

State of Minnesota

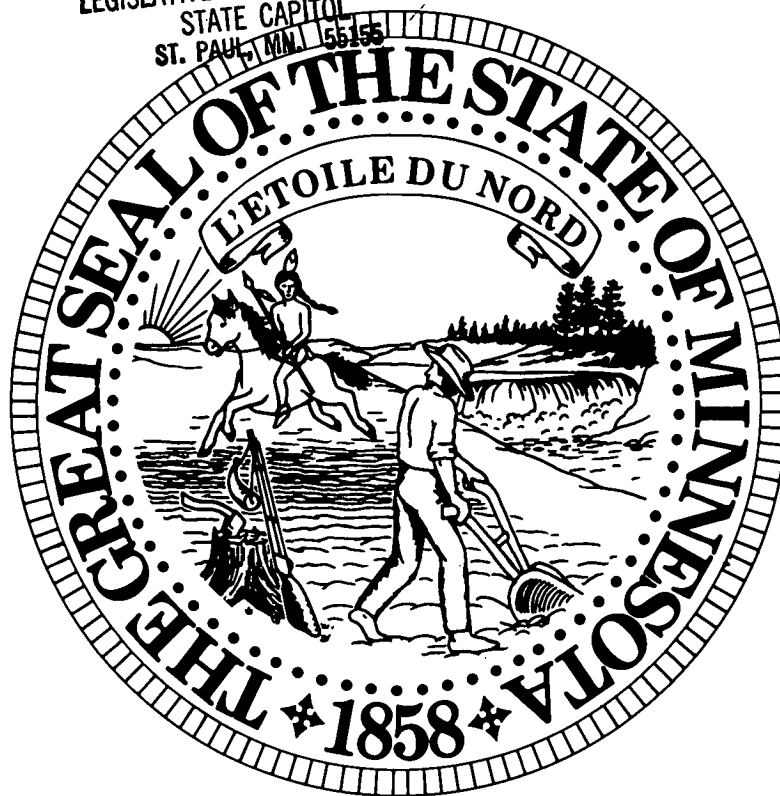
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STATE REGISTER

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
52	Monday 12 June	Monday 19 June	Monday 26 June
1 (Vol. 14)	Monday 19 June	Monday 26 June	Monday 3 July
2	Monday 26 June	Monday 3 July	Monday 10 July
3	Monday 3 July	Monday 10 July	Monday 17 July

*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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Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 231 State Capitol, St. Paul, MN 55155
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Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

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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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.4900 (proposed)	2041	7817.0100; .0200; .0300; .0400; .0600.;	
7200.1400; .3600; .3800; .4800; .5200 s.6 (proposed repealer)	2041	.0900 (proposed)	1185
		7817.0100; .0200; .0300; .0400; .0600; .0900 (adopted)	2283
Trade & Economic Development Department		7825.2390; .2400; .2500; .2600; .2700; .2800; .2810; .2830;	
7380.0100-.0130 (proposed)	745	.2900; .2910; .2920 (proposed)	2323
7380.0100-.0130 (adopted)	1822	7825.2400 s.6,14; .2900 s.2,3,4; .3000 (proposed repealer) ..	2323
7380.0400; .0410; .0420; .0430; .0440; .0450; .0460; .0470;		7840.1150 (proposed)	930
.0480 (proposed)	654	7840.1150 (adopted)	2282
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(adopted)	2155	Charitable Gambling Control Board	
7380.0410; .0420; .0430; .0440; .0460; .0480 (proposed)	2216	7860.0010; .0040; .0070; .0090; .0100; .0105; .0110; .0120;	
7380.0420 s.3 (proposed repealer)	2216	.0130; .0140; .0150; .0160; .0170; .0180; .0200; .0210; .0220;	
7380.0500-.0582 (proposed)	742	.0230; .0240; .0250; .0260; .0300; .0320; .0400; .0500; .0600;	
7380.0500; .0530; .0560; .0570; .0580; .0581;		.0700 (proposed)	2399
.0582 (proposed)	2214	7860.0090 (proposed emergency)	662
7380.0570 s.2, 5 (proposed repealer)	2214	7860.0090 (adopted emergency)	1437
7380.0600; .0630; .0700; .0730; .0740 (proposed)	1993	7860.0100 s.2; .0230 s.11 (proposed repealer)	2399
7380.0600-.0650 (proposed)	746		
7380.0600-.0650 (adopted)	1922	Minnesota Racing Commission	
7380.0700-.0780 (proposed)	746	7869.0100; 7870.0490; 7877.0110; .0170; .0175;	
7380.0700-.0780 (adopted)	1922	7883.1060; 7884.0170; 7890.0100; .0140;	
		7891.0100; 7895.0100 (adopted)	38
Public Safety Department		7869.0100; 7873.0300; .0550; 7877.0110; .0120; .0160;	
(see merit system rules 9575.0620) (proposed)	171	7883.0100; .0120; 7890.0140; 7892.0120; 7895.0100;	
7406.0100; .0300; .0500; .0700 (proposed)	977	.0350; 7897.0100; 7899.0100 (proposed)	2209
7406.0100; .0300; .0500; .0700 (adopted)	1733	7873.0300 s.4; 7890.0140 s.7-9 (proposed repealer)	2209
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7406.0450 (adopted)	2091	Revenue Department	
7410.2500; .2600; .2610; .2800 (adopted)	980	8100.0100; .0200; .0300; .0400; .0500;	
7414.0200; .0400; .1200 (proposed)	739	.0600 (proposed)	2676
7414.0200; .0400; .1200 (adopted)	1448	8100.0100 s.8,10; .0600 s.5 (proposed repealer)	2676
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Adopted Rules

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

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

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

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

Department of Natural Resources

Adopted Permanent Rules Relating to Management of Shoreland Areas

The rules proposed and published at *State Register*, Volume 13, Number 9, pages 462-494, August 29, 1988 (13 S.R. 462) are adopted with the following modifications:

Rules as Adopted

6120.2500 DEFINITIONS.

Subp. 3a. **Commercial planned unit developments.** “Commercial planned unit developments” are typically uses that provide transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service-oriented activities are commercial planned unit developments.

Subp. 3a 3b. **Commercial use.** “Commercial use” means the principal use of land or buildings for the sale, lease, rental, or trade of products, goods, and services.

Subp. 3b 3c. **Commissioner.** “Commissioner” means the commissioner of the Department of Natural Resources.

Subp. 13a. **Residential planned unit development.** “Residential planned unit development” means a use where the nature of residency is nontransient and the major or primary focus of the development is not service-oriented. For example, residential apartments, manufactured home parks, time-share condominiums, townhouses, cooperatives, and full fee ownership residences would be considered as residential planned unit developments.

Subp. 13a 13b. **Semipublic use.** “Semipublic use” means the use of land by a private, nonprofit organization to provide a public service that is ordinarily open to some persons outside the regular constituency of the organization.

Subp. 13b 13c. **Sensitive resource management.** “Sensitive resource management” means the preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over groundwater or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding, or occurrence of flora or fauna in need of special protection.

Subp. 15b. **Steep slope.** “Steep slope” means land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of these regulations. Where specific information is not available, steep slopes are lands having average slopes over 12 percent, as measured over horizontal distances of 50 feet or more, that are not bluffs.

Subp. 18a. **Surface water-oriented commercial use.** “Surface water-oriented commercial use” means the use of land for commercial purposes, where access to and use of a surface water feature is an integral part of the normal conductance of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use.

6120.2800 SCOPE.

Subp. 3. **Implementation flexibility.** Local governments may, under special circumstances and with the commissioner's approval, adopt shoreland management controls that are not in strict conformity with these minimum standards and criteria, provided the purposes of *Minnesota Statutes*, section 105.485, are satisfied.

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

Adopted Rules

A. Special circumstances may include, ~~but are not limited to~~, the following situations:

(1) ~~large cities, particularly those of the first class~~, where shorelands have been developed with an assortment of urban land uses for many years and much of the development does not meet the standards in parts 6120.2500 to 6120.3900;

(2) ~~small- to medium-sized cities with central business districts located within shorelands of lakes~~;

B. Alternative management standards may use the following concepts and approaches, or others:

(4) standards developed to take into account commonly occurring hydrologic, geologic, property ownership, topographic, and vegetation patterns and shoreland accessibility issues that would make use of these standards and criteria impractical; or

D. The commissioner shall respond to the local government's request for consideration of an alternative approach under this subpart in accordance with subitems (1) to (5).

(1) The commissioner shall in writing acknowledge and approve or deny the request within 60 days of receipt of the request and all necessary supporting documents and technical data. For extraordinarily complex issues and requests involving multi-government coordination or multi-organization coordination, the commissioner and the affected local units of government may mutually agree to an extension of the 60-day response.

(2) The commissioner in the approval or denial pursuant to this subpart shall state to the local governments the reasons for the approval or denial and, as appropriate, suggest alternative solutions or regulatory approaches that would be acceptable to the commissioner.

(3) The local governments proposing the alternative control and the commissioner shall solicit the input of the public and other governmental bodies that could be affected by the alternate control.

(4) Alternate shoreland controls must be approved by other units of government having adjacent land use authority impacted by the alternate controls.

(5) The local government either proposing an alternate local control or a local government being impacted by an alternate local control may request a contested case hearing under Minnesota Statutes, section 105.44, subdivision 3.

6120.3200 CRITERIA FOR LAND USE ZONING DISTRICT DESIGNATION.

Subpart 1. **Criteria.** The land use zoning districts established by local governments must be based on considerations of:

A. preservation of natural areas;

B. present ownership and development of shoreland areas;

C. shoreland soil types and their engineering capabilities;

D. topographic characteristics;

E. vegetative cover;

F. in-water physical characteristics, values, and constraints;

G. recreational use of the surface water;

H. road and service center accessibility;

I. socioeconomic development needs and plans as they involve water and related land resources;

J. the land requirements of industry which, by its nature, requires location in shoreland areas; and

K. the necessity to preserve and restore certain areas having significant historical or ecological value.

~~During the designation of land use zoning districts, the local government must, in conjunction with the Department of Natural Resources, consider the need for public accesses to public waters.~~

Subp. 3. **Land use district descriptions.** Land use district descriptions are as follows:

D. A water-oriented commercial district is intended to be used only to provide for existing or future commercial uses adjacent to water resources that are functionally dependent on such close proximity.

Subp. 4. **Shoreland classifications and uses; lakes.** For the lake classes, districts, and uses in this subpart, P = permitted uses, C = conditional uses, and N = prohibited uses.

A. Lake classes in special protection districts.

Uses	General development	Recreational development	Natural environment
Forest management	P	P	P

Adopted Rules

Sensitive resource management	P	P	P
Agricultural: cropland and pasture	P	P	P
Agricultural feedlots	C	C	C
Parks and historic sites	C	C	C
Extractive use	C	C	C
<u>Single residential</u>	C	C	C
<u>Mining of metallic minerals and peat</u>	<u>P</u>	<u>P</u>	<u>P</u>

B. Lake classes in residential districts.

	General development	Recreational development	Natural environment
Uses			
Single family (seasonal and year-round) <u>residential</u>	P	P	P
Semipublic	C	C	C
Parks and historic sites	C	C	C
Extractive use	C	C	C
Duplex, triplex, quad <u>residential</u>	P	P	C
Forest management	<u>P/C</u> <u>P</u>	<u>P/C</u> <u>P</u>	<u>P/C</u> <u>P</u>
<u>Mining of metallic minerals and peat</u>	<u>P</u>	<u>P</u>	<u>P</u>

C. Lake classes in high density residential districts.

	General development	Recreational development	Natural environment
Uses			
Residential planned unit developments	C	C	C
Single family <u>residential</u>	P	P	P
*Surface water oriented commercial	C	C	C
Semipublic	C	C	C
Parks and historic sites	C	C	C
Duplex, triplex, quad <u>residential</u>	P	P	P
Forest management	<u>P/C</u> <u>P</u>	<u>P/C</u> <u>P</u>	<u>P/C</u> <u>P</u>

D. Lake classes in water-oriented commercial districts.

	General development	Recreational development	Natural environment
Uses			
Surface water-oriented commercial	P	P	C
**Commercial planned unit development	C	C	C
Public, semipublic	C	C	C
Parks and historic sites	C	C	C
Forest management	<u>P/C</u> <u>P</u>	<u>P/C</u> <u>P</u>	<u>P/C</u> <u>P</u>

E. Lake classes in general use districts.

	General development	Recreational development	Natural environment
Uses			
Commercial	P	P	C
**Commercial planned unit development	C	C	C
Industrial	C	C	N
Public, semipublic	P	P	C
Extractive <u>use</u>	C	C	C
Parks and historic sites	C	C	C

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

Adopted Rules

Forest management	P/C P	P/C P	P/C P
<u>Mining of metallic minerals and peat</u>	P	P	P

*As accessory to a residential planned unit development

**~~For~~ Limited expansion of a commercial planned unit development involving up to six additional dwelling units or sites may be allowed as a permitted use provided the provisions of part 6120.3800, subpart 2, are satisfied

Subp. 5. **Shoreland classifications and uses; rivers.** For the river classes, districts, and uses in this subpart, P = permitted uses, C = conditional uses, and N = prohibited uses.

A. River classes in special protection districts.

Uses	Re-mote	For-ested	Trans-ition	Agri-cultural	Urban	Tribu-tary
Forest management	P	P	P	P	P	P
Sensitive resource management	P	P	P	P	P	P
Agricultural: cropland and pasture	P	P	P	P	P	P
Agricultural feedlots	C	C	C	C	C	C
Parks and historic sites	C	C	C	C	C	C
Extractive use	C	C	C	C	C	C
<u>Single residential</u>	C	C	C	C	C	C
<u>Mining of metallic minerals and peat</u>	P	P	P	P	P	P

B. River classes in residential districts.

Uses	Re-mote	For-ested	Trans-ition	Agri-cultural	Urban	Tribu-tary
<u>Single family (seasonal and year-round) residential</u>	P	P	P	P	P	P
Semipublic	C	C	C	C	C	P
Parks and historic sites	C	C	C	C	C	P
Extractive use	C	C	C	C	C	C
Duplex, triplex, quad <u>residential</u>	C	C	C	C	P	C
Forest management	P/C	P/C	P/C	P/C	P/C	P/C
	P	P	P	P	P	P
<u>Mining of metallic minerals and peat</u>	P	P	P	P	P	P

C. River classes in high density residential districts.

Uses	Re-mote	For-ested	Trans-ition	Agri-cultural	Urban	Tribu-tary
Residential planned unit developments	C	C	C	C	C	C
<u>Single family residential</u>	P	P	P	P	P	P
*Surface water oriented commercial	C	C	C	C	C	C
Semipublic	C	C	C	C	C	C
Parks and historic sites	C	C	C	C	C	C
Duplex, triplex, quad <u>residential</u>	P	P	P	P	P	P
Forest management	P/C	P/C	P/C	P/C	P/C	P/C
	P	P	P	P	P	P

D. River classes in water-oriented commercial districts.

Uses	Re-mote	For-ested	Trans-ition	Agri-cultural	Urban	Tribu-tary
Surface water-oriented commercial	C	C	C	C	C	C
**Commercial planned unit development	C	C	C	C	C	C
Public, semipublic	C	C	C	P	P	P
Parks and historic sites	C	C	C	C	C	C
Forest management	P/C	P/C	P/C	P/C	P/C	P/C
	P	P	P	P	P	P

E. River classes in general use districts.

Uses	Re-mote	For-ested	Trans-ition	Agri-cultural	Urban	Tribu-tary
Commercial	C	C	C	C	P	C
**Commercial planned unit development	C	C	C	C	C	C
Industrial	N	C	N	N	C	C
Public, semipublic	C	C	C	C	P	C
Extractive <u>use</u>	C	C	C	C	C	C
Parks and historic sites	C	C	C	C	C	C
Forest management	P/C P	P/C P	P/C P	P/C P	P/C P	P/C P
<u>Mining of metallic minerals and peat</u>	P	P	P	P	P	P

*As accessory to a residential planned unit development

**~~For~~ Limited expansion of a commercial planned unit development involving up to six additional dwelling units or sites may be allowed as a permitted use provided the provisions of part 6120.3800, subpart 2, are satisfied

6120.3300 ZONING PROVISIONS.

Subp. 2. **Residential lot size.** All single, duplex, triplex, and quad residential lots created after the date of enactment of the local shoreland controls must meet or exceed the dimensions presented in subparts 2a and 2b, and the following:

A. Lots must not be occupied by any more dwelling units than indicated in subparts 2a and 2b. Residential subdivisions with dwelling unit densities exceeding those in the tables in subparts 2a and 2b can only be allowed if designed and approved as residential planned unit developments under part 6120.3800. Only land above the ordinary high water level of public waters can be used to meet lot area standards, and lot width standards must be met at both the ordinary high water level and at the building line. The sewer lot area dimensions in subpart 2a, items D to F can only be used if publicly owned sewer system service is available to the property.

D. Lots of record in the office of the county recorder on the date of enactment of local shoreland controls that do not meet the requirements of items A to E and subparts 2a and 2b may be allowed as building sites without variances from lot size requirements provided the use is permitted in the zoning district, the lot has been in separate ownership from abutting lands at all times since it became substandard, was created compliant with official controls in effect at the time, and sewage treatment and setback requirements of the shoreland controls are met. Necessary variances from setback requirements must be obtained before any use, sewage treatment system, or building permits are issued for the lots. In evaluating all the variances, boards of adjustment shall consider sewage treatment and water supply capabilities or constraints of the lots and shall deny the variances if adequate facilities cannot be provided. If, in a group of two or more contiguous lots under the same ownership, any individual lot does not meet the requirements of items A to E and subparts 2a and 2b, the lot must not be considered as a separate parcel of land for the purposes of sale or development. The lot must be combined with the one or more contiguous lots so they equal one or more parcels of land, each meeting the requirements of items A to E and subparts 2a and 2b as much as possible. Local shoreland controls may set a minimum size for nonconforming lots or impose their restrictions on their development.

E. If allowed by local governments, lots intended as controlled accesses to public waters or recreation areas for use by owners of nonriparian lots within subdivisions must meet or exceed the following standards:

(1) They must meet the width and size for residential lots, and be suitable for the intended uses of controlled access lots. If docking, mooring, or over-water storage of watercraft is to be allowed at a controlled access lot, then the width of the lot must be increased by the percent of the requirements for riparian residential lots for each watercraft provided for by covenant beyond six, consistent with the following table:

CONTROLLED ACCESS LOT FRONTAGE REQUIREMENTS

Ratio of lake size to shore length (acres/mile)	Required increase in frontage (percent)
Less than 100	25
101-200 <u>100-200</u>	20
201-300	15
301-400	10
Greater than 400	5

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Adopted Rules

Subp. 2a. **Lot area and width standards for single, duplex, triplex, and quad residential development; lake classes.** The lot area and width standards for single, duplex, triplex, and quad residential developments for the lake classes are:

A. Natural Environment, no sewer:

Lot area (square feet)		
	Riparian lots	Nonriparian lots
Single	80,000 [±]	80,000 [±]
Duplex	120,000	160,000
Triplex	160,000	240,000
Quad	200,000	320,000
Lot width (feet)		
Single	200 [±]	200 [±]
Duplex	300	400
Triplex	400	600
Quad	500	800

B. Recreational Development, no sewer:

Lot area (square feet)		
	Riparian lots	Nonriparian lots
Single	40,000 [±]	40,000 [±]
Duplex	80,000	80,000
Triplex	120,000	120,000
Quad	160,000	160,000
Lot width (feet)		
Single	150 [±]	150 [±]
Duplex	225	265
Triplex	300	375
Quad	375	490

C. General Development, no sewer:

Lot area (square feet)		
	Riparian lots	Nonriparian lots
Single	20,000 [±]	40,000
Duplex	40,000	80,000
Triplex	60,000	120,000
Quad	80,000	160,000
Lot width (feet)		
Single	100 [±]	150
Duplex	180	265
Triplex	260	375
Quad	340	490

D. Natural Environment, sewer:

Lot area (square feet)		
	Riparian lots	Nonriparian lots
Single	40,000 [±]	20,000 [±]
Duplex	70,000	35,000
Triplex	100,000	52,000
Quad	130,000	65,000
Lot width (feet)		
Single	125 [±]	125 [±]
Duplex	225	220
Triplex	325	315
Quad	425	410

E. Recreational Development, sewer:

Lot area (square feet)		
	Riparian lots	Nonriparian lots
Single	20,000*	15,000*
Duplex	35,000	26,000
Triplex	50,000	38,000
Quad	65,000	49,000
Lot width (feet)		
Single	75*	75*
Duplex	135	135
Triplex	195	190
Quad	255	245

F. General Development, sewer:

Lot area (square feet)		
	Riparian lots	Nonriparian lots
Single	15,000*	10,000*
Duplex	26,000	17,500
Triplex	38,000	25,000
Quad	49,000	32,500
Lot width (feet)		
Single	75*	75*
Duplex	135	135
Triplex	195	190
Quad	255	245

* (The lot area and width standards indicated by an asterisk are not new standards.)

