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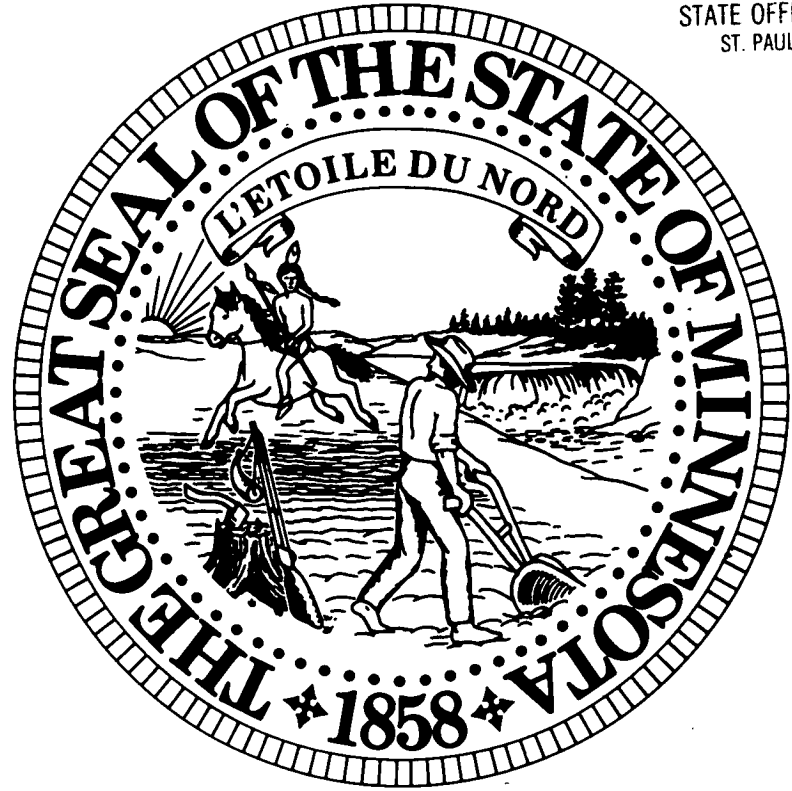
The Minnesota State Register

Department of Administration—Print Communications Division

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Rules edition
Published every Monday
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Monday 9 August 1993
Volume 18, Number 6
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State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional, technical and consulting contracts, non-state bids and public contracts, contract awards, grants, and a monthly calendar of cases to be heard by the state supreme court.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals, including printing bids.

Printing Schedule and Submission Deadlines

Vol. 18 Issue Number	*Submission deadline for Adopted and Proposed Rules	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
6	Monday 26 July	Monday 2 August	Monday 9 August
7	Monday 2 August	Monday 9 August	Monday 16 August
8	Monday 9 August	Monday 16 August	Monday 23 August
9	Monday 16 August	Monday 23 August	Monday 30 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, 117 University Ave., St. Paul, Minnesota 55155, (612) 297-7963, TDD (Minnesota Relay Service), Metro Area (612) 297-5353, Greater MN 1-800-627-3529.

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 Tuesday, Wednesday and Friday. 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 *State Register Contracts Supplement* contains additional state contracts and advertised bids.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$150.00 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 four editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, includes four editions and last for 13 weeks. 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 *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. 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

Debra Rae Anderson, Commissioner
Department of Administration

Kathi Lynch, Director
Print Communications Division

Debbie George, Circulation Manager

Jane E. Schmidley, Acting Editor
612/297-7963

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

Minnesota Rules: Amendments and Additions

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 1-800-657-3757.

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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 Commerce

Proposed Permanent Rules Relating to Regulating Securities and the Business of Financial Planning

Notice of Intent to Adopt Rules Without a Public Hearing

The Minnesota Department of Commerce intends to adopt permanent rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rules and, during that 30 day period, you may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to:

Donna M. Watz, Staff Attorney
Minnesota Department of Commerce
133 East 7th Street

St. Paul, MN 55101
(612) 297-1118

Subject of Rule and Statutory Authority. The proposed rules amend provisions regulating financial planning-related activities as they pertain to persons that are subject to licensure under *Minnesota Statutes* ch. 80A. The statutory authority to adopt these rules is *Minnesota Statutes*, sections 80A.25 and 45.023. The proposed rules are published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on September 10, 1993 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and be received by the agency contact person by 4:30 p.m. on September 10, 1993. Your request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rules which caused your request, the reason for the request, and any changes you want made to the proposed rules. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rules as printed in the *State Register*. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules.

Small Business Considerations. The provisions of *Minnesota Statutes*, section 14.115, subdivision 4 have been reviewed and it has been determined that these proposed rules will not adversely affect small businesses.

Expenditure of Public Money by Local Public Bodies. The provisions of *Minnesota Statutes*, section 14.11, subdivision 1 have been reviewed and it has been determined that these proposed rules will not require the expenditure of public money by local public bodies greater than \$100,000 in the two years following rules adoption.

Impact on Agricultural Lands. The provisions of *Minnesota Statutes*, section 14.11, subdivision 2 have been reviewed and it has been determined that these proposed rules will not affect agricultural land.

Adoption and Review of the Rule. If no hearing is required, after the end of the comment period the agency may adopt the rules. The rules and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rules are submitted to the attorney general or be notified of the attorney general's decision on the rules. If you want to be so notified, or wish to receive a copy of the adopted rules, submit your written request to the agency contact person listed above.

