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State of Minnesota

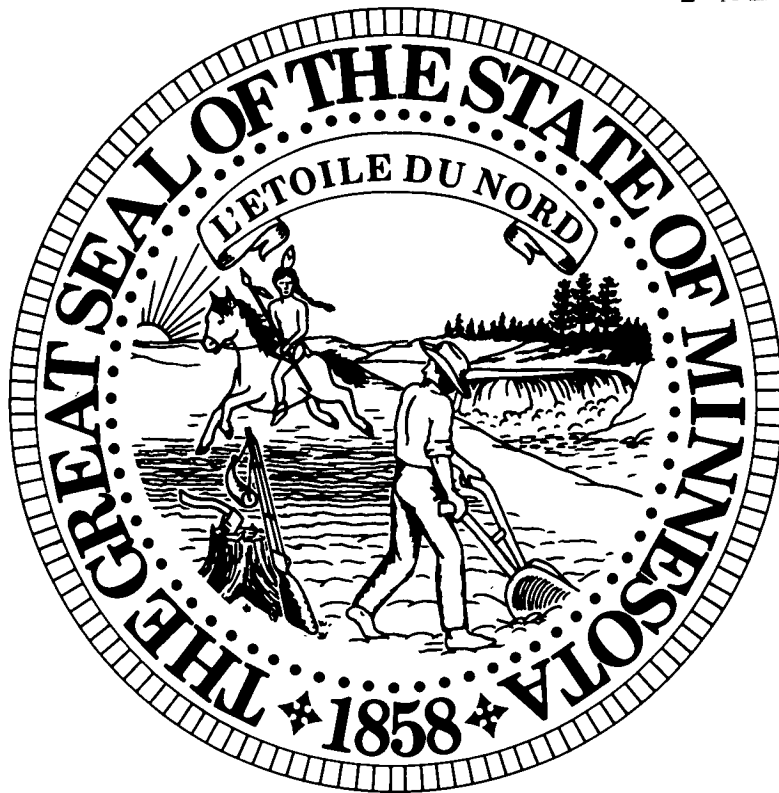
# STATE REGISTER

Department of Administration—Print Communications Division

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# STATE REGISTER

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

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, official notices to the public, state and non-state public contracts, contract awards, 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 Adopted and Proposed Rules**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
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32	Monday 23 January	Monday 30 January	Monday 6 February
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\*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

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

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

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

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

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

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

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**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 Animal Health**

**Proposed Permanent Rules Relating to the Maintenance, Operation, and Inspection of Kennels and Dealers**

**Notice of Intent to Amend Rules Without a Public Hearing**

NOTICE IS HEREBY GIVEN that the State Board of Animal Health proposes to adopt the above entitled rules without a public hearing. The Board has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes* Sect. 14.22 through 14.28 (1986). Authority for adoption of these rules is contained in *Minnesota Statutes* Sections 35.03 (1986) and 347.35.

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

## Proposed Rules

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules and such comments are encouraged. Any person requesting a public hearing should state his or her name and address. Each comment should identify the portion of the rule addressed, the reason for the comment and any change proposed. The proposed rules may be modified if modifications are supported by data and views submitted to the agency and do not result in substantial change in the proposed language.

Unless 25 or more persons submit a written request for a public hearing on the proposed rule within the 30 day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of *Minnesota Statutes* Section 14.131 through 14.20.

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

Keith A. J. Friendshuh, DVM  
State Board of Animal Health  
Rm. 160  
90 W. Plato Blvd.  
St. Paul, MN 55107  
Telephone: (612) 296-3428

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information supporting the proposed rules has been prepared and is available from Dr. Friendshuh upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received and Rules as Adopted, will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change.

Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as adopted, should submit a written statement of such request to Dr. Friendshuh.

The rules proposed for adoption relate to the following matters:

Licensing of Dog and Cat Dealers and Kennels

A copy of the proposed rule and law (*Minnesota Statutes* 347.31-347.40) are attached to this notice.

Dated: 13 January 1989

T.J. Hagerty, DVM  
Executive Secretary  
Board of Animal Health

### Rules as Proposed

#### MAINTENANCE, OPERATION, AND INSPECTION OF ~~DOG~~ KENNELS AND DEALERS

##### 1720.1330 DEFINITIONS.

Subpart 1. **Scope.** The following words and terms ~~shall be~~ are defined as follows where used in ~~these rules~~ parts 1720.1330 to 1720.1578.

Subp. 2. **Board.** "Board" ~~shall mean~~ means the Minnesota Board of Animal Health.

Subp. 2a. Dealer. "Dealer" has the meaning given in *Minnesota Statutes*, section 347.31, subdivision 4.

Subp. 3. [See Repealer.]

Subp. 4. **Duly authorized agent.** "Duly authorized agent" ~~shall mean~~ means an agent of the board, any sheriff or ~~his~~ deputy ~~sheriff~~, or police officer, or ~~state humane agent registered with the board and~~ appointed pursuant to *Minnesota Statutes* ~~1974~~, section 343.01.

Subp. 4a. Humane agent. "Humane agent" means a person appointed as an agent under *Minnesota Statutes*, section 343.01.

Subp. 5. **Institution.** "Institution" ~~shall mean any scientific organization properly concerned with the investigation, instruction, cause, prevention, control, and cure of disease and abnormal conditions of humans and animals.~~ has the meaning given in *Minnesota Statutes*, section 347.31, subdivision 5.

Subp. 5a. Kennel. "Kennel" has the meaning given in *Minnesota Statutes*, section 347.31, subdivision 2.

Subp. 6. **Person.** "Person" ~~shall mean~~ means any individual, firm, partnership, or corporation.

Subp. 7. **Premises.** "Premises" ~~shall mean any building, structure, shelter, or land wherein or whereon dogs are kept or confined.~~ has the meaning given in *Minnesota Statutes*, section 347.31, subdivision 3.

**1720.1390 MAINTENANCE OF QUARTERS AND DOG KENNELS PREMISES.**

Housing facilities ~~shall~~ must be structurally sound and maintained in good repair. Indoor housing facilities ~~shall~~ must be adequately ventilated and have ample light, either natural or artificial.

**1720.1400 DOGS AND CATS KEPT OUTSIDE.**

Dogs and cats kept outside ~~shall~~ must be provided with access to shelter to protect them from the sun, wind, rain, and snow together with adequate bedding when the temperature falls below 50 degrees Fahrenheit.

**1720.1410 DOGS AND CATS CONFINED BY CHAINS.**

If dogs or cats are confined by chains, ~~such chain shall~~ the chains must be so attached that they cannot become entangled with the chains of other ~~dogs animals~~ or any other objects. Chains ~~shall~~ must be of a size commonly used for the size of dog or cat involved and ~~shall~~ must be attached to the dog or cat by means of a well-fitted collar. ~~Such Chains shall~~ must be at least three times the length of the dog or cat as measured from the tip of its nose to the base of its tail.

**1720.1420 ENCLOSURES.**

Enclosures ~~shall~~ must be of sufficient size to allow each dog or cat to turn about fully and to stand, sit, and lie in a comfortable normal position. The ~~floors of enclosures shall~~ enclosure must be constructed so as to prevent injury to the ~~dog's legs and feet~~ dog or cat.

**1720.1430 TEMPERATURE FOR INDOOR HOUSING FACILITIES.**

The temperature for indoor housing facilities ~~shall~~ must not be allowed to fall below 50 degrees Fahrenheit for dogs and cats not acclimated to lower temperatures.

**1720.1440 DISPOSAL FACILITIES.**

Disposal facilities ~~shall~~ must be provided to minimize vermin infestation, odors, and disease hazards.

**1720.1450 ADEQUATE STORAGE AND REFRIGERATION.**

Adequate storage and refrigeration ~~shall~~ must be provided to protect food supplies against contamination and deterioration.

**1720.1460 CLEAN AND SANITARY CONDITION.**

The premises, cages, enclosures, and all housing facilities ~~shall~~ must be cleaned and disinfected as often as it is necessary to maintain a clean and sanitary condition ~~at all times~~.

**1720.1480 FEEDING OF DOGS AND CATS.**

Dogs ~~shall~~ and cats must be fed at least once a day with clean, wholesome food sufficient to meet the normal daily nutritive requirements for the dog's or cat's age, size, and condition.

**1720.1490 WATER.**

Clean potable water ~~shall~~ must be made available to all dogs and cats at least twice daily for periods of not less than one hour.

**1720.1500 FEEDING AND WATERING RECEPTACLES.**

All feeding and watering receptacles ~~shall~~ must be kept clean and sanitary ~~at all times~~.

**1720.1510 ~~DOGS HOUSED~~ HOUSING IN SAME PRIMARY ENCLOSURES ENCLOSURE.**

Dogs or cats housed in the same primary enclosure ~~shall~~ must be maintained in a compatible ~~groups~~ group. Puppies ~~shall~~ or kittens must not be housed in the same primary enclosure with adult dogs or cats other than their ~~dams~~ dam.

**1720.1520 DOGS OR CATS WITH VICIOUS DISPOSITIONS.**

Any dog or cat exhibiting a vicious disposition ~~shall~~ must be housed separately.

**1720.1530 FEMALES IN SEASON ESTRUS.**

Females in season ~~shall~~ estrus must not be confined in the same enclosure with males except for breeding purposes. Dogs or cats used for breeding ~~shall~~ must be of compatible size and only one male and one female ~~shall~~ may be ~~mated at one time~~ confined in a single primary enclosure for breeding.

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

## Proposed Rules

### **1720.1535 HUMANE TREATMENT.**

All dogs and cats must be treated humanely while in the premises.

### **1720.1537 TRANSPORTATION OF DOGS AND CATS.**

Dogs and cats must be transported in vehicles equipped with ample cargo space and enclosures. The number of dogs or cats transported at one time must not exceed the number that can ride comfortably. Vehicles must be adequately equipped to provide sufficient ventilation and still protect the dogs or cats from the elements, injurious drafts, and exhaust fumes.

### **1720.1538 CARGO SPACE FOR DOGS AND CATS.**

The dog and cat cargo space must be constructed and arranged to prevent injuries from fighting and allow for compatible grouping in terms of age, breed, size, and disposition. Separate enclosures must be provided for females in estrus. Dogs or cats must not be placed in enclosures over other animals unless the upper enclosure is constructed to prevent excreta from entering the lower enclosures. All crates, compartments, transport cages, and cargo space must be cleaned and disinfected between uses.

### **1720.1540 MINIMIZING DISSEMINATION OF DISEASE.**

Dogs or cats affected with any clinical evidence of infectious, contagious, or communicable disease shall must be separated from other dogs in such a manner as to minimize the dissemination of disease or cats.

### **1720.1542 VETERINARY CARE.**

Kennels and dealers shall establish and maintain a program of disease control and prevention, euthanasia, and adequate veterinary care under the supervision of a doctor of veterinary medicine.

### **1720.1545 HEALTH OF DOGS AND CATS AT TIME OF RELEASE.**

The following conditions make a dog or cat unfit for sale or release, other than to the previous owner:

- A. obvious signs of infectious disease;
- B. obvious signs of nutritional deficiencies;
- C. obvious signs of severe parasitism;
- D. fractures;
- E. blindness; and
- F. serious congenital abnormalities.

### **1720.1546 DOGS AND CATS UNFIT FOR SALE OR RELEASE.**

Dogs or cats determined to be unfit for sale or release as described in part 1720.1545 must be isolated and treated by a licensed veterinarian or euthanized in a humane manner. If treatment for the conditions in part 1720.1545 brings about a satisfactory recovery to a normal state of health, the animals are fit for release or sale.

### **1720.1550 CONTROL OF PESTS.**

The kennel or dealer shall establish and maintain an effective program for the control of insects, ectoparasites, rodents, and other pests shall be established and maintained.

### **1720.1555 IDENTIFICATION OF DOGS AND CATS IN KENNELS.**

Each dog and cat must be identified with a numbered tag affixed to the neck by the means of a collar.

### **1720.1560 RECORDS.**

The person to whom a license to operate a dog A licensed kennel is issued or dealer shall maintain the following records and preserve such records for a minimum of two years:

- A. the name and address of the person from whom a dog or cat three months of age or over was received and, in the case of a dealer, the person's driver's license number or social security number;
- B. the identification of each dog or cat confined to the premises as described in part 1720.1470 together with a 1720.1555;
- C. description of the dog or cat by approximate age, breed, and sex; the name and address of person from whom any dog three months of age or over was received;
- D. the name and address of the person to whom any a dog or cat three months of age or over was transferred; and
- E. the history of disease conditions diagnosed by a veterinarian or diagnostic laboratory on animals housed at on the kennels premises.

All Records required by this part shall must be preserved for a minimum of two years and available to duly authorized agents upon demand at any reasonable time.



**1720.1570 INSPECTIONS.**

Periodic inspections will be made by agents of the board of all kennels licensed under this rule in addition to the inspection required prior to obtaining a license. Duly authorized agents may enter upon the premises of any dog kennel licensed hereunder during daylight hours for the purpose of inspecting for compliance with the provision of the law and these rules. must be made in cooperation with the United States Department of Agriculture, pursuant to *Minnesota Statutes*, section 347.35.

**1720.1575 INVESTIGATION OF COMPLAINTS.**

Complaints must be referred to local enforcement authorities. If the complainant is not satisfied with the results obtained and the complainant wants an investigation by the board, the complainant must send to the board a written and signed complaint and a deposit of \$100. Upon investigation, if the complaint is warranted, the deposit must be returned and the board shall take action as provided in *Minnesota Statutes*, section 347.38. If the complaint is deemed unfounded by the board investigator, the deposit must go into the general fund. Duly authorized agents are exempt from the \$100 deposit for investigation of a complaint.

**1720.1576 EXPENSES OF INVESTIGATION.**

A person who violates *Minnesota Statutes*, section 346.55 or sections 347.31 to 347.40, is liable for at least the amount of the expenses of the investigation. Expenses of investigation may be recovered by a court action in the county where the violation occurred.

**1720.1578 COST RECOVERY.**

Money from license fees, fines, penalties, or deposits under *Minnesota Statutes*, section 346.55 or sections 347.31 to 347.40, goes into the general fund and must be accounted for by the state treasurer to the board to enable a showing that costs of inspection and enforcement of *Minnesota Statutes*, sections 346.55 and 347.31 to 347.40, have been recovered.

