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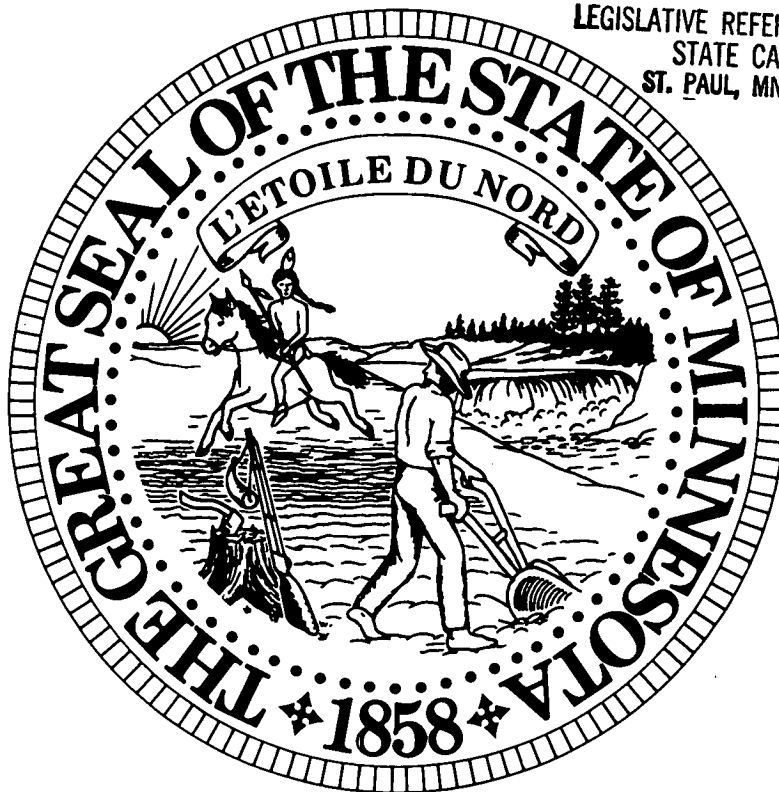
STATE REGISTER

Department of Administration—Documents Division

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STATE REGISTER

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

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

Printing Schedule and Submission Deadlines

Vol. 13 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
8	Monday 8 August	Monday 15 August	Monday 22 August
9	Monday 15 August	Monday 22 August	Monday 29 August
10	Monday 22 August	Monday 29 August	Monday 5 September
11	Monday 29 August	Monday 5 September	Monday 12 September

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

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FOR LEGISLATIVE NEWS

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

SENATE

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

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

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

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

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

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Proposed Rules

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

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

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

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

Department of Health

Proposed Permanent Rules Relating to the WIC Program

Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer than Twenty-five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in the Chesley room, Minnesota Department of Health building, 717 Delaware, on September 30, 1988 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

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

Proposed Rules

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Department of Health between September 21st and September 30th, 1988 at (612) 623-5266.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Peter C. Erickson, Administrative Law Judge, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7606, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, sections 14.15 and 14.50. The rule hearing is governed by *Minnesota Statutes*, sections 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The proposed rules will govern the participation of vendors in the retail distribution of supplemental foods prescribed for eligible women, infants, and children under the WIC program.

Individuals and associations affected by the proposed permanent rules include Minnesota food retailers, pharmacies, WIC local agencies, and women, infants and children who are participating in the WIC program.

Proposed rule provisions include:

- uniform procedures for Minnesota food retailers to apply to distribute WIC prescribed foods, criteria food retailers must meet to be eligible to distribute food under the WIC program, including the amounts and types of food a vendor must stock, store operating requirements, and vendor prices;
- the contents of contracts between vendors and the WIC program;
- sanctions for vendor noncompliance with WIC program rules and laws;
- procedures for correcting errors on WIC program vouchers, for vendors to repay the commissioner for overpriced food; and
- procedures for vendors and local agencies to appeal commissioner's decisions that adversely affect participation in the WIC program.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, sections 145.891 to 145.897, the Maternal and Child Nutrition Act of 1975, as amended through January, 1989.

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

These proposed rules may impact small business as defined in *Minnesota Statutes*, section 14.115, subdivision 1. Pursuant to *Minnesota Statutes*, section 14.115, subdivision 2 methods were considered to reduce the impact of the proposed rules on small business. These methods are discussed in the Statement of Need and Reasonableness pertaining to the proposed rules.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Pati Maier, Department of Health, 717 Delaware Street SE, Mpls. MN, 55440.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Pati Maier, (612) 623-5266.

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

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

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

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

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

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

Dated: 5 August 1988

Sister Mary Madonna Ashton
Commissioner of Health

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

NOTICE IS HEREBY GIVEN that the State Department of Health proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, section 14.22 to 14.28. The specific statutory authority to adopt the rule is *Minnesota Statutes*, sections 144.05 (f), and 145.893 to 145.897, the Maternal and Child Nutrition Act of 1975, as amended through January, 1989.

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

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON September 30, 1988, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Department of Health between September 21 and September 30 at (612) 623-5266.

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

Pati Maier, Director
WIC Program
Minnesota State Department of Health
717 Delaware St. SE
Minneapolis, MN 55440
(612) 623-5266

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on September 21, 1988.

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

A free copy of this rule is available on request for your review from Pati Maier.

The proposed permanent rules will govern the participation of vendors in the retail distribution of supplemental foods prescribed for eligible women, infants, and children under the WIC program.

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

Proposed Rules

Individuals and associations affected by the proposed permanent rules include Minnesota food retailers, pharmacies, WIC local agencies, and women, infants, and children who are participating in the WIC program.

Proposed rule provisions include:

- uniform procedures for Minnesota food retailers to apply to distribute WIC prescribed foods, criteria food retailers must meet to be eligible to distribute food under the WIC program, including the amounts and types of food a vendor must stock, store operating requirements, and vendor prices;
- the contents of contracts between vendors and the WIC program;
- sanctions for vendor noncompliance with WIC program rules and laws;
- procedures for correcting errors on WIC program vouchers, for vendors to repay the commissioner for overpriced foods; and
- procedures for vendors and local agencies to appeal commissioner's decisions that adversely affect participation in the WIC program.

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

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

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

Dated: 5 August 1988

Sister Mary Madonna Ashton
Commissioner of Health

Rules as Proposed (all new material)

4617.0002 DEFINITIONS.

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

Subp. 2. **Agency.** "Agency" refers to a public or private, nonprofit health or human service agency.

Subp. 3. **Child.** "Child" means a person who has had a first birthday but who has not had a fifth birthday.

Subp. 4. **Clinic area.** "Clinic area" means a town or city in which a person is certified.

Subp. 5. **Code of Federal Regulations.** "Code of Federal Regulations" refers to those regulations as amended to January 1989, unless otherwise noted.

Subp. 6. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Health or the commissioner's designated representative.

Subp. 7. **Infant.** "Infant" means a person who is under one year of age.

Subp. 8. **Local agency.** "Local agency" has the meaning given it in Code of Federal Regulations, title 7, section 246.2.

Subp. 9. **Person.** "Person" includes an individual, partnership, joint venturer, association, corporation or otherwise organized business entity, or combination of them.

Subp. 10. **Pharmacy vendor.** "Pharmacy vendor" means a vendor that is also a business registered by the Minnesota Board of Pharmacy in which prescriptions, drugs, medicines, chemicals, and poisons are compounded, dispensed, vended, or retailed.

Subp. 11. **Restricted pharmacy vendor.** "Restricted pharmacy vendor" means a vendor that meets the requirements of part 4617.0065, subpart 2, item B, subitem (2), and who does not meet the requirements of part 4617.0065, subpart 2, item B, subitem (1).

Subp. 12. **Retail food vendor.** "Retail food vendor" means a vendor that is a grocer located in Minnesota whose primary purpose is to sell food at retail directly to the consumer according to *Minnesota Statutes*, section 28A.04.

Subp. 13. **Vendor.** "Vendor" means a person that owns a pharmacy or food business for which a vendor stamp has been issued by the commissioner and that is in compliance with this chapter.

Subp. 14. **Vendor stamp.** "Vendor stamp" means a stamp with a number on the imprint face of the stamp that is issued by the commissioner to a vendor to authorize that vendor to accept WIC vouchers.

Subp. 15. **Voucher.** "Voucher" means a written authorization from the commissioner for a vendor to issue food to a participant that is specified on the voucher by the commissioner and that may be exchanged by a vendor for cash under the WIC program.

Subp. 16. **WIC program.** "WIC program" means the Special Supplemental Food Program for Women, Infants, and Children administered by the United States Department of Agriculture under United States Code, title 42, section 1786, as amended to January 1988.

VENDORS

4617.0060 GENERAL APPLICATION REQUIREMENTS.

Subpart 1. **Who may apply.** A retail food business or a pharmacy business located in Minnesota may apply for eligibility to participate as a vendor in the WIC program.

Subp. 2. **Application form.** An applicant shall apply for eligibility to participate as a vendor in the WIC program on an application form supplied by the commissioner. The application form must provide a place for the applicant's signature and must state that the applicant must meet the eligibility criteria in part 4617.0065.

Subp. 3. **Submission deadlines for applications.** Except as provided in subpart 5, an applicant shall submit an application so it is received by the commissioner no later than the first day of one of the review periods in subpart 5 for the commissioner to review the application during that period. An application that is submitted later than the first day of a review period in subpart 5 must not be reviewed by the commissioner until the following review period. The commissioner may at any time review an application from an applicant from a clinic area where no authorized vendor currently operates.

Subp. 4. **Application approval requirements.** Within 135 days of receiving an application, the commissioner shall inform an applicant in writing of approval or disapproval of an application to become a vendor. A notice of disapproval must state the reasons for the commissioner's disapproval. The commissioner shall include a vendor contract with a notice of approval to become a vendor. The applicant shall sign the vendor contract and return it to the commissioner. Within 14 days after receipt of a properly completed and signed vendor contract, the commissioner shall issue the applicant a vendor stamp.

If after two attempts the commissioner is unable to conduct an on-site visit of an applicant on an established business route because the applicant is not operating at a location indicated on the business route list at the indicated time, the application must be disapproved.

Subp. 5. **Review periods.** The commissioner shall review vendor applications during the periods October 1 to December 31, January 1 to March 31, April 1 to June 30, and July 1 to September 30.

4617.0061 INITIAL APPLICATIONS.

In this part, "initial application" means an application to participate in the WIC program received from an applicant who is not now participating in the WIC program and who is not a previously authorized vendor or a new owner of a pharmacy or food business for which a vendor stamp has been issued.

The commissioner shall review an initial application according to items A to E.

A. The commissioner shall review the application to determine whether the applicant is in compliance with the eligibility criteria in part 4617.0065.

B. If an application indicates that an applicant is in compliance with the eligibility criteria in part 4617.0065, the commissioner shall do an on-site inspection of the applicant's business to verify the applicant's compliance with part 4617.0065.

C. If the on-site inspection verifies that the applicant is in compliance with part 4617.0065, the commissioner shall approve the application.

D. If an application or an on-site inspection indicates that an applicant is not in compliance with part 4617.0065, the commissioner shall disapprove the application.

E. The commissioner shall notify an applicant, in writing, of application approval or disapproval. A notice of disapproval must be given or mailed to an applicant within 21 days of the commissioner's review of an application. A notice of approval or disapproval must be given or mailed to an applicant within 21 days of an on-site inspection conducted under item B. A notice of disapproval must state that the application was disapproved because the applicant did not comply with part 4617.0065. An approval notice must state that the application was approved because the applicant complies with part 4617.0065 and that the applicant will be given a vendor stamp according to part 4617.0070 after the commissioner has received a vendor contract from the applicant, completed according to part 4617.0075.

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4617.0062 NEW-OWNER APPLICATIONS.

Subpart 1. **Submitting the application.** When a pharmacy or food business for which a vendor stamp has been issued is sold, the new owner may apply to become a vendor. To apply to become a vendor, the new owner shall complete and submit to the commissioner: a vendor application; food and stock price information on a form supplied by the commissioner; written assurance that the on-site manager of the business who was employed by the previous owner will continue as manager and that employees have been trained in the WIC program procedures contained in this chapter; and the vendor stamp issued to the previous owner or written assurance that the applicant did not receive and is not using the previous owner's vendor stamp.

Subp. 2. **Commissioner's review.** The commissioner shall approve an application from a new owner according to items A to E.

A. The commissioner shall review the application of a new owner to verify that the new owner has met the eligibility criteria in part 4617.0065.

B. The commissioner shall review the data maintained by the commissioner to determine whether:

(1) the commissioner has, under part 4617.0085, subpart 1, documented noncompliance by the previous owner who sold the business to the applicant; and

(2) the previous owner maintained an average sales record of at least \$100 a month for the months sampled by the commissioner, unless the previous owner was the only authorized vendor in the clinic area.

C. If the new owner does not submit all the materials required under this part, if the new owner is not eligible under part 4617.0065, or if the previous owner had a history of noncompliance or a low sales record according to item B, the commissioner shall notify the applicant that the application must be processed as an initial application according to part 4617.0061.

D. If the new owner is eligible under part 4617.0065 and the previous owner did not have a history of noncompliance or a low sales record according to item B, the commissioner shall send the new owner a temporary vendor contract. The time from the beginning date to the ending date of a temporary vendor contract must not exceed six months. The new owner shall sign the temporary vendor contract and return it to the commissioner.

E. Before the ending date of the temporary vendor contract, the commissioner shall do an on-site inspection of the place of business named on the application to verify that the new owner is in compliance with part 4617.0065. If the on-site inspection verifies that the applicant is in compliance, the applicant's temporary vendor contract must be amended to extend the ending date of the temporary vendor contract to the date that is two years beyond the beginning date. If the on-site inspection verifies that the new owner is not in compliance, the applicant shall return the vendor stamp to the commissioner within 30 days of the inspection.