Dated: 27 July 1993

Bert J. McKasy
Commissioner of Commerce

Rules as Proposed

2875.1051 REGULATION OF BUSINESS OF FINANCIAL PLANNING.

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

Subp. 2. **Prohibition.** It is a "manipulative, deceptive, or fraudulent device or contrivance" within the meaning of *Minnesota Statutes*, section 80A.03, for any person to represent on advertisements, cards, signs, circulars, letterheads, or in any other manner, that he or she is engaged in the business of financial planning unless he or she provides a disclosure document to the client. ~~The document must be signed by the client, and~~ A copy of the disclosure document must be left with delivered or mailed to the client when an account is opened. A licensed broker/dealer is authorized to mail the disclosure document on behalf of its agents. A record of the disclosure must be maintained for a period of three years. The disclosure document must contain the following:

A. the basis of any fees, commissions, or other compensation received by him or her in connection with the rendering of financial planning services or financial counseling or advice in the following language:

"My compensation may be based on the following:

- (a) ... commissions generated from the products I sell you,
- (b) ... fees, or
- (c) ... a combination of (a) and (b). [Comments]";

B. ~~the name and address of any company or firm that supplies the financial services or products offered or sold by him or her in the following language~~ the identification of companies and/or affiliates that supply products or services offered or sold by him or her in the following language:

"I am authorized to offer or sell products and/or services issued by or through ~~the following~~ (name of firms(s) and/or affiliates):

~~{List};~~

The products will be traded, distributed, or placed through the (name of clearing/trading firm(s) of and/or affiliates):

~~{List}";~~

C. the license(s) held by the person under *Minnesota Statutes*, chapter 60A, 80A, or 82 in the following language:

~~"I am licensed in Minnesota~~ The (insert the term used by agent engaged in the business of financial planning) assigned to your account is licensed in Minnesota as a(n):

- (a) ... insurance agent,
- (b) ... securities agent or broker/dealer,
- (c) ... real estate broker or salesperson,
- (d) ... investment adviser"; and

[For text of item D, see M.R.]

Subp. 3. **Exemption.** The disclosure document need not be provided to a client who meets the requirements in *Minnesota Statutes*, section 80A.15, subdivision 2, paragraph (g).

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Proposed Rules

Gambling Control Board

Proposed Permanent Rules Relating to Licenses and Permits

In the Matter of the Proposed Adoption of the Rule Amendment of the State Gambling Control Board Relating to a 15-Day Extension for Licensing Application Submission Deadlines, *Minnesota Rules*, Parts 7861.0020, 7861.0030, and 7861.0040

Notice of Intent to Adopt a Rule Without a Public Hearing

The Gambling Control Board intends to adopt a rule amendment without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also request that a hearing be held on the rule.

Agency Contact Person. Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

Eileen Hanlon
Gambling Control Board
1711 West County Road B
Suite 300 South
Roseville, MN 55113
(612) 639-4000

Subject of Rule and Statutory Authority. The proposed rule relates to the licensure renewals of gambling managers, organizations, and premises permits. The rule extends the licensure renewal submission deadline time by 15 days so that a gambling manager or organization may more timely comply with licensure renewal requirements. The statutory authority to adopt this rule is set out in *Minnesota Statutes*, section 349.151, subdivision 4(a) (1992). A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m., Wednesday, September 8, 1993, to submit written comment in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, September 8, 1993. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rule as attached and printed in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, please submit your request to the agency contact person listed above.

Dated: 22 July 1993

Harry W. Baltzer, Executive Director
Minnesota Lawful Gambling Control Board

Rules as Proposed

7861.0020 LICENSED ORGANIZATION.

[For text of subps 1 to 7, see M.R.]

Subp. 8. **Renewals.** The following items apply to license renewals:

A. To renew a license at the end of a term, an organization must submit to the board a complete renewal application on a form prescribed by the board at least ~~75~~ 60 days before the expiration of the organization's existing license. A renewal application is not complete until it contains the information required by subparts 3 and 4 and a completed expense calculation on a form prescribed by the board.

Complete applications received by the board less than ~~75~~ 60 days before the expiration of the applicant's existing license will be considered pursuant to this part but, if the applicant is entitled to a renewed license, the license will not be renewed by the director until the first day of the month following the expiration of ~~75~~ 60 days after the board has received the complete application. An organization shall not continue gambling after the expiration of its license unless and until it receives a renewed license.

[For text of items B and C, see M.R.]

D. An organization that the director determines has failed to submit a complete renewal application at least ~~75~~ 60 days before the expiration of its existing license may appeal that determination by filing a written request for a contested case hearing with the board before the expiration of the organization's existing license. The director shall schedule a contested case hearing before an administrative law judge pursuant to *Minnesota Statutes*, chapter 14. The hearing must be held less than 30 days after the service of a Notice and Order for Hearing if allowed by the chief administrative law judge pursuant to part 1400.5600, subpart 3. The board must issue its final decision within 30 days after receipt of the administrative law judge's report and subsequent exceptions and argument under *Minnesota Statutes*, section 14.61. The sole issue at the hearing is whether the applicant submitted a complete application at least ~~75~~ 60 days before the expiration of the applicant's existing license.

An organization whose renewal application has been denied may appeal that denial by requesting a contested case hearing pursuant to *Minnesota Statutes*, chapter 14. The request must be made in writing and received by the board no later than ten days after the organization receives the denial of its renewal application. Upon receipt of the request, the director shall schedule a contested case hearing before an administrative law judge pursuant to *Minnesota Statutes*, chapter 14. The hearing must be held less than 30 days after the service of Notice and Order for Hearing if allowed by the chief administrative law judge pursuant to part 1400.5600, subpart 3. The board must issue its final decision within 30 days after receipt of the administrative law judge's report and subsequent exceptions and argument under *Minnesota Statutes*, section 14.61.

