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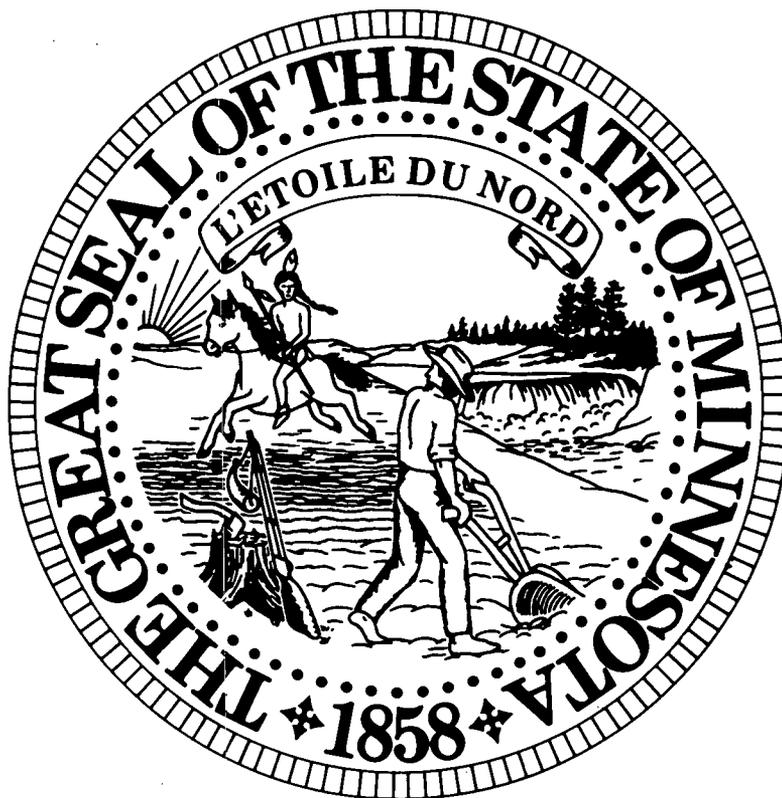
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The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

Monday 30 December 1991
Volume 16, Number 27
Pages 1581-1624

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 and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 16 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
27	Monday 16 December	Friday 20 December	Monday 30 December
28	Friday 20 December	Friday 27 December	Monday 6 January
29	Friday 27 December	Monday 6 January	Monday 13 January
30	Monday 6 January	Monday 13 January	Tuesday 21 January

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

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

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

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$140.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

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.

Arne H. Carlson, Governor

**Dana B. Badgerow, Commissioner
Department of Administration**

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

**Robin PanLener, Editor
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**Debbie George, Circulation Manager
Bonita Karels, Staff Assistant**

FOR LEGISLATIVE NEWS

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

SENATE

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

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

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

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

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

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Social workers', counselors' and therapists' guides and directories

It's Never OK. A handbook for professionals on sexual exploitation by counselors and therapists. It covers the therapeutic and prevention issues and employer responsibilities, plus recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16. \$19.95 + tax.

Chemical Dependency Programs Directory 1989/90. Features comprehensive listings for programs ranging from prevention/intervention services to a wide range of treatment services. Each type of program includes a listing of facilities and description of programs. Stock No. 1-12, \$15.00 + tax.

Process parenting—Breaking the Addictive Cycle. This training manual provides parent education and treatment techniques for professionals working with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 + tax.

TO ORDER: Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for "DOCUMENTS." Please include 6½% sales tax and \$2.00 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone. FAX: (612) 296-2265.

Publication editors: As a public service please reprint this ad in your publications. Thank you.

Proposed Rules

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

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

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

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

Department of Health

Proposed Permanent Rules Relating to Cancer Case Reporting

Notice of Intent to Amend Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Commissioner of Health (hereinafter "Commissioner") proposed to amend the following rule: M.R. § 4606.3302.

The Commissioner has determined that the proposed rule amendment will be noncontroversial in nature and has elected to follow the provisions of *Minnesota Statutes* § 14.05 and 14.21-14.28 (1990). M.S. § 14.21-14.28 provide for an expedited process for the adoption of noncontroversial administrative rule changes without the holding of a public hearing.

THE PUBLIC IS HEREBY ADVISED that:

1. There is a 30-day period in which to submit comment in support of or in opposition to the proposed rule amendment and repealer, and comment is encouraged;
2. Each comment should identify the proposed rule amendment, the reason for the comment, and any change proposed;
3. 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;
4. All comments and any written requests for a public hearing shall be submitted to Dr. Sally Bushhouse, Supervisor, Minnesota Cancer Surveillance System, Minnesota Department of Health, 717 Delaware Street Southeast, P.O. Box 9441, Minneapolis, Minnesota 55441;
5. 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 amendment, the reason for the request, and any change proposed;
6. The proposed rule amendment may be modified if modifications are supported by the data and views submitted and do not result in a substantial change in the proposed language;
7. Under this expedited procedure, the department must submit any action on its rules to the attorney general for review of the form and legality of the rule change. If a hearing is not required, notice of the date of submission of the proposed rule amendment to the attorney general for review will be mailed to any person who requests to receive the notice. Requests to receive notice must be submitted to Dr. Bushhouse at the above address;
8. Authority to amend *Minnesota Rule* § 4606.3302 is contained in *Minnesota Statute* § 144.05, 144.0742, and 144.12 (1990). Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule amendment and the repealer has been prepared and is now available. Anyone wishing to receive a copy of this document may contact Dr. Bushhouse at the above address;
9. If 25 or more persons request a public hearing on this matter, notice of any such hearing will be published in the *State Register*;

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

10. Any rule change (amendment) made pursuant to this proceeding shall be effective five days after publication in the *State Register* of notice of the adoption of the change.

Dated: 28 October 1991

Marlene E. Marschall
Commissioner of Health

Rules as Proposed

4606.3302 DEFINITIONS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Cancer.** "Cancer" means:

- A. malignant and in situ neoplasms of all sites, except basal and squamous cell carcinomas of the skin;
- B. basal and squamous cell carcinomas of the lip, eyelid, or genitalia; and
- C. all brain and central nervous system neoplasms regardless of malignancy.

[For text of subps 4 to 18, see M.R.]

Higher Education Coordinating Board

Proposed Permanent Rules Relating to Rural Physician Loan Forgiveness Program

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Higher Education Coordinating Board intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* 14.22 to 14.28 (1990). The Board's authority to adopt the rule is set forth in *Minnesota Statutes* 136A.04, Subd. 1(9) and 136A.16 (1990).

All persons have 30 days in which to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rules. That date would end on January 29, 1992 at 4:30 p.m. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 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 requests 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 rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the Board will proceed pursuant to *Minnesota Statutes* 14.131 to 14.20 (1990).

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

Mary Lou Dresbach
Minnesota Higher Education Coordinating Board
Capitol Square Building, Suite 400
550 Cedar Street
St. Paul, MN 55101

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

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

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Mary Lou Dresbach upon request.

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

Dated: 12 December 1991

David R. Powers
Executive Director

Rules as Proposed**4810.3030 APPLICATION PROCESS.**

[For text of subpart 1, see M.R.]

Subp. 2. [See repealer.]

Subp. 3. **Application form and contract.** During the first year of residency, the prospective physician must ~~sign a contract with complete and return the application form and contract provided by the executive director agreeing.~~ The prospective physician agrees to serve at least three of the first five years following residency in a designated rural area if chosen as a participant. Failure to complete and return the application form and contract by the specified deadline date results in the elimination of the applicant from the classification list.

[For text of subs 4 and 5, see M.R.]

REPEALER. Minnesota Rules, part 4810.3030, subpart 2, is repealed.

Department of Labor and Industry

Occupational Safety and Health Division

Proposed Revisions to the Occupational Safety and Health Standards and Request for Comments

NOTICE IS HEREBY GIVEN that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* 182.655 (1990). This notice proposes the adoption by reference of Occupational Safety and Health Standards that have already been proposed and adopted by the Federal Occupational Safety and Health Administration (Federal OSHA).

A complete copy of the federal standards proposed for adoption is available by writing: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307; or by calling: (612) 297-3254.

Interested persons are hereby afforded a period of 30 days to submit written data or comments on the described standards. Any interested person may file with the Commissioner written objections to the proposed standard stating the grounds for those objections. Such person may request a public hearing on those objections. Written comments or requests for hearing should be sent to the above address and must include the name and address of the person submitting the comment or request, define the reasons for the comment or request, and discuss any proposed changes.

John B. Lennes, Commissioner

Standards as Proposed**5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.**

[For text of subpart 1, see M.R.]

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the *Federal Register* on October 24, 1978 and corrected in Volume 43, No. 216, November 7, 1979 which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes prior to ~~June 4, 1991~~ December 10, 1991:

[For text of items A. to M., see M.R.]

N. *Federal Register*, Vol. 56:

[For text of subitems (1) to (3), see M.R.]

(4) *Federal Register*, Vol. 56, No. 113, dated June 12, 1991: "Occupational Exposure to Formaldehyde, Extension of Administrative Stay."

(5) *Federal Register*, Vol. 56, No. 153, dated August 8, 1991: "Occupational Exposure to Formaldehyde, Extension of Administrative Stay."

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

(6) Federal Register, Vol. 56, No. 171, dated September 4, 1991: "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Extension of Partial Stay and Amendment of Final Rule."

(7) Federal Register, Vol. 56, No. 219, dated November 13, 1991: "Occupational Exposure to Formaldehyde, Extension of Administrative Stay."

(8) Federal Register, Vol. 56, No. 235, dated December 6, 1991: "Occupational Exposure to Bloodborne Pathogens; Final Rule."

[For text of subs. 3 to 5, see M.R.]

Subp. 6. **Part 1926.** Part 1926: Construction Safety and Health Regulations as published in Part VII, Volume 44, No. 29 of the *Federal Register* on February 9, 1979, which incorporates changes, additions, deletions, and corrections made up to October 17, 1978, and includes General Industry Occupational Safety and Health Standards (29 CFR Part 1910) which have been identified as applicable to construction work; and subsequent changes made prior to ~~June 1, 1991~~ December 10, 1991:

[For text of items A. to F, see M.R.]

G. *Federal Register*, Vol. 56:

[For text of subitems (1) and (2), see M.R.]

(3) Federal Register, Vol. 56, No. 164, dated August 23, 1991: "Safety Standards for Stairways and Ladders Used in the Construction Industry."

(4) Federal Register, Vol. 56, No. 171, dated September 4, 1991: "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Extension of Partial Stay and Amendment of Final Rule."

Summary of Standards: The following summary of each standard proposed for adoption is very brief. Persons interested in reviewing any of these standards in their entirety may obtain a copy at the above address.

A) "Occupational Exposure to Formaldehyde; Extension of Administrative Stay." Federal OSHA adopted the final rule on Occupational Exposure to Formaldehyde on December 4, 1987. Because confusion existed about the hazard warning provisions of this new standard, Federal OSHA announced an administrative stay of paragraphs (m)(1)(i) through (m)(4)(ii) on December 13, 1988. The stay was to remain in effect for nine months while OSHA reviewed comments concerning the proposal to revoke these paragraphs and replace them with the Hazard Communication Standard (29 CFR 1910.1200) or another equally protective alternative. The stay was subsequently extended several times. OSHA is completing its re-evaluation of the need to stay these paragraphs; however, more time is needed to complete the evaluation. Consequently, on June 12, 1991, Federal OSHA extended the stay for an additional 60 days, making the stay effective through August 8, 1991.

On July 14, 1991, Federal OSHA published a proposal to resolve several remaining issues on formaldehyde, including those raised by the stayed paragraphs. The public was given until August 14, 1991 to submit comments. Consequently the stay was again extended for an additional 90 days on August 8, 1991, making the stay effective through November 8, 1991. On November 13, 1991, Federal OSHA extended the stay an additional 90 days in order to allow time for review and analysis of comments that were received in response to the July 15 notice. The stay will, therefore, remain in effect until February 4, 1992.