4617.0063 REAPPLICATIONS.

Subpart 1. **Submitting the application.** Before the ending date of a contract completed by a vendor under part 4617.0061 or 4617.0062, subpart 2, item E, a vendor may submit to the commissioner a new application and food stock and price information. The food stock and price information must be submitted on forms supplied by the commissioner. The commissioner shall approve a reapplication submitted under this part according to subparts 2 to 5.

Subp. 2. **Commissioner's review.** The commissioner shall review the vendor's application, materials required to be submitted by this part, and data maintained by the commissioner to verify that the applicant:

A. is eligible under part 4617.0065;

B. has complied with Code of Federal Regulations, title 7, sections 246.1 to 246.25, as amended through January 1, 1988;

C. has complied with this chapter; and

D. has maintained an average sales record of at least \$100 a month for the months sampled by the commissioner, unless the applicant is the only authorized vendor in the clinic area.

Subp. 3. **On-site inspection.** An applicant whose application complies with subpart 2 may keep the vendor stamp and continue to operate as a vendor without an on-site inspection to verify compliance with part 4617.0065 if the commissioner has conducted an on-site inspection or monitoring visit of the applicant no more than 36 months before the ending date of the vendor's current vendor contract. If the commissioner has not conducted an on-site inspection or monitoring visit, the commissioner shall conduct an on-site inspection of the vendor to verify compliance with part 4617.0065. The commissioner shall disapprove the application of an applicant whose on-site inspection shows the applicant does not comply with part 4617.0065 and shall approve the application of an applicant who does comply. The commissioner shall notify the applicant of the approval or disapproval before the ending date of the vendor's current contract.

Subp. 4. **Disapproval.** The commissioner shall disapprove the application of an applicant who does not meet the requirements of subpart 2 and notify the applicant of the disapproval in writing.

Subp. 5. **Notice of disapproval; who may reapply.** An applicant whose application is disapproved according to this part shall

return to the commissioner that applicant's vendor stamp within 30 days of the date of the commissioner's written notice of disapproval. An applicant whose application is disapproved according to this part may, no sooner than six months after the ending date of the applicant's current vendor contract, apply to be a vendor according to part 4617.0061.

4617.0064 PRIOR VENDOR APPLICATIONS.

Subpart 1. **Applying to continue as vendor.** If a vendor approved before the effective date of this chapter wants to continue operating as a vendor, the vendor shall apply according to this part.

Subp. 2. **Schedule for commissioner's review of applications.** The commissioner shall schedule when the commissioner will review and approve or disapprove an application from a prior vendor. The schedule must be for the two years following the effective date of this chapter. Each of the two years must be divided into the four review periods indicated in part 4617.0060, subpart 5. The prior vendors must be divided into geographic groups. A group must consist of contiguous counties with no more vendors than the commissioner can reasonably be expected to review during one review period. Each geographic group must be randomly assigned to a review period.

Subp. 3. **Notice of need to apply.** At least 60 days before the first day of a review period during which the vendor is scheduled under subpart 2 to be reviewed, the commissioner shall notify the vendor that the vendor's authority to operate as a vendor ends at the end of that review period. The notice must be in writing and must include an application.

Subp. 4. **Due date.** The vendor shall submit a completed application no later than the first day of the review period during which the vendor is scheduled under subpart 2 to be reviewed. A vendor who does not submit an application according to this part shall return the vendor stamp no later than the last day of the review period.

Subp. 5. **Review.** The commissioner shall check the application to determine whether the applicant is eligible under part 4617.0065.

If an application indicates that an applicant is eligible under part 4617.0065, the commissioner shall do an on-site inspection of the applicant to verify the applicant's compliance with part 4617.0065.

If the on-site visit indicates that the applicant is eligible under part 4617.0065, the commissioner shall approve the application.

If an application or an on-site inspection indicates that an applicant is not eligible under part 4617.0065, the commissioner shall disapprove the application.

Subp. 6. **Notice of review findings.** The commissioner shall notify the vendor in writing of the commissioner's approval or disapproval. A notice of approval or disapproval must be given or mailed to the vendor before the last day of the review period in which the commissioner determines from an application or on-site inspection that the vendor is or is not eligible under part 4617.0065. A notice of disapproval must state that the application was disapproved because the vendor did not comply with part 4617.0065. A vendor whose application is disapproved shall return that vendor's vendor stamp within 30 days of the date of the disapproval notice. An approval notice must state that the application was approved because the vendor complies with part 4617.0065, that the vendor will be given a different vendor stamp according to part 4617.0070, and that a different vendor stamp will not be given to the vendor until the commissioner receives the vendor stamp currently possessed by the vendor and a vendor contract completed according to part 4617.0075.

The vendor shall return the vendor stamp and the vendor contract to the commissioner within 30 days of the date of notice of approval.

4617.0065 VENDOR ELIGIBILITY CRITERIA.

Subpart 1. **Requirement.** To be eligible as a vendor, a vendor applicant shall comply with subparts 2 to 5.

Subp. 2. **Minimum in-stock requirements.** A vendor shall at all times keep in stock at least the authorized foods in item A or B.

A. A retail food vendor shall keep in stock at least:

- (1) 31 13-ounce cans of concentrated iron fortified infant formula of the brand specified on the voucher;
- (2) three eight-ounce containers of plain, dry, infant cereal in any combination of at least two varieties;
- (3) 15 4-ounce or 4.2-ounce jars of infant juice in any combination of at least two varieties;
- (4) ten gallons of fluid whole, low-fat, or skim milk in gallon or half-gallon containers;

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(5) three pounds of domestic cheese in blocks that do not exceed one pound in any combination of at least two varieties;

(6) 72 ounces of cereal in any combination of at least four varieties;

(7) 12 six-ounce or six 12-ounce containers of frozen concentrate juice or six 46-ounce cans of single concentrate juice in any combination of at least two varieties;

(8) four one-dozen containers of medium or large eggs; and

(9) two one-pound containers of dried legumes in two varieties.

B. A pharmacy vendor shall keep in stock at least:

(1) the foods under item A, subitems (1) to (3); and

(2) within three business days of a request from a participant or a local agency, any of the following products: Enfamil low-iron; Ensure; Isocal; Isomil; Nursoy; Nutramigen; Osmolite; Portagen; Pregestimil; Prosobee; Similac low-iron; Similac 60/40; SMA low-iron; Sustacal; and Sustacal HC.

Subp. 3. **Restricted pharmacy vendor.** A restricted pharmacy vendor shall not redeem a voucher for authorized foods listed in subpart 2, item A.

Subp. 4. **Operating requirements.** A vendor shall comply with the following operating requirements:

A. A vendor shall operate at least Monday to Friday, 10 a.m. to 4:30 p.m.

B. A vendor shall allow the commissioner access to vouchers that are present in the store on the day of an on-site monitoring visit.

C. A vendor shall operate at an established business site, or on an established business route using route lists that the vendor shall submit to the commissioner by October 1, January 1, April 1, and July 1 of each year.

D. Employees who accept vouchers for the vendor must be able to demonstrate their ability to read and understand a voucher.

Subp. 5. **Vendor prices.** A vendor's total price for the minimum amount of authorized foods in subpart 2 must not be more than the average price plus one standard deviation of other vendors in the same geographic area. The commissioner shall determine the average price of vendors in the geographic area using shelf price surveys that each vendor shall submit to the commissioner by January 15 and July 15 of each year.

Subp. 6. **Disqualification from other programs.** To be authorized to accept WIC vouchers, a grocery or pharmacy must not be currently disqualified from another food and nutrition service program, must not have been subjected to a civil money penalty instead of disqualification from another food and nutrition service program within the last six months, and must not be owned by a person who owns another business that is currently disqualified from the WIC program.

4617.0070 VENDOR STAMPS.

Subpart 1. **Issuance.** The commissioner shall issue a vendor stamp to an applicant who, under parts 4617.0060 to 4617.0064, has been determined eligible to be a vendor for the WIC program. A grocer or pharmacy that applies to become a vendor shall not accept a voucher before receiving a vendor stamp. A vendor shall use the stamp to imprint the number on the stamp onto each voucher accepted by that vendor. The commissioner shall not issue more than one vendor stamp to a vendor, and the number on the stamp must be issued to that vendor only. A vendor shall not possess more than one vendor stamp, shall not use a vendor stamp issued to another vendor, and shall not duplicate a vendor stamp.

Subp. 2. **Replacement vendor stamp.** A vendor shall orally or in writing notify the commissioner of a lost, stolen, or damaged vendor stamp. If a vendor wants a stamp to replace a lost, stolen, or damaged stamp, the vendor shall request one from the commissioner orally or in writing. The commissioner shall issue one replacement vendor stamp to a vendor at no cost to the vendor. A vendor shall pay \$10 for each additional replacement vendor stamp.

4617.0075 VENDOR CONTRACTS.

A person whose application to be a vendor has been approved shall sign a retail food vendor contract, pharmacy vendor contract, or restricted pharmacy vendor contract with the commissioner. A separate vendor contract must be signed for each vendor. A vendor contract must contain:

A. names of the contracting parties;

B. the method by which the contract must be terminated;

C. terms that are consistent with Code of Federal Regulations, title 7, sections 246.12, paragraphs (f)(2) and (k)(1)(iii), and 278.1, paragraph (o)(1), as amended through January 1, 1988;

D. a warning that a vendor's authorization to participate in the food stamp program can be withdrawn according to Code of Federal Regulations, section 278.1(0)(1) if the vendor is disqualified from the WIC program;

E. assurances that:

- (1) no conflict of interest exists with the Department of Health;
- (2) the vendor will use the vendor stamp to validate only those vouchers accepted at the vendor outlet for which the stamp was issued;
- (3) the vendor will redeem vouchers only for authorized persons identified on the Minnesota WIC program authorization/transfer of certification card;
- (4) the vendor will make no alterations on the voucher with the exception of properly executed price corrections, and will not accept vouchers that appear to have been altered by a participant;
- (5) the vendor will respond within 45 days to a letter requesting justification of or reimbursement for vouchers identified as potentially overpriced;
- (6) the vendor will return the vendor stamp to the commissioner when the vendor permanently closes business, ownership of the business or vendor outlet changes, the vendor is disqualified, the vendor's application is disapproved, or the vendor contract ends;
- (7) the vendor will comply with this chapter and Code of Federal Regulations, title 7, part 246, as amended through January 1, 1988; and
- (8) the vendor will only accept a voucher for authorized supplemental foods provided at the time the voucher is countersigned;

F. a beginning date that is the same as the date of the notice of approval of the vendor's application and an ending date that is not more than two years beyond the beginning date; and

G. the signatures of the commissioner and the vendor and the dates of the signatures.

4617.0080 IDENTIFYING AND MONITORING HIGH RISK VENDORS.

The commissioner shall identify a vendor as a high-risk vendor according to the criteria in Code of Federal Regulations, title 7, section 246.12, paragraph (i)(1), as amended through January 1, 1988, or because of vendor activities observed by or reported to the commissioner or local agency staff that are suspected by the commissioner or local agency staff to not comply with this chapter. Vendor activities that staff suspect do not comply with this chapter must be reported to or by the commissioner on a form supplied by the commissioner. The form must require a description of the suspected abuse, the name and address of the vendor, and the signature of the staff member.

A high-risk vendor must be monitored according to Code of Federal Regulations, title 7, section 246.12, paragraph (i), as amended through January 1, 1988.

4617.0085 SANCTIONS.

Subpart 1. **Procedures.** The commissioner shall impose a sanction on a vendor for noncompliance with this chapter.

Noncompliance with this chapter must be documented on a form provided by the commissioner. The form must require a description of the noncompliance, the name and address of the vendor not in compliance, and the signature of the commissioner, a participant, or a local agency representative.

The commissioner shall notify a vendor in writing of the vendor's sanction.

Disqualification is effective 15 days after the date of a notice of disqualification except when the vendor appeals the disqualification and the vendor is the only vendor in the clinic area. If the vendor appeals a sanction and is the only vendor in the clinic area, disqualification must begin 15 days following the day a decision under the appeal upholds the disqualification.

Subp. 2. **Length of disqualification.** Disqualifications for multiple abuses are successive, except that the total length of a disqualification or successive disqualifications must not exceed three years. The length of disqualification for an abuse must be according to items A to F

A. Disqualification is three months for the first offense and six months for each subsequent offense in a contract period for:

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Proposed Rules

A; (1) a restricted pharmacy vendor who redeems a voucher for an authorized food listed in part 4617.0065, subpart 2, item

(2) a vendor on an established business route who does not submit a business route list by October 1, January 1, April 1, and July 1 of a year;

(3) a vendor on an established business route who fails to operate at a location indicated on the vendor's business route list at the times indicated on the list unless there are documented extenuating circumstances beyond the vendor's control;

(4) a vendor who does not submit a shelf price survey by January 15 or July 15 of a year;

(5) a vendor who does not respond within 45 days of the date of a letter from the commissioner requesting justification for an apparently overpriced voucher; or

(6) a previously authorized vendor, or a new owner of a business for which a vendor stamp has been issued, who does not return a completed and signed contract within 45 days.

B. Disqualification is six months for the first offense and 12 months for each subsequent offense in a contract period for a vendor who:

(1) fails to maintain minimum stock of an authorized food as required by part 4617.0065, subpart 2;

(2) refuses to let the commissioner see a voucher stored on the vendor's premises on the day of an on-site visit;

(3) refuses to let the commissioner see invoices for stock purchases for the last two years;

(4) accepts an altered voucher or a voucher whose issue date is more than 30 days before the day it was accepted by the vendor;

(5) is approved after the effective date of this chapter and who charges a total price for the minimum amount of authorized foods specified in part 4617.0065 that is not competitive under part 4617.0065, subpart 4, with prices charged by other vendors in that vendor's geographic area;

(6) does not display for easy viewing the price of an authorized food or mark on an authorized food the price of that food;

(7) accepts a voucher without providing authorized supplemental foods at the time the voucher is countersigned;

(8) enters the price of an authorized food on a voucher after a participant has countersigned the voucher;

(9) fails to verify that a voucher is redeemed only by a person listed on a Minnesota WIC program authorization or transfer of certification card;

(10) provides and then charges the WIC program for more food than is authorized on a voucher;

(11) fails to obtain a participant's countersignature on a voucher at the time that voucher was used to buy food;

(12) allows a participant to return food bought with a voucher to obtain a cash refund, to exchange food for an authorized food in a different food category, or to exchange the food for a nonauthorized product;

(13) requires a participant to return to the vendor to countersign a voucher that the commissioner has rejected for payment; or

(14) provides services to a customer that are lower in quality than services provided to most customers because the customer is a participant.

