Legislative and Public Policy Committee

NOTICE IS HEREBY GIVEN that a meeting of the Legislative and Public Policy Committee of the Minnesota Comprehensive Health Association will be held at 2:00 p.m. on Wednesday, December 7, 1988, at Group Health, Inc., 2829 University Avenue Southeast, Minneapolis, in the sixth floor large conference room. For additional information, please call Mr. Brian Osberg at (612) 623-8464.

Ethical Practices Board

Notice of 1989 Campaign Expenditure Limits

In accordance with *Minnesota Statutes* §§ 10A.25 and 10A.255, the following are nonelection year campaign expenditure limits in 1989, by office sought or held: Governor and Lt. Governor, \$283,643; Attorney General, \$47,274; Secretary of State, State Treasurer, State Auditor (each), \$23,637; State Senator, \$7,092; and State Representative, \$3,720.

Department of Finance

Notice of Maximum Interest Rate for Municipal Obligations for December

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 December, 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: 21 November 1988

Peter Sausen
Assistant Commissioner
Cash & Debt Management

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 Rules by Physicians of Minnesota

NOTICE IS HEREBY GIVEN that the Department of Health is seeking opinions and comments pertaining to a request by Physicians of Minnesota for a waiver of HMO statutes and rules relating to prescription drug coverage under PHP Select Plan, PHP Choice Plan and PHP Greater Minnesota Plan. Such waivers are authorized for demonstration projects by *Minnesota Statutes* § 62D.30.

The request submitted by Physicians of Minnesota is available for inspection during normal business hours at the following location:

Alternative Delivery Systems
Room 450
Minnesota Department of Health
717 Delaware Street S.E.
Minneapolis, Minnesota 55440
(612) 623-5365

Comments on the request must be received by December 12, 1988.

Department of Human Services

Notice of Criteria to be used to determine the medical appropriateness of procedures subject to second surgical opinions

Pursuant to *Minnesota Statutes*, section 256B.02, subdivision 8, paragraph 21, these are the criteria the medical review agent shall follow in determining whether a surgical procedure requiring a second surgical opinion is medically appropriate.

Criteria for Hysterectomy

Reason for admission (one of the following)

1. Malignant disease of the cervix, uterus, ovaries or fallopian tubes
2. Uterine fibroids (leiomyomas) that are either:
 - a. Symptomatic, e.g., causing bladder pressure, pain, fullness, functional disturbance
 - b. Submucous with bleeding
 - c. Showing rapid and progressive enlargement, documented in a 3 month period, or
 - d. Failing to atrophy after menopause
3. All of the following:
 - a. Recurrent or persistent uterine bleeding or discharge
 - b. Benign endometrial sample or negative hysteroscopy
 - c. Failure to respond to at least one D & C and a trial of hormonal therapy (if not contraindicated)
4. Menorrhagia with secondary anemia, unresponsive to conservative management such as uterine curettage, iron therapy and hormonal therapy (if not contraindicated)
5. Confirmed diagnosis of endometriosis with documented failure or nonsurgical management, e.g., use of hormonal therapy (if not contraindicated) and/or low dose contraceptives
6. Endometritis (inflammation of the endometrium) unresponsive to curettage and antibiotics
7. Pelvic inflammatory disease with suspected rupture or leakage of pelvic abscess
8. Adenomatous endometrial hyperplasia with moderate or severe atypia recurring despite curettage and/or hormonal therapy (if not contraindicated), demonstrated by findings of fractional D & C

Official Notices

9. Obstetrical catastrophes, such as uncontrollable postpartum bleeding, uterine rupture, uncontrolled uterine sepsis developing from septic abortion, placenta accretio, etc.

10. Septic abortion not responsive to curettage and medical therapy

11. Removal of the uterus in non-gynecologic pelvic surgery where necessary to encompass disease originating elsewhere, as in uterine involvement in colon cancer or in abscess secondary to diverticulitis

12. Symptomatic uterine prolapse or descent due to disease or derangement of supporting structures resulting in general pelvic relaxation

Criteria for Tonsillectomies and Adenoidectomies

Indications for Tonsillectomy

1. Any one of:

a. Suspected tonsillar tumor; or

b. Peritonsillitis or documented history of peritonsillitis; or

c. Diphtheria bacilli infected tonsil; or

d. Tonsillar hypertrophy obstructing the airway causing: 1) cor pulmonale; or 2) abnormality of breathing, swallowing, or speech of at least three months duration; or 3) inadequate weight gain or weight loss due to dysphagia; or

e. Recurrent or chronic tonsillitis with anterior cervical adenitis or associated positive cultures for streptococci (Recurrent means four or more physician documented episodes in the preceding 12 months. Chronic means persistent tonsillar exudate and tonsillar hypertrophy of at least six months.)

Indications for Adenoidectomy

2. Any one of:

a. Adenoid hypertrophy obstructing the airway causing: 1) cor pulmonale; or 2) abnormalities of breathing, speech, swallowing, or dental occlusion; or

b. Recurrent or persistent adenoiditis (or suspected Tornwaldts; cyst) as evidenced by three or more physician documented episodes in the preceding 12 months.

c. Chronic otitis media with effusion (serous, mucoid, secretory) of at least eight weeks duration and unresponsive to tympanostomy therapy

Relative Contra-indications

3. Tonsillectomy in patients under three years of age unless obstructive apnea is documented

4. Adenoidectomy in patients with velopharyngeal insufficiency

5. Tonsillectomy or adenoidectomy in patients with frank or submucous cleft palate

Criteria for Cholecystectomy

Indications for approval (one of the following)

A. Gallstones in common bile duct

B. Jaundice and dilated common duct

C. Cholecystitis

1. Acute cholecystitis, or

2. Patients with *old* history of acute cholecystitis (6 months to 2 years ago) if stones are present in gallbladder, or

3. Patients with *recent* cholecystitis (past 6 months) if:

a. Gallstones are present in gallbladder, or

b. Gallstones are absent but gallbladder is nonvisualizing*

D. Biliary colic

1. With nonvisualized gallbladder*, or

2. With gallstones in gallbladder

E. Pancreatitis

Patients with chronic or acute recurring pancreatitis and gallstones

*by radiography X2 or evidence of collapse at gallbladder around calculi by ultrasound

F. Removal of gallbladder *at time of surgery for other condition* if gallbladder has stones and symptoms compatible with gallbladder disease

G. Salmonella carriers

H. Tumor of gallbladder

I. Evidence of gangrene, contained perforation or cholecystitis by ultrasound or CT scan

J. During total or partial right hepatectomy or dearterialization of liver for metastatic disease

The requirements of the Medical Assistance and General Assistance Medical Care second surgical opinion program are outlined in *Minnesota Rules*, parts 9505.5000 to 9505.5105.