Subp. 3. **Placement and height of structures and facilities on lots.** When more than one setback requirement applies to a site, structures and facilities must be located to meet all setbacks. The placement of structures and other facilities on all lots must be managed by shoreland controls as follows:

A. Structure setbacks. The following minimum setbacks presented in the following table for each class of public waters apply to all structures, except water-oriented accessory structures and facilities, that are managed according to item H:

(1) STRUCTURE SETBACK STANDARDS

Class	Ordinary high water level setback (feet)		Setback from top of bluff (feet)
	Unsewered	Sewered	
Natural environment	150	150*	30
Recreational development	100*	75*	30
General development	75*	50*	30
Remote river segments	200	200	30
Forested and transitional <u>transition</u> river segments	150	150	30
Agricultural, urban, and tributary river segments	100	50	30

* (The setback standards indicated by an asterisk are not new standards.)

(2) Exceptions to structure setback standards in subitem (1). Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks provided the proposed building site is not located in a shore impact zone or in a bluff impact zone.

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Adopted Rules

H. Accessory structures and facilities. All accessory structures and facilities, except those that are water-oriented, must meet or exceed structure setback standards. If allowed by local government controls, each residential lot may have one water-oriented accessory structure or facility located closer to public waters than the structure setback if all of the following standards are met:

(6) As an alternative for general development and recreational development waterbodies, water-oriented accessory structures used solely for watercraft storage, and including storage of related boating and water-oriented sporting equipment, may occupy an area up to 400 square feet provided the maximum width of the structure is 20 feet as measured parallel to the configuration of the shoreline.

(7) Any accessory structures or facilities not meeting ~~these~~ the above criteria, or any additional accessory structures or facilities must meet or exceed structure setback standards.

J. Decks. Except as provided in item H, decks must meet the structure setback standards. Decks that do not meet setback requirements from public waters may be allowed without a variance to be added to structures existing on the date the shoreland structure setbacks were established by ordinance, if all of the following criteria and standards are met:

Subp. 4. **Shoreland alterations.** Vegetative alterations and excavations or grading and filling necessary for the construction of structures and sewage treatment systems under validly issued permits for these facilities are exempt from the vegetative alteration standards in this subpart and separate permit requirements for grading and filling. However, the grading and filling conditions of this subpart must be met for issuance of permits for structures and sewage treatment systems. Alterations of vegetation and topography must be controlled by local governments to prevent erosion into public waters, fix nutrients, preserve shoreland aesthetics, preserve historic values, prevent bank slumping, and protect fish and wildlife habitat. Public roads and parking areas, as regulated by subpart 5, are exempt from the provisions of this part.

A. Removal or alterations of vegetation, except for forest management or agricultural uses as provided for in subparts ~~5a and 5b~~ 7 and 8, is allowed according to the following standards:

(1) Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes is not allowed. Intensive vegetation clearing outside of these zones areas is allowed if the activity is consistent with sound the forest management and erosion control practices standards in subpart 8.

(2) Limited clearing of trees and shrubs and cutting, pruning, and trimming of trees to accommodate the placement of stairways and landings, picnic areas, access paths, livestock watering areas, beach and watercraft access areas, and permitted water-oriented accessory structures or facilities, as well as providing a view to the water from the principal dwelling site, in these zones shore and bluff impact zones and on steep slopes is allowed, provided that:

(a) the screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced;

(b) along rivers, existing shading of water surfaces is preserved; and

(c) the above provisions are not applicable to the removal of trees, limbs, or branches that are dead, diseased, or pose safety hazards; and

(d) all cutting, pruning, and trimming of trees is based on sound forest management practices for individual tree species.

~~(2)~~ (3) Use of fertilizer and pesticides in the shoreland management district must be done in such a way as to minimize runoff into the shore impact zone or public water by the use of earth, vegetation, or both.

B. Before grading or filling on steep slopes or within shore or bluff impact zones involving the movement of more than ten cubic yards of material or anywhere else in a shoreland area involving movement of more than 50 cubic yards of material, it must be established by local official permit issuance that all of the following conditions will be met. ~~Movement of more than 50 cubic yards of material anywhere within shoreland areas on a bluff or on a steep slope of land sloping toward a public water or a watercourse leading to a public water requires prior issuance of a permit and consideration of the following factors.~~ The following conditions must also be considered during subdivision, variance, building permit, and other conditional use permit reviews.

(9) Any alterations below the ordinary high water level of public waters must first ~~by~~ be authorized by the commissioner under *Minnesota Statutes*, section 105.42.

(11) Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three feet horizontal to one foot vertical, the landward extent of the riprap is within ten feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three feet.

Subp. 7. **Agricultural use standards.** The agricultural use standards for shoreland areas are contained in items A, B, C, and D.

A. The shore impact zone for ~~all classes of public waters parcels~~ with permitted agricultural land uses is equal to a line parallel to and 50 feet from the ordinary high water level.

B. General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in permanent vegetation or operated under an approved conservation plan (Resource Management Systems) consistent with the field office technical guides of the local soil and water conservation districts or the United States Soil Conservation Service.

C. Animal feedlots as defined by the Minnesota Pollution Control Agency, where allowed by zoning district designations, must be reviewed as conditional uses and must meet the following standards:

Subp. 8. **Forest management standards.** ~~Timber and associated reforestation are permitted uses in special protection districts. They are also permitted uses in all other districts, unless located within 1,000 feet of a concentration of nine or more adjacent dwelling units under different ownership with an average lot size of two acres or less, where they will be conditional uses.~~ The harvesting of timber and associated reforestation or conversion of ~~land to other uses~~ forested use to a nonforested use must be conducted consistent with the following standards:

A. Timber harvesting and associated reforestation must:

(1) ~~Preserve buffer strips of vegetation between the ordinary high water level and the cutting area of sufficient width to effectively filter sediments out of surface runoff before it reaches public waters;~~

(2) ~~Keep landing or yarding areas or skid or haul roads out of shore and bluff impact zones, except for stream crossing approaches or winter harvesting operations. If necessary, these facilities may be located on steep slopes if they are designed and managed to prevent sediment movement into public waters.~~

(3) ~~Use reforestation practices that reestablish desired forest species as quickly as possible and prevent erosion into public waters~~ be conducted consistent with the provisions of the Minnesota Nonpoint Source Pollution Assessment-Forestry and the provisions of Water Quality in Forest Management "Best Management Practices in Minnesota."

Subp. 10. **Standards for commercial, industrial, public, and semipublic uses.** Surface water-oriented commercial uses and ~~manufacturing industrial~~, public, or semipublic uses with similar needs to have access to and use of public waters may be located on parcels or lots with frontage on public waters. Uses without water-oriented needs must be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, must either be set back double the normal ordinary high water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions. Those with water-oriented needs must meet the following standards:

Subp. 11. **Stormwater management.** Local governments must consider proper stormwater management in all reviews, approvals, and permit issuances under shoreland management controls adopted under parts 6120.2500 to 6120.3900. The following general and specific standards must be incorporated into local government shoreland management controls and their administration.

B. The following are specific standards:

(2) When constructed facilities are used for stormwater management, they must be designed and installed consistent with the field office technical guide of the Minnesota local soil and water conservation districts ~~and the United States Soil Conservation Service.~~

Subp. 12. Mining of metallic minerals and peat, as defined by Minnesota Statutes, sections 93.44 to 93.51. Mining of metallic minerals and peat shall be a permitted use provided the provisions of Minnesota Statutes, sections 93.44 to 93.51, are satisfied.

6120.3400 SANITARY PROVISIONS.

Subp. 2. **Water supply.** Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the Minnesota Department of Health and the Minnesota Pollution Control Agency.

Private wells must be located, constructed, maintained, and ~~abandoned~~ sealed in accordance with or in a more thorough manner than the Water Well Construction Code of the Minnesota Department of Health.

Subp. 3. **Sewage treatment.** Any premises used for human occupancy must be provided with an adequate method of sewage treatment.

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Adopted Rules

C. On-site sewage treatment systems must be set back from the ordinary high water level in accordance with the following table:

SEWAGE TREATMENT SYSTEM SETBACK STANDARDS

Class	Setback from ordinary high water level (feet)
Natural environment	150*
Recreational development	75*
General development	50*
Remote river segments	150
Forested river segments	100
Transition river segments	100
Agricultural river segments	75
Urban and tributary river segments	75

* (The setback standards indicated by an asterisk are not new standards.)

D. Local governments must, as funds are available, develop and implement programs to identify and upgrade sewage treatment systems that are inconsistent with ~~item B~~ the sewage treatment system design criteria identified in item B, exclusive of the appropriate setback from the ordinary high water level in item C. These programs must require reconstruction of existing nonconforming sewage systems whenever a permit or variance of any type is required for any improvement on, or use of, the property, and must include at least one of the following approaches:

6120.3500 SUBDIVISION PROVISIONS.

Subp. 3. **Consistency with other controls.** Subdivisions must conform to all other official controls adopted by local governments under parts 6120.2500 to 6120.3900. Local governments must not approve subdivisions that are designed so variances from one or more standards in official controls would be needed to use the lots for their intended purpose. In areas not served by publicly owned sewer and water systems, subdivisions must not be approved by local governments unless domestic water supply is available and soil absorption sewage treatment can be provided for every lot. A lot shall meet the minimum lot size in part 6120.3300, subparts 2a and 2b, including at least a minimum contiguous lawn area, that is free of limiting factors (location and type of water supply, soil type, depth to groundwater or impervious layer, slope, flooding potential, and other limiting factors), sufficient for the construction of two standard soil treatment systems. Lots that would require use of holding tanks must not be approved. ~~During the subdivision review process, the appropriate governmental agency must be notified by the local government if the proposed subdivision includes land identified during the designation of zoning districts (part 6120.3200, subpart 1) as potential public accesses. The local government must not delay approval of the plat pending acquisition of the access by the state.~~

6120.3800 PLANNED UNIT DEVELOPMENT.

Subp. 5. **Residential planned unit development density evaluation steps and design criteria.** The density evaluation steps and design criteria for residential planned unit developments are contained in items A to D.

A. The area within each tier is divided by the single residential lot size standard for lakes or, for rivers, the single residential lot width standard times the tier depth unless the local unit of government has specified an alternative minimum lot size for rivers which shall then be used to yield a base density of dwelling units or sites for each tier. Proposed locations and numbers of dwelling units or sites for the residential planned unit development are then compared with these data and map of the evaluation. Local governments may allow some dwelling unit or site density increases for residential planned unit developments above the densities determined in the evaluation if all dimensional standards in part 6120.3300 are met or exceeded. Maximum density increases may only be allowed if all design criteria in subpart 5, item B, are also met or exceeded. Increases in dwelling unit or site densities must not exceed the maximums in the following table. Allowable densities may be transferred from any tier to any other tier further from the shoreland water body or watercourse, but must not be transferred to any other tier closer.

MAXIMUM ALLOWABLE DWELLING UNIT OR SITE DENSITY INCREASES FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS

Density evaluation tiers	Maximum density increase within each tier (percent)
First	50
Second	100
Third	200
Fourth	200
Fifth	200

B. The design criteria are:

(3) Centralization and design of facilities and structures must be done according to the following standards:

(a) Residential planned unit developments must be connected to publicly owned water supply and sewer systems, if available. On-site water supply and sewage treatment systems must be centralized and designed and installed to meet or exceed applicable standards or rules of the Minnesota Department of Health and the Minnesota Pollution Control Agency. On-site sewage treatment systems must be located on the most suitable areas of the development, and sufficient lawn area free of limiting factors must be provided for a replacement soil treatment system for each sewage system. ~~All new dwelling units must use water conserving plumbing fixtures.~~

(e) Water-oriented accessory structures and facilities may be allowed if they meet or exceed design standards contained in part 6120.3100 6120.3300, subpart 3, item H, and are centralized.

C. Administration and maintenance requirements. Before final approval of all residential planned unit developments, local governments must ensure adequate provisions have been developed for preservation and maintenance in perpetuity of open spaces and for the continued existence and functioning of the development as a community.

(2) Development organization and functioning. Unless an equally effective alternative community framework is established, when applicable, all residential planned unit developments must use an owners association with the following features:

Subp. 6. **Commercial planned unit development density evaluation steps and design criteria.** The density evaluation steps and design criteria for commercial planned unit developments are contained in items A and B:

A. Density evaluation steps:

(2) Select the appropriate floor area ratio from the following table in part 6120.3100, subpart 3, item A:

COMMERCIAL PLANNED UNIT DEVELOPMENT

FLOOR AREA RATIOS*

Public waters classes

<u>Average unit floor area (sq. ft.)</u>	<u>Sewered general development lakes; first tier on unsewered general development lakes; urban, agricultural, tributary river segments</u>	<u>Second and additional tiers on unsewered general development lakes; recreational development lakes; transition and forested river segments</u>	<u>Natural environment lakes; remote river segments</u>
<u>200</u>	<u>.040</u>	<u>.020</u>	<u>.010</u>
<u>300</u>	<u>.048</u>	<u>.024</u>	<u>.012</u>
<u>400</u>	<u>.056</u>	<u>.028</u>	<u>.014</u>
<u>500</u>	<u>.065</u>	<u>.032</u>	<u>.016</u>
<u>600</u>	<u>.072</u>	<u>.038</u>	<u>.019</u>
<u>700</u>	<u>.082</u>	<u>.042</u>	<u>.021</u>
<u>800</u>	<u>.091</u>	<u>.046</u>	<u>.023</u>
<u>900</u>	<u>.099</u>	<u>.050</u>	<u>.025</u>
<u>1,000</u>	<u>.108</u>	<u>.054</u>	<u>.027</u>
<u>1,100</u>	<u>.116</u>	<u>.058</u>	<u>.029</u>
<u>1,200</u>	<u>.125</u>	<u>.064</u>	<u>.032</u>
<u>1,300</u>	<u>.133</u>	<u>.068</u>	<u>.034</u>
<u>1,400</u>	<u>.142</u>	<u>.072</u>	<u>.036</u>
<u>1,500</u>	<u>.150</u>	<u>.075</u>	<u>.038</u>

*For average unit floor areas less than shown, use the floor area ratios listed for 200 square feet. For areas greater than shown, use the ratios listed for 1,500 square feet. For recreational camping areas, use the ratios listed at 400 square feet. Manufactured home sites in recreational camping areas shall use a ratio equal to the size of the manufactured home, or if unknown, the ratio listed for 1,000 square feet.

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Adopted Rules

(5) Determine whether the project is eligible for any additional density increases. To be eligible, projects must meet all of the design standards in item B, and exceed one or more of them. The local unit of government may decide how much, if any, increase in density to allow for each tier, but must not exceed the maximum allowable density increases listed in the following table in part 6120.3200, subpart 3, item C:

**MAXIMUM ALLOWABLE DWELLING UNIT OR SITE
DENSITY INCREASES FOR COMMERCIAL
PLANNED UNIT DEVELOPMENTS**

<u>Tier</u>	<u>Maximum density increase within each tier (percent)</u>
<u>First</u>	50
<u>Second</u>	100
<u>Third</u>	200
<u>Fourth</u>	200
<u>Fifth</u>	200

(6) Allowable densities may be transferred from any tier to any other tier further from the shoreland lake or river, but must not be transferred to any other tier closer.

**COMMERCIAL PLANNED UNIT DEVELOPMENT
FLOOR AREA RATIOS*
Public waters classes**

Avg. unit floor area (sq. ft.)	General dvlp. lakes; first tier on unsewered general dvlp. lakes; urban, agricultural, tributary river segments	Second and additional tiers on unsewered general dvlp., lakes; recreational dvlp. lakes; transition and forested river segments	Natural environment lakes; remote river segments
200	-.040	-.020	-.010
300	-.048	-.024	-.012
400	-.056	-.028	-.014
500	-.065	-.032	-.016
600	-.072	-.038	-.019
700	-.082	-.042	-.021
800	-.091	-.046	-.023
900	-.099	-.050	-.025
1,000	-.108	-.054	-.027
1,100	-.116	-.058	-.029
1,200	-.125	-.064	-.032
1,300	-.133	-.068	-.034
1,400	-.142	-.072	-.036
1,500	-.150	-.075	-.038

*For average unit floor areas less than shown, use the floor area ratios listed for 200 square feet. For areas greater than shown, use the ratios listed for 1,500 square feet. For recreational camping areas, use the ratios listed at 400 square feet. Manufactured home sites in recreational camping areas shall use a ratio equal to the size of the manufactured home, or if unknown, the ratio listed for 1,000 square feet.

**MAXIMUM ALLOWABLE DWELLING UNIT OR SITE
DENSITY INCREASES FOR COMMERCIAL
PLANNED UNIT DEVELOPMENTS**

Tier	Maximum density increase within each tier (percent)
First	50
Second	100
Third	200
Fourth	200
Fifth	200

B. The design criteria are:

(3) Erosion control and stormwater management for commercial planned unit developments must:

(b) Be designed and constructed to effectively manage reasonably expected quantities and qualities of stormwater runoff. Impervious surface coverage within any tier must not exceed 25 percent of the tier area, except 35 percent impervious surface coverage may be allowed in the first tier of general development lakes with an approved stormwater management plan and consistent consistency with part 6120.3300, subpart 4.

6120.3900 ADMINISTRATION.

Subp. 3. **Variations.** Variations may only be granted in accordance with *Minnesota Statutes, chapter chapters 394 or 462, as applicable*. They may not circumvent the general purposes and intent of the official controls. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. Conditions may be imposed in the granting of variations to ensure compliance and to protect adjacent properties and the public interest. In considering variance requests, boards of adjustment must also consider whether property owners have reasonable use of the lands without the variations, whether existing sewage treatment systems on the properties need upgrading before additional development is approved, whether the properties are used seasonally or year-round, whether variations are being requested solely on the basis of economic considerations, and the characteristics of development on adjacent properties.

Subp. 6. Notification procedures.

B. A copy of approved amendments and plats, and final decisions granting variations or conditional uses under local shoreland management controls must be sent to the commissioner or the commissioner's designated representative and postmarked within 30 ten days of final action.

State Board of Vocational Technical Education

Adopted Permanent Rules Relating to Emerging Health Occupations

The rules proposed and published at *State Register*, Volume 13, Number 38, pages 2279-2282, March 20, 1989 (13 S.R. 2279) are adopted with the following modifications:

Rules as Adopted

3709.0230 CHIROPRACTIC ASSISTANT.

Subpart 1. **May teach.** A teacher who has a chiropractic assistant instructor license may teach in the chiropractic assistant program and may also teach courses in:

- ~~A. body mechanics in the workplace; and~~
- ~~B. therapeutic massage.~~

Subp. 4. **Occupational recency substitution.** Teaching experience at an accredited postsecondary institution, or at an industrial, or military setting may be substituted for 1,500 of the 2,000 hours required in part 3709.0100, subpart 1, item A, if the teaching is done during the five-year period. The teaching must be in chiropractic assisting, chiropractic technician, or chiropractic ~~medicine~~ practice. Two hours of teaching equal one hour of occupational experience.

