

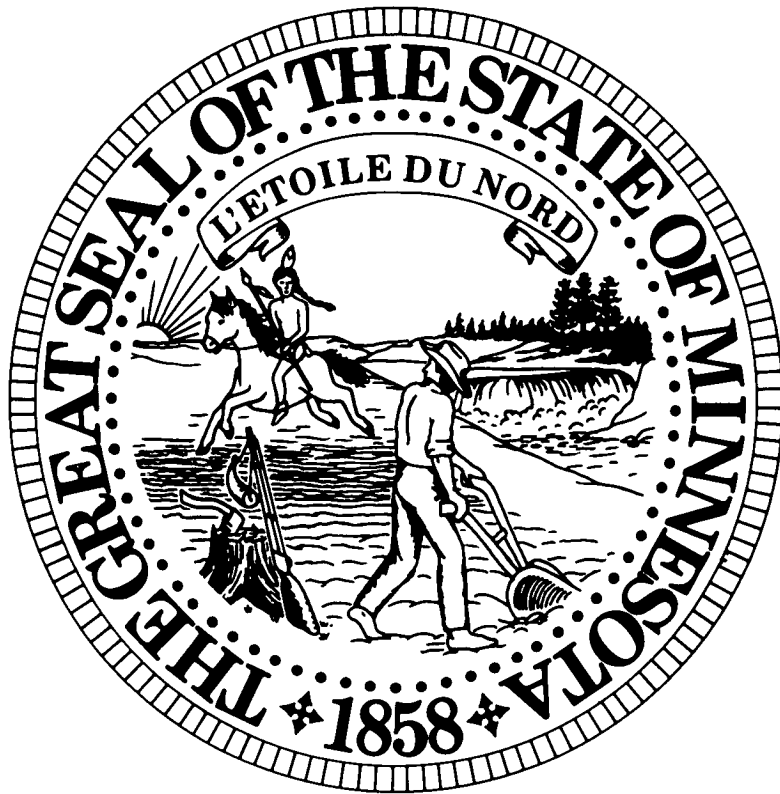
91, July 29

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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 29 July 1991
Volume 16, Number 5
Pages 157-188

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
#5	Monday 15 July	Monday 22 July	Monday 29 July
#6	Monday 22 July	Monday 29 July	Monday 5 August
#7	Monday 29 July	Monday 5 August	Monday 12 August
#8	Monday 5 August	Monday 12 August	Monday 19 August

*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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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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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 Veterans Affairs

Proposed Permanent Rules Relating to Administration and Operation

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Department of Veterans Affairs intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, Sections 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes*, Section 196.04.

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

Any person may make a written request for a public hearing on the rules within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the department will proceed pursuant to *Minnesota Statutes* Section 13.131 to 14.20.

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

Terrence A. Logan
Director, Agency Relations
Minnesota Department of Veterans Affairs
State Veterans Service Building
20 West 12th Street
St. Paul, Minnesota 55155-2079
(612) 296-6728

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

A copy of the proposed rules are attached to this notice.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and the reasonableness of each provision of the proposed rules and identifies the date in information relied upon to support the proposed rules has been prepared and is available upon request from:

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

Terrence A. Logan
Director, Agency Relations
Minnesota Department of Veterans Affairs
State Veterans Service Building
20 West 12th Street
St. Paul, Minnesota 55155-2079
(612) 296-6728

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

Terrence A. Logan
Director, Agency Relations
Minnesota Department of Veterans Affairs
State Veterans Service Building
20 West 12th Street
St. Paul, Minnesota 55155-2079
(612) 296-6728

Dated: 29 July 1991

Bernie Melter
Commissioner of
Veterans Affairs

Rules as Proposed (all new material)

9055.0010 PURPOSE.

This chapter governs the administration and operation of the Department of Veterans Affairs and must be interpreted to give effect to *Minnesota Statutes*, chapters 196 and 197.

9055.0015 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Accredited claims representative.** "Accredited claims representative" means a person recognized by the United States Department of Veterans Affairs for the purpose of helping people make claims for federal veterans benefits defined in *United States Code*, title 38.

Subp. 3. **Assets.** "Assets" means money in bank accounts, or cash or financial instruments readily convertible into cash. "Assets" does not include proceeds available from life insurance or burial insurance policies.

Subp. 4. **Claim.** "Claim" means a formal or informal communication in writing requesting a determination of eligibility for federal benefits defined in *United States Code*, title 38.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of veterans affairs.

Subp. 6. **Congressionally chartered veterans organization.** "Congressionally chartered veterans organization" means a veterans organization granted a national charter by the United States Congress to assist veterans in making claims.

Subp. 7. **Contested claim.** "Contested claim" means a claim by more than one party that is based on a single person's eligibility.

Subp. 8. **County veterans service officer.** "County veterans service officer" means a person employed by a county in Minnesota to assist veterans and their dependents in making claims.

Subp. 9. **Department.** "Department" means the Department of Veterans Affairs.

Subp. 10. **Department claims division.** "Department claims division" means the accredited claims representatives and their support staff.

Subp. 11. **Dependent.** "Dependent" means a spouse, an unmarried child under the age of 19 years, a child who is a student under the age of 25 years and who is financially dependent upon the parent, a child of any age who is disabled and dependent upon the parent, or a parent of the applicant or applicant's spouse who lives in the applicant's household and is financially dependent upon the applicant. "Child," as used in this subpart, includes legally adopted children, financially dependent stepchildren, foster children, and children under the guardianship of the applicant or the applicant's spouse.

Subp. 12. **Deputy commissioner.** "Deputy commissioner" means the deputy commissioner of veterans affairs for veterans services.

Subp. 13. **Discharge papers or equivalent.** "Discharge papers or equivalent" means a federal form issued at the time of separation from the armed forces of the United States indicating dates of service, character of service, and other pertinent data relating to the individual's military service. This may include, but is not limited to, form DD 214, form DD 215, or a report of separation.

Subp. 14. **Emergency medical treatment.** "Emergency medical treatment" means an unexpected occurrence or a set of circumstances demanding immediate professional medical attention to alleviate pain and suffering.

Subp. 15. **Income.** "Income" means earned and unearned income from any source, including windfalls, income tax refunds, property tax refunds, and rebates, reduced by amounts paid or withheld for federal and state income taxes, and social security taxes.

Subp. 16. **Institution of university grade.** "Institution of university grade" means the University of Minnesota, a state university, a community college, a technical college, or any other school of higher learning within the state accredited by the North Central Association of Colleges and Secondary Schools, a law college approved by the supreme court, a nursing school approved by the State Board of Nursing, a trade, business, or vocational school in the state approved by the State Department of Education, or a theological seminary.

Subp. 17. **Schedule of allowances.** "Schedule of allowances" means the schedule of maximum monthly allowances created by the department to determine the amount of assistance authorized under the state soldiers assistance fund. The schedule is incorporated by reference, is available in the state law library or from the commissioner at the Department of Veterans Affairs, Veterans Building, St. Paul, Minnesota 55155, and is subject to frequent change.

Subp. 18. **United States Department of Veterans Affairs.** "United States Department of Veterans Affairs" means that federal agency formerly known as the Veterans Administration, which administers federal benefits for veterans and their dependents arising out of service in the armed forces of the United States.

Subp. 19. **Utilities.** "Utilities" means electricity and fuels, including heating oil, natural and liquid propane gas, wood used for heating or cooking, coal used for heating or cooking, water service, whether provided through a common line or from a privately owned well, trash removal, and sewerage, whether provided through a common line or through a privately owned system.

Subp. 20. **Veteran.** "Veteran" means a person who has been separated under honorable conditions from a branch of the armed forces of the United States after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, and who is a citizen of the United States or resident alien, or who has active military service certified under Public Law Number 95-202, section 401. This active military service must be certified by the United States Secretary of Defense as active military service and a discharge under honorable conditions must have been issued to the individual by the United States Secretary of Defense.

Subp. 21. **War orphan.** "War orphan" means the child of a veteran who has died as a result of active duty service in the armed forces of the United States, as determined by the United States Department of Veterans Affairs or other instrumentality of the United States.

9055.0020 STATE SOLDIERS ASSISTANCE FUND.

Subpart 1. **Use of fund.** The commissioner shall administer the state soldiers assistance fund to financially assist veterans who reside in Minnesota and their dependents. The assistance may be in the form of temporary emergency assistance, payments for the costs of emergency medical treatments and services, and maintenance of the veteran's dependents during the time the veteran is disabled and without adequate means of supporting the veteran or the veteran's dependents.

Subp. 2. **Financial need.** Veteran applicants and their dependents shall demonstrate financial need for the assistance available under the state soldiers assistance fund. Need must be determined based on the schedule of allowances and the financial assets and income of the applicant, as stated on the application for assistance.

Subp. 3. **Medical need.** An applicant shall demonstrate medical disability severe enough to preclude the applicant from pursuing a normal occupation. The medical disability must be of at least 30 days' duration and must be verified by the applicant's physician. Continued medical disability must be demonstrated for continued financial assistance beyond the initial eligibility period.

Subp. 4. **Veteran status required.** An applicant must be a veteran as defined in *Minnesota Statutes*, section 197.447, or the widow or widower or dependent of a veteran.

Subp. 5. **Residency required.** An applicant for assistance must reside in Minnesota at the time of application. The applicant must

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also have resided in Minnesota for at least six months before applying for assistance under this program or must have been a legal Minnesota resident at the time of entry into military service.

Subp. 6. **Assistance not to be used to supplement.** Benefits available to individuals under the state soldiers assistance fund must not be used to supplement or to add to assistance available to or received by the applicant from the general assistance or aid to families with dependent children programs.