Minnesota OSHA adopted the Occupational Exposure to Formaldehyde standard on May 30, 1988, and has subsequently adopted all administrative stays of paragraphs (m)(1)(i) through (m)(4)(ii). By this notice, Minnesota OSHA proposes to continue the administrative stay to coincide with the Federal OSHA extension.

B) "Safety Standards for Stairways and Ladders Used in the Construction Industry; Technical Amendments to the Final Rule." (Federal OSHA adopted the revised Standard for Stairways and Ladders Used in the Construction Industry on November 14, 1990. Two corrections to the final rule were published in the *Federal Register* on August 23, 1991.

One correction, in 1926.1052(c)(1), is needed to reinstate the requirements that stairways have at least one handrail whether or not the sides of the stairs are enclosed by walls, and that stairrails be installed along all unprotected sides of stairways. The other correction, in 1926.1052(a)(3)(i), is to indicate clearly that individual-rung/step ladders are addressed by the standard and that the rung/step spacing must be measured between centerlines of the rungs, cleats or steps.

In the final rule, 1926.1052(c)(1), Federal OSHA inadvertently blurred the distinction between the handrail and stairrail requirements when the requirements for handrails and stairrails were consolidated into one paragraph. A method of measuring the rung spacing for individual rung ladders was inadvertently omitted from the final rule when two measuring methods contained in the proposal were consolidated into one paragraph in the final rule. To correct these discrepancies, Federal OSHA is returning to the language in the proposed standard setting out the handrail and stairrail requirements separately. Also, the Agency revised the final rule to require that the spacing for all fixed ladders be measured between centerlines of the rungs as was specified in the proposal. Minnesota OSHA adopted the final Safety Standards for Stairways and Ladders Used in the Construction Industry on February 25, 1991. By this notice, Minnesota OSHA proposes to adopt the technical amendments as published in the *Federal Register* on August 23, 1991.

3) "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Extension of Partial Stay and Amendment of Final Rule." Federal OSHA established a partial administrative stay of the Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite Standard for general industry and construction insofar as they apply to non-asbestiform tremolite, anthophyllite and actinolite. The stay was scheduled to expire on August 31, 1991. On September 4, 1991, Federal OSHA extended the stay until February 28, 1992 to allow time to complete supplemental rulemaking limited to the issue of whether non-asbestiform tremolite, anthophyllite, and actinolite should continue to be regulated in the same standard as asbestos or should be treated in some other way. Minor conforming amendments were also made to "notes" in 1910.1001 and 1926.58.

Minnesota OSHA adopted the Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite standards (1910.1001 and 1926.58) on November 10, 1986. In addition, the partial administrative stay was adopted on March 30, 1987; all subsequent extensions were also adopted.

By this notice, Minnesota OSHA proposes to extend the partial administrative stay to February 28, 1992 to coincide with the Federal OSHA extension.

4) "Occupational Exposure to Bloodborne Pathogens; Final Rule." On December 6, 1991, Federal OSHA published the final rule governing bloodborne pathogens. The purpose of the standard is to limit occupational exposure to blood and other potentially infectious materials since any exposure could result in transmission of bloodborne pathogens which could lead to disease or death.

The standard covers all employees who could be "reasonably anticipated" as the result of performing their jobs duties to come in contact with blood and other potentially infectious materials. "Good Samaritan" acts such as assisting a co-worker with a nosebleed would not be considered occupational exposure. Infectious materials include semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid visibly contaminated with blood and all body fluids in situations where it is difficult or impossible to differentiate between body fluids. They also include any unfixed tissue or organ other than intact skin from a human (living or dead) and human immunodeficiency virus (HIV)-containing cell or tissue cultures, organ cultures and HIV or hepatitis B (HBV)-containing culture medium or other solution as well as blood, organs or other tissues from experimental animals infected with HIV or HBV.

The standard requires employers to identify, in writing, tasks and procedures as well as job classifications where occupational exposure to blood occurs—without regard to personal protective clothing and equipment. It must also set forth the schedule for implementing other provisions of the standard and specify the procedure for evaluating circumstances surrounding exposure incidents. The plan must be accessible to employees and available to OSHA. Employers must review and update it at least annually—more often if necessary to accommodate workplace changes.

Universal precautions (treating body fluids/materials as if infectious) are mandated by the standard; engineering and work practice controls are emphasized. The standard stresses handwashing and requires employers to provide facilities and ensure that employees use them following exposure to blood. It sets forth procedures to minimize needlesticks, minimize splashing and spraying of blood, ensure appropriate packaging of specimens and regulated wastes and decontaminate equipment or label it as contaminated before shipping to servicing facilities.

Employers must provide, at no cost, and require employees to use appropriate personal protective equipment such as gloves, gowns, masks, mouthpieces and resuscitation bags and must clean, repair, and replace these when necessary. Gloves are not necessarily required for routine phlebotomies in volunteer blood donation centers but must be made available to employees who want them.

The standard requires a written schedule for cleaning, identifying the method of decontamination to be used, in addition to cleaning following contact with blood or other potentially infectious materials. It specifies methods for disposing of contaminated sharps and sets forth standards for containers for these items and other regulated waste. Further, the standard includes provisions for handling contaminated laundry to minimize exposures.

Specific requirements for HIV and HBV research laboratories and production facilities are also included in the final rule. These facilities must follow standard microbiological practices and the specified additional practices included in the standard which are intended to minimize exposures of employees working with concentrated viruses and reduce the risk of accidental exposure for other employees at the facility. These facilities must include required containment equipment and an autoclave for decontamination of regulated waste and must be constructed to limit risks and enable easy clean up. Additional training and experience requirements apply to workers in these facilities.

Hepatitis B vaccinations must be made available to all employees who have occupational exposure to blood within 10 working days of assignment. The vaccinations must be provided at no cost to the employee, at a reasonable time and place, and administered under

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

the supervision of licensed physicians or licensed health care professionals in accordance with the latest recommendations of the U.S. Public Health Service (USPHS). Prescreening may not be required as a condition of receiving the vaccine. Employees must sign a declination form if they choose not to be vaccinated, but may later opt to receive the vaccine at no cost to the employee. Should booster doses later be recommended by the USPHS, employees must be offered them. [Appendix A includes a mandatory declination form.]

Post-exposure evaluation and follow-up procedures must be made available to all employees who have had an exposure incident. Laboratory tests must be conducted by an accredited laboratory at no cost to the employee. Follow-up must include a confidential medical evaluation documenting the circumstances of exposure, identifying and testing the source individual if feasible, testing the exposed employee's blood if he/she consents, post-exposure prophylaxis, counseling and evaluation of reported illnesses. Health care professionals must be provided with specified information to facilitate the evaluation and their written opinion on the need for hepatitis B vaccination following the exposure. Information such as the employee's ability to receive the hepatitis B vaccine must be supplied to the employer. All diagnoses must remain confidential.

Warning labels including the orange or orange-red biohazard symbol must be affixed to containers of regulated waste, refrigerators and freezers and other containers which are used to store or transport blood or other potentially infectious materials. Red bags or containers may be used instead of labeling. When a facility uses universal precautions in its handling of all specimens, labeling is not required within the facility. Likewise, when all laundry is handled with universal precautions, the laundry need not be labeled. Blood which has been tested and found free of HIV or HBV and released for clinical use, and regulated waste which has been decontaminated, need not be labeled. Signs must be used to identify restricted areas in HIV and HBV research laboratories and production facilities.

Training must be conducted under this standard within 90 days of the effective date, initially upon assignment and annually. Employees who have received appropriate training within the past year need only receive additional training in items not previously covered. Training must include making accessible a copy of the regulatory text of the standard and explanation of its contents; general discussion on bloodborne diseases and their transmission; exposure control plan; engineering and work practice controls; personal protective equipment; hepatitis B vaccine; response to emergencies involving blood; how to handle exposure incidents; the post-exposure evaluation and follow-up program; and signs, labels, and color-coding. There must be opportunity for questions and answers, and the trainer must be knowledgeable in the subject matter. Laboratory and production facility workers must receive additional specialized initial training.

Medical records must be kept for each employee with occupational exposure for the duration of employment plus 30 years, must be confidential and must include the employee's name and social security number; hepatitis B vaccination status (including dates); results of any examinations, medical testing and follow-up procedures; a copy of the health care professional's written opinion; and a copy of the information that was provided to the health care professional. Training records must be maintained for three years and must include dates, contents of the training program or a summary, trainer's name and qualifications, and the names and job titles of all persons attending the sessions. Medical records must be made available to the subject employee, anyone with written consent of the employee, OSHA and NIOSH. They are not available to the employer. Disposal of records must be in accordance with the access to records standard, 29 CFR 1910.20.

The standard becomes effective at the federal level on March 6, 1992. Exposure control plans must be completed on or before May 5, 1992. Information and training requirements of the standard become effective June 4, 1992. All other provisions of the standard take effect July 6, 1992, including engineering and work practice controls, personal protective equipment, housekeeping, special provisions covering HIV and HBV research laboratories and production facilities, hepatitis B vaccination, post-exposure evaluation and follow-up, and labels and signs.

By this notice Minnesota OSHA proposes to adopt the Occupational Exposure to Bloodborne Pathogens as published in the *Federal Register* on December 6, 1991. Upon adoption, the effective dates for the various provisions will be the same as the federal dates noted above.

Emergency Rules

Proposed Emergency Rules

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

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

Adopted Emergency Rules

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

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

Continued/Extended Emergency Rules

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

Department of Jobs and Training

Rehabilitation Services Division

Notice to Extended Emergency Rules parts 3335.0010 to 3335.0030 [Emergency]

The Department of Jobs and Training, Division of Rehabilitation Services is extending Emergency Rules parts 3335.0010 to 3335.0030 which were published on May 20, 1991 in the *State Register* (15 S.R. 2493-2496), approved by the Attorney General on July 12, 1991, and became effective on July 19, 1991, five working days after approval by the Attorney General. These rules will remain in effect until July 13, 1992 unless rescinded earlier by permanent rules.

Dated: 10 December 1991

R. Jane Brown
Commissioner

Department of Human Services

Adopted Emergency Rules Governing Grants for Community-Based Mental Health Services for Children with Severe Emotional Disturbance and their Families

The rules proposed and published at *State Register*, Volume 16, Number 16, pages 983-988, October 14, 1991 (16 SR 983), are adopted with the following modifications:

Emergency Rules as Adopted

9535.1720 [Emergency] USE OF GRANT FUNDS.

Subp. 3. **Day treatment services.** Part of the 70 percent of the grant award specified in subpart 1 may be used to provide day treatment services only if a county board demonstrates to the commissioner that all family community support services specified in subpart 1, items A to H, ~~are~~ will be available as required under *Minnesota Statutes*, section 245.4884, subdivision 1, before any of the grant award is used to provide day treatment services.

Subp. 4. **Professional home-based family treatment services.** Part of the 70 percent of the grant award specified in subpart 1 may be used to provide professional home-based family treatment services only if a county board demonstrates to the commissioner that:

- A. all family community support services specified in subpart 1, items A to H, ~~are~~ will be available as required under *Minnesota*

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

Emergency Rules

Statutes, section 245.4884, subdivision 1, before any of the grant award is used to provide professional home-based family treatment services; and

B. day treatment services ~~are~~ will be available as required under *Minnesota Statutes*, section 245.4884, subdivision 2, before any of the grant award is used to provide professional home-based family treatment services.