**REPEALER.**

Subpart 1. *Minnesota Rules*, parts 1720.1330, subpart 3; 1720.1340; 1720.1350; 1720.1360; 1720.1370; 1720.1380; 1720.1470; 1720.1580; 1720.1590; 1720.1600; 1720.1610; 1720.1620; 1720.1630; 1720.1640; 1720.1650; 1720.1660; and 1720.1670, are repealed.

Subp. 2. Remove Duplication and Footnotes. *Minnesota Rules*, parts 1710.0350, 1710.0360, 1710.0370, 1710.0380, 1710.0390, 1717.0400, 1710.0410, 1710.0420, 1710.0430, 1710.0440, 1710.0450, 1710.0460, 1710.0470, 1710.0480, 1710.0490, 1710.5000, 1710.0510, 1710.0520, 1710.0530, and 1710.0540, are repealed.

INSTRUCTION TO REVISOR. In the next and subsequent editions of *Minnesota Rules*, the revisor shall change the words "secretary and executive officer" to "executive secretary" in chapters 1700, 1705, 1715, and 1720.

## State Board of Education

### Withdrawal of Proposed Permanent Rules Relating to Class Size Ratios

NOTICE IS HEREBY GIVEN that the proposed rules relating to Class Size Ratios, as published in the *State Register* at Volume 12, Number 11, pages 438-439, September 14, 1987, (12 S.R. 438) are withdrawn.

## Department of Public Service

### Notice of Withdrawal of Proposed Rules Relating to Cost-Share Maxi-Audit Grants for Public and Private Nonprofit Institutions

NOTICE IS HEREBY GIVEN that the proposed rules relating to Cost-share Maxi-audit grants for public and private nonprofit institutions, as published in the *State Register* on February 8, 1988, pages 1651-1655 (12 S.R. 1651), are withdrawn.

Dated: 17 January 1989

Tony Perpich, Commissioner  
Department of Public Service

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

## Proposed Rules

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### Department of Public Service

#### Notice of Withdrawal of Proposed Rules Relating to Institutional Energy Loan Program (IELP)

NOTICE IS HEREBY GIVEN that the proposed rules relating to the Institutional Energy Loan Program (IELP), as published in the *State Register* on February 8, 1988, pages 1655-1659 (12 S.R. 1655), are withdrawn.

Dated: 17 January 1989

Tony Perpich, Commissioner  
Department of Public Service

### Department of Public Service

#### Proposed Permanent Rules Relating to Cost-Share Maxi-Audit Grants for Public and Private Institutions

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

NOTICE IS HEREBY GIVEN that the State Department of Public Service intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is contained in *Minnesota Statutes*, section 216C.09.

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

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

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

Mary Pat Haney  
Department of Public Services  
Energy Division  
900 American Center  
150 East Kellogg Boulevard  
St. Paul, Minnesota 55101  
Telephone: (612) 297-2103

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

A copy of the proposed rule follows this notice.

A free copy of the proposed rule is available upon request from Ms. Haney at the address given above.

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

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

Dated: 17 January 1989

Tony Perpich, Commissioner  
Department of Public Service

**Rules as Proposed (all new material)****7660.0010 PURPOSE.**

Parts 7660.0010 to 7660.0090 establish the criteria and procedures for granting financial assistance to Minnesota public and private institutions for conducting building energy audits using money allocated to the department from the state's allocation of petroleum violation escrow funds.

**7660.0020 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 7660.0010 to 7660.0090, the following terms have the meanings given them.

Subp. 2. **Applicant.** "Applicant" means any statutory or home rule charter city, county, town, or school or hospital as defined in this part, located in Minnesota, or joint power entity consisting of these units, that is making application for grant funds under this program.

Subp. 3. **Authorized cost-share maxi-auditor or auditor.** "Authorized cost-share maxi-auditor" or "auditor" is a person who has met the requirements of part 7660.0040.

Subp. 4. **Building.** "Building" means any existing, separate, enclosed structure owned and operated by an applicant as defined in this part.

Subp. 5. **Cost-share maxi-audit.** "Cost-share maxi-audit" means a detailed engineering analysis of a building and its energy using systems, including the plumbing, lighting, heating, ventilating, and air conditioning systems. The primary objective of a cost-share maxi-audit is to identify and quantify the economic and engineering feasibility of energy conservation measures for a building and its energy using systems.

Subp. 6. **Cost-share maxi-audit manual or manual.** "Cost-share maxi-audit manual" or "manual" means the manual incorporated by reference in part 7680.0200.

Subp. 7. **Cost-share maxi-audit report or report.** "Cost-share maxi-audit report" or "report" means a written document prepared according to the cost-share maxi-audit manual, as the result of a cost-share maxi-audit of a building.

Subp. 8. **Department.** "Department" means the Minnesota Department of Public Service.

Subp. 9. **Hospital.** "Hospital" means a public or private facility licensed under *Minnesota Statutes*, sections 144.50 to 144.55.

Subp. 10. **School.** "School" means a public school district or private institution that:

A. provides, and is legally authorized to provide, elementary education or secondary education or both on a day or residential basis;

B. (1) provides, and is legally authorized to provide, a program of education beyond secondary education, on a day or residential basis;

(2) admits as students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of a certificate;

(3) is accredited by a nationally recognized accrediting agency or association; and

(4) provides an educational program for which it awards a bachelor's degree or higher degree or provides not less than a two-year program that is acceptable for full credit toward such a degree at any institution that meets the preceding requirements and provides such a program; or

C. provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and meets the provisions in item B, subitems (1), (2), and (3).

Subp. 11. **TA.** "TA" means Institutional Conservation Program Technical Assistance.

**7660.0030 ELIGIBILITY.**

All applicants are eligible for cost-share maxi-audit grants for buildings that they own and operate. A building for which an applicant has received cost-share maxi-audit funds or TA funds is not eligible for another cost-share maxi-audit grant until five years after the date of the previous cost-share maxi-audit or TA grant payment.

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

## Proposed Rules

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### 7660.0040 COST-SHARE MAXI-AUDITOR AUTHORIZATION.

An authorized cost-share maxi-auditor is a person who is a professional electrical or mechanical engineer or architect, registered in Minnesota, and who has:

- A. agreed to abide by the requirements of this part when conducting cost-share maxi-audits;
- B. agreed to attend mandatory cost-share maxi-audit information training sessions conducted by the department;
- C. signed and submitted to the department, upon completion of the mandatory cost-share maxi-audit training, the authorization agreement for cost-share maxi-auditors that is provided in the manual, and is available upon request from the department; and
- D. agreed to make appropriate changes and additions to a cost-share maxi-audit report within 30 days after being sent written notification from the department of the required changes and additions.

The requirements in this part must be adhered to in order for a person to maintain authorized cost-share maxi-auditor status.

### 7660.0050 APPLICATION.

Subpart 1. **Process.** The applicant must submit to the department an application for cost-share maxi-audit funds on a form provided by the department. This application must include the following:

- A. the applicant's name and address;
- B. the name and address of the building;
- C. the area of the building in square feet;
- D. the building audit status as to whether it has been previously maxi-audited or unaudited;
- E. the date of the application; and
- F. the contact person's name, title, and telephone number.

Subp. 2. **Application period.** The department will process applications in accordance with part 7660.0060, subpart 1, until all funds have been encumbered.

### 7660.0060 CONTRACT PROCESS.

Subpart 1. **Application review.** Upon receipt of an eligible application, the department will determine the funding limits for each building according to part 7660.0090, subpart 2, and will prepare a cost-share maxi-audit grant contract for each building.

Subp. 2. **General.** The department will send the prepared contract to the applicant for signatures by two of the applicant's officials authorized to sign contracts. Grant contracts must be signed and received by the department within 45 days of the department's mailing date to the applicant. If the grant contract has not been returned within 45 days, the funds may be redistributed to other applicants. After complete execution of the grant contract by the state of Minnesota, the department will send to the applicant a copy of the fully executed contract, required scope of work, and a list of authorized cost-share maxi-auditors.

### 7660.0070 COST-SHARE MAXI-AUDIT REPORT REVIEW.

The department will review cost-share maxi-audit reports to verify that all requirements of the manual have been fulfilled. If the department review identifies requirements that have not been fulfilled, the department will notify both the grantee and the authorized cost-share maxi-auditor of the necessary changes and additions. The department may conduct an on-site verification of the data contained in the report. When the report has been determined to fulfill all requirements, notice of acceptance will be sent to the grantee.

### 7660.0080 REIMBURSEMENT.

To be reimbursed for the funds approved in part 7660.0090, subpart 2, the following conditions must be met:

- A. The grantee must not have contracted for or begun work before the fully executed grant contract was received by the grantee.
- B. The cost-share maxi-audit must have been conducted by an authorized cost-share maxi-auditor.
- C. The grantee must have submitted to the department no later than 90 days before the expiration date of the contract, the following:
  - (1) one copy of the cost-share maxi-audit report signed by an authorized cost-share maxi-auditor for each building that was awarded a cost-share maxi-audit grant; and
  - (2) one copy of the invoice for the cost-share maxi-audit work, itemized by building.
- D. The cost-share maxi-audit report must have met the requirements of the manual.

**7660.0090 FUNDING.**

Subpart 1. **Priorities.** The department will process grant applications that comply with parts 7660.0010 to 7660.0070 on a first-come first-served basis, based on the day an eligible and complete application is received by the department. If eligible and complete applications received on the same day cannot all be funded due to lack of available funds, the department will first process applications for previously unaudited buildings. If funds are not available for all eligible applications for previously unaudited buildings, the department will process grants so that each affected application receives an equal percentage of the eligible grant amount. If funds are available after processing all eligible applications for previously unaudited buildings, the department will process eligible grant applications for previously audited buildings. If funds are not available for all eligible applications for previously audited buildings, the department will process grants so that each affected application receives an equal percentage of the eligible grant amount. When all available funds have been encumbered, the department will not process any further applications and affected applicants will be notified.

Subp. 2. **Limits.** Grants will be issued by the department for eligible applications up to the funding limits, based on building size, as shown in the following table. The department will reimburse grantees for 80 percent of the actual cost of a cost-share maxi-audit or the approved grant amount, whichever is less, when the requirements of part 7660.0080 have been met.

**Funding Limits for Cost-Share Maxi-Audits**

Building Size in Square Feet	Formula	Funding Limits
0 - 5,000	—	\$800
5,001 - 25,000	—	\$1600
25,001 - 50,000	(Area)(\$.064/sq. ft.)	\$1600 - \$3200
50,001 - 100,000	(Area)(\$.0384/sq. ft.) + \$1280	\$3200 - \$5120
100,001 - 150,000	(Area)(\$.0256/sq. ft.) + \$2560	\$5120 - \$6400
150,001 - 200,000	(Area)(\$.0192/sq. ft.) + \$3520	\$6400 - \$7360
200,001 - 250,000	(Area)(\$.0128/sq. ft.) + \$4800	\$7360 - \$8000
250,001 - and up	—	\$8000

Subp. 3. **Restrictions.** Institutions awarded cost-share maxi-audit grants with money from the state's cost-share maxi-audit program or TA funds cannot use funding from this program for the applicant's share of the cost of their cost-share maxi-audit.

## Department of Public Service

### Proposed Permanent Rules Relating to Institutional Energy Loans

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

NOTICE IS HEREBY GIVEN that the State Department of Public Service intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is contained in *Minnesota Statutes*, section 216C.09.

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

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

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

## Proposed Rules

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

Jeremy de Fiebre  
Department of Public Service  
Energy Division  
900 American Center  
150 East Kellogg Boulevard  
St. Paul, Minnesota 55101  
Telephone: (612) 297-1221

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

A copy of the proposed rule follows this notice.

A free copy of the proposed rule is available upon request from Mr. de Fiebre at the address given above.

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

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

Dated: 17 January 1989

Tony Perpich, Commissioner  
Department of Public Service

### Rules as Proposed (all new material)

#### 7605.0010 PURPOSE.

The purpose of parts 7605.0020 to 7605.0080 is to establish application procedures for loan participation, to set criteria for review and approval of loan participation applications, and to set criteria for loan participation agreements.

#### 7605.0020 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 7605.0010 to 7605.0080, the following terms have the meanings given them.

Subp. 2. **Applicant.** "Applicant" means a statutory or home rule charter city, county, or town, or a school or hospital as defined in this part, located in Minnesota, or joint power entity consisting of these units, that is making application for loan participation under this program.

Subp. 3. **Building.** "Building" means any separate structure owned and operated by an applicant.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Department of Public Service.

Subp. 5. **Conservation measure.** "Conservation measure" means an installation or modification of an installation to a building that is primarily intended to reduce energy consumption or allow the use of an alternative energy source including solar, wind, peat, wood, and agricultural residue.

Subp. 6. **Hospital.** "Hospital" means a facility licensed under *Minnesota Statutes*, sections 144.50 to 144.55.

Subp. 7. **Lender.** "Lender" means a bank, trust company, mortgage company, credit union, mortgage banker, national banking association, savings bank, savings association, savings and loan association, building and loan association, insurance company, securities broker-dealer, financial organizations relating to commercial credit or venture capital, or a lender certified by the secretary of Housing and Urban Development or by the administrator of the United States Department of Veterans Affairs, or approved or certified by the administrator of the Farmers Home Administration or any other financial or lending institution, whether organized under federal law or the laws of any state of the United States, and whether located in or out of Minnesota, which issues a loan to an applicant to implement energy conservation measures. For participation in loans to applicants eligible for funds under *Minnesota Statutes*, section 216C.37, lender also means the Minnesota Department of Finance.

Subp. 8. **Payback.** "Payback" means the simple payback that is equal to the sum of the design, acquisition, and installation costs of a conservation measure divided by the estimated first year energy cost savings attributable to that measure.

Subp. 9. **Project.** "Project" means all proposed work in a loan participation application.

Subp. 10. **School.** "School" means a public school district or a private institution:

A. that provides, and is legally authorized to provide, elementary education or secondary education or both on a day or residential basis;

B. that:

(1) provides, and is legally authorized to provide, a program of education beyond secondary education on a day or residential basis;

(2) admits as students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate;

(3) is accredited by a nationally recognized accrediting agency or association; and

(4) provides an educational program for which it awards a bachelor's degree or higher degree or provides not less than a two-year program which is acceptable for full credit toward such a degree at any institution which meets the preceding requirements and which provides such a program; or

C. that provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions in item B, subitems (1) to (3).

#### **7605.0030 LOAN ELIGIBILITY CRITERIA.**

Subpart 1. **In general.** The commissioner shall approve applications from applicants and participate in loans from lenders to applicants in compliance with parts 7605.0010 to 7605.0080 for conservation measures that have a payback of ten years or less.