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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.

Pollution Control Agency

Proposed Permanent Rules Relating to Acceptance of Hazardous Waste at the Stabilization and Containment Facility

Notice of Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) will hold public hearings on the above-entitled matter at the Red Lake Falls City Hall, Second Street, Red Lake Falls, commencing at 6:30 p.m. on Tuesday, August 1, 1989, and at the MPCA's Board Room at the MPCA's offices at 520 Lafayette Road, St. Paul, commencing at 9:00 a.m. on Thursday August 3, 1989. Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

The matter will be heard before Administrative Law Judge Richard C. Luis, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota, 55415, 612/341-7610. The rule hearing procedure is governed by *Minnesota Statutes* §§ 14.131 to 14.20 (1988) and by the rules of the Office of Administrative Hearings, *Minnesota Rules* Parts 1400.0200 to 1400.1200 (1987). Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge at the address and telephone number stated above.

The subject of the hearing will be the proposed rules governing the acceptance of waste at the stabilization and containment facility to be sited in Minnesota by the Environmental Quality Board under the authority of *Minnesota Statutes* § 115A. The proposed rules are authorized by *Minnesota Statutes* §§ 115A.175, subd. 5 and 116.07 (1988). The facility will accept industrial waste, waste that has been rendered nonhazardous, and hazardous waste for stabilization and subsequent containment. The proposed amendments will establish standards for the acceptance of each of these types of wastes at the facility. The standards proposed for the acceptance of a hazardous waste are very specific. A person proposing a hazardous waste for containment must meet several criteria before the waste may be accepted at the stabilization and containment facility. A hazardous waste may not be accepted until it has been determined that:

1. There is no feasible and prudent alternative to containment of the waste at the facility;
2. The waste will be treated by feasible and prudent technology that minimizes the possibility of migration of any hazardous constituents of the waste;
3. The waste meets the federal land disposal restriction standards; and
4. The proposer has acceptably attempted to have the waste rendered nonhazardous.

The proposed rules identify the means by which a person proposing a hazardous waste for containment would satisfy the criteria listed above. The proposed rules were published on February 27, 1989, in the *State Register*. One free copy of the rules is available on request by contacting:

Carol Nankivel
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
612/296-7260

Proposed Rules

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the MPCA offices and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the MPCA anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the MPCA offices at the address above and at the MPCA's Regional offices at 1601 Minnesota Drive, Brainerd, Minnesota and Lake Avenue Plaza, 714 Lake Avenue, Suite 220, Detroit Lakes, Minnesota, or at the Office of Administrative Hearings. Copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Any person may present his or her views on the proposed rules in one or more of the following ways: by submitting comments to the Administrative Law Judge at any time before the close of the hearing; by submitting oral or written comments at the hearing; and by submitting written comments to the Administrative Law Judge during the comment period following the hearing. The comment period will be not less than five working days after the public hearing ends. The comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. The written material received during the comment period shall be available for review at the Office of Administrative Hearings. Within three business days after the expiration of the comment period, the MPCA and interested persons may respond in writing to any new information received during the comment period; however, no additional evidence may be submitted during this three-day period.

The MPCA requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment period also submit a copy of the written data to Carol Nankivel at the address stated above.

The proposed rules may be modified if the data and views received during the hearing process warrant modification and the modification does not result in a substantial change in the proposed rules.

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

YOU ARE HEREBY ADVISED, pursuant to *Minnesota Statutes* § 14.115 (1988), "Small business considerations in rulemaking," that the proposed rules will have limited effect on small businesses. Use of the stabilization and containment facility is optional and small businesses will be subject to regulation under the proposed rules only to the extent that they seek use of the facility for the management of their waste. However, under *Minnesota Statutes* § 115.175 subd. 5, the facility may not be permitted and begin operation until rules are adopted to govern the acceptance of hazardous waste at the facility. In this respect the rules will provide a benefit to small business by enabling them to use a waste management option that would be otherwise unavailable. For additional information regarding possible effects, please see part V of the Statement of Need and Reasonableness.

Please be advised that *Minnesota Statutes* ch. 10A (1988) requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes* § 10A.01, subd. 11 (1988) as any individual:

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

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

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55105-2520, telephone 612/296-5615.

Gerald L. Willet
Commissioner

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Proposed Rules

Rules as Proposed (all new material)

7047.0010 SCOPE AND APPLICABILITY.

Subpart 1. **Scope.** This chapter applies to the operator of the stabilization and containment facility, proposers of waste to be contained at the facility, generators of hazardous waste to be stabilized or contained at the facility, and operators of hazardous waste treatment facilities that treat hazardous waste proposed to be stabilized or contained at the facility.

Subp. 2. **Limitation.** Compliance with this chapter does not authorize acceptance of any waste at the facility if the acceptance of that waste would violate any operating permit for the facility or conflict with any restriction on the acceptance of waste imposed by any other agency of the state authorized to control the operation of the facility, including restrictions in any contract entered into by that state agency with the county where the facility is located or with the operator of the facility.

7047.0020 DEFINITIONS.

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

Subp. 2. **Agency.** "Agency" means the Minnesota Pollution Control Agency.

Subp. 3. **Characteristic hazardous waste.** "Characteristic hazardous waste" means a hazardous waste that has one or more of the characteristics of a hazardous waste as specified in part 7045.0131 or Code of Federal Regulations, title 40, sections 261.20 to 261.24, and is not a listed hazardous waste.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Pollution Control Agency.

Subp. 5. **Containment.** "Containment" means isolating, controlling, and monitoring waste in a waste facility in order to prevent a release of waste from the facility that would have an adverse impact upon human health and the environment. Containment occurs at the facility.

Subp. 6. **Facility.** "Facility" means the hazardous waste stabilization and containment facility sited in Minnesota under *Minnesota Statutes*, sections 115A.175 to 115A.30.

Subp. 7. **Generator.** "Generator" means any person, by site, whose act or process produces hazardous waste identified or listed in this chapter, or whose act first causes a hazardous waste to become subject to regulation. Generator includes primary generators of hazardous waste, operators of facilities who become generators as a result of treatment or consolidation activities conducted on waste received from off-site, and the operator of the stabilization and containment facility.

Subp. 8. **Hazardous waste.** "Hazardous waste" has the meaning given in *Minnesota Statutes*, section 116.06, subdivision 13.

Subp. 9. **Industrial waste.** "Industrial waste" has the meaning given in *Minnesota Statutes*, section 115A.03, subdivision 13a.

Subp. 10. **Industrial waste management plan.** "Industrial waste management plan" means the plan required under part 7035.2535, subpart 5.

Subp. 11. **Listed hazardous waste.** "Listed hazardous waste" means a hazardous waste that is listed in part 7045.0135 or in Code of Federal Regulations, title 40, sections 261.30 to 261.33.

Subp. 12. **Minimization.** "Minimization" means any activity that either reduces the total volume or reduces the hazardous properties of hazardous waste that would otherwise be stabilized and contained at the facility. Minimization includes source reduction, waste recovery, and waste recycling.

Subp. 13. **Person.** "Person" has the meaning given it in *Minnesota Statutes*, section 116.06, subdivision 8.

Subp. 14. **Proposer.** "Proposer" means any person who seeks approval from the commissioner to contain a waste at the facility. A proposer may be the operator of the facility, a generator, or the operator of a hazardous waste treatment facility.

Subp. 15. **Recycling.** "Recycling" means the use or reuse of hazardous waste as an effective substitute for a commercial product or as an ingredient or feedstock in an industrial process. Recycling includes the reclamation of useful constituent fractions within a waste material or the removal of contaminants from a waste to allow it to be reused.

Subp. 16. **Source reduction.** "Source reduction" means the reduction or elimination of hazardous waste at the source, usually within a process. Source reduction measures include process modifications, feedstock substitutions, improvements in feedstock purity, housekeeping and management practice changes, increases in the efficiency of equipment, and recycling within a process.

Subp. 17. **Stabilization.** "Stabilization" has the meaning given it in *Minnesota Statutes*, section 115A.03, subdivision 32a.

7047.0030 WASTES THAT MAY BE ACCEPTED FOR CONTAINMENT.

Subpart 1. **Acceptance of industrial wastes.** The commissioner shall approve an industrial waste for containment at the facility if the proposer provides to the commissioner a certification that the waste will be managed by the facility in compliance with parts 7035.0300 to 7035.2875 and with all applicable provisions of the facility's industrial waste management plan. Industrial wastes that are hazardous or hazardous wastes rendered nonhazardous shall also meet the requirements of subparts 2 and 3.

Subp. 2. **Acceptance of hazardous waste rendered nonhazardous.** The commissioner shall approve a hazardous waste that has been rendered nonhazardous for containment at the facility in accordance with the following procedures:

A. For a characteristic hazardous waste, the proposer must demonstrate that the waste has been treated to eliminate the characteristics that caused the waste to be subject to regulation as a hazardous waste. To demonstrate such treatment, the proposer must submit to the commissioner and obtain the commissioner's approval of an evaluation report for the treated waste as required by part 7045.0216.

B. For a listed hazardous waste, the proposer must submit to the agency and obtain the agency's approval, under part 7045.0075, subpart 2, of a petition for exclusion of the waste from regulation as a hazardous waste. If agency approval of the petition does not satisfy the requirements of Code of Federal Regulations, title 40, section 260.22, the proposer must also obtain Environmental Protection Agency approval to exclude the waste from regulation as a hazardous waste.

C. For any hazardous waste rendered nonhazardous, the proposer must provide to the commissioner a certification that the waste is managed by the facility in compliance with parts 7035.0300 to 7035.2875 and with applicable provisions of the facility's industrial waste management plan.

D. If required under part 7047.0060, the generator must submit to the commissioner and obtain the commissioner's approval of a waste minimization plan for that hazardous waste as provided in part 7047.0060.

Subp. 3. **Acceptance of listed hazardous waste.** The commissioner shall approve a listed hazardous waste for containment at a facility if the following conditions are met:

A. the proposer demonstrates an acceptable attempt to render the waste nonhazardous as provided in part 7047.0040;

B. the proposer demonstrates that there is no feasible and prudent alternative to containment of the waste that would minimize adverse impact upon human health and the environment as provided in part 7047.0050, subpart 3;

C. the proposer demonstrates that the waste is treated using feasible and prudent technology that minimizes the possibility of migration of any hazardous constituents of the waste as provided in part 7047.0050, subpart 2;

D. the proposer demonstrates that the waste meets the applicable land disposal restrictions provided in chapter 7045 and Code of Federal Regulations, title 40, section 268, as provided in part 7047.0050, subpart 1; and

E. the generator submits to the commissioner and obtains the commissioner's approval of a waste minimization plan for that hazardous waste as provided in part 7047.0060.

Subp. 4. **Listed hazardous wastes with no standard under land disposal restrictions.** If no treatment standard has been adopted for a particular listed hazardous waste under the land disposal restrictions provided in chapter 7045 or Code of Federal Regulations, title 40, section 268, the waste may not be accepted for containment at the facility.

Subp. 5. **Characteristic hazardous waste prohibited from acceptance at a facility.** No characteristic hazardous waste may be accepted for containment at the facility. All characteristic hazardous waste must be rendered nonhazardous before the waste may be accepted for containment at the facility.

Subp. 6. **Written notice of approval.** If the commissioner approves acceptance of a waste for containment under this part, the commissioner shall provide written notice of the approval to the proposer.

7047.0040 DEMONSTRATION OF ATTEMPT TO RENDER A LISTED WASTE NONHAZARDOUS.

Subpart 1. **Submittal of information by proposer.** To demonstrate an acceptable attempt to render a listed hazardous waste nonhazardous, a proposer must submit to the agency and obtain the agency's approval, pursuant to part 7045.0075, subpart 2, of a petition requesting that the waste be excluded from regulation as a hazardous waste. If agency approval of the petition does not satisfy the requirements of Code of Federal Regulations, title 40, section 260.22, the proposer must also obtain Environmental Protection Agency approval to exclude the waste from regulation as a hazardous waste.

Subp. 2. **Agency review.** If, upon review of the petition submitted under subpart 1, the agency finds that the proposer was unable to render the waste nonhazardous, the agency shall determine whether the proposer made an acceptable attempt to render the waste nonhazardous. The determination must be based upon the information provided in the petition and any additional information or explanation relevant to the determination that may be submitted by the proposer. In making the determination, the agency shall consider the completeness and technical adequacy of the petition. The factors the agency shall consider in determining whether a

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Proposed Rules

reasonable amount of information has been submitted are:

- A. the number of constituents of the waste subject to testing and the frequency of tests required;
- B. the availability of treatment technologies that could be applied to treat the waste sufficiently; and
- C. the degree of variability of the waste or waste streams.

7047.0050 DEMONSTRATION OF COMPLIANCE WITH LAND DISPOSAL RESTRICTIONS, FEASIBLE AND PRUDENT TREATMENT, AND NO FEASIBLE AND PRUDENT ALTERNATIVE TO CONTAINMENT.

Subpart 1. Compliance with land disposal restrictions. To demonstrate that the hazardous waste meets the applicable land disposal restrictions provided in chapter 7045 and Code of Federal Regulations, title 40, section 268, the proposer shall submit to the commissioner a certification that the waste has been treated to the applicable standard established by the land disposal restrictions.

Subp. 2. Treatment using feasible and prudent technology. To demonstrate that a listed hazardous waste was treated using feasible and prudent technology that minimizes the possibility of migration of any hazardous constituent of the waste, the proposer shall submit the following to the commissioner:

- A. certification as required under subpart 1;
- B. for any residual of a listed hazardous waste treated in compliance with applicable land disposal restrictions that possesses a characteristic that would make it a characteristic hazardous waste if it were not derived from a listed hazardous waste, certification that the residual has been treated again to the same standards applicable to an untreated characteristic waste that possesses the same characteristics; and
- C. certification that the waste, after treatment as certified under items A and B, was stabilized using the stabilization process permitted for use at the facility.

Subp. 3. No feasible and prudent alternative to containment. A proposer who has made the demonstrations required under subparts 1 and 2, and who has made an acceptable attempt to render the waste nonhazardous as determined by the agency under part 7047.0040, subpart 2, is deemed to have demonstrated there is no prudent and feasible alternative to containment of the waste.

7047.0060 WASTE MINIMIZATION PLAN.

Subpart 1. Minimization plan requirement. A generator of waste that is proposed for containment at the facility, that was a hazardous waste when it was accepted for stabilization or proposed for containment at the facility, must prepare and submit to the commissioner a waste minimization plan for that hazardous waste. The plan must evaluate management alternatives for the reduction, recovery, and recycling of the waste and must identify specific minimization activities that will be undertaken by the generator during the term of the plan.

Subp. 2. Content of minimization plan. A waste minimization plan must include the following elements:

- A. a description of the processes generating the hazardous waste;
- B. an inventory of the hazardous wastes that provides the hazardous waste codes and the quantities of wastes that are being sent to the facility for management, and includes wastes that are currently being generated and that are anticipated to be generated for the term of the plan;
- C. an evaluation of current waste management activities and costs;
- D. an evaluation of the management activities and costs associated with management of the hazardous waste at the facility;
- E. an assessment of the potential for reducing the volume and hazardous properties of the hazardous waste to be managed at the facility;
- F. an assessment of the potential for recycling or recovering the hazardous waste to be contained at the facility;
- G. a description of the steps that have been implemented to minimize the amount of hazardous waste to be managed at the facility; and
- H. a specific plan describing additional efforts to be undertaken in the next five years to minimize the amount or hazardous properties of the hazardous waste to be managed at the facility.

Subp. 3. Operators of hazardous waste treatment facilities. An operator of a hazardous waste treatment facility other than the stabilization and containment facility, that treats hazardous wastes generated at other sites, may submit to the commissioner a waste minimization plan for wastes treated by the facility. This plan may be submitted in lieu of any plan required under subpart 1. A minimization plan submitted by the operator of a treatment facility must include the following elements:

- A. a description of the efforts undertaken by the operator to minimize the hazardous waste to be managed at the facility including an evaluation of potential treatment processes that could reduce the volume or hazardous properties of the waste, an

evaluation of all potential activities directed at the recycling or recovery of the wastes, and a discussion of any processes or activities that have been implemented to reduce the volume or hazardous properties of the waste and of the present method of managing the hazardous waste; and

B. a discussion of the efforts undertaken by the operator of the multiple waste treatment facility to educate its client generators of waste minimization practices and to encourage them to minimize hazardous waste generation.

Subp. 4. **Revision of minimization plan.** The generator shall revise and resubmit the minimization plan when the generator makes changes in production or waste management methods that materially affect the minimization activities included in the plan but, in any event, at least every five years after the submission of the most recent plan or revised plan.

Subp. 5. **Term of minimization plan.** The minimization plan must address the generator's minimization activities for five years from the date the plan is submitted to the commissioner.

Subp. 6. **Commissioner's review of minimization plans.** The commissioner shall review each minimization plan that is submitted and determine whether the requirements of this part have been met. If the commissioner determines that the requirements of this part have been met, the commissioner shall issue to the generator written documentation of such approval.

7047.0070 PROHIBITIONS.

Subpart 1. **Acceptance prohibited without approval of agency or commissioner.** The operator of a facility may not accept any waste for containment and may not place any waste in a containment cell at the facility unless the waste has been approved for containment at the facility under part 7047.0030.

Subp. 2. **Knowing submittal of false information or certification.** A person submitting any information or certification to the agency or commissioner under parts 7047.0010 to 7047.0060 shall not submit any information or certification that the person knows is false in any material respect.

Official Notices

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

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

Board of Animal Health

Revised Notice of Board Meeting

A meeting of the Board of Animal Health has been scheduled for Thursday, July 13, 1989 at the Board offices in the Department of Agriculture Building, 90 W. Plato Boulevard, Saint Paul, Minnesota. The meeting will begin at 9:30 a.m.

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

Dated: 19 June 1989

Executive Secretary
T.J. Hagerty

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Department of Commerce

Bulletin of Pending Applications under the Reciprocal Interstate Banking Act *Minnesota Statutes § 48.98, Subdivision 2, (2)*

The following listing of applications are pending with the Commissioner of Commerce subject to criteria for approval as set out in *Minnesota Statutes § 48.93* and shall be disapproved if:

- (1) The financial condition of any acquiring person is such as might jeopardize the financial stability of the bank or prejudice the interests of the depositors of the bank;
- (2) The competence, experience, integrity of any acquiring person or if any of the proposed management personnel indicates that it would not be in the interest of the depositors of the bank, or in the interest of the public to permit the person to control the bank;
- (3) The acquisition will result in undue concentration of resources or substantial lessening of competition in this area;
- (4) The application failed to adequately demonstrate that the acquisition proposal would bring net new funds into Minnesota;
- (5) A subsidiary of the acquiring bank holding company has failed to meet the requirements set forth in the federal Community Reinvestment Act; or
- (6) The acquisition will result in over 30 percent of Minnesota's total deposits in financial institutions as defined in section 13A.01, subdivision 2, being held by banks located in this state owned by reciprocating state bank holding companies. This limitation does not apply to consideration for approval pursuant to section 48.99, special acquisitions.

In addition, the Commissioner has determined by rule that applicants must describe its plan of compliance in providing an acceptable level of development loans or developmental investments in the community affected.