Minnesota Regent Candidate Advisory Council

Draft Criteria For University Regents For Information and Comment

A. Personal.

- Unquestioned integrity.
- Wisdom and breadth of vision.
- Independence.
- An inquiring mind and an ability to speak it articulately and succinctly.
- Ability to challenge, support and motivate University administration.
- An orientation to the future with an appreciation of the University's heritage.
- The capability and willingness to function in an atmosphere of collegiality and selflessness.
- A recognition of the public nature of the position including the open process of election and service.

B. Professional/experiential.

- Valid knowledge and experience that can bear on University problems, opportunities, and deliberations.
- A record of success in one's own career.
- An understanding of the Board's role of governance and a proven record of accomplishment with the governing body of one or more appropriate organizations.

C. Commitment.

- Commitment to education.
- Enthusiastic understanding and acceptance of the University's mission.
- A willingness to commit the time and energy necessary to fulfill the responsibilities of a University Regent.
- The capability to foresee six to twelve years of constructive and productive service.
- Overriding loyalty to the University and to the public interest rather than to any region and constituency.

The deadline for nominating yourself or another person as a candidate for the Board of Regents is December 20, 1988 (previously reported as Dec. 15th). Contact Janet Lund, Room 85, State Office Building, St. Paul, MN 55155. 612-297-3697.

Board of Regents Responsibilities—Draft

1. Clarify the mission and approve programs necessary to achieve it.
2. Appoint, monitor, advise, motivate, support, evaluate, and if necessary or advisable, replace the President.
3. Approve major policies, long range plans, educational programs, and annual budgets while clearly delegating administrative responsibilities.
4. Accept fiduciary responsibility for the long term welfare of the University.
5. Ensure adequate resources — human, financial, physical — and effective management of those resources.
6. Preserve the institutional autonomy.

Official Notices

7. Ensure collaboration with other educational systems and with other institutions related to its mission.
8. Serve as a court of appeals when appropriate.
9. Enhance the public image of the University.
10. Monitor and evaluate the performance of the institution in achieving its goals and mission.
11. Regularly evaluate the Board's performance and take steps to improve it.

Individual Regent Responsibilities—Draft

1. To seek to be fully informed about the University and its role in the state and in the higher education and to be responsive to the changing environments which affect it.
2. To support the mission of the University.
3. To speak one's mind at Regents' meetings but support policies and programs once established.
4. To understand that the Regents' role is policy making and not involvement in administration or the management process.
5. To strengthen and sustain the President while being an active, energetic, and probing Board member exercising critical judgment on policy matters.
6. To communicate promptly to the President any significant concern or complaint and then let the President deal with it.
7. To defend the autonomy and the independence of the University.
8. To maintain an overriding loyalty to the entire University rather than to any part of it or constituency within it.
9. To represent all the people of Minnesota and no particular interest, community, or constituency.
10. To help enhance the public image of the University and the Board of Regents.
11. To recognize that authority resides only with the Board as a whole and not in its individual members.
12. To recognize that the President is the primary spokesperson for the University, and the Chair of the Board is the only other person authorized to speak for the Board.
13. To foster openness and trust between the Board of Regents, the administration, the faculty, and the students.
14. To maintain a decent respect for the opinions of one's colleagues and a proper restraint in criticism of colleagues and officers.
15. To recognize that no board member shall make any request or demand for action that violates the written policies, rules and regulations of the Board or of the University.
16. To maintain the highest ethical standards and never to allow any personal conflict of interest to exist.

Office of the Ombudsman for Mental Health and Mental Retardation

Notice of Meeting

The Ombudsman for Mental Health and Mental Retardation Advisory Committee will conduct a general meeting at 9:00 a.m. on Friday, December 9, 1988. The meeting will be held at the Capitol Holiday Inn, Sibley Room A & B, second floor.

Pollution Control Agency and the Public Facilities Authority

Applications Accepted for the Capital Cost Component Grant Program, a Set Aside of the Independent State Grants Program for Construction of Municipal Wastewater Treatment Facilities

NOTICE IS HEREBY GIVEN that the Minnesota Public Facilities Authority (PFA) is accepting applications for the Capital Cost Component Grant Program, a set aside of the Independent State Grants Program for construction of municipal wastewater treatment facilities. This program was created to provide grants to municipalities for part of the capital cost component of the service fee under a service contract with a private vendor to construct and operate wastewater treatment facilities (*Minnesota Statutes* Sec. 116.18, subd. 3b (Supp. 1987)). PFA has been authorized to set aside up to \$1,500,000 for this program. The Minnesota Pollution Control Agency (MPCA) will perform the necessary reviews for certification to the PFA for the award of grants.

MPCA program requirements (*Minnesota Rules* parts 7075.1105 to 7075.1160) including eligibility and application requirements were published in the June 13, 1988 *State Register* (12 S.R. 2694) with modifications published in the November 21, 1988 *State Register* (12 S.R. 1238). Copies of the administrative rules are also available from the MPCA or the PFA.

Applications will be accepted for a 90 day period ending at 4:30 p.m. on March 6, 1989. If mailed, applications must be postmarked by March 6, 1989.

For additional information or an application packet, please contact:

Joan deMeurisse
Municipal Wastewater Treatment Section
Division of Water Quality
Minnesota Pollution Control Agency
520 Lafayette Rd.
St. Paul, Minnesota 55155
Phone: (612) 296-7211

Milan Thoreson
Public Facilities Authority
Minnesota Department of Trade and Economic Development
Community Development Division
900 American Center Building
150 East Kellogg Blvd.
St. Paul, Minnesota 55101-1421
Phone: (612) 297-1982

Minnesota Pollution Control Agency

Hazardous Waste Division Tanks and Spills Section

Notice of Intent to Solicit Outside Opinions Regarding the Development of Regulations Governing the Training and Certification of Storage Tank Installers

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is seeking information or opinions from sources outside the MPCA for the purpose of developing and adopting rules applicable to installers of storage tanks in the state. The adoption of the rule is authorized by *Minnesota Statutes* § 116.491 (1987), which requires the MPCA to adopt rules governing the training and certification of storage tank installers. An installer is defined by statute as "a person who places, constructs, or repairs an aboveground or underground tank, or permanently takes an aboveground or underground tank out of service."

The MPCA invites all interested persons or groups to submit information or comments on this subject to Beth G. Lockwood, MPCA, Hazardous Waste Division, Tanks and Spills Section, 520 Lafayette Road North, St. Paul, Minnesota 55155 (612/297-3081).

Any written material received by the MPCA by February 6, 1989, shall become part of the background record regarding these rules.

Gerald L. Willet
Commissioner

State Board of Vocational Technical Education

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Rules for Licensure of Postsecondary Technical Education Personnel

NOTICE IS HEREBY GIVEN that the State Board of Vocational Technical Education is seeking information or opinions from sources outside the agency in preparing to amend Chapter Thirty-Five: Rules for Licensure of Vocational Technical Education Personnel and specifically in adult supplementary, marketing, and business and office occupations. The promulgation of these rules is authorized by *Minnesota Statutes* § 136C.04, subd. 9. and 125.185 subd. 4.