C. Disqualification is 12 months for the first offense and 24 months for each subsequent offense in a contract period for a vendor who:

(1) violates the nondiscrimination requirements of Code of Federal Regulations, title 7, section 246.8, as amended through January 1, 1988;

(2) permits use of a vendor stamp in a way that is inconsistent with this chapter;

(3) requests reimbursement from a participant for a voucher that the commissioner rejected for payment;

(4) does not enter the dollar amount of the purchase on a voucher at the time the voucher is used to buy food;

(5) exchanges cash or unauthorized food or other items for a voucher;

(6) charges the WIC program more money for an authorized food than the vendor's usual and customary charge for that food;

(7) alters a voucher; or

(8) charges the WIC program for foods not received by a participant.

D. A vendor who is disqualified from another food and nutrition service program is disqualified from the WIC program for the same amount of time as the disqualification from the other program.

E. A vendor subjected to a civil penalty instead of disqualification from another food and nutrition service program within the last six months is disqualified for six months for the offense that prompted the penalty and 12 months for each subsequent offense that occurs in a contract period.

F. A vendor in subitems (1) to (5) who does not return to the commissioner the vendor stamp issued to that vendor within 30 days of the date of a notice from the commissioner to return the vendor stamp shall not reapply as a new vendor for two years from the date of the notice:

(1) a temporarily approved new owner of a business for which a vendor stamp has been issued, who is found by an on-site visit to be ineligible;

(2) a previously authorized vendor who is not eligible to renew its contract;

(3) a vendor approved before the effective date of this chapter who does not reapply for authorization or is found ineligible under part 4617.0065, except that the vendor stamp is not due until the last day of the scheduled review period;

(4) a vendor approved before the effective date of this chapter who reapplies for authorization and is found eligible or ineligible by an on-site visit; and

(5) a vendor who has been disqualified under this subpart, except that the vendor stamp must be returned to the commissioner within 15 days after the date of a notice of disqualification from the commissioner.

Subp. 3. Civil money penalty. The commissioner shall allow a vendor in a clinic area where no other vendors operate to choose to pay a civil money penalty instead of disqualification if the disqualification is not for:

A. requesting reimbursement from a participant for a rejected voucher;

B. not recording the price on a voucher at the time the voucher is used to buy food;

C. providing cash, unauthorized food, or other items instead of authorized foods;

D. charging the WIC program more for unauthorized foods than the vendor's usual and customary charge for those foods;

E. charging the WIC program for foods not received by a participant;

F. altering a voucher; or

G. the same length of time as a disqualification from another food and nutrition service program.

The civil money penalty is equal to 20 percent of the vendor's average monthly voucher redemptions for the number of months for which a vendor would be disqualified under subpart 2, except that a civil money penalty must not exceed \$10,000. A civil money penalty must be paid according to a plan approved by the commissioner. The plan must indicate that the penalty will be paid by the last day of the disqualification period that would be imposed if the vendor chose disqualification instead of the civil money penalty. If a civil money penalty is not paid according to the plan, the commissioner shall disqualify the vendor according to subpart 2.

Subp. 4. Losses due to disqualification. The commissioner is not liable for a vendor's financial losses due to disqualification.

4617.0090 RETURNING VOUCHERS TO VENDORS.

The commissioner shall return a voucher to a vendor without payment if the space provided on the voucher for the price of the food purchased is left blank by the vendor, if the voucher is not stamped with a vendor stamp, if the voucher is not signed or countersigned by the participant or a proxy, if the vendor deposits the voucher before the issue date of the voucher, or if the vendor does not deposit the voucher in the vendor's bank within 60 days of the issue date on the voucher.

A voucher returned to a vendor by the bank under contract with the commissioner may be submitted by the vendor to the commissioner for payment if the voucher is received by the commissioner not more than 120 days after the issue date on the voucher and if:

A. the issue date or the last-day-to-use date on the voucher was not written on the voucher by the commissioner;

B. the first signature on the voucher is missing; or

C. the bank under contract with the commissioner returned the voucher to the vendor for a reason not authorized by this part.

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Proposed Rules

A vendor shall not seek reimbursement from a participant for a voucher not paid according to this part, or require a participant to provide a countersignature that was not provided at the time the voucher was used to buy food from the vendor.

4617.0095 REIMBURSEMENT OF VOUCHER OVERCHARGES.

A copy of a voucher paid by the bank under contract with the commissioner and identified by the commissioner as potentially overpriced must be returned by the commissioner to the vendor. The commissioner shall include a letter with a returned voucher that asks the vendor to justify the charge on the voucher using shelf price information or to pay the commissioner the amount of the overcharge.

A vendor shall respond to the commissioner's letter within 45 days of the date on the letter.

APPEALS

4617.0100 APPEALS BY VENDORS AND LOCAL AGENCIES.

Subpart 1. **Procedures.** A local agency or vendor against whom the commissioner takes adverse action that affects participation in the WIC program may appeal the action. An appeal must be in writing and be received by the commissioner not more than 30 days after notice of adverse action was mailed. The commissioner shall provide an appellant not less than ten days' advance written notice of the time and place of a hearing. The appellant must be given one opportunity to request that a hearing date be rescheduled. An appeal by a local agency or vendor must be decided in accordance with the requirements of *Minnesota Statutes*, sections 14.57 to 14.62; Code of Federal Regulations, title 7, section 246.18, as amended through January 1, 1988; and this part. Expiration of a contract or agreement with a local agency or vendor is not subject to appeal.

Subp. 2. **Judicial review.** A local agency or vendor aggrieved by the commissioner's decision on an appeal is entitled to a judicial review of the decision under *Minnesota Statutes*, sections 14.63 to 14.69.

Subp. 3. **Costs.** If an adverse action is upheld through contested case procedures under *Minnesota Statutes*, sections 14.57 to 14.62, and the appellant does not seek judicial review, or if the adverse action is upheld through contested case procedures and judicial review, the local agency or vendor shall reimburse the commissioner for all fees and costs of the proceedings, including the costs of services given the commissioner by the Office of the Attorney General, State Office of Administrative Hearings, investigative fees and costs, and court reporter costs.

Subp. 4. **Burden of proof.** A local agency or vendor that appeals the commissioner's denial of an application to participate has the burden of proving the facts at issue by a preponderance of the evidence. When a local agency or vendor appeals a disqualification or other sanction, the commissioner has the burden of proof.

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 Revenue

Adopted Permanent Rules Relating to Valuation and Assessment of Electric, Gas Distribution, and Pipeline Companies

The rules proposed and published at *State Register*, Volume 12, Number 46, pages 2501-2507, May 16, 1988 (12 S.R. 2501) are adopted as proposed.

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.

Department of Human Rights

Enforcement Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing the Processing of Charges of Discrimination and Certificates of Compliance for Public State Contracts

NOTICE IS HEREBY GIVEN that the State Department of Human Rights is seeking information or opinions from sources outside the agency in preparing to propose the amendment of the rule governing discrimination complaints and certificates of compliance for public state contracts and agreements. The adoption of the rule is authorized by *Minnesota Statutes*, section 363.05, Subdivision 1, paragraph (7), which requires the agency to adopt rules to carry out the purposes of the Minnesota Human Rights Act, and by *Minnesota Statutes*, section 363.074, which requires the commissioner to adopt rules to implement *Minnesota Statutes*, section 363.073, related to certificates of compliance.

The State Department of Human Rights requests information and opinions concerning the subject matter of the rule including the likelihood that the proposed amendments may have a quantitative or qualitative impact on small businesses as defined by *Minnesota Statutes*, section 14.115. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Burke Hilden
Minnesota Department of Human Rights
500 Bremer Tower, 7th Place and Minnesota Street
St. Paul, Minnesota 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-5666 and in person at the above address.

All statements of information and opinions about the rule shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Rights 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.

Metropolitan Council of the Twin Cities Area

Notice of Hearing in the Matter of the Proposed Adoption of Rules of the Metropolitan Council Governing Metropolitan Significance Reviews

NOTICE IS HEREBY GIVEN that the Metropolitan Council will hold a public hearing in the above-entitled matter. The subject of the hearing will be proposed new rules governing the Metropolitan Council's metropolitan significance review process. The Metropolitan Council proposes to repeal the current rules governing metropolitan significance reviews, *Minnesota Rules* parts 5700.0100 through 5700.4100, and to adopt proposed new rules, *Minnesota Rules* parts 5800.0010 through 5800.0150. The proposed new rules contain a number of changes from the current rules regarding the standards, guidelines and procedures for determining whether any proposed project is of metropolitan significance. Among the most important changes are those which do the following: modify the criteria for determining metropolitan significance by substituting the system impact standards in the plan amendment guidelines for the current physical system effects; expand the system impact criteria to include a consideration of solid waste; establish a new criterion regarding publicly subsidized projects; clarify that local governmental unit effects focus on physical effects; establish new requirements that the Chair of the Metropolitan Council make a preliminary finding of metropolitan significance and identify, at the

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

Official Notices

outset of the review process, the issues which will be included in the review; provide for mediation as an alternative to the public hearing process; provide that the significance review report will no longer contain any Metropolitan Council staff analysis; further limit discovery; and replace the current procedures for hearings conducted by the significance review committee with those used by the Metropolitan Council when it adopts or amends its regional policy plans.

The hearing has been scheduled as follows:

LOCATION	DATE	TIME
Conference Room 2A Metropolitan Council Mears Park Centre 230 East Fifth Street St. Paul, Minnesota	September 29	1:00 p.m. 7:00 p.m.

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. Written data, statements or arguments may be submitted without appearing at the hearing.

The matter will be heard before Administrative Law Judge Phyllis A. Reha, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, (612) 341-7611. The rule hearing procedure is governed by *Minnesota Statutes*, Sec. 14.131 through 14.20 (1986) and by the rules of the Office of Administrative Hearings, *Minnesota Rules* parts 1400.0200 through 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 proposed rules are authorized by *Minnesota Statutes*, Sec. 473.173. The proposed rules are now available for review at the Metropolitan Council offices and at the Office of Administrative Hearings. One free copy of the rules is available on request by contacting:

Data Center
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, Minnesota 55101
(612) 291-8140

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness entitled "Basis for the Changes to the Metropolitan Significance Rules" is now available for review at the Metropolitan Council offices and at the Office of Administrative Hearings. This Statement of Need and Reasonableness includes a summary of all the evidence and argument which the Metropolitan Council 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 Metropolitan Council offices or at the Office of Administrative Hearings, and copies may be obtained at the cost of reproduction by contacting the Data Center of the Metropolitan Council at the address or telephone number above or from the Office of Administrative Hearings.

Any person may present individual views on the proposed rules in one or more of the following ways: by submitting written data to the Administrative Law Judge at any time before the close of the hearing; by submitting oral or written data at the hearing; and by submitting written data to the Administrative Law Judge during the comment period following the hearing. The comment period will be five working days after the public hearing ends, but 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 Metropolitan Council and interested persons may respond in writing to any new information submitted during the comment period; however, no additional evidence may be submitted during this three-day period.

The Metropolitan Council requests that any persons 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 information to Barbara Senness, Metropolitan Council, Mears Park Centre, 230 East Fifth Street, St. Paul, Minnesota 55101.

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 Metropolitan Council 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 so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day 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 Metropolitan Council at any time prior to the filing of the rules with the Secretary of State.

Please be advised that *Minnesota Statutes* chapter 10A (1986) requires each lobbyist to register with the state Ethical Practices Board within five days after the individual commences lobbying. A lobbyist is defined in *Minnesota Statutes*, Sec. 10A.01, subd. 11 (1986) 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 the individual's 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 the individual's 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 55101-2520, (612) 296-5615.

David Renz
Executive Director

Metropolitan Council

Public Hearing on 1989 Work Program and Budget

The Metropolitan Council will hold a public hearing on its proposed 1989 work program and budget on Monday, September 12, 1988, 10 a.m. at the Metropolitan Council offices, Mears Park Centre, 230 E. Fifth St., St. Paul. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Jane Larson at 291-6500. Copies of the proposed work program and budget are available for public inspection at designated libraries throughout the region. For information on the location of these libraries or a free copy of the budget document, call 291-8140.

Department of Public Service

Energy Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Fluorescent Lamp Ballasts

NOTICE IS HEREBY GIVEN that the State Department of Public Service is seeking information or opinions from sources outside the agency in preparing to propose the rule governing Fluorescent Lamp Ballasts. The adoption of the rule is authorized by *Minnesota Statutes*, section 116J.19 subdivisions 8 and 15, which requires the agency to establish standards for the efficient use of energy as it relates to indoor illumination. All fluorescent lamp ballasts sold or installed in Minnesota must comply with these standards.

The State Department of Public Service requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Bruce D. Nelson
Department of Public Service
Energy Division
900 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 297-2313

Oral statements will be received during regular business over the telephone and in person at the above address.

All statements of information and opinions shall be accepted until September 6, 1988. Any written material received by the State Department of Public Service 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: 9 August 1988

Marsha Battle-Jenks
Assistant Commissioner

Official Notices

Minnesota Waste Management Board

Division of Solid Waste

Notice of Intent to Solicit Outside information Regarding Proposed Rule Governing Comprehensive Solid Waste Management Planning and Certificate of Need

NOTICE IS HEREBY GIVEN that the Minnesota Waste Management Board (Board) is seeking information or opinions from outside sources in preparing to propose the amendment of rules governing comprehensive solid waste management planning and certificate of need (*Minnesota Rules* pt. 9215.0100-.0250 (formerly *Minnesota Rules* pt. 7035.1100-.1115)). The amendment of the rule is authorized by *Minnesota Statutes* sec. 115A.06, subd. 2 (1986), which allows the Board to promulgate rules to govern its activities and to implement section 115A.46.