Subp. 5. **Foster care with therapeutic supports.** Part of the 70 percent of the grant award specified in subpart 1 may be used to provide foster care with therapeutic supports only if a county board demonstrates to the commissioner that:

A. all family community support services specified in subpart 1, items A to H, ~~are~~ will be available as required under *Minnesota Statutes*, section 245.4884, subdivision 1, before any of the grant award is used to provide foster care with therapeutic supports;

B. day treatment services ~~are~~ will be available as required under *Minnesota Statutes*, section 245.4884, subdivision 2, before any of the grant award is used to provide foster care with therapeutic supports; and

C. professional home-based family treatment services ~~are~~ will be available as required under *Minnesota Statutes*, section 245.4884, subdivision 3, before any of the grant award is used to provide foster care with therapeutic supports.

Executive Orders

Executive Department

Emergency Executive Order 91-27: Providing for Assistance to Officials of Polk County, Minnesota

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, the Sheriff of Polk County, Minnesota has requested assistance in rescuing motorists stranded due to a severe winter storm; and

WHEREAS, the rescue of the stranded motorists is beyond the capabilities of local resources;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to active duty on or after December 14, 1991, in the service of the State, such elements and equipment of the military forces of the State as required and for such period of time as necessary to ensure the safety of our citizens.

2. The cost of subsistence, transportation, fuel, and pay and allowances of said individuals shall be defrayed from the general fund of the State as provided for in *Minnesota Statutes* 1990, Sections 192.49, subd. 1; 192.51, and 192.52.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, subd. 2, this Order shall be effective December 14, 1991, and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this fourteenth day of December, 1991.


Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Executive Department

Emergency Executive Order 91-28: Providing for Assistance to Officials of Hubbard County, Minnesota

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, the Sheriff of Hubbard County, Minnesota has requested assistance in providing potable drinking water for the Park Rapids schools, hospital, and nursing home; and

WHEREAS, drinking water in Park Rapids, Minnesota has become contaminated; and

WHEREAS, providing uncontaminated drinking water to the Park Rapids schools, hospital, and nursing home is beyond the capabilities of local resources;

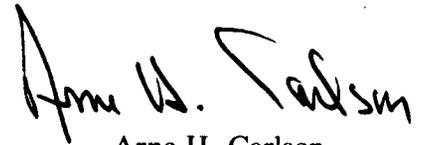
NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to active duty on or after December 17, 1991, in the service of the State, such elements and equipment of the military forces of the State as required and for such period of time as necessary to ensure safe drinking water to the Park Rapids schools, hospital, and nursing home.

2. The cost of subsistence, transportation, fuel, and pay and allowances of said individuals shall be defrayed from the general fund of the State as provided for in *Minnesota Statutes* 1990, Sections 192.49, subd. 1; 192.51, and 192.52.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, subd. 2, this Order shall be effective December 17, 1991, and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this seventeenth day of December, 1991.



Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

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 Agriculture

Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on January 7, 1992 at 9 a.m. in Room 145 Department of

Official Notices

Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 80 acres of farmland located in Section 21 Lac Qui Parle Township, Lac Qui Parle County, Minnesota on behalf of David C. & Ginger Baldwin, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$65,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to take payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 17 December 1991

LaVonne Nicolai
RFA Executive Director

Department of Human Services

Chemical Dependency Program Division

Mental Health Division

Notice of Legislative Hearing on the Federal Alcohol, Drug Abuse and Mental Health Block Grant, and the Availability of a Statement Describing the Intended Use of Funds—Federal Fiscal Year 1992

NOTICE IS HEREBY GIVEN that a joint hearing will be conducted by the House Appropriations and Senate Finance Health and Human Services Divisions on the use of the Federal Alcohol, Drug Abuse and Mental Health Block Grant. The hearing will be held January 13, 1992 at 9:00 a.m. in Room 200, State Office Building.

NOTICE IS ALSO GIVEN that the Department of Human Services has available a Description of Intended Use for funds available to the State of Minnesota from the Federal Fiscal Year 1992 Alcohol, Drug Abuse, and Mental Health Block Grant. This description is being made available to the public for comment in accord with Title XIX, Part B of the Public Health Services Act.

Information about the Alcohol and Drug Abuse plan is available from: Sheila Vadnais, Chemical Dependency Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3823, phone 612/296-3991.

The Mental Health Services Plan is available from John Zakelj, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3828, phone 612/296-4426.

All interested or affected persons and organizations are invited to attend the hearing or submit comments. Comments on the proposed plans may be directed to the contact persons listed above.

Department of Human Services

Health Care Management Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendments of the Rules Governing Case Management Services to Persons with Serious and Persistent Mental Illness, *Minnesota Rules*, Parts 9505.0476 to 9505.0491

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose amendments to rules governing the provision of case management services to persons with serious and persistent mental illness, *Minnesota Rules*, parts 9505.0476 to 9505.0491. The amendments will implement the requirements of *Minnesota Statutes* 1991, sections 245.4711, subdivision 9 and 245.4881. The adoption of the rule amendments is authorized by *Minnesota Statutes* 1991, sections 245.4711, subdivision 9, and 245.484.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule amendments. 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:

Eleanor Weber
Rules and Bulletins Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816

Oral statements will be received during regular business hours over the telephone at (612) 297-4301 and in person at the above address.

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

Eleanor Weber, Assistant Director
Rules and Bulletins Division

State Board of Investment

Notice of Intent to Solicit Interest from Private Money Management Firms

The Minnesota Board of Investment (SBI) retains private money management firms to manage a portion of the pension assets and other accounts under its control. Firms interested in managing either equity or fixed income assets for the SBI are asked to contact the following address for additional information:

Michael J. Menssen, Manager
External Equity Program
and

James H. Lukens
Manager, External Fixed Income Program

Minnesota State Board of Investment
Room 105—MEA Building
55 Sherburne Avenue
St. Paul, Minnesota 55155

Department of Jobs and Training

Rehabilitation Services Division

Notice of Solicitation of Outside Information or Opinions Regarding the Adoption of a Permanent Rule Amending the Emergency Rule Governing Loan Reduction Relating to Vocational Rehabilitation Services

NOTICE IS HEREBY GIVEN that the State Department of Jobs and Training, Rehabilitation Services Division, is seeking information or opinions from sources outside the agency in preparing to propose the adoption of a permanent rule to replace the current emergency rule, Minnesota Code of Agency Regulations 3335.0010 to 3335.0030 [Emergency]. The adoption of the rule is authorized by *Minnesota Statutes*, section 268A.03(m), which permits the agency to adopt rules governing the provision of vocational rehabilitation services.

The State Department of Jobs and Training, Rehabilitation Services Division, 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: Duane Sermon, Client Support Services, 5th Floor, 390 North Robert Street, St. Paul, Minnesota 55101. Oral statements will be received during regular business hours over the telephone at (612) 296-5634 and in person at the same address. TDD calls will be received at (612) 296-3900.

A free copy of the current emergency rule is available by contacting Duane Sermon.

All statements of information and opinions will be accepted until January 27, 1992. Any written material received by the State Department of Jobs and Training, Rehabilitation Services Division will 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: 10 December 1991

R. Jane Brown
Commissioner

Department of Trade and Economic Development

Community Development Division

Comments Sought on the Proposed Final Statement for the 1992 Small Cities Community Development Block Grant Program

NOTICE IS HEREBY GIVEN that the Department of Trade and Economic Development, Community Development Division, is seeking comments or opinions from sources outside the agency in preparing to submit the Final Statement for the 1992 Small Cities Community Development Block Grant (CDBG) Program. The 1992 Final Statement will be submitted to the U.S. Department of Housing and Urban Development by March 31, 1992.

The State of Minnesota anticipates an allocation of between \$18.0 to \$21.0 million.

The 1992 Final Statement will consist of the Administrative Rules Governing the Community Development Block Grant Program which are found in *Minnesota Rules*, Chapter 4300, as amended; a description of the use of funds in the 1991 grant program; an assessment of the use of funds in the 1991 grant program in relation to the community development objectives in the Rules and to the requirements of section 105 of the U.S. Housing and Community Development Act of 1974, as amended.

The Minnesota Department of Trade and Economic Development, Community Development Division, requests comments or opinions concerning proposed use of grant funds. Interested or affected persons, groups, or units of general purpose local government may submit statements or comments orally or in writing. Written statements should be addressed to:

Louis Jambois
Community Development Division
Minnesota Department of Trade and Economic Development
8th Floor, American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101

A public hearing will be conducted by the Community Development Division on January 13, 1992, at 1:30 p.m. in Conference Room 10, 8th Floor American Center Building. Oral statements will also be received during regular business hours over the telephone at 612/297-3172 or in person at the above address until 4:30 p.m. on January 13, 1992.

Final Statement as Proposed

Federal fiscal year 1992 Community Development Block Grant funds made available to the State for distribution to nonentitlement areas will be distributed in accordance with administrative rules adopted in Chapter 4300. The text of said rules is as follows:

CHAPTER 4300 COMMUNITY BLOCK GRANTS

Subp. 1. Scope. As used in this chapter, the following terms have the meanings given them.

Subp. 2. Application year. "Application year" means the state fiscal year beginning July 1 and ending June 30.

Subp. 2a. Commissioner. "Commissioner" means the commissioner of the Minnesota Department of Trade and Economic Development.

Subp. 2b. Community development application. "Community development application" means the official consolidated application form as developed by the Department of Trade and Economic Development to be used to apply for funding assistance from various community assistance programs administered by the Community Development Division.

Subp. 3. Community development need. "Community development need" means a demonstrated deficiency in housing stock, public facilities, economic opportunities, or other services which are necessary for developing or maintaining viable communities.

Subp. 4. Competitive grant. "Competitive grant" means a grant application that is evaluated and ranked in comparison to other applications in the same grant category and includes housing, public facilities and comprehensive applications.

Subp. 5. Comprehensive program. "Comprehensive program" means a combination of at least two interrelated projects which are designed to address community development needs which by their nature require a coordination of housing, public facilities, or economic development activities. A comprehensive program must be designed to benefit a defined geographic area, otherwise known as a program area.

Subp. 5a. Division. "Division" means the Community Development Division in the Department of Trade and Economic Development to which the program is assigned.

Subp. 6. Economic development project. "Economic development project" means one or more activities designed to create new employment, maintain existing employment, increase the local tax base, or otherwise increase economic activity in a community.

Subp. 7. Eligible activities. "Eligible activities" means those activities so designated in *United States Code*, title 42, section 5305 (1981) and as described in *Code of Federal Regulations*, title 24, sections 570.200-570.207 (1981).

Subp. 8. General purpose local government. "General purpose local government" means townships as described in *Minnesota Statutes*, chapter 365; cities as described in *Minnesota Statutes*, chapters 410 and 412; and counties.

Subp. 9. Grant. "Grant" means an agreement between the state and an eligible recipient through which the state provides funds to carry out specified programs, services, or activities.

Subp. 10. Grant closeout. "Grant closeout" means the process by which the division determines that all applicable administrative actions and all required work have been completed by the grant recipient and the department.

Subp. 11. Grant year. "Grant year" means any period of time during which the United States Department of Housing and Urban Development makes funds from any federal fiscal year available to the state for distribution to local governments under *United States Code*, title 42, sections 5301-5316 (1981), and includes the period of time during which the division solicits applications and makes grant awards.

Subp. 11a. Housing and community development needs assessment. "Housing and community development needs assessment" means an analysis of priority community needs as required by Section 104 of the Housing and Community Development Act of 1974, *United States Code*, title 42, section 5304(b)(3).

Subp. 12. Infrastructure. "Infrastructure" means the basic physical systems, structures, and facilities, such as roads, bridges, water, and sewer, which are necessary to support a community.

Subp. 13. Low and moderate income. "Low and moderate income" means income which does not exceed 80 percent of the median income for the area.

Subp. 14. Metropolitan city. "Metropolitan city" means a city over 50,000 population or a central city of a standard metropolitan statistical area that receives entitlement grants under *United States Code*, title 42, section 5306 (1981) directly from the United States Department of Housing and Urban Development.

Subp. 15. Nonentitlement area. "Nonentitlement area" means an area that is not a metropolitan city or part of an urban county.