9055.0025 STATE SOLDIERS ASSISTANCE FUND; HOW SPENT:

The state soldiers assistance fund must be spent to temporarily assist eligible veterans and their dependents. Payments must be made in 30-day increments, beginning with the date of eligibility, as determined by the application.

9055.0030 STATE SOLDIERS ASSISTANCE FUND; AMOUNT OF ASSISTANCE GRANTED; HOW CALCULATED.

Subpart 1. **Comparison.** The amount of assistance granted must be calculated by comparing the applicant's income and assets to the amount appropriate for the applicant's household size on the schedule of allowances.

Subp. 2. **Subtract income from schedule amount.** The amount of assistance granted must be calculated by subtracting the applicant's income from the amount appropriate for the applicant's family size, as determined from the schedule of allowances.

EXAMPLE: A veteran with a spouse and dependent child applies for assistance. Total income available to the household is \$75 per week, which is the spouse's take-home pay.

\$75 times 4.3 weeks per month equals \$322.50 average monthly income to the household. Schedule of allowances for a family of three is \$490. \$490 minus \$322.50 equals \$167.50, which would be issued to the veteran and family. In addition, current utility bills would be paid upon submission.

Subp. 3. **Asset limitation.** A person who has assets at or in excess of twice the monthly budgetary allowance according to the schedule of allowances may not receive financial assistance from the department under the state soldiers assistance fund.

Subp. 4. **Assistance limited to six consecutive months.** Applicants may not receive more than six consecutive months of financial assistance under the state soldiers assistance fund unless assistance beyond six months is authorized by the commissioner.

Subp. 5. **Assistance beyond six consecutive months.** Assistance beyond six consecutive months may be authorized only when the applicant has applied for long-term benefits such as Social Security retirement or disability benefits, workers' compensation, United States Department of Veterans Affairs disability compensation or pension benefits, private pension benefits, or similar benefits and a determination of eligibility for those benefits has not been rendered or benefits have not been paid by the responsible agency.

9055.0035 DETERMINING INCOME FROM SELF-EMPLOYMENT.

Subpart 1. **Gross income.** Gross income from self-employment includes, but is not limited to, income from the sale of goods or services, crops, livestock, produce, and machine rental, including wages paid to the owner or operator and capital gains or losses. Income must be calculated by subtracting allowed expenses from gross income.

Subp. 2. **Allowed expenses.** Allowed expenses include:

- A. interest paid on mortgages and loans;
- B. employee wages, other than wages paid to members of the applicant's household or paid to another person who must contribute to the applicant;
- C. FICA paid on employee wages;
- D. costs of raw materials, including seed and fertilizer;
- E. maintenance and repairs that are not capital expenditures;
- F. tools and supplies that are not capital expenditures;
- G. rent, utility payments, and insurance costs; and
- H. other expenses normally allowed by the Internal Revenue Service, except as specifically excluded in subpart 3.

Subp. 3. **Self-employment expenses not allowed.** Expenses from self-employment specifically not allowed are:

- A. net losses from another period of operation, federal, state, and local income taxes;
- B. the employer's own share of FICA;
- C. money set aside for the self-employed applicant's own retirement;
- D. work-related personal expenses, such as meals consumed on the premises;
- E. payments on loan principal;

- F. capital expenditures;
- G. charitable contributions;
- H. depreciation;
- I. wages or other benefits paid to members of the applicant's household or to persons who must contribute to the applicant;
- J. personal business and entertainment expenses;
- K. the costs of building an inventory; and
- L. any other expenses not specifically allowed by the Internal Revenue Service.

Subp. 4. **Determining monthly income.** Self-employment income must be averaged over 12 months. If the business has been in operation less than 12 months, income and expenses must be averaged over the number of months the business has been in operation to determine the average monthly income.

Subp. 5. **Irregular income periods.** If the applicant does not receive income on a monthly basis, the applicant's income and expenses must be averaged over the number of months the applicant earned the income to determine the average monthly income. No more than 12 months may be used to calculate monthly income.

9055.0040 CALCULATION OF INCOME; EFFECT OF COURT-ORDERED CHILD SUPPORT PAYMENTS.

Subpart 1. **Inclusion in calculation.** Court-ordered child support payments, whether received or paid by the applicant's household, must be included in the calculation of household income and assets unless the applicant specifically asks that they not be included in the calculation of household income as outlined in this part.

Subp. 2. **Child support payments received.** Child support payments received by the applicant's household must be included in the calculation of income and assets if the child for whom support is received is included in the total number of members of the applicant's household for whom assistance is sought under the state soldiers assistance program. Child support payments under this calculation are considered available to the entire household.

Subp. 3. **Child support payments disregarded.** An applicant may elect not to include a child for whom support is received and who is a member of the applicant's household in the computation of the total number of members of the applicant's household. If the child is excluded from this computation, child support for payments for that child must also be excluded from the calculation of household income and assets.

Subp. 4. **Child support payments excluded.** An applicant for the state soldiers assistance program who is paying court-ordered child support payments may exclude the full amount of payments in the calculation of household income and assets if the following conditions are met:

A. the applicant shall provide a current copy of the court order that orders child support payments; and

B. court-ordered child support payments made by the applicant must be current and up to date as of the date of the application. The applicant shall provide a written statement from the recipient of the claimed court-ordered child support payments that all support payments are current as of the date of the application for assistance under the state soldiers assistance program.

9055.0050 METHOD OF PAYMENT.

Payments authorized by the commissioner must be made by the Department of Finance.

9055.0055 ASSISTANCE AUTHORIZED.

Upon receipt of a properly completed application for assistance, verification of the veteran's eligibility, and a determination of the financial need for assistance, the department shall authorize the issuance of assistance according to the schedule of allowances.

9055.0060 TYPES OF ASSISTANCE AUTHORIZED.

Subpart 1. **Payments to be made.** Upon approval by the department, the payments in subparts 2 to 6 must be made to temporarily assist applicants.

Subp. 2. **Shelter payments.** Shelter payments must be made in the lesser amount of either the shelter allowance as determined by the schedule of allowances or the actual cost of the applicant's housing as determined by the application.

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Proposed Rules

Subp. 3. **Room and board, rent payments.** Payments for room and board and rent for the applicant's housing unit must be made in the lesser of the following amounts: the actual charges for room and board or rent, or the allowance for room and board or rent as established by the schedule of allowances. Payment for room and board or rent may be made to the applicant's landlord, following receipt of a properly completed Landlord's Statement, Department of Veterans Affairs form number 0003-02.

Subp. 4. **Utility payments.** Payment of the cost of utilities is limited to current utility bills only. No payment may be authorized or made on any utility bills that are past due or in arrears. Delivery of bulk utilities, such as heating and cooking fuels including liquid propane gas, heating oil, coal, and wood, must be limited to a normal one-month supply, as determined by the applicant's past usage rates, unless the commissioner determines that it is more beneficial to either the applicant or the department to authorize the delivery of a greater amount. Prior authorization for delivery of bulk utilities must be received from the commissioner.

Subp. 5. **Utility payments not to include durable goods.** Payment of the cost of utilities must not include any amounts included on utility bills for purchases of durable goods, such as, but not limited to, water heaters, refrigerators, heating units, and similar products. Payment must be authorized only for the purchase of expendable heating and cooking fuels.

Subp. 6. **Health insurance payments.** Payment for health insurance premiums is limited to current bills for health insurance premiums. No payment may be authorized or made on any health insurance premiums that are past due or in arrears. Payments must not be authorized or made for any other types of insurance.

9055.0070 NOTICE REQUIRED; ASSISTANCE GRANTED.

Applicants granted financial assistance must be notified in writing that assistance will be granted. The notification must include the amount of assistance to be issued, the time periods covered by the assistance, and any requirements of the applicant for further assistance.

9055.0075 NOTICE REQUIRED; ASSISTANCE DENIED.

Applicants whose claim for assistance has been denied must be notified of that denial in writing. The notice must state the reasons for the denial and must inform the applicant of the right to appeal the decision to deny assistance.

9055.0080 APPEAL PROCEDURE; DENIAL OF ASSISTANCE.

Subpart 1. **Right to appeal.** An applicant may appeal a decision by the department not to grant assistance. Appeals must be in the manner described in this part.

Subp. 2. **Submitting appeals.** Appeals must be submitted to the commissioner in writing within 60 days of the applicant's receipt of the denial letter.

Subp. 3. **Appeal options.** An applicant may elect to pursue either a written appeal or a personal hearing, or both.

Subp. 4. **Reasons.** An applicant shall state any reasons why the applicant disagrees with the decision to deny assistance. The applicant may submit any additional evidence or documentation for consideration.

Subp. 5. **Personal hearing.** An applicant may request a personal hearing before the commissioner to present further evidence or documentation or to request a reconsideration of an original application. All expenses incurred by the applicant are the obligation of the applicant. The commissioner shall provide a room for the personal hearing at no cost to the applicant. A request for a personal hearing to appeal a decision to deny assistance must be filed, in writing, with the commissioner within 60 days of the applicant's receipt of the denial letter.

Subp. 6. **Determination.** The commissioner shall issue a determination to grant or deny the assistance sought within seven working days of the review or personal hearing. All determinations of the commissioner are final.

Subp. 7. **Issuance of assistance.** If the commissioner determines that the issuance of assistance is appropriate, the assistance must be issued within 14 working days of the commissioner's decision. If the commissioner determines not to issue the requested assistance, the applicant must be informed of this determination in writing, stating the commissioner's reasons for this determination.

Subp. 8. **Failure to appeal.** Failure by the applicant to appeal a decision by the department not to grant assistance within the 60-day period allowed for appeals is a bar to further appeals.

9055.0085 STATE SOLDIERS ASSISTANCE FUND; DENTAL OR OPTICAL ASSISTANCE.

Subpart 1. **Dental or optical needs.** The commissioner may provide financial assistance to applicants to meet basic dental or optical needs, according to the schedule of allowances.