Current List of Pending Applications:

Community First South Dakota Bankshares, Inc., 16 Broadway, Suite 304, P.O. Box 6022, Fargo, North Dakota 58108, proposes to acquire the Community First Minnesota Bankshares, Inc., 16 Broadway, Suite 304, P.O. Box 6022, Fargo, North Dakota 58108, and thereby indirectly acquire control of the following banks:

- Community First National Bank of Benson, P.O. Box 207, 1302 Atlantic Avenue, Benson, Minnesota 56215
- American National Bank of Little Falls, P.O. Box 210, 65 East Broadway, Little Falls, Minnesota 56345
- Community First National Bank of Marshall, P.O. Box 519, 123 North Jefferson, Marshall, Minnesota 56258, with branches at: P.O. Box L, 323 North Norman, Ivanhoe, Minnesota 56142 and P.O. Box 88, 123 North Jefferson, Minneota, Minnesota 56264
- Community First State Bank of Paynesville, P.O. Box 107, 201 West James, Paynesville, Minnesota 56362
- Community First National Bank of Wheaton, P.O. Box 425, 1024 Broadway, Wheaton, Minnesota 56296
- Community First National Bank of Windom, P.O. Box 219, 203 Tenth Street, Windom, Minnesota 56101

NOTICE

The Commissioner shall accept public comment on an application for a period of not less than 30 days from the date of the final publication in a newspaper of general circulation within the county in which the bank to be acquired or a proposed new bank is located; or 30 days after the date of the availability of the bulletin of Pending Applications which includes the listing of the acquisition.

Public Information

Copies of bulletins of pending applications prepared and updated with each new application filed with the Commissioner is available without charge to any person upon request by writing to Department of Commerce, Bulletin of Pending Applications, Reciprocal Interstate Banking Act, 500 Metro Square Building, Seventh and Robert Streets, St. Paul, Minnesota 55101.

Dated: 13 June 1989

Michael A. Hatch
Commissioner of Commerce

County Law Libraries

Joint Notice of Law Library Filing Fees

Pursuant to *Minnesota Statutes* 140.422, the following law library fees will be effective 7-1-89.

Civil fees include probate matters. Criminal conviction includes felonies, gross misdemeanors, and misdemeanors, unless otherwise noted.

COUNTY	CIVIL	CONCILIATION	CRIMINAL CONVICTION	PETTY MISDEMEANOR
Benton	\$10	\$ 5	\$10	\$ 5
Brown	7	7	2	2
Chippewa	10	10	10*	10*
Hubbard	10	10	10	5
Isanti	5	3	5	5
Lac Qui Parle	10	10	10*	10*
Lincoln	5	5	2	2
Lyon	5	5	2	2
Marshall	6	6	6	6
Stearns	10	5	10	5
Stevens	10	10	5	5
Watonwan	10	10	10**	2
Yellow Medicine	10	10	10*	10*

*NOTHING for misdemeanor or petty misd. traffic violations.

**\$2 assessed on misdemeanor convictions.

Departments of Human Services, Health and Public Safety

Notice of Intent to Solicit Outside Information or Opinions Regarding Proposed Merit System Rules Governing Compensation Plans

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 rules governing the Minnesota Merit System's compensation plans. 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 compensation plans for non-union employees in some local and county welfare, human services, health and emergency management agencies. The amendments would provide for salary adjustments for incumbents and adjustments to the various salary ranges for purposes of continued implementation of comparable worth.

The Department of Health is also proposing deletion of duplicative rule language on appeals and hearings and other amendments to correct rule number references.

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: 13 June 1989

Ralph W. Corey
Merit System Supervisor

Department of Human Services

Notice of Change in the Sliding Fee Scale for the Consolidated Chemical Dependency Treatment Fund (CCDTF)

The new sliding fee scale for the above titled fund for the fiscal year beginning on July 1, 1989 was published in the *State Register* on Monday 19 June 1989 on pages 2985-2991.

Department of Human Services

Health Care and Residential Programs Division

Public Notice Regarding Changes to the Medical Assistance (MA) Program

NOTICE IS HEREBY GIVEN to recipients and providers of Minnesota Medical Assistance (MA) and to the public of certain changes affecting the MA Program that were enacted during the 1989 legislative session. This notice is published pursuant to federal regulations which govern the administration of the MA Program, *Code of Federal Regulations*, Title 42, section 447.205. The purpose of this notice is to inform the public of changes made in the MA Program due to changes in the state law. The legislative changes are expected to result in an estimated decrease in MA expenditures of 3.8 million dollars for fiscal year 1990 and 1.6 million dollars for fiscal year 1991.

Changes were made in the following areas:

- I. Insurance Benefits
- II. Medical Assistance Eligibility
- III. Medical Assistance Covered Services
- IV. Medical Assistance Payment Rates
 - A. Nursing Homes Services
 - B. ICF/MR Services
 - C. Inpatient Hospital Services
 - D. Other Services
- V. Prepaid Health Care
- VI. Miscellaneous

Information on implementation of these provisions will be sent to county human service agencies through instructional and informational bulletins and manual updates, to MA recipients with their MA identification cards, and to MA health care providers through provider manual updates.

Written comments may be addressed to:

Health Care and Residential Programs
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3852

I. Insurance Benefits

- Effective for claims filed with an insurer after June 30, 1989, *Minnesota Statutes* 1988, section 62A.045, is amended to require any health insurance plan covering an MA recipient to issue payment directly to the Department of Human Services (DHS), upon notification that DHS has already issued payment to the provider.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 62A.046 is amended to require that MA payments made on behalf of an MA recipient for services covered by a recipient's health insurance policy be applied to any deductible the recipient is required to pay under the health insurance policy.

II. Medical Assistance Eligibility

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.055, is amended to require that the income exclusions, disregards, deductions, and methodologies used by the SSI Program be used to determine MA eligibility for individuals who are blind or disabled or 65 years of age or older.

- Effective February 1, 1989, *Minnesota Statutes* 1988, section 256B.055, is amended to require that state and federal taxes and FICA payments withheld from an individual's earned income be deducted when determining MA eligibility for individuals who are blind, disabled, or 65 years of age or older. This deduction is available only up to the amount allowed by federal standards.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 196.27, will exclude agent orange settlement payments from being used in determining MA eligibility if this policy is approved by the federal Health Care Financing Administration.
- Effective July 1, 1989, *Minnesota Statutes* 1988, section 540.08, is amended to require that court-supervised minor accounts set up under this section cannot be considered available to a minor child or parent unless released by the court. This section may result in the exclusion of these assets when determining MA eligibility if approved by the federal Health Care Financing Administration.
- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.056, is amended to remove the \$2,000 limit on the exclusion of household goods and personal effects used in determining MA eligibility for individuals who are blind, disabled or 65 years of age or older.
- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.056, is amended to require that MA eligibility be determined using the standards and restrictions of the SSI Program for counting life insurance policies and assets designated for burial expenses.
- Effective July 1, 1990, *Minnesota Statutes* 1988, section 256B.056 is amended to increase the medically needy income limit used in determining MA eligibility for individuals who are blind, disabled or 65 years of age or older from 115 percent of the AFDC income standard to 120 percent.
- Effective June 30, 1989, *Minnesota Statutes* 1988, section 256B.057, is amended to provide MA eligibility for children one through seven years of age whose family income is no more than 100 percent of the federal poverty level. MA eligibility for these children will be determined without regard to assets.
- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.057 is amended to provide limited MA coverage for individuals who are entitled to Part A Medicare benefits, whose income is no more than 85 percent of the federal poverty level, and whose assets are no more than twice the asset limit used by the SSI Program. The coverage is limited to MA payment for Medicare Part A and Part B premiums, medicare coinsurance and deductibles, and cost-effective premiums for enrollment with certain medicare health plans. Individuals eligible under this provision are known as qualified medicare beneficiaries (QMBs).
- Effective October 1, 1989, *Minnesota Statutes* 1988, section 256B.0575, revises and establishes deductions to an institutionalized MA recipient's income. The amount of income which exceeds the deductions must be used to pay for the cost of institutionalized care. The deductions are applied in the following order:
 - personal needs allowance (\$47);
 - personal allowance for employed disabled recipients;
 - guardian or conservatorship fee allowance;
 - community spouse monthly income allowance;
 - monthly family allowance;
 - non-covered medical expenses.
- Effective October 1, 1989, *Minnesota Statutes* 1988, section 256B.058, establishes the method of determining the availability of spousal income used in determining MA eligibility for an institutionalized individual.
- Effective October 1, 1989, *Minnesota Statutes* 1988, section 256B.058, is amended to require that a monthly income allowance be established for an institutionalized MA recipient's non-institutionalized spouse beginning the first full month after institutionalization.

The monthly income allowance is the amount by which the community spouse's monthly maintenance needs allowance exceeds the amount of monthly income otherwise available to the community spouse. The community spouse's monthly maintenance needs allowance is the lesser of \$1,500 or 122 percent of the federal poverty guideline plus an excess shelter allowance. The excess shelter allowance is equal to the amount of allowable shelter expenses which exceed 30 percent of 122 percent of the federal poverty guidelines for a family of two. The monthly maintenance needs allowance may be increased if the community or institutionalized spouse can establish that the community spouse needs additional income due to exceptional circumstances resulting in significant financial duress or if there is a court order against the institutionalized spouse requiring a higher amount of support of the community spouse.

The 122 percent of the federal poverty guideline limit will be increased to 133 percent on July 1, 1991 and to 150 percent on July 1, 1992. the \$1,500 limit shall be adjusted every January 1 by the percentage increase in the consumer price index-urban (CPI-U) between the two previous Septembers.
- Effective October 1, 1989, *Minnesota Statutes* 1988, section 256B.058, is amended to provide a family allowance for minor or dependent children, dependent parents, or certain dependent siblings of institutionalized MA recipients or their community spouses. The family allowance is equal to one-third of the amount by which 122 percent of the federal poverty guideline for a family of two exceeds the family member's monthly income. The 122 percent of the federal poverty guideline limit shall be increased to 133 percent on July 1, 1991 and to 150 percent on July 1, 1992.
- Effective for anyone who enters an institution on or after October 1, 1989, *Minnesota Statutes* 1988, section 256B.059, establishes the method of assessing the assets of a married couple when one spouse becomes institutionalized and calculating the community spouse asset allowance which is not counted when determining MA eligibility for an institutionalized individual.

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The total value of assets in which either the institutionalized spouse or community spouse had an interest on the date of institutionalization is assessed and documented. Based on this assessment, the institutionalized spouse may transfer assets to the community spouse, up to an amount which, when added to the assets otherwise available to the community spouse, does not exceed the greater of: (1) \$12,000; (2) the lesser of the spousal share or \$60,000; or (3) the amount required by court order to be paid to the community spouse.

If either spouse can establish that the income of the community spouse, including the income generated by the total assets which the community spouse may retain, is not at least equal to the community spouse monthly maintenance needs allowance, additional assets may be transferred to the community spouse to provide the community spouse with total income equal to the community spouse monthly maintenance needs allowance.

The \$12,000 and \$60,000 limits shall be adjusted every January by the percentage increase in the CPI-U between the two previous Septembers.

- Effective for any assets transferred after July 1, 1988, *Minnesota Statutes* 1988, section 256B.0595, establishes asset transfer prohibitions and exceptions. Any assets transferred which have been transferred for less than fair market value by an institutionalized person within 30 months of the date of institutionalization if the person is receiving MA, or since July 1, 1988, whichever is later; or within 30 months of the first approved MA application if the person is not yet receiving MA, or since July 1, 1988, whichever is later; is ineligible for long term care services under MA for a specified period of time unless a transfer exception exists.

The period of ineligibility for long term care services, including home and community-based services, is the lesser of 30 months or the number of months determined by dividing the uncompensated transfer amount by the average MA nursing facility rate in the previous calendar year. The ineligibility period begins the month in which the assets were transferred.

Exceptions to the transfer prohibition include (1) a homestead transferred for less than fair market value to the institutionalized individual's spouse, child under age 21, blind or disabled child, certain siblings, or certain other children; (2) assets transferred in accordance with the community spouse asset allowance provisions; (3) assets transferred to a spouse prior to institutionalization provided that spouse does not transfer the assets to another person for less than fair market value; (4) assets transferred to a blind or disabled child; (5) assets, including the homestead, transferred with the intent of obtaining fair market value; (6) or the local agency waives the period of ineligibility because ineligibility for MA covered long term care services would result in an imminent threat to the individual's health.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.17, which contained the previous transfer policies, except for interspousal transfer policies, is repealed.

- Effective October 1, 1989, *Minnesota Statutes* 1988, section 256B.17, subdivision f, which contains the current interspousal transfer policies, is repealed.

- Effective April 1, 1989, *Minnesota Statutes* 1988, section 256B.062, is amended to allow six and twelve month extended MA eligibility for certain families who lose AFDC eligibility.

III. MA Covered Services

- Effective September 1, 1989, *Minnesota Statutes* 1988, section 256B.0625, allows MA payment for covered medical services provided as part of an MA recipient's individualized education plan.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.0625, is amended to limit MA coverage of organ and tissue transplants to those procedures covered by Medicare.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.0625, is amended to allow MA coverage of skilled nursing swing bed services provided in facilities which have more than 50 but less than 65 licensed beds and where the occupancy in facilities within 50 miles is greater than 96 percent. This coverage will be repealed effective January 1, 1990.

IV. MA Payment Rates

A. Nursing Home Services

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.495 establishes a receivership payment for nursing homes subject to the receivership provisions. The requested receivership fee will be reduced by the amount DHS determines to be included in the facility's MA payment rate. The amount not included in the payment rate shall be divided by resident days to determine the receivership per diem, which is then added to the facility's MA payment rate. The receivership fee payment may be redetermined at the request of the Department of Health due to significant changes to the cost or duration of the receivership agreement. The total receivership fee payments shall be subtracted from the facility's operating cost payment rate for the rate year following the reporting year in which the receivership period ends.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to allow an adjustment to a facility's payment rate upon the Department of Health's recommendation and a subsequent review of the rates. If DHS determines that a rate adjustment is necessary, the adjustment shall be determined by dividing the additional annual costs established during the review by the actual

resident days from the most recent desk audited cost report. The rate adjustment shall continue until the receivership ends or until another specified date.

Upon a subsequent sale or transfer of the facility the buyer or transferee shall transfer the amounts paid through the above payment rate adjustments to DHS within 60 days of notification. The buyer or transferee must also repay the private pay rate adjustments to the private pay residents.

- Effective for rate years beginning on or after July 1, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to include a facility's PERA contributions as a pass through operating cost when determining MA payment rates.

- Effective July 1, 1989, *Minnesota Statutes*, 1988, section 256B.431, is amended to establish a limit for the negotiated payment rate for services to ventilator dependent nursing home residents of 200 percent of the highest multiple bedroom payment rate for a Minnesota nursing home, as initially established for the rate year for case mix classification.

- Effective for reporting years ending September 30, 1989 and September 30, 1990, *Minnesota Statutes* 1988, section 256B.431, is amended to establish new base years taking into account statutory changes.

- Effective for rate years beginning after June 30, 1989, *Minnesota Statutes*, section 256B.431, is amended to define a hospital-attached nursing home as a nursing home so recognized by Medicare or a nursing home classified as hospital-attached prior to June 30, 1983, under *Minnesota Rules*. In addition, nursing homes applying for Medicare recognition as a hospital-attached nursing home shall have the facility's rates calculated using the hospital-attached cost limits for the rate year following the reporting year or the nine month period in which the facility applied for Medicare recognition. If the facility is denied hospital-attached nursing facility status, the rates for the pending period shall be recalculated treating the facility as a non-hospital-attached nursing home.

- Effective for rate years beginning after June 30, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to limit the other operating cost limit for facilities meeting certain criteria with average lengths of stay shorter than one year, to 140 percent of the limit for other hospital-attached nursing homes.

- Effective for rate years beginning after June 30, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to allow as an interest expense the interest expense, resulting from the refinancing of a facility's demand call loan if the loan was incurred prior to May 22, 1983 and meets certain other criteria.

- Effective for rate years beginning July 1, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to establish the replacement cost-new per bed limit for a single bedroom as \$49,907 to be adjusted according to *Minnesota Rules*.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to remove the recalculation of nursing home rates for facilities that are being reimbursed based on frozen historical costs. For facilities whose property payment rates are determined under section 256B.431, subdivision 3g., and whose debt is refinanced after October 1, 1988, the following applies to property payment rates for rate years beginning after July 1, 1990: refinancing must not include debts with balloon payments; issuance costs of the refinanced debt can be included for purposes of determining the historical costs of capital assets; annual principal and interest expense payments, and any required annual municipal fees on the refinancing, together with the principal and interest on other allowable debts, are allowable costs; a monthly debt service payment schedule shall be established for refinancing which includes zero coupon bonds. The property related payment rate is equal to the sum of annual annuity payments and the facility's allowable annual principal and interest payments, divided by the facility's capacity days, plus an equipment allowance.

- Effective for rate years beginning after June 30, 1990, *Minnesota Statutes* 1988, section 256B.431, is amended to allow related party debt to be recognized as allowable property costs if incurred prior to May 23, 1983, was considered allowable for reimbursement prior to May 23, 1983, is subject to repayment through annual principal payments and meets certain other criteria.

- Effective for rate years beginning after June 30, 1990, *Minnesota Statutes* 1988, section 256B.431, is amended to allow a facility with operating lease costs incurred for the nursing home's buildings to have its building capital allowance be computed using the rental formula contained in *Minnesota Rules*, part 9549.0060, subpart B, even if the operating lease requires payments of a lesser amount.

- Effective for rate years beginning after June 30, 1990, *Minnesota Statutes* 1988, section 256B.431, is amended to allow hospital-attached nursing homes the same special rate treatment for property costs as was previously afforded only non-hospital attached facilities whose building capital allowance is less than their allowable annual principal and interest on allowable debt. To qualify for the special treatment, the facility must, by January 1, 1987, be newly licensed after new construction or increasing licensed beds by a minimum of 35 percent through new construction.

- Effective from January 1, 1990 to June 30, 1991, *Minnesota Statutes* 1988, section 256B.431, is amended to allow a one-time nursing staff adjustment to the payment rate to update certain nursing homes' staff complement to comply with the minimum standards set forth in Public Law Number 100-123 (OBRA). The increased cost shall be determined by: (1) subtracting the compensated hours for professional nurses from the number 8760 and multiplying the difference (if greater than zero) by \$4.55; (2) subtracting the compensated hours for registered nurses from the number 2920 and multiplying the difference (if greater than zero) by \$9.30; (3) if the facility has fewer than 61 beds, the director of nurses' compensated hours must be included in the calculation for professional

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nurses' compensated hours and if the director of nurses is also a registered nurse the director of nurses's compensated hours must also be included in the calculation for registered nurses' compensation hours; (4) adding clause (1) and clause (2) as adjusted by clause (3) and dividing by resident days for the reporting period ending September 30, 1988.

DHS may recover the one-time nursing staff adjustment if the facility obtains a waiver to the minimum staffing requirements contained in OBRA.

- Effective for the rate period January 1, 1990 to June 30, 1991, *Minnesota Statutes* 1988, section 256B.431, is amended to provide a one-time per diem rate adjustment of \$.30 per resident to the nursing home's payment rate. This adjustment is for increased costs due to the implementation of OBRA and is not available for freestanding boarding care homes.

Freestanding boarding care homes will have a one-time rate adjustment determined for the same period if certain costs are required in the final federal regulations implementing OBRA. To obtain an adjustment, the facility must submit to DHS a detailed report of the estimated costs to be incurred in complying with OBRA. DHS will determine which costs are reasonable and necessary to comply and those costs, not to exceed \$300 per bed per year, will be divided by actual resident days for the reporting year ending September 30, 1988, to determine the amount of the one-time adjustment.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to remove the five highest and five lowest deviations of the nursing home appraisal sample used to determine the percentage change used in the routine updating of appraised values.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to require that special reappraisal requests be submitted to DHS within 60 days of the project's completion date. Additional special reappraisal requirements are established.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to require that the cost of property must be allocated to the therapy service area and removed from the rental per diem, based on the ratio of the service area square footage to total facility square footage multiplied by the building capital allowance.