Subp. 16. [Repealed, 14 SR 1098].

Subp. 17. Per capita assessed valuation. "Per capita assessed valuation" means the adjusted assessed valuation divided by population.

Subp. 18. Population. "Population" means the number of persons who are residents in a county, city, or township as established by the last federal census, by a census taken pursuant to *Minnesota Statute* § 275.53, subd. 2, by a population estimate made by the Metropolitan Council, or by the population estimate of the state demographer made under *Minnesota Statute* § 116K.05, subd. 4, clause (10), whichever is most recent as to the stated date of count or estimate, up to and including the most recent July 1.

Subp. 19. Poverty persons. "Poverty persons" means individuals or families whose incomes are below the poverty level as determined by the most current data available from the United States Department of Commerce, taking into account variations in cost of living for the area affected.

Subp. 20. Program. "Program" means the community development block grant program for nonentitlement areas.

Subp. 21. Program area. "Program area" means a defined geographic area within which an applicant has determined that there exists a need for community development activities. A program area may be a neighborhood in a community or an entire community.

Subp. 22. Program income. "Program income" means gross income earned by the grant recipient from grant-supported activities, excluding interest earned on advances.

Subp. 23. Project. "Project" means one or more activities designed to meet a specific community development need.

Subp. 24. [Repealed, 14 SR 1098].

Subp. 25. Slums and blight. "Slums and blight" means areas or neighborhoods which are characterized by conditions used to describe deteriorated areas in *Minnesota Statute* § 462.421 or which are characterized by the conditions used to describe redevelopment districts in *Minnesota Statute* § 273.73, subd. 10.

Subp. 26. Single-purpose project. "Single-purpose project" means one or more activities designed to meet a specific housing or public facilities community development need within a defined program area.

Subp. 27. Urban county. "Urban county" means a county which is located in a metropolitan area and is entitled to receive grants under *United States Code*, title 42, section 5306 (1981), directly from the United States Department of Housing and Urban Development.

Official Notices

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; L 1987 c 312 art 1; 14 SR 1098

NOTE: *Minnesota Statutes*, section 275.53, was repealed by *Laws of Minnesota 1981*, First Special Session, chapter 1, article 5, section 13.

4300.0200. Purpose

This chapter gives procedures for evaluating applications for grants and awarding them to eligible applicants by the Department of Trade and Economic Development under *United States Code*, title 42, sections 5301-5316 (1981), and regulations adopted in *Code of Federal Regulations*, title 24, part 570, and under *Minnesota Statutes*, section 116J.873.

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; L 1987 c 312 art 1; 14 SR 1098

4300.0300. Objective of the Program

The primary objective of this program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low and moderate income. Activities funded under this program shall not benefit moderate-income persons to the exclusion of low-income persons. All funded activities must be designed to:

A. Benefit low- and moderate-income persons;

B. Prevent or eliminate slums and blight; or

C. Alleviate urgent community development needs caused by existing conditions which pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet those needs.

MS s 116J.401; 116J.403

8 SR 1263; L 1987 c 312 art 1

4300.0400. Application of Federal Law

If it is determined that any provisions of parts 4300.0100 to 4300.3200 are inconsistent with federal law, federal law controls to the extent necessary to eliminate the conflict.

MS s 116J.401; 116J.403

L 1987 c 312 art 1

GRANT APPLICATION, EVALUATION, AND DETERMINATION

4300.1100. Types of Competitive Grants Available

Subp. 1. Single-purpose grants. The division shall approve grant applications for funding for single-purpose projects. The division shall place single-purpose grant applications in one of the following categories for purposes of evaluation:

A. Housing projects which include one or more activities designed to increase the supply or quality of dwellings suited to the occupancy of individuals and families; or

B. Public facilities projects which include one or more activities designed to acquire, construct, reconstruct, or install buildings or infrastructure which serve a neighborhood area or community.

Subp. 2 Comprehensive grants. The division shall approve comprehensive grants for two or more projects which constitute a comprehensive program as described in part 4300.0100.

Subp. 3. [Repealed 11 SR 2416].

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; 11 SR 2416; L 1987 c 312 art 1; 14 SR 1098

4300.1101. Economic Development Grants, Noncompetitive

The division shall approve grants for economic development projects for funding throughout the application year, or until the funds reserved have been exhausted.

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; L 1987 c 312 art 1; 14 SR 1098

4300.1200. Application Process and Requirements

Subp. 1. Community development application manual. The division shall make the community development application manual,

additional instructional materials, and forms available on a year-round basis. The manual and additional materials and forms shall instruct applicants in the preparation of applications and describe the method by which the division will evaluate and rank applications.

Subp. 2. Eligibility requirements. Any unit of general purpose local government, including cities, counties, and townships located in a nonentitlement area or electing exclusion from an urban county under *United States Code*, title 42, section 5302 (1981), may apply for a grant. An eligible applicant may apply on behalf of other eligible applicants. Applications submitted on behalf of other applicants must be approved by the governing body of all local governments party to the application. An eligible applicant may receive only one competitive grant per grant year and no eligible applicant shall be included in more than one competitive application. An eligible applicant may receive one economic development grant in addition to a competitive grant each application year.

Subp. 3 Disqualification of applicants. Applications from otherwise eligible applicants shall be disqualified where for previously awarded grants under these parts or awarded by the Department of Housing and Urban Development under *United States Code*, title 42, section 5306 (1981), it is determined by the division that any of the following conditions exist:

A. There are outstanding audit findings on previous community development grants and the grantee has not objected on a reasonable basis to the findings or demonstrated a willingness to resolve the findings;

B. Previously approved projects have passed scheduled dates for grant closeout and the grantee's ability to complete the project in an expeditious manner is in question; or

C. The applicant has not made scheduled progress on previously approved projects and the grantee's ability to complete the project in an expeditious manner is in question.

Subp. 4. Contents of community development application. The contents of a community development application must be consistent with the informational requirements of this chapter and must be on a form prescribed by the division. A complete community development application shall include, but not be limited to:

A. Needs narrative, summarizing the needs for the proposed projects;

B. Project summary, summarizing the activities to be completed and the scope of the project;

C. Activities and budget, detailing the estimates associated with each proposed activity;

D. Assurances, necessary to comply with the federal or state requirements as a prerequisite to receiving state or federal funding;

E. Resolution, from the submission of the local government applicant approving the application and authorizing execution of the grant agreement according to the requirements of the Community Development Division if funds are made available; and

F. Supporting materials, attachments that are designed to verify or support information in items A to E.

The division may request additional information from the applicant if it is necessary to clarify and evaluate the application.

Subp. 5. Time limit for submitting applications. While competitive applications may be submitted at any time during the year, a formal yearly closing date for receipt of applications shall be established. Complete competitive applications shall be evaluated following the closing date for competitive applications. The notice must be published in the *State Register* at least 120 days before the closing date. Economic development project applications may be submitted at any time during the application year.

Subp. 6. Regional review. The applicant must submit a complete copy of the application to the Regional Development Commission, where such a commission exists, or the Metropolitan Council, where it has jurisdiction, for review and comment in accordance with *Minnesota Statute* § 462.391, subd. 3, or *Minnesota Statute* § 473.171, respectively.

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; 11 SR 2416; L 1987 c 312 art 1; 14 SR 1098

4300.1300. Evaluation of Applications

All applications shall be evaluated by the division. A fixed amount of points shall be established as the maximum score attainable by any application. Points shall be made available within each class of rating criteria according to parts 4300.1400 to 4300.1900. Economic development project applications must meet threshold criteria in order to be evaluated.

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; L 1987 c 312 art 1; 14 SR 1384

4300.1400. Comparison of all Competitive Applications, Demographic Points

Subp. 1 [Repealed, 14 SR 1384].

Subp. 2. Evaluation of community need. Up to 30 demographic points shall be awarded based on evaluation of community need, which shall include:

A. The number of poverty persons in the area under the applicant's jurisdiction;

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B. The percentage of persons resident in the area under the applicant's jurisdiction who are poverty persons; and

C. The per capita assessed valuation of the area under the jurisdiction of the applicant, such that points are awarded in inverse relationship to applicants' per capita assessed valuation.

Subp. 3. [Repealed, 14 SR 1384].

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; L 1987 c 312 art 1; 14 SR 1098; 14 SR 1384

4300.1500. Comparison of Competitive Applications Within Categories

After completing the general competition described in 4300.1400, the division shall place each application in the appropriate grant category in accordance with part 4300.1100. The categories are housing projects, public facilities projects, and comprehensive programs. Two hundred and ten of the total 240 points available for each application shall be awarded based on a comparison of the applications within each of the categories as further described in parts 4300.1600 to 4300.1900.

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; L 1987 c 312 art 1; 14 SR 1384

4300.1600. Evaluation of Housing Projects

Subp. 1. Project need. Up to 90 of the points available in the housing category competition shall be awarded by the division based on evaluation of the need for improvements or additions to the housing stock serving low- and moderate-income persons as evidenced by:

A. Housing units that are occupied by low- and moderate-income persons and are either substandard or pose a threat to the health or safety of the occupants;

B. An inadequate supply of affordable housing for low- or moderate-income persons; or

C. Other documented conditions which give evidence of the need for improvements or additions to the housing stock serving low- and moderate-income persons.

Subp. 2. Project impact. Up to 90 of the points available in the housing category competition shall be awarded by the division based on evaluation of the extent to which the proposed activities will eliminate deficiencies in the housing stock serving low- and moderate-income persons.

Subp. 3. Project cost-effectiveness. Up to 30 of the points available in the housing category competition shall be awarded by the division based on:

A. Evaluation of the extent to which the proposed activities will make cost-effective use of grant funds including coordination with, and use of, funds from other public and private sources; and

B. Evidence that the cost of the proposed activities per benefitting household is reasonable.

MS s 116J.401; 116J.403; 116J.873

L 1987 c 312 art 1; 14 SR 1384

4300.1700 Evaluation of Public Facilities Projects

Subp. 1. Project need. Up to 90 of the points available in the public facilities category competition shall be awarded by the division based on evaluation of the extent to which the proposed activities are necessary to improve provision of public services to low- and moderate-income persons or to eliminate an urgent threat to public health or safety.

Subp. 2. Project impact. Up to 90 of the points available in the public facilities category competition shall be awarded by the division based on evaluation of the extent to which the proposed activities will reduce or eliminate the need identified under Subp. 1, and, in the case of activities designed to improve the provision of public services to low- and moderate-income persons, an evaluation of the extent to which the proposed activities directly benefit low- and moderate-income persons.

Subp. 3. Project cost-effectiveness. Up to 30 of the points available in the public facilities category competition shall be awarded by the division based on evaluation of the extent to which the proposed activities will make cost-effective use of grant funds, including consideration of:

A. The extent to which the requested grant funds are necessary to finance all or a portion of the costs;

B. Evidence that the cost of the proposed activities per benefitting household or person is reasonable; and

C. The extent to which the project benefits existing, rather than future, population, except in cases where the proposed activities are necessary due to expected development or growth which is beyond the applicant's control.

MS s 116J.401; 116J.403; 116J.873
L 1987 c 312 art 1; 14 SR 1384

4300.1800. [Repealed, 8 SR 1263].

4300.1900. Evaluation of Comprehensive Program Projects

Subp. 1. Program need. Up to 90 of the points available in the comprehensive program category competition shall be awarded by the division based on evaluation of need for the proposed comprehensive program, including consideration of:

- A. The number of low- and moderate-income persons in the program area;
- B. The percentage of residents in the program area which are of low- or moderate-income; and
- C. The need for the proposed comprehensive program as evidenced by at least two of the following: the need for improvements or additions to the housing stock serving low- and moderate-income persons, the need for new or improved facilities in the program area, or employment problems in the program area.

Subp. 2. Program impact. Up to 90 of the points available in the comprehensive program category competition shall be awarded by the division based on evaluation of the extent to which the proposed comprehensive program will eliminate or reduce the need identified under Subp. 1, and the extent to which the proposed program will improve the long-term physical or economic condition of the program area and its residents.