Subp. 2. **Eligibility.** Funds are available to participate in loans from lenders to applicants for:

A. conservation measures which have not previously been approved under this program;

B. cost overruns for a previously approved conservation measure in progress, or previously unidentified but related work which is necessary for successful implementation of a previously approved conservation measure, provided the conservation measure as amended continues to meet the requirements of parts 7605.0010 to 7605.0080.

Subp. 3. **Prior approval required.** Except for the measures in subpart 2, item B, conservation measures for which acquisition or installation have been contracted for or begun before approval by the commissioner are ineligible. This prior approval requirement does not apply to design activities.

Subp. 4. **Useful life.** Loan participation may not be approved for buildings with a remaining useful life less than or equal to the payback of the conservation measure proposed. Loan participation may not be approved for a conservation measure if the payback of the conservation measure proposed is greater than or equal to the useful life of the measure.

Subp. 5. **New construction.** Only conservation measures for existing buildings are eligible. New construction is eligible only if it is necessary for successful implementation of a conservation measure for an existing building.

#### **7605.0040 LOAN PARTICIPATION LIMITS.**

The commissioner will participate in a loan from a lender to an applicant up to a maximum of 50 percent of the loan principal or \$200,000, whichever is less. While the commissioner may participate in more than one loan to an applicant, the total participation under this program for any one applicant may not exceed \$200,000.

#### **7605.0050 APPLICATION CONTENTS.**

Subpart 1. **In general.** An applicant shall submit a complete application to the commissioner on a form provided by the commissioner. An application must be signed in ink by an authorized official of the applicant, must include the authorized official's title, and must be dated.

Subp. 2. **Contents.** An application must contain, at a minimum:

A. the name and complete mailing address, including county, of the applicant;

B. a contact person's name, title, and telephone number;

C. a list of buildings included in the application and the dollar amount requested per building;

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

## Proposed Rules

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- D. the name, address, and total floor area in square footage of each building;
- E. the original construction date and addition construction dates of each building;
- F. the state legislative district affected by the application;

G. a summary description of each proposed conservation measure, including its estimated cost, loan amount proposed, estimated annual energy cost savings, estimated annual fuel and electric savings, estimated payback, and the estimated dates the conservation measure will be started and completed; and

H. a resolution of the governing body of the applicant that:

- (1) designates and authorizes a representative to enter into and sign contracts associated with the loan;
- (2) guarantees that the applicant will use all loan funds solely for the approved conservation measures; and
- (3) assures that it will comply with parts 7605.0010 to 7605.0080.

Subp. 3. **Technical support materials.** All applications for loan participation funds must also contain:

A. fuel and electric consumption data for the most recent completed annual period July 1 to June 30, for each building in the application;

B. a description of the current condition of the building and the building component, equipment, or system to be improved, and a description of each proposed conservation measure;

C. an engineering analysis sufficient to determine the technical feasibility and payback of each proposed conservation measure, on a form prescribed by the commissioner. An engineering analysis for a conservation measure estimated to cost more than \$25,000 must be performed by a mechanical engineer, electrical engineer, or architect registered in Minnesota.

Subp. 4. **Assurances.** An applicant must also submit assurances that:

A. it has provided for the proper and efficient operation and maintenance of the proposed conservation measures;

B. the work performed with loan funds will meet all Minnesota building code requirements;

C. it has provided funds to pay any portion of the project cost not eligible for program funds, specifically identifying the source of those funds;

D. it has met requirements for voter approval, if applicable; and

E. it is able to accept and repay the proposed loan without exceeding applicable debt and levy limits.

Subp. 5. **Incomplete applications.** If an incomplete application is received, the commissioner shall notify the applicant of specific deficiencies in the application. The applicant has 30 days from the date of the commissioner's notification to complete the application. If the application is not completed and received by the commissioner within 30 days, the application is considered withdrawn. To be further considered, the applicant must reapply.

### 7605.0060 APPLICATION REVIEW.

Subpart 1. **Administrative review.** The commissioner shall examine a loan participation application to verify that the applicant is eligible, that the required forms are included and correctly completed, that the estimated start and completion dates are reasonable, that the required assurances and resolution are included, and that the application is properly signed and dated.

Subp. 2. **Technical review.** The commissioner shall examine the technical support materials included in an application to verify that the proposed conservation measures are analyzed with adequate details of existing conditions and proposed modifications or additions, that the appropriate calculation procedures are used, that the proposed conservation measures are eligible, and that the proposed conservation measures are technically feasible and meet the requirements of parts 7605.0010 to 7605.0080.

Subp. 3. **Rejection and resubmission.** The commissioner may accept, reject, or modify an application as necessary based on the application review. The commissioner shall notify an applicant of the cause for modification or rejection of an application and the options available to correct the application for resubmission. If some of the conservation measures in an application are accepted as submitted, the applicant may choose to withdraw the rejected measures and accept a loan for the remaining measures.

### 7605.0070 LENDER.

To be eligible to sell a loan participation to the commissioner, an officer of a lender must sign a participation agreement provided by the commissioner. The commissioner shall not participate in any loan made by a lender before the execution of a participation agreement. The agreement shall set terms and conditions under which a loan can be made, establish duties of the parties, and specify procedures to be followed in the event of default by the applicant. The agreement must require the lender and the commissioner to conform to the following conditions:



A. The lender will enter into a loan agreement with the applicant. The loan agreement will include the following:

(1) an agreement that the commissioner may review upon request all relevant financial data of the applicant and may inspect any and all buildings, equipment, and systems associated with a loan; and

(2) a resolution of the applicant's governing body guaranteeing that it will use all loan funds solely for the eligible costs of the proposed project, and assuring that it has and will comply with parts 7605.0010 to 7605.0080.

B. The lender shall make no provision to subordinate any loan collateral to other liens against such property without prior written approval from the commissioner.

C. The lender shall not acquire any preferential collateral, surety, or insurance to protect its interest in the loan.

D. All collateral must be prorated between the lender and the commissioner.

E. The lender shall require the applicant to adequately insure, maintain, and repair all collateral.

F. The lender shall review and approve the loan application in accordance with generally accepted commercial lending practices.

G. The lender is responsible for servicing the loan either directly or by contracting with a servicing agent.

H. The lender shall not sell or transfer the loan or any portion of it without prior written approval of the commissioner.

I. The lender, for the term of the entire loan, shall promptly notify the commissioner of any loan payments that are one month overdue. The lender shall provide the commissioner with any and all past due notices at the same time they are sent to the applicant. In addition, the lender must submit an annual loan performance report to the commissioner on a form provided by the commissioner.

J. The portion of the loan not participated in by the commissioner shall not carry an interest rate in excess of three points above the lender's prime rate or base rate for variable or fixed rate loans.

K. The portion of the loan participated in by the commissioner shall have an amortization term not exceeding five years.

L. The lender agrees not to make any amendments to the loan agreement after loan closing without prior written approval of the commissioner.

M. The lender agrees to make no waivers of default without prior written approval of the commissioner.

N. The commissioner may review upon request all financial data associated with the execution and servicing of the loan made by the lender.

O. Before a declaration of default, any and all payments received by the lender shall first be credited to interest due on a pro rata basis and then be credited to the principal balance due on a pro rata basis.

P. During an event of default for which a declaration of default has been declared, any and all payments received by the lender shall first be used to pay the reasonable expenses related to the collection of, or attempts to collect, money owed under the loan. After payment of these amounts, any and all payments received by the lender shall first be credited to the principal balance due on a pro rata basis, and then be credited to interest due on a pro rata basis.

Q. If the commissioner determines that an applicant has failed to comply with the start or completion dates given in the loan participation application as approved, and the applicant cannot reasonably justify its failure to comply, the lender shall, upon written request of the commissioner, declare the loan to be in default.

#### **7605.0080 REPORTS AND MONITORING.**

Subpart 1. **In general.** An applicant that receives a loan in which the commissioner participates shall submit the reports listed in subparts 2 to 5.

Subp. 2. **Annual project status report.** The applicant shall submit to the commissioner, on a form provided by the commissioner, an annual project status report covering the period July 1 through June 30. This report is due each July 31 until the project is completed.

The project status report must indicate the progress of the implementation of the project, problems encountered, the effect of the problems on the project, and the corrective action taken. If at any time the applicant fails to substantially comply with the start or

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## Proposed Rules

completion dates given in the loan participation application as approved, and if the applicant cannot reasonably justify to the commissioner its lack of progress, the loan may be declared in default.

Subp. 3. **Semiannual financial report.** The applicant shall submit to the commissioner, on a form provided by the commissioner, a semiannual financial status report that indicates expenditures of loan funds through the last date of each report period. This report is due on July 31 for the period January 1 to June 30, and on January 31 for the period July 1 to December 31 until the project is completed.

Subp. 4. **Final report.** Within 60 days of the completion of the project, the applicant shall submit to the commissioner, on a form provided by the commissioner, a final project status report and a financial status report that gives actual expenditures of the conservation measures implemented.

Subp. 5. **Annual energy report.** The applicant shall submit to the commissioner, on a form provided by the commissioner, an annual fuel and electric consumption report due each October 31 for the duration of the loan contract period, or for a minimum of three years after project completion if the loan is paid in less than three years, unless the commissioner cancels this requirement before the end of the loan contract period.

## 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.

## State Board of Education

### Reconsideration, Modification, and Adoption of Rule as Modified: Certain Pupil Teacher Ratios; Performing Music Groups

1. After reconsideration as directed by order of the Court of Appeals in Minnesota Education Association vs. Minnesota State Board of Education (File No. C2-88-1569) and without further new rulemaking, the State Board of Education has modified *Minnesota Rules*, part 3500.3700, subpart 4 (published as adopted at 11 *State Register*, page 1407) to read as follows:

#### 3500.3700 SECONDARY SCHOOL STAFF

Subpart 1. to 3. [Unchanged.]

Subp. 4. **Maximum number of pupils.** The maximum number of pupils per day for a secondary school teacher is 160 except for teachers of performing music groups and physical education classes. An acceptable class size for instruction in physical education shall not exceed 40 pupils. The recommended average number of pupils per day per week for a secondary teacher of performing music groups is 180. A school board must adopt a written policy specifying the circumstances when a the ratio in this subpart for performing music groups may be exceeded. The policy must be adopted and filed with the State Board of Education by August 1 each year. An amendment made by the school board must be filed with the State Board of Education within ten days of its adoption.

2. *Minnesota Rules*, part 3500.3700, subpart 4, is adopted as modified in paragraph 1.

## Department of Education

### Adopted Permanent Rules Relating to School Buses

The rules proposed and published at *State Register*, Volume 13, Number 1, pages 5-33, July 4, 1988 (13 S.R. 5) are adopted as proposed.

## Department of Human Services

### Adopted Permanent Rules Relating to Medical Assistance Hospice Care Services

The rules proposed and published at *State Register*, Volume 13, Number 21, pages 1224-1229, November 21, 1988 (13 S.R. 1224) are adopted as proposed.

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## Official Notices

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

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

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## Board of Animal Health

### Notice of Quarterly Meeting

A quarterly meeting of the Board of Animal Health has been scheduled for Tuesday, February 28, 1989 at the Board of Animal Health offices, 90 W. Plato Blvd., St. Paul, Minnesota 55107. The meeting will begin at 9:30 a.m.

Information about this meeting may be obtained by calling the Board office at 612-296-5000.

Dated: 17 January 1989

Thomas J. Hagerty, DVM  
Executive Secretary

## Departments of Human Services, Health and Public Safety

### Notice of Intent to Solicit Outside Information or Opinions Regarding Proposed Merit System Rules Governing Definitions, Objectives of the Merit System, Work Out of Class, Examination Retesting, Certification Methods, Probationary Periods and Prohibition Against Discrimination

NOTICE IS HEREBY GIVEN that the State Departments of Human Services, Health, and Public Safety are seeking information or opinions from sources outside the agencies in preparing to propose amendments to the Merit System rules governing definitions, objectives of the Merit System, work out of class, examination retesting, certification methods, probationary periods and prohibition against discrimination. The amendments to the rules are authorized by *Minnesota Statutes*, sections 256.012, 144.071 and 12.22, subd. 3, which permits the Merit System to establish rules to provide local and county appointing authorities with an effective system of personnel administration based on merit principles. The amendments would provide for new definitions for "affirmative action," "disabled," "discrimination," "disparity," "equal employment opportunity," and "protected groups"; an amendment to the definition of "general adjustment" and deletion of the definition of "salary adjustment"; new language to include equitable pay scales based on comparable work values to the objectives of the Merit System; new language to allow for extensions of work out of class appointments; new language to clarify Merit System retest policies; deletion of language to clarify when probationary periods must be served; new language to clarify when counties have received an incomplete certification and to correct a reference to a rule; and amendments to clarify the prohibition against discrimination and the information to be included in a local or county affirmative action plan.

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## Official Notices

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The State Departments of Human Services, Health and Public Safety request information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements of information and comment should be addressed to:

Ralph W. Corey  
Minnesota Merit System  
Human Services Building  
444 Lafayette Road  
St. Paul, Minnesota 55155-3822

Oral statements will be received during regular business hours over the telephone by Ralph Corey at (612) 296-3996 and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the Minnesota Merit System shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 20 January 1989

Ralph W. Corey  
Merit System Supervisor

## Department of Human Services

### Division for Persons with Developmental Disabilities

#### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendments to *Minnesota Rules*, Parts 9525.0015 to 9525.0165 (Commonly referred to as Rule 185)

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of amendments to the rule governing case management services to persons with mental retardation. The adoption of the rule is authorized by *Minnesota Statutes*, section 256B.503 and 256B.092. Parts 9525.0015 to 9525.0165 were effective July 28, 1986.