Subp. 2. **Excess assets a bar to assistance.** Assets at or in excess of twice the monthly budgetary allowance according to the schedule of allowances for the number of eligible persons in the applicant's household are a bar to receiving assistance under this part.

Subp. 3. **Excess income a bar to assistance.** Income at or in excess of 2-1/2 times the monthly budgetary allowance according to

the schedule of allowances for the number of eligible persons in the applicant's household is a bar to receiving assistance under this part.

Subp. 4. **Amount of assistance.** The amount of financial assistance granted under this part must be determined by the schedule of allowances and dental and optical benefits schedule, according to Department of Human Services maximum payment standards and procedure codes.

Subp. 5. **Frequency of assistance.** Applicants must be eligible to receive assistance under this part once every calendar year as determined by the date of the exam for the type of assistance sought.

9055.0090 STATE SOLDIERS ASSISTANCE FUND; EMERGENCY MEDICAL TREATMENT.

Subpart 1. **Emergency medical assistance.** The commissioner may provide financial assistance, limited to the cost of treatment provided or the maximum allowed under the schedule of allowances, to veteran applicants who require emergency medical treatment and who lack the financial resources or insurance to defray the cost of this treatment.

Subp. 2. **Excess assets a bar to assistance.** Assets at or in excess of twice the monthly budgetary allowance according to the schedule of allowances for the number of eligible persons in the applicant's household are a bar to receiving assistance under this part.

Subp. 3. **Excess income a bar to assistance.** Income at or in excess of 2-1/2 times the monthly budgetary allowance according to the schedule of allowances for the number of eligible persons in the applicant's household is a bar to receiving assistance under this part.

Subp. 4. **Amount of assistance.** The amount of financial assistance granted under this part must be determined by the schedule of allowances, medical benefits schedule, according to the Department of Human Services maximum payment standards and procedure codes.

9055.0095 STATE SOLDIERS ASSISTANCE FUND; CLOTHING ALLOWANCE.

Subpart 1. **Clothing needs.** The commissioner may provide financial assistance to applicants to meet minimal clothing needs under one or more of the conditions in subparts 2 to 4.

Subp. 2. **Catastrophic loss.** Financial assistance may be given if the applicant has lost all available clothing as a result of a fire or other disaster and the loss is not covered by insurance.

Subp. 3. **Suitable clothing required.** Financial assistance may be given to clothe children of veterans who are currently receiving assistance from the department under the state soldiers assistance fund in suitable clothing to attend school or to provide suitable clothing for the applicant to return to employment.

Subp. 4. **Amount of assistance.** The amount of assistance granted under this part must be according to the schedule of allowances.

9055.0100 CLAIMS DIVISION.

Subpart 1. **Purpose of division.** The department's claims division has been established to assist veterans and their dependents with claims.

Subp. 2. **Representation.** The claims division shall represent veterans or their dependents upon the request of the veteran or veteran's dependent. The representation is without charge. The claims division shall also represent a veteran or a veteran's dependent who has designated a federally recognized veterans organization as the veteran's or dependent's representative if the veterans organization has requested in writing that the department provide the claims representation on its behalf.

Subp. 3. **Termination.** The department's claims division may terminate its representation of individuals who threaten the personal safety of employees of the department.

Subp. 4. **Federal law to govern procedure.** The department's claims division operates under the regulations of the United States Department of Veterans Affairs as to methods of operation in the representation of a veteran claimant and as to the presentation of claims.

Subp. 5. **Citation.** The specific federal law governing the federal oversight of the operation of the department's claims division is in *Code of Federal Regulations*, title 38, chapter 1, sections 14.628(b) to 14.669.

Subp. 6. **Contested claims not accepted.** The claims division shall not act as accredited claims representative for more than one party to an action or claim based upon a single individual's eligibility.

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Proposed Rules

9055.0105 EDUCATION.

Subpart 1. **State education benefits.** The legislature has established educational programs to assist veterans and the dependents of veterans who were killed in the line of duty or who died as a result of wounds, illness, or injury incurred in the line of duty.

Subp. 2. **Veteran.** Veteran residents who have exhausted through use all federal education benefits to which they may have been entitled are eligible for a single educational grant from the department in an amount approved by the legislature. Veterans who lost four or more months of entitlement to federal veterans educational benefits due to the termination of eligibility by the United States Department of Veterans Affairs effective December 31, 1989, are also eligible for this benefit.

Subp. 3. **Veteran; defined.** For purposes of this part, "veteran" has the meaning given it in *Minnesota Statutes*, section 197.447.

Subp. 4. **Residence required.** For purposes of this part, a veteran applicant must have been a resident of Minnesota before the applicant's entrance into the armed forces of the United States and for six months immediately before the applicant's application for this benefit.

Subp. 5. **Application required.** Veteran applicants are required to submit the following forms and documentation:

A. a completed and signed Department of Veterans Affairs form VA-00024-02;

B. a copy of the veterans discharge papers or equivalent; and

C. a statement from the United States Department of Veterans Affairs that the veteran applicant has exhausted through use all educational benefits to which the veteran may have been entitled, as provided by federal law.

Subp. 6. **Approval; notification.** Upon verification of eligibility of the veteran applicant, and approval of the request, notice must be sent to the veteran applicant and to the veteran applicant's educational institution that payment has been approved.

Subp. 7. **Disapproval; notification.** Veteran applicants who do not meet the eligibility requirements prescribed in *Minnesota Statutes*, section 197.75, must be notified in writing to that effect. This notification must state all reasons why the veteran's application has not been approved. Veteran applicants must also be notified of their right to appeal a determination not to grant educational benefits, as well as of the appeals process.

Subp. 8. **Appeals process.** Veteran applicants who have been denied educational benefits under this part may appeal this determination to the commissioner. The written appeal must cite any errors in the original determination, as well as any arguments that the veteran applicant may wish to offer, detailing why the educational benefits should be granted.

Subp. 9. **Commissioner's determination.** The commissioner shall review the veteran's written statement and the original application and supporting documentation. The commissioner shall issue a final determination to grant or deny the benefit sought within seven working days of the commissioner's receipt of the veteran's appeal. The commissioner's determination is final.

Subp. 10. **Approval; payment.** Upon verification of eligibility, payment, within budgetary constraints, must be made directly to the educational institution the veteran is attending. Upon receipt of proof of payment of tuition costs, this payment must be made directly to the veteran applicant.

9055.0110 EDUCATIONAL ASSISTANCE; WAR ORPHAN.

Subpart 1. **Free tuition.** The children of veterans who died as the result of active duty service in the armed forces of the United States are eligible to attend state universities and community colleges in Minnesota free of tuition until they receive a bachelor's degree or its equivalent.

Subp. 2. **Grant for costs of education.** Children of veterans who died as a result of active duty service in the armed forces of the United States are also eligible for a grant each fiscal year, in an amount approved by the legislature, to defray the costs of tuition, fees, room and board, books, and supplies.

Subp. 3. **Residency required.** Applicants under this part must have resided in Minnesota for at least two years before the date of their application for benefits under this part. The deceased veteran parent must also have been a resident of Minnesota at the time of entrance into the armed forces of the United States.

Subp. 4. **Application required.** Applicants under this part shall complete the same forms and provide the same documentation as required for a veteran applicant, as provided in part 9055.0105, subpart 5.

Subp. 5. **Proof required.** Applicants for war orphan benefits under this part shall also provide evidence from the United States Department of Veterans Affairs of the service-connected death of the veteran parent.

9055.0115 FILES AND RECORDS.

Subpart 1. **Information on individuals.** The department generates and maintains information on individuals who apply for benefits, programs, and services administered by the department. Release of or access to all information on individuals held by the department is governed by the Government Data Practices Act under *Minnesota Statutes*, chapter 13.

Subp. 2. **Classed as confidential.** Information on individuals, gathered or generated by the department pertaining to any claims or benefits is confidential and privileged under *Minnesota Statutes*, section 196.08. Release of this information is also governed by the Government Data Practices Act, under the definition of private data on individuals.

Subp. 3. **Release of private data.** Information on individuals held by the department that meets the definition of private data on individuals must be released only under the conditions in part 9055.0120.

9055.0120 NO DISCLOSURE.

Subpart 1. **Exceptions.** Records maintained by the department may not be disclosed without the written consent of the individual named in the records, except:

- A. when the individual has been adjudicated incompetent; or
- B. as in subparts 2 to 4.

Subp. 2. **Release to individuals.** Records maintained by the department must be released to the claimant personally, a duly appointed guardian, an attorney in fact, a duly authorized representative, and as to personal matters, when the commissioner has determined that disclosure would not be injurious to the mental or physical health of the claimant.

Subp. 3. **Release to organizations.** Records maintained by the department must be released to the duly certified representatives of veterans organizations recognized by the United States Department of Veterans Affairs.

Subp. 4. **Release under court order.** Records maintained by the department must be released when ordered by a court of competent jurisdiction in Minnesota, and then only in open court as evidence, only after a judge has ruled that the records are relevant and competent evidence in an action or proceeding according to the laws and statutes of Minnesota.

9055.0125 ADJUSTED COMPENSATION; MERCHANT MARINERS, WORLD WAR II.

Subpart 1. **Eligible persons.** Former members of the United States Merchant Marine with wartime ocean-going service in a combat zone during World War II have been determined to be veterans by the United States Secretary of Defense. As veterans, they are eligible for adjusted compensation payments from the state as were other veterans of World War II. Public Law Number 95-202, section 401, established that members of the United States Merchant Marine who were in active ocean-going service during World War II from December 7, 1941, to August 15, 1945, are eligible to receive discharge certificates from the United States armed forces. The discharge confers full veteran status.