B. Intermediate Care Facilities for the Mentally Retarded (ICFs/MR) Services

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.501, is amended to limit the revaluation of capital assets on the sale of a facility to a sale between unrelated organizations for a facility which was claimed by the seller as a homestead and used as a single family home for at least three years prior to the facility's certification as an intermediate care facility, and which was not revalued immediately prior to or upon enrollment as an MA provider.

- Effective for rate years beginning after October 1, 1990, *Minnesota Statutes* 1988, section 256B.501, is amended: (1) to require DHS to adjust the MA program operating costs of ICFs/MR based on a comparison of client service characteristics, resource needs, and costs; and (2) to allow DHS to adjust an ICF/MR's payment rate during the rate year when accumulated changes in the facility's average service unit exceed the minimum established under *Minnesota Rules*.

Minnesota Statutes 1988, section 256B.501, is amended to allow DHS to conduct and administer a study on the effects of competency based wage adjustments on the quality of care and treatment provided to persons with mental retardation. One facility will participate in the study. Rates will be adjusted for the facility beginning October 1, 1989, and will remain in effect for 21 months.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.495 establishes a receivership payment for long term care facilities subject to the receivership provisions. The requested receivership fee will be reduced by the amount DHS determines to be included in the facility's MA payment rate. The amount not included in the payment rate shall be divided by resident days to determine the receivership per diem, which is then added to the facility's MA payment rate. The receivership fee payment may be redetermined at the request of the Department of Health due to significant changes to the cost or duration of the receivership agreement. The total receivership fee payments shall be subtracted from the facility's operating cost payment rate for the rate year following the reporting year in which the receivership period ends.

C. Inpatient Hospital Services

- Effective July 1, 1989, *Minnesota Statutes* 1988, sections 256.969 and 256.9695 are amended to revise the current MA payment rate methodology for inpatient hospital rates as follows:

- Operating and property payment rates for neonatal diagnostic category transfers to hospitals with neonatal intensive care units shall be determined using a per diem payment system based on Medicare cost-finding methods and allowable costs and determined by dividing base year allowable costs by neonatal patient days. The operating payment rate shall be adjusted by the hospital cost index and the disproportionate population adjustment. The cost and charges used to establish rates under this provision shall only reflect inpatient services covered by MA, and shall not be used to establish relative values or other payment rates.

- Payment rates shall include the costs incurred by hospitals to provide metabolic disorder testing of MA recipient newborns if the cost is not recognized by another payment source.

- Payment rates shall increase by 20 percent for inpatient hospital originally paid admissions, excluding Medicare crossovers, that occur between July 1, 1988 and December 31, 1990 for certain small, rural hospitals with 100 or fewer MA annualized paid

admissions (excluding Medicare crossovers) that were paid by March 1, 1988, for the period January 1, 1987 to June 30, 1987.

- Payment rates shall increase by 15 percent for inpatient hospital originally paid admissions, excluding Medicare crossovers, that occur between July 1, 1988 and December 31, 1990 for certain small, rural hospitals with more than 100 but fewer than 250 MA annualized paid admissions (excluding Medicare crossovers) that were paid by March 1, 1988 for the period January 1, 1987 to June 30, 1987.

- Operating payment rates shall be indexed from the hospital's most recent fiscal year ending prior to January 1, 1991 by prorating the hospital cost index in effect on January 1, 1989. Payments made for admissions occurring after July 1, 1990 shall not include the one percent technology factor.

- Property and pass-through payment rates shall be maintained at the most recent payment rate effective for June 1, 1990. However, all hospitals are subject to the hospital cost index limits for two complete fiscal years. Property and pass-through costs shall be retroactively settled through December 31, 1990. The inpatient hospital ratesetting laws in effect on June 30, 1989, apply to the retroactive settlement from July 1, 1989 to December 31, 1990.

- For admissions occurring on or after July 1, 1989, a disproportionate population adjustment shall be applied to MA payment rates for inpatient hospital services, including those provided in state-operated facilities, in accordance with federal law at the fully implemented rates.

- Payment rates may be prospectively reduced in the aggregate to avoid reduced federal financial participation resulting from rates which are in excess of Medicare upper payment limits.

- Effective January 1, 1991, *Minnesota Statutes* 1988, sections 256.969 and 256.9695 are amended to revise the MA payment rate methodology for inpatient hospital services as follows:

- The hospital cost index (HCI), obtained from an independent source, shall represent a weighted average of historical and projected cost change estimates determined for expense categories include wages and salaries, employee benefits, medical and professional fees, raw food, utilities, insurance including malpractice insurance, and other expenses as determined by DHS and shall reflect Minnesota cost category weights. The HCI will be used to adjust the base year operating payment rate through the rate year on an annually compounded basis.

- Operating payment rates shall be rebased for rate years beginning on or after January 1, 1991 using current data based on Medicare cost-finding methods and allowable costs reflecting only MA covered inpatient services and excluding property cost information and outlier costs. The operating payment rates will be rebased every two years, or more frequently as determined by DHS. The base year operating payment rate will be standardized by the case mix index and adjusted by the HCI, relative values, and disproportionate population adjustment.

- For rate years beginning on or after January 1, 1991, property payment rates shall be reestablished using the operating payment rate base year. The property information shall include cost categories not subject to the HCI and shall reflect Medicare cost-finding methods and allowable costs. The property payment rate per admission shall be adjusted at 85 percent of the positive percentage change in the net book value of the hospital property and equipment from the base year. The data used to establish property payment rates shall only reflect MA covered inpatient hospital services and shall not include operating cost information. Hospitals must provide the required information in the required format by the October 1 preceding the rate year per admission adjustment.

- Effective January 1, 1989, required data must be submitted by the required dates or be disregarded at the Commissioner's discretion. If the required data is not required by or audited by Medicare, DHS may require and audit reports provided in a specified format based on Medicare cost-finding methods and allowable costs.

- Effective January 1, 1991, payment rates may be adjusted based on audit findings. Charges to MA must not exceed the lowest charges to the general public or any other payers.

- Effective January 1, 1991, the following special rate considerations will apply to MA payment rates:

- Minnesota hospitals with 30 or fewer annualized MA admissions, excluding Medicare crossovers, will have the option of having their base year operating payment rates (as adjusted by the case mix index) and property payment rates determined at the 70th percentile of peer group hospitals. The operating payment rate portion of the 70th percentile shall be adjusted by the HCI. Hospitals must notify DHS by November 1 of the year preceding the rate year to have rates established under this provision.

- Day and cost outlier thresholds shall be established at two standard deviations beyond the geometric mean, except for neonatal and burn diagnostic categories which shall be established at one standard deviation beyond the mean. Payment for outliers shall be 70 percent of the allowable operating cost calculated by dividing the operating cost payment rate per admission (after adjustment by the case mix, index, HCI, relative values and disproportionate population adjustment) by the arithmetic mean length of stay for the diagnostic category; except payment for neonatal and burn diagnostic categories shall be established at 90 percent of the allowable operating costs. Hospitals may choose an alternative outlier payment between 60 percent and 80 percent for all diagnostic categories except burns and neonates, if requested in writing by October 1 of the year preceding the rate year. The percentage of allowable costs not recognized by the outlier payment rate shall be added back to the base year operating payment rate per admission. Outlier

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payments, for stays that are both day and cost outliers, shall be based on the higher outlier payment.

- For admissions occurring on or after January 1, 1991, the disproportionate population adjustment shall be derived from base year medicare cost report data and may be adjusted by data reflecting actual claims paid by DHS.

- Effective January 1, 1991, hospitals may have certified registered nurse anesthetist (CRNA) costs excluded from the operating payment rate by providing written notification to DHS by October 1 of the year preceding the rate year. The hospital must then exclude CRNA costs and charges from hospital claims. Separate CRNA claims shall not be paid to the hospital or related organization either directly or indirectly.

- Effective January 1, 1991, special rates may be established for hospice, ventilator dependent and other services on a hospital and recipient specific basis. These rates are subject to federal regulations and must not exceed payments that would otherwise be made to a hospital in total for rate year admissions. Data used to establish special rates shall not be used to establish relative values or other payment rates.

- Effective January 1, 1991, medicare recognized rehabilitation distinct parts of a hospital shall have separate provider numbers for payment rate establishment and billing purposes. Operating and property payment rates and the disproportionate population adjustment shall be established separate from other hospital services and relative values may be established separately. Hospitals are required to provide separate rehabilitation distinct part cost and claims data.

- Effective January 1, 1991, payment rates for admissions that result in transfers and transfers shall be established on a per diem basis. The rate shall be the sum of the adjusted operating and property payment rates divided by the arithmetic mean length of stay for the diagnostic category. Each admission that results in a transfer and each transfer is considered a separate admission to each hospital and the total of the admission and transfer payments to each hospital cannot exceed the total per admission payment that would otherwise be made to the hospital.

D. Other Services

- Effective July 1, 1989, *Minnesota Statutes* 1988, are amended to allow for a delay in the implementation of the proposed ratesetting system for developmental achievement centers (DACs). This delay was necessary to allow adequate time for a pilot system to be established. The statute was also amended to allow expansion of the rate variance for providers of DAC services.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.431, is amended to repeal the special ratesetting methodology which was established for an intermediate care facility which is licensed as a chemical dependency treatment provider and is enrolled as an MA provider. The facility rate will be set through the consolidated chemical dependency treatment fund effective July 1, 1989.

- Effective July 1, 1989, MA payments will be based on the lower of the medicare rate (for laboratory services only), the submitted charge, or the 50th percentile of prevailing charges in 1982 for the following services: physician services, dental care services, vision care services, podiatric services, chiropractic services, physical therapy services, occupational services, speech pathology services, audiology services, mental health center services, psychological services, public health clinic services, and independent laboratory and x-ray services.

- MA payment for diagnostic and routine dental services provided on or after July 1, 1989 will be increased by 7.5 percent. MA payment for all other dental services will be increased by 5 percent.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.0625, is amended to allow MA payment for special transportation provided to nonambulatory MA recipients who do not need a wheel chair lift van or a stretcher-equipped vehicle to be reimbursed at a lower rate than special transportation services provided to those who do.

- Effective July 1, 1989, *Minnesota Statutes* 1988, were amended to allow the aggregate, prospective reduction of MA payment rates to avoid the loss of federal financial participation if the rates are in excess of medicare upper payment limits.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.35, is enacted to require MA payment of a facility fee for outpatient hospital clinic services. The facility fee payment may not result in an increase to the total payment rate for outpatient services.

- Effective July 1, 1989, an MA payment rate increase of 20 percent shall be applied to public health clinic services and community health clinic services.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.04 is amended to allow DHS to volume purchase certain medical equipment and services through competitive bidding and negotiation, when determined to be effective, economical, and feasible.

V. Managed Care

- Effective for appeals filed after June 30, 1989 *Minnesota Statutes* 1988, section 256B.69, is amended to require an enrollee in the MA prepaid demonstration project to appeal a demonstration provider's delay or refusal to provide services through the existing public assistance appeals process, instead of by a panel of health and social service practitioners.

VI. Miscellaneous

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256.9695 is amended to prohibit MA providers of hospital services from limiting MA admissions by percentages or quotas unless the policy is applied to all patients.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256.9695, is amended to prohibit hospitals from transferring MA recipients or cause MA recipients to be admitted to other hospitals without the explicit consent of the receiving hospital when the recipient's service needs are available and within the scope of the transferring hospital. The transferring hospital is liable to the receiving hospital for patient charges and ambulance charges without regard to MA payments plus the receiving hospital's reasonable attorney's fees if found in violation of this provision.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.48, is amended to prohibit nursing homes from offering special services in distinct areas of the facility and discriminating or engaging in preferential selection on the basis of refusal to purchase special services.

- Effective July 1, 1989, *Minnesota Statutes* 1988, section 256B.48, is amended to require medicare certification of 50 percent of a facility's MA certified skilled nursing facility (SNF) beds, unless the facility has both SNF beds and intermediate care facility (ICF-I) beds which are medicaid certified in which case the lesser of at least: (1) 50 percent of the facility's total SNF and ICF-I beds; or (2) 100 percent of the facility's SNF beds, must be Medicare certified.

Effective October 1, 1990, a nursing facility will be required to obtain medicare certification of at least 50 percent of the facility's beds certified as nursing facility beds under MA.

- Effective June 2, 1989, *Minnesota Statutes* 1988, section 256B.48, is amended to allow a resident in a skilled nursing facility (or a resident in a nursing facility after September 30, 1990), who is MA eligible and becomes medicare eligible, to refuse an intrafacility transfer if approved by DHS as an exception requested based on health reasons. A resident in a medicare and medicaid certified skilled nursing bed (or a nursing facility bed after September 30, 1990), may refuse an intrafacility transfer if the resident's bed is needed for a medicare eligible individual if approved by DHS as an exception based on documentation submitted by a physician that the transfer would pose a health risk for the resident.

- Effective July 1, 1989, \$300,000 in state funds is appropriated for exceptions to the nursing home moratorium. Applications are due in to the Inter Agency Board for Quality Assurance by 4:30 p.m. on September 11, 1989.

Department of Human Services

Notice of Potential Adjustment to Inpatient Hospital Payments under MA (Medical Assistance) or GAMC (General Assistance Medical Care)

The purpose of this Notice is to provide information concerning the effect of revisions to the Disproportionate Population Adjustment (DPA) on inpatient hospital payments under the Medical Assistance (MA) and General Assistance Medical Care (GAMC) Programs.

The Omnibus Reconciliation Act of 1987 (OBRA 87) mandated that states provide for a DPA under MA beginning July 1, 1988 and to provide notice of estimated payments. The Act specified which hospitals are eligible and the adjustment amount that is to be paid. The adjustment could be phased in over three years and a "special rule" was available to states that had a DPA in effect in January 1984. The special rule allowed Minnesota to continue with the state method until the federally required payments exceeded the State's methodology. Minnesota met these conditions until July 1, 1988 when technical amendments contained in the Medicare Catastrophic Coverage Act of 1988 eliminated Minnesota's use of the special rule. The Department had intended to seek state legislation to replace the Minnesota DPA method with the federal DPA method. However, due to the timing of the technical amendments Minnesota was unable to amend laws in anticipation of the change. Thus, individual hospitals were paid the greater of the two formulas beginning July 1, 1988 under MA. The GAMC payment remained at the state level. *1989 Session Laws*, Chapter 282 adopted the federal methodology under MA and provided for full implementation beginning July 1, 1989. The 1989 payments also reflect the inclusion of Minnesota local trade area hospitals because Minnesota law, which was phased-in by hospital fiscal year beginning July 1, 1988, treats these hospitals the same as Minnesota hospitals. The GAMC DPA is the same as the MA DPA.

Disproportionate Population Adjustment (DPA)	Mean	0.071484
Medical Assistance, General Assistance Medical Care Programs	Variance	0.002511
July 1, 1988	Std Dev	0.050115
Acute Care Hospitals—Minnesota	Mean + Std Dev =	0.1216

Provider #	Facility	Federal Medical Criteria*	Inflated Operating Payments**	Days Util. Rate***	DPA = Fed. Diff. 1 S.D.	Fed. DPA (33%)	MN DPA	DPA Effective 7/1/1988	Estimated DPA Payment
0100694	Kanabec County, Mora	2	198969	0.1222	0.0006	0.0002	0.0025	0.0025	497
0101778	Monticello/Big Lake	1	208183	0.1258	0.0042	0.0014	0.0325	0.0325	6766

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0101100	Parkers Prairie District	1	23484	0.1268	0.0052	0.0017	0.0025	0.0025	59
0100049	St. Mary's, Detroit Lakes	1	632443	0.1321	0.0105	0.0035	0.0225	0.0225	14230
0100027	Mercy Hospital, Coon Rapids	1	2377419	0.1404	0.0188	0.0062		0.0062	14740
0100912	Trimont Community	2	45280	0.1433	0.0217	0.0072		0.0072	326
010005X	Bemidji Hospital	1	1638733	0.1468	0.0252	0.0083	0.0275	0.0275	45065
0100504	Fairview & Deaconess, Mpls. (comb)	1	651903	0.1500	0.0284	0.0094		0.0094	6128
0100730	International Falls Memorial	2	351627	0.1623	0.0407	0.0134	0.0125	0.0134	4712
0101224	Midway, Mounds Park, St. Paul	1	659689	0.1640	0.0424	0.0140		0.0140	9236
0101439	Miller/Dwan, Duluth	4	1615248	0.1758	0.0542	0.0179	0.0175	0.0179	28913
0100570	University of Minnesota, Mpls.	1	16752155	0.1779	0.0563	0.0186		0.0186	311590
0101428	Central Mesabi, Hibbing	2	1358115	0.1786	0.0570	0.0188	0.0025	0.0188	25533
0101552	St. Cloud	1	2868093	0.1794	0.0578	0.0191		0.0191	54781
0101290	St. Paul Ramsey	1	14724070	0.1906	0.0690	0.0228	0.1220	0.1220	1796337
0101825	Children's Health Center, Mpls.**	3,4	5177383	0.1971	0.0755	0.0249	0.0175	0.0249	128917
0101213	UHI Children's, St. Paul	3,4	5146583	0.2372	0.1156	0.0381	0.0175	0.0381	196085
0100490	Hennepin Co Medical Center, Mpls.	1	34761665	0.2490	0.1274	0.0420	0.1220	0.1220	4240923
0102002	Gillette Children's, St. Paul	3,4	965655	0.2708	0.1492	0.0492	0.0175	0.0492	47510
TOTAL									6932346

*Meets medical criteria by:

1. Two obstetricians
2. Two physicians, non MSA
3. Patients under 18 years
4. Did not offer nonemergency OB services as of 12-21-87

**Medical Assistance + General Assistance Medical Care Operating payments for the period July 1987 to June 30, 1988 inflated 5.6 percent

***Medicaid patient days divided by total days from Worksheet S-3, Form 2552-85 for hospital fiscal years beginning on or after October 1, 1984 but before September 30, 1985

Disproportionate Population Adjustment (DPA)	Mean	0.0719723
Medical Assistance, General Assistance Medical Care Programs	Variance	0.0025410
July 1, 1989	Std Dev	0.0504087
Acute Care Hospitals—Minnesota & Local Trade Area	Mean + Std Dev =	0.1224

Provider #	Facility	Federal Medical Criteria*	Inflated Operating Payments**	Days Utilization Rate***	DPA = 1 S.D. Diff.	Fed. DPA 100%	Estimated DPA Payment
0101778	Monticello/Big Lake	1	224371	0.1258	0.0034	0.0034	763
0101100	Parkers Prairie District	1	25309	0.1268	0.0044	0.0044	111
0101916	United, Grand Forks	1	1098737	0.1315	0.0091	0.0091	9999
0100049	St. Mary's Detroit Lakes	1	681620	0.1321	0.0097	0.0097	6612
0100027	Mercy Hospital, Coon Rapids	1	2562281	0.1404	0.0180	0.0180	46121
0100912	Trimont Hospital	2	48801	0.1433	0.0209	0.0209	1020
010005X	Bemidji Hospital	1	1766156	0.1468	0.0244	0.0244	43094
0100504	Fairview & Deaconess, Mpls. (comb)	1	702592	0.1500	0.0276	0.0276	19392
0100730	International Falls	2	378968	0.1623	0.0399	0.0399	15121
0101869	St. Francis, LaCrosse	1	171676	0.1639	0.0415	0.0415	7125
0101224	Midway, Mounds Park, St. Paul	1	710985	0.1640	0.0416	0.0416	29577
0101439	Miller/Dwan, Duluth	4	1740845	0.1758	0.0534	0.0534	92961
0100570	University of Minnesota, Mpls.	1	18054755	0.1779	0.0555	0.0555	1002039
0101428	Central Mesabi, Hibbing	2	1463718	0.1786	0.0562	0.0562	82261
0101552	St. Cloud	1	3091108	0.1794	0.0570	0.0570	176193
0101290	St. Paul Ramsey	1	15868972	0.1906	0.0682	0.0682	1082264
0101825	Children's Health Center, Mpls.**	3,4	5579962	0.1971	0.0747	0.0747	416823

0102443	Riverwood, Prescott	4	70761	0.2033	0.0809	0.0809	5725
0101213	UHI Children's, St. Paul	3,4	5546766	0.2372	0.1148	0.1148	636769
0100490	Hennepin Co Medical Center, Mpls.	1	37464632	0.2490	0.1266	0.1266	4743022
0102002	Gillette Children's, St. Paul	3,4	1040741	0.2708	0.1484	0.1484	154446
TOTAL							8571436

*Meets medical criteria by:

1. Two obstetricians
2. Two physicians, non MSA
3. Patients under 18 years
4. Did not offer nonemergency OB services as of 12-21-87

**Medical Assistance + General Assistance Medical Care Operating payments for the period July 1, 1987 to June 30, 1988 inflated 12.8 percent

***Medicaid patient days divided by total days from Worksheet S-3, Form 2552-85 for hospital fiscal years beginning on or after October 1, 1984 but before September 30, 1985

Questions or comments should be directed to:

Paul Olson (612) 296-5620
 Richard Tester (612) 296-5596
 Hospital Reimbursement
 Audit Division
 444 Lafayette Road, Fifth Floor
 St. Paul, Minnesota 55155-3836

Department of Jobs & Training

Unemployment Insurance Quality Control Annual Report for Calendar Year 1988

The Quality Control Program is a management information system that helps State and Federal managers control fraud and abuse in the Unemployment Insurance Program. It provides valid information on the rates, types and causes of unemployment insurance benefit overpayments and underpayments. The benefits of the audit are better detection, prevention, elimination and collection of improper payments.