Amendments being prepared by the department will allow for greater flexibility in the provision of case management services while making the case management process more efficient for both the consumer of services and the case manager.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Chris Kiefer, Rules Division, 2nd Floor South, 444 Lafayette Road, St. Paul, Minnesota 55155-3816. Oral statements will be received during regular business hours by Chris Kiefer at (612) 297-1461 and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 24 January 1989

Chris Kiefer  
DHS Rules Division

## State Board of Investment

### Official Notice of Special Meeting of the State Board of Investment

The State Board of Investment will hold a special meeting on Wednesday, February 8, 1989, at 8:30 a.m. in Room 118, State Capitol, Saint Paul, MN.

## **Department of Labor and Industry**

### **Labor Standards Division**

#### **Notice of Correction to Prevailing Wage Rates**

The prevailing wage rate certified June 1, 1988 for labor classifications 229—Scraper or Turnpull in Todd County for Highway and Heavy construction projects has been corrected.

Copies of the correct certification may be obtained by contacting the Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, (612) 297-3000, or the Minnesota Department of Labor and Industry, Labor Standards Division, 443 Lafayette Road, St. Paul, Minnesota 55155.

Ken Peterson, Commissioner  
Department of Labor and Industry

## **Department of Natural Resources**

### **Division of Waters**

#### **Correction to Notice of Hearing for Proposed Permanent Rules Relating to Water Permit Fees**

The hearing date that appeared in the Notice of Hearing regarding the above entitled matter, as published in the *State Register*, 3 January 1989, Volume 13, Number 27, page 1680, is incorrect. The correct hearing date is Tuesday, February 7, 1989.

## **Office of the Secretary of State**

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

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul, MN 55155-1299; (612) 296-2805. Specific information about these vacancies may be obtained from the agencies listed below. The application deadline is February 21, 1989.

#### **ADVISORY TASK FORCE ON DEGRADABLE PLASTICS**

3 members—2 industry representatives and 1 retailer. See description of new agency.

#### **ADVISORY COUNCIL ON BATTERED WOMEN**

1 member—position is being held open for a formerly battered woman who is not currently employed by a battered women program.

#### **ELEMENTARY-SECONDARY-VOCATIONAL (ESV) COMPUTER COUNCIL**

3 members—1 rural school board member, 1 person in private sector management, 1 person in public sector management.

#### **ADVISORY TASK FORCE ON DEGRADABLE PLASTICS**

900 American Center Bldg., 150 E. Kellogg Blvd., St. Paul 55101. 612-297-1170

*Laws of 1988*, Chapter 688, Article 17

APPOINTING AUTHORITY: Rural Development Board. COMPENSATION: Reimbursed for expenses.

The task force studies the feasibility and consequences of requiring industry and consumer plastic products to be degradable. A report to the Legislature is required by January 1, 1990. Membership to consist of the Commissioner/Director of Agriculture; Commerce; Pollution Control Agency; Waste Management Board; Greater Minnesota Corporation; Consumer Affairs Division of the Attorney General's Office; 2 industry representatives and 1 retailer. Meeting schedule and location not determined.

#### **ADVISORY COUNCIL ON BATTERED WOMEN**

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

*Minnesota Statutes* 241.64.

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

## Official Notices

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

### **ELEMENTARY-SECONDARY-VOCATIONAL (ESV) COMPUTER COUNCIL**

Board of Education, Capitol Square Bldg., 550 Cedar St., St. Paul 55101. 612-297-3752

*Minnesota Statutes* 121.934

APPOINTING AUTHORITY: Governor. COMPENSATION: None.

The Council advises and assists the Board of Education in the development of plans and standards for ESV-IS (elementary, secondary, and vocational education) and SDE-IS (State Department of Education) information systems. Thirteen members to include one administrator from a rural school district one from an urban school district, one school board member from a rural school district, one from an urban school district; three private sector managers of whom at least two are data processing managers, three public sector managers of whom at least two are data processing managers; one general public member, one member to represent post-secondary vocational technical education, one member from the Department of Education.

## **Governor's Interagency Coordinating Council on Early Childhood Intervention**

### **Notice of Council Vacancy for Parent**

Applications are being accepted in the Secretary of State's office, where forms are available, for a parent position on the Governor's Interagency Coordinating Council on Early Childhood Intervention.

The council recommends policies to ensure a comprehensive and coordinated system of early intervention services for children with handicaps under age five and their families.

The council consists of 15 members, at least three parents of young children with handicaps, representatives from the departments of education, health, and human services, three public/private providers, one member of the senate, one member of the house, a representative of an early childhood special education teacher preparation program, one representative of an advocacy organization, and other persons knowledgeable about children under age five with handicaps and their families.

Members are appointed by the governor. Meetings are at least quarterly. Compensation is \$35 per day plus expenses.

The council's enabling statute is *Minnesota Statutes*, § 120.17 subd. 11a. For more information, contact the council at 826 Capitol Square Bldg., St. Paul, MN 55101, (612) 296-7032.

The Secretary of State's office is located at 180 State Office Bldg., 100 Constitution Avenue, St. Paul, MN 55155, (612) 296-2805.

## **Board of Teaching**

### **Notice of Intent to Solicit Outside Opinion Concerning the Proposed Amendment of Rules Governing Continuing Education/Relicensure, Teachers of Music, and Teachers of Adult Basic/Continuing Education**

NOTICE IS HEREBY GIVEN that the Board of Teaching is seeking information or opinions from sources outside the Board in preparing to propose the adoption of amendments to *Minnesota Rules*, part 8700.0900-8700.2300, Continuing Education/Relicensure; *Minnesota Rules*, Part 8700.4600, teachers of music; and *Minnesota Rules*, part 8700.5300, Adult Basic/Continuing Education. Any interested person may submit data or views on these subjects in writing or orally to:

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

Any written materials received by the Board shall become part of the hearing record in the event that the amendments to the rules governing these subjects are promulgated.

Kenneth L. Peatross, Executive Secretary  
Minnesota Board of Teaching

# 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:** Addition to Existing PBX System  
**Contact:** Joseph Gibbs 612-296-3750  
**Bid due date at 2pm:** February 1  
**Agency:** Community College  
**Deliver to:** Inver Hills  
**Requisition #:** 27157 48072

**Commodity:** Telephone Handsets for the Hearing Impaired  
**Contact:** Pat Anderson 612-296-3777  
**Bid due date at 2pm:** February 1  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Lateral Files & Storage Cabinets  
**Contact:** Linda Parkos 612-296-3725  
**Bid due date at 2pm:** February 1  
**Agency:** Board of Vocational Technical Education  
**Deliver to:** St. Paul  
**Requisition #:** 36000 14115

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 2  
**Agency:** Transportation Department  
**Deliver to:** Morris  
**Requisition #:** 79450 B

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 2  
**Agency:** Transportation Department  
**Deliver to:** St. Cloud  
**Requisition #:** 79350 B

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 2  
**Agency:** Transportation Department  
**Deliver to:** Windom  
**Requisition #:** 79750 B

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 2  
**Agency:** Transportation Department  
**Deliver to:** Detroit Lakes  
**Requisition #:** 79400 B

**Commodity:** Compaq 386—No Substitute  
**Contact:** Bernadette Vogel 612-296-3778  
**Bid due date at 2pm:** February 3  
**Agency:** Community College  
**Deliver to:** Virginia  
**Requisition #:** 27158 91012

**Commodity:** Tree Seedling Lifter/Shaker-Babee Super HP1500  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 2pm:** February 3  
**Agency:** Natural Resources Department  
**Deliver to:** Grand Rapids  
**Requisition #:** 29003 05051

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 3  
**Agency:** Transportation Department  
**Deliver to:** Mankato  
**Requisition #:** 79700 B

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 3  
**Agency:** Transportation Department  
**Deliver to:** Duluth  
**Requisition #:** 79100 B

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 3  
**Agency:** Transportation Department  
**Deliver to:** Virginia  
**Requisition #:** 79150 B

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 3  
**Agency:** Transportation Department  
**Deliver to:** Bemidji  
**Requisition #:** 79200 B

**Commodity:** Crackfiller  
**Contact:** Jim Johnson 612-296-3779  
**Bid due date at 2pm:** February 3  
**Agency:** Transportation Department  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 6  
**Agency:** Transportation Department  
**Deliver to:** Rochester  
**Requisition #:** 79600 B

## State Contracts and Advertised Bids

**Commodity:** Plant Mix Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 6  
**Agency:** Transportation Department  
**Deliver to:** Crookston  
**Requisition #:** 79250 B

**Commodity:** Hydraulic Universal Testing Machine  
**Contact:** Joseph Gibbs 612-296-3750  
**Bid due date at 2pm:** February 7  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 7900 93922

**Commodity:** Auditorium seating and install  
**Contact:** Linda Parkos 612-296-3725  
**Bid due date at 2pm:** February 7  
**Agency:** University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073 20813-01

**Commodity:** Plant mix bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 8  
**Agency:** Transportation Department  
**Deliver to:** Oakdale  
**Requisition #:** 79900-B

**Commodity:** Plant mix bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 8  
**Agency:** Transportation Department  
**Deliver to:** Willmar  
**Requisition #:** 79800-B

**Commodity:** Plant mix bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** February 8  
**Agency:** Transportation Department  
**Deliver to:** Owatonna  
**Requisition #:** 79650-B

### Contract Awards—Materials Management Division

**Item:** Computer software purchase (non-PC)  
**Req. #:** 21200 20055 01  
**Awarded to:** Landmark Systems Corp., Culver City, CA  
**Awarded amount:** \$21,000.00  
**Awarded date:** January 18, 1989  
**Expir/deliv date:** January 20, 1989  
**Shipped to:** MN Department of Jobs and Training

**Item:** Furniture moduler office system  
**Req. #:** 27138 50847 01  
**Awarded to:** CNK Inc., Mendota Heights, MN  
**Awarded amount:** \$8,255.52  
**Awarded date:** January 18, 1989  
**Expir/deliv date:** February 10, 1989  
**Shipped to:** Community College Board Office

**Item:** Furniture office  
**Req. #:** 78830 09634 01  
**Awarded to:** Mid Amer Business System, Minneapolis, MN  
**Awarded amount:** \$8,700.00  
**Awarded date:** January 18, 1989  
**Expir/deliv date:** January 31, 1989  
**Shipped to:** MN Correctional Facility

**Item:** Auto HD truck & van  
**Req. #:** 79382 01552 01  
**Awarded to:** Midwest Wrecker Sales, Minneapolis, MN  
**Awarded amount:** \$35,000.00  
**Awarded date:** January 18, 1989  
**Expir/deliv date:** February 15, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Furniture office  
**Req. #:** 02310 16596 01  
**Awarded to:** Burgher Office, Virginia, MN  
**Awarded amount:** \$11,279.28  
**Awarded date:** January 19, 1989  
**Expir/deliv date:** May 1, 1989  
**Shipped to:** Department of Human Services

**Item:** Compressor & vacuum pump  
**Req. #:** 26071 18436 01  
**Awarded to:** Pearson Assoc., Minneapolis, MN  
**Awarded amount:** \$8,772.00  
**Awarded date:** January 19, 1989  
**Expir/deliv date:** February 28, 1989  
**Shipped to:** Mankato State University

**Item:** Bag, seedling (clear poly)  
**Req. #:** 29003 05044 01  
**Awarded to:** Amer Western Corp., Fairmont, MN  
**Awarded amount:** \$14,760.00  
**Awarded date:** January 19, 1989  
**Expir/deliv date:** March 1, 1989  
**Shipped to:** Various locations

**Item:** Seed  
**Req. #:** 29004 11427 02  
**Awarded to:** Prairie Restorations, Princeton, MN  
**Awarded amount:** \$5,408.00  
**Awarded date:** January 19, 1989  
**Expir/deliv date:** April 3, 1989  
**Shipped to:** DNR Field Services

**Item:** Paint varnish thinner solvent  
**Req. #:** 79100 08972 01  
**Awarded to:** Flex O Lite Sales Corp., St. Louis, MO  
**Awarded amount:** \$14,158.80  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Beads glass drop-on type  
**Req. #:** 79150 00744 01  
**Awarded to:** Flex O Lite Sales Corp., St. Louis, MO  
**Awarded amount:** \$18,878.40  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Paint varnish thinner solvent  
**Req. #:** 79200 03351 01  
**Awarded to:** Flex O Lite Sales Corp., St. Louis, MO  
**Awarded amount:** \$18,077.31  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Beads glass drop-on type  
**Req. #:** 79250 00718 01  
**Awarded to:** Flex O Lite Sales Corp., St. Louis, MO  
**Awarded amount:** \$19,480.77  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of Transportation



## State Contracts and Advertised Bids

**Item:** Beads glass drop-on type  
**Req.#:** 79300 05561 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$13,041.00  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint varnish thinner solvent  
**Req.#:** 79350 00948 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$11,923.20  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Beads glass drop-on type  
**Req.#:** 79400 02935 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$8,445.60  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Beads glass drop-on type  
**Req.#:** 79450 00564 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$16,642.80  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Pump power & hand & parts  
**Req.#:** 79500 03210 01  
**Awarded to:** Midway Industrial Supply,  
Mounds View, MN  
**Awarded amount:** \$9,972.00  
**Awarded date:** January 19, 1989  
**Expir/deliv date:** February 6, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Beads glass drop-on type  
**Req.#:** 79500 03192 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$16,021.80  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Beads glass drop-on type  
**Req.#:** 79600 03998 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$16,021.80  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Beads glass drop-on type  
**Req.#:** 79650 00433 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$21,772.26  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Beads glass drop-on type  
**Req.#:** 79700 03424 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$14,655.60  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Beads glass drop-on type  
**Req.#:** 79750 00859 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$10,929.60  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Beads glass drop-on type  
**Req.#:** 79900 03751 01  
**Awarded to:** Flex O Lite Sales Corp.,  
St. Louis, MO  
**Awarded amount:** \$32,043.60  
**Awarded date:** January 19, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Furniture office  
**Req.#:** 02310 16581 02  
**Awarded to:** Burgher Office, Virginia,  
MN  
**Awarded amount:** \$5,092.00  
**Awarded date:** January 20, 1989  
**Expir/deliv date:** May 1, 1989  
**Shipped to:** Department of Human  
Services

**Item:** Fabrics  
**Req.#:** 02310 16553 01  
**Awarded to:** Draperies Minn.,  
Monticello, MN  
**Awarded amount:** \$15,485.06  
**Awarded date:** January 20, 1989  
**Expir/deliv date:** May 1, 1989  
**Shipped to:** Department of Human  
Services