Subp. 2. **Eligibility.** To qualify for an adjusted compensation payment for service in the Merchant Marine during World War II, an applicant must meet all of the following requirements.

- A. The applicant must possess an honorable discharge certificate issued by a branch of the United States armed forces, indicating the member served in ocean-going service.
- B. The applicant must have been a Minnesota resident at the time of entry into the Merchant Marine and for six months immediately before the time of entry.
- C. The applicant must have had at least one period of 30 consecutive days of active ocean-going service.

Subp. 3. **Applicants not eligible.** Applicants who had five or more years of service in the Merchant Marine before December 7, 1941, are not eligible for payments under this program.

Subp. 4. **Amount of payment; how calculated.** Eligible applicants must be paid at the rate of \$15 per month for each month or major portion (15 days or more) of a month of active duty or ocean-going service as determined by the secretary of defense during the effective dates of the bonus period. Periods of service of less than 15 days per month must be combined. This combined total must be divided by 30 to determine the number of months of eligibility. Remainders after this calculation of less than 15 days must be disregarded in calculating the total number of months of eligibility.

Subp. 5. **Proof of residency; acceptable verification.** Applicants for this payment shall provide verification of resident status at the time of entry into the Merchant Marine and for the six months immediately before. Acceptable forms of verification are:

- A. copies of voting records;
- B. tax records;

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Proposed Rules

- C. school records if entry immediately followed school;
- D. affidavits from three persons not related to the applicant attesting to the applicant's resident status for six months immediately before entry; or
- E. other forms of verifiable evidence.

Subp. 6. **Maximum payment.** The maximum amount payable under this program is \$400 per applicant.

Subp. 7. **Other groups recognized under Public Law Number 95-202, section 401.** Adjusted compensation payments to members of other groups recognized as veterans under Public Law Number 95-202, section 401, must be calculated using the same methods of calculation as outlined in this part.

9055.0130 COMMISSIONER'S TECHNICAL STAFF

Subpart 1. **Definition.** "Commissioner's technical staff" means those persons whose primary job duties are those detailed in *Minnesota Statutes*, section 196.05.

Subp. 2. **Requirements.** Individuals on the commissioner's technical staff must have the same qualifications as the commissioner, as outlined in *Minnesota Statutes*, section 196.02, subdivision 1.

Adopted Rules

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

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

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

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

Department of Health

Adopted Permanent Rules Relating to Family Planning Special Project Grants

The rules proposed and published at *State Register*, Volume 15, Number 40, pages 2183-2190, April 1, 1991 (15 SR 2183) are adopted with the following modifications:

Rules as Adopted

4700.2000 DEFINITIONS.

Subp. 9. **High risk person.** "High risk person" means an individual whose age, health, prior pregnancy outcome, or socioeconomic status increases her chances of experiencing an unplanned pregnancy or problems during pregnancy. High risk persons include, but are not limited to, women under 18 or over 35; women who have experienced premature labor and delivery; women with existing health problems such as diabetes, anemia, and obesity; and persons whose individual or family income is determined to be at or below 200 percent of the official income poverty line as defined ~~according to~~ by *United States Code*, title 42, section 9902, ~~as amended, and as published~~ by the Federal Office of Management and Budget and revised annually in the Federal Register. A copy of the most current guideline is available from the Office of Planning and Evaluation, Department of Health and Human Services, Washington, D.C., 20201, (202) 245-6141.

4700.2420 FAMILY PLANNING SERVICES GRANT FUNDING.

Subpart 1. **Funding limit.** ~~If the total funds available for distribution under part 4700.2410, subparts 1 and 2, are \$2,200,000 per year or less, An applicant, other than one an applicant for a family planning hotline grant, with an approvable application who is also a current recipient of family planning special project grant funds shall be limited to an annual application request of \$40,000 or its current award, whichever is greater \$75,000 per region. A new applicant with an approvable application shall be limited to an annual request of \$40,000. If the funds available for distribution exceed \$2,200,000 per year, the funding limit shall increase by a percentage equal to half the percentage increase in the amount of total funds available for distribution. Two or more agencies may submit a joint~~

application; each agency that is a party to it shall be limited to an annual application request of \$75,000 for each region covered by the joint application.

Subp. 2. **Grant allocations.** The applications, other than those for a family planning hotline grant, must be ranked in order within each region from highest to lowest based on the criteria for award in part 4700.2300. The applications must be funded in rank order from highest to lowest until all available funds for the region are allocated. ~~An applicant may submit applications for more than one region; however, the total funding requested by one applicant for all regions shall not exceed the funding limit of subpart 1.~~

Revenue Notices

Effective July 1, 1991, the Department of Revenue has authority to issue revenue notices. A revenue notice is a policy statement made by the department that provides interpretation, details, or supplementary information concerning the application of law or rules. This authority was provided by the Legislature in 1991 Session Laws Chapter 291, article 21, section 6 and will be codified at *Minnesota Statutes* section 270.0604.

Department of Revenue

Revenue Notice #91-2: Application of Sales and Use Tax to Lawn, Garden, and Arborist Services and Landscaping Contracts

Changes made to *Minnesota Statutes* § 297A.01, subd. 3(j)(vi) and § 297A.01, subd. 4 by the 1991 legislative session affect application of sales and use tax to lawn, garden (both vegetable and flowers), and arborist services, and to landscaping contracts as follows:

- Garden seed planting and garden maintenance is taxable.
- Taxable lawn and garden care services include, but are not limited to, the following:
 - Reseeding lawns, not including the initial seeding
 - Garden seed planting
 - Garden maintenance
 - Garden tilling and soil preparation
 - Killing lawn or garden weeds, insects, rodents, or fungi
 - Lawn sprigging service
 - Aerating
 - Dethatching
 - Cemetery upkeep
- Taxable arborist services include, but are not limited to
 - Tree, bush, and shrub pruning, bracing, spraying, and surgery
 - Tree trimming for public utility lines
 - Tree and stump removal (moving trees, shrubs, etc., from one location to another is exempt)
 - Stump grinding for home or business (for new construction is exempt)
- Following is a listing of some sales involving landscaping that are considered to be construction contracts and thus are exempt from sales tax:
 - Install shrubs, plants, sod, trees, and bushes
 - Install timber and/or boulder retaining wall

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Revenue Notices

- Install brick on sand walkway
- Install deck
- Install underground irrigation and sprinkler systems
- Grade area with bobcat and/or install additional soil
- Install nightscape lighting including necessary electrical work
- Topdress area with soil, and reseed or resod damaged or altered surfaces
- Install edging, poly and rock in landscape beds

Dated: 29 July 1991

Department of Revenue

Revenue Notice #91-3: Application of Sales and Use Tax to Contractor-Retailer Purchases

Facts: Contractors are required to pay Minnesota sales or use tax on purchases of materials, supplies and equipment used to complete construction contracts for the improvement, alteration or repair of real property. Retailers may purchase items that will be resold at retail exempt from the Minnesota sales and use tax. A contractor-retailer is one that contracts for the improvement of real property and also makes retail sales of tangible personal property. *Minnesota Rules*, part 8130.1200 provides that if a contractor-retailer does not know whether a purchase will be used in a construction contract or sold at retail, a 50 percent test must be used. The rule provides that when a contractor-retailer's business activities during the prior calendar year reflect that 50 percent or less of the purchases were sold at retail, the contractor-retailer must pay sales tax on all purchases and take a deduction if an item is subsequently sold at retail. If the prior year shows that more than 50 percent of the purchases were sold at retail, the contractor-retailer may purchase all of the items exempt for resale, and pay use tax if any are used for a construction contract.

Issue: How does the Minnesota sales and use tax apply to purchases by contractor-retailers whose business activity is at or near the 50 percent cut-off point with approximately 50 percent contract sales and 50 percent retail sales? The actual sales may vary from year to year making the contractor-retailer principally a contractor one year and then principally a retailer the next year.

Conclusion: If the business activity of a contractor-retailer is approximately 50 percent contract and 50 percent retail, the contractor-retailer should make a choice as to which of the methods of taxation described in *Minnesota Rules*, part 8130.1200 to use. The method chosen should be used consistently unless the activity of the business changes substantially in the future.

Dated: 29 July 1991

Department of Revenue

Revenue Notice #91-4: Exemption for Services Used in Agricultural Production

Minnesota Statutes § 297A.25, subd. 9, provides an exemption for materials used or consumed in agricultural production. It is the Revenue Department's position that services performed for farmers or commercial crop growers are exempt from sales tax if the services are to be used in production of agricultural products for resale. For example, services such as crop spraying, planting or pruning of fruit trees, or reforestation are not taxable when the products will be harvested for sale.

Dated: 29 July 1991

Department of Revenue

Revenue Notice #91-5: Isolated or Occasional Sale of Services

Facts: Minnesota sales and use tax law imposes sales tax on charges for furnishing certain specific services. These services are sometimes performed by individuals who are not regularly engaged in the business of performing or providing such services. *Minnesota Statutes* § 297A.25, subd. 12, provides an exemption from sales tax for isolated or occasional sales of tangible personal property not made in the normal course of business of selling that kind of property.

Issue: When is a taxable service exempt from sales tax as an isolated or occasional sale?

Conclusion: The Department of Revenue has taken the position that there can be isolated or occasional sales of services when the

individual providing the service is not regularly engaged in the business of providing that service. An individual is considered to be in the business of providing services if they engage in activities such as soliciting sales, advertising, and entering into written contracts to provide services.

For example: A person mows the grass or takes care of a pet for a next door neighbor for pay. Unless the person is employed by a business to perform this service or has established their own business, the charge will qualify as an isolated or occasional service, and will be exempt from tax.