The State Board of Vocational Technical Education requests information and comments concerning the subject matter of these rules. Interested or affected persons may submit written statements of information or comment orally. Written comments should be addressed to:

Ms. Glenda Moyers
State Board of Vocational
Technical Education
101 Capital Square Bldg.
550 Cedar Street
St. Paul, MN 55101
(612) 296-9444

Ms. Georgia Pomroy
State Board of Vocational
Technical Education
101 Capital Square Bldg.
550 Cedar Street
St. Paul, MN 55101
(612) 296-3929

Official Notices

Oral Statements will be received during regular business hours over the telephone at (612) 296-3929 or in person at the above address.

All statements of information and comments shall be accepted until 4:30 p.m., Thursday, January 26, 1989. Any written material received by the State Board of Vocational Technical Education shall become part of the record to be submitted to the Attorney General or Administrative Law Judge in the event the rule is adopted.

Helen Henrie, Deputy Director
State Board of Vocational
Technical Education

State Contracts and Advertised Bids

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

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

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

Department of Administration: Materials Management Division

Contracts and Requisitions Open for Bid

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

Commodity: Ergonomic office chairs
— rebid
Contact: Linda Parkos 612-296-3725
Bid due date at 2pm: December 5
Agency: Jobs & Training
Deliver to: St. Paul
Requisition #: 21200 19602

Commodity: Multi-solvent delivery
system
Contact: Joseph Gibbs 612-296-3750
Bid due date at 2pm: December 5
Agency: Agriculture
Deliver to: St. Paul
Requisition #: 04111 92116

Commodity: Test & start up Trane
centrifugal chillers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: December 5
Agency: State University
Deliver to: Bemidji
Requisition #: 26070 13742

Commodity: Aeration pumps
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: December 5
Agency: Southern Service Center DNR
Deliver to: Various
Requisition #: 29000 51129

Commodity: NEC computer
Contact: Bernie Vogel 612-296-3778
Bid due date at 2pm: December 6
Agency: Vermillion Community College
Deliver to: Ely
Requisition #: 27147 47137

Commodity: Power conditioner &
power supplies
Contact: Joseph Gibbs 612-296-3750
Bid due date at 2pm: December 7
Agency: Agriculture
Deliver to: St. Paul
Requisition #: 04661 92120

Commodity: Gas chromatograph
Contact: Joseph Gibbs 612-296-3750
Bid due date at 2pm: December 7
Agency: Agriculture
Deliver to: St. Paul
Requisition #: 04111 92117

Commodity: Athletic clothing
Contact: Dale Meyer 612-296-3773
Bid due date at 2pm: December 7
Agency: Community College, State
University
Deliver to: Various
Requisition #: Price Contract

Commodity: Lease/purchaser *IBM
3090-200 E
Contact: Bernie Vogel 612-296-3778
Bid due date at 2pm: December 8
Agency: Information Management
Bureau
Deliver to: St. Paul
Requisition #: 02410 90116

State Contracts and Advertised Bids

Commodity: Acetylene and oxygen welding gas
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: December 8
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Library shelving & install — rebid
Contact: Linda Parkos 612-296-3725
Bid due date at 2pm: December 9
Agency: Community College
Deliver to: Rochester
Requisition #: 02310 16383 2

Commodity: Light fixtures
Contact: Joan Breisler 612-297-2729
Bid due date at 2pm: December 9
Agency: Correctional Facility
Deliver to: St. Cloud
Requisition #: 78830 09591

Commodity: Manual microplate reader
Contact: Joseph Gibbs 612-296-3750
Bid due date at 2pm: December 9
Agency: State University
Deliver to: Winona
Requisition #: 26074 12379

Commodity: Software
Contact: Joan Breisler 612-297-2729
Bid due date at 2pm: December 12
Agency: Fiscal Services
Deliver to: St. Paul
Requisition #: 21200 19816

Commodity: McQuay air cooled fluid cooler
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: December 12
Agency: State University
Deliver to: Mankato
Requisition #: 26071 18406

Commodity: Carrier air cooled condensers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: December 12
Agency: State University
Deliver to: Mankato
Requisition #: 26071 18408

Commodity: Portable computer etc.— rebid
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: December 12
Agency: Jobs & Training
Deliver to: St. Paul
Requisition #: 21200 19807

Commodity: Lumber—rebid
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: December 12
Agency: Transportation
Deliver to: Duluth
Requisition #: 79100 08968

Commodity: Four wheel drive loader/ tool carrier—rebid
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: December 9
Agency: Transportation
Deliver to: Various
Requisition #: 79382 01531

Commodity: Large cargo van 138" wheel base—rebid
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: December 9
Agency: Correction Facility
Deliver to: Oak Park Heights
Requisition #: 78630 08343

Commodity: Wang upgrade
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: December 13
Agency: Employee Relations
Deliver to: St. Paul
Requisition #: 24000 98715

Commodity: Ready mix concrete— rebid
Contact: Joan Breisler 612-297-2729
Bid due date at 2pm: December 13
Agency: Transportation
Deliver to: Detroit Lakes
Requisition #: 79400 EM

Commodity: Aggregator—Detroit Lakes—rebid
Contact: Joan Breisler 612-297-2729
Bid due date at 2pm: December 13
Agency: Transportation
Deliver to: Detroit Lakes
Requisition #: 79400 A

Commodity: Aggregator—Oakdale— Rebid
Contact: Joan Breisler 612-297-2729
Bid due date at 2pm: December 13
Agency: Transportation
Deliver to: Oakdale
Requisition #: 79900 A

Commodity: 4-wheel ATV
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: December 14
Agency: DNR
Deliver to: Grand Rapids
Requisition #: 29002 1734

Commodity: 1988 or newer truck
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: December 14
Agency: Correctional Facility
Deliver to: Lino Lakes
Requisition #: 78550 06356

Contract Awards—Materials Management Division

Item: Electronic component parts & accessories
Req. #: 07500 51668 01
Awarded to: Cetec Vega, Elmonte, CA
Awarded amount: \$11,260.30
Awarded date: November 21, 1988
Shipped to: Minnesota Department of Transportation

Item: Auto HD truck & van
Req. #: 26071 18292 01
Awarded to: Thane Hawkins, White Bear, MN
Awarded amount: \$32,169.00
Awarded date: November 21, 1988
Expir/deliv date: February 15, 1989
Shipped to: Mankato State University

Item: Auto HD truck & van
Req. #: 26071 18293 01
Awarded to: Thane Hawkins, White Bear, MN
Awarded amount: \$9,803.00
Awarded date: November 21, 1988
Shipped to: Mankato State University

State Contracts and Advertised Bids

Item: Auto HD truck & van
Req.#: 26071 18294 01
Awarded to: Thane Hawkins, White Bear, MN
Awarded amount: \$24,490.00
Awarded date: November 21, 1988
Expir/deliv date: February 15, 1989
Shipped to: Mankato State University