**Item:** Furniture office  
**Req.#:** 02310 16581 01  
**Awarded to:** Competitive Edge Office,  
St. Paul, MN  
**Awarded amount:** \$21,667.00  
**Awarded date:** January 20, 1989  
**Expir/deliv date:** May 1, 1989  
**Shipped to:** Department of Human  
Services

**Item:** Repair to other equipment  
**Req.#:** 07500 51788 01  
**Awarded to:** Jr Copiers Ltd., St. Paul, MN  
**Awarded amount:** \$6,240.14  
**Awarded date:** January 20, 1989  
**Shipped to:** Department of Public  
Safety/State Patrol

**Item:** Furniture office  
**Req.#:** 13425 01674 01  
**Awarded to:** Johnsons P M Inc., St.  
Paul, MN  
**Awarded amount:** \$8,746.60  
**Awarded date:** January 20, 1989  
**Expir/deliv date:** April 30, 1989  
**Shipped to:** Commerce Department

**Item:** Electronic and electric test  
equipment  
**Req.#:** 21200 20011 01  
**Awarded to:** Audio Precision Inc.,  
Beavertown, OR  
**Awarded amount:** \$11,542.50  
**Awarded date:** January 20, 1989  
**Expir/deliv date:** February 28, 1989  
**Shipped to:** MN Department of Jobs &  
Training

**Item:** Centrifuges, general purpose, over  
5000  
**Req.#:** 26070 14001 01  
**Awarded to:** Beckman Instruments Inc.,  
Edina, MN  
**Awarded amount:** \$62,446.00  
**Awarded date:** January 20, 1989  
**Expir/deliv date:** January 30, 1989  
**Shipped to:** Bemidji State University

## State Contracts and Advertised Bids

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**Item:** Radio communication equipment:  
mobile/portable  
**Req.#:** 07300 54993 01  
**Awarded to:** Motorola Inc., Eden Prairie,  
MN  
**Awarded amount:** \$7,162.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 5, 1989  
**Shipped to:** Department of Public Safety

**Item:** Video CRT equipment  
**Req.#:** 26073 20857 01  
**Awarded to:** Video Midwest Vaughn  
Comm., Minneapolis, MN  
**Awarded amount:** \$12,000.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** February 25, 1989  
**Shipped to:** St. Cloud State University

**Item:** Chemical industrial  
**Req.#:** 29003 05043 01  
**Awarded to:** Northwest Chem, E. Grand  
Forks, MN  
**Awarded amount:** \$18,081.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** February 10, 1989  
**Shipped to:** Various locations

**Item:** Analyzers, pore-volume, for  
surface area  
**Req.#:** 32400 19068 01  
**Awarded to:** HNU Systems Inc.,  
Newton, MA  
**Awarded amount:** \$10,750.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 31, 1989  
**Shipped to:** MN Pollution Control  
Agency

**Item:** Paint varnish thinner solvent  
**Req.#:** 79100 08969 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$50,549.95  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79150 00746 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$48,224.00  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79150 00747 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$94,197.95  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Lumber & related basic wood  
**Req.#:** 79200 03375 01  
**Awarded to:** Two Harbors Lumber Co.,  
Two Harbors, MN  
**Awarded amount:** \$6,335.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** February 15, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint varnish thinner solvent  
**Req.#:** 79200 03352 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$78,237.50  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint varnish thinner solvent  
**Req.#:** 79200 03353 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$18,084.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 17, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79250 00720 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$97,342.30  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 17, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79300 05563 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$109,213.50  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint varnish thinner solvent  
**Req.#:** 79350 00951 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$75,108.00  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint varnish thinner solvent  
**Req.#:** 79350 00952 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$48,224.00  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79400 02937 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$98,678.25  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79450 00567 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$62,590.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 17, 1989  
**Shipped to:** MN Department of  
Transportation

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**State Contracts and Advertised Bids**

**Item:** Paint traffic three minute dry alkyd  
**Req.#:** 79450 00568 01  
**Awarded to:** Vogel Paint & Wax Co., Orange City, IA  
**Awarded amount:** \$40,689.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 17, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Paint traffic twenty second dry  
**Req.#:** 79500 03191 01  
**Awarded to:** Vogel Paint & Wax Co., Orange City, IA  
**Awarded amount:** \$53,482.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 17, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Paint traffic three minute dry alkyd  
**Req.#:** 79500 03193 01  
**Awarded to:** Vogel Paint & Wax Co., Orange City, IA  
**Awarded amount:** \$153,991.75  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Paint traffic three minute dry alkyd  
**Req.#:** 79600 03996 01  
**Awarded to:** Vogel Paint & Wax Co., Orange City, IA  
**Awarded amount:** \$84,496.50  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Paint traffic three minute dry alkyd  
**Req.#:** 79600 03997 01  
**Awarded to:** Vogel Paint & Wax Co., Orange City, IA  
**Awarded amount:** \$63,294.00  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Paint traffic three minute dry alkyd  
**Req.#:** 79650 00434 01  
**Awarded to:** Vogel Paint & Wax Co., Orange City, IA  
**Awarded amount:** \$81,367.00  
**Awarded date:** January 23, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Paint traffic chlorinated rubber  
**Req.#:** 79900 03752 01  
**Awarded to:** Vogel Paint & Wax Co., Orange City, IA  
**Awarded amount:** \$15,422.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 17, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Paint traffic twenty second dry  
**Req.#:** 79900 03754 01  
**Awarded to:** Vogel Paint & Wax Co., Orange City, IA  
**Awarded amount:** \$53,482.00  
**Awarded date:** January 23, 1989  
**Expir/deliv date:** March 17, 1989  
**Shipped to:** MN Department of Transportation

**Item:** Floor maintenance equipment repair parts  
**Req.#:** 02310 16594 01  
**Awarded to:** Steins Inc., Moorhead, MN  
**Awarded amount:** \$16,895.55  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** April 1, 1989  
**Shipped to:** Department of Human Services

**Item:** Computer equipment—supplies  
**Req.#:** 11016 08396 01  
**Awarded to:** Data General Corp., Minnetonka, MN  
**Awarded amount:** \$44,491.60  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** March 27, 1989  
**Shipped to:** MN Department of Health

**Item:** Computer equipment  
**Req.#:** 21200 20061 01  
**Awarded to:** Bergstrom Georgene Co., Minneapolis, MN  
**Awarded amount:** \$15,189.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** February 14, 1989  
**Shipped to:** Various locations

**Item:** Dosimeters  
**Req.#:** 24000 90675 01  
**Awarded to:** Lyons Safety Inc., Menomonee Falls, WI  
**Awarded amount:** \$7,806.08  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** February 9, 1989  
**Shipped to:** MN Department of Employee Relations

**Item:** Computer equipment  
**Req.#:** 26073 20865 01  
**Awarded to:** Marco Business Products, St. Cloud, MN  
**Awarded amount:** \$5,032.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** February 28, 1989  
**Shipped to:** St. Cloud State University

**Item:** Computer, personal computers  
**Req.#:** 27158 91009 01  
**Awarded to:** Independent School District 0709, Duluth, MN  
**Awarded amount:** \$6,638.30  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** February 28, 1989  
**Shipped to:** Mesabi Community College

**Item:** Computer, personal computers  
**Req.#:** 27158 91008 01  
**Awarded to:** Data Source, Bloomington, MN  
**Awarded amount:** \$23,668.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** February 10, 1989  
**Shipped to:** Rainy River Community College

**Item:** Copying equipment  
**Req.#:** 27154 46844 01  
**Awarded to:** Eastman Kodak Co., Minneapolis, MN  
**Awarded amount:** \$9,951.12  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** February 18, 1989  
**Shipped to:** Lakewood Community College

**Item:** Fish hatchery equipment  
**Req.#:** 29002 17218 01  
**Awarded to:** Midwest Fabrication Inc., Corvallis, OR  
**Awarded amount:** \$11,550.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** March 10, 1989  
**Shipped to:** Department of Natural Resources

## State Contracts and Advertised Bids

**Item:** Van, compact  
**Req.#:** 29000 51458 01  
**Awarded to:** North Star Dodge Center,  
Minneapolis, MN  
**Awarded amount:** \$12,445.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** April 1, 1989  
**Shipped to:** DNR—Northern Service  
Center

**Item:** Van, compact  
**Req.#:** 29000 51474 01  
**Awarded to:** North Star Dodge Center,  
Minneapolis, MN  
**Awarded amount:** \$37,335.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** April 1, 1989  
**Shipped to:** DNR—Northern Service  
Center

**Item:** Van, compact  
**Req.#:** 29000 51475 01  
**Awarded to:** North Star Dodge Center,  
Minneapolis, MN  
**Awarded amount:** \$24,890.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** April 1, 1989  
**Shipped to:** DNR—Southern Service  
Center

**Item:** Van, compact  
**Req.#:** 29000 51476 01  
**Awarded to:** North Star Dodge Center,  
Minneapolis, MN  
**Awarded amount:** \$37,335.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** April 1, 1989  
**Shipped to:** DNR Regional  
Headquarters

**Item:** Computer equipment  
**Req.#:** 55000 95718 01  
**Awarded to:** Inacomp Computer  
Centers, Plymouth, MN  
**Awarded amount:** \$7,860.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** February 17, 1989  
**Shipped to:** Department of Human  
Services

**Item:** Meat fresh frozen canned cure  
**Req.#:** 78620 00270 01  
**Awarded to:** Armour & Co., St. Paul,  
MN  
**Awarded amount:** \$8,727.00  
**Awarded date:** January 24, 1989  
**Shipped to:** MN Correctional Facility

**Item:** Meat fresh frozen canned cure  
**Req.#:** 78620 00270 02  
**Awarded to:** Champion Meats &  
Catering, St. Paul, MN  
**Awarded amount:** \$6,426.00  
**Awarded date:** January 24, 1989  
**Shipped to:** MN Correctional Facility

**Item:** Meat fresh frozen canned cure  
**Req.#:** 78830 09612 02  
**Awarded to:** Champion Meats &  
Catering, St. Paul, MN  
**Awarded amount:** \$6,969.00  
**Awarded date:** January 24, 1989  
**Shipped to:** MN Correctional Facility

**Item:** Pole standard & hardware metal  
**Req.#:** 79000 92896 01  
**Awarded to:** Northland Electric Supply,  
Minneapolis, MN  
**Awarded amount:** \$28,238.50  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** March 24, 1989  
**Shipped to:** MnDOT, Electrical Services

**Item:** Computer equipment  
**Req.#:** 79000 93873 01  
**Awarded to:** Paradigm Techn Inc., New  
Brighton, MN  
**Awarded amount:** \$11,526.00  
**Awarded date:** January 24, 1989  
**Expir/deliv date:** February 10, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79650 00435 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$49,731.00  
**Awarded date:** January 24, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79700 03423 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$109,364.75  
**Awarded date:** January 24, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79750 00860 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$92,556.75  
**Awarded date:** January 24, 1989  
**Shipped to:** MN Department of  
Transportation

**Item:** Paint traffic three minute dry  
alkyd  
**Req.#:** 79900 03753 01  
**Awarded to:** Vogel Paint & Wax Co.,  
Orange City, IA  
**Awarded amount:** \$125,768.50  
**Awarded date:** January 24, 1989  
**Shipped to:** MN Department of  
Transportation

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:** Transfer brochure, 2,500 books 16 pages + cover, 7½" x 8½", camera ready, 2-sided, 17 4-color photos

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** State University

**Deliver to:** Mankato

**Requisition #:** 4567

**Commodity:** Various manual covers, 500 covers with 4 different titles, 10" x 11½" face, 1¼" wide backbone, 4 face corners to be rounded, fiberboard reinforcing glued to backbone, 1-sided.

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** Transportation Department

**Deliver to:** St. Paul

**Requisition #:** 4282

**Commodity:** Tyvec bags, 30M, 7½" x 10" plus 2" flap, type to set, print front & back

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** Administration Department:  
Print Communications

**Deliver to:** St. Paul

**Requisition #:** 4457

**Commodity:** Daanes detox information, 35M sets of 2-parts carbonless, negs furnished, 2-sided 11¾" x 17" overall

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** Human Services Department

**Deliver to:** St. Paul

**Requisition #:** 4406

**Commodity:** Request for refunds, 25M 4-part forms, type to set, 1-sided, 3¼" x 8¼" overall

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** Community College System

**Deliver to:** St. Paul

**Requisition #:** 4373

**Commodity:** Embargoed tags, 1000 tags 5¼" x 2⅝", type to set, 2-sided, 100# manilla tag stock

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** Agriculture Department

**Deliver to:** St. Paul

**Requisition #:** 4419

**Commodity:** State of Minn. application information, 200M 3-part sets, type to set, 1-sided, 8½" x 11¾" overall

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** Human Services Department

**Deliver to:** St. Paul

**Requisition #:** 4405

**Commodity:** NDSL billing form, 50M 6-part continuous forms, type to set, 1-sided, 12" x 5½" overall

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** Community College System

**Deliver to:** St. Paul

**Requisition #:** 4297

**Commodity:** German brochure color separations, 13-150 line or more color separations laser scanned from 35mm or larger transparencies. Separation dimensions vary in size from 2¼" x 5" to 8⅞" x 8½"

**Contact:** Printing Buyer's Office

**Bids are due:** January 31

**Agency:** Trade & Economic

Development Department—Tourism  
Office

**Deliver to:** St. Paul

**Requisition #:** 4501

**Commodity:** Requisition for motor pool vehicle, 12M 4-part forms, 8½" x 6¼" overall, camera ready + negs available

**Contact:** Printing Buyer's Office

**Bids are due:** February 2

**Agency:** Administration Department,  
Central Stores

**Deliver to:** St. Paul

**Requisition #:** 4606

**Commodity:** Notice of benefits charged to reimbursable account, 6M 3-part forms continuous, 8½" x 11" plus pin strip, 1-sided, negs furnished

**Contact:** Printing Buyer's Office

**Bids are due:** February 2

**Agency:** Jobs & Training Department

**Deliver to:** St. Paul

**Requisition #:** 4610

**Commodity:** Recruiting viewbook, 25M 8½" x 11", 16 pages + cover, 2-sided, camera ready

**Contact:** Printing Buyer's Office

**Bids are due:** February 2

**Agency:** State University

**Deliver to:** Bemidji

**Requisition #:** 4613

## State Contracts and Advertised Bids

### Contract Awards—Print Communications Division

**Item:** Medical assistance and general assistance medical care provider manual

**Req.#:** 3995

**Awarded to:** Viking Press, Eden Prairie

**Amount:** \$11,980.00

**Date:** January 17

**Deliver to:** Human Services Department, St. Paul

**Delivery date:** 30 days

**Item:** Invoice form

**Req.#:** 4299

**Awarded to:** Pauly Business Forms, Plymouth

**Amount:** \$374.33

**Date:** January 24

**Deliver to:** Administrative Hearings Office, Minneapolis

**Delivery date:** 14 days

**Item:** Notice of unemployment claim

**Req.#:** 4230

**Awarded to:** UARCO Inc., St. Paul

**Amount:** \$18,116.00

**Date:** January 25

**Deliver to:** Jobs & Training Dept., St. Paul

**Delivery date:** 49 days

**Item:** 1989 bear hunt application

**Req.#:** 4137

**Awarded to:** Printing Resources, Shoreview

**Amount:** \$3,040.00

**Date:** January 24

**Deliver to:** DNR—License Center, St. Paul

**Delivery date:** As requested

**Item:** German brochure

**Req.#:** 4322

**Awarded to:** Bolger Publications, Minneapolis

**Amount:** \$3,951.00

**Date:** January 25

**Deliver to:** Tourism Office, St. Paul

**Delivery date:** As requested



### Morel: Minnesota's mushroom

**ROON: A Tribute to Morel Mushrooms**, this delightful treatise on the "filet mignon" of mushrooms will help the stalker of this elusive prey find, and prepare in a variety of ways, its mouth-watering madness. Code #19-55, \$12.00.