Subp. 3. Program cost-effectiveness. Up to 30 of the points available in the comprehensive program category competition shall be based on evaluation of the extent to which the proposed comprehensive program will make cost-effective use of grant funds, including consideration of coordination with, and use of, funds from other public and private sources.

MS s 116J.401; 116J.403; 116J.873
L 1987 c 312 art 1; 14 SR 1384

4300.1901. Evaluation of Economic Development Projects

Subp. 1. In general. Evaluation of economic development applications consists of eligibility threshold screening and project review. Applications must meet the eligibility thresholds in order to be referred for project review. Applications that fail to meet eligibility thresholds may be revised and resubmitted.

Subp. 2. Federal and state eligibility thresholds. Applicants shall provide a description of the ways that activities address one of the federal objectives described in Part 4300.0300. Each activity proposed for funding must be eligible under current federal regulations.

Applicants shall describe how they will meet two of the three following thresholds based on state economic development objectives:

- A. Creation or retention of permanent private sector jobs;
- B. Stimulation or leverage of private investment; or
- C. Increase in local tax base.

Subp. 3. Project review. Applications that meet eligibility thresholds will be awarded points by the division based on evaluation of the two rating categories: project design and financial feasibility. Applications must attain at least 400 of the 600 available points for economic development to be recommended for funding. Applications must score at least half of the points available in each of the two rating categories.

Four hundred points will be awarded based on an evaluation of project quality including an assessment of need, impact, and the capacity of the applicant to complete the project in a timely manner. Consideration of need for an economic development project must be based on deficiencies in employment opportunities and circumstances contributing to economic vulnerability and distress. Consideration of impact must be based on the extent to which the project reduces or eliminates the need. Consideration of capacity must be based on demonstration of administrative capability, realistic implementation schedules, and the ability to conform to state and federal requirements.

Two hundred points will be awarded based on an evaluation of the effective use of program funds to induce economic development. Consideration of financial feasibility must include investment analysis, commitment of other funds, and other factors relating to the type of program assistance requested.

Subp. 4. Funding recommendations. Applications that attain at least 400 points will be recommended to the commissioner for funding. Applications not recommended for funding may be revised and resubmitted.

MS s 116J.401; 116J.403; 116J.873
8 SR 1263; L 1987 c 312 art 1; 14 SR 1384

4300.2000. Determination of Grant Awards

Subp. 1. Funds available for grants. The amount of funds available for grants shall be equal to the total allocation of federal funds made available to the state under *United States Code*, title 42, section 5306, after subtracting an amount for costs available to the division for administration of the program, as allowed by that law, plus any money made available by the state legislature. The division is not liable for any grants under this chapter until funds are received from the United States Department of Housing and Urban Development.

Subp. 2. Division of funds. Of the federal funds available for grants in each grant year, 30 percent shall be reserved by the division to fund single-purpose grants, 15 percent shall be reserved for economic development grants, and 55 percent shall be reserved by the division to fund comprehensive grants. However the division may modify the proportions of funds available for single-purpose and comprehensive grants if, after review of all applications, it determines that there is a shortage of fundable applications in either category.

At least 30 percent of the funds made available for single-purpose grants shall be awarded for applications in each of the two categories: housing and public facilities. However, no application with a rating below the median score for its category shall be funded by the division solely for the purpose of meeting this requirement.

If there are unawarded economic development funds available at the end of the application year, two-thirds of the remaining funds will be available for competitive single-purpose projects and one-third will be available for economic development projects during the next application year.

Subp. 3. Funding list. Within each grant category, a list of applications shall be prepared in rank order of the scores received after evaluation pursuant to Parts 4300.1300 to 4300.1900. Based on these lists, and subject to the availability of funds within each category, applications with the highest rank shall be recommended to the commissioner for funding. In the case of a tie between any two applications within any category, the application with the higher demographic points shall receive the higher ranking on the list.

Subp. 4. Approval by commissioner. The list of applications recommended for funding, including recommended grant awards, shall be submitted by the division to the commissioner for approval. A decision by the commissioner not to approve any application recommended for funding must be made in writing to the applicant, giving reasons for disapproval.

Subp. 5. Reduction in amount requested. The division may recommend an application for funding in an amount less than requested if, in the opinion of the division, the amount requested is more than is necessary to meet the applicant's need. If the amount of the grant is reduced, the reasons for the reduction shall be given to the applicant.

Subp. 6. Grant ceilings. No competitive single-purpose grant may be approved for an amount over \$600,000. No comprehensive grant may be approved for an amount over \$1,400,000. No economic development grant may be approved for an amount over \$500,000.

MS s 116J.401; 116J.403; 116J.873

8 SR 1263; 11 SR 2416; L 1987 c 312 art 1; 14 SR 1384

CONTRACTS AND RECORDS

4300.3100. Grant Agreements

Subp. 1. Grant contract required. A grant contract shall be offered to each applicant whose application is approved for funding. The contract must be signed by a person authorized to commit the applicant to legally binding agreements and to execute the contract.

Subp. 2. Contents of grant contract. The grant contract must include:

A. A work program which indicates completion dates for major parts of the project and a projected budget supporting the work program;

B. A description of the manner in which payments will be made to grant recipients; and

C. Assurances that the grant recipient will comply with all applicable state and federal laws, including at least the federal laws or regulations for which the state is made responsible for enforcement in *Code of Federal Regulations*, title 24, sections 570.495 and 570.496.

Subp. 3. Use of program income. Program income from sources such as reimbursements to and interest from a grant recipient's loan program, proceeds from disposition of real property, and proceeds from special assessments must be used for eligible activities. The division shall reduce future grant payments by the amount of any unobligated program income that an applicant has and shall take whatever additional action is necessary to recover any remaining amounts owed. In accordance with *Code of Federal Regulations*, title 24, section 570.494(b)(4), interest earned by grant recipients on grant funds before disbursement is not program income, and it must be returned to the United States treasury.

Subp. 4. Grant account required. Grant recipients must establish and maintain separate accounts for grant funds.

Subp. 5. Restrictions on use of funds. No grant funds shall be used to finance activities not included in the grant agreement. If it is determined that an improper use of funds has occurred, the division will take whatever action is necessary to recover improperly spent funds.

Subp. 6. Suspension of payments. The division shall suspend payments of funds to grant recipients that are not in compliance with applicable state and federal laws, rules, and regulations. Grant recipients must return funds which are improperly expended.

Subp. 7. Amendments to the agreement. Amendments to the grant agreement must be in writing.

MS s 116J.401; 116J.403; 116J.873

11 SR 1042; 11 SR 2416; L 1987 c 312 art 1; 14 SR 1384

4300.3200. Recordkeeping and Monitoring

Subp. 1. Financial records. Grant recipients shall maintain financial records which identify the source and application of funds for grant-supported activities. These records must contain information about grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, income, and other information required by the division under the responsibilities it assumes under *Code of Federal Regulations*, title 24, section 570.497(b). Financial records, supporting documents, statistical records, and all other reports pertinent to a grant must be retained by the grant recipient for three years from the date of submitting the final financial report. No such records or documents may be disposed of while audits, claims, or litigations involving the records are in progress.

Subp. 2. Audits. Grant recipients must arrange for and pay for an acceptable independent audit prepared in compliance with OMB Circular A-128, which was published in the *Federal Register*, volume 50, number 188, page 39083, on September 27, 1985, and the *Single Audit Act of 1984*, Public Law Number 98-502, codified as *United States Code*, title 31, sections 7501-7507. Costs incurred pursuant to this requirement are eligible under this program.

Subp. 3. Financial status reports. Grant recipients shall file financial status reports at the close of each reporting period as designated by the division and shall file a final financial report before grant closeout. Financial status reports must be on forms prescribed by the division. The division may not require these reports more often than quarterly.

Subp. 4. Performance report. Grant recipients shall also file performance reports at the close of each reporting period as designated by the division and shall file a final performance report before grant closeout. Performance reports shall be on forms prescribed by the division. The division may not require these reports more often than quarterly.

Subp. 5. Access to records. Representatives of the department, either the state auditor or legislative auditor as is appropriate, and federal auditors shall have access to all books, records, accounts, reports, files, and other papers, things, or property belonging to grant recipients which are related to the administration of grants and necessary for audits and monitoring compliance with parts 4300.0100 to 4300.3200.

MS s 116J.401; 116J.403; 116J.873

11 SR 2416; L 1987 c 312 art 1; 14 SR 1384

Proposed Distribution of Funds

The amount of Federal FY 1992 CDBG funds for use by the Small Cities Development Program is expected to be between \$18.0 and \$21.0 million. To paraphrase and summarize the administrative rules for this program. Two percent plus \$100,000 of the available funds will be used by DTED for administration of the grant program. The remainder will be distributed as follows: 15 percent will be reserved for economic development grants; 30 percent will be reserved for single-purpose housing or public facilities grants; and 55 percent will be reserved for comprehensive grants. A more detailed description of this process has been identified previously in the Final Statement as *Minnesota Rules* 4300.1100 through 4300.2000.

Proposed Use of Funds for Activities That Will Benefit Persons of Low- and Moderate-Income

The purpose of the Small Cities Development Program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low and moderate income. Activities funded under this program shall not benefit moderate income persons to the exclusion of low-income persons. All funded activities must be designed to:

- a) Benefit low- and moderate-income persons;
- b) Prevent or eliminate slums and blight; or
- c) Alleviate urgent community development needs caused by existing conditions which pose a serious and immediate threat to the health or welfare of the community, whether other financial resources are not available to meet those needs.

Under the *Housing and Community Development Act of 1974*, as amended, at least 70 percent of the funds must be used for activities that principally benefit low and moderate income persons. The Department of Trade and Economic Development, Community Development Division, estimates that up to 85 percent of the funds will be used to benefit persons of low and moderate income.

Recaptured and Reallocated Funds

If FY '84 and FY '92 grant funds are returned to the Minnesota Department of Trade and Economic Development, Community Development Division, following audit resolution or project closeout, reuse of the funds will be conducted using one of two methods.

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1. Fifteen percent could be used for funding economic development projects any time during the year following the recapture of funds. Eighty-five percent of the funds will be reserved for emergency, urgent need projects; or

2. All recaptured funds could be reserved for funding emergency, urgent need projects.

With either option, a balance of recaptured FY '84 through FY '92 funds will be carried forward only until the point at which competitive grant awards are made. Any balance of recaptured or reallocated funds that exists at the time grants are awarded for the annual competitive grant cycle will be used to finance new competitive or economic development projects. Further, fifteen percent of the recaptured funds will be used for economic development projects. Eighty-five percent of the recaptured funds will be used to finance competitive projects.

Following is the criteria under which emergency urgent-need projects could be funded:

- a. Applications for emergency urgent need could be submitted at any time during the year.
- b. The problem poses a serious and immediate threat to the health or welfare of the community.
- c. The program is of recent origin or has recently become urgent. To qualify for emergency, urgent-need funds, recent is defined to mean that a problem has to become urgent no earlier than 60 days before the last competitive application deadline.
- d. The applicant can document inability to finance the project on its own and other resources to sufficiently finance the project are not available.
- e. The project would have to score well enough in the rating system to have received a grant, had an application been submitted during the last competitive cycle.

The recaptured and reallocated fund distribution methodology identified above is the same methodology which appeared in the previous Final Statement.

Distribution of Program Income

Any program income which is derived from the use of federal CDBG funds is retained by the recipient communities provided it is used for the same activity. For instance, residential rehabilitation can generate program income if the local grantee establishes a revolving loan fund and receives loan repayments. Under the state's program income policy, the grantee may retain the program income provided it is used for residential rehabilitation. Thus, the state will not have the use of program income for distribution in FY '92.