The 1988 Quality Control sample size was 855 unemployment claims. The total dollars that were paid for the population were \$299,522,812. The proper payment rate for unemployment insurance paid in 1988 was 90.4%, with a confidence interval of +/- 2.2%. This means that benefits were overpaid 9.6% of the time (+/- 2.2%). This figure does not include underpayments, which amounted to 1.3% of the original amounts paid in 1988 (+/- 0.4%).

There was a cluster of errors in the base period wage reporting category. This concentration of errors involved the reporting of wages paid prior to claim filing upon which the benefit amounts were based. This caused 14.3% of the overpayments and 75% of the underpayments.

Wage reporting overpayments declined by 33% from the 1st quarter to the 4th quarter 1988. Wage reporting underpayments declined by 69% from the 1st quarter to the 4th quarter 1988. It is this area which is most encouraging.

This decline can be attributed to the change in Minnesota's wage reporting system in 1988. This change ended Minnesota's practice of requesting wages for each claim filed, replacing it with a quarterly wage reporting system. It appears the change yielded positive results.

Claimants failing to conduct required work search were given formal warnings and no overpayment was established. The proper payment rate would be lower and the overpayment rate would be higher if these cases were counted as erroneous payments. However, if a previous formal warning had been given, benefits were denied and appear as part of the percentage for benefits overpaid. Of the 855 cases audited, some cases were not investigated and closed out within the period established to ensure their timely completion.

Official Notices

Department of Labor and Industry

Labor Standards Division

Notice of Correction to Prevailing Wage Rates

The prevailing wage rate certified June 1, 1989 for labor classifications 110—Abatement and 239—Tower Crane in the following counties: ANOKA, BENTON, BIG STONE, CARVER, CHISAGO, DAKOTA, DOUGLAS, HENNEPIN, ISANTI, KANABEC, KANDIYOHI, MCLEOD, MEEKER, MILLE LACS, MORRISON, PINE, POPE, RAMSEY, SCOTT, SHERBURNE, STEARNS, STEVENS, SWIFT, TODD, TRAVERSE, WASHINGTON, WRIGHT for Commercial construction projects has been corrected.

Copies of the correct certification may be obtained by contacting the Minnesota Bookstore, 117 University Avenue, St. Paul, Minnesota 55155 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

Regional Transit Board

Public Hearing on Draft Five Year Transit Plan 1990-1994

The Regional Transit Board will hold a public hearing on Monday, July 10, 1989 at 5:30 p.m. in the Regional Transit Board Chambers, 1st floor Mears Park Centre, 230 E. 5th Street, St. Paul, MN 55101 on its draft Five Year Transit Plan 1990-1994. The Five Year Transit Plan is developed pursuant to the requirements of *Minnesota Statutes*, Sections 473.377 (Implementation Plan) and 473.38 (Financial Plan; Council Approval). Interested persons are encouraged to attend this hearing and offer public comment. Interpreters will be provided. Additional public comment will be heard at the Regional Transit Board's July 24, 1989 public hearing starting at 4:00 p.m. at Mears Park Centre, 230 E. Fifth Street, St. Paul in Room A. The draft Five Year Transit Plan 1990-1994 may be obtained or examined at the Regional Transit Board offices, 7th floor, Mears Park Centre, 230 E. 5th Street, St. Paul, MN. 55101, telephone: 292-8789.

Elliott Perovich
Chairman

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul MN 55155-1299; (612) 296-2805, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. The application deadline is July 18, 1989.

MORTUARY SCIENCE ADVISORY COUNCIL

717 Delaware St. S.E., Mpls 55440. 612-623-5491

Minnesota Statutes 149.02 as amended by *Laws of 1989*, Chapter 282

APPOINTING AUTHORITY: Commissioner of Health. COMPENSATION: \$35 per diem plus expenses.

VACANCY: Two members, including one public member and one member licensed in Mortuary Science with at least five years experience immediately preceding their appointment in the preparation and disposition of dead human bodies and in the practices of Mortuary Science.

The council licenses and regulates morticians and funeral directors; inspects and registers funeral facilities; advises the commissioner of Health in the implementation of mortuary science law and rules of the commissioner, and sits as a panel on disciplinary matters. Five members include two public members, two licensed morticians, and a full-time staff member of the Dept. of Mortuary Science at the University of Minnesota. Bi-monthly meetings at the Dept. of Health. University of Minnesota staff person does not receive per diem or expenses.

ADVISORY COUNCIL ON THE MINNESOTA ACADEMY FOR THE DEAF AND THE BLIND**P.O. Box 308, Faribault 55021. 507-332-3363***Minnesota Statutes 128A.03*

APPOINTING AUTHORITY: Board of Education. COMPENSATION: \$35 per diem.

VACANCY: Three members for the MN State Academy for the Blind, and three members for the MN State Academy for the Deaf; see description of the agency for information as to member requirements.

The council advises the Board of Education on policies pertaining to the control, management, and administration of these academies. Up to fifteen members: shall be representative of the various geographic regions of the state and include parents or guardians of visually disabled or hearing impaired children, a staff representative of the applicable academy, two representatives from groups representing the interest of visually disabled or hearing impaired individuals. All members shall have knowledge, experience and interest in the problems of visually disabled or hearing impaired children.

SUBCOMMITTEE ON CHILDREN'S MENTAL HEALTH**444 Lafayette Rd., St. Paul 55155-3828. 612-297-4164***Laws of 1988, Chapter 689*

APPOINTING AUTHORITY: Chairman, State Advisory Council on Mental Health. COMPENSATION: \$35 per diem plus expenses.

VACANCY: Three new members, including one representative of the Minnesota District Judges Association juvenile committee; one representative of a community corrections department, knowledgeable of the needs of children and adolescents with emotional disturbance; one educator currently working with emotionally disturbed children.

The subcommittee must make recommendations to the advisory council on policies, law, regulations, and services relating to children's mental health. Members to include: commissioners or designees of Dept. of Commerce, Corrections, Education, Health, Human Services, and State Planning; one member children's mental health advocacy group, three service providers (preadolescent, adolescent, and hospital-based), parents of emotionally disturbed children, a consumer of adolescent mental health services, educators currently serving emotionally disturbed children, people who worked with emotionally disturbed minority children, or with emotionally disturbed juvenile status offenders, social service representatives, county commissioners, advisory council members, one representative of the local corrections system, and one representative from the Minnesota District Judges Association juvenile committee. Meeting schedule not determined.

MN EDUCATIONAL COMPUTING CORPORATION**3490 Lexington Ave. N., Shoreview 55126. 612-481-3510***Minnesota Statutes 119.01*

APPOINTING AUTHORITY: Governor. COMPENSATION: None.

VACANCY: One member, knowledgeable about the use of computing in elementary, secondary, and higher education or the business community.

The corporation provides cost-effective computing and technology related products and services to the educational programs of, educational institutions and agencies in Minnesota and elsewhere. The nine member board will be knowledgeable about the use of computing in elementary, secondary, vocational, and public and private higher education or the business community. Terms are for four years and are staggered. Members must file with the Ethical Practices Board.

COUNCIL ON DISABILITY**Metro Square Bldg., Suite 145. St. Paul 55101. 612-296-6785***Minnesota Statutes 256.481-256.482*

APPOINTING AUTHORITY: Governor. COMPENSATION: \$55 per diem plus expenses.

VACANCY: Two members, including one resident of Region 10 (Southeast Minnesota), and one resident of Region 11 (Twin Cities Metro Area).

The council advises the governor, legislature, service providing agencies, and the public on the needs and potentials of people with physical, mental, or emotional disabilities. Twenty-one members represent the general public and organizations which provide services for persons with disabilities; at least one member from each development region—a majority of members are persons with disabilities or parents or guardians of persons with disabilities (service consumers). The commissioners of Education, Health, Human Services, Jobs and Training, Human Rights, and the directors of Vocational Rehabilitation and State Services for the Blind or designees are ex-officio members. Bi-monthly meetings.

METROPOLITAN AIRPORTS COMMISSION**6040 28th Ave. S., Mpls 55450. 612-726-1892***Minnesota Statutes 473.603 as amended by Laws of 1989, Chapter 279*

Official Notices

APPOINTING AUTHORITY: Governor. COMPENSATION: \$50 per diem.

VACANCY: Four members from outside the metropolitan area, including two residents of cities, towns or counties containing an airport designated as a key airport, (hard surface, lighted, runway length of 5,000 feet) and two residents of cities, towns or counties containing an airport designated as an intermediate airport (hard surface, lighted, runway length of 3,200 feet). Legislative recommendations are being sought for these appointments.

The commission promotes air transportation locally, nationally, and internationally by developing the Twin Cities as an aviation center. Fifteen members include the chair and twelve members appointed by the governor, including eight residing in precincts determined by the governor, and four residing outside the metro area, two from cities, towns or counties containing a key airport, and two from cities, towns or counties containing an intermediate airport. The mayors of Minneapolis and St. Paul, or designees, are ex-officio members. The chair receives \$16,640. per year plus expenses and serves at the pleasure of the governor. Monthly meetings. Members must file with the Ethical Practices Board.

DRUG ABUSE PREVENTION RESOURCE COUNCIL

Governor's Office, Room 130 State Capitol, St. Paul 55155. 612-296-0059

Laws of 1989, Chapter 290

APPOINTING AUTHORITY: Governor. COMPENSATION: Per diem plus expenses.

VACANCY: Ten members from throughout the state with demonstrated knowledge in drug abuse prevention. See description of this new agency.

The council is to foster the coordination and development of a statewide drug abuse prevention policy, developing guidelines for the development of drug abuse prevention programs and assisting in establishing community-based drug abuse prevention programs and services. Eighteen members: the commissioners of the Depts. of Public Safety, Education, Health, Human Services, State Planning Agency and the attorney general each appoint one member from their employees; the speaker of the house and the subcommittee for committees of the senate each appoint a legislative member; the governor appoints ten members from throughout the state, to have demonstrated knowledge in drug abuse prevention, representing as much as possible the following groups: parents, educators, clergy, local government, racial & ethnic minority communities, professional providers of prevention services, volunteers in private, non-profit prevention programs, and the business community. Meeting schedule and location not determined.

COUNCIL ON ASIAN-PACIFIC MINNESOTANS

205 Aurora Ave., Suite 100, St. Paul, 55103. 612-296-0538

Minnesota Statutes 3.9226 as amended by Laws of 1989, Chapter 343

APPOINTING AUTHORITY: Governor. COMPENSATION: \$35 per diem plus expenses.

VACANCY: Two members, one to represent the Thai community, one to represent the Indonesian community.

The council advises the governor and legislature on issues confronting Asian-Pacific people in this state. The governor appoints eleven members who represent the Asian-Pacific community of this state. The legislature appoints two senators and two representatives who are non-voting members.

SMALL BUSINESS PROCUREMENTS COMMISSION

Governor's Office, Room 130 State Capitol, St. Paul, 55155. 612-296-0059

Laws of 1989, Chapter 352

APPOINTING AUTHORITY: Governor, Commissioner of Administration. COMPENSATION: Per diem plus expenses.

VACANCY: Three members to be appointed by the governor. See the description of this new agency.

The commission studies small business procurement programs in order to propose amendments conforming the programs to recent United States Supreme Court decisions, and shall take steps to assure that minority and women's businesses and organizations know of its existence and purpose. Eleven members: three members appointed by the speaker of the house to include one from the minority caucus; three appointed by the committee on committees to include one from the minority caucus of the senate; three members appointed by the governor; and two members from the socially or economically disadvantaged community appointed by the commissioner of the Dept. of Administration; and the attorney general or designee as a non-voting member. Meeting schedule and location not determined.

EMERGENCY RESPONSE COMMISSION

Governor's Office, Room 130 State Capitol, St. Paul, 55155. 612-296-0059

Laws of 1989, Chapter 315

APPOINTING AUTHORITY: Governor. COMPENSATION: Per diem plus expenses.

VACANCY: Seventeen members—see the description of this agency for details.

The commission coordinates the implementation of the federal Emergency Planning and Community Right-To-Know Act, carrying

out the requirements of a commission under the Act, and may adopt rules in order to do so. Twenty-one members, including the commissioners of Public Safety, Health, Agriculture, Pollution Control Agency, and seventeen members (four from outside the metro area) to be appointed by the governor to include one representative each of: fire chiefs, professional firefighters, volunteer firefighters, fire marshals, law enforcement personnel, emergency medical personnel, health professionals, wastewater treatment operators, labor, local elected officials, three representatives of community groups or the public, four representatives from business and industry, at least one of whom must represent small business.

HEALTH CARE ACCESS COMMISSION

Governor's Office, Room 130 State Capitol, St. Paul, 55155. 612-296-0059

Laws of 1989, Chapter 327

APPOINTING AUTHORITY: Governor. COMPENSATION: Per diem plus expenses.

VACANCY: Five members including one experienced health care professional, one representative of small business, and one consumer representative. See the description of this new agency.

The commission, with the assistance of the commissioner of the State Planning Agency, shall develop and recommend to the legislature a plan to provide access to health care for all state residents. Fifteen members, five members appointed by the governor including one experienced health care professional, one representative of small business and one consumer representative; three members appointed under senate rules; three appointed under house rules; and the commissioners of the Depts. of Health, Human Services, Employee Relations, Commerce, or their designees. Meeting schedule and location not established.

REAL ESTATE APPRAISER ADVISORY BOARD

Dept. of Commerce, 500 Metro Square Building, St. Paul 55101. 612-296-4976

Laws of 1989, Chapter 391

APPOINTING AUTHORITY: Commissioner of Commerce. COMPENSATION: \$35 per diem plus expenses.

VACANCY: Fifteen members—see the description of this new agency for details.

The advisory board makes recommendations to the commissioner as to rules regarding pre-licensing and continuing education, license examination specifications, periodic review of standards for development and communication of real estate appraisals, and other matters necessary under statute. Fifteen members, including eight licensed real estate appraisers, two of whom are to be Level Two, four consumers of appraisal services, and three members from the public. Meetings will be held at least quarterly, location not established.

REGIONAL TRANSIT BOARD

Mears Park Centre, 230 E. Fifth St., St. Paul 55101. 612-292-8789

Minnesota Statutes 473.373 as amended by Laws of 1989, Chapter 339

APPOINTING AUTHORITY: Governor, Metropolitan Council. COMPENSATION: \$50 per diem plus expenses.

VACANCY: Eleven members—see description of this agency for details.

The board coordinates transit programs, conducts transit research and evaluation, and implements short to mid-range planning consistent with the long-range transit plans of the Metropolitan Council. Eleven members, including eight members appointed by the Metropolitan Council, one from each metropolitan agency district, six of the eight members are to be elected city, town, or county officials with at least two county board members from different counties; three members appointed by the governor, including a chair, one person age 65 or older, and one person with a disability. Governor's appointments are with the advice and consent of the senate. Members must file with the Ethical Practices Board. Meetings at 4:00 every 1st and 3rd Monday at Mears Park Centre.

Board of Unlicensed Mental Health Providers**Schedule of Board Meetings for 1989/1990**

The Board of Unlicensed Mental Health Service Providers Meets on the *Second* Friday of Each Month From 1:00 P.M. to 4:00 P.M.

THE DATES ARE:

1989	1990
July 7 (<i>First</i> Friday)	January 12
August 11	February 9
September 8	March 9
October 13	April 13
November 10	May 11
December 8	June 8

Official Notices

Meeting Place:

Colonial Park Office Building
2700 University Avenue West
Suite 225
St. Paul, Minnesota 55114
Office Conference Room

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.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek STATE REGISTER Contracts Supplement, published every Thursday. Call (612) 296-0931 for subscription information. Thank you.