The Board requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views in writing or orally. Written or oral statements or comments should be directed to:

Jodi A. Milske
Minnesota Waste Management Board
1350 Energy Lane
St. Paul, MN 55108
Telephone: (612) 649-5750

Oral statements will be received during regular business hours, 8 a.m. to 4 p.m., Monday through Friday.

All statements of information and opinion will be accepted until September 15, 1988. Any written materials received by the Board shall become part of the rulemaking record in the event that the rule is amended.

Joseph M. Pavelich
Chairman

State Contracts and Advertised Bids

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

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

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

Department of Administration: Materials Management Division

Contracts and Requisitions Open for Bid

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

Commodity: Overload data entry service
Contact: Don Olson 612-296-3771
Bid due date at 2pm: August 24
Agency: Tourism
Deliver to: St. Paul
Requisition #: Price Contract

Commodity: Conflict voltage monitor
Contact: Pat Anderson 612-296-3777
Bid due date at 2pm: August 23
Agency: Transportation Department
Deliver to: St. Paul
Requisition #: 79000 91755

Commodity: Telephone key system
Contact: Joseph Gibbs 612-296-3750
Bid due date at 2pm: August 25
Agency: Natural Resources
Deliver to: St. Paul
Requisition #: 29000 50537

State Contracts and Advertised Bids

Commodity: Training room tables
Contact: Linda Parkos 612-296-3725
Bid due date at 2pm: August 26
Agency: Human Services
Deliver to: St. Paul
Requisition #: 55000 94773

Commodity: Used tandem truck tractor
Contact: Bernie Vogel 612-296-3778
Bid due date at 2pm: August 26
Agency: Transportation, Central Shop
Deliver to: St. Paul
Requisition #: 79382 01511

Commodity: Van w/power tailgate
Contact: Bernie Vogel 612-296-3778
Bid due date at 2pm: August 26
Agency: Plant Management
Deliver to: St. Paul
Requisition #: 02307 91761

Commodity: Van w/power tailgate
Contact: Bernie Vogel 612-296-3778
Bid due date at 2pm: August 26
Agency: Plant Management
Deliver to: St. Paul
Requisition #: 02307 91760

Commodity: IBM PS12 PC's & printers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: August 29
Agency: State University
Deliver to: Moorhead
Requisition #: 26 072 01636

Commodity: Zenith PC's & Panasonic printers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: August 29
Agency: Community College
Deliver to: Hibbing
Requisition #: 27143 43121

Commodity: Moore 3600 burster
Contact: Joyce Dehn 612-296-2621
Bid due date at 2pm: August 29
Agency: Jobs & Training
Deliver to: St. Paul
Requisition #: 21200 18851

Commodity: New or used blower attachment
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: August 29
Agency: Transportation
Deliver to: Golden Valley
Requisition #: 79382 01512

Commodity: Thermometers
Contact: Joe Gibbs 612-296-3750
Bid due date at 2pm: August 26
Agency: Health Department
Deliver to: Minneapolis
Requisition #: 12300 26152

Commodity: Aluminum signs
Contact: Joyce Dehn 612-296-2621
Bid due date at 2pm: August 30
Agency: Natural Resources
Deliver to: Various
Requisition #: 29000 50533

Commodity: IBM compatible PC's & printers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: August 30
Agency: Natural Resources
Deliver to: Various
Requisition #: 29001 13076

Commodity: Computer hardware
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: August 30
Agency: State University
Deliver to: St. Cloud
Requisition #: 26073 20619

Commodity: Autoclave
Contact: Joe Gibbs 612-296-3750
Bid due date at 2pm: August 31
Agency: North Hennepin Community College
Deliver to: Minneapolis
Requisition #: 27153 20140

Commodity: Aluminum signs
Contact: Joyce Dehn 612-296-2621
Bid due date at 2pm: August 31
Agency: DNR
Deliver to: Various
Requisition #: 2900 50535

Commodity: Lighting equipment
Contact: Pat Anderson 612-296-3777
Bid due date at 2pm: August 31
Agency: Minneapolis Community College
Deliver to: Minneapolis
Requisition #: 02310 16268

State Contracts and Advertised Bids

Contracts Awarded—Materials Management Division

Item: Electrical work (remodeling)

Req.#: 02307 91225 01

Awarded to: Honeywell Inc.,
Minneapolis, MN

Awarded amount: \$11,013.00

Awarded date: August 11, 1988

Expir/deliv date: August 11, 1988

Shipped to: Various locations

Item: Computer equipment

Req.#: 26071 18262 01

Awarded to: Hewlett Packard Co., St.
Paul, MN

Awarded amount: \$6,138.00

Awarded date: August 11, 1988

Expir/deliv date: September 6, 1988

Shipped to: Mankato State University

Item: Computer equipment

Req.#: 26071 18259 01

Awarded to: Datasource Connecting,
Bloomington, MN

Awarded amount: \$13,914.00

Awarded date: August 11, 1988

Expir/deliv date: August 25, 1988

Shipped to: Mankato State University

Item: Computer equipment

Req.#: 26073 20617 01

Awarded to: Prodata Computer Systems,
St. Cloud, MN

Awarded amount: \$21,460.00

Awarded date: August 11, 1988

Expir/deliv date:

Shipped to: St. Cloud State University

Item: Copying equipment

Req.#: 27148 50272 01

Awarded to: Rochester Business,
Rochester, MN

Awarded amount: \$6,315.00

Awarded date: August 11, 1988

Expir/deliv date: August 17, 1988

Shipped to: Rochester Community
College

Item: Computer equipment

Req.#: 36000 12392 01

Awarded to: Graphics & Information,
Minneapolis, MN

Awarded amount: \$31,804.40

Awarded date: August 11, 1988

Expir/deliv date: August 30, 1988

Shipped to: Board of Vocational-
Technical Education

Item: Furniture office

Req.#: 67110 05208 01

Awarded to: Office Machine Sales &,
St. Paul, MN

Awarded amount: \$6,344.50

Awarded date: August 11, 1988

Expir/deliv date: October 15, 1988

Shipped to: Department of Revenue

Item: Service other purchased

Req.#: 07500 51605 01

Awarded to: Hasselbring Auto, St.
Cloud, MN

Awarded amount: \$8,805.00

Awarded date: August 12, 1988

Expir/deliv date:

Shipped to: Various locations

Item: Laboratory supply

Req.#: 26073 20402 01

Awarded to: Kontes of Illinois, Morton
Grove, IL

Awarded amount: \$5,044.72

Awarded date: August 12, 1988

Expir/deliv date: September 1, 1988

Shipped to: St. Cloud State University

Item: Micro graphic equipment

Req.#: 26074 12190 01

Awarded to: Tri State Business, La
Crosse, WI

Awarded amount: \$7,977.25

Awarded date: August 12, 1988

Expir/deliv date: August 26, 1988

Shipped to: Winona State University

Item: Furniture office

Req.#: 02310 16182 01

Awarded to: Electric Office
Environment, Minneapolis, MN

Awarded amount: \$35,952.00

Awarded date: August 15, 1988

Expir/deliv date: November 30, 1988

Shipped to: Minneapolis Community
College

Item: Fuel burning equipment unit

Req.#: 26137 04440 01

Awarded to: Coen Co., Burlingame, CA

Awarded amount: \$65,880.00

Awarded date: August 15, 1988

Expir/deliv date:

Shipped to: Various locations

Item: Bleacher grandstand riser

Req.#: 26070 13510 01

Awarded to: Minnesota Playground Inc.,
Golden Valley, MN

Awarded amount: \$5,148.00

Awarded date: August 15, 1988

Expir/deliv date: September 15, 1988

Shipped to: Bemidji State University

Item: Photocopy & copy machine
expense

Req.#: 26073 20620 01

Awarded to: Cyberstar Corp., Waite
Park

Awarded amount: \$9,540.00

Awarded date: August 15, 1988

Expir/deliv date:

Shipped to: St. Cloud State University

Item: Computer equipment

Req.#: 43000 10110 01

Awarded to: Progressive Computers, St.
Paul, MN

Awarded amount: \$6,511.00

Awarded date: August 15, 1988

Expir/deliv date: August 22, 1988

Shipped to: Iron Range Interpretation
Center

Item: Janitorial & refuse disposal
service

Req.#: 55304 07829 01

Awarded to: Blue Lakes Disposal,
Brainerd, MN

Awarded amount: \$17,999.04

Awarded date: August 15, 1988

Expir/deliv date:

Shipped to: Brainerd Regional Human
Services

State Contracts and Advertised Bids

Item: Furniture office
Req. #: 02410 90026 01
Awarded to: Strategic Resources,
Minneapolis, MN
Awarded amount: \$10,989.00
Awarded date: August 16, 1988
Expir/deliv date: October 30, 1988
Shipped to: Information Management
Bureau

Item: Copying equipment and supplies
Req. #: 02511 90431 01
Awarded to: Eastman Kodak Co.,
Minneapolis, MN
Awarded amount: \$5,882.70
Awarded date: August 16, 1988
Expir/deliv date: August 31, 1988
Shipped to: State of Minnesota

Item: Computer equipment
Req. #: 26071 18220 01
Awarded to: Continental Resources,
Bensenville, IL
Awarded amount: \$9,220.00
Awarded date: August 16, 1988
Expir/deliv date: September 8, 1988
Shipped to: Mankato State University

Item: Refrigeration units, compressed
air
Req. #: 29000 50250 01
Awarded to: Minnesota Store
Equipment Co., Hopkins, MN
Awarded amount: \$7,864.00
Awarded date: August 16, 1988
Expir/deliv date: November 21, 1988
Shipped to: Various locations

Item: Tractor wheeled farm type
Req. #: 43000 10171 01
Awarded to: Fenske David, Rapid City,
SD
Awarded amount: \$17,500.00
Awarded date: August 16, 1988
Expir/deliv date: September 1, 1988
Shipped to: Iron Range Interpretation
Center

Item: Computer equipment
Req. #: 79000 91625 01
Awarded to: 3M Co., Eagan, MN
Awarded amount: \$97,555.00
Awarded date: August 16, 1988
Expir/deliv date: August 30, 1988
Shipped to: MN/DOT Carrier Safety &
Co.

Item: Janitorial & refuse disposal
service
Req. #: 79990 00149 01
Awarded to: Lxcel Inc., Minneapolis,
MN
Awarded amount: \$8,700.65
Awarded date: August 16, 1988
Expir/deliv date:
Shipped to: MN/DOT, Central Shop

Item: Computer equipment
Req. #: 99440 94000 01
Awarded to: Apple Computer Inc.,
Rolling Meadows, IL
Awarded amount: \$8,668.60
Awarded date: August 16, 1988
Expir/deliv date: September 10, 1988
Shipped to: Ombudsman for Mental
Health

Item: Furniture office
Req. #: 02310 16191 01
Awarded to: Hartzell Office Interior,
Minneapolis, MN
Awarded amount: \$7,480.00
Awarded date: August 17, 1988
Expir/deliv date: October 31, 1988
Shipped to: Minneapolis Community
College

Item: Metal bars, sheets and shapes
Req. #: 07700 51622 01
Awarded to: Wald, John R., Inc.,
Philadelphia, PA
Awarded amount: \$16,285.96
Awarded date: August 17, 1988
Expir/deliv date: October 20, 1988
Shipped to: Various Locations

Item: Copying equipment
Req. #: 27148 50274 01
Awarded to: Tri State Business,
Rochester, MN
Awarded amount: \$7,636.60
Awarded date: August 17, 1988
Expir/deliv date: September 1, 1988
Shipped to: Rochester Community
College

Item: Security detection device
Req. #: 27146 89005 01
Awarded to: 3M Co., Accounts
Receivable 3, St. Paul, MN
Awarded amount: \$5,756.00
Awarded date: August 17, 1988
Expir/deliv date: September 30, 1988
Shipped to: Worthington Community
College

Item: Repair to office equipment &
furniture
Req. #: 42100 12705 01
Awarded to: Allied Electrostatic Inc., St.
Paul, MN
Awarded amount: \$6,960.35
Awarded date: August 17, 1988
Expir/deliv date: August 30, 1988
Shipped to: Department of Labor &
Industry

Item: Meat—fresh, frozen, canned,
cured
Req. #: 78620 00249 02
Awarded to: Champion Meats & Catering
Awarded amount: \$13,788.40
Awarded date: August 17, 1988
Shipped to: MN Correctional Facility

Item: Meat—fresh, frozen, canned,
cured
Req. #: 78830 09409 01
Awarded to: Armour & Co., St. Paul
Awarded amount: \$8,752.25
Awarded date: August 17, 1988
Shipped to: MN Correctional Facility

Department of Administration: Printing & Mailing Services

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

Commodity: Birth certificate poster, 2M, 18" x 24", 1-sided, camera ready
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Children's Trust Fund
Deliver to: St. Paul
Requisition #: 0553

Commodity: BAC cards, 100M, 2½" x 3¾", 2-sided, camera ready
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 0551

Commodity: Appeal from determination on benefit rights, 4-part form, 10M, 8½" x 11¼" camera ready
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Jobs & Training Department
Deliver to: St. Paul
Requisition #: 0579

Commodity: Rochester sales & use tax—copy 30M, type to set, 2-sided, 7¾" x 3¾" and tax return, 15M, one part continuous, type to set, 2-sided, fanfold
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Revenue Department
Deliver to: St. Paul
Requisition #: 0604 & 6

Commodity: Dental prior authorization form, 45M 2-part sets, 9½" x 11" overall, negs furnished, 1-sided
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Human Services Department
Deliver to: St. Paul
Requisition #: 0619