Dated: 29 July 1991

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

Adopted Emergency Rules Relating to Vocational Rehabilitation Services

The rules proposed and published at *State Register*, Volume 15, Number 47, pages 2493-2496, May 20, 1991 (15 SR 2493) are adopted as proposed.

Official Notices

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

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

Minnesota Comprehensive Health Association

Notice of Meeting of Enrollee Appeals Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA) Enrollee Appeals Committee will be held on Tuesday, July 30, 1991 at 3:00 p.m. at the Minnesota Comprehensive Health Association offices located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, Minnesota.

For additional information please call Lynn Gruber at (612) 593-9609.

Pollution Control Agency

Hazardous Waste Division

Notice of Intent to Solicit Outside Information Regarding Proposed Rule Amendments to the Hazardous Waste Facility and Generator Fee Rules

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) is seeking information or opinions from outside sources in preparing rule amendments to *Minnesota Rules* Ch. 7046 which requires a fee to be paid by hazardous waste facilities and generators. *Minnesota Rules* Ch. 7046 is authorized by *Minnesota Statutes* Sec. 116.12 (1990). Agency staff anticipate that the amendments will include an increase in the statewide program fee (referred to as a surcharge) paid by all generators (metropolitan and non-metropolitan) and an increase in the facility fees.

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

Jeanne Eggleston or Shelly Siewert
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155
Telephone: (612) 297-8371 or 297-8330

Oral statements will be received during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday.

Two public meetings have been scheduled to discuss the anticipated increase in the hazardous waste facility and generator fees. Both meetings will be held in the Agency Board Room at 520 Lafayette Road North, St. Paul. The dates and times are as follows:

Tuesday, August 13—1:30 p.m.
Tuesday, August 20—1:30 p.m.

Interested parties are invited to attend both meetings. The August 13th meeting will be for attendees, including Agency staff, to discuss basic issues and make proposals. At the August 20th meeting, Agency staff will present the Agency response to the information and ideas discussed at the first meeting and will present proposals to amended *Minnesota Rules* Ch. 7046.

All statements of information and opinion will be accepted until Friday, August 23, 1991. Any written materials received by the Agency shall become part of the rulemaking record in the event that the rule is amended.

Charles W. Williams
Commissioner

Public Utilities Commission

Notice and Order for Hearing in the Matter of an Application for a Certificate of Need for Construction of an Independent Spent Fuel Storage Installation (Docket No. E-002/CN-91-19)

PROCEDURAL HISTORY

I. Proceedings to Date

On April 29, 1991 Northern States Power Company (the Company) filed an application for a certificate of need to construct a nuclear waste storage facility at its Prairie Island nuclear power plant. On May 29, 1991 the Commission found that the application was not substantially complete and required supplementary filings. On July 18, 1991 the Commission accepted the supplemented application as being in proper form and substantially complete.

A copy of the Company's application is on file in the offices of the Department of Public Service, 790 American Center Building, 160 East Kellogg Boulevard, St. Paul, Minnesota 55101 and is open for public inspection during regular office hours.

Copies are also available for public inspection at the Company's offices at 414 Nicollet Mall, Minneapolis; 2302 Great Northern Drive, Fargo, North Dakota; 421 Wabasha St., St. Paul; 825 Rice Street, St. Paul; 1700 East County Road E, White Bear Lake; 3000 Maxwell Avenue, Newport; 2763 First Avenue Northwest, Faribault; 3920 Pepin Avenue, Red Wing; 3515 Third Street North, St. Cloud; 5050 Service Drive, Winona; 500 West Russell Street, Sioux Falls, South Dakota; 4501 68th Avenue North, Brooklyn Center; 5309 West 70th Street, Edina; 210 Lime Street, Mankato; 5505 County Road 19, Shorewood; 1505 Washington Avenue, Montevideo; and 3115 Centerpoint Drive, Roseville.

FINDINGS AND CONCLUSIONS**II. Jurisdiction and Referral for Contested Case Proceedings**

The Commission has jurisdiction over applications for certificates of need for nuclear waste storage facilities under *Minnesota Statutes* § 216B.243 (1990). That statute also requires at least one public hearing under the Administrative Procedure Act in certificate of need proceedings. *Minnesota Statutes* § 216B.243, subd. 4 (1990). The Commission's role is to determine whether the proposed facility complies with applicable criteria in statute and rule.

The Commission finds that it cannot satisfactorily resolve all issues raised by the Company's application on the basis of its filing and the single public hearing required under the statute. The Commission will therefore refer the matter to the Office of Administrative Hearings for contested case proceedings.

III. Issues to be Addressed

Minnesota Statutes § 216B.243 (1990) and *Minnesota Rules*, parts 7855.0100-7855.0120 set forth criteria which must be met to establish need for proposed large energy facilities, including nuclear waste storage facilities. Other statutes which may be applicable include *Minnesota Statutes* § 116D, particularly 116D.04, subd. 6 (1990), and *Minnesota Statutes* § 116C.72 (1990). Parties to this proceeding shall address whether the proposed facility meets these criteria.

The Commission also has continuing concerns in regard to Company compliance with the Indian Community's Nuclear Radiation Control Ordinance; energy savings reasonably achievable through conservation; the feasibility of reprocessing used fuel, generating power by means of renewable resources, and other alternatives to above-ground storage; the possibility of the proposed facility becoming permanent due to federal inability to establish a permanent nuclear waste depository; the appropriate standard for risk assessment and for quantifying risk-associated costs; the Company's emergency preparedness; and the eventual costs of transporting the casks from the proposed facility to the permanent federal nuclear waste depository.

IV. Public Participation

Minnesota Statutes § 216B.243, subd. 4 (1990) encourages public participation in certificate of need proceedings. The statute requires at least one hearing to obtain public opinion on the application and requires the Commission to designate an employee to facilitate citizen participation in the hearing process.

The Commission has designated two staff members to coordinate public participation in this proceeding: statistical analyst David L. Jacobson and engineer Michael Michaud. They may be reached by telephone at (612) 297-4562 (Mr. Jacobson) and at (612) 297-7956 (Mr. Michaud). Their address is 780 American Center Building, 160 East Kellogg Boulevard, St. Paul, Minnesota 55101.

Members of the public need not become formal parties to participate in the hearing process. They are encouraged to attend the public hearing(s) and to submit testimony and exhibits. Persons who cannot attend the public hearing(s) and wish to comment may submit written comments to the Administrative Law Judge. The Commission will require the Company to publish notice of the public and evidentiary hearings in newspapers throughout the state, to encourage maximum public participation.

V. Procedural Outline**A. Administrative Law Judge**

The Administrative Law Judge assigned to this case is Allan W. Klein. His address and telephone number are as follows: Office of Administrative Hearings, Fifth Floor, Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; (612) 341-7609.

B. Hearing Procedure

Hearings in this matter will be conducted in accordance with the Administrative Procedure Act, *Minnesota Statutes* §§ 14.57-14.62 (1990); the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.5100 to 1400.8400; and, to the extent that they are not superseded by those rules, the Commission's Rules of Practice and Procedure, *Minnesota Rules*, parts 7830.0100 to 7830.4400 and *Minnesota Rules*, parts 7847.0010 to 7847.0320. Copies of these rules and statutes may be purchased from the Print Communications Division of the Department of Administration, 117 University Avenue, St. Paul, Minnesota 55155, (612) 297-3000.

Under these rules formal parties may be represented by counsel, may appear on their own behalf, or may be represented by another person of their choice, unless otherwise prohibited as the unauthorized practice of law. They have the right to present evidence, conduct cross-examination, and make written and oral argument. Under *Minnesota Rules*, part 1400.7000, they may obtain subpoenas to compel the attendance of witnesses and the production of documents.

Any person intending to appear at the hearing as a formal party must file a notice of appearance (Attachment A) with the Administrative Law Judge within 20 days of the date of this Notice and Order for Hearing. Failure to appear at the hearing may result in facts and issues being resolved against the party who fails to appear.

Parties should bring to the hearing all documents, records, and witnesses necessary to support their positions. They should take

Official Notices

note that any material introduced into evidence may become public data unless a party objects and requests relief under *Minnesota Statutes* § 14.60, subd. 2 (1990).

Any questions regarding discovery under *Minnesota Rules*, parts 1400.6700 to 1400.6800 or informal disposition under *Minnesota Rules*, part 1400.5900 should be directed to Margie Hendriksen, Special Assistant Attorney General, 780 American Center Building, St. Paul, Minnesota 55101, (612) 296-0410.

The times, dates, and places of public and evidentiary hearings in this matter will be set by order of the Administrative Law Judge after consultation with the Commission and intervening parties.

C. Parties and Intervention

Current parties to this proceeding are the Company, the Minnesota Department of Public Service, the Prairie Island Mdewakanton Sioux Indian Community, the Minnesota Public Interest Research Group, the North American Water Office, and Minnesotans for an Energy Efficient Economy. Other persons wishing to become formal parties to this proceeding shall promptly file petitions to intervene with the Administrative Law Judge. They shall serve copies of such petitions on all current parties and on the Commission. *Minnesota Rules*, part 1400.6200.

D. Prehearing Conference

A prehearing conference will be held on Thursday, August 1, 1991 at 10:00 a.m. and continuing into the early afternoon. The conference will be held in Courtroom 15, Office of Administrative Hearings, 3rd Floor, Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415.

All parties and persons intending to intervene should attend the conference, prepared to discuss time frames and scheduling. Other matters which may be discussed include the scope of the hearings, the locations and dates of public hearings, discovery procedures, and similar issues.