Description of the Use of Funds in the 1991 Small Cities Community Development Block Grant Program

For the 1991 grant program, \$19,725,000 in federal fiscal year 1991 funds and \$176,000 in fiscal year 1990 funds was available for grants to eligible applicants for the Small Cities Development Program. Under the administrative rules for the SCDP, economic development applications are accepted on a year-round basis and competitive single-purpose and comprehensive applications had an application deadline of September 1, 1990. The rules for the program establish the availability of 15 percent of the funds for economic development, 30 percent of the funds for single-purpose projects, and 55 percent of the funds for comprehensive programs. The rules also provide for the alteration of these percentages when a shortage of fundable applications occur in any specific category.

Upon completion of the competitive review and ranking process, 34 awards were made on February 5, 1991. The Department of Trade and Economic Development concludes, and HUD monitoring staff concurs, that funds were awarded in accordance with the State's administrative rules for the program.

A formal Performance/Evaluation Report (PER) which provides a detailed description of the use of FY '84 through FY '91 funds is available from this office for public inspection. A copy of the PER is also available at the Minneapolis/St. Paul HUD office.

Assessment of the Relationship of 1991 Funds to State and Federal Objectives

As in previous years, for the 1991 grant program, the Minnesota Department of Trade and Economic Development, Community Development Division, adopted the national objectives for the Community Development Block Grant program. Under these objectives, all funded activities must be designed to:

- a) Benefit low- and moderate-income persons;
- b) Prevent or eliminate slums or blight; or
- c) Alleviate urgent community development needs caused by existing conditions, which pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet those needs.

Based on the FY '91 award, at least 70% must be awarded for activities designed to benefit persons of low and moderate income. To date, DTED has awarded over 76 percent of our total FY '91 grant award for activities which benefit low- and moderate-income persons. (This figure was monitored and verified by HUD staff). The remainder of the funds currently awarded for grants has been awarded for activities designed to prevent or eliminate slums and blight or alleviate an urgent community development need.

The funds budgeted for planning and administration include both the funds retained by the Minnesota Department of Trade and

Economic Development for administration of the program and funds awarded to units of general local government for planning and administration of their grants. No more than 20 percent of the block grant can be used for planning and administration.

To date, for the 1991 grant program, the Minnesota Department of Trade and Economic Development, Community Development Division, and the 1991 grant recipients budgeted slightly less than \$1.1 million for planning and administration. These funds amount to just over five percent of the block grant, well below the 20.0 percent limit. Again, these figures were monitored and verified by HUD staff.

In addition to meeting one of the federal objectives listed above, economic development set aside grants must meet at least two of the following state objectives:

- a) Creation or retention of permanent private sector jobs, with a minimum threshold of one job created or retained for each \$20,000 of grant funds;
- b) Leverage of private investment, with a minimum threshold of one dollar private funds for each grant dollar requested; and
- c) Increase the local tax base, with a minimum threshold of an estimated 50 percent increase in the value of the parcel involved.

All economic development set aside grants awarded to date have met the state job creation/retention objective and the private investment objective. In addition, jobs will be held by, and/or available to low- and moderate-income persons.

Based upon analysis of the 1991 Small Cities Development Program, The Minnesota Department of Trade and Economic Development, Community Development Division, concludes that the 1991 grant program fully met state and national objectives for award of funds.

Petroleum Tank Release Compensation Board

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Documentation of Reasonableness

NOTICE IS HEREBY GIVEN that the State Petroleum Tank Release Compensation Board is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rules governing Documentation of Reasonableness. The adoption of the rule is authorized by *Minnesota Statutes*, section 115C.07, Subd. 3(c), which requires the board to adopt permanent rules designed to ensure that costs submitted to the Petroleum Tank Release Compensation Board for reimbursement are reasonable.

The State Petroleum Tank Release Compensation Board 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:

Virginia Hogan
Minnesota Department of Commerce
133 East 7th Street
St. Paul, MN 55101

Oral statements will be received during regular business hours over the telephone at (612) 297-1119 and in person at the above address.

All statements of information and opinions shall be accepted until January 13, 1992. Any written material received by the State Petroleum Tank Release Compensation Board 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: 19 December 1991

Virginia Hogan
Executive Director,
Petroleum Tank Release
Compensation Board

Petroleum Tank Release Compensation Board

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Reduction of Reimbursement Amount

NOTICE IS HEREBY GIVEN that the State Petroleum Tank Release Compensation Board is seeking information or opinions

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from sources outside the agency in preparing to propose the amendment of the rule governing Reduction of Reimbursement Amount. The adoption of the rule is authorized by *Minnesota Statutes*, section 115C.07, which permits the board to adopt permanent rules regarding costs eligible for reimbursement.

The State Petroleum Tank Release Compensation Board 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:

Virginia Hogan
Minnesota Department of Commerce
133 East 17th Street
St. Paul, MN 55101

Oral statements will be received during regular business hours over the telephone at (612) 297-1119 and in person at the above address.

All statements of information and opinions shall be accepted until January 13, 1992. Any written material received by the State Petroleum Tank Release Compensation Board 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: 19 December 1991

Virginia Hogan
Executive Director,
Petroleum Tank Release
Compensation Board

Regent Candidate Advisory Council

Notice of Vacancies

Nominations and applications are being accepted for nine positions on the Regent Candidate Advisory Council. The Council is responsible for recruiting and recommending candidates to the Minnesota Legislature for the University of Minnesota Board of Regents. Members of the 24 member Advisory Council are appointed by either the Speaker of the Minnesota House of Representatives or by the Senate Subcommittee on Committees. Members receive per diem and expenses. Meetings take place in St. Paul. Terms are for six years. For further information and/or applications, please contact:

Mary E. Ryan
(612) 296-1121
85 State Office Building
St. Paul, MN 55155

Applications must be postmarked no later than January 31, 1992.

Note: Official Notices continued on page 1615

State Grants

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

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

Department of Human Services

Family and Children's Division

Notice of Request for Proposals for the Development of New Crisis Nursery Programs to Serve Greater Minnesota

The Family and Children's Division of the Department of Human Services is soliciting proposals from qualified applicants to develop new crisis nursery programs. At least one new crisis nursery program will be developed to serve greater Minnesota. Multi-county and/or multi-agency proposals are encouraged.

Professional, Technical & Consulting Contracts

Eligible applicants are private and public agencies with the capacity to carry out the project activities.

A total of \$40,000 is available for the development of new crisis nursery programs. A minimum of \$10,000 and a maximum of \$40,000 per project will be funded. The funds are available for a period of three years. A 30% match is required.

The crisis nursery program projects will begin March 1, 1992, and end February 28, 1993. The project design must include an evaluation component, and the project must be able to be replicated in other Minnesota counties or regions.

Questions regarding New Crisis Nursery Programs should be directed to Sue Gronemeyer at 612/296-4309. Ten copies of the proposal in response to the RFP must be submitted to the Family and Children's Services Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3830, no later than 4:00 p.m. on **January 22, 1992**.

The Family and Children's Services Division and the State of Minnesota reserve the right to reject any and all proposals submitted.

Professional, Technical & Consulting Contracts

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.

Department of Education

Notice of Request for Proposals for Program Evaluation of Outcome Based Education Contract Sites

Proposals are being solicited to conduct an evaluation and reporting process which will provide information regarding the components of outcome-based education as demonstrated by 30 contract sites located throughout Minnesota. The anticipated time frame for this evaluation is February 1992 through June 1993. A maximum of \$40,000 per year is available for this project.

Copies of the RFP may be obtained by contacting Dr. Carole Kylo at the Minnesota Department of Education, 830 Capitol Square, 550 Cedar Street, St. Paul, MN 55101; Telephone (612) 296-9783. Proposals must be received by 4:00 p.m. January 21, 1991.

Department of Human Services

Assistance Payments Division

Request for Proposals for an Employment and Training Strategic Plan, Information Architecture, and a JOBS Automated System Project Proposal

Background:

In the fall of 1989, the Minnesota Departments of Human Services (DHS) and Jobs and Training (DJT) prepared a budget request to be submitted to the State Legislature for funding of a JOBS Automated System (JAS). At that time, it was envisioned as being an "umbrella" proposal that would be used to fund and support a number of system efforts within both agencies. Prior to the Legislature receiving the funding request, the request was reviewed by the State's Information Policy Office (IPO). IPO, by State statute, has the authority to make recommendations to the state Legislature on all system funding requests. In reviewing the JAS request, IPO recommended that the agencies, rather than immediately proceeding with JAS system design and development, review how they are currently doing business and the role technology and information play in supporting this business. The JAS funding request, supported by a positive recommendation from IPO, was approved by the State Legislature.

In order to capitalize on the opportunity to impact the delivery of employment and training services over the long term, as well as to accommodate IPO's requirements, the departments have decided to enter into a strategic planning process. Discussions surrounding this decision provided the impetus for the development of this RFP.

Purpose

The purpose of this Request for Proposals (RFP) is to obtain specific proposals for the development of the following products, including cost quotations:

1. An Employment and Training Strategic Plan.

Professional, Technical & Consulting Contracts

2. An Employment and Training Information Architecture.

3. A JOBS Automated System (JAS) Project Proposal that includes an Advanced Planning Document (APD) for JAS development.

This RFP does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered in its best interest.

Project Scope

The scope of this effort includes the following program areas:

1. Employment and Training Services;
2. Public Assistance Programs;
3. Child Care.

Based on the scope of the above program areas as well as the nature of strategic planning efforts, the following individuals will be providing project input:

1. DHS and DJT agency management;
2. DHS and DJT program management and staff;
3. Local program providers (this includes counties, cities, and private non-profits).

Project Contacts

If you have questions about this solicitation or wish a copy of the complete RFP, you may call or write:

John Brenneman—DHS Project Manager
(612) 297-3174

Paul Wasko—DJT Project Manager
(612) 296-2095

Minnesota Department of Human Services
Assistance Payments Division
Human Services Building
444 Lafayette Road
St. Paul, MN 55155

Other personnel are not allowed to discuss the project prior to the deadline for submitting proposals.

Proposal Submittal

All proposals must be received by January 24, 1992 by 2:00 p.m. C.S.T. by:

Minnesota Department of Human Services
Family Self-Sufficiency Administration
MAXIS Project—4th floor
Human Services Building
444 Lafayette Road
St. Paul, MN 55155

Attn: MAXIS Reception Desk

Late proposals will not be accepted.

Vendors Conference

A conference for Vendors will be held at 1:00 p.m. C.S.T. January 7, 1992 in Rooms 1A and 1B at the Minnesota Department of Human Services, Human Services Building, 444 Lafayette Road, St. Paul, MN 55155.

The State encourages that all potential Vendors either attend or submit a letter of interest prior to the conference.

Project Timeframe

Work on the three products identified above should be completed within a six month timeframe.

Evaluation

Proposals will be evaluated by a team of State staff. In some instances, an oral demonstration will be part of the evaluation process.

Department of Public Service

Request for Proposal for Qualified Consultants to Audit and Investigate U S West Communications' Financial Statements and Accounting Records

I. INTRODUCTION

A consultant is needed to evaluate the financial statements, accounting records and other records used by U S West Communications (U S WEST or Company) to support current expenditures for Retirement Incentives; Management Salaries, Bonuses and Expenses; Employee Training Programs; Building Operating and Building Lease Expenditures; Office Furniture and Fixture Expenditures; and Maintenance Expenditures. The Minnesota Department of Public Service (Department) is soliciting proposals from qualified consultants to audit and investigate the Company's financial statements and accounting records in order to determine the appropriateness of these expenditures.

This Request for Proposal does not obligate the State to complete the project and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

II. QUALIFICATION OF RESPONDENTS

Qualified respondents must be able to demonstrate experience and expertise in auditing and evaluating the financial and accounting records of regional Bell operating companies. The respondent must also be a Certified Public Accountant and have experience presenting testimony in contested cases before one or more public utility commissions in the United States or Canada. Preference will be given to respondents who have experience with financial audits of public utilities in the United States.