Item: Automobile
Req.#: 26074 12342 01
Awarded to: Thane Hawkins, White Bear, MN
Awarded amount: \$22,990.00
Awarded date: November 21, 1988
Expir/deliv date: February 15, 1989
Shipped to: Winona State University

Item: Riser stage theater
Req.#: 26074 12398 01
Awarded to: Secoa, Minneapolis, MN
Awarded amount: \$5,206.00
Awarded date: November 21, 1988
Expir/deliv date: December 30, 1988
Shipped to: Winona State University

Item: Furniture office
Req.#: 55000 95186 02
Awarded to: Johnsons P M Inc., St. Paul, MN
Awarded amount: \$25,828.10
Awarded date: November 21, 1988
Expir/deliv date: January 15, 1989
Shipped to: Department Human Services

Item: Pumps construction type
Req.#: 55105 08264 01
Awarded to: Combustion & Control, Maplewood, MN
Awarded amount: \$9,995.00
Awarded date: November 21, 1988
Expir/deliv date: December 1, 1988
Shipped to: St. Peter Regional Treatment Center

Item: General construction (remodeling)
Req.#: 75250 40011 01
Awarded to: Midwestern Pole Bldg &, Eagan, MN
Awarded amount: \$18,310.00
Awarded date: November 21, 1988
Expir/deliv date: December 5, 1988
Shipped to: Minnesota Veterans Home

Item: Automobile
Req.#: 78760 02523 01
Awarded to: Thane Hawkins, White Bear, MN
Awarded amount: \$10,697.00
Awarded date: November 21, 1988
Expir/deliv date: February 15, 1989
Shipped to: Minnesota Correctional Facility

Item: Door window gutter etc.
Req.#: 79000 92359 01
Awarded to: North Door & Hardware, Duluth, MN
Awarded amount: \$9,783.00
Awarded date: November 21, 1988
Expir/deliv date: January 15, 1989
Shipped to: Various locations

Item: Copying equipment
Req.#: 26070 13739 01
Awarded to: Mesabi Office Equipment Inc, Hibbing, MN
Awarded amount: \$7,565.00
Awarded date: January 22, 1988
Expir/deliv date: November 22, 1988
Shipped to: Bemidji State University

Item: Auto HD truck & van
Req.#: 07500 51695 01
Awarded to: Thane Hawkins, White Bear, MN
Awarded amount: \$13,740.00
Awarded date: November 22, 1988
Expir/deliv date: April 1, 1989
Shipped to: Minnesota Department of Transportation

Item: Computer equipment
Req.#: 24000 95545 01
Awarded to: Pro Data, Minneapolis, MN
Awarded amount: \$7,410.00
Awarded date: November 22, 1988
Expir/deliv date: December 8, 1988
Shipped to: Department of Employee Relations

Item: Computer equipment
Req.#: 26071 18397 01
Awarded to: Unisys, St. Paul, MN
Awarded amount: \$105,920.00
Awarded date: November 22, 1988
Expir/deliv date: December 30, 1988
Shipped to: Mankato State University

Item: Computer equipment-supplies
Req.#: 26071 18400 01
Awarded to: TPS Electric, Palo Alto, CA
Awarded amount: \$11,312.50
Awarded date: November 22, 1988
Expir/deliv date: December 1, 1988
Shipped to: Mankato State University

Item: Repair to other equipment
Req.#: 26074 12335 01
Awarded to: Lidstrom Joel, Caledonia, MN
Awarded amount: \$6,500.00
Awarded date: November 22, 1988
Expir/deliv date: January 20, 1989
Shipped to: Winona State University

Item: Meat fresh frozen canned cured
Req.#: 78620 00267 02
Awarded to: Armour & Co., St. Paul, MN
Awarded amount: \$8,799.50
Awarded date: November 22, 1988
Shipped to: Minnesota Correctional Facility

Item: Meat fresh frozen canned cured
Req.#: 78620 00267 03
Awarded to: Champion Meats & Catering, St. Paul, MN
Awarded amount: \$10,236.70
Awarded date: November 22, 1988
Shipped to: Minnesota Correctional Facility

Item: Clothing outerwear men
Req.#: 78890 02322 01
Awarded to: Williams store, Mound, MN
Awarded amount: \$5,723.04
Awarded date: November 22, 1988
Expir/deliv date: December 30, 1988
Shipped to: Willow River Camp

Item: Rent lease other and general
Req.#: 02520 92044 01
Awarded to: M & M Offset Service, Minneapolis, MN
Awarded amount: \$43,807.20
Awarded date: November 23, 1988
Expir/deliv date: January 30, 1989
Shipped to: Minnesota Department of Administration

State Contracts and Advertised Bids

Item: Rent lease other and general
Req.#: 07300 54147 01
Awarded to: Gelco Equipment Leasing Co., Eden Prairie, MN
Awarded amount: \$17,054.20
Awarded date: November 23, 1988
Expir/deliv date: December 1, 1988
Shipped to: Department of Public Safety

Item: Kitchen equipment & appliance household
Req.#: 99997 10401 01
Awarded to: Johnson Industries, Stillwater, MN
Awarded amount: \$5,614.65
Awarded date: November 23, 1988
Expir/deliv date: January 1, 1989
Shipped to: Normandale Community College

Item: Box
Req.#: 67420 10247 01
Awarded to: Tilsner Carton Co., St. Paul, MN
Awarded amount: \$6,823.00
Awarded date: November 23, 1988
Expir/deliv date: January 1, 1989
Shipped to: Department of Revenue

Item: Ovens, laboratory, general purpose
Req.#: 79000 92336 01
Awarded to: Design Tech, San Diego, CA
Awarded amount: \$6,981.00
Awarded date: November 23, 1988
Expir/deliv date: December 6, 1989
Shipped to: Minnesota Department of Transportation

Item: Repair alteration to building &
Req.#: 26175 09217 01
Awarded to: Driggs & Percy Roofing, Marshall, MN
Awarded amount: \$10,000.00
Awarded date: November 28, 1988
Expir/deliv date: January 30, 1989
Shipped to: Southwest State University

Item: Office supplies
Req.#: 27138 50727 01
Awarded to: Bergstrom Georgene Co., Minneapolis, MN
Awarded amount: \$8,208.70
Awarded date: November 28, 1988
Expir/deliv date: December 15, 1988
Shipped to: Community College Board Office

Item: Motorcycle & scooter
Req.#: 29001 14100 01
Awarded to: Rays Sport & Cycle, Grand Rapids, MN
Awarded amount: \$8,219.60
Awarded date: November 28, 1988
Expir/deliv date: December 10, 1988
Shipped to: DNR—Northern Service Center

Item: Mower attachment and accessories
Req.#: 29001 14125 01
Awarded to: Borgen Implement Inc., Badger, MN
Awarded amount: \$6,837.12
Awarded date: November 28, 1988
Expir/deliv date: December 2, 1988
Shipped to: Department of Natural Resources