E. Time Constraints

Under *Minnesota Statutes* § 216B.243, subd. 5 (1990) and *Minnesota Rules*, part 7855.0200, subp. 7, the Commission is required to act on the Company's application within six months of receipt of a substantially complete filing. (The Company has waived the statutory time frame and stated it wished the six month period to run from the date of this Order.) The Commission asks the Administrative Law Judge to conduct contested case proceedings in light of these time constraints. Parties should note the six-month statutory time frame at the outset and be prepared for the expedited hearing schedule that time frame requires.

F. Application of Lobbying Provisions

The lobbying provisions of the Ethics in Government Act, *Minnesota Statutes* §§ 10A. 01 *et seq.* (1990), apply to certificate of need proceedings. Persons appearing in this proceeding may be subject to registration, reporting, and other requirements set forth in that Act. All persons appearing in this case are urged to refer to the Act and to contact the Minnesota Ethical Practices Board, telephone number (612) 296-1720, with any questions.

G. Ex Parte Communications

Restrictions on *ex parte* communications with Commissioners and reporting requirements regarding such communications with Commission staff apply to this proceeding from the date of this Order. Those restrictions and reporting requirements are set forth at *Minnesota Rules*, parts 7845.7300-7845.7400, which all parties are urged to consult.

ORDER

1. A contested case hearing shall be held on the Company's certificate of need application. The proceeding shall begin with a prehearing conference on August 1, 1991 at 10:00 a.m. and continuing into the early afternoon. The conference will be held in Courtroom 15, Office of Administrative Hearings, 3rd Floor, Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415.

2. All parties to this proceeding may serve information requests on any other party. Information requests shall be answered within ten days of receipt.

3. Public hearings shall be held in this matter at times and places determined by the Administrative Law Judge after consultation with the Commission.

4. The Company shall publish notice of the public and evidentiary hearings in this matter in newspapers of general circulation throughout the state. Within 30 days of the date of this Order the Company shall file a proposal detailing its plans to publish such notice, including a proposed text, a list of the newspapers it proposes to use, and proposed publication dates.

5. This Order shall become effective immediately.

Dated: 18 July 1991

Richard R. Lancaster
Executive Secretary

Department of Transportation

Notice of Public Meeting

The Commissioner of the Minnesota Department of Transportation hereby gives notice that the State of Minnesota is listing a rail line for possible acquisition through the State Rail Bank Program.

This notice is published pursuant to *Minnesota Statutes*, Section 222.63, subdivision 3, in accordance with the rules governing the State Rail Bank Program, *Minnesota Rules 1991*, parts 8830.5800-8330.5860.

The Minnesota Department of Transportation has scheduled the following public meetings:

- Todd County—August 7, 1991, 7:00 p.m., Osakis, Osakis Community Center
- Stearns County—August 8, 1991, 7:00 p.m., Melrose, Melrose City Hall
- Douglas County—August 21, 1991, 7:00 p.m., Alexandria, County Court House
- Otter Tail County—August 22, 1991, 7:00 p.m., Fergus Falls, County Court House
- Grant County—August 26, 1991, 7:00 p.m., Ashby, American Legion

Information about the line proposed for acquisition is as follows:

1. The rail line is owned by Otter Tail Valley Railroad Company, and is known as the Collegeville to Avon and the Avon to Fergus Falls line, it is approximately 98 miles long. The Department is interested in acquiring the entire rail line. The track structure will be removed from the property.
2. The rail line is located in Stearns, Todd, Douglas, Grant and Otter Tail Counties.
3. The identified potential future uses for the rail line are: re-establishment of rail services, a transmission of other utility line, a recreational trail.
4. The Avon to Fergus Falls line, abandoned May 8, 1991 and the Avon to Collegeville line abandoned June 3, 1991, is a section of the St. Cloud to Moorhead rail line.

The agency requests information and opinions concerning said acquisition. Written statements should be directed to:

Melvin Loesch
State Rail Bank Program
Office of Railroads & Waterways
Minnesota Department of Transportation
Suite 925 Kelly Annex
St. Paul, MN 55155

Oral statements of information will be taken at the Public Meetings. Any written or recorded material shall become property of the State of Minnesota.

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 Administration

Governor's Planning Council on Developmental Disabilities

Request for Proposals for Contracts Relating to Council's Priority of *Leadership for Empowerment*

The Governor's Planning Council on Developmental Disabilities announces that it is seeking proposals from public or private organizations to undertake projects related to the Council's priority of *Leadership for Empowerment*. Specifically the Council is seeking proposals for the following projects.

1. **Facilitator**—To be responsible for organizing joint meetings between the Council and all contractors, networking with the contractors and community organizations, and disseminating Council publications. The Council has allocated \$25,000 for this project.

Professional, Technical & Consulting Contracts

2. **Advanced Leadership Training**—Organize and deliver a statewide conference for approximately 200 persons, conduct leadership training in selected Minnesota counties. The Council has allocated \$80,000 for this project.

3. **Youth Leadership**—Implement a program of leadership activities for youth based on recommendations of the feasibility study completed by the Metro YMCA. The Council has allocated \$82,000 for this project.

All projects are for a one year period beginning October 1, 1991, and ending September 30, 1992. For additional information about the projects contact:

Governor's Planning Council on
Developmental Disabilities
Centennial Office Building, Room 300
658 Cedar Street
St. Paul, Minnesota 55155
Phone (612) 296-4018
296-9962 TDD

Department of Employee Relations

Training and Development Division

Request for Proposals to Provide Specialized Learner Centered Training to State Employees

The Minnesota Department of Employee Relations is requesting proposals from qualified persons to provide specialized learner centered training to state employees. The training would be primarily in the existing Management Core and Supervisory Core programs, and in other similar programs which may be developed during the course of the contract period. Training topics would include, but not be limited to, the following: team building, identifying and working with differences, managing self directed teams, and motivation of employees. Because training may involve the use of instruments such as the Myers-Briggs Personality Inventory, priority will be given to persons formally trained and licensed/certified in their use.

Proposals should minimally include the individual's qualifications and licensure, experience in providing this type of training, references, a clear statement of the objectives, goals and components of the training program(s), and a detailed cost and work plan. It is expected that the total cost of the contract will not exceed \$50,000 during the biennium ending June 30, 1993.

For a complete copy of the Request for Proposal, contact:

Linda Harder
Training and Development Division
200 Centennial Building
658 Cedar Street
St. Paul, MN 55155
612-296-8932

Ms. Harder is the only employee authorized to answer questions regarding this proposal.

Proposals should also be sent to the above address, and must be received no later than 4:30 p.m. on Friday, August 16, 1991.

Department of Human Services

Board on Aging

Notice Requesting Grant Proposals to Implement Congregate Housing Services Projects

Amount and Purpose

The Minnesota Board on Aging has applied for second year funding from the Administration on Aging to continue developing and implementing congregate housing services projects in subsidized housing for older persons during federal fiscal year 1992. The Board is requesting proposals for grants in the amount of up to \$20,000 each (\$12,500 in federal funds and \$7,500 in state congregate housing services project funds) to fund four different projects statewide to hire an on-site coordinator. The on-site coordinator is a person who works in one or more building(s) and serves as a contact for older persons who need services, support and assistance in order to "age in place" and to delay or prevent nursing home placement. To be considered a congregate housing services project, there must be a plan to provide a minimum of one meal per day, per elderly participant, seven days a week. The \$12,500 of federal funds requires a 25% match. All or a portion of the \$7,500 in state funds available to the four projects can be used for the non-federal match. The project period will be January 1, 1992 through December 31, 1992.

Letter of Intent

Letters of intent to apply for a grant must be submitted to the Minnesota Board on Aging, 444 Lafayette Road, St. Paul, MN 55155-3843 by **Thursday August 15, 1991 at 4:30 p.m.**

Application Process

Application materials are available to those agencies or housing units submitting letters of intent. An information meeting will be held on Thursday August 29, 1991 for those who have submitted a letter of intent. Applications must be submitted to the Minnesota Board on Aging at the above address by **Friday November 1, 1991 at 4:30 p.m.**

Criteria

Grants will be made to applicants which, in the judgement of the Minnesota Board on Aging will most effectively meet the program requirements as stated in the application materials. As stated in the first paragraph, grant awards by the Board depend on receipt of federal funds on October 1, 1991.

For Information

Contact **Marilyn Frank, Project Director, Minnesota Board on Aging, 444 Lafayette Road, St. Paul, MN 55155-3843, (612) 297-5459.**

Pollution Control Agency

Notice of Request for Proposals for Consultant Services

The Minnesota Pollution Control Agency (MPCA), wishes to retain a consultant to provide training for inspection staff of the MPCA and the Western Lake Superior Sanitary District (WLSSD). The training is intended to provide industry- and process-specific background in the identification of pollution prevention opportunities at facilities to be inspected during a pilot multimedia compliance inspection/assistance program. The aim of the training should be to provide inspection staff with sufficient industry-specific knowledge to be conversant about the processes being evaluated for their pollution prevention potential. The training should not attempt to provide in-depth technical detail which is better suited to supporting a technical assistance function (which compliance inspectors will NOT perform).

Total cost for this project, including expenses, must not exceed \$30,000.

The MPCA reserves the right to reject any and all proposals. Copies of the Request for Proposals for the project are available from:

Joe Esker, PCS Senior	520 Lafayette Road
Environmental Analysis Office	St. Paul, Minnesota 55155
Minnesota Pollution Control Agency	(612) 296-7275

Proposals must be submitted to the MPCA by August 16, 1991.

Department of Veterans Affairs—Veterans Homes Board of Directors

Request for Proposals for a Long Range Planning Study

The Minnesota Veterans Homes Board of Directors is seeking proposals from organizations with the expertise to develop a long range plan for the Minneapolis and Hastings campuses. The plan must include a physical plant assessment of all buildings on the Minneapolis and Hastings campuses, a proposal for configuring the domiciliary and skilled nursing care needs of veterans on the Minneapolis and Hastings campuses or on alternative sites, and a determination of how to best meet the present and future needs of veterans.