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: Maintenance IBM S/38
Contact: Joan Breisler 612-296-9071
Bid due date at 2pm: June 30
Agency: State University
Deliver to: Winona
Requisition #: 26074 13102

Commodity: Copier rental
Contact: Teresa Ryan 612-296-7556
Bid due date at 2pm: June 30
Agency: Transportation Department
Deliver to: Rochester
Requisition #: 79600 04067

Commodity: Cash registers
Contact: Jack Bauer 612/296-2621
Bid due date at 2pm: July 3
Agency: State University
Deliver to: Winona
Requisition #: 26074 13105

Commodity: Software upgrade & training
Contact: Margaret Frank 612-296-3778
Bid due date at 2pm: June 30
Agency: Administration Department:
Print Communications
Deliver to: St. Paul
Requisition #: 02515 00722

Commodity: Telephone electronic console telephone message system
Contact: Joseph Gibbs 612-296-3750
Bid due date at 2pm: June 30
Agency: Attorney General's Office
Deliver to: St. Paul
Requisition #: 06000 07703

Commodity: Packaging machines
Contact: Jack Bauer 612-296-2621
Bid due date at 2pm: July 3
Agency: Correction Facility
Deliver to: St. Cloud
Requisition #: 07700 57289

Commodity: Integrated office automation software
Contact: Margaret Frank 612-296-3778
Bid due date at 2pm: June 30
Agency: Revenue Department
Deliver to: St. Paul
Requisition #: 67520 10569

Commodity: ARC information software
Contact: Margaret Frank 612-296-3778
Bid due date at 2pm: July 3
Agency: Pollution Control Agency
Deliver to: St. Paul
Requisition #: 32100 19668

Commodity: Lease of global positioning receiver
Contact: Joe Gibbs 612-296-3750
Bid due date at 2pm: June 29
Agency: Transportation Department
Deliver to: St. Paul
Requisition #: 79000 95069

State Contracts and Advertised Bids

Commodity: Printers
Contact: Joan Breisler 612/296-9071
Bid due date at 2pm: July 5
Agency: Secretary of State
Deliver to: St. Paul
Requisition #: 53000 02318

Commodity: Rental of grader & snow plow
Contact: Dale Meyer 612-296-3773
Bid due date at 2pm: July 5
Agency: DNR - Forestry
Deliver to: Bemidji
Requisition #: Price Contract

Commodity: Sander spinners
Contact: Dale Meyer 612-296-3773
Bid due date at 2pm: July 5
Agency: Transportation Department
Deliver to: Various
Requisition #: Price Contract

Commodity: Wheel load scales
Contact: John Bauer 612-296-2621
Bid due date at 2pm: July 5
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 07500 57288

Commodity: Trucks with water tanks
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 5
Agency: DNR
Deliver to: Grand Rapids
Requisition #: 29000 51809

Commodity: Grand piano
Contact: Linda Parkos 612-296-3725
Bid due date at 2pm: July 5
Agency: State University
Deliver to: Mankato
Requisition #: 26071 19115

Commodity: Power supply - rebid
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: July 6
Agency: Agriculture Department
Deliver to: St. Paul
Requisition #: 04111 93299 1

Commodity: Electric floor polishing and scrubbing machines and high speed type machines
Contact: Dale Meyer 612-296-3773
Bid due date at 2pm: July 6
Agency: Various
Deliver to: Various
Requisition #: Price Contract

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: Minnesota Traveler (color separations only) up to 20—8½" × 11" 150-line laser scanned color seps from 35mm or larger; up to 100—3" × 4" 150-line laser scanned color seps from 35mm or larger
Contact: Printing Buyer's Office
Bids are due: June 28
Agency: Office of Tourism
Deliver to: St. Paul
Requisition #: 3732

Commodity: Resource Review Newsletter, 3M per month for 12 months, 8 pages 11" × 17" folded to 8½" × 11", camera ready, 2-sided
Contact: Printing Buyer's Office
Bids are due: June 28
Agency: DNR—Information Education
Deliver to: St. Paul
Requisition #: 7782

Commodity: CM 1990 Envelopes, camera ready, #10 5M, premium quality, color key
Contact: Printing Buyer's Office
Bids are due: June 28
Agency: Trade & Economic Development Dept.
Deliver to: St. Paul
Requisition #: 7863

Commodity: Quarterly Class Tabloid, 171M per issue, 3 issues, 12 pages, 22¾" × 17" 2-folds to 11¾" × 8½", type to set, 2-sided
Contact: Printing Buyer's Office
Bids are due: July 5
Agency: Inver Hills Community College
Deliver to: Inver Grove Heights
Requisition #: 7905

Commodity: 2 Brochures: Snowmobile (15M, 8½" × 11" 2-folds to 8½" × 3¼", 4-color, 2-sided, camera ready, 4 color seps); Firearms Safety (20M 8½" × 11" 2-folds to 8½" × 3¼", 4-color, 2-sided, camera ready, 6 color seps)
Contact: Printing Buyer's Office
Bids are due: July 5
Agency: DNR
Deliver to: St. Paul
Requisition #: 7880 and 7881

Commodity: Minnesota Wildlife Lands Map, 35M sheets 27" × 32" folded to 4½" × 8", camera ready, 2-sided
Contact: Printing Buyer's Office
Bids are due: June 30
Agency: DNR
Deliver to: Carlos Avery Wildlife Mgmt Area & St. Paul
Requisition #: 7731

State Contracts and Advertised Bids

Commodity: Firearm Student Safety

Certificate, 10M 9½"x7", camera
ready, 1-sided

Contact: Printing Buyer's Office

Bids are due: June 30

Agency: DNR

Deliver to: St. Paul

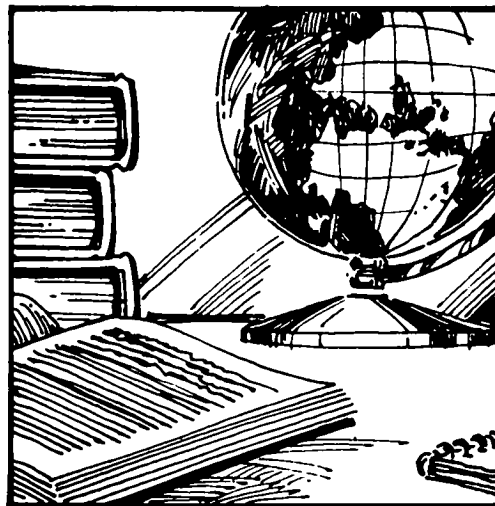
Requisition #: 8000

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.

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.

Professional, Technical & Consulting Contracts

State Designer Selection Board

Amendment to Request for Proposal—Project—11-89

In the May 22, 1989 request for proposal, Project 11-89 was identified as Phase I, Troop Area 7, Winterized Facilities, Camp Ripley. In the interim, Camp Ripley staff has decided to seek a designer for phases 1 through 4. This results in a project larger than that originally advertised.

In order to make certain that all firms interested in this project have an opportunity to respond, an amended due date for proposals for Project 11-89 is hereby established as July 18, 1989. Firms who have already applied as well as additional firms applying by July 18 will be considered.

Professional, Technical & Consulting Contracts

Below is a description of the expanded project.

A. Project: Troop Area 7, Phase 1-4, Winterized Facilities

B. Location: Camp Ripley, Minnesota

C. General Description of Project: The total Area 7 project will ultimately provide year-round housing for 2500 troops. These first phases consist of new masonry construction of 14 buildings that will provide winterized housing and support facilities for approximately 1,100 troops. These facilities include six unit housing buildings with food service, supply, central issue, and administrative areas; two bachelor enlisted quarters buildings; and three bachelor officers quarters buildings; one headquarters building and two winterized maintenance shelters.

D. Project Details: The facilities will have concrete floors, truss roofs, concrete block walls, and be heated with the most economical energy source. Construction to be in accordance with State of Minnesota Building and Energy Codes plus all other applicable codes and standards. Basic room areas in a unit housing building include; sleeping bays, restrooms with shower areas, supply and administration rooms, a dining facility, and mechanical room. Other aspects of the project include construction of new access roads, parking areas, and sidewalks, as well as necessary demolition and utility connections. Total square footage for Phases 1-4 is approximately 192,000.

E. Estimated Project Construction Cost: \$8,800,000.00

F. Work to be Performed by the Designer: The work includes: topographic survey and soil test borings; the design of the complete facility; the preparation of required drawings, specifications and allied documents to include bidding documents; presiding at the bid opening; the handling of contract documents; the general supervision of the construction work for the owner; assisting in the preparation of supplemental agreements; review and approval of shop drawings and payment requests; assisting in final acceptance of the work. The specification format will be the architect's normal for commercial work, tailored to the project.

G. Designer's Fee for the Work: The fee for design, printing, travel, topographic survey, soil testing and supervision services is Government established on a variable scale at a percentage of the construction cost of the work. The Department of Military Affairs will provide the designer with programming documents and Department construction standards which include space criteria, supporting facility criteria, construction standards, authorized finish schedules and use relationships.

Bernard Jacobs, Chairman
State Designer Selection Board

Department of Health

Environmental Health Division

Request for Proposals for Four Categories of Lead-Related Projects

The Minnesota Department of Health (MDH) intends to retain contractors for four categories of lead related projects.

I. The purposes of the first project category are to:

A. design and implement a uniform, proactive educational program to inform the public about 1989 lead-related legislation and to promote the prevention of exposure to all sources of lead of target populations.

The contractors duties shall include all or some of the following:

(1) developing a variety of educational materials which are multilingual and multicultural to meet the needs of diverse populations; and

(2) providing ongoing education to community and ethnic organizations, health care and social service providers, registered lead abatement contractors, building trades professionals and nonprofessionals, property owners, and parents/guardians.

B. provide home visits by lead abatement advocates to families whose residences have been issued abatement orders and to instruct them on safety measures, materials, and methods to be followed before, during, and after the abatement process.

Project(s) Start and Completion Dates

These project(s) will begin on July 1, 1989, and end on June 30, 1991.

Project(s) Cost

Total funding available for this project category is \$50,000 for each of two state fiscal years. More than one project may be awarded funds under this category.

Professional, Technical & Consulting Contracts

Eligibility Requirements

Applicants must be boards of health in communities at high risk for toxic lead exposure to children, lead advocacy organizations, or businesses.

II. The purpose of the second project category is to provide for a timely assessment of the homes of children or pregnant women with blood lead levels that exceed 25 micrograms per deciliter or the Centers for Disease Control recommendation for elevated lead level, to determine the sources of lead contamination, and to provide education to the residents and the owner on the best means of reducing the danger of the lead sources.

Project(s) Start and Completion Dates

These project(s) will start on July 1, 1989, and end on June 30, 1991.

Project(s) Costs

Total funding available for this project category is \$35,000 for each of two state fiscal years. More than one project may be awarded funds under this category.

Eligibility Requirements

Applicants must be boards of health.

III. The purpose of the third project category is to provide safe housing for residents required to temporarily relocate from rooms or dwellings for removal of intact paint and the removal or disruption of lead painted surfaces and plaster walls during construction or remodeling projects. Efforts must be made to minimize disruption and ensure that a family may return to their place of residence, if they desire, after abatement is completed.

Project(s) Start and Completion Dates

These project(s) will start on July 1, 1989, and end on June 30, 1991.

Project(s) Costs

Total funding available for this project category is \$10,000 for each of two state fiscal years. More than one project may be awarded funds under this category.

Eligibility Requirements

Applicants must be boards of health

IV. The purpose of the fourth project category is to provide State matching funds for a grant program to community-based organizations to purchase and provide paint removal equipment including: drop cloth, secure containers, power water sprayers, scrapers, and any other equipment required by boards of health or MDH rules. Equipment is to be made available to low-income households on a priority basis.

Project(s) Start and Completion Dates

These project(s) will start on July 1, 1990, and end on June 30, 1991. Note that the starting date for this category is one year later than for the other categories.

Project(s) Costs

Total funding available for this project category is \$5,000 for one state fiscal year. More than one project may be awarded funds under this category.

Eligibility Requirements

Applicants must be community-based organizations.

V. Applications

Applicants may apply for one or more of the above project categories but **MUST CLEARLY SPECIFY** the categories to which the application responds. Applications must also include the following information: name and type of applicant organization; name, address, and telephone number of the contact person; the dollar amount requested for each project category; a one page summary for each of the applicant's proposals; narrative description for each of the applicant's proposals; list of subcontractors (if any); evidence of workers' compensation insurance; certificate of compliance from the Commissioner of Human Rights (or certification that this is not applicable); and the match offered for the fourth category of project for paint removal equipment. Applications must be received by 4:30 p.m., July 30, 1989. Applications should be sent to:

Douglas Benson, Lead Program Coordinator
Maternal and Child Health Division
Minnesota Department of Health

Professional, Technical & Consulting Contracts

717 S.E. Delaware Street
P.O. Box 9441
Minneapolis, MN 55440

Additional information, including a copy of the legislation establishing these four lead-related project categories, may be obtained by contacting Mr. Benson at (612) 623-5653 from 7:30 a.m. to 4:00 p.m. on weekdays. Applicants will be notified in writing of the award decisions by August 31, 1989.

Department of Human Services

Notice of Extension of Deadline for Request for Proposals for Quality Assurance Review of Prepaid Health Plans

The Department of Human Services originally published a Notice of Request for Proposals for a quality assurance review of prepaid health plans in the *State Register* on May 15, 1989. The Department is now extending the deadline for submission of proposals until 4:30 p.m. on July 17, 1989. Selection of the contractor will be made no later than July 21, 1989.

Please direct all proposals and questions to:

Deborah Bachrach
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3854
Phone: 612/297-1380

Department of Human Services

Notice of Request for Proposal for Food Stamp Outreach Programs in Minnesota

NOTICE IS HEREBY GIVEN that the Assistance Payments Division, Department of Human Services, is seeking proposals for Outreach Programs, which will increase participation in the Food Stamp Program in Minnesota. Proposed services should be targeted toward low income individuals who are potentially eligible for food stamps in Minnesota.

Grantees will be responsible for planning and implementing a program which will encourage participation in the Food Stamp Program, provide technical assistance to targeted clients, provide training for program workers and prepare approved educational materials.

Contracts awarded will range from \$5,000 to \$25,000 for a 10 month period beginning October 1, 1989. Responses must be received by 4:30 P.M. August 1, 1989.

For a copy of the complete request for proposal or if you desire additional information contact:

Cindy Westbrook
Department of Human Services
Assistance Payments Division
Program Supervision Section
444 Lafayette Road
St. Paul, Minnesota 55155-3834

Department of Jobs and Training

Request for Proposals to Establish Independent Living Rehabilitation Services

The Department of Jobs and Training, Division of Rehabilitation Services, Independent Living Program, is accepting applications for grants to establish independent living services. These funds are authorized by Title VII, Part A, Section 701 of PL95-602 and *Minnesota Statute* 129A.10, subdivision 1.

The Division will award grants in the amount of three to five thousand dollars each on or about September 30, 1989.

Eligible applicant organizations may submit applications for grants. Eligible applicant organizations are private, non-profit consumer governed corporations, whose primary purpose is to serve people with disabilities by increasing their independence in the home, family or community.

Professional, Technical & Consulting Contracts

Proposals must encompass independent living rehabilitation services as described in 1986 *Minnesota Statutes*, section 129A.10.

Priority consideration will be given to applications which address the needs of people with disabilities in poverty areas and of people with disabilities who are American Indian.

The postmark for applications is August 1, 1989. Request for proposal applications can be obtained from Scott Rostron, Independent Living Program, Division of Rehabilitation Services, 390 North Robert Street, St. Paul, Minnesota 55101 or call 612/296-5085.

Legislative Commission on Waste Management

Request for Proposals to Examine Issues Related to Compensation for Solid Waste Collectors Displaced by Organized Collection

Introduction: The Legislative Commission On Waste Management (LCWM) hereby requests proposals from qualified consultants to examine the issue of compensating collectors of solid waste in Minnesota who are displaced when a local government unit decides to organize solid waste collection.

In the 1989 Legislative session, the 1980 Minnesota Waste Management Act was amended to require that the LCWM "... with the participation of representatives of local government and of the solid waste collection industry shall prepare a report which examines whether and under what circumstances a local unit of government shall ensure just and reasonable compensation to solid waste collectors who are displaced when a local unit of government organizes solid waste collection under *Minnesota Statutes*, section 115A.94. The commission shall complete its report and recommend for legislative action any compensation mechanism found necessary by January 31, 1990." *Minnesota Laws 1989*, Chapter 325, Section 73.

To meet this legislative requirement in the short time allowed, the LCWM intends to contract with a qualified consultant to examine the issue, consult with affected parties and develop recommendations.

Project Description: The consultant will be required to submit a work plan designed to accomplish the task discussed above. In the work plan the consultant must address the following items and identify specific work products and associated deadlines:

- Identify and compile information from Minnesota and other states regarding the issue of just compensation, including, but not limited to laws, court cases and experiences relating to compensation of solid waste haulers as well as other areas where there is a history of compensation resulting from displacement. Submit a draft written report to the LCWM by November 1, 1989 which contains findings and analysis of the data.
- Provide an opportunity for input by representatives of local government and the solid waste collection industry in 1) review of the draft report; 2) identification of whether and under what circumstances collector compensation should be considered; and 3) the development and evaluation of just and fair compensation mechanisms for consideration by the LCWM.
- Compile/synthesize any written comments received from affected parties, including representatives of local government or the solid waste collection industry, and submit a written summary to the LCWM with the final report;
- Submit a final written report to the LCWM which contains the revised version of the draft report; a summary of comments submitted by affected parties; a thorough discussion of whether and under what circumstances collector compensation should be required; criteria for collector eligibility for compensation; identification of the most appropriate level of government to provide the compensation; and development of objective and viable mechanisms for just and fair compensation as required in the law. This is due in final report form by December 15, 1989;
- Testify/present findings to the LCWM.

Qualifications of the Consultant: The consultant selected for this project should have expertise and demonstrated experience in public policy, legal research and analysis, waste related issues and financial analysis. That experience should preferably include consulting work in analyzing and developing compensation mechanisms. The consultant must also demonstrate that it has the staff and technical support readily available to participate in meetings, hearings and other consultations on an as-needed basis.

Qualifications of the Staff: The consultant must demonstrate that the staff assigned to the project have appropriate credentials. The proposal must include pertinent information regarding those employees who will be assigned to support the project, describe their anticipated roles, and describe their particular relevant experience.

Timeline: The law requires the LCWM recommendations to be finalized by January 31, 1990. To meet that deadline the final report must be received by December 15, 1989. The work plan should establish and specify all target dates and deadlines.

Professional, Technical & Consulting Contracts

June 26, 1989	Distribute RFPs
July 24, 1989	RFP submission deadline
August 14, 1989	Contract awarded
November 1, 1989	Consultant's draft report due to LCWM
December 15, 1989	Consultant's final report and recommendations due to LCWM
January, 1990	Presentations of findings to LCWM

Funding Available: Approximately ten thousand dollars (\$10,000) may be available to support this project. Please note that the LCWM reserves the right to extend or limit the amount awarded, to modify the scope of the project with the selected consultant, or not to award any contract.

Proposal Contents: In order to be considered, a consultant's bid proposal must include the following:

- A work plan which describes the approach, process and deadlines the consultant would follow in executing the responsibilities of the project;
- A description of the qualifications of the consultant and assigned staff, as described above;
- A cost-of-service description indicating how the consultant would charge for providing services. If needed, the consultant may submit component charges based on the types of support needed as described in a work plan. The cost of service must be expressed in a dollar per hour format;
- A summary page indicating the consultant's name, address, amount of bid, and name, address and phone number of the designated contact for the contract.

Criteria for Evaluation: Bid proposals will be evaluated based on the qualifications of the consultant and any staff assigned to this project, the approach, level of detail and completeness of the work plan proposed, the project cost, and the ability to work with the Commission and its staff.

Contract Manager: The manager for this contract is:

Kim Austrian, Director
Legislative Commission on Waste Management
Room 85, State Office Building
St. Paul, MN 55155
(612) 297-3604

All questions, clarifications, correspondence or other communications should be through the contract manager. Once the contract is executed, all agreements and assignment of tasks will occur with the explicit approval of the contract manager or the LCWM chair. All invoices will be submitted to the manager for approval.

Deadline: An original and four copies of the proposal must be received in the office of the contract manager by 4:30 p.m., Monday, July 24, 1989. Late submissions will not be considered.

Dated: 19 June 1989

Department of Natural Resources

Notice of Availability of Contracts for Technical Assistance

The Minnesota Department of Natural Resources, Division of Forestry, desires to retain three contractors to provide technical forestry assistance to non-industrial private forest landowners and communities in the Red River Valley area of northwestern Minnesota. The contractor's duties will primarily involve providing promotion and technical assistance related to the harvesting, utilization and marketing of the elm tree resource, which is located in the Red River Valley and now largely succumbing to Dutch Elm Disease. Assistance will be provided under the direction of the DNR, Division of Forestry and the lower Red River Watershed Management Board. Contract terms include, 1) effective dates from approximately August 1, 1989 to June 30, 1990, with the possibility of a one year extension, 2) compensation will include an hourly rate that will be determined by the contractors qualifications, plus mileage expenses, 3) total compensation may vary for each contract, but will not exceed \$30,000 each. Please submit qualifications in the form of resumes, cover letters and other supporting information by 4:30 p.m. on Friday, July 21, 1989 to:

Robert Tomlinson
DNR, Division of Forestry
500 Lafayette Road
St. Paul, MN 55155-4044
(612) 296-5970

Professional, Technical & Consulting Contracts

Department of Public Service

Request for Proposals for Contractor to Produce Multi-image Program

The Department of Public Service (DPS), is requesting proposals from firms interested in producing a multi-image program about Energy/Environmental Planning. The program will be used to motivate audiences to get involved in energy and environmental issues.

The Contractor's duties will include:

1. Preparation of an 8-10 minute, three-projector, AVL compatible multi-image (slide) program.
2. Complete creative treatment, script, art, illustrations, graphics, original photography, original music and talent.
3. Transfer of multi-image program to videotape.

The total funding available for this project is \$35,000. The project will start July 21, 1989 and must be completed by August 28, 1989. All proposals must be submitted to DPS no later than 4:00 p.m., Monday, July 17, 1989.

A copy of the Request for Proposals may be obtained from Marice Rosenberg or Dave Cook, Department of Public Service, 790 American Center Building, 150 East Kellogg Boulevard, St. Paul, Minnesota, (612) 296-7107.