Item: Presses, brake
Req.#: 78630 08382 01
Awarded to: Thermex Thermatron Inc., Bay Shore, NY
Awarded amount: \$23,900.00
Awarded date: November 28, 1988
Expir/deliv date: January 30, 1989
Shipped to: Minnesota Correctional Facility

Item: Metallurgical specimen cutoff machines
Req.#: 26071 18252 01
Awarded to: Buehler Ltd., Lake Bluff, IL
Awarded amount: \$5,200.00
Awarded date: November 29, 1988
Expir/deliv date: December 30, 1988
Shipped to: Mankato State University

Item: Computer, personal computers
Req.#: 27148 50340 01
Awarded to: Compar Inc., Eden Prairie, MN
Awarded amount: \$5,482.00
Awarded date: November 29, 1988
Expir/deliv date: December 30, 1988
Shipped to: Rochester Community College

Department of Administration: Print Communications Division

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

Commodity: Return envelopes, 12M 9½" × 5¾" + flap, negs furnished, 1-sided, self-sealing
Contact: Printing Buyer's Office
Bids are due: December 7
Agency: Jobs & Training Department
Deliver to: St. Paul
Requisition #: 3447

Commodity: Deposit with state depository form, 3-part sets, 10M 8½" × 8¾" overall, negs furnished, 1-sided
Contact: Printing Buyer's Office
Bids are due: December 7
Agency: Administrative Department: Central Stores
Deliver to: St. Paul
Requisition #: 3213

Commodity: Requisition for DHS forms, 50M 4-part sets, various sizes, 8½" × 11¾" overall, type to set, 2-sided
Contact: December 7
Bids are due: Printing Buyer's Office
Agency: Human Services Department
Deliver to: St. Paul
Requisition #: 3350

State Contracts and Advertised Bids

Commodity: Embargo Notice, 60 pads of 20 4-part sets, type to set + camera ready, 8½" × 11" overall, 1-sided

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Agriculture Department

Deliver to: St. Paul

Requisition #: 2902

Commodity: Title Registration Card, 300M, 5½" × 3½", 2-sided, camera ready, 100 # white tag

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Public Safety Department

Deliver to: St. Paul

Requisition #: 3233

Commodity: Requisition for supplies, 12.5M 4-part sets, 8½" × 5½" with ¾" stub, 1-sided camera ready

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Education Department

Deliver to: St. Paul

Requisition #: 3143

Commodity: Invoice for Grain Inspection Services, 1M 4-part sets, 8½" × 11" finished, preprinted numbering

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Agriculture Department

Deliver to: Minneapolis

Requisition #: 3340

Commodity: Dealer Purchase Receipt, 180M 3-part sets, 5¾" × 3" overall, camera ready + negs, 1- & 2-sided

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Public Safety Department

Deliver to: St. Paul

Requisition #: 3319

Commodity: 21 Day Permit, 20M 2-part sets, camera ready, 2-sided, 5½" × 4¾" overall preprinted numbering

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Public Safety Department

Deliver to: St. Paul

Requisition #: 3317

Commodity: Envelopes, 40M 10" × 13" + 2½" flap, type to set

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Human Services Department

Deliver to: St. Paul

Requisition #: 3224

Commodity: Marketing Folder with Inserts, 20M folders, 5M inserts, camera ready, 4-color

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: DNR—Forestry

Deliver to: St. Paul

Requisition #: 3332

Commodity: Agency Business Cards, 96 sets: 92 sets of 500, 3 sets of 1,000, 1 set of 1,500; nine lines of printing, type to set + camera ready, different types sizes and weights, 3½" × 2"

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Vocational Technical Education Building

Deliver to: St. Paul

Requisition #: 3288

Commodity: Spring Road Restriction Map, 18" × 23" folded to 6" × 9", 12M sheets, 1-sided, camera ready

Contact: Printing Buyer's Office

Bids are due: December 7

Agency: Transportation Department

Deliver to: St. Paul

Requisition #: 3403

Commodity: Business Cards — 500, 3½" × 2" 1-sided; and various letterheads 8½" × 11"

Contact: Printing Buyer's Office

Bid due date at 2pm: December 12

Agency: Jobs & Training Department

Deliver to: St. Paul

Requisition #: 3153&4

Commodity: MN Elected Officials 1989 and MN Election Results, 5M, 6" × 9" 40p includes self cover, saddle stitch; and 2M 6 × 9 200p plus cover, perfect bind

Contact: Printing Buyer's Office

Bid due date at 2pm: December 12

Agency: Secretary of State

Deliver to: St. Paul

Requisition #: 3245 & 6

Commodity: Managing MN's Fish Booklet, 10M books 84 + cover, 8" × 9", 4-color, perfect bind, type to set + negs available, 2-sided

Contact: Printing Buyer's Office

Bid due date at 2pm: December 12

Agency: NNR

Deliver to: St. Paul

Requisition #: 3090

Contract Awards—Print Communications Division**Item:** Claims for audit**Req.#:** 2922**Awarded to:** Pauly Business Forms Co.,
Plymouth**Amount:** \$210.50**Date:** November 16**Deliver to:** State Auditor, St. Paul**Delivery date:** 28 days**Item:** MSU conference folders**Req.#:** 2926**Awarded to:** Moore American Graphics,
Bridgeview, Ill.**Amount:** \$4,800.00**Date:** November 18**Deliver to:** Mankato State University**Delivery date:** As requested**Item:** Prebill envelope**Req.#:** 2933**Awarded to:** Quality Park Products, St.
Paul**Amount:** \$5,700.00**Date:** November 17**Deliver to:** Public Safety Department,
St. Paul**Delivery date:** January 25, 1989**Item:** Violation warning**Req.#:** 2935**Awarded to:** Custom Business Forms,
Minneapolis**Amount:** \$2,586.00**Date:** November 17**Deliver to:** MN State Patrol, St. Paul**Delivery date:** 15 days**Item:** DPS Kraft envelope**Req.#:** 2957**Awarded to:** Heinrich Envelope Corp.,
Minneapolis**Amount:** \$484.80**Date:** November 17**Deliver to:** Public Safety Department,
St. Paul**Delivery date:** As requested**Item:** MN interstate carrier Id of
authority**Req.#:** 3005**Awarded to:** Royal Business Forms,
Brooklyn Center**Amount:** \$484.00**Date:** November 18**Deliver to:** MnDOT, St. Paul**Delivery date:** 30 days**Item:** Department purchase order**Req.#:** 3007**Awarded to:** Standard Register, St. Paul**Amount:** \$12,796.00**Date:** November 23**Deliver to:** Central Stores, St. Paul**Delivery date:** 40 days**Item:** Certification of rent paid**Req.#:** 3055**Awarded to:** Moore Business Forms,
Bloomington**Amount:** \$9,990.00**Date:** November 18**Deliver to:** Revenue Department, St.
Paul**Delivery date:** As requested**Item:** DL withdrawal notice**Req.#:** 3106**Awarded to:** Royal Business Forms,
Brooklyn Center**Amount:** \$3,195.00**Date:** November 23**Deliver to:** Public Safety Department,
St. Paul**Delivery date:** 45 days**Department of Education****Instructional Design Section****Notice of Request for Teacher Assistance Through Mentorship Program, Minnesota Statutes 125.23, Section 13**

The 1987 Legislature passed the Teacher Assistance Through Mentorship Program, whereby districts were selected, under a competitive grant program, to be demonstration sites that explore the potential of various teacher mentoring programs. The sites are expected to determine the factors most conducive to a quality mentoring program so that they can be shared with or replicated in other schools.