The formal Request for Proposals which contains specifications may be requested from the Veterans Homes Board of Directors. The deadline for submitting a proposal is 4:30 p.m. August 5, 1991. Selection of the contractor will be made by August 12, 1991. The Chairman of the Board reserves the right to reject all proposals submitted.

Please direct proposals and inquiries to:

Richard Zierdt	St. Paul, MN 55155
Veterans Homes Board of Directors	Phone: 612/296-2073
206A Veterans Service Building	

Mr. Zierdt is the only employee authorized to answer questions regarding this proposal.

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: Culvert liner
Contact: Pat Anderson 296-3770
Bid due date at 2pm: August 7
Agency: Various
Deliver to: Various
Requisition #: Price contract

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

Commodity: Failing drilling parts
Contact: Dale Meyer 296-3773
Bid due date at 2pm: August 6
Agency: Various
Deliver to: Various
Requisition #: Price contract

Commodity: Diploma and diploma covers
Contact: Norma Cameron 296-2546
Bid due date at 2pm: August 13
Agency: State University
Deliver to: Bemidji
Requisition #: Price contract

Commodity: Clock system maintenance—rebid
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: July 31
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14054-1

Commodity: Fencing
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: July 31
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: Various places
Requisition #: B 29004-14853-1

Commodity: Shelving—rebid
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: July 31
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-15154-1

Commodity: Honda trash pump
Contact: Mary Jo Bruski 296-3772
Bid due date at 4:30pm: July 31
Agency: Minnesota Department of Agriculture
Deliver to: St. Paul
Requisition #: B 04111-20923

Commodity: 1980 or newer aerial work platform
Contact: Mary Jo Bruski 296-3772
Bid due date at 2pm: August 2
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20241

Commodity: Copier rental
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 2
Agency: Hibbing Extension Duluth Center
Deliver to: Duluth
Requisition #: B 27163-65031

Commodity: Copier—rebid
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: July 31
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10936-1

Commodity: Galvanized posts
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 2
Agency: Minnesota Department of Transportation
Deliver to: Willmar
Requisition #: B 79800-03866

Commodity: Amatrol vision inspection system
Contact: Mary Jo Bruski 296-3772
Bid due date at 2pm: August 2
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64068

Commodity: Belden cable
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Intertechnologies Group
Deliver to: St. Paul
Requisition #: B 02410-23320

Commodity: Blood
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12400-80423

Commodity: Microsoft software
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14066

Commodity: Parts for dishwasher conveyor belt
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Minnesota Veterans Home
Deliver to: Minneapolis
Requisition #: B 75200-40314

Commodity: Wire—rebid
Contact: Joan Breisler 296-9071
Bid due date at 2pm: July 31
Agency: Minnesota Department of Transportation
Deliver to: Maplewood
Requisition #: B 79000-15023-1

Commodity: Recycled concrete/bituminous
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 30
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79900-82500

Commodity: Copier rental
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 2
Agency: Department of Public Safety
Deliver to: Bemidji
Requisition #: B 07300-25664

Commodity: Corrugated boxes
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Minnesota Department of Administration
Deliver to: St. Paul
Requisition #: B 02520-20820

Commodity: Aldus pagemaker software
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14065

Commodity: Tableware
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Brainerd Regional Human Services Center
Deliver to: Brainerd
Requisition #: B 55304-09119

Commodity: Cambro pan carriers
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10962

Commodity: Square D circuit breakers
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: July 31
Agency: Minnesota Department of Transportation
Deliver to: Duluth
Requisition #: B 79100-09257

Commodity: Athletic trainer's supplies
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: July 26
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14071

Commodity: Tables—rebid
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: July 31
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-22850-1

Commodity: 286 computers
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: August 1
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14441-3

Commodity: Sony leaderless cassette tapes
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 1
Agency: Minnesota Department of Jobs & Training
Deliver to: St. Paul
Requisition #: B 21200-41493

Commodity: Function generator
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 5
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64096

Commodity: Digital strain meter
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 5
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64105

Commodity: Ceiling tile
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 1
Agency: St. Peter Regional Treatment Center
Deliver to: St. Peter
Requisition #: B 55105-08963

Commodity: Elevator repair
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 5
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10969

Commodity: Concrete airvoid analysis system
Contact: Pam Anderson 296-1053
Bid due date at 2pm: August 5
Agency: Minnesota Department of Transportation
Deliver to: Maplewood
Requisition #: B 79000-15052

Commodity: Video carts
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 5
Agency: Department of Public Safety
Deliver to: New Brighton
Requisition #: B 07500-27006

Commodity: Vibration generator
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 5
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64095

State Contracts and Advertised Bids

Commodity: Vibration monitor etc.
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 5
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64099

Commodity: International mailing services
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 5
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-70008

Commodity: Sound level meter
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 1
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20231

Commodity: Ajax cleaner
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 1
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10978

Commodity: Video equipment
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 1
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-20808

Commodity: Lumber
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 1
Agency: Minnesota Department of Transportation
Deliver to: Willmar
Requisition #: B 79800-03867

Commodity: Office furniture
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 5
Agency: Minneapolis Community College
Deliver to: Minneapolis
Requisition #: B 27151-49005

Commodity: Copier maintenance
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 1
Agency: Minnesota Pollution Control Agency
Deliver to: Detroit Lakes
Requisition #: B 32500-29228

Commodity: Sun exhaust gas analyzer
Contact: Mary Jo Bruski 296-3772
Bid due date at 4:30pm: August 1
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64079

Commodity: Labor & materials to replace fans
Contact: Mary Jo Bruski 296-3772
Bid due date at 4:30pm: August 7
Agency: Community College Board
Deliver to: Various places
Requisition #: B 27000-52530

Commodity: Translation service—English to Spanish
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: July 31
Agency: Department of Revenue
Deliver to: St. Paul
Requisition #: B 67110-34576

Commodity: Posts/wire—rebid
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 1
Agency: Department of Natural Resources—Division of Fish & Wildlife
Deliver to: St. Paul
Requisition #: B 29000-56556-1

Commodity: Sun engine analyzer
Contact: Mary Jo Bruski 296-3772
Bid due date at 4:30pm: August 1
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64078

Commodity: Canoes—ABS plastic
Contact: Mary Jo Bruski 296-3772
Bid due date at 4:30pm: August 5
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-02219

Commodity: Genuine frink snow plow repair parts—rebid
Contact: Dale Meyer 296-3773
Bid due date at 2pm: August 6
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Speech synthesis system
Contact: Teresa Ryan 296-7556
Bid due date at 4:30pm: August 6
Agency: Northland Community College
Deliver to: Thief River Falls
Requisition #: B 27149-48253

Commodity: Satellite downlink system
Contact: Pam Anderson 296-1053
Bid due date at 2pm: August 6
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-14057

Commodity: Autocad software upgrade
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 2
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64054

Commodity: Hydra cal software
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 2
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64092

Commodity: Spotlights
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 6
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-02220

Commodity: Parts for dishwasher
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 1
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10932-1

Commodity: Hobart mixer
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 2
Agency: Willow River Camp
Deliver to: Moose Lake
Requisition #: B 78890-42002

State Contracts and Advertised Bids

Commodity: NEC PBX parts
Contact: Teresa Ryan 296-7556
Bid due date at 4:30pm: August 2
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10976

Commodity: Software for VMS
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 1
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12400-72749-1

Commodity: Auto repair info software
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 2
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64076

Commodity: License for PC write
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 2
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23095

Commodity: Xcom software
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 2
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55100-04683

Commodity: Insulated coffee mugs
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 1
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10983

Commodity: Hockey equipment
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: July 30
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14474

Commodity: Athletic tape
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: July 30
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14070

Commodity: Metal flat seals
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: July 31
Agency: Southern Service Center
Deliver to: St. Paul
Requisition #: B 29000-56798

Commodity: Meat for September delivery
Contact: Linda Parkos 296-3725
Bid due date at 2pm: August 12
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10963

Commodity: Winter clothing
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: July 30
Agency: Willow River Camp
Deliver to: Willow River
Requisition #: B 78890-42003

Commodity: Outdoor sign
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 6
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 27000-10797

Commodity: Hardwood chips
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 6
Agency: Department of Natural Resources—Northern Service Center
Deliver to: Grand Rapids
Requisition #: B 29007-10407

Commodity: Platform scale
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 6
Agency: Willmar Regional Treatment Center
Deliver to: Willmar
Requisition #: B 55106-02109

Commodity: Whiteboards
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: July 30
Agency: Hibbing Extension Duluth Center
Deliver to: Duluth
Requisition #: B 27163-65034

Commodity: Padlocks
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: July 31
Agency: St. Peter Regional Treatment Center
Deliver to: St. Peter
Requisition #: B 55105-08964

Commodity: Poultry for September delivery
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: August 9
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-10964

Commodity: .357 magnum ammunition
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 6
Agency: Department of Public Safety/Finance
Deliver to: St. Paul
Requisition #: B 07500-27081

Commodity: Copier—rebid
Contact: Jack Bauer 296-2621
Bid due date at 2pm: August 2
Agency: Department of Natural Resources—Cambridge Area Forestry
Deliver to: Cambridge
Requisition #: B 29003-04811-2

Commodity: Bar code zip + 4 rebid
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 2
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-14051-1

Commodity: Copier lease/purchase
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 6
Agency: Office of the State Auditor
Deliver to: St. Paul
Requisition #: B 61000-81555

Commodity: Map file—rebid
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: August 2
Agency: Board of Water & Soil Resources
Deliver to: Brainerd
Requisition #: B 99780-10915-1