[For text of subp 9, see M.R.]

7861.0030 GAMBLING MANAGER.

[For text of subps 1 to 10, see M.R.]

Subp. 11. **Renewals.** The following items apply to renewals of a gambling manager's license:

A. To renew a license at the end of a term, a licensed gambling manager must submit a complete renewal application on a form prescribed by the board to the board at least ~~75~~ 60 days before the expiration of the gambling manager's existing license. A renewal application is not complete until it contains the information required by subparts 5 and 6.

Complete applications received by the board less than ~~75~~ 60 days before the expiration of the applicant's existing gambling manager's license will be considered pursuant to this part but, if the applicant is entitled to a renewed license, the license will not be renewed by the director until the first day of the month following the expiration of ~~75~~ 60 days after the board has received the complete application. A person shall not continue acting as a gambling manager after the expiration of the person's license and until the person has received a renewed license.

[For text of items B and C, see M.R.]

D. Appeals:

(1) A gambling manager whom the director determines has failed to submit a complete renewal application at least ~~75~~ 60 days before the expiration of an existing license may appeal that determination by filing a written request for a contested case hearing with the board before the expiration of the gambling manager's existing license. The director shall schedule a contested case hearing before an administrative law judge pursuant to *Minnesota Statutes*, chapter 14. The hearing must be held less than 30 days after the service of a Notice and Order for Hearing if allowed by the chief administrative law judge pursuant to part 1400.5600, subpart 3. The board must issue its final decision within 30 days after receipt of the administrative law judge's report and subsequent exceptions and argument under *Minnesota Statutes*, section 14.61. The sole issue at the hearing is whether the applicant submitted a complete application at least ~~75~~ 60 days before the expiration of the applicant's existing license.

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Proposed Rules

[For text of subitem (2), see M.R.]

[For text of subp 12, see M.R.]

7861.0040 PREMISES PERMITS.

[For text of subps 1 to 9, see M.R.]

Subp. 10. **Renewals.** The following items apply to renewals of premises permits:

A. To renew a permit at the end of a term, an organization must submit to the board a complete renewal application on a form prescribed by the board at least ~~75~~ 60 days before the expiration of the organization's existing permit. A renewal application is not complete until it contains the information required by subparts 3 and 4, the fee required by subpart 7, and local approval in the manner required by subpart 8.

Complete applications received by the board less than ~~75~~ 60 days before the expiration of the applicant's existing permit will be considered pursuant to this part but the permit will not be renewed by the director until the first day of the month following the expiration of ~~75~~ 60 days after the board has received the complete application. An organization shall not conduct gambling at a site where an existing permit has expired unless and until it receives a renewed permit.

[For text of items B and C, see M.R.]

D. Appeals:

(1) An organization that the board determines has failed to submit a complete renewal application at least ~~75~~ 60 days before the expiration of its existing premises permit may appeal that determination by filing a written request for a contested case hearing with the board no later than 30 days before the expiration of the organization's existing premises permit. The director shall schedule a contested case hearing before an administrative law judge pursuant to *Minnesota Statutes*, chapter 14. The hearing must be held less than 30 days after the service of a Notice and Order for Hearing if allowed by the chief administrative law judge pursuant to part 1400.5600, subpart 3. The board must issue its final decision within 30 days after receipt of the administrative law judge's report and subsequent exceptions and argument under *Minnesota Statutes*, section 14.61. The sole issue at the hearing is whether the applicant submitted a complete application at least ~~75~~ 60 days before the expiration of the applicant's existing premises permit.

[For text of subitem (2), see M.R.]

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 Agriculture

Adopted Permanent Rules Relating to the Rural Finance Authority's Restructure Program II

Notice of Adoption of a Rule Exempt from Rulemaking Provisions of *Minnesota Statutes*, Chapter 14

NOTICE IS HEREBY GIVEN that the Rural Finance Authority Board has adopted a rule governing the Restructure II Program. The statutory authority to adopt this rule is *Minnesota Statutes*, section 41B.07.

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

Dated: 22 July 1993

Rural Finance Authority Board
Elton Redalen, Chairman

Rules as Adopted (all new material)**1653.0010 APPLICABILITY AND PURPOSE.**

Subpart 1. **Applicability.** Parts 1653.0010 to 1653.0110 establish the criteria and procedures to be used by the Rural Finance Authority in the administration of the restructure participation program authorized by *Minnesota Statutes*, section 41B.04.

Subp. 2. **Purpose.** The purpose of the Rural Finance Authority restructure participation program and for the issuance of bonds to finance or provide security for the program is to preserve and develop the state's agricultural resources. This is accomplished by extending credit on real estate security through the purchase of participation interests in first priority mortgage farm real estate loans.

1653.0020 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1653.0010 to 1653.0110 and the master participation agreement.

Subp. 2. **Agricultural purposes.** "Agricultural purposes" means the cultivation or use of land or land improvements, and personal property for the production of agricultural crops, vegetables, fruit or other horticultural crops, forest products, bees and apiary products, livestock, dairy animals, dairy products, poultry or poultry products, fur-bearing animals, aquaculture, hydroponics, exotic species of plants or animals, or other agriculturally related products. Agricultural purposes also includes the use of wetlands, pasture, forest land, wildlife, and homestead and other real property associated with the agricultural use of land. Agricultural purposes also includes the practices and facilities needed to conserve soil and water, protect human and animal health, have a safe and efficient operation, and meet local, state, and federal laws and regulations relating to the operation of a farm.