To determine the quality and effectiveness of mentoring efforts at the demonstration sites, the legislation requires the Commissioner of Education to report to the Legislature on the design, development, implementation, and evaluation of the mentorship program. Therefore, qualified individuals or organizations with experience in evaluating educational programs will be employed under contract to work with the Minnesota Department of Education personnel and the Teacher Mentoring Task Force to provide evaluation services and prepare written/oral reports for the Legislature. Specific tasks involve the preparation of a program summary document due February 3, 1989, an in-depth evaluation/progress report due January 1, 1990, and if the legislation is reinstated, a long-term evaluation model for data collection to determine impact of certain factors. The amount of the contract is estimated to be \$16,500, but the Department is not required to adhere to the figure.

The Request of Proposals (RFP) will be due on **December 30, 1988**, and can be obtained from **Marlys Peters, Minnesota Department of Education, 681 Capitol Square Bldg., 550 Cedar St., St. Paul, MN 55101**. If you have questions, please call Marlys Peters at (612/297-2685).

State Contracts and Advertised Bids

Department of Health

Request for Proposal for Continuing Education Assistance with Nursing Child Assessment Training (NCAST)

The Minnesota Department of Health is seeking assistance from a Minnesota university or college with a continuing education department in implementing a Nursing Child Assessment Training (NCAST) project. The tasks associated with this support include:

- Preparing course announcements;
- Registering students;
- Maintaining permanent student records;
- Making site arrangements at multiple locations throughout Minnesota;
- Arranging for professional continuing education credit or university course credit; and
- Assistance in the implementation of a one day conference for NCAST trained professionals.

This work will be coordinated with the Department Lead Trainer for NCAST. Assistance will be required on an intermittent basis between January 15, 1989 and August 31, 1989.

Proposal Cost

The Department has estimated that the cost of this assistance should not exceed \$5,000.

Proposal Contents

Each proposal should contain the following:

1. Evidence of competence to arrange and implement continuing education sessions for public health nurses and other professionals who provide home based service to infants, including the development of course announcements, arrangement of course sites, registration of students, and permanent maintenance of student records;
2. Evidence of ability to provide approved continuing education or university course credit for the NCAST classes;
3. Persons to be assigned and their qualifications;
4. Your approach to fulfilling our requirements;
5. Cost of services to be provided.

Worker's Compensation

The successful applicant will be required to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution on the contract.

Proposal Submission

All proposals and inquiries should be directed to:

Lorene Wedeking, Assistant Director
Section of Public Health Nursing
Minnesota Department of Health
Box 9441
717 Delaware Street SE
Minneapolis, MN 55440
612/623-5235

Proposals must be received by 4:30 p.m., December 16, 1988. Proposals are to be sealed in a mailing envelope or package with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed in ink by a person authorized to enter into a contract for this service. Prices and terms of the proposal as stated must be valid for the length of the project. Final award decisions will be made by December 30, 1988. A formal contract will be executed prior to initiation of the project.

Supreme Court Decisions

Decisions Filed 23 November 1988

C2-87-1707 Borg Warner Acceptance Corp., petitioner, Appellant v. Shakopee Sports Center, Inc., et al., John Dobson, et al. Court of Appeals.

No genuine issue of material fact exists to preclude enforcement by plaintiff of defendant's personal guaranty.

Reversed. Simonett, J.

C1-87-1150, C0-87-1639 Peter M. Madsen, individually and as parent and natural guardian of Justin R. Madsen v. Park Nicollet Medical Center, Park Region, f.k.a. St. Louis Park Medical Center, et al., petitioners, Appellants. Court of Appeals.

The informed consent/negligent nondisclosure rule of medical malpractice law does not impose the duty on an attending physician to disclose to the patient either the availability of additional, but substantially the same, treatment or all potentially increased risks of injury that might ensue from rejection of the additional treatment.

Reversed and remanded. Kelley, J.

Took no part, Coyne, J.

C8-87-1002 Douglas O. Lienhard, petitioner, Appellant v. State of Minnesota, et al. Court of Appeals.

Statutory costs awarded pursuant to *Minnesota Statutes* § 549.02 (1986) and reasonable disbursements pursuant to *Minnesota Statutes* § 549.04 (1986) are not subject to the limitation on tort claims in *Minnesota Statutes* § 3.736, subd. 4(a) (1978).

Pre-verdict interest awarded pursuant to *Minnesota Statutes* § 549.09 (Supp. 1987) is an element of damages attached to the verdict as an additional compensatory sum subject to the limitation set by section *Minnesota Statutes* § 3.736, subd. 4(a) (1978). Post-verdict and post-judgment interest is compensation for the loss of use of money as a result of the nonpayment of a liquidated sum; it is not part of the tort claim and is not subject to the limitation provided by section 3.736.

The statutory classification contained in *Minnesota Statutes* § 3.736, subd. 4(a) (1978) is rationally related to a legitimate government objective and does not violate the equal protection clauses of the federal and Minnesota constitutions.

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

C2-87-2498, C7-88-62 State of Minnesota v. Lionel S. Buchanan, Appellant. Hennepin County.

There was sufficient evidence for a jury to reasonably find the defendant guilty of intentional and premeditated murder under *Minnesota Statutes* § 609.185(1) (1986).

The trial court's evidentiary rulings were not an abuse of discretion and did not result in prejudice to the defendant.

The performance of defendant's trial counsel was not deficient, nor did it result in prejudice to the defendant.

Affirmed. Popovich, J.

Decisions Filed 2 December 1988

C7-88-756 Gary L. Sartori and Susan Sartori v. Harnischfeger Corporation, Appellant v. Oglebay Norton Taconite Company and John Nelson and Candy Nelson v. Harnischfeger Corporation, Appellant v. Oglebay Norton Taconite Company. United States District Court.

A crane permanently installed as part of a mining operation crusher building constitutes an "improvement to real property" under *Minnesota Statutes* § 541.051 (1980).

Minnesota Rules of Civil Procedure 24.04 (1988) does not require notification of the Minnesota Attorney General by a party challenging the constitutionality of a Minnesota statute when the question arises on certification from a United States District Court.