Commodity: Typesetting of 1988 Income Tax Forms: 45 different forms and instructions—consisting of 50 pages of tabular composition, 55 pages of straight composition and 200 camera ready reproduction proofs
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Revenue
Deliver to: St. Paul
Requisition #: 0636

Commodity: Mailing labels, 15M, 5" x 3" die cut, type to set, 1-sided
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Trade & Economic Development
Deliver to: St. Paul
Requisition #: 0925

Commodity: SELF application packet, 40M 11" x 17" folded once, camera ready, 20 pages per book, 5-parts per set
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Higher Education Coordinating Board
Deliver to: St. Paul
Requisition #: 0928

Commodity: Child care license, 30M, 9½" x 4" overall, negs furnished, 1-sided
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Human Services Dept.
Deliver to: New Brighton
Requisition #: 0987

Commodity: Speed memo-continuous form, 2,500 sets (3-parts), 8½" x 11" detached, type to set and negs furnished, 1-sided
Contact: Printing Buyer's Office
Bids are due: August 23
Agency: Communications Center—Services for the Blind
Deliver to: St. Paul
Requisition #: 0991

Commodity: Voter registration postcard, 2 million, 9" x 8", camera ready, 1-fold
Contact: Printing Buyer's Office
Bids are due: August 24
Agency: Revenue Department
Deliver to: St. Paul
Requisition #: 0746

Commodity: School admission packets (5M) and bookmarks (10M) several and various components
Contact: Printing Buyer's Office
Bids are due: August 24
Agency: Education Department
Deliver to: St. Paul
Requisition #: 0469

Commodity: State aid approval form, 1000 3-part sets, type to set, 1-sided, 8½" x 11" parts 1&2, 8" x 5" part 3
Contact: Printing Buyer's Office
Bids are due: August 24
Agency: Transportation Department
Deliver to: St. Paul
Requisition #: 0645

Commodity: Registered nurse renewal application, 33M 9½" x 11" sheet size, type to set, 2-sided
Contact: Printing Buyer's Office
Bids are due: August 24
Agency: Nursing Board
Deliver to: St. Paul
Requisition #: 0486

Commodity: Notice to skiers, 160 sheets, 12" x 18", rounded corners, camera ready
Contact: Printing Buyer's Office
Bids are due: August 24
Agency: Natural Resources Department
Deliver to: St. Paul
Requisition #: 0596

State Contracts and Advertised Bids

Commodity: Authorization for services and commodities, 5M 3-part form, negs furnished, 1-sided, 9½" x 11" sheet size

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Health Department

Deliver to: Minneapolis

Requisition #: 0791

Commodity: WIC shelf labels, 2,300 sets of 81 different labels = 186,300 total, type to set, 1-sided, 3" x 1¼"

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Health Department

Deliver to: Minneapolis

Requisition #: 0949

Commodity: Office information memo, 3 million sheets in 60M pads, 4¼" x 5½", negs furnished, 1-sided

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Administration—Central Stores

Deliver to: St. Paul

Requisition #: 0628

Commodity: Supplemental annual statement, 7M, 14⅞" x 11", type to set, diecut

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Teachers Retirement Association

Deliver to: St. Paul

Requisition #: 0643

Commodity: Employee bi-weekly time report, 400 pads of 28 sets per pad and 3-part sets, negs furnished, 1-sided, 9½" x 5" overall

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Education Department

Deliver to: St. Paul

Requisition #: 0786

Commodity: Authorization/invoice, 15M 6-part sets, continuous pinfeed paper, negs furnished + type to set, 1-sided

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Jobs & Training Department

Deliver to: St. Paul

Requisition #: 0833

Commodity: Receipt Books, 50 books of 50 3-part sets, 3½" x 7¾" overall, type to set, 1-sided

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Jobs & Training Department

Deliver to: St. Paul

Requisition #: 0613

Commodity: Company renewal notice, 1,700 sets 3-part continuous form, type to set, 1-sided, 8½" x 7" detached

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Commerce Department

Deliver to: St. Paul

Requisition #: 0610

Commodity: White board of teaching envelopes with clasp, 1,500, 10" x 13" plus O.E. Gum flap, type to set, 1-sided

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Education Department

Deliver to: St. Paul

Requisition #: 0611

Commodity: Minnesota I.D. card, 32M, type to set, 2-sided, 8" x 8"

Contact: Printing Buyer's Office

Bids are due: August 24

Agency: Public Safety Department

Deliver to: St. Paul

Requisition #: 0660

Commodity: 1988 Income tax & property tax refund envelope, 3 million, 1.4 million and 65M, 4⅝" x 9½", camera ready

Contact: Printing Buyer's Office

Bids are due: August 29

Agency: Revenue Department

Deliver to: St. Paul

Requisition #: 0587

Commodity: Minnesota radio talking book program guide, 6,400 books—32pp + cover, 8½" x 11", saddle stitch, type to set

Contact: Printing Buyer's Office

Bids are due: August 29

Agency: Jobs & Training Department

Deliver to: St. Paul

Requisition #: 0992

Commodity: 1988 Information return summary (100M 8⅜" x 3⅔" + ½" pin feed strips) Copy (175M 7⅜" x 3⅔") and Pract (115M 7⅜" x 8⅜") camera ready

Contact: Printing Buyer's Office

Bids are due: August 30

Agency: Revenue Department

Deliver to: St. Paul

Requisition #: 0855&6&7

Commodity: Mailing container labels (5M 3½" x 6") and (7M—3½" x 7") 1-sided adhesive

Contact: Printing Buyer's Office

Bids are due: August 30

Agency: Health Department

Deliver to: Minneapolis

Requisition #: 0788&9

Commodity: Food stamp report envelopes, 200M 3⅞" x 8⅞", type to set, 2-sided

Contact: Printing Buyer's Office

Bids are due: August 30

Agency: Human Services Department

Deliver to: St. Paul

Requisition #: 1019

Commodity: Drivers license envelopes, 70M 8⅞" x 4", camera ready, 1-sided

Contact: Printing Buyer's Office

Bids are due: August 30

Agency: Public Safety Department

Deliver to: St. Paul

Requisition #: 0819

Commodity: Explore Minnesota fall poster, 5M 18" x 24", 1-sided, camera ready, 4-color

Contact: Printing Buyer's Office

Bids are due: August 30

Agency: Tourism

Deliver to: St. Paul

Requisition #: 0886

State Contracts and Advertised Bids

Commodity: Motorcycle safety registration insert, 150M 7¼" × 3¼", camera ready, 2-sided
Contact: Printing Buyer's Office
Bids are due: August 30
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 0821

Commodity: PERA letterhead & envelopes, 50M letterhead 8½" × 11", 10M second sheets, 50M windowed envelopes 4⅞" × 9½", negs furnished
Contact: Printing Buyer's Office
Bids are due: August 30
Agency: PERA
Deliver to: St. Paul
Requisition #: 0785

Commodity: Food stamp application, 100M 5-part sets, 8½" × 11" sheet size, type to set + negs, 2-sided
Contact: Printing Buyer's Office
Bids are due: August 30
Agency: Human Services
Deliver to: St. Paul
Requisition #: 1018

Commodity: Returned plate form, 50M 6" × 3½", type to set + negs, 1-sided
Contact: Printing Buyer's Office
Bids are due: August 30
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 0908

Commodity: Drivers license renewal & voter registration card, 500M 9" × 8", type to set, 2 sided
Contact: Printing Buyer's Office
Bids are due: August 30
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 0653

Commodity: Dummy prebill, 200M 2-part forms, 5" × 3⅝" detached, blue carbon interleave, negs furnished, 2-sided
Contact: Printing Buyer's Office
Bids are due: August 30
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 1038

Commodity: Ambulance report forms, 60M 3-part sets 8½" × 11", negs furnished, 1-sided
Contact: Printing Buyer's Office
Bids are due: August 29
Agency: Health Department
Deliver to: Minneapolis
Requisition #: 0906

Commodity: Continuous data processing forms, 40M and 100M 8½" × 3¼", no printing
Contact: Printing Buyer's Office
Bids are due: August 29
Agency: Community College System
Deliver to: St. Paul
Requisition #: 0766&7

Commodity: Household report form, 350 8½" × 11", negs furnished, 2-sided
Contact: Printing Buyer's Office
Bids are due: August 29
Agency: Human Services Department
Deliver to: St. Paul
Requisition #: 0883

Commodity: Notice of hearing, 20M 5-part form 8½" × 11", type to set, 1&2-sided
Contact: Printing Buyer's Office
Bids are due: August 29
Agency: Jobs & Training Department
Deliver to: St. Paul
Requisition #: 0993

Contract Awards—Printing & Mailing Services Division

Item: Invoice
Req.#: 0343
Awarded to: Georgene Bergstrom Co., Minneapolis
Amount: \$540.00
Date: August 8
Deliver to: St. Paul
Delivery date: 30 days

Item: White certification seed tags
Req.#: 0328
Awarded to: Acme Tag Company, Minneapolis
Amount: \$39.95
Date: August 8
Deliver to: East Grand Forks
Delivery date: 30 days

Item: Blue certification seed tags
Req.#: 0329
Awarded to: Acme Tag Company, Minneapolis
Amount: \$6,392.00
Date: August 8
Deliver to: East Grand Forks
Delivery date: 30 days

Item: Commerce Contact
Req.#: 0231
Awarded to: Printing Resources, Shoreview
Amount: \$33,728.00
Date: August 12
Deliver to: St. Paul
Delivery date: As requested

Item: Dealer junk/removal from state
Req.#: 0081
Awarded to: Georgene Bergstrom, Minneapolis
Amount: \$1,246.50
Date: August 11
Deliver to: St. Paul
Delivery date: 30 days

Item: Partial pay envelope
Req.#: 0079
Awarded to: Mackay Envelope Corp., Minneapolis
Amount: \$104.70
Date: August 11
Deliver to: St. Paul
Delivery date: 10 working days

State Contracts and Advertised Bids

Item: Confidential petty cash fund receipt
Req.#: 0383
Awarded to: Royal Business Forms, Brooklyn Park
Amount: \$315.77
Date: August 8
Deliver to: St. Paul
Delivery date: 30 days

Item: Annual license renewal
Req.#: 0397
Awarded to: Bann Division, Stuart Hooper Co., St. Paul
Amount: \$255.00
Date: August 8
Deliver to: Minneapolis
Delivery date: 12-15 working days

Item: PKU envelope
Req.#: 0399
Awarded to: Mackay Envelope Corp., Minneapolis
Amount: \$1,248.40
Date: August 8
Deliver to: Minneapolis
Delivery date: 15-20 working days

Item: State seal stickers
Req.#: 0413
Awarded to: Applied Power Products, St. Paul
Amount: \$119.00
Date: August 8
Deliver to: St. Paul
Delivery date: 21 days

Item: Gift certificate
Req.#: 0414
Awarded to: Action Business Forms, Minneapolis
Amount: \$937.00
Date: August 8
Deliver to: St. Paul
Delivery date: 30 days

Item: Letterhead envelopes
Req.#: 0429
Awarded to: Hawkens Printing, St. Paul
Amount: \$730.00
Date: August 8
Deliver to: St. Paul
Delivery date: 15 working days

Item: Letterhead stationery
Req.#: 0430
Awarded to: Hawkens Printing, St. Paul
Amount: \$270.00
Date: August 8
Deliver to: St. Paul
Delivery date: 15 working days

Item: Certificate of Death
Req.#: 0431
Awarded to: Georgene Bergstrom Co., Minneapolis
Amount: \$462.00
Date: August 8
Deliver to: Minneapolis
Delivery date: 20 days

Item: ARRS master tape boxes
Req.#: 0437
Awarded to: Four City Press Pack, Minneapolis
Amount: \$4,810.00
Date: August 8
Deliver to: St. Paul
Delivery date: As requested

Item: Engineer Renewal Notices
Req.#: 0446
Awarded to: Bann Division, Stuart Hooper Co., St. Paul
Amount: \$386.40
Date: August 8
Deliver to: St. Paul
Delivery date: 10-12 working days

Item: Engineer License
Req.#: 0454
Awarded to: Georgene Bergstrom, Minneapolis
Amount: \$570.40
Date: August 11
Deliver to: St. Paul
Delivery date: 30 days

Item: Drinking Drivers Lose
Req.#: 0459
Awarded to: Printing Resources, Shoreview
Amount: \$1,890.00
Date: August 8
Deliver to: St. Paul
Delivery date: As requested

Item: Cashier receipt book
Req.#: 0509
Awarded to: Bann Division, Stuart Hooper Co., St. Paul
Amount: \$313.00
Date: August 8
Deliver to: St. Paul
Delivery date: 10-12 working days

Item: MCCS prospectus
Req.#: 0525
Awarded to: Miller Printing Co., St. Paul
Amount: \$10,673.00
Date: August 8
Deliver to: St. Paul
Delivery date: As requested

Item: Diplomas
Req.#: 0321
Awarded to: Jostens, Inc., Red Wing
Amount: \$6,453.00
Date: August 11
Deliver to: St. Cloud
Delivery date: 45 days

Item: Licensed practical nurse renewal application
Req.#: 0230
Awarded to: Custom Printing Forms, Minneapolis
Amount: \$440.88
Date: August 12
Deliver to: Minneapolis
Delivery date: 15 days

Item: Civ. weight documents referral
Req.#: 0458
Awarded to: Action Business Forms, Minneapolis
Amount: \$240.45
Date: August 12
Deliver to: St. Paul
Delivery date: 30 days

Item: TEDLINES
Req.#: 0524
Awarded to: Twin City Litho, Roseville
Amount: August 12
Date: St. Paul
Deliver to: \$1,210.00
Delivery date: As requested

State Contracts and Advertised Bids

Item: License form
Req.#: 0590
Awarded to: Georgene Bergstrom,
Minneapolis
Amount: \$2,730.00
Date: August 11
Deliver to: Arden Hills
Delivery date: 30 days

Item: Estate tax file index cards
Req.#: 0635
Awarded to: Custom Business Forms,
Minneapolis
Amount: \$115.97
Date: August 12
Deliver to: St. Paul
Delivery date: 15 days

Item: Non-state employee contractual
services form
Req.#: 0627
Awarded to: Georgene Bergstrom,
Minneapolis
Amount: \$614.15
Date: August 11
Deliver to: St. Paul
Delivery date: 30 days

Department of Corrections

Minnesota Jail Resource Center

Request for Proposals for Training

The State of Minnesota, acting through the Minnesota Jail Resource Center located in the Department of Corrections, seeks consultants to provide 6 or more training sessions for jail employees and other county officials. The chosen consultant/trainers must have a proven record with the National Institute of Corrections (NIC) Jail Division or National Academy of Corrections as consultants and trainers. Top priority will be given to consultant/trainers who have direct experience in delivering the approved NIC National Academy of Corrections curriculum and lesson plans:

1. Assessment Center for Jail Administrators (Sept. 27-29, 1988)
2. First Line Jail Supervisors Training (Oct. 26-28, 1988)
3. Training for Jail Trainers (Nov. 15-18, 1988)
4. Jail As a Part of County Government (Feb. 22-24, 1989)
5. Jail FTO Training (Mar. 23-24, 1989)
6. Jail Risk Management Methodologies (April 19-21, 1989)
7. Other Topics as Developed

The selected consultant/trainers will be chosen based upon proven NIC experience, thoroughness of training proposal, cost effectiveness, and availability for chosen training session dates.