**Edible Mushrooms**, a classic guide to safe mushrooms, describes 60 species in detail, with photographs (many in color) to show each in its natural habitat. Advice to amateur mushroom hunters. Paperbound, 118 pp. Code #19-11, \$9.95.

**Malfred Ferndock's Morel Cookbook**, brim full of morel lore, interesting and tall tales, recounts of the hunt, and many savory recipes. Spiral bound, 117 pgs., black & white photos and drawings. Code #19-83, \$8.50.

**Northland Wildflowers**, the perfect mushroomers companion. An excellent guide for identification and enjoyment of wildflowers, with 308 color photographs and descriptions of 300 species. Paperbound. 236 pp. Code #19-9, \$12.95.

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

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

## **Department of Corrections**

### **Minnesota Correctional Facility—Oak Park Heights**

#### **Notice of Request for Proposals for Providing Orthopedic Medical Services**

NOTICE IS HEREBY GIVEN that the Minnesota Correctional Facility—Oak Park Heights is requesting proposals for providing orthopedic medical services to inmates. The contract periods will run from March 1, 1989 through June 30, 1989 and July 1, 1989 through June 30, 1991. The estimated cost is \$5,000 for the period from March 1, 1989 through June 30, 1989, and \$16,000 for the period July 1, 1989 through June 30, 1991. Specific details on the purpose and scope of these services can be obtained by calling Ken Carlson, MCF-Oak Park Heights Health Services Director, at (612) 779-1436. The proposal must be submitted by 4:30 p.m. on February 10, 1989. Send the proposals to: Ken Carlson, MCF-Oak Park Heights, Box 10, Stillwater, Minnesota 55082.

## **Department of Corrections**

### **Minnesota Correctional Facility - Stillwater**

#### **Notice of Request for Proposals for Providing Orthopedic Medical Services**

NOTICE IS HEREBY GIVEN that the Minnesota Correctional Facility - Stillwater is requesting proposals for professional orthopedic medical services to inmates at the facility for the period of February 24, 1989, through June 30, 1989. The estimated cost is \$12,000.00. Specific details on the purpose and scope of these orthopedic medical services can be obtained by calling Eve Olson, Health Services Unit, MCF-Stillwater, at (612) 779-2700 Ext. 2633. The proposals must be submitted by 4:00 p.m. on February 17, 1989. Send proposals to: Eve Olson, MCF-Stillwater, Box 55, Stillwater, Minnesota 55082.

## **Minnesota Historical Society**

### **Advertisement for Bids for Reroofing Dwelling No. 1 and Fog Signal Building of Minnesota Historical Society's Split Rock Lighthouse Historic Site**

#### **1. BIDS**

Sealed bid proposals for reroofing Dwelling No. 1 and the Fog Signal Building, Split Rock Lighthouse Historic Site, Lake County Minnesota, in accordance with bidding documents dated January 16, 1989 and prepared by Architectural Resources, Inc. will be received in the office of the Contract Officer, Minnesota Historical Society, 1500 Mississippi Street, St. Paul, MN 55101 until 2:00 p.m., Central Standard Time, on February 13, 1989, at which time the bid proposals will be publicly opened and read aloud. Bids received after 2:00 p.m., February 13, 1989, will be returned unopened.

#### **2. BID SECURITY**

Each proposal must be accompanied by a cash deposit, cashier's check, certified check, or corporate surety bond of a surety company duly authorized to do business in Minnesota, in the sum of not less than five percent (5%) of the total bid, payable without condition to the Minnesota Historical Society, which is submitted as bid security to guarantee that the bidder, if awarded the contract, will promptly execute such contract in accordance with the bid proposal and will furnish the required Payment and Performance bond.

#### **3. PLANS AND SPECIFICATIONS**

Copies of bidding documents for preparation of bids will be available for inspection at the offices of Architectural Resources, Inc., 126 East Superior Street, Duluth, Minnesota 55802 and Fort Snelling History Center, St. Paul, Minnesota 55111.

Copies of the bidding documents for use by contractors submitting a bid may be obtained from the Contract Officer, Minnesota Historical Society, 1500 Mississippi Street, St. Paul, Minnesota 55101.

#### **4. CONDITIONS OF BIDS**

The Minnesota Historical Society reserves the right to accept or reject any or all bids and to waive any irregularities therein. No bid may be withdrawn within thirty (30) days after the scheduled closing time for the receipt of bids.

### Department of Human Services

#### Notice of Request for Proposals for Project Management of the Design, Development and Implementation of a Certified Medicaid Management Information System

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

Respondent will provide management of daily operations. Respondent will be responsible for assuring that all requested deadlines are met and that the quality of all deliverables meet DHS standards.

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

The Commissioner of Human Services will appoint an evaluation committee to review each proposal. The evaluation committee will examine the content of each proposal and will submit their findings to a selection committee comprised of DHS management. The selection committee will review the findings and will recommend to the Commissioner of Human Services their choice for a contractor. Evaluation and selection will be completed by March 1, 1989. All responders will be notified of the results by mail.

The Request for Proposals containing detailed specifications may be requested from the Department of Human Services. The deadline for submitting proposal is 4:00 p.m. February 17, 1989. Please direct all proposals and inquiries to:

Robert Meyer  
Department of Human Services  
Health Care Systems Administration  
444 Lafayette Road  
St. Paul, MN 55155-3855  
(612) 296-5503

Late proposals will not be accepted. Six copies of the proposal must be submitted in a sealed mailing envelope or package with the responder's address clearly written on the outside. The proposal must be signed by an authorized member of the contracting firm. Prices and terms of the proposal as stated must be valid for the length of the project. Prospective responders who have questions concerning this request for proposal may call Robert Meyer.

#### Background

The State of Minnesota has been operating and maintaining its own certified Medicaid Management Information System (MMIS) since 1975. The State has determined that a new MMIS is necessary to meet current and future needs.

#### Purpose

The purpose of this Request for Proposals (RFP) is to solicit proposals from qualified organizations to provide Project Management for the design, development and implementation of a new Medicaid Management Information System.

#### Contract Term

This contract shall begin on the date of approval by HCFA and approval by the Minnesota Commissioner of Finance, or designee, and continue for one (1) year thereafter, and may be renewed for two (2) one (1)-year periods if necessary, or until all contractual obligations are completed.

#### Issuing Officer

This RFP is issued by the Minnesota Department of Human Services, which is the sole point of contact from the date of release of this RFP until the selection of the successful bidder. All questions and requests for clarification should be submitted in writing to:

Robert G. Meyer, MMIS Project Administrator  
Health Care and Residential Programs  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3855

#### Contract Administrator

This contract will be administered by the Department of Human Services through its office of Health Care and Residential Programs. The contract administrator is:



Robert C. Baird, Deputy Assistant Commissioner  
Health Care and Residential Programs  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3848

The contract Administrator shall have sole authority to approve all deliverables and other contract provisions.

**Procurement Timetable**

The following timetable is anticipated for the procurement process:

RFP Issued	January 30, 1989
Closing Date for Receipt of Proposals	February 17, 1989
Completion of Proposal Review and Contractor Selection	March 1, 1989
Contract Signing (Subject to Approval)	March 8, 1989

**MMIS Library**

Bidders may review information describing Minnesota's Medicaid Program and the present MMIS by contacting the Issuing Officer for an appointment.

The MMIS Library is located on the 4th Floor, 444 Lafayette Road, St. Paul, Minnesota 55155. The library will contain all documentation relevant to the current MMIS, Minnesota's Medical Assistance Program, Federal Regulations, Social Security Act, and future needs and expectations of DHS. The Advanced Planning Document and the Request for Proposals for the Advanced Planning Document are also available for review.

All possible efforts are being made to ensure that the library contents are complete and current. However, the State of Minnesota does not warrant that the information in this library is indeed complete or current.

**Minnesota Department of Public Safety****Request for Bids for the Performance of Psychological Evaluations for State Patrol Trooper Candidates**

The Department of Public Safety is seeking bids from qualified medical personnel to perform psychological testing, evaluation, and follow up statistical analysis for approximately 80 State Patrol Trooper candidates. Psychological evaluations are required by Peace Officer Standards and Training Board (POST) selection standards.

The process of psychological evaluation for State Patrol Trooper shall include the following:

1. Furnish, score, read, and evaluate the results of the Minnesota Multiphasic Personality Inventory.

Scoring for the MMPI should be through evaluation specific to law enforcement occupations such as the Minnesota Personal Screening Report offered by National Computer Services.

2. Furnish, score, read, and evaluate the 16 Personality Factor test.

Other comparable tests may be utilized as the consultant deems appropriate to the evaluation, but the bid must then indicate what alternative tests are suggested for use and how they are appropriate to the evaluation.

3. Conduct personal interviews of all referred candidates in order to determine fitness to perform the duties of a State Patrol Trooper.

4. Conduct such additional tests or interviews as may be deemed necessary, in the consultant's professional judgment, to make a reasonable determination.

5. Provide individual written reports on each candidate to the Personnel Director of the State Department of Public Safety setting forth findings and conclusions as to whether or not the candidate is psychologically fit for law enforcement work with the Minnesota State Patrol.

Candidates should be grouped in the following three (3) categories: fully qualified, qualified with reservation, and not qualified.

6. Provide follow-up or additional evaluation of trainees during the academy period as requested by State Patrol.

## State Contracts and Advertised Bids

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7. Provide a follow-up analysis of the psychological evaluation process in relation to usefulness of predictors used; correlation with other examination parts; and future job performance.

8. Provide one to two hours of orientation regarding the psychological process to State Patrol supervisors and background investigators.

9. Respond to requests for information or justification regarding the psychological screening process including requests from candidates.

The following time frames shall be required to be met as a part of the process:

1. The contractor must furnish the necessary testing materials to the Department of Public Safety so that the written portion of the psychological exam can be administered by that department on April 17, 1989.

2. Scoring, reading, and evaluation of the written test instruments must be completed prior to May 22, 1989.

3. The personal interviews with approximately 80 Trooper candidates are scheduled to begin on or about May 22, 1989, and must be completed within a period of approximately one (1) week.

4. Written reports must be completed and available to the Department of Public Safety by June 9, 1989.

Bids will be accepted until 4:30 p.m. on February 21, 1989 and should be addressed to: Vonnie Mulcahy, MN Department of Public Safety, Room 210 Transportation Building, St. Paul, Minnesota 55155.

The Minnesota Department of Public Safety reserves the right to accept or reject any or all bids and to waive any irregularities therein.

## Non-State Public Contracts

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

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

## Metropolitan Waste Control Commission

### Notice of Request for Proposals for Ash Utilization

The Metropolitan Waste Control Commission of St. Paul, Minnesota is seeking proposals for beneficial use(s) of its daily production of sewage sludge ash. The Commission's Metro Plant in St. Paul generates fifty (50) tons per day of incinerator ash. The ash is considered non-hazardous under state and federal regulations. Beneficial uses that have been identified are: lightweight aggregate, filler material for asphalt and concrete, soil conditioning, land application (alone or as fertilizer supplement), and land reclamation. For a copy of the RFP and the ash characterization please contact Mr. Bryce Pickart at (612) 229-2091, or write c/o Metro Waste Control Commission, 230 E. 5th St., St. Paul, MN 55101. Deadline for proposals is 3/31/89.

## Stearns County

### Addendum Number Three to Notice to Bidders on Computer Equipment

The following notice lists changes to the original notice that appeared in *State Register* vol. 13, #28, January 9, 1989 on page 1748. Addendums appeared in subsequent *State Registers* dated January 16 and January 23.

Please note the following change in the bid specifications for computer equipment:

- I. ITEM: IBM PERSONAL SYSTEM 2, MODEL 50-Z-031 **OR EQUIVALENT**
- II. ITEM: EPSON LQ1050 PRINTERS **OR EQUIVALENT**

Please note that the change is highlighted in **bold**—the addition of the wording “or equivalent” in both item I and II. If you should have any questions regarding this change, please do not hesitate to call the Stearns County Purchasing Department.

# State Grants

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

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

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## Department of Education

### Indian Education Section

#### Notice of Request for Proposals for Funding Grants under the Indian Education Act of 1988 and Indian Post-Secondary Preparation Program

Request for Proposals (RFPs) for funding under the Indian Education Act (IEA) of 1988 (formerly known as the American Indian Language and Culture Education Act—AILCE) and Indian Post-Secondary Preparation Program (PSPP) will be mailed within 30 days of today's date. Following is the timeline established by the State Board of Education for applications and funding under these two Indian Education Grant Programs:

February 23, 1989	RFP mailing statewide
April 10, 1989	Applications due (6+ weeks) POSTMARKED
April 24, 25, 1989	Committees meet to read proposals
May 8, 1989	Recommendations to State Board for final decisions
June 1, 1989	Notices to Grantees by this date

- There will be no exceptions nor variances granted to this timeline.
- Applications must be postmarked no later than the due date listed above **and** must be received **BEFORE** the Committees meet. Hand delivered applications will be accepted up to the due date listed above only.
- It will be the applicant's responsibility to ensure and confirm receipt of their proposal (application). The Department of Education and the State Board of Education maintain no responsibility for lost or delayed mail.
- The State Board of Education will hear **NO APPEALS** in regard to deadlines or late proposals.
- The RFP will list more details of the application process.