Subp. 3. **Amortized loan.** "Amortized loan" means a loan which will be fully paid, including all principal and interest, in a specific period of time.

Subp. 4. **Annual expenses.** "Annual expenses" means the total of all expenses incurred during the year plus an estimate of family living expenses.

Subp. 5. **Annual gross income.** "Annual gross income" means the total of all earned income for the calendar year whether agriculture or off-farm.

Subp. 6. **Applicant.** "Applicant" means a potential borrower who submits an application to the RFA through an eligible lender.

Subp. 7. **Application.** "Application" means the application for the restructure loan participation in the form prescribed and provided by the RFA.

Subp. 8. **Appraised value.** "Appraised value" means the dollar value placed on the farm being offered for collateral for a first mortgage loan.

Subp. 9. **Assets.** "Assets" means property, real or personal, tangible or intangible, and all contract rights of value, including cash crops or feed on hand, livestock held for sale, breeding stock, marketable bonds and securities, securities not readily marketable, accounts receivable, notes receivable, cash invested in growing crops, cash value of life insurance, machinery and equipment, cars and trucks, farm and other real estate including life estates and personal residence, and the value of a beneficial interest in trusts.

Subp. 10. **Borrower.** "Borrower" means the person or persons liable on a first mortgage participation made under this program. "Borrower" includes a domestic family farm corporation as defined in *Minnesota Statutes*, section 500.24.

Subp. 11. **Debt-to-asset ratio.** "Debt-to-asset ratio" means the total outstanding liabilities of an applicant divided by the total outstanding assets of the applicant expressed as a percentage.

Subp. 12. **Liabilities.** "Liabilities" means the debts or other obligations for which an applicant is responsible, including accounts payable, notes or other indebtedness owed to any source, taxes, rent, amount owed on real estate contracts or mortgages, judgments, and accrued interest payable.

Subp. 13. **Net worth.** "Net worth" means the total value of an applicant's assets and the assets of the applicant's spouse and dependents, less the liabilities of the same parties.

Subp. 14. **Note and loan agreement.** "Note and loan agreement" means the form prescribed by the RFA that is signed by a borrower evidencing the terms of the first mortgage loan and the borrower's obligation to repay the loan.

Subp. 15. **Participation agreement.** "Participation agreement" means the document entered into between the RFA and an approved lender that establishes the relationship between the parties and the terms and conditions of first mortgage loans to be offered to the RFA for participation under RFA restructure program II.

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Adopted Rules

Subp. 16. **Restructure loan.** "Restructure loan" means a first mortgage loan made by an eligible lender to an eligible borrower, offered to the RFA for participation, and in which the RFA has purchased a participation.

Subp. 17. **RFA.** "RFA" means the Rural Finance Authority established by *Minnesota Statutes*, sections 41B.01 to 41B.23.

Subp. 18. **RFA participation.** "RFA participation" means the RFA's undivided interest in the principal of a first mortgage loan, all rights and interests in the loan documents, all payments arising under the loan, the first security real estate mortgage securing the loan, and any other collateral pledged to secure the loan.

Subp. 19. **RFA restructure program II.** "RFA restructure program II" means the RFA program redefined on or after July 1, 1993, for the purchase of a participation interest in first mortgage real estate loans made to eligible borrowers so that the borrowers may reorganize their agricultural debt.

1653.0030 BORROWER ELIGIBILITY.

Subpart 1. **Criteria.** To be eligible for assistance under RFA restructure program II, an applicant must meet the criteria in subparts 2 and 3.

Subp. 2. **General requirements.** Each applicant must:

A. be a resident of Minnesota as evidenced by the applicant's income tax returns, or by other acceptable evidence in the case of new residents;

B. certify that the applicant or one of the applicants will be the principal operator of the farm, will make farming his or her principal occupation, and that the debt being reorganized is of an agricultural nature;

C. not be a current or previous participant in an RFA program;

D. have a net worth not to exceed program guidelines;

E. have sufficient education, training, or experience to succeed in the type of farming to be undertaken;

F. have a financial need for the loan and the ability to repay the first mortgage loan;

G. agree to work with the local soil and water conservation service office in the county where the land is located; and

H. certify that the applicant is eligible for the program.

Subp. 3. **Restructure farmer requirements.** Each applicant must:

A. have received at least 50 percent of average annual gross income from farming for the past three years;

B. have a debt-to-asset ratio greater than 50 percent;

C. have projected annual expenses less than 96 percent of projected annual income; and

D. demonstrate difficulty in paying his or her debt without reorganization.

1653.0040 COLLATERAL REQUIREMENTS.

The RFA may participate up to 90 percent of the total appraised value of the farm when crop land values make up 85 percent or more of the appraised value. If contributory values of the crop land are less than 85 percent of the total appraised value, then the RFA is restricted to participation at a maximum of 80 percent of the total appraised value.

The RFA may participate at percentages less than those in this part.

1653.0050 APPRAISAL.

The appraisal must be completed by a person with knowledge of agricultural appraising that is approved by both the lender and the RFA. An appraisal must be completed in a manner which is approved by the appraisal industry and must contain comparable sales information. The appraisal must also contain an income approach.