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: "Notice of benefits charged to reimburseable account", camera ready copy, 1-sided, 10M continuous feed, perf, pinfeed strips, sheet size 8½"x11" detached to finished size 9½"x11" overall, negs available, black carbon interleave, 3 parts, glued

Contact: Printing Buyer's Office
Bids are due: July 31
Agency: Jobs & Training Department
Deliver to: St. Paul
Requisition #: 17688

Commodity: Sample card envelope, camera ready copy, 1-sided, 25M sheets, finished size 6¼"x3¾", carton pack

Contact: Printing Buyer's Office
Bids are due: July 30
Agency: Department of Transportation
Deliver to: St. Paul
Requisition #: 17658

Commodity: Snowmobile Registration Application, set type, 1-sided, 75M 2 part sets, 7½"x5" plus top stub, glued at top stub, blue carbon interleave between parts ½, shrink wrap

Contact: Printing Buyer's Office
Bids are due: August 2
Agency: Department of Natural Resources License Bureau
Deliver to: St. Paul
Requisition #: 17719

Commodity: "Statement of Unemployment Insurance Benefits," set type, negs avail, 240M individual mailers (2 set up), perf, feed strips, 2-sided, sets

Contact: Printing Buyer's Office
Bids are due: August 2
Agency: Department of Jobs & Training
Deliver to: St. Paul
Requisition #: 17664

Commodity: Watercraft Application for Transfer or Duplicate, set type, 1-sided, 125M 2-part sets, 7½"x5" plus tab across top-long way, multiple part form, glue across top stub, blue carbon interleave between parts ½, preprinted numbering, perf, shrink wrap

Contact: Printing Buyer's Office
Bids are due: August 2
Agency: Department of Natural Resources License Bureau
Deliver to: St. Paul
Requisition #: 17721

Commodity: Application for Watercraft Registration, set type, 2-sided, 200M 2-part sets, top stub perf, 7½"x5" plus stub, multiple part form, glued at top stub, blue carbon interleave between parts ½, shrink wrap

Contact: Printing Buyer's Office
Bids are due: August 2
Agency: Department of Natural Resources License Bureau
Deliver to: St. Paul
Requisition #: 17720

Commodity: Watercraft decals, set type, 22M, perf, 3¾"x3" rounded corners, shrink wrap, sample avail. in agency—vendor must see sample in Department of Natural Resources License Bureau

Contact: Printing Buyer's Office
Bids are due: August 2
Agency: Department of Natural Resources License Bureau
Deliver to: St. Paul
Requisition #: 17201

Commodity: Certification Stamp, 1-sided, 250 rolls (100 per roll), finished size 3¾"x2⅞"

Contact: Printing Buyer's Office
Bids are due: August 2
Agency: Department of Transportation
Deliver to: St. Paul
Requisition #: 17596

Announcements

Environmental Quality Board (EQB): Comments are due August 21 on the EAWs (environmental assessment worksheets) on the following projects at their regional governing units: **McLeod County Landfill Earthen Fill**, McLeod County, Edwin E. Homan, (612) 864-5551, ext. 259; **Wildcat Creek Dredging**, Dept. of Natural Resources, Thomas W. Balcom, (612) 296-4796; **Dakota County Road 46—Reconstruction from Ipava Avenue to CSAH 23 (Cedar Avenue)**, Dakota County, Lezlie B. Anderson, (612) 891-7100. • Environmental Impact Statement (EIS) scoping for **Flying Cloud Airport Improvements**, Metropolitan Airports Commission, Mark J. Ryan, (612) 726-8129, ends August 21, 1991. A public scoping meeting will be held August 6, 1991 at 7 p.m. at Hennepin Technical Center, Eden Prairie. • Combined State Environmental Impact Statement (EIS) and federal Environmental Assessment draft for **Owatonna Municipal Airport**, City of Owatonna, Arnold A. Putnam, (507) 451-4540 comment period and public comment meeting will be held August 28, 1991 at 7 p.m. in the Owatonna Council Chambers. Deadline for submission of written comments is September 12, 1991.

Department of Natural Resources—August 1991 Events:

3-4	Woodcarver's Festival, Lake Bronson State Park
4	Hayes Days, Hayes Lake State Park
9-10	Sandstone Quarry Days, Banning State Park
9-11 & 16-18	Game Fair, Anoka
10	Minnesota Prairie Days, Blue Mounds State Park
15-18, 22-25, 29-Sept. 1	Summer Theater, Ford Ridgely State Park
15	1992 DNR Trout and Salmon Stamp Contest Judging
16-18	Pioneer Farmers Reunion, Itasca State Park
17	Centennial Fort Ridgely Golf Tourney
18	Camden Wildlife Art Exhibit, Camden State Park
19-30	1992 DNR Migratory Waterfowl Stamp Entries Received
22-Sept. 2	Minnesota State Fair
31-Sept. 2	American Indian Movement Pow Wow, Fort Snelling State Park

New Publications: The Metropolitan Council's recently published new listings include: • **Results of the Annual Twin Cities Survey, Fall 1990.** When people were asked to select several problems, social concerns came out on top. No. 620-91-092; 19 pp., \$2. • **Yard Waste Information.** University of Minnesota's Agricultural Extension Service's flyer answers common questions on what to do with grass clippings. No charge. • **Quarterly Economic Indicators: Fourth Quarter 1990.** Ability of counties, cities, townships and school districts to meet their operating expenses and other noncapital costs from local revenue sources. No. 620-91-075; 12 pp., \$1.50. Publications are available at major public libraries in the Metropolitan Area or by writing to: Metropolitan Council Data Center, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101.



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. 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.

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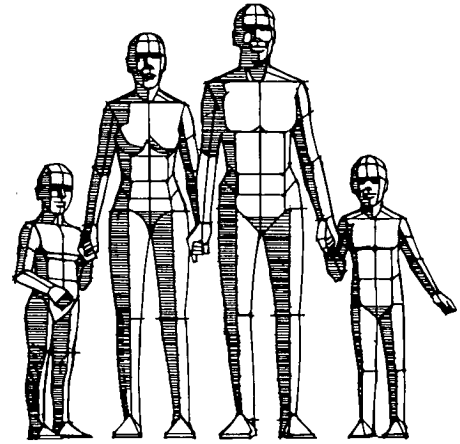
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Adoption and Process Parenting

Adoption Resource Directory. This comprehensive resource directory to adoption services and laws will be your best friend if you are looking into adoption. Over 300-pages of research by the Minnesota Dept. of Human Services Adoption Unit make this a valuable tool that includes federal and state adoption laws and policies, information on Minnesota's adoption program and child placement resources. It goes into detail listing support groups, advocacy groups; health, education, social service and vocational resources; and a whole range of assorted community and state resources, and legal services including IRS information. Stock #1-16, \$12.45 + 75¢ tax.

Process Parenting: Breaking the Addictive Cycle. This is a curriculum and training manual designed to help chemical dependency treatment counselors to incorporate parent education into their on-going programs. It focuses on positive parent-child interactions and parenting strengths to assist chemically dependent persons develop a more positive view of self, feelings of greater control or influence over situations, understanding of self-defeating behaviors, and increased responsibility within one's social/community situation. 163 pages plus appendices. Stock #5-4, \$15.00 + 90¢ tax.

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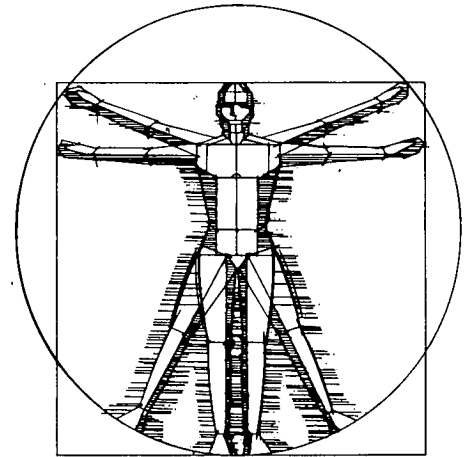
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A Helping Hand for the Chemically Dependent

Directory of Chemical Dependency Programs in Minnesota.

This 250-page directory lists prevention and intervention programs including county social service agencies, mental health centers, other information and referral programs, self-help programs and employee assistance programs. It also lists DWI (Driving While Intoxicated) clinics and detoxification centers. Outlining Minnesota's continuum of care, the Minn. Dept. of Human Services Directory lists treatment services under three headings: **Primary Residential Programs**—freestanding facilities, hospital-based facilities and state regional treatment centers; **Intermediate/Extended Residential Programs**—halfway houses, extended care facilities, and board and lodging facilities; **Non-Residential Programs**—freestanding facilities and hospital-based facilities. Stock #1-12. \$15.00 + 90¢ tax.

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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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School District Profile 1988-89. Comparative enrollment, staffing and financial data on Minnesota's school districts, evaluation of the statistical content with commentary on trends and patterns. Stock #5-3, \$5.00 + tax.

The School Book 1990-91. Comprehensive guide to elementary schools in the Twin Cities: school addresses/phone, staffing information, and MTC bus connections at schools. List class size, student/teacher ratio, grading and curriculum. 554 pages. Stock #40-9, \$12.95 + tax.

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

OTHER PUBLICATIONS

Our Minnesota. More than 100 full-color photos by Les and Craig Blacklock portray Minnesota in her seasonal beauty, with text from the personal journal of Fran Blacklock's thirty years of traveling the state. Stock #9-23. \$13.95 + tax.

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

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Minnesota Manufacturer's Directory, 1991. More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchase managers, and four manufactured products. Stock #40-2. \$85.00 + tax.

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State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court Calendar, Supreme Court and Tax Court Decisions. Annual subscription: Monday edition only \$140; Monday and Thursday's State Contract Supplement \$195; 13-week trial (includes both Monday and Thursday editions) \$60.00 + tax.

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