No major changes have been made in the legislative intent of the grants, nor in the application process or proposal format. Application forms and Selection Criteria remain substantially the same as the past two years.

RFPs will be mailed to all Minnesota Title IV-A participants, previous recipients of state Indian education grants, and statewide tribal agencies and organizations. Interested educational programs who do not receive these two RFPs by the end of February should call Minnesota Department of Education, Indian Education Section at 296-6458 to obtain an RFP packet.

## Supreme Court Calendar

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Listed below are the cases scheduled to be heard by the Minnesota Supreme Court in the next few weeks. This listing has been compiled by the Minnesota State Law Library for informational purposes only. Cases may be rescheduled by the Court subsequent to publication in the *State Register*. Questions concerning dates, locations, cases, etc., should be directed to: Clerk of the Appellate Courts, Room 230 State Capitol, St. Paul, MN 55155 612-296-2581.

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### February, 1989

Compiled by Dale A. Hansen, (612) 297-4050

Listed below are the cases scheduled to be heard by the Minnesota Supreme Court in the next few weeks. This listing has been compiled by the Minnesota State Law Library for informational purposes only. Cases may be rescheduled by the Court subsequent to publication in the *State Register*. Questions concerning the time and location of hearings should be directed to: Clerk of the Appellate Courts, Room 230 State Capitol, St. Paul, MN 55155 (612) 296-2581.

## Supreme Court Calendar

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### Monday, January 30, 1989 9:00 A.M.

**C1-87-2234 ECONOMY FIRE & CASUALTY COMPANY, petitioner, Appellant** (Attorney: Kay Nord Hunt of Lommen, Nelson, Cole & Stageberg) vs. **RICHARD V. IVERSON, Respondent** (Attorney: Dunkley, Bennett & Christiansen, P.A.), **ORVILLE M. OLSON, et al., Respondents** (Attorney: Joseph F Lyons-Leoni of Cloutier & Musech). Opinion Court of Appeals.

Where a homeowners policy of insurance specifically excludes coverage for bodily injury which is expected or intended by the insured and where the policy only agrees to provide coverage for occurrences defined as accidents, does the insurer have an obligation to defend or indemnify where the insured intentionally inflicts the injury but does so in self-defense?

Did the court of appeals commit error in suggesting in a footnote in its decision that the trial court may consider the issue of negligent use of too much force in determining culpability?

**C4-86-1715 In Re Petition for Disciplinary Action against CHESTER C. GRAHAM, an Attorney at Law of the State of Minnesota** (Attorney for Respondent: Chester C. Graham). Petition for Disciplinary Action.

What discipline is appropriate to impose upon a lawyer who, while on probation for neglect, misrepresentations, failure to communicate with interested parties, and failure to cooperate with a professional responsibility investigation, continues to commit the same misconduct?

Are Respondent's alcoholism and psychological condition mitigating factors in this case?

### Tuesday, January 31, 1989 9:00 AM

**C7-88-1745 WILLIAM THORSON, et al., Respondents** (Attorney: Rietz, Rietz & Rietz) vs. **RICE COUNTY DISTRICT ONE HOSPITAL, petitioner, HANSCOM AMBULANCE COMPANY, Respondent** (Attorney: Kenneth R. White of Farrish, Johnson & Maschka). Order Rice County.

Does the trial court have the authority to extend the time for a plaintiff to provide the expert opinion in medical malpractice cases mandated by *Minnesota Statutes* sec. 145.682, subd. 4, after the expiration of the statutory time limit where the statute provides for mandatory dismissal with prejudice for failure to comply?

Assuming a trial court has authority to extend the time limit, did the Plaintiff establish excusable neglect where the primary reason given for the failure to provide expert testimony was the inability to find an expert?

**C7-88-1227 STANFORD LEE PARKER, petitioner, Appellant** (Attorney: Susan J. Andrews, Assistant Public Defender) vs. **STATE OF MINNESOTA, Respondent** (Attorney: Therese Galatowitsch, Assistant Hennepin County Attorney). Order Hennepin County.

Did the post-conviction court err in denying Appellant's request for a new trial based on the recanted identification of Appellant by an eyewitness where the jury might have reached a different conclusion without the eyewitness' testimony?

### Thursday, February 2, 1989 9:00 AM

**C3-87-2056 & C5-87-2057 ROBERT B. MILLER, Respondent** (Attorney: Gregory S. Hagge of Reed & Pond, Ltd.) vs. **HAZEL HENNEN, et al., Defendants, COMET ENTERPRISES, INC., petitioner, Appellant** (Attorney: Mark V. Lofstrom of Harrigan, Hanley & Poirier), **STEVEN CODDON, Respondent** (Attorney: Steven Codden), **E.T. FINANCIAL, INC., Respondent** (Attorney: Timothy Campion). Opinion Court of Appeals.

Is a prior recorded mortgage, granted by a vendee on an unrecorded contract for deed, void as a matter of law; as against a subsequent mortgage purchased by a speculator in distressed properties for less than one-tenth of its face value, when the speculator has actual notice of the prior mortgage and where the chain of title leading to his mortgage is unrecorded?

Is a recorded mortgage, granted by a vendee on an unrecorded contract for deed, constructive notice to subsequent purchasers, creating a duty of off-record inquiry as to the interest claimed by said mortgagee?

May the holder of a second mortgage eliminate by foreclosure a recorded first mortgage without a prior judicial determination that the second mortgage is superior to the first mortgage?

May a quiet title plaintiff eliminate recorded interests in the subject premises of named defendants, by accepting a deed from the record fee owner during the pendency of the action?

May title to property be quieted based upon equitable considerations?

Is a mortgage foreclosure invalidated by stating the balance due on the Notice of Sale Under Foreclosure of Mortgage at \$12,400 when the actual balance due is \$7,200?

**C7-87-2514 In the Matter of the Contested Cases of ST. OTTO'S HOME, LITTLE FALLS, MINNESOTA, and ST. FRANCIS HOME, BRECKENRIDGE, MINNESOTA, petitioners, Relators** (Attorneys: Steve M. Mihalchick and Samuel D.

Orbovich of Broeker, Geer, Fletcher & Lafond, Ltd.) vs. **MINNESOTA DEPARTMENT OF HUMAN SERVICES, Respondent** (Attorney: John L. Kirk, Assistant Attorney General), and

**C2-88-3 In the Matter of the Contested Case of LUTHER HAVEN NURSING HOME, MONTEVIDEO, MINNESOTA, petitioner, Relator, vs. MINNESOTA DEPARTMENT OF HUMAN SERVICES, Respondent.** Opinions Court of Appeals.

Should the judicial doctrine of deferring to an agency's expertise be extended to allow the Commissioner of Human Services to adopt, in a contested case proceeding, new definitions and standards for specific rate-setting terms, when those definitions and standards have not been promulgated under the Administrative Procedure Act?

Can an agency in a contested case proceeding rely on a discussion in a rulemaking report of a particular agency-commissioned study, when the study was neither admitted into the ALJ's record of evidence in the contested case, nor produced by the agency in response to relevant discovery requests?

Can the Commissioner of Human Services deny hospital-attached status to certain Convalescent and Nursing Care (C&NC) units, while granting the same status to all other Minnesota C&NCs, or is the distinction without any rational basis and thus unconstitutional?

### **Monday, February 7, 1989, 9:00 AM**

**C1-88-1823 RICHARD G. SHATEK, Respondent** (Attorney: David A. Stofferahn of Sieben, Grose, VonHoltum, McCoy & Carey, Ltd.) vs. **GEORGE A. HORMEL & COMPANY, Self-Insured, Relator** (Attorney: Gilmore, de Lambert, Aafedt & Forde, P.A.). Order Workers' Compensation Court of Appeals.

Did the general recall letter sent by employer to 1400 employees constitute a suitable job offer to Respondent?

Is the employee entitled to temporary total or temporary partial disability benefits because he refused an offer of suitable employment?

**C2-87-2128 DAVID H. STIFF, Respondent** (Attorney: Kenneth E. Keate) vs. **ASSOCIATED SEWING SUPPLY, et al., petitioners, Appellants** (Attorney: Gibas, Richey & Dube). Opinion Court of Appeals.

Were the books, records, and administrative practices of Appellant systematically dismantled between 1975 and April 23, 1982?

Did Respondent participate in such dismantling?

Did Respondent fail to notify Appellant before he began to work for another company doing the same type of work?

Did Respondent perform work for any unidentified customers of Appellant during the time he worked for Appellant?

Did Respondent regularly appropriate cash paid by customers on outside sales and service calls?

Did Respondent participate in a scheme to seize cash from Appellant?

Do these activities justify forfeiture of pay during every week for which Respondent has not been paid his commissions and for which he was not credited with taxes withheld from his commissions?

### **Tuesday, February 7, 1989 9:00 AM**

**C3-88-723 STATE OF MINNESOTA, Respondent** (Attorney: Darrell C. Hill, Assistant Ramsey County Attorney) vs. **KEVIN JAMES MOORE, Appellant** (Attorney: Steven P. Russett, Assistant State Public Defender). Judgment Ramsey County.

Is Appellant entitled to a reversal of his convictions where the prosecutor withheld prior inconsistent statements of two eyewitnesses?

Was a search warrant invalid so that evidence obtained under it should have been suppressed because the affidavit used to secure the warrant referred to a "witness" rather than an "informant," was worded to sound as if there were two witnesses rather than one, and failed to state that the information was four days old?

Was Appellant denied a fair trial where the prosecutor used a peremptory challenge to strike the only black from the prospective jury panel when that person had a prior criminal conviction?

Is the verdict finding Appellant guilty of both first and second degree murder legally inconsistent entitling Appellant to a new trial?

**C1-88-1806 JOHN J. MARSOLEK, JR. Relator** (Attorney: David A. Stofferahn on Sieben, Grose, VonHoltum, McCoy & Carey, Ltd.) vs. **GEORGE A. HORMEL COMPANY, Self-Insured, Respondent** (Attorney: Gilmore, Aafedt, Forde, Anderson & Gray, P.A.). Order Workers' Compensation Court of Appeals.

Does the alleged misconduct of an injured employee resulting in the employee's termination from employment preclude the receipt of workers' compensation benefits?

By taking a vo-tech course on job-seeking skills, filing with the unemployment office, but making fewer than two contacts per month, did employee diligently search for employment thus entitling him to temporary total disability?

## Supreme Court Calendar

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**Wednesday, February 8, 1989 5:30 PM at William Mitchell College of Law**

**C1-87-2170 JOHN FORSTER, ET AL., Respondents** (Attorney: Michael L. Weiner of DeParcq, Hunegs, Stone, Koenig & Reid, P.A.) vs. **R. J. REYNOLDS TOBACCO COMPANY, petitioner, Appellant** (Attorneys: James S. Simonson of Gray, Plant, Mooty, Mooty & Bennett, P.A. and John L. Strauch and William T. Plesec of Jones, Day, Reavis & Pogue), **ERICKSON PETROLEUM CORPORATION, d.b.a. HOLIDAY STATION STORES, INC., petitioner, Appellant** (Attorney: Cousineau, McGuire, Shaughnessy & Anderson). Opinion Court of Appeals.

Does the Federal Cigarette Labeling and Advertising Act, which prescribes uniform, comprehensive, and exclusive federal requirements with respect to cigarette labeling, advertising, and promotion, expressly or impliedly preempt the claims Plaintiff has asserted that Appellants purposely contradicted and neutralized the required warnings leading to the personal injuries suffered by Plaintiff and caused by smoking cigarettes?

## Supreme Court Decisions

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### Decisions Filed 27 January 1989

**C9-87-1882 John Doe, M.D., petitioner, Appellant v. Minnesota State Board of Medical Examiners. Court of Appeals.**

A "final decision" of the State Board of Medical Examiners following a contested case disciplinary action includes its "findings of fact, conclusions of law and specification of the final disciplinary action," and is a public document under the Minnesota Government Data Practices Act.

*Minnesota Rules* 5615.1100 operates to limit the scope of data which can be made public in a final decision of the State Board of Medical Examiners so that data related to dismissed complaints in a contested case disciplinary action cannot properly be made public in the Board's final decision.

Appellant is entitled to attorneys fees in the amount of \$400 in this court.

The decision of the court of appeals is reversed and the case is remanded to the district court. Amdahl, C.J.

Concurring in part, dissenting in part, Wahl, J.

Took no part, Popovich, J.

**CX-88-2128 Brian Granberg v. PCL Construction and U.S. Insurance Group, Relators. Workers' Compensation Court of Appeals.**

Where retraining benefits are "monetary benefits" within the meaning of subdivision 11a of section 176.102 (1985), the amount of benefits payable is subject to the law in effect on the date of injury.

Affirmed. Wahl, J.

**C6-87-2178 In re Petition for Disciplinary Action against Richard J. Chrysler, an Attorney at Law of the State of Minnesota. Supreme Court.**

Six months' suspension ordered for failure to file income tax returns 15 of the last 20 years of practice.

Suspended. Per Curiam.

## Announcements

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**Funds for Specialized Transit Services:** Federal funds are available for specialized transit services totalling \$625,969 federal dollars to be used for the purchase of vehicles equipped to transport elderly and handicapped people in Minnesota. Private, non-profit organizations serving the elderly and handicapped are eligible to apply for the funds which will provide 80 percent of the cost of the vehicle. The applicant must provide the remaining 20 percent, as well as all operating expenses. Applications consist of a seven-step process with six required deadlines. The first deadline is Feb. 15, 1989. The final deadline is April 26, 1989 for submitting all completed application materials. Applications are available from Minn. Dept. of Transportation's Transit Office, Dennis McMann (612) 297-2067 or Randy Halvorson (612) 296-1615.