1653.0060 LENDER ELIGIBILITY.

Subpart 1. **Statutory eligibility.** Any bank, credit union, or savings and loan association chartered by the state or federal government, a subdivision of the farm credit system (Agri Bank), the Federal Deposit Insurance Corporation, or any insurance company, fund, or other financial institution doing business as an agricultural lender within the state may apply to the RFA for certification as an approved lender.

Subp. 2. **Approval.** Upon a lender's demonstration of its ability to originate and service agricultural real estate loans, the RFA shall designate the lender as an approved lender for purposes of RFA programs.

Subp. 3. **Participation agreement.** Before offering first mortgage loans to the RFA for participation, each approved lender must enter into an RFA master participation agreement. The agreement must specify the relationship between the parties and the terms and

conditions of first mortgage loans to be made by the lender under the restructure participation program offered to the RFA for participation.

1653.0070 APPLICATION PROCESS AND OFFER OF PARTICIPATION.

Subpart 1. **Request for a first mortgage loan.** A lender and an applicant must jointly complete and sign an application and prepare all supporting documents identified in the application.

Subp. 2. **Lender determination.** The lender shall complete the initial review of the applicant's proposal. The lender shall determine the creditworthiness of the applicant and the value of the collateral to be used to secure the loan. If the lender agrees to make a first mortgage loan to the applicant, the lender and the applicant shall jointly prepare the application and the required loan documents.

Subp. 3. **Offer.** The lender, as the originator of the first mortgage loan, shall present an approved application and loan documents to the RFA. Presentation of the documents constitutes an offer to sell a participation interest in the loan.

1653.0080 RFA REVIEW, NOTICE, APPEAL.

Subpart 1. **RFA review.** Within a reasonable time after receipt of a lender's offer, usually ten working days, the RFA shall accept or reject the lender's offer to participate in the loan. If the documentation is not sufficient to make a determination, the RFA may request additional information as needed.

Subp. 2. **RFA acceptance.** The RFA shall accept all offers to participate in a loan under the RFA restructure program II, unless the RFA determines that:

- A. the applicant is not eligible based on program requirements;
- B. the applicant does not demonstrate an ability to repay the first mortgage loan;
- C. collateral offered as security for the first mortgage real estate loan is insufficient to protect the state's interests; or
- D. the RFA does not have sufficient funds available to purchase a participation in the loan.

Subp. 3. **RFA notice.** The RFA shall promptly notify the lender in writing whether or not the offer is accepted. If the offer is not accepted the notice must state the reasons.

Subp. 4. **Administrative appeal.** If an offer is rejected, either the lender or the applicant may petition for reconsideration by the RFA. The petition must be in writing and must be sent within 30 working days of the date of the RFA notice. The petition must state the grounds for the appeal, and may include additional relevant information. Within 15 working days of receiving the petition, the RFA program director shall send a written response to the petitioner upholding or reversing the original decision and giving the reasons for the decision.

Subp. 5. **Formal appeal.** After administrative appeal, a petitioner may appeal the program director's decision directly to the RFA board, by written notice to the director within 15 days of receiving the director's reconsideration decision. The decision of the board is final.

1653.0090 LOAN CLOSING, PURCHASE OF PARTICIPATION, AND LOAN MANAGEMENT.

Subpart 1. **Closing.** Upon receiving notification of RFA acceptance, the lender shall close the first mortgage loan. The lender must record and may cross-reference all documents relating to the loan including the RFA note and loan agreement. The lender must notify the RFA that the loan is closed and recorded by certifying and submitting the original RFA application and a copy of the note and loan agreement. Copies of recorded documents may be sent later.

Subp. 2. **Payment.** Within ten business days of receipt of written notice under subpart 1 that the first mortgage loan is closed and recorded, the RFA shall pay the lender for the RFA's participation interest in the loan.

Subp. 3. **Participation certificate.** Within five working days after the receipt of finally collected funds, the lender shall complete and return a participation certificate as prescribed by the RFA witnessing the RFA's undivided pro rata interest in the first mortgage loan.

Subp. 4. **Loan management.** The lender shall manage the first mortgage loan, including the RFA participation interest, with the degree of care and diligence usually maintained by agricultural real estate lenders. The lender shall have custody and control of all loan documents except the original application which must be retained by the RFA. The lender shall manage, administer, and enforce the loan documents in its own name and also on behalf of itself and the RFA, including, without limitation, the right to accelerate first mortgage loans on default and to foreclose or otherwise enforce remedies against the borrower.

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Adopted Rules

Subp. 5. **Lender notification.** The lender shall promptly notify the RFA of occurrences that substantially affect the security, collection, or enforcement of any first mortgage loan. The lender shall also notify the seller of any defaults that remain unresolved over 45 days.

Subp. 6. **Prior written consent.** The lender shall obtain the prior written consent of the borrower and the RFA before:

- A. making or consenting to a release, substitution, or exchange of collateral that reduces the aggregate value of the collateral;
- B. waiving a claim against the borrower or a guarantor, surety, or obligor in connection with the indebtedness; or
- C. modifying or waiving a term of the notes or related instruments evidencing or securing the first mortgage loan.

1653.0100 PARTICIPATION REPURCHASE.

An originating lender is under no obligation to repurchase any RFA participation interest in a restructure first mortgage loan covered by parts 1653.0010 to 1653.0110 except as provided in this part.

A lender may, at its option and upon written approval by the RFA, repurchase an RFA participation interest at any time.

A lender must repurchase the RFA participation interest whenever the first mortgage loan is paid in full or refinanced.