Each contract is expected to range from \$1,000 to \$3,000. Cost estimate for the entire program is \$24,000 involving up to 14 individual contracts. Interested consultant/trainers may submit proposal for individual sessions or the entire program. Funds for this program are provided by Department of Corrections Dedicated Funds and State Funds.

For additional information contact:

Tom Reid, Director
Minnesota Jail Resource Center
300 Bigelow Building
450 N. Syndicate Street
St. Paul, Minnesota 55104
(612) 642-0249

Deadline for receipt of proposals is September 6, 1988.

State Designer Selection Board

Request for Proposal for Two Projects: Iron Range Resource Center Addition and a Growth Chamber at Ironworld USA

To Registered Professional in Minnesota:

The State Designer Selection Board has been requested to select designer for two projects. Design firms who wish to be considered for this project should submit proposals on or before 4:00 P.M., September 13, 1988, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

- 1) Six copies of the proposal will be required.
- 2) All data must be on 8½" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 8 below, together with the designer's firm name, address, telephone number and the name of the contact person.
- 4) *Mandatory Proposal contents in sequence:*
 - a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.
 - b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.
 - c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.
 - d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall *list and total* all fees associated with these projects whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects listed pursuant to the above.
 - e) A section containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel named were, at the time of the work, employed by other than their present firms.

The proposal shall consist of no more than twenty (20) faces. Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.

5) *Statutory Proposal Requirements:*

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
 - b) A statement certifying that firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
 - c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
 - d) A statement certifying that the firm has an application pending for a certificate of compliance.
- 6) In accordance with the provisions of *Minnesota Statutes* 16B.19, Subdivision 6, at least 10% of the amount of any contract in excess of \$200,000.00 must be subcontracted to certified small businesses owned and operated by S/E/D persons as defined by *Minnesota Statutes* 645.445. Alternatively, the requirement may be met by purchasing materials or supplies from S/E/D businesses. Any combination of subcontracting and purchasing that meets the 10% requirements is acceptable. If there are no S/E/D persons able to perform subcontracting or provide supplies and materials, other small businesses as defined are to be utilized instead of small businesses owned and operated by S/E/D persons.
- 7) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:
- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
 - b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures or their schedule for the project herein described may be referred to George Iwan at (612) 296-4656.

State Contracts and Advertised Bids

8a) PROJECT—20-88

Iron Range Research Center Addition
Chisholm, Minnesota

IRONWORLD USA is interested in adding space to the Iron Range Research Center. The building completed in 1981 has sub-surface vault storage space to the north and east but exposed to the south. The area is approximately 40' x 60'. Our intention is to build a two level addition to the present structure.

The space on the first level would be primarily used for Research Center expansion and the second level would be used for multi-purpose space such as conference or art gallery use.

Funds in the amount of \$25,000.00 have been budgeted for design fees through the design development phase.

8b) PROJECT—21-88

Growth Chamber
Ironworld USA
Chisholm, Minnesota

The Iron Range Resources and Rehabilitation Board and its division of Mineland Reclamation intend to build a growth chamber on a site adjacent to the energy plant to IRONWORLD USA. Preliminary programming indicates the need for approximately 2,000 square feet designed to accommodate future expansion that might incorporate a green house, arboretum and a visitor experience. Much of the equipment now used at the growth chamber at the Hill Annex complex would be used in this new building.

Bernard Jacob, Chairman
State Designer Selection Board

Minnesota Historical Society

Advertisement for Bids for Printing of 1988-89 *Roots* Magazine

Bids

Sealed bids for the printing of the Minnesota Historical Society's 1988-89 *Roots* Magazine, in accordance with specifications prepared by the Minnesota Historical Society, will be received in the office of the Contract Officer, Minnesota Historical Society, 1500 Mississippi Street, St. Paul, MN 55101 until 2:00 p.m., Central Daylight Time, on September 1, 1988, at which time the bids will be publicly opened and read aloud. Bids received after 2:00 p.m., September 1, 1988, will be returned unopened.

Bid Security

Each proposal must be accompanied by a cash deposit, cashier's check, certified check, or corporate surety bond of a surety company duly authorized to do business in Minnesota, in the sum of not less than 5% of the total bid, payable without condition to the Minnesota Historical Society, which is submitted as bid security.

Specifications

Copies of bidding documents for preparation of bids may be obtained by contacting Mark Schwartz, Contract Officer, Minnesota Historical Society, 1500 Mississippi St., St. Paul, MN 55101, (612) 296-2155.

Conditions of Bids

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

Department of Human Services

Notice of Availability of Contract for Consultant Services of Expert in Statistics and Probability and Actuarial Science

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is seeking applications for professional services from recognized experts in statistics and probability and actuarial science to consult with the Health Care Management and Health Care Support Divisions on an ongoing basis and to assist the work of these units. The contractor will provide assistance to professionals working with the Minnesota Medical Assistance (Medicaid) and General Assistance Medical Care Programs. Assistance will include research and evaluation, rate setting, and offering testimony before the State Legislature or other formal settings if necessary.

State Contracts and Advertised Bids

The contract will be effective for one year beginning on or after September 26, 1988, and may be renewed thereafter, at the discretion of the Department. The total contract price will not exceed \$9,450 at an hourly rate not to exceed \$43.75.

Interested persons must submit a written response containing the following:

1. Description of professional qualifications, including:
 - Educational background;
 - Professional qualifications and experience in actuarial science, probability and statistics;
 - Academic achievement, including publications in professional journals in relevant areas of statistics and probability and actuarial science, and experience as professor or associate professor at a college or university;
 - Previous consulting experience in areas of expertise;
 - Experience in the insurance actuarial field;
2. A statement indicating work hours available;
3. A statement indicating the hourly payment rate required; and
4. A writing sample indicating ability to communicate technical concepts clearly to professionals in other fields.

All written responses received by the deadline will be evaluated according to the following criteria:

1. Relevant education and experience.
2. Communication skills.
3. Proposed hourly rate.

The Department may consider any previous contracting history with the State of Minnesota in selecting a contractor. Evaluation and contractor selection will be completed by September 23, 1988. All responders will receive written notice of the results. The Department is not obligated in any way by this notice and reserves the right to reject all proposals if such action is determined to be in the best interests of the Department.

All written responses must be received by the Department no later than 4:30 p.m. Wednesday, September 14, 1988. Responses and inquiries must be directed to:

Steven S. Foldes
Manager, Research and Evaluation
Department of Human Services
Health Care and Residential Programs

444 Lafayette Road
St. Paul, MN 55155-3848
(612) 296-5504

Department of Human Services

Family Support Programs

Request for Proposals from Computer Consulting Firms to Transfer from another State an Automated Public Assistance Eligibility System

The Minnesota Department of Human Services, Family Support Programs, MAXIS Project is seeking the services of an experienced computer consulting firm to perform a system code-level transfer of a federally certified automated public assistance eligibility system from another state, to make modifications to that system according to Minnesota specifications, to implement the computer system in all Minnesota county human services agencies during 1990, and to attain federal certification of the system in 1991. The planned Minnesota system is known as MAXIS.

The MAXIS computer system will automate eligibility determination, benefit levels, case management, management reporting, and other functions for the Food Stamp and Aid to Families with Dependent Children programs and selected components of Medical Assistance and other Minnesota cash assistance and medical programs.

In order to be considered for selection, proposals must be received by Kathy Tuzzolino, MAXIS Project, Department of Human Services, 3rd Floor, 444 Lafayette Road, St. Paul, Mn. 55155-3835, by 3 p.m., September 30, 1988. A vendors' conference will be held at the above address from 1 p.m. to 4 p.m. on September 13, 1988. The selected contractor is expected to begin work on or about November 7, 1988. Interested consulting firms should contact the MAXIS Project at (612) 296-1691 to request the complete Request for Proposal which contains all the instructions, terms, and conditions for proposal submittal.

State Contracts and Advertised Bids

Department of Human Services

Mental Health Division

Request for Proposal: Training and Curriculum Development for Case Management

NOTICE IS HEREBY GIVEN that the Mental Health Division, Department of Human Services is seeking proposals from qualified training organizations to produce and conduct a two part training program. The subject of the training is "Case Management for Persons with Serious and Persistent Mental Illness." Part one of the training will consist of 15 to 20 one day training sessions and will primarily address The Case Management Rule (Rule 74). In phase one of the training the audience is case managers, social workers, child welfare workers and mental health professionals.

Part two of the case management training will consist of a series of video taped presentations about case management and other mental health topics for an audience of county designated Rule 74 case managers. Part two will provide 40 hours of video taped training consisting of the following mental health issues:

1. A presentation with supporting material to explain the Comprehensive Mental Health Act.
2. An explanation of the Commitment Act and an explanation of commitment procedures.
3. The case management rule, the role of the case manager and how to write an individual community support plan.
4. Community resources.
5. An overview of the Children's Mental Health Act and children's policy issues.
6. M.A. reimbursement for mental health services, funding for case management and other mental health funding.
7. An explanation of permanency planning for children.
8. An explanation of mental illness, the needs of persons with mental illness and family involvement.
9. Client's rights, including advocacy services.
10. Community support programs.
11. Medication monitoring, Psychotropic medications, their management and side effects.
12. Mental health services which may be needed by the mentally ill population.
13. An in depth analysis and presentation concerning mental illness with specific presentations on schizophrenia, affective disorders and borderline personality disorders.
14. Cultural awareness and special needs populations.

The qualified organization must show superior capabilities in the production of training and curriculum materials, class room manuals, direct mail, promotion, registration and all other activities required for a large scale training program. The contracting organization must subcontract with various mental health professionals and other experts in the field to produce appropriate video tape presentations, where needed.

The Department has estimated that the cost of this project should not exceed \$150,000. The project will be completed by April 1, 1989.

At a minimum the proposal must contain: 1) The scope of the project, statement of purpose and anticipated results of the project 2) Project tasks with a list of tasks to be completed and, 3) goals and objectives of the project. This notice is a summary of a more extensive R.F.P. which contains an explanation of proposal contents. The complete R.F.P. is available from the Department of Human Services, Mental Health Division. Please call (612) 296-4497 for a copy.

All proposals must be sent to and received by:

Mike Hughes (612) 296-7908
Department of Human Services
Mental Health Division
444 Lafayette Road
3rd Floor
St. Paul, Minnesota 55155-3828

Not later than 4:20 p.m. October 3, 1988.

Late proposals will not be accepted. Submit 5 copies of proposal.

Department of Jobs and Training**Notice of Proposed Contracts for Federal Fiscal Years 1989, 1990 and 1991**

The Minnesota Department of Jobs and Training, Services for the Blind is publishing notice that the contracts listed below are available and will be awarded for federal fiscal years 1989 (October 1, 1988 to September 30, 1989), 1990 (October 1, 1989 to September 30, 1990), and 1991 (October 1, 1990 to September 30, 1991):

A. Notice of Proposed Contracts for Medical Services

1. Services for the Blind and Visually Handicapped is seeking 5 individuals to function as Regional General Medical Consultants in the Northeast (Duluth), Northwest (St. Cloud and Moorhead), South (Mankato) and Metro (9 county) Regions and 1 individual to function as Pediatric Specialist Medical Consultant (Statewide) to provide medical services under the contract as follows:

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

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

Julie Talbott, Program Support Manager
Services for the Blind and Visually Handicapped
1745 University Avenue
St. Paul, Minnesota 55104
(612) 642-0511

All proposals must be received by 4:30 p.m., 9/30/88.

B. Notice of Proposed Contracts for Low Vision Services

1. Services for the Blind and Visually Handicapped is seeking 1 individual to function as Low Vision Consultant to provide low vision services under the contract as follows:

- a. assist in the planning, development and conducting of in-service training for rehabilitation counselors in the area of low vision;
- b. make recommendations to the State's Authorized Agent as designated in the contract regarding staff/clinician certification;
- c. advise on the development of future low vision services;
- d. recommend follow-up low vision services needed by clients;
- e. participate in the planning, development and expansion of low vision services statewide, when requested to do so by the State's Authorized Agent as designated in the contract;
- f. provide statewide consultation and recommendations regarding low vision services, procedures and individual client needs:
 - i. The service cited will be provided at 1745 University Avenue and may be in the form of face-to-face consultation with staff or by telephone to SSB staff located in out-state locations.
 - ii. These services will be provided at times and dates agreeable to both SSB and the low vision consultant.