**Environmental Quality Board (EQB):** Comments on Environmental Assessment Worksheets (EAWs) are due Feb. 22 on the following projects at the regional governing unit listed with each: North Beach Camping Preserves and Cabin Addition, Hubbard County; Bass Lake Hills, City of Plymouth; Inver Grove Interceptor East, Minn. Pollution

Control Agency (MPCA); Cari Park, City of Hastings; and Trout Lake Township Land Applications Site, MPCA. • An Environmental Impact Statement scoping period for the IGH Resort Community, by the City of Inver Grove Heights, will end Feb. 22. A public meeting will be held on Feb. 21 at 7:30 p.m. in the Inver Grove Heights City Council Chambers, 8150 Barbara Avenue, Inver Grove Heights. The EAW and Draft Scoping Decision Document are also available for review at the Inver Grove Heights City Hall. • A petition for review has been submitted to Stearns County for the Schneider Lake Development. • The Hennepin County Regional Railroad Authority will be considering modifications to the Scoping Decision Document, dated Nov. 8, relating to the light rail system. The modifications will be discussed at the Authority's regularly scheduled meeting on Jan. 31, at 2 p.m. in the County Commissioners' Board Room, Suite 2400-A Hennepin County Government Center. Public comments and testimony will be heard at the meeting. A more detailed description of the proposed modifications is available from, and written comments or requests for further information may be sent to: Hennepin County Regional Railroad Authority, 2307-A Hennepin County Government Center, Mpls., MN 55487 Attn: Ken Stevens; or to: BRW Inc., 700 South Third Street, Mpls., MN 55415, Attn: Dave Warner.

**Ice Fishing and Walleye Laws Updated:** The Minn. Dept. of Natural Resources (DNR) reminds ice fishing enthusiasts to license all fishing shelters, including portable shelters. This includes the canvas and nylon types and all other shelters, which require the same license, and the name and address of the licensee in 3" lettering on the side. Winter anglers must remove their shelters from inland waters before midnight, Feb. 28. After Feb. 28, only portable shelters may be placed on the ice from 7am-12 midnight. Warm weather anglers on the Rainy River in the Canada-Minnesota waters should be aware of these new regulations: 1) Walleye pike season is open through April 14, 1989; 2) walleye pike possession limit is 6; 3) walleye pike length limits from the opening day in May through **Feb. 28, 1989** allows one walleye over 19½" in length to be possessed in a limit of 6; 4) beginning March 1, 1989, all walleyes possessed must be under 19½" in length; 5) northern pike is a continuous season, with a possession limit of 6, and, 6) shelter houses must be removed from the Rainy River before midnight, March 31, 1989.

**Futurist to Speak at Metro Council's "State of Region:"** Rosabeth Moss Kanter, a futurist and internationally known expert on how institutions deal with change, will keynote the Metropolitan Council's 1989 State of the Region event Feb. 22. The theme of the event is "Shaping Change: Preparing the Twin Cities for the 21st Century." The public is invited to the event, which will be held at the Hotel Sofitel in Bloomington, from 2 to 8 pm. The program will focus on a wide range of questions about the region's long-term future. Kanter has written eight books on the subject, including *The Change Masters: Innovation and Entrepreneurship in the American Corporation*. She also heads a national business consulting firm and teaches at the Harvard Business School. Registration is \$30. If you do not receive an invitation and registration form by Feb. 1, call the council at (612) 291-6500 to register.

**Appointments:** Named Vice President for Research and Development of the Greater Minnesota Corporation was **Dr. D. Bruce Merrifield**. He was Assistant Secretary of Commerce for Productivity, Technology and Innovation in the Reagan Administration for eight years. The Metropolitan Council elected new officers at its Jan. 12 meeting: **Joan Campbell** was elected first vice-chair. She represents District 6, northern Minneapolis; **Dirk DVries** was elected second vice-chair. He represents District 13, which includes western and southwestern Hennepin County; and **Pat Scully** was elected to serve as treasurer. He represents District 16, southern Dakota County.

**Artificial Intelligence Prototypes:** Dept. of Administration Commissioner Sandra J. Hale signed an agreement with Bloomington-based PEAKSolutions to develop prototypes of 48 artificial intelligence programs—or expert systems—for use in state government. The agreement marks the first time any state government has committed money to a planned, widespread application of the emerging technology of expert systems. As part of the agreement, the state will receive royalties from any future sales of the systems by the vendor. Labor and Industry Commissioner Kenneth B. Peterson said his department has certified the nation's first and only apprenticeship program for Knowledge-Based Application Developers (expert systems). It has been estimated that in order to remain competitive, the United States will need 100,000 trained artificial intelligence professionals by 1992.

**Attorney General-Off-Duty Peace Officers and USDA Meat Inspections:** Attorney General Humphrey ruled that licensed peace officers, hired to work off-duty within their jurisdictions, may wear their badges and uniforms if permitted to by their law enforcement agencies. Humphrey noted that full-time, licensed peace officers have been considered by courts to be peace officers within their jurisdiction 24-hours a day. The attorney general also urged the U.S. Dept. of Agriculture to reject a proposed rule that would eliminate daily inspections of many meat and poultry processing plants. In a letter sent to the secretary of agriculture, Humphrey said that proposed changes in the federal inspection program "leave the public exposed to an unwarranted risk of unsafe, spoiled or contaminated meat and poultry products." Inspections have occurred daily for 30 years. New rules call for "discretionary inspections."

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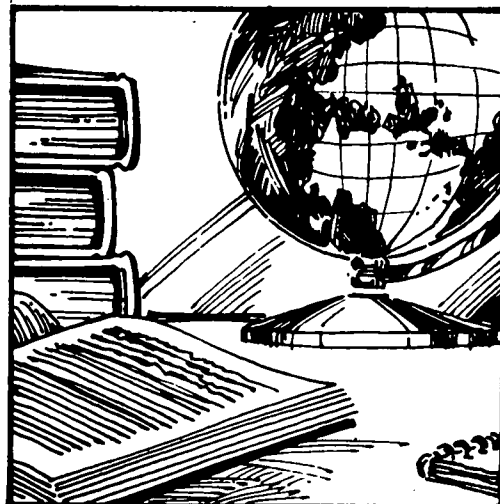
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## Get Smart with these Education Resources

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

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

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**Minnesota Manufacturer's Directory.** More than 7,000 entries that include name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$76.50 plus tax.

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

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



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## ***Resolve Bargaining Disputes and Grievances***

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

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***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.



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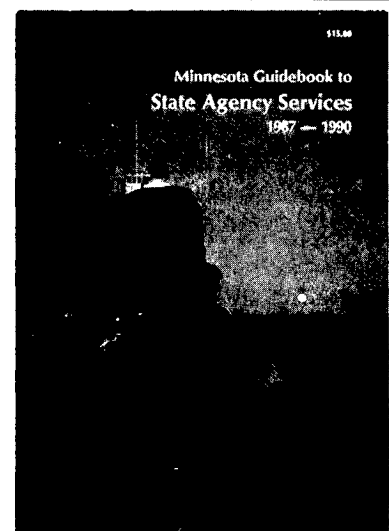
## ***A Beacon to Guide You—Minnesota's Owners Manual***

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

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

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

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



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**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.

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## Geological Adventures in Minnesota



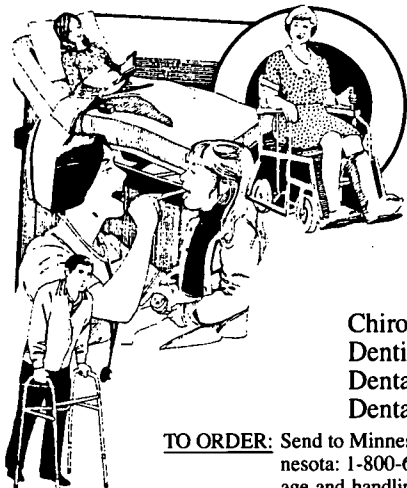
**Our Minnesota.** More than 100 full-color photos by Les and Craig Blacklock portray Minnesota in her seasonal beauty, with text from the personal journal of Fran Blacklock's thirty years of traveling the state. Stock #9-23. \$12.95 plus tax.

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**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.

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## 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.

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

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## Minnesota's North Shore

**Historic Sites and Place Names of Minnesota North Shore.** Stories recounted by a retired DNR Forester about the North Shore's timbermen, pioneer settlers, commercial fishermen, and others who knew the area first hand. Stock #9-11. 35pp. \$3.50 + tax.

**Up North.** A memorable collection of essays and stories that capture the mystic moods, seasonal subtleties and colorful characters that fill the landscape up north. Stock #19-16. \$14.95 + tax.

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These helpful guides are designed to achieve a practical balance between basic theory and day-to-day business practices. Continuing self-education is important for small business owners in an ever changing business world, and these do just that in "shirt sleeves" fashion and in language the small company can use to translate ideas into decisions and actions.

**Starting and Managing a Small Business of Your Own.** Stock #16-40. \$4.75 + tax.

**Guides for Profit Planning.** Stock #16-41. \$4.50 + tax.

**A Handbook of Small Business Finance.** Stock #16-42. \$2.00 + tax.

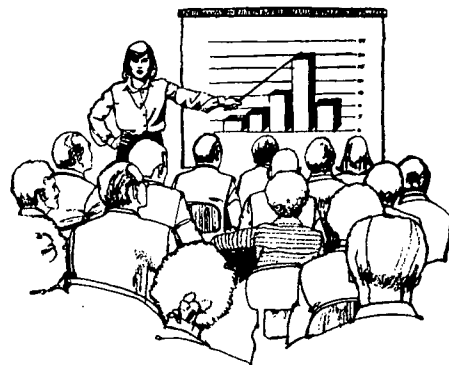
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**U.S. Government Purchasing and Sales Directory.** Lists products and services bought by the military departments and civilian agencies. 191 pages, Stock #16-35, \$5.50 + tax.

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## River Stories That Warm Your Heart

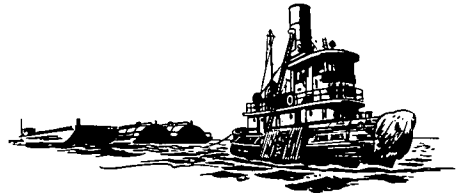
***A Stretch on the River.*** 1950 novel about the son of a wealthy family who goes to work on a Mississippi River towboat to avoid being drafted. With power, gusto and humor, author Richard Bissel creates an energetic, rowdy, and delightful account of a typical trip up the river, accurately re-creating a colorful era of towboating on America's major waterway. Stock #17-6, \$8.95 plus tax.

***High Water.*** During the worst flood on the Mississippi River anyone can remember, the mate of a towboat has his hands full on a perilous trip, working with an unhappy crew, an angry captain, and too many barges to push against too much river. A 1954 Richard Bissel novel reveals the drama, humor and charm of working on the river. Stock #17-8. \$8.95 plus tax.

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***Canoeing with the Cree.*** Minnesota's distinguished newsman, Eric Sevareid, wrote his first book in 1935 about a canoe journey he and a classmate made to Hudson Bay. The classic recounts their trip on the Mississippi, Minnesota and Red River of the North Rivers into Lake Winnipeg, and then God's River to Hudson Bay. 209 pp. includes index, maps and photos. Stock #17-14. \$6.95 plus tax.

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***A Basic Guide to Exporting.*** Step-by-step look at developing a profitable international trade, this book reveals export strategy and advice, market research, channels of distribution, making contacts, selling overseas, pricing and terms, financing the sale, export regulations, customs benefits, tax incentives, shipping and documentation, after sales service, and getting paid. Includes 10 appendices and an index. 148pp. Stock #16-69. \$8.50 + tax.

***Minnesota: State Statistical and Economic Abstract.*** This helpful fact book by the U.S. Dept. of Commerce catalogs statistical data on population and households, labor market and human resources, economic overview, construction, manufacturing, international trade, personal income, government, high technology, state rankings in the U.S., telecommunication, information resources, travel and tourism, climate overview and geodetic service. 119pp. Stock #16-8. \$12.00 + tax.

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## Minnesota: national leader in education

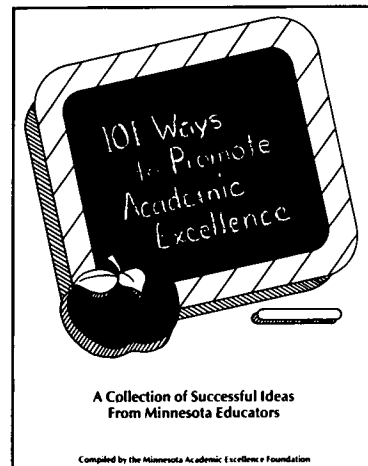
### 101 Ways to Promote Academic Excellence

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

### Education Directory, 1988-89

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers, and enrollment. 128 pages, paperbound. Code #1-93, \$7.00.

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

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

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

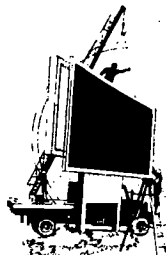
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## Minnesota Manufacturer's Directory 1988-89

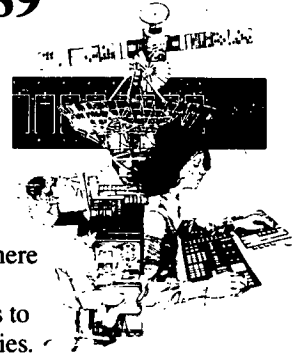


**UPDATED:** Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$76.50.

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



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



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

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

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

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

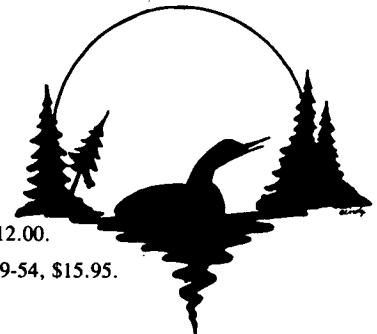
**Loon Lapel Pin**. Code #15-30, \$2.49.

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

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# Minnesota's future environment

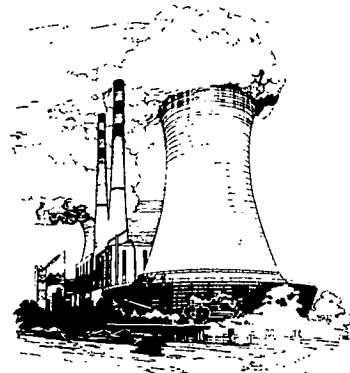
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