A lender must repurchase the RFA participation interest if the lender has made misrepresentations or is aware that the applicant has made them; or fails to perform its obligations under the participation agreement; and has received written notice from the RFA, and has not corrected the representation or performance under the notice.

Any repurchase shall be for the principal balance of the RFA participation plus accrued interest and any penalties or costs incurred by the RFA to secure repurchase.

1653.0110 REVIEW OF LOAN AND COLLATERAL.

Subpart 1. **Inspection.** At any time during the term of a restructure first mortgage loan, the RFA or the state legislative auditor may inspect the books, records, documents, and accounting practices of the lender relative to the loan to determine compliance with the terms and conditions of the loan and the participation agreement. Inspections must be during the lender's normal business hours. The lender shall allow the RFA to copy any documents relating to the first mortgage loan and the RFA participation.

Subp. 2. **Collateral.** The lender and the RFA may physically inspect the collateral securing the first mortgage loan upon notice to the borrower. Inspections must be conducted at a reasonable time.

Department of Human Services

Adopted Permanent Rules Relating to Semi-Independent Living Services

The rules proposed and published at *State Register*, Volume 17, Number 26, pages 1649-1660, December 28, 1992 (17 SR 1649), are adopted with the following modifications:

Rules as Adopted

9525.0900 DEFINITIONS.

Subp. 9a. ~~Home- and community-based waived services.~~ "Home- and community-based waived services" means services provided under parts 9525.1800 to 9525.1930, ~~Funding and Administration of Home- and Community-Based Services.~~

9525.0935 RESIDENTIAL LOCATION STANDARDS.

Subpart 1. ~~Choice, population, and location, and ownership of residential locations.~~ Services provided must meet the requirements in items A to C:

B. a residential location must not be adjacent to or within a group residential program licensed under parts 9525.0215 to 9525.0355 (Residential Programs and Services for Persons with Mental Retardation or Related Conditions), except as permitted under part 9525.0950, subpart 5, and a residential location where more than ~~eight~~ four participants reside must not be adjacent to another SILS residential location where more than ~~eight~~ four participants reside; and

Subp. 3. **Variance from residential location standards.** A county board may submit a written request to the commissioner for a variance from subpart 1, item C, according to the requirements of part 9525.0995. The commissioner's determination must be based on the following:

A. that there is no other housing available in the same community which complies with the standards under subpart 1 and which meets the needs of the participant that the participant may move to another residence in the same community and continue to receive SILS; and

9525.0940 COUNTY BOARD AND PROVIDER CONTRACT.

Subpart 1. **Written contract requirements.** In order for the host county to receive reimbursement for the cost of SILS provided under parts 9525.0900 to 9525.1020, an approved provider, other than the host county itself, must have a written contract that meets the requirements in parts 9550.0010 to 9550.0092 (Administration of Community and Social Services).

The written contract must also contain:

C. the provider's budget for providing the services specified in the contract, including administrative operating costs. Allowable administrative operating costs must be limited to costs properly attributable to semi-independent living services.

Items A and B must be included in all contracts entered into or renewed after December 31, ~~1992~~ 1993.

Subp. 1a. **Exception.** A contract under subpart 1 is not required for demonstration projects authorized under part 9525.0996. When a contract is not entered into, an agreement between the participant, provider, and county board is required in lieu of a contract. This agreement must contain the following:

F. requirements for notice to the participant according to the agreement under part 9525.0996, subpart 3.

9525.0950 REIMBURSEMENT STANDARDS.

Subpart 1. **Limits on unit of service activities.** Activities for which staff time may be charged in determining a unit of service as defined in part 9525.0900, subpart 21, are limited to:

D. Staff member's transportation time to and from locations where SILS are provided. ~~Costs of transportation time between a staff member's residence and the location where SILS are provided may not be charged.~~ Costs of transportation time between a staff member's residence and the location of the first site visit of the service day may be charged only when the distance is less than the distance between the first site visit and the provider's central office.

9525.0995 COUNTY VARIANCES.

Subpart 1. **Generally.** A county board may apply to the commissioner for a variance from parts ~~9525.0900 to 9525.1000~~ 9525.0920, 9525.0930, 9525.0935, 9525.0940, 9525.0950, and 9525.0970 according to subparts 2 to ~~5~~ 6.

Subp. 2. **County request for variance.** A county board may apply for a variance ~~from compliance with parts 9525.0900 to 9525.1000~~ by submitting a written application to the commissioner documenting the reason the county is unable to comply with the identified requirement. The application for the variance must show the county's proposal for an alternative to full compliance:

Subp. 4. **Notice to county boards.** The commissioner shall review the county board's request for a variance and notify the county board, in writing, within 30 calendar days whether the request for a variance has been granted or denied. If the variance request is approved, the notice must state the specific conditions of approval. If the variance request is denied, the notice must state the reasons why the variance request was denied and inform the county board of the right to request a review of the commissioner's decision. A request for a review of the commissioner's denial of a variance request is governed by part 9525.1010.

Subp. 6. Notice to affected participants and providers. A county board applying for or granted a variance under this part must give written notice to each provider and participant whose services will be modified by the variance. Such notice must also be given to the participant's legal representative. The notice must state the terms of the requested or granted variance and, if the variance has not yet been approved, inform the participants that the request has been submitted to the commissioner. The notice provided to each participant and the participant's legal representative must inform them of any known alternative SILS services or providers which may be available in the same community. If the variance has already been approved, the notice must be given to the provider, each participant, and the participant's legal representative before services are provided under the variance.