Minnesota Statutes § 541.051 (1980) does not violate the due process clause (art. 1, § 7) or the remedies clause (art. 1, § 8) of the Minnesota Constitution.

Certified questions answered. Popovich, J.

CX-87-1101 In re Petition for Disciplinary Action against Emanuel A. Serstock, an Attorney at Law of the State of Minnesota. Supreme Court.

Respondent's failure to file timely income tax returns, coupled with misconduct regarding conflicts of interest between his public duty as a deputy city attorney and his personal interests, warrants an indefinite suspension.

Indefinitely suspended. Per Curiam.

Announcements

Ombudsman for Corrections: Effective Dec. 19, the Ombudsman for Corrections' new address will be: 1885 University Avenue, Suite 395, St. Paul, MN 55104. The telephone number will remain (612) 296-4500.

Environmental Quality Board (EQB): The FAA, in cooperation with the MN Dept. of Transportation and the Metropolitan Airports Commission, will prepare an environmental impact statement for development at the Mpls-St. Paul International Airport involving the proposed extension of runway 4-22 to the southwest by 2,750 feet. A scoping meeting to provide public input will be held Thursday 15 Dec. at 1 p.m. at the Richfield City Hall Council Chambers, 6700 Portland Avenue, Richfield. Contact Glen Orcutt, FAA-Mpls., 34th Ave. So., Mpls 55450 at (612) 725-4221 for more information or to submit comment until Jan. 16, 1989. Environmental assessment worksheet comments due Dec. 28, and their regional governing units, are: Oxboro Place—Anderson Development, City of Bloomington; Golden Egg Farms Expansion, City of Gaylord; I-35 Owatonna, MnDOT Technical Services; and Timber Bluff, City of Eden Prairie. Petitions for environmental review have been received by the regional governing units for the listed projects: Washington County Public Works Dept. for CSAH 21 in Afton between the intersection of CSAH 21 and South 45th Street in Afton and the intersection of CSAH 21 and South 70th Street in Denmark Township; and the City of Bloomington for the Northgate School Site Development.

Dept. of Revenue: After 28 years in the Centennial Office Building, the Dept. of Revenue began its move to its new leased office building at 10 River Park Plaza, Robert and Fillmore Streets in St. Paul. The move will be completed Dec. 22. Walk-in taxpayer services begin Dec. 5. The move is expected to improve taxpayer services, save interest through faster deposits and provide for more efficient processing and turnaround on refunds. The move will consolidate department employees from 10 locations. Telephone Taxpayer Assistance (TTA) should also be free of interruptions by Dec. 5. The TTA handles questions on tax law, filing requirements, department procedures, account status, forms and billings, and helps taxpayers—individuals and businesses—resolve problems with their returns or refunds. The individual income tax assistance group phone is (612) 296-3781 and 1-800-652-9094; and the business tax group numbers are (612) 296-6181 and 1-800-652-9747.

Duluth I-35 Tunnels: Four tunnels which will carry I-35 under Duluth's historic and scenic downtown are described in the November-December issue of the Duluthian, the publication of the Duluth Area Chamber of Commerce.

Unemployment Figures: Minnesota's unemployment rate for October was 3.6%, a rise of 0.2% from Sept. but below the 4.3% rate one year ago. The national unemployment rate for October was 5.0%. Total employment for the month was 2,271,600, up 0.3% from Sept. On an annual basis jobs have grown 3.5% in Minnesota, while U.S. jobs increased 2.1% for the same 12-month period ending October 1988. The Metropolitan Twin Cities unemployment rate rose to 3.4% in October, up from September's rate of 3.2%, but under last year's October rate of 3.8%. The metropolitan area labor force in October was 1,398,900, up 9,200 from Sept. and up 34,100 from October of last year. The number of people employed in October in the Twin Cities was 1,351,400, up 5,700 from Sept and up 38,700 from October last year. The number of unemployed people in the Twin Cities area in October was 47,500, up 3,500 from September and down 4,700 from October a year ago.

Food Catalogues: "Minnesota At Your Doorstep" is a new listing of 72 Minnesota companies who sell food items by mail order. The variety includes Minnesota wild rice, smoked and fresh meats, fish and poultry, lutefisk and lelse, morel mushrooms, breads and baked goods, confections and more. Copies are available by writing to the Minnesota Dept. of Agriculture, Marketing Division—Dept. MO, 90 West Plato Blvd., St. Paul, MN 55107 or by calling (612) 297-2301. Another directory is being updated for 1989. Names and locations of Minnesota growers, producers and farmers markets that sell directly to consumers are now being solicited for entry into the 1989 Directory of Roadside Stands, Orchards, Pick Your Own Farms and Farmers Markets. The department publishes over 70,000 directories for distribution in April. There is no fee for the entry, but a \$10 donation for each listing is requested. To find out how to be in the directory, persons should write to Paul Hugunin, Marketing Division, MN Dept. of Agriculture, 90 W. Plato Blvd., St. Paul MN 55107 or call (612) 296-6382. The response deadline is February 1, 1989.

Tree City Candidates Wanted: The National Arbor Day Foundation honors outstanding urban forestry programs each year with the Tree City USA designation. Last year 44 Minnesota cities met the four criteria for the designation. To be officially recognized and designated as a 1988 Tree City USA communities must have a legally constituted tree board or department, a community tree ordinance, an active and comprehensive community forestry program supported by a minimum of \$2 per capita, and an Arbor Day proclamation and public tree planting ceremony. Communities wishing to participate in the 1988 program must complete an application and send it to the DNR Division of Forestry no later than Dec. 31, 1988. For more information or an application, contact the DNR Forestry Division, 500 Lafayette Road, St. Paul, MN 55155-4044 or call (612) 296-5958 (or toll free in Minnesota 1-800-652-9747 and ask for DNR Forestry).

The Rules of the Game—a Wise Investment

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

Securities Rules, 1987. Rules implementing the legislative mandate. Subjects include equity securities and investment companies. *Minnesota Rules* Chapter 2875. Code #3-5, \$13.00 plus tax.

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



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

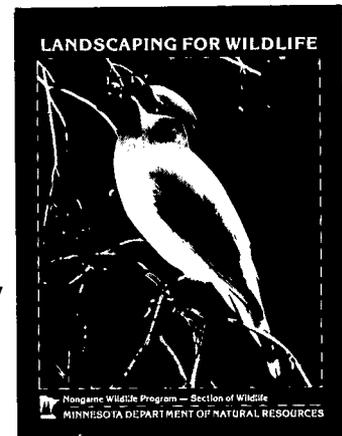
Welcome wildlife to your property

Landscaping for Wildlife. Attract wildlife to your land and gardens, farms and woodlots by spreading nature's welcome mat. Songbirds, butterflies, hummingbirds, pheasants, deer and other wildlife are drawn through these gardening tips and landscaping techniques that add natural beauty to your property and habitat for wildlife. Over 70 color photos and 144 pages give you simple, enjoyable, and inexpensive methods for adding the right touches for a "wildlife party" on your grounds, whether urban or rural. Stock #9-15, \$6.95 plus tax.