Department of Trade & Economic Development

Minnesota Amateur Sports Commission

Notice of Request for Proposal for the Minnesota Homegrown Task Force Promotional Materials

The Minnesota Amateur Sports Commission (MASC) is seeking proposals from qualified individuals or firm to assist the Homegrown Task Force to develop and design a line of printed materials including posters, brochures and flyers. The items would be used to promote 10 homegrown sporting events occurring in 1990.

The individual/firm would directly report to the Executive Director of the Commission.

The proposals should establish parameters for the promotional items in the following areas:

1. Develop and design integrated poster, brochure and flyer.
2. Provide cost estimates for items to be produced.
3. Develop distribution program for the distribution of promotional items.

Interested individuals will be required to respond to all the specifications contained in the Request for Proposals and will be required to submit or outline the potential program when responding to this request.

The Request for Proposal contains detailed information. The project may be requested from the Minnesota Amateur Sports Commission. The deadline for submitting proposal is 4:00 p.m., Monday, July 3, 1989. Please direct proposals and inquiries to:

Paul D. Erickson
Executive Director
Minnesota Amateur Sports Commission
c/o Minnesota Department of Trade & Economic Development
900 American Center Building
150 E. Kellogg Blvd.
St. Paul, MN 55101-1421
Telephone: (612) 296-4845

State Grants

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

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

Department of Jobs & Training

Notice of Availability of Funds for Extended Employment Programs through Long-Term Sheltered Workshops

Extended Employment programs provided by certified long-term sheltered workshops may apply for funds granted by the Division of Rehabilitation Services in accordance with *Minnesota Rules* 3300.1950-3300.3050. Application forms for funding Extended Employment programs (Community Based Employment, Long-Term Employment, Work Activity and Work Component) are available from the Department of Jobs & Training, Division of Rehabilitation Services, Office of Rehabilitation Resources, 390 North Robert Street, Fifth Floor, St. Paul, Minnesota 55101. Completed applications must be postmarked July 28, 1989 or delivered to the above address by 4:30 p.m. on that date.

Applications are required for funding Extended Employment programs currently receiving state Extended Employment funds from the Division of Rehabilitation Services, and are also required for new or expanded programs.

Any city, town, county, non-profit organization, or any combination of these, which operates or proposes to operate a public or non-profit Extended Employment program may apply for funding.

For additional information contact the Office of the Director of Rehabilitation Resources, (612) 296-5628.

Supreme Court Decisions

Decisions Filed 23 June 1989

C0-88-193 Duane H. Lieser, et al. v. David G. Sexton, et al., Appellants. Court of Appeals.

The future damage discount statute, *Minnesota Statutes* §604.07 (1986), does not apply to cases pending on appeal when the statute was repealed by ch. 503, § 5 1988 *Minnesota Laws*.

Affirmed in part, reversed in part and remanded for a new trial. Keith, J.

C4-89-532 Ronald K. Lundgren v. City of Minneapolis, Self-Insured, Relator, and HMO Minnesota, Intervenor. Workers' Compensation Court of Appeals.

The Workers' Compensation Court of Appeals exceeded its authority in reversing the compensation judge's finding that the evidence of stress was insufficient to establish the causal link between the employee's job and his coronary artery disease.

Reversed. Keith, J.

Announcements

Safety Urged During Summer Road Construction: Commissioner Len Levine, Minnesota Department of Transportation (MnDOT) urged motorists to "slow down, proceed with extreme caution, watch out for workers, and don't change lanes or pass," in work zones, because there is little room for driver or worker error. Last year, there were 2,731 highway work zone accidents on rural and urban roadways throughout Minnesota, an increase of 9 percent since 1984. These accidents caused 1,158 injuries and 19 deaths. One out of five work zone fatalities occurred on interstate highways. All the fatalities were motorists. The safety message is part of the MnDOT's public awareness campaign "Lives Are On The Line."

Protected Waters Permit Fees Start July 1: New fees for protected waters permit applications will go into effect July 1. Protected waters permit applications are required for projects that would change the course, current or cross section of any DNR-designated protected waters, such as lakes, rivers or wetlands. The application fee for a protected waters permit application will range from \$75 to \$500, depending on a three-parameter cost schedule. There is a \$75 fee to amend or transfer any existing permit, but no fee is required for a permit extension. Landowners may apply at the DNR regional offices serving their area. Regional offices are located in Bemidji, Brainerd, Grand Rapids, New Ulm, St. Paul and Rochester. For more information, contact: John Fax, DNR Waters, (612) 297-2404.

Announcements

Horsecamp Available in St. Croix State Forest: Tamarack River Horsecamp, near Sandstone, offers horseback riders a unique opportunity to participate in their sport and enjoy a state forest at the same time.

The horse camp, located in the St. Croix State Forest, is a semi-modern campground designed specifically for horses and horseback riding. Camping facilities include sites for self-contained campers and tent sites under pine trees. There are outdoor toilets, a picnic shelter, garbage service, fire rings and firewood, and several picket tethering lines. Horses are usually watered at the Tamarack River, which flows within 100 yards of the site. More than nine miles of horseback riding trails wind down along both sides of the Tamarack River, traversing fairly rugged terrain. In addition, 38 miles of snowmobile trails, including the Willard Munger Boundary Trail, are open for horseback riding. Most of the area is covered with a second growth of timber where deer, small game and upland game birds are common. The upland areas feature mostly northern hardwood and aspen trees, with a sprinkling of pine and spruce. The low areas have tamarac and black spruce trees and peat bogs. The horse camp and trails, managed by the Department of Natural Resources (DNR) Division of Forestry, are gaining in popularity in Minnesota and Wisconsin. The camp is open to groups and individuals on a first-come, first-served basis. Overnight camping requires a \$6 fee per night. Day riding is free. More information is available from the Eaglehead Forestry Station in Duxbury at (612) 245-2022, or the Moose Lake Forestry Station at (218) 486-4474. Maps are available from the above listed offices or the St. Paul DNR Information Center at (612) 296-6157 or toll-free 1-800-652-9747 (ask for the DNR).

Applicants Sought Advisory Committees: The Metropolitan Council is seeking applicants to fill four vacancies on its Metropolitan Housing and Redevelopment Authority (HRA) Advisory Committee, and local elected officials and private citizens to serve on its Land Use Advisory Committee. Housing Advisory Committee terms are two years and begin in August 1989, and terms for the Land Use Committee are four years. Applications for both are due July 14, with appointments made on July 27. Housing Committee applicants should call 291-6309 and Land Use Committee applicants should call 291-6621.

Landfill Report Available: The region's present landfill capacity will likely be exhausted in 1997 according to a recent Metropolitan Council report. This prediction is based on several assumptions: that no unprocessed wastes will be put into landfills by 1995; that two landfills, Louisville and Burnsville, will be expanded; and that recycling and processing of solid wastes will increase over time. Four sanitary landfills in the Twin Cities Metro Area still have space: Louisville, Burnsville, Woodlake and Pine Bend. Including the additions at the Burnsville and Louisville sites, the remaining landfill capacity for the Metro Area is 7,417 acre-feet. Metro area residents filled 4,578 acre-feet of landfill space with trash between 1986 and 1988. For 1989, the expected landfill consumption is 1,660 acre-feet. If current consumption rates continue, landfill capacity will be exhausted sooner than 1997. The report, *Landfill Capacity Evaluation*, is available for \$1.50 by writing the Metropolitan Council Data Center, 230 E. 5th Street, St. Paul, MN 55101.

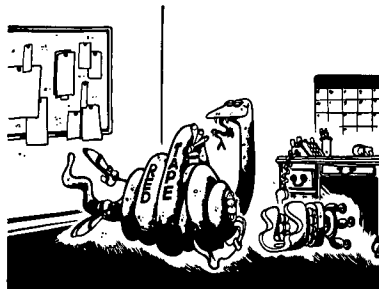
Taste of Minnesota State Agencies: A new attraction at the annual "Taste of Minnesota" will be a group of exhibits of state agencies' services at the Capitol Hill/St. Paul Armory, 600 Cedar Street. The "Taste" will run for five days this year, June 30-July 4, also featuring fireworks on June 30, focus on special cities, a 50-ton sand castle, and a "Made in Minnesota" products for purchase booth.

"Red Tape" Choking You?

Relax. Unwind. Cut your frustrations with the *Minnesota Guidebook to State Agency Services 1987-1990*.

Packed with information that cuts red tape and gets results fast, the *Guidebook* tells you how to put your tax dollars TO WORK FOR YOU! It tells how to obtain grants, scholarships, assistance, information services, tax help and forms, maps, reports, guides, newsletters and publications.

You'll gain access to state agencies like never before and have AT YOUR FINGERTIPS emergency phone numbers, crisis and hot lines. This *Guidebook* will save you valuable time and money by



speedily getting you through the fears of license requirements, forms, fees, application and complaint filing, and even tells the length of waiting time for obtaining services.

Need to know about license requirements for your profession and for

recreation? IT'S A BREEZE with the *Guidebook* on your desk. It's a treasure of information on state parks, campgrounds, state forests and wildlife management areas, historic sites, museums, art galleries, festivals, libraries, education resources, agency descriptions with names and phone numbers of real people, statistical data and historical profiles.

It's "MINNESOTA'S OWNER'S MANUAL"—the handiest, fact-filled resource that answers thousands of your questions about Minnesota and how it works. Order today before they're gone. Stop struggling with bureaucratic red tape! Stock #1-4, 640 pages. \$15.00 + 90¢ tax.

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

Minnesota: national leader in education

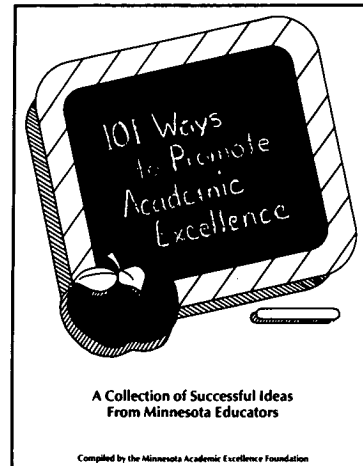
101 Ways to Promote Academic Excellence

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.

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.

MAILING LISTS GALORE

Successful business means successful sales

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

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

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.

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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Voices of the Loon

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

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

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

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

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

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

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

Loon with Baby-poster, 16" x 20". Code #15-48, \$3.00.

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Minnesota's future environment

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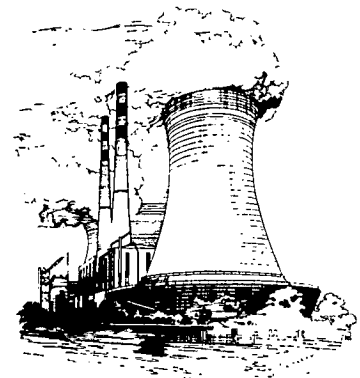
1988 Pollution Control Laws

Laws dealing with water pollution, disposal facilities, solid waste management, the MN Environmental Rights Act, recycling, and more. Code No. 2-21. \$16.00.

1987 Hazardous Waste Rules

Governs the production, storage, transportation and disposal of hazardous waste. MN Rules Chapter 7045 and 7046. Code No. 3-71. \$15.00.

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SUBSCRIPTION	COST	CODE NO.	SUBSCRIPTION	COST	CODE NO.
Career Opportunity Bulletin, 1 year	\$ 20.00	90-3	State Register, 1 year	\$130.00	90-1
Career Opportunity Bulletin, 6 mos.	\$ 15.00	90-4	State Register, 3 mos. trial can be converted to a full subscription for \$90 at end of trial	\$ 40.00	90-2
Human Services Informational and Instructional Bulletin	\$100.00	90-6	Tax Court/Property Decisions	\$225.00	90-11
Human Services Bulletin List	\$ 50.00	90-7	Workers Compensation Decisions, unpublished subs run Jan-Dec; can be prorated	\$320.00	90-12
PERB (Public Employee Relations Board) Awards and Decisions	\$350.00	90-9	Workers Compensation Decisions Vol. 40	\$105.00	
Minnesota Statutes Subscription Includes the complete 10-volume set of Minnesota Statutes 1988	\$140.00	18-1	Workers Compensation Decisions Vol. 41	\$110.00	

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For Real Estate Professionals:

REAL ESTATE RULES 1987

Chapters 2800, 2805, and 2810 from the Minnesota Rules. *Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code No. 3-99. \$8.00

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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.

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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.

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NOTARY PUBLIC LAWS

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Jane Smith

NOTARY PUBLIC-MINNESOTA

RAMSEY COUNTY

My Commission Expires January 1, 1994

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Catching criminals is only one part of law enforcement.

Police Report Writing Style Manual 1986—A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms, and introduces the Data Practices Law. Code No. 14-13. \$12.50.

Background Investigation Manual 1986—A guide to conducting effective thorough background investigations of peace officer candidates. Included are various criteria for use in the selection process: experience, education, and past behavior. Sample forms. Code No. 14-15. \$10.00.

Motor Vehicle Traffic Laws 1988—Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code No. 2-85. \$14.00.

Criminal Code & Selected Statutes 1988—Governs the conduct of peace officers. Includes continuing education requirements, sentencing standards, and more. Code No. 2-68. \$16.00.

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Murder: Minnesota style

Murder in Minnesota: A treasury of vintage crimes in which famous and obscure characters come to life in all their cleverness or murderous madness. Minnesota cases from 1858-1917. 253 pp, photos, index. Code 17-35, \$5.95.

Robber and Hero: On September 7, 1876 six members of the James-Younger gang blasted their way out of Northfield, Minnesota. George Huntington's classic account of the Northfield Bank raid is as fascinating today as it was when first published 19 years after the attempted robbery. 125 pp., charts, maps, photos, with index. Code 17-40, \$5.95.

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Human Services Laws and Rules

Human Services Laws 1988

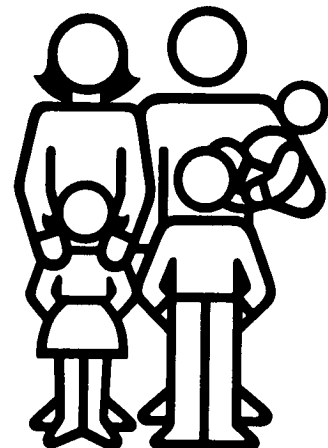
An extract from the statutes. Includes legislative amendments and additions from the most recent session. Code No. 2-56. \$21.95

Human Services Rules 1988

Rules governing assistance programs, eligibility grant amounts, AFDC and residence requirements. MN Rules Chapter 9500-9580. Code No. 3-95. \$29.95.

3 ring binder. 2" capacity. 1 required for each of above listed publications. Code No. 10-21. \$4.25.

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Woodworking for Wildlife

Woodworking for Wildlife, delightfully written and carefully illustrated with a variety of game bird and mammal box designs. Includes important information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Code #9-14, \$3.95.

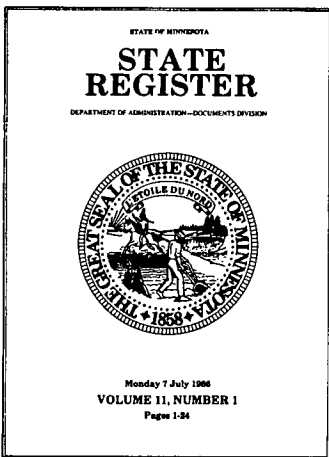
Help Minnesota's Wildlife, feed the birds and give to the Nongame Wildlife Checkoff on your Minnesota Tax Forms. Poster. 22" x 17", full color. Code #9-2, \$4.00.

Mammals of Minnesota, discusses wild mammals that inhabit Minnesota today, or in the recent past. Tells how to identify them, their distribution in the state, and their natural history. U of M Press, 1977, illustrated, index, bibliography, paperbound, 290 pp. Code #19-35, \$16.95.

Bird Portraits in Color, a total of 295 species of birds are depicted through magnificent illustrations, reproduced in seven-color lithography, accompanied by authoritative information about birds' activities, habitats, songs, and other characteristics, U of M Press, 1980, index, 92 color plates, hardbound. Code #19-41, \$12.95.

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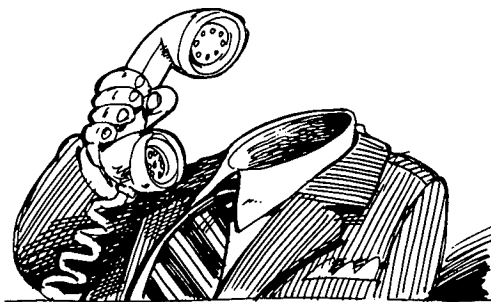
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1988 & 1989 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically by name, agency, Minnesota region, plus an index for cross referencing. Over 250 pages, paperback, 8½"x11". Code #1-87, \$10.95

U.S. Government Manual 1987-88. Contains comprehensive information on federal agencies of the legislative, judicial and executive branches of government. Each agency description includes address, phone number, a list of principal officials, a summary of each agency's purpose and programs and activities. Paperback 940 pages with appendices and index. Code #16-46. \$20.00



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Department of Commerce Regulated Profession Publications

Banking Laws 1988. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76 \$33.95

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Real Estate Rules 1987. Contains all education and licensing requirements for agents. Chapters 2800, 2805, and 2810. Code #3-99 \$8.00

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Pheasants in Minnesota

Pheasants in Minnesota, focusing exclusively on the ringneck pheasant, this DNR booklet tells of this popular game bird's origin, introduction and development in Minnesota. Through many full-color photos the book shows the pheasant in various settings, tells how to maintain wildlife habitat and explains the wise management of the hunt. A great gift for each member of your hunting party, or as a memento to a special Minnesota hunting vacation. Quantity discounts available. Code #9-13, \$5.95.

Woodworking for Wildlife, delightfully written and carefully illustrated with a variety of game bird and mammal box designs. Includes important information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Code #9-14, \$3.95.



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Complete attached order blank. Include either your VISA/MasterCard number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your VISA/MasterCard. Please include a phone number where you can be reached during the day in case we have questions about your order. Please include 6% sales tax and \$1.50 postage and handling. Ask for our catalogs for <i>Publications, Outdoors, or Mailing Lists</i> . PREPAYMENT REQUIRED Merchandise may be returned at \$1.50 restocking charge, if it is in resalable condition. NOTE: <i>State Register</i> and other subscriptions do not require sales tax or postage and handling fees. Prices subject to change without notice. Please allow 4-6 weeks for delivery. In a hurry? Stop by our Bookstore. Bookstore Hours 8:00-4:30 M-F.							
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Chemical Dependency Programs Directory 1989. Features comprehensive listings for programs ranging from Prevention/Intervention Services to a wide range of Treatment Services. Each type of program includes an alphabetical listing of facilities and brief narrative description of programming provided. Stock No. 1-12, \$15.00 plus tax.

Process Parenting—Breaking the Addictive Cycle. A training manual that provides parent education and treatment techniques for professionals who work with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 plus tax.

It's Never Okay: A Handbook for Professionals on Sexual Exploitation by Counselors and Therapists. Therapeutic and prevention issues and employer responsibilities are discussed in this task force report, as well as recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16, \$19.95

Hazardous Waste Rules 1989. Governs the storage, treatment, utilization, processing, transfer, and disposal of hazardous waste. Contains the complete requirements for application for permits for discharge of hazardous waste on construction and operation of a treatment facility. Stock No. 3-71, \$16.95 plus tax.

Environmental Quality Board Rules 1989. Essential for long-term planning. Details the scope, purpose and objectives of the rules. Explains the need for environmental impact statements and the review process. Includes a special section on large energy facilities and high voltage transmission lines. Stock No. 3-54, \$5.00 plus tax.

OTHER PUBLICATIONS

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

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

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

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

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

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

Minnesota Manufacturer's Directory, 1989. More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchasing managers, and four manufactured products. Stock #40-2. \$76.50 + \$4.59 sales tax.

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

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

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1989 Publication Catalog of Minnesota's Bookstore. Lists publications available through Minnesota Documents Center. Free.

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