9525.0996 DEMONSTRATION PROJECTS.

Subpart 1. **Request for demonstration projects.** A county board may submit a written request to the commissioner to demonstrate alternative methods of providing semi-independent living services. Counties may request a variance from the licensing and contract requirements under parts 9525.0900 to ~~9525.1020~~ 9525.1000 as a part of the proposed demonstration project. Requests for a demonstration project must contain documentation of the following information:

Subp. 2. **Approval of demonstration projects.** The commissioner's approval of a request for a demonstration project must be based on the following conditions:

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

Adopted Rules

D. the demonstration project must comply with state and federal laws governing services to persons with mental retardation or related conditions; ~~unless otherwise waived under this part.~~

Subp. 3. Agreement to participate in a demonstration project. A county board approved to participate in a demonstration project under this part must obtain the agreement of each participant that will receive services under the approved demonstration project. The agreement must specify the terms of the demonstration project, the portions of parts 9525.0900 to 9525.1020 to be varied, and the manner in which services will be delivered. The agreement must be in writing and must be signed by the affected participant and the participant's legal representative before services are provided under the demonstration project.

Department of Jobs and Training

Adopted Permanent Rules Relating to Community Investment Programs

The rules proposed and published at *State Register*, Volume 17, Number 20, pages 1190-1193, November 16, 1992 (17 SR 1190), are adopted with the following modifications:

Rules as Adopted

3301.0210 PROGRAM ADMINISTRATION.

Subp. 3. **Monitoring.** The county board or service provider shall establish regular, on-site monitoring ~~as necessary~~ to ensure that all employment conditions are met and that participants are progressing toward work adjustment and self-sufficiency.

3301.0230 CONDITIONS OF EMPLOYMENT.

Subpart 1. ~~Mandatory participation. The county board may mandate participation of work readiness registrants in a community investment program. Aid for families with dependent children or general assistance recipients, with the exception of general assistance family members who are required to participate in work readiness, may not be mandated to participate in community investment programs. Work readiness registrants who are required to participate in a community investment program must accept and complete community investment program placements or be terminated from work readiness services and payments.~~

~~Subp. 2. Referral conditions.~~ The county board or its service provider ~~may~~ shall not offer community investment program employment to participants ~~only after~~ unless the following employment and training service priorities have been determined unavailable due to lack of funds or local labor market conditions:

~~Subp. 3. 2. Work hours.~~ The standards in items A and B shall be used to determine the minimum and maximum number of hours community investment program participants will be required to work.

Subp. 4. 3. Wages. Community investment program participants shall be paid the state minimum wage, the wage paid at the work site for similar work, or the wage paid to employees doing comparable work in that locality, whichever is greater.

Subp. ~~5.~~ 4. Travel distance. A participant shall not be required to travel more than two hours round trip between home and the work site, excluding time required to take children to and from a child care facility.

Subp. ~~6.~~ 5. Support services. A participant shall not be required to participate in community investment program employment unless necessary support services are arranged for or provided to ensure that the participant incurs no out-of-pocket expenses.

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 Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Early Goose Seasons and Camp Ripley Archery Season

NOTICE IS HEREBY GIVEN that the above entitled proposed rules have been adopted through the process prescribed by *Minnesota Statutes*, section 14.29, subd. 4(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.045, subdivision 2, 97A.401, subdivision 4, 97B.305, 97B.311, 97B.803.

Dated: 2 August 1993

Rodney W. Sando, Commissioner
Department of Natural Resources

Rules as Adopted

6230.0200 [Emergency] SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

[For text of subs 1 to 8, see 16 SR 2799]

Subp. 9. **Areas closed to firearms deer hunting.** The Lake Blanche Wildlife Management Area in ~~Ottertail~~ Otter Tail County is and a portion of the Timber Lake Wildlife Management Area (as posted) in Jackson County are closed to firearms deer hunting.

6232.0900 [Emergency] CAMP RIPLEY ARCHERY HUNT.

[For text of subs 1 and 2, see 17 SR 408]

Subp. 3. **Antlerless deer and legal bucks.** Camp Ripley is open for the taking of antlerless deer and legal bucks. Not more than 2,750 permits will be issued for each two-day hunting period, provided the total number of permits issued for both hunting periods does not exceed 5,000.

6232.1000 [Emergency] APPLICATION PROCESS FOR CAMP RIPLEY ARCHERY HUNT.

[For text of subs 1 and 2, see 17 SR 408]

Subp. 3. **Application requirements.** Applicants for permits must:

- A. personally sign the application;
- B. apply for only one drawing;

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

Emergency Rules

- C. apply for only one of the hunting periods;
- D. submit no more than one application per year;
- E. mail or deliver the application with the nonrefundable application fee of \$6 per hunter to be received on or before 4:30 p.m. on August 21, 1992, 1993, at Archery Hunt, Route 4, Box 19A, Little Falls, MN 56345; and
- F. pay application fees by cashier's check, money order, or personal check.

EARLY GOOSE SEASONS

6240.1200 [Emergency] SPECIAL PROVISIONS ON TAKING GEESE DURING EARLY SEASONS.

Taking Canada geese on public roads and their rights-of-way is prohibited during the early seasons, except in the Southwest Canada Goose Zone.

6240.1500 [Emergency] TAKING GEESE IN TWIN CITIES METROPOLITAN CANADA GOOSE ZONE.

Subpart 1. Open season. Canada geese may be taken in the Twin Cities Metropolitan Canada Goose Zone during the ten-day period beginning the first Saturday in September.