State Contracts and Advertised Bids

The low vision consultant will be responsible to the Director of Services for the Blind and Visually Handicapped. The individual will be paid at a rate of \$40.00 to \$60.00 per hour. Most contract work will require an average of 4 to 8 hours per month. The total cost of the contract is not anticipated to exceed \$6,000.00. Inquiries and/or proposals including a brief statement of qualifications and training/work experience should be directed to:

Julie Talbott, Program Support Manager
Services for the Blind and Visually Handicapped
1745 University Avenue
St. Paul, MN 55104
(612) 642-0511

All proposals must be received by 4:30 p.m., 9/30/88.

C. Notice of Proposed Contracts for Ophthalmological Services

1. Services for the Blind and Visually Handicapped is seeking 1 individual to function as primary ophthalmological consultant and 1 individual to function as secondary ophthalmological consultant during the extended absences of the primary consultant. The secondary ophthalmological consultant will provide ophthalmological services only when requested to do so in writing by the State's Authorized Agent as designated in the contract. Both individuals will provide statewide ophthalmological services under the contract as follows:

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

The ophthalmological consultants will be responsible to the Director of Services for the Blind and Visually Handicapped. The individuals will be paid at the rate of \$40.00 to \$60.00 per hour depending upon qualifications and previous experience in working with blind and visually handicapped persons. Most contract work will require an average of 12 hours per month. The total cost of all contracts is not anticipated to exceed \$12,000. Inquiries and/or proposals including a brief statement of qualifications and training/work experience should be directed to:

Julie Talbott, Program Support Manager
Services for the Blind and Visually Handicapped
1745 University Avenue
St. Paul, MN 55104
(612) 642-0511

All proposals must be received by 4:30 p.m., 9/30/88.

D. Notice of Proposed Contracts for Reader Services

SSB is seeking individuals/organizations to provide reader services as a reasonable accommodation to blind or visually handicapped employees of the agency. As a Reader, the individual will read incoming correspondence, case file information, regulations, grants/grant applications, etc. and record information on fiscal documents, rehabilitation plans, applications and client information system forms as dictated by the blind or visually handicapped employee. The following approximate number of contracts will be let:

1. 5 Readers for the Metro area; 1 of these must have a working knowledge or familiarity of computer-related technical terms and language.
2. 1 Reader for the Rochester area.

All individuals will be paid at a rate of \$4.50 per hour. Contracts will range from 10-20 hours per week based on the individual need of the employee. Total cost of all contracts is not expected to exceed \$12,500.00.

Inquiries and/or proposals including a brief statement of qualifications and training/work experience should be directed to:

Julie Talbott, Program Support Manager
Services for the Blind and Visually Handicapped
1745 University Avenue
St. Paul, Minnesota 55104
(612) 642-0511

State Contracts and Advertised Bids

All proposals must be received by 4:30 p.m., 9/30/88.

E. Notice of Proposed Contracts for Driver Services

SSB is seeking individuals/organizations to provide driver services as a reasonable accommodation to blind or visually handicapped employees of the agency. As a Driver, the individual will drive the blind or visually handicapped employee to meetings, client interviews or appointments and return to the office in their own or a state-owned vehicle. The following approximate number of contracts will be let:

1. 5 Drivers for the Metro area;
2. 1 Driver for the Rochester area serving Dodge, Fillmore, Freeborn, Houston and Mower Counties;

Candidates must possess a valid driver's license and good driving record and provide proof of insurance if their own vehicle is to be used.

All individuals will be paid at a rate of \$4.50 per hour. Contracts will range from 10-20 hours per week based on the individual need of the employee. An individual providing driver services who uses his/her own vehicle shall be reimbursed as part of the contract at a rate of \$.27 per mile. Total cost of all contracts is not expected to exceed \$12,500.00.

Inquiries and/or proposals including a brief statement of qualifications and training/work experience should be directed to:

Julie Talbott, Program Support Manager
Services for the Blind and Visually Handicapped
1745 University Avenue
St. Paul, Minnesota 55104
(612) 642-0511

Individuals interested in being both a reader and a driver should indicate this in their brief statement. All proposals must be received by 4:30 p.m., 9/30/88.

Department of Trade & Economic Development

Office of Tourism

Request for Proposal for Creative Services/Advertising Contract

The Travel Trade Services unit of the Minnesota Office of Tourism is seeking proposals for an advertising/creative services agency.

The goal of the program is to generate leads for Minnesota travel literature and staff services through advertising in travel trade media.

The amount of the contract is approximately \$45,000, including creative, media purchasing and all expenses. Duration of the contract is October 17, 1988 through June 30, 1989.

The application consists of general information and specific questions relating to an agency's ability to select appropriate media for travel trade advertising and develop appropriate creative to generate responses.

To receive a copy of the Request for Proposal, which includes the application/questionnaire, contact:

Chuck Lennon
Travel Trade Media Relations/Advertising
MINNESOTA OFFICE OF TOURISM
375 Jackson, Suite 250
St. Paul, MN 55101
612/297-3291

Proposals must be received no later than 5:00 p.m., Monday, September 12, 1988.

David J. Speer, Commissioner
Minnesota Department of Trade and Economic Development
Office of Tourism

Supreme Court Calendar

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

September 1988

Compiled by Susan Larson, (612) 296-2772

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

Tuesday, 6 September 1988 9:00 AM

CX-87-1132 & C1-87-1245 & C3-87-1246 BEUTZ, HARVEY ET AL, Respondent (Attorney: John Kallestad of Schneider & Kallestad) vs. **A. O. SMITH HARVESTORE PRODUCTS, INC., appellants** (Attorneys: Frederick W. Morris & Tammy L. Pust of Best and Flanagan). Opinion Court of Appeals.

Does res judicata bar further litigation of respondents' state court claims?

Whether appellants waived their right to assert the affirmative defense of res judicata? Whether sufficient public policy reasons exist in this case to bar application of the doctrine of res judicata?

C5-88-240 & C8-88-331 FRIDLUND SECURITIES COMPANY ET AL, Relator (C5-88-240), Respondent (C8-88-331) (Attorneys: Larry M. Wertheim & Steven T. Hetland of Holmes & Graven, Chartered) vs. **MINNESOTA COMMISSIONER OF REVENUE, Relator (C8-88-331), Respondent (C5-88-240)** (Attorneys: James W. Neher, Special Attorney General & Thomas R. Muck, Deputy Attorney General). Order Minnesota Tax Court.

Were the tax court's Findings of Fact supported by the evidence?

Did Fridlund sell precious metal within the meaning of *Minnesota Statutes*, Section 297A.01, Subd. 3(a)?

Did a certain number of precious metal transactions constitute investment metal contracts under *Minnesota Statutes*, Section 80A.14, subd. 12, and therefore are exempt from sales taxation?

Where the taxing authority delayed collection of an assessed sales tax for two years to await a pending judicial decision, should interest incurred on the assessed sales tax during the two year period be abated?

C0-74-45110 In re Petition for Disciplinary Action against THOMAS E. MOORE, an attorney at law of the State of Minnesota. Petition For Disciplinary Action.

What discipline is appropriate to impose upon a lawyer who, while on probation for neglect and failure to communicate with clients, continues to commit the same misconduct?

Monday 12 September 1988 9:00 AM

C9-88-550 B.E. GOODRICH COMPANY Appellants (Attorneys: Steven B. Nosek & Rodney A. Honkanen of Wagner, Johnston & Falconer, LTD.) vs. **MESABI TIRE COMPANY Respondents** (Attorneys: James W. Littlefield & Aimee Bissonette of Hart, Bruner, O'Brien & Thornton). United States District Court, District of MN, Fifth Division Certified Question.

Does the consequential economic loss exception to the rule limiting damages for fraudulent misrepresentation to out-of-pocket loss apply to the facts of this case?

If so, does the consequential economic loss exception include future profits?

C7-88-1261 In re Disciplinary Action against MICHAEL H. BURNS, an attorney of law of the State of Minnesota. Petition for Disciplinary Action.

What discipline is appropriate for respondent's neglect of client matters and repeated failure to cooperate with the disciplinary system?

C5-87-2415 KUITERS, JACOB relator (Attorney: Phillip A. Kohl of Christian, Slen, Savelkoul, Johnson, Broberg, & Kohl) vs. **COUNTY OF FREEBORN respondent** (Attorney: Paul G. Morreim, Freeborn County Attorney). Order Tax Court.

Can a taxpayer's real estate be valued for tax purposes at a value greater than market value?

Supreme Court Decisions

Tuesday 13 September 1988 9:00 AM

C8-87-1002 LIENHARD, DOUGLAS O. Appellant(Attorney: Fred H. Pritzker of Pritzker & Meyer) vs. **STATE OF MINNESOTA ET AL.** (Attorneys: Mary Ann Bernard, Special Assistant Attorney General & Peter K. Halbach, Special Assistant Attorney General). Opinion Court of Appeals.

Does *Minnesota Statutes* 3.736, subd. 4, (1978), which provides that the "total liability" of the State of Minnesota on any tort claim shall not exceed \$100,000, preclude a claim against the state for costs and interest where it has already paid actual damages of \$100,000?

Does the \$100,000 limit on recovery in tort under *Minnesota Statutes* section 3.736 (1978) violate the equal protection clause of the fourteenth amendment of the United States Constitution or article 1, section 2 of the Minnesota Constitution?

Assuming the ceiling on "total liability" in *Minnesota Statutes* section 3.736, subd. 4, (1978) is unconstitutional, is there a statutory basis for an award of costs, disbursements or interest against the state?

C9-88-323 WOLD, CARL RICHARD Appellant (Attorney: Susan J. Andrews, Assistant State Public Defender) vs. **STATE OF MINNESOTA** (Attorney: Charles P. Schumacher, Assistant County Attorney: St. Louis County). Order St. Louis County.

Was the initial detention and pat search of appellant based upon a reasonable suspicion that he was involved in a felony crime, and therefore, constitutionally permissible?

Did Appellant make a knowing, voluntary, and intelligent waiver of his constitutional rights prior to confession?

Wednesday 14 September 1988 9:00 AM

C4-87-1725 HUBER, BRYAN C. Respondent (Attorney: John W. Carey of Sieben, Grose, Von Holtum, McCoy & Carey, Ltd.) vs. **ALLEN-BRADLEY COMPANY Appellant** (Attorney: Michael R. Cunningham of Gray, Plant, Mooty, Mooty & Bennett). Opinion Court of Appeals.

Does the Manufacturer of a foot switch sold for use with heavy industrial machinery have a duty to warn of hazards associated with its use or misuse?

Is there any evidence to support the injured party's claim that there was some casual connection between the alleged failure to warn of the component equipment manufacturer and the injured party's accident?

C8-87-2361 & CX-87-2362 & C7-88-238 In re Ethics Complaint of WILLIAM R. KENNEDY Petitioner (Attorney: Michael McGlennen of McGlennen & Clemons) vs. **L.D. (C8-87-2361) & B.D. (CX-87-2362) & A.D. (C7-88-238) Respondents** (Attorneys: Catherine Avina, Special Assistant Attorney General & William J. Wernz of Office of Lawyers Professional Responsibility). Petition for Review of Ethics Complaint.

Does the policy of the Board which allows for internal review and summary dismissal of meritless or nonjurisdictional complaints against Board members and the Director or his assistants create a conflict of interest.

Supreme Court Decisions

Decisions Filed 19 August 1988

C7-87-1363 Eric Shipton v. Geo. A. Hormel Company, self-insured, Relator. Workers' Compensation Court of Appeals.

The employee's award of temporary partial benefits based on post-injury wages is affirmed but the award of temporary partial benefits at the temporary total rate is reversed.

Affirmed in part, reversed in part. Amdahl, C.J.

Kelley, J., took no part.

C7-87-1458 Richard L. Ryan v. Jorgenson Chevrolet and American Mutual Insurance Co., Relators. Workers' Compensation Court of Appeals.

The employee's award of temporary partial compensation is reversed.

Reversed. Amdahl, C.J.

C3-87-2185 Kaynard Gullekson v. Personnel World and United States Fidelity and Guaranty Company, Relators, Twin City Die Company and Farmers Insurance Group. Workers' Compensation Court of Appeals.

The findings as to the cause of the employee's temporary disability after the 1984 injury are affirmed.

Supreme Court Decisions

The award of temporary benefits is reversed and the matter remanded for recalculation in light of *Gasper v. Northern Star Company*, 422 N.W.2d 727 (Minn., 1988) and *Parson v. Holman Erection Company*, ___ N.W.2d ___ (Minn., filed August 5, 1988).

Affirmed in part, reversed in part and remanded. Amdahl, C.J.

C4-87-848 Jon H. Billigmeier, et al. v. County of Hennepin, et al., petitioners, Appellants. Court of Appeals.

A county sheriff is not entitled to collect a fee for "collection on execution after levy," *Minnesota Statutes* §357.09 (1986), computed on the value of a settlement entered into by the parties after levy, but before determination of exemption claims asserted by the judgment debtors, but is, however, entitled to a fee computed on nonexempt funds levied upon and delivered to the judgment creditor.

Affirmed. Kelley, J.

Dissenting, Popovich & Coyne, JJ.

CX-87-935 Paul Petrich, a minor, by Janice M. Lee, his natural parent and guardian v. Hartford Fire Insurance Co., petitioner, Appellant. Court of Appeals.

A policy provision excluding uninsured motorist coverage if the uninsured vehicle is owned by the insured is enforceable where the claimant's stepfather owns both the uninsured car that caused the injury and the uninsured motorist policy under which claimant seeks recovery.

Reversed. Popovich, J.

Announcements

Hill Annex Mine Transferred to DNR: The Iron Range Resources and Rehabilitation Board's duties for the Hill Annex Mine state park have been transferred to the Department of Natural Resources. The reorganization order was made to improve efficiency, avoid duplication in the operation of state government and to implement the provisions of *Minnesota Laws 1988*, chapter 686, section 50.