The qualified respondent will provide a list of every commission or regulatory body before which the consultant/firm has presented testimony of this nature, and other reports of this nature which the consultant/firm has done.

III. SCOPE OF PROJECT

A. Duration of the Project

The duration of this project is from March 1, 1992 through February 28, 1993. The results of this project may be used as evidence in a contested hearing either during the above project time period or at a later date. Any expert testimony that is required after the project is completed will be arranged under a separate contract. However, the work on this project must be performed in such a way that it will be defensible by the consultant in sworn testimony in a contested hearing.

B. Tasks to be Performed

The Department's objective in this project is to have an accounting and financial expert document U S WEST's internal processes and procedures for these types of expenditures, evaluate the levels of expenditures compared to industry standards, and the appropriateness of the expenditures in relation to the services provided by the Company. The consultant will recommend financial adjustments to the Company's financial statements to correct inaccuracies, noncompliance with the Uniform System of Accounts for Telephone Companies, and to adjust for financial issues which impose unreasonable expenses on the regulated Minnesota operations of U S WEST Communications. The consultant is expected to complete a report of investigation and recommendations within 12 months. To accomplish this, the consultant will be expected to perform the following tasks:

1. Audit, analyze, document and evaluate the procedures, financial statements, and accounting records as they relate to the appropriateness and levels of these expenditures by U S WEST Communications.
2. Develop and prepare information requests which are necessary to obtain information to perform the audit and evaluation.
3. Recommend financial adjustments to the Company's financial statements to correct inaccuracies, noncompliance with the Uniform System of Accounts for Telephone Companies, and to adjust for all financial issues which are inappropriate for setting telephone rates.
4. Identify and review any additional information and records necessary to evaluate the Company's expenditures.
5. Work closely with designated members of the Department in all stages of the project to assure compliance with the tasks identified by the Department. The Department staff will assist the consultant, as necessary, in obtaining required information from the Company and other sources. Also, the consultant will provide designated staff with a progress report every two weeks throughout the duration of the project.
6. Provide a written report of the investigation and the consultant's analysis of the Company's expenditures, together with detailed adjusted financial statements. This should include thorough documentation of the investigation, analysis and issues. All documentation used by the consultant in making this evaluation shall be provided to the Department.
7. If the results of this investigation are subjected to a critical review in a contested hearing, the Department will negotiate

Professional, Technical & Consulting Contracts

a separate contract with the consultant. Under that contract, the consultant may be expected to perform the following tasks as a member of the Department's staff participating in that evidentiary proceeding:

- a) Develop and prepare information requests which are necessary to fully discover and develop issues related to investigation of this project.
 - b) Assist Department counsel in the preparation of cross-examination of U S WEST Communications and intervenor witnesses.
 - c) Develop and deliver direct, rebuttal and/or surrebuttal testimony on any issues relating to the report's findings and recommendations.
 - d) Assist Department counsel in the preparation of briefs related to issues developed in testimony.
8. The consultant may propose additional tasks or activities if they will substantially improve the results of the project.

IV. PROPOSAL CONTENTS

The following will be considered minimum contents of the consultant's proposal:

- A. An outline of the consultant's background and experience in conducting this type of analysis and testifying on these matters.
- B. A restatement of the objectives and task of the project to illustrate the consultant's understanding of the proposal.
- C. An identification of the consultant's personnel who will perform each task, their training and experience. No change in personnel assigned to this project will be permitted without written approval of the Department's project manager. Assurance must be given that the personnel who conduct the project will be available under a separate contract to fulfill any requirements as an expert witness as enumerated under part III.B.7.
- D. A detailed work plan which identifies in specific terms all the tasks to be performed in fulfilling the obligations of the tasks enumerated under parts III.B.1 through III.B.6 with cost estimates for each. Also, provide an estimate of the additional costs to be incurred in fulfilling the evidentiary proceeding tasks enumerated under part III.B.7. In addition, the proposal shall:
 - 1) Identify and describe the documentation to be provided by the consultant.
 - 2) Identify the level of Department participation as well as other services to be provided by the Department.
- E. Copies of recently delivered testimony, studies or reports regarding the items described above.

V. EVALUATION

All proposals received by the deadline will be evaluated by representatives of the Department. In some instances an interview will be part of the evaluation process. Factors upon which proposals will be judged include, but are not limited, to the following:

- 1) Expressed understanding of the project objectives.
- 2) Project work plan.
- 3) Project cost detail.
- 4) Qualifications of both consultant/firm and personnel. Experience of project personnel will be given greater weight than that of the firm.

VI. SUBMISSION OF PROPOSALS

Responses to this request for proposal are due on or before 4:30 p.m. CST on February 7, 1992. Two (2) copies of the proposal must be sent to and received by:

Mr. Nelson J. Updaw
Manager, Telecommunications Unit
Minnesota Department of Public Service
790 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-7603

Under *Minnesota Statutes* § 363.073, any proposal in excess of \$50,000 from a company who has had, during the past year, 20 or more full-time employees in Minnesota, must furnish evidence that the company has received a Certificate of Compliance from the Minnesota Department of Human Rights.

Acceptable evidence includes a copy of the Certificate of Compliance, or a notarized statement from an officer of the company that the company has a Certificate of Compliance.

Late proposals will not be accepted. Each proposal must be signed in ink by an authorized member of the firm. Proposals are to

State Contracts and Advertised Bids

be sealed in mailing envelopes or packages with the consultant's name and address clearly written on the outside. Prices and term of the proposal as stated must be valid for the length of the project. These should include work related to testifying in a proceeding held later. Prospective respondents who have questions concerning this request for proposal may call or write Mr. Updaw. Other Department personnel are not allowed to discuss the project before the submitted proposal deadline.

State Board of Technical Colleges

Notice of Request for Proposals for a Department/College Scheduling System

The State Board of Technical Colleges is requesting proposals for the design, development, and deployment of a Department/Colleges scheduling system, which will service the 35 Technical College Campuses and the State Board of Technical Colleges.

The RFP application should be requested from:

Barbara Herrmann	550 Cedar Street
Minnesota State Board of Technical Colleges	St. Paul, Minnesota 55101
132 Capitol Square Building	(612) 296-3092

All proposals must be received by 2:00 p.m. on January 24, 1992. Postmarks will not be considered.

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.

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

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

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

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

COMMODITY CODE KEY

A = Sealed Bid	G = \$5,000-\$15,000 Estimated Dollar Value	J = Targeted Vendors Only
B = Write for Price	H = \$15,000-\$50,000 Sealed Bid	K = Local Service Needed
C = Request for Proposal	I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required	L = No Substitute
D = Request for Information		M = Installation Needed
E = \$0-\$1,500 Estimated Dollar Value		N = Pre-Bid Conference
F = \$1,500-\$5,000 Estimated Dollar Value		

Commodity: B G L-N view projection panel

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 2

Agency: Bemidji State University

Deliver to: Bemidji

Requisition #: B 26070-14649

Commodity: B E-Cable

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 2

Agency: Southwest State University

Deliver to: Marshall

Requisition #: B 26175-02256

Commodity: B F-CTX monitors

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 2

Agency: Minnesota Department of Education/Accounts Payable

Deliver to: St. Paul

Requisition #: B 37010-96557

State Contracts and Advertised Bids

Commodity: B E-Intel co-processor
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 2
Agency: Minnesota Department of Education/Accounts Payable
Deliver to: St. Paul
Requisition #: B 37080-96553

Commodity: B F-H.P. printer
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 2
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-22499

Commodity: B F-Krueger folding chairs
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: January 6
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23246

Commodity: A H-Trailer mounted arrowboard
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: January 6
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79382-02345

Commodity: B E-Toshiba external CD-ROM
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: January 2
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23259

Commodity: A I-486/386 LAN
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: January 6
Agency: Board of Vocational-Technical Education/Air Traffic
Deliver to: Eden Prairie
Requisition #: B 36100-50762

Commodity: B E-Canon printer
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 2
Agency: Minnesota Department of Education/Accounts Payable
Deliver to: St. Paul
Requisition #: B 37010-97200

Commodity: B G-Simm memory
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 2
Agency: Minnesota Department of Education/Accounts Payable
Deliver to: St. Paul
Requisition #: B 37080-96554

Commodity: B F-Floor cleaning equipment
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: December 30
Agency: Facilities Management Office
Deliver to: Various places
Requisition #: B 99997-06867

Commodity: B F-Hossfield bender
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: January 6
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 02310-24855

Commodity: A H-Arrowboards
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: January 6
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79382-02347

Commodity: B F-Hand pump with fountain
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: February 2
Agency: Minnesota Department of Transportation
Deliver to: Various places
Requisition #: B 79800-03898

Commodity: B E-Electronic bauln
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: January 3
Agency: Intertechnologies Group
Deliver to: St. Paul
Requisition #: B 02410-23342

Commodity: B F-Gas chromatograph
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14653

Commodity: B G L-Multitech modems
Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: January 3
Agency: Mankato State University
Deliver to: Various places
Requisition #: B 26071-02155

Commodity: B G-386SX/25 computer
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-46538

Commodity: B F-PC viewer
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-63030

Commodity: B G-386 and 486 computers
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23258

Commodity: B E-Scanner for Macintosh
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23267

Commodity: B F-Microtek scanner
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14220

State Contracts and Advertised Bids

Commodity: B F-Infocus viewer
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14659

Commodity: A H L-Olympus microscope
Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: January 3
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-46534

Commodity: B F-Poweruser harddrive
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-63028

Commodity: B G L-Skorbot robot
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23248

Commodity: B F-SCSI drives
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23261

Commodity: B E-Compaq laptop
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23271

Commodity: B E-Fiber hub
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-02255

Commodity: A I K-386 LAN
Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: January 7
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-02257

Commodity: B F-Radius monitor
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Minnesota Department of Education/Accounts Payable
Deliver to: St. Paul
Requisition #: B 37010-96552

Commodity: B F-Radius monitors
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-24181

Commodity: B G L-Tektronix oscilloscope
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Minnesota Department of Transportation
Deliver to: Maplewood
Requisition #: B 79000-15320

Commodity: A G L-IBM 7546 computer
Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: January 7
Agency: Minnesota Department of Transportation
Deliver to: Various places
Requisition #: B 79000-22578

Commodity: B F-Electrophoresis system
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: January 3
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-26622

Commodity: B E-Drive for Mac
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Mesabi Community College
Deliver to: Virginia
Requisition #: B 27150-50299

Commodity: B F-486/33 computer
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Minnesota Department of Education/Accounts Payable
Deliver to: St. Paul
Requisition #: B 37010-96556

Commodity: B F-386/25 computer
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20445

Commodity: B F L-Data logger
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Minnesota Department of Transportation
Deliver to: Maplewood
Requisition #: B 79000-15323

Commodity: B G L-Fibernet ethernet optic
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: January 3
Agency: Minnesota Department of Transportation
Deliver to: Maplewood
Requisition #: B 79050-28222

Commodity: B F-Belder cable
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: January 3
Agency: Intertechnologies Group
Deliver to: St. Paul
Requisition #: B 02410-23344

State Contracts and Advertised Bids

Commodity: B F-D C power supply
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: January 3
Agency: Minneapolis Community College
Deliver to: Minneapolis
Requisition #: B 27151-49042

Commodity: B G-Milk dispenser
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: January 7
Agency: Minnesota Correctional Facility
Deliver to: Red Wing
Requisition #: B 78760-03066

Commodity: B G L-3M entrance mats
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: January 3
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-25037

Commodity: B F-Fertilizer
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: January 3
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23257

Commodity: B F L-Disposable washcloths
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: December 30
Agency: Cambridge Regional Human Services Center
Deliver to: Cambridge
Requisition #: B 55201-20235

Commodity: B E-Temp control chart supplies
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: January 3
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11094