Woodworking for Wildlife. Songbirds, owls, ducks, geese, loons and other wildlife will show appreciation for your skills by adding a "wild" dimension to your property. Carefully illustrated with a variety of game bird and mammal box designs, this booklet provides important tips on the placement of nest in proper habitat areas and maintenance requirements. Construction diagrams included. 47 pp. Stock #9-14, \$3.95 plus tax.

Wildlife Set. Order both books above as a set and save 10%. Stock #9-20, \$9.95 plus tax.

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



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

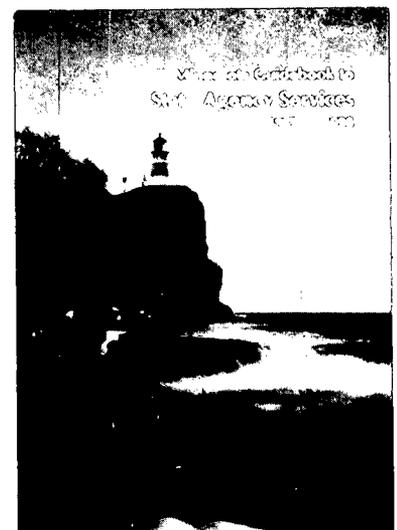
A Beacon to Guide You—Minnesota's Owners Manual

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.



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

Getaway in Style

Room at the Inn Wisconsin. Includes hard-to-find lodgings in out-of-the-way places, as well as in Wisconsin's major metropolitan areas and most popular vacation destinations. 224pp. Stock #19-3. \$9.95 plus tax.

Room at the Inn Minnesota. Looking for a weekday or weekend get-away? For a business meeting or simply pleasure? This is the only guide to more than 50 historic "Bed & Breakfast" homes, hotels, and country inns and all are within a day's drive of the Twin Cities. 127pp. Stock #19-72, \$7.95 plus tax.

Roughing It Elegantly. A guide for the canoe camper visiting the BWCA, Voyageurs Park and Quetico Provincial Park. Full of practical tips and information: planning, organizing, packing, site location, and camp set-up. Simple, creative, enjoyable meals are a major feature. 159pp. Stock #9-3, \$9.95 plus tax.

Guide to Wilderness Canoeing. A unique blend of practical information and personal philosophy. Subjects covered include: spring and fall canoeing, traditional versus modern canoe design, and different paddling techniques. 143pp. Stock #19-81, \$6.95 plus tax.

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



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

Geological Adventures in Minnesota



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

Minnesota's Geology. The fascinating story of Minnesota's geologic development, from early Precambrian to Quaternary Periods and the state's mineral resources. Stock #19-80. \$18.95 plus tax.

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

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

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

Reach Minnesota's health care field decision makers

Health Care Facilities Directory 1988

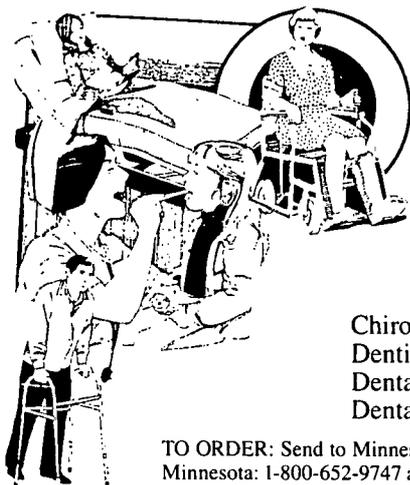
A list of hospitals and related institutions licensed and/or certified to deliver various levels of care. The list is alphabetical by county, town and facility name. Stock No. 1-89. \$16.00.

Mailing Lists of Health Care Professionals Licensed by the State of Minnesota Now Available

Call 297-2552 for more information or write to the address below for your free mailing list catalog.

Chiropractors	Medical Corporations (Clinics)	Pharmacists
Dentists	Registered Nurses	Physical Therapists
Dental Assistants	Licensed Practical Nurses	Physicians
Dental Hygienists	Pharmacies	Veterinarians

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



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

Print Communications Division

Publications, Services, Subscriptions

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

NEW PUBLICATIONS:

1988-89 State of Minnesota Telephone Directory. A compilation of state legislative, judicial and executive offices, and agency addresses, phone numbers, and employees. Sections include alphabetical employee listing, agency classified listing, Greater Minnesota and index listings. Over 250 pages. Stock #1-87. \$10.95 plus tax.

Pharmacy Rules 1988. Governs the licensing and operation of pharmacists and pharmacies. Also includes rules for licensing manufacturers and wholesalers, continuing education for pharmacists, internships, the handling of controlled substances and radio-active drugs, and disciplinary proceedings. Stock #3-67. \$6.00 plus tax.

Health Care Facilities Directory 1988. A list of hospitals and related institutions licensed and/or certified to deliver various levels of care. The list is alphabetical by county, town and facility name. Stock #1-89. \$16.00.

Landscaping for Wildlife. Attract songbirds, deer, butterflies, hummingbirds, pheasants, and other wildlife to your property by using the tips in this 144-page, 4-color book. Stock #9-15, \$6.95 plus tax. See "Special Set Offer" below.

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

"Special Set Offer." Save 10% by purchasing the two books together on wildlife mentioned above. Stock #9-20, \$9.95 plus tax.

OTHER PUBLICATIONS

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

Minnesota's Geology. The fascinating story of Minnesota's geologic development, from early Precambrian to Quaternary Periods and the state's mineral resources. Stock #19-80. \$18.95 plus tax.

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

1987 Laws of Minnesota: Laws of the 1987 legislative session, Code #18-5. \$42.50 per set.

1987 Minnesota Rules: Rules of the 75 state agencies authorized to establish rules of conduct and procedure. Code 18-300. \$160 plus \$9.60 sales tax per 11-volume set.

Minnesota Rules 1988 Supplement Number 1. Updates *Minnesota Rules 1987* and is part of the subscription service for that 11-volume set of administrative rules. A second supplement will be available in December 1988.

Education Rules. Rules of the State Board of Education governing state aid, vocational education, handicapped students, teacher certificates and much more. Code #3-28, \$19.00 plus tax.

Occupational Safety & Health Rules 1987. State standards for safe working conditions including personal protective equipment, walking and working surfaces, illumination and ventilation. Stock #3-18, \$10.00 plus tax.

"Seat Belts Fastened?" Sign. Safety reminder for work, church, club or home, this 12"x18" aluminum sign with black letters on white background features a seat belt "buckle-up" graphic. Stock #19-21, \$16.00.

SUBSCRIPTIONS:

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

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

SERVICES:

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

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

1988 Lake Map Index. Listing over 4,000 lake maps. Free.

Minnesota State Documents Center 1988 Catalog. Lists publications available through Minnesota Documents Center. Free.

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