Reminder: Dept. of Labor & Industry's New Address: The Minnesota Department of Labor and Industry moved to 443 Lafayette Road in St. Paul, across the street from its previous location. All department phone numbers remain the same. Public parking is available on the north side of the new building, a renovated warehouse known as the Kedney Building. The former address, 444 Lafayette Road, is now occupied by the Department of Human Services which is consolidating its area offices.

New Ad Agency Picked for State's Nonsmoking Efforts: Minneapolis based Martin/Williams Advertising was chosen by the Minnesota Department of Health to conduct the next phase of advertising and marketing efforts for its nonsmoking program. Working under a 2-year, \$1.7 million contract, the new agency will be responsible for placing ads already developed by the nonsmoking program's previous advertising agency, Campbell-Mithun Advertising. Martin/Williams will also be developing a new ad campaign for the department's nonsmoking effort to be launched sometime next summer. Campbell-Mithun was the agency originally chosen to handle the next phase of the department's advertising effort, after 11 different agencies submitted proposals for the project. However, department and agency officials agreed to withdraw Campbell-Mithun from consideration after the agency was merged with the New York-based William Esty Company. Esty has an existing ad account, reported to be worth \$35 million, with Brown & Williamson Tobacco Company.

Deer Hunting Rules, Licenses Available: Deer hunting regulations, licenses and antlerless permit applications are now available from state license agents. Department of Natural Resources (DNR) wildlife officials emphasize that the deadline for applying for firearm antlerless permits and special area permits is Sept. 8 this year. Bowhunters are cautioned that several special area permits for bow hunting have different application procedures and deadlines. An exception is the application for permits to bow hunt in the Camp Ripley Military Reservation, where the deadline is Aug. 19. Officials urge all hunters to read the regulations carefully. Application for antlerless and special area permits must be made on the form issued with a firearms deer license. Persons who applied correctly for an antlerless permit in 1987, have been sent a postcard with completed label for them to attach to their application. The purpose of the label is to lessen the chance for errors on the antlerless permit applications. Use of the label is not mandatory, and an applicant's chances of winning are the same regardless of whether the label is used or if the application is filled out by hand. Firearms deer hunters are requested to take special note of the numbering system for antlerless permit areas. This system eliminates the need for a separate map for deer registration. This is the second year for registering deer on the basis of the deer regulations map. Hunters age 18 or over must provide a drivers license or official Minnesota application or it will be rejected. Hunters under the age of 18 who do not have a drivers license or Minnesota I.D. card may use

their I.D. card number on their application or it will be rejected. Hunters under the age of 18 who do not have a drivers license or Minnesota I.D. Card may use their Firearms Safety Training number to enter a special, non-preference youth drawing. All youth choosing this option will have an equal chance of being drawn within their permit area, but no preference will be gained. In Zone 4, antlerless permits will again be issued for both the first and second season. The permits will be allocated as usual for each permit area and will be valid in whichever season option the hunter chooses when purchasing a license. Therefore, the odds of obtaining a permit will be the same whether a hunter applies for the early or late season. Permits will be mailed by Oct. 26. Applicants are urged not to call the DNR regarding the status of their permits until after Oct. 26. By then, applicants should have received their permits if they were drawn. After that date, the DNR will be able to check permit status for those who feel they should have received one but did not. Wildlife officials are forecasting a deer harvest similar to last year, and are making 111,175 antlerless permits available—a 2 percent decrease from last year's 113,025. For more information, contact: LeRoy Rutske, Big Game Supervisor (612) 296-0701.

“Landscaping for Wildlife” Area Is Dedicated: Minnesota's first “Landscaping for Wildlife” habitat demonstration area was dedicated by the Minnesota Department of Natural Resources (DNR) Aug. 17. The 110-acre Uppgaard Wildlife Management Area (WMA) near Cross Lake was donated to the Minnesota DNR in December 1987, by Robert and Barbara Uppgaard of Cross Lake. This beautiful woodland area contains two lakes as well as upland hardwood forests and meadows. Loons, hawks, ruffed grouse, deer and many songbirds can be found in the area. The Uppgaards donated the land as a Wildlife Management Area so that it may be managed as Minnesota's first “Landscaping for Wildlife” woodland habitat demonstration area. The Nongame Wildlife Program in the DNR is working with the Uppgaards to manage the area's lakes, meadows and forests for a wide variety of wildlife, ranging from butterflies and hummingbirds to white-tailed deer. The habitat management techniques to be used on the Uppgaard WMA are adapted from the new DNR book, “Landscaping for Wildlife”. Woodland owners looking for ideas on how to manage their woodlands can now visit the Uppgaard WMA to get ideas for their land. The book may be purchased from the Minnesota Documents Division for \$6.95 plus 6% sales tax at 117 University Avenue, St. Paul, MN 55155, or it may be ordered through the mail or over the phone by adding \$1.50 for postage/handling. VISA and MasterCard orders can be taken by calling (612) 297-3000 or toll-free in Minnesota 1-800-652-9747 and ask for “Documents.” The area contains butterfly gardens, hummingbird flowers, songbird shrub plantings, grassy meadows, brush piles, and nest boxes for bluebirds, owls and wood ducks. Other features include walking paths maintained by volunteers and rustic benches for resting and wildlife watching. The entrance to the area is on County Road 16, two miles east of Ideal Corners in Crow Wing County. The site is about a 40 minute drive north of Brainerd, between lower Whitefish Lake and Star Lake. Driving north from Brainerd on Highway 371, turn east on County Road 16, one mile north of Pequot Lakes. Travel 9½ miles east on County Road 16. The Wildlife Management Area is on the south side of the road.

Handling Infectious Medical Waste in Minnesota: Attorney General Hubert Humphrey III has announced recommendations for improving the handling of medical and infectious waste in Minnesota and for reducing the risk of infection to those who may be exposed to this waste. In Minnesota, Humphrey's office obtained a court order last December preventing a recycling operation near Alexandria from continuing to mishandle biomedical waste, including hypodermic needles. In addition, Northern States Power Company's facility in Newport and the Pine Bend landfill have received medical waste that should not have been sent to those facilities. In similar cases, workers at other facilities have expressed concerns about accepting any medical waste for fear of contracting an infectious disease. The recommendations are the result of a 10-month study by the task force which included the Attorney General's Office, the Minnesota Pollution Control Agency (MPCA), the Minnesota Department of Health, the Metropolitan Council, the Waste Management Board and the Washington County Health Department. Representatives of waste handlers and haulers in the state attended several task force meetings as well. Among its findings, the task force concluded that portions of the rules issued by different state agencies were inconsistent and impeded the state's ability to enforce the proper handling of medical waste. The final report recommends redefining as “infectious” only those wastes that present a significant potential for transmitting disease; increased enforcement of infectious waste rules by the Department of Health and the Pollution Control Agency; and educational programs to assist waste handlers in distinguishing medical waste which presents a threat of disease transmission from waste that does not. The report also recommends steps for improving the handling of medical waste as well as regulating the generators of infectious waste. Specifically, the report advises that: 1) infectious waste be segregated from the general waste stream and clearly identified as infectious; 2) hypodermic needles, scalpels and other sharp objects be placed immediately in puncture resistant containers; 3) infectious waste should not be compacted like other waste; 4) decontaminated waste should be labeled so that waste handlers know the waste has been treated; 5) waste generators, haulers and disposal facilities prepare an infectious waste management plan; 6) the Pollution Control Agency conduct an in-depth study of biomedical waste incineration and its emissions; 7) and the Pollution Control Agency consider permitting infectious waste to be landfilled if stringent handling procedures are followed. The Attorney General's office will develop legislative proposals based on the recommendations and work with the MPCA and the Health Department to establish rules for regulating the handling of infectious waste.



Morel: Minnesota's mushroom

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

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

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

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

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

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

NOTARY PUBLIC LAWS

Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of office and procedures for removal from office. Code No. 2-13. \$4.00.



Jane Smith

NOTARY PUBLIC-MINNESOTA

RAMSEY COUNTY

My Commission Expires January 1, 1994

U.S. SMALL BUSINESS ADMINISTRATION PUBLICATIONS:

Insurance and Risk Management for Small Business

Code No. 16-50. \$3.00.

Small Business Finance

Code No. 16-42. \$2.00.

Starting and Managing a Small Business of Your Own

Code No. 16-40. \$4.75.

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

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Catching criminals is only one part of law enforcement. Here's the rest of it.

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 1987—Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code No. 2-85. \$13.00.

Criminal Code & Selected Statutes 1987—Governs the conduct of peace officers. Includes continuing education requirements, sentencing standards, and more. Code No. 2-68. \$15.00.

Blue Binder—3 ring, 2" capacity. Criminal Code and Motor Vehicle Traffic Laws require 1 binder each. Code No. 10-21. \$4.25.



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

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Murder: Minnesota style

Murder in Minnesota is a treasury of vintage crimes. Characters, some famous, some obscure, 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.

Secrets of the Congdon Mansion The prosecutor called it a crime of greed. A complex, intriguing murder case, set in one of Minnesota's most spectacular mansions, and now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball, 64 pp., drawings. Code 19-56, \$4.95.

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

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

Human Services Laws and Rules

Human Services Laws 1987

An extract from the statutes. Includes legislative amendments and additions from the most recent session. Code No. 2-56. \$21.00

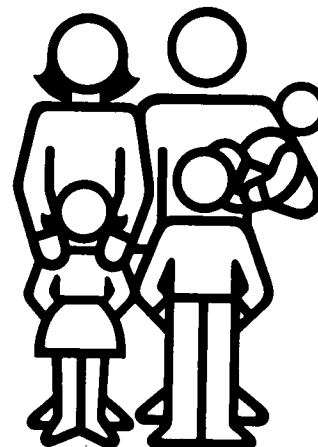
Human Services Rules as in effect July 7, 1986

Rules governing assistance programs, eligibility grant amounts, AFDC and residence requirements. MN Rules Chapter 9500-9580. Code No. 3-95. \$24.95.

Human Services Rules Supplement 1987. Includes recent changes to many rules in effect from July 1986 through January 1987. Code #3-95s1, \$14.00.

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

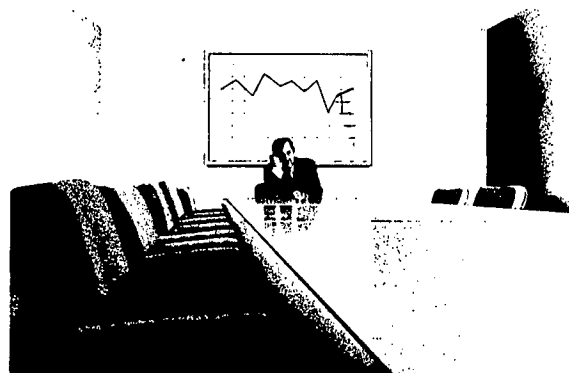
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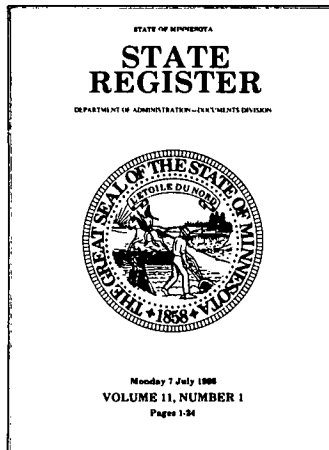
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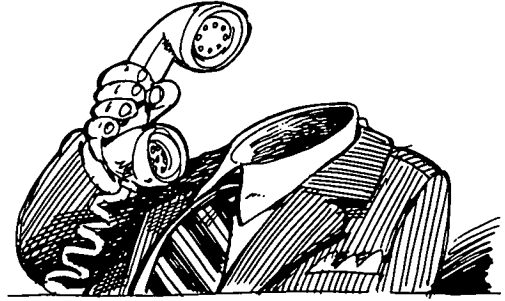
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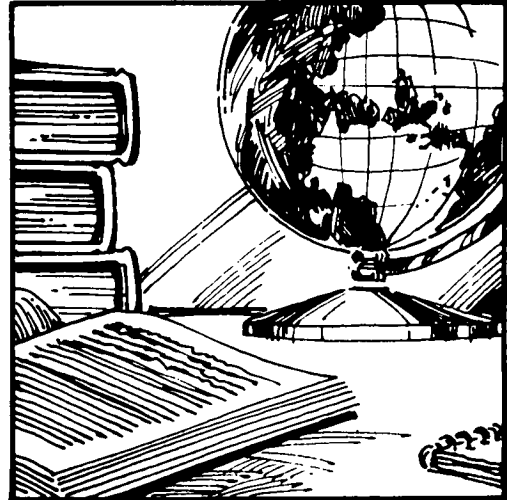
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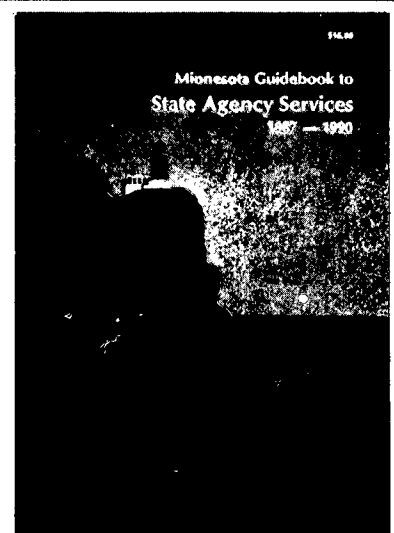
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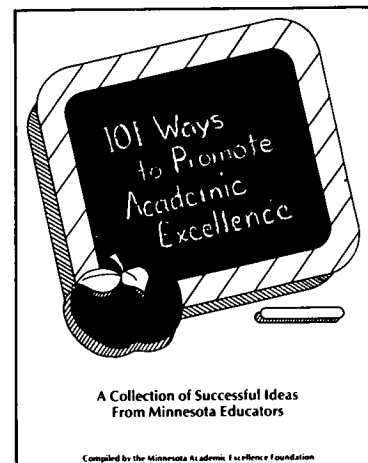
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