Commodity: A H K M-Copier
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: January 7
Agency: Minnesota Correctional Facility
Deliver to: Red Wing
Requisition #: B 78760-03065

Commodity: B E-Table trimmer
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: January 7
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-22582

Commodity: B G L-1992 Ford Taurus
Contact: Brenda Thielen 612-296-9075
Bid due date at 4:30pm: January 7
Agency: Department of Public Safety/Finance
Deliver to: St. Paul
Requisition #: B 07800-27114

Commodity: B F-Fertilizer
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: January 3
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23256

Commodity: B F-Floor cleaning equipment
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: January 3
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14239

Commodity: B G L-Commercial laundry equipment—rebid
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: January 3
Agency: Minnesota Correctional Facility
Deliver to: Lino Lakes
Requisition #: B 78550-08415-1

Commodity: B F K M-Postage system
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: January 7
Agency: Department of Natural Resources—Regulatory and Legislative
Deliver to: Hibbing
Requisition #: B 29000-57659

Commodity: A H K M-Copier rental—rebid
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: January 2
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11076-2

Commodity: B F-Hustler bac-vac
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: January 7
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14240

Commodity: A H-Truck w/van and liftgate
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: January 7
Agency: Department of Natural Resources—Southern Service Center
Deliver to: St. Paul
Requisition #: B 29000-57687

Commodity: B E-Maintenance on McQuay chiller
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: January 7
Agency: Minnesota Correctional Facility
Deliver to: Shakopee
Requisition #: B 78640-02342

Commodity: A I-Trucks
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: January 7
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79382-02349

Commodity: B F-All terrain vehicle
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: January 7
Agency: Department of Natural Resources—Bureau of Engineering
Deliver to: Grand Rapids
Requisition #: B 29000-57776

Commodity: A I-6 passenger trucks
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: January 7
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79382-02348

Commodity: B F-Power supply
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: January 6
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-26606

Department of Administration: Print Communications Division

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

Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.

Commodity: UI division window envelope, camera ready copy, 2-sided, head to head, 1MM, #10 envelopes

Contact: Printing Buyer's Office

Bids are due: December 30

Agency: Department of Jobs and Training

Deliver to: St. Paul

Requisition #: 20455

Official Notices continued from 1606

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 Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes, Chapter 41C*

NOTICE IS HEREBY GIVEN that a public hearing will be held on January 15, 1992 at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes, Chapter 41C*, in order to finance the purchase of approximately 235 acres of farmland and site located in Sect. 7 Excel Township, Marshall County, Minnesota on behalf of Larry and Rhonda Amundson, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$140,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to take payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interest may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated 23 December 1991

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes, Chapter 41C*

NOTICE IS HEREBY GIVEN that a public hearing will be held on January 15, 1992 at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes, Chapter 41C*, in order to finance the purchase of approximately 147 acres of farmland located in Section 20 Lura Township, Faribault County, Minnesota on behalf of Steven W. and Linda J. Wallace, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$110,250. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to take payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interest may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated 23 December 1991

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes, Chapter 41C*

NOTICE IS HEREBY GIVEN that a public hearing will be held on January 15, 1992 at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes, Chapter 41C*, in order to finance the purchase of approximately 160 acres of farmland located in Section 17 Tyro Township, Yellow Medicine County, Minnesota on behalf of Mark A. and Beth M. Jessen, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$100,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to take payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interest may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated 23 December 1991

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

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(the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 204 acres of farmland located in Section 12 Lake Sarah Township, Murray County, Minnesota on behalf of Matthew J. and Linnea Surprenant, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$109,200. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to take payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

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Official Notices

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Announcements

Dakota Search Area Designated as Location for Potential New Airport: The Metropolitan Council on Thursday designated the Dakota Search Area as the general area within which a potential new major airport site for the Twin Cities will be located. The designation culminates a comprehensive two-year process to find the best location for a possible new major airport. The Metropolitan Airports Commission (MAC) will now proceed with finding a site for the airport. The Dakota Search Area is 115 square miles in size. It comprises the cities of Coates and Vermillion, and Empire and Vermillion Townships. It also includes part of the city of Rosemount, and Nininger and Marshan Townships. The search area was chosen by a Council task force in September, following a two-year examination of possible search areas in the 14-county greater metro region. The task force had narrowed the search areas to three in January this year and conducted a detailed analysis of each. The Dakota Search Area was found to be the most suitable, primarily because of its access to the Twin Cities Area population and because it has the fewest environmental constraints of the areas included.

Study of Regional Radio System Moves Forward: A study to determine the shape and cost of a region-wide radio communications network serving Twin Cities Area governments has moved into the data-gathering stage. The study is being conducted by a Metropolitan Council task force. It is designed to address growing needs of city, county and regional government radio communications for the 1990s and beyond. The problem is that many mobile, two-way radio systems used by police, fire and medical emergency squads are outmoded and have no room to grow. The study is exploring the feasibility of building a region-wide "trunked" radio communications system that uses computers to allocate radio channels. The Council has hired the consulting firm of Bernie Ebstein Associates of Highland Park, Illinois, to survey the needs of government radio users. The survey, mailed to users this week, asks them to describe their systems, including their size, how busy they are, current problems, geographic range, and short-term and long-term needs. The Council task force will use the information to recommend whether to build a coordinated system of mobile radio communication for government use over the next 20 years. In 1992 the task force will prepare options for the design, function, management and performance of a region-wide system. The Council will report the findings to the legislature in December 1992. If the Council recommends building a region-wide system, it will propose a way to govern and finance it. The decision to build and fund it would come from the legislature. **Government users who may not have received the survey can obtain one by calling Council planning coordinator John McGough at 612/291-6388.**

Proposed Transit Plan Could Reshape Future Travel in Region: The Metropolitan Council this week released a draft regional transit plan that, if fully carried out, would substantially change the way Twin Citians travel around the region over the next several decades. The Council will hold a public meeting January 21st on the plan. It calls for strengthening transit service and reorganizing it into a hub system; giving advantages like exclusive rights-of-way to "high-occupancy vehicles" (HOVs) like carpools and buses; and building two light rail transit lines. Prepared by the Council's staff, the plan is the product of an effort the Council initiated earlier this year. It draws together ideas and proposals from all the transportation planning agencies in the region—the Council, the Regional Transit Board (RTB) and the Minnesota Department of Transportation (Mn/DOT)—plus many other organizations. To maintain the region's mobility, the plan proposes strategies on four broad fronts:

- Reorganizing and reinvigorating transit service.
- Improving the efficiency and safety of the existing highway system.
- Giving advantages to HOVs like buses and carpools.
- Encouraging higher-density, "pedestrian-friendly" development in corridors that are easily accessible by transit and ride-sharing.

The Council's System Committee will hold a public meeting to hear public comments on the proposed plan **Tuesday, January 21, at 4 p.m.** in the Council offices. For a copy of the plan draft, call the Council's Data Center at 612/291-8140.

For Real Estate Professionals:

REAL ESTATE RULES 1991

Chapters 2800, 2805, and 2810 from the Minnesota Rules. *Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code No. 3-99. \$6.00

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What's your school system like?



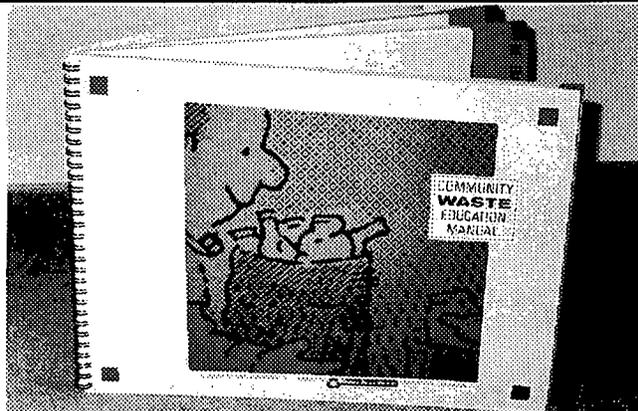
School District Profile 1989-90. Comparative enrollment, staffing and financial data on Minnesota's school districts. Includes an evaluation of the statistical content with commentary on trends and patterns. 56 pp. Stock #5-3. \$5.00.

The School Book 1990-91. Before you enroll your child in school, read this comprehensive guide to elementary schools in the Twin Cities. Lists school addresses/phone, staffing information, MTC bus connections, class size, student/teacher ratio, grading and curriculum. From the Citizens League. 554 pp. Stock #40-9. \$12.95.

Education Directory 1990-91. Complete list of schools, and school districts, their principals and superintendents. Also includes non-public schools, regional public library systems, state agencies, boards, and councils. 170 pp. Stock #1-93. \$9.95.

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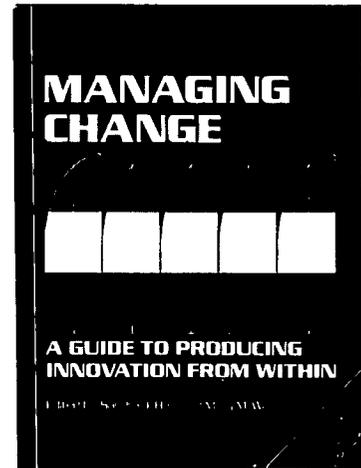
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Managing Change. A guide to managing change from *within* an organization, it combines common sense with solid theory about organizational behavior and change. Based on the premise: for an enterprise to succeed, employees must be involved as active partners. Operating in an environment of change, government adapts to newly elected officials, new political appointees, new economic conditions, new laws and rules, new managers and employees, and new mandates and priorities. Through the STEP plan, government capitalizes on that change by emphasizing closeness to the customer, employee participation, managerial discretion, partnerships, productivity improvement and work measurement. Contains a project directory and glossary. Paperbound, 181 pages. Stock #19-64, \$19.00.

Charting Your Course. Strategic information planning for the 90s, shows how to chart and navigate the changing currents of the Information Age. Bibliography, 54 pages. Stock #10-14, \$5.50.



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Minnesota: national leader in education

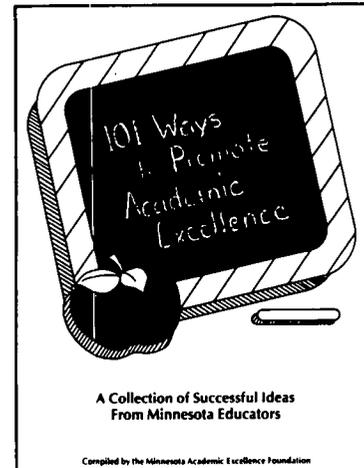
101 Ways to Promote Academic Excellence

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This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers and enrollment. 170 pages, paperbound. Code #1-93, \$9.95.

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A Collection of Successful Ideas
From Minnesota Educators

Compiled by the Minnesota Academic Excellence Foundation

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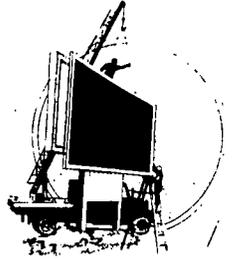
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Minnesota Manufacturer's Directory 1991



UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2. \$85.00.

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



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

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

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Love of Loons. A Voyageur Wilderness Book, with color photos and lore of this delightful state bird make this a beautiful gift. Stock #9-22, \$12.95 + tax.

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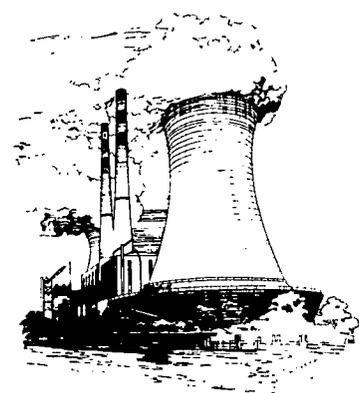
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Real Estate Rules 1991. Chapters 2800, 2805 and 2810 from the *Minnesota Rules. Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code #3-99, \$6.00.

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

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