Subp. 2. Daily limits. A person may not take more than four Canada geese per day during the early season.

Subp. 3. Zone description. The Twin Cities Metropolitan Canada Goose Zone is described as follows:

A. All of Hennepin and Ramsey counties.

B. In Anoka County, all of Columbus Township lying south of County State Aid Highway (CSAH) 18, Anoka County; all of the cities of Ramsey, Andover, Anoka, Coon Rapids, Spring Lake Park, Fridley, Hilltop, Columbia Heights, Blaine, Lexington, Circle Pines, Lino Lakes, and Centerville; and all of the city of Ham Lake except that portion lying north of CSAH 18 and east of U.S. Highway 65.

C. That part of Carver County lying north and east of the following described line:

Beginning at the northeast corner of San Francisco Township; thence west along the north boundary of San Francisco Township to the east boundary of Dahlgren Township; thence north along the east boundary of Dahlgren Township to U.S. Highway 212; thence west along U.S. Highway 212 to State Trunk Highway (STH) 284; thence north on STH 284 to County State Aid Highway (CSAH) 10; thence north and west on CSAH 10 to CSAH 30; thence north and west on CSAH 30 to STH 25; thence east and north on STH 25 to CSAH 10; thence north on CSAH 10 to the Carver County line.

D. In Scott County, all of the cities of Shakopee, Savage, Prior Lake, and Jordan, and all of the townships of Jackson, Louisville, St. Lawrence, Sand Creek, Spring Lake, and Credit River.

E. In Dakota County, all of the cities of Burnsville, Eagan, Mendota Heights, Mendota, Sunfish Lake, Inver Grove Heights, Apple Valley, Lakeville, Rosemount, Farmington, Hastings, Lilydale, West St. Paul, and South St. Paul, and all of the Township of Nininger.

F. That portion of Washington County lying south of the following described line:

Beginning at County State Aid Highway (CSAH) 2 on the west boundary of the county; thence east on CSAH 2 to U.S. Highway 61; thence south on U.S. Highway 61 to State Trunk Highway (STH) 97; thence east on STH 97 to the intersection of STH 97 and STH 95; thence due east to the east boundary of the state.

6240.1600 [Emergency] TAKING GEESE IN SOUTHWEST GOOSE ZONE.

Subpart 1. Open season. Canada geese may be taken in the Southwest Canada Goose Zone during the ten-day period beginning the first Saturday in September.

Subp. 2. Daily limits. A person may not take more than two Canada geese per day during the early season.

Subp. 3. Zone description. The Southwest Canada Goose Zone is described as follows:

A. All of Blue Earth, Faribault, LeSueur, Lincoln, Lyon, Martin, McLeod, Nicollet, Sibley, Waseca, and Watonwan counties.

B. All of Cottonwood, Jackson, Murray, and Nobles counties except the area within the following described boundary:

Beginning at the junction of County State Aid Highway (CSAH) 42 and CSAH 6, Murray County; thence east along CSAH 6 to CSAH 13, Cottonwood County; thence east along CSAH 13 to CSAH 5, Cottonwood County; thence south along CSAH 5 to CSAH 9, Jackson County; thence south along CSAH 9 to CSAH 32, Jackson County; thence west along CSAH 32 to CSAH 18, Nobles County; thence west along CSAH 18 to CSAH 3, Nobles County; thence north along the township road to the Murray County line; thence west to CSAH 42, Murray County; thence north to the point of beginning.

C. That part of Brown County lying south and west of the following described line:

Beginning at the junction of U.S. Highway 14 and the east Brown County line; thence west on U.S. Highway 14 to Cobden; thence due west one mile on U.S. Highway 14 and the township road to the Redwood County line.

D. That part of Renville County east of State Trunk Highway 4.

E. That part of Meeker County south of U.S. Highway 12.

F. In Scott County, the Townships of Belle Plaine, Blakely, and Helena, including municipalities located therein.

G. That part of Carver County lying west of the following described line:

Beginning at the northeast corner of San Francisco Township; thence west along the north San Francisco Township line to the east boundary of Dahlgren Township; thence north on the east Dahlgren Township line to U.S. Highway 212; thence west on U.S. Highway 212 to State Trunk Highway (STH) 284; thence north on STH 284 to County State Aid Highway (CSAH) 10; thence north and west on CSAH 10 to CSAH 30; thence north and west on CSAH 30 to STH 25; thence east and north on STH 25 to CSAH 10; thence north on CSAH 10 to the Carver County line.

6240.1700 [Emergency] TAKING GEESE IN FERGUS FALLS/ALEXANDRIA CANADA GOOSE ZONE.

Canada geese may be taken in the Fergus Falls/ Alexandria Canada Goose Zone during the ten-day period beginning the first Saturday in September.

6240.1800 [Emergency] EARLY GOOSE HUNT APPLICATION AND PERMIT.

Permits are required to take Canada geese during the early seasons. A person may obtain a permit by submitting an application, provided by the commissioner, to the address indicated on the form.

6240.1850 [Emergency] GAME REFUGES OPEN TO THE TAKING OF GEESE.

The Douglas County Goose Refuge in Douglas County and the Otter Tail County Goose Refuge in Otter Tail County are open to Canada goose hunting during the early and regular goose seasons.

EFFECTIVE PERIOD. These rules are effective through February 28, 1994.

REPEALER. Commissioner's Order Number 2450, section 1, parts 6232.0900, subpart 1; 6232.1000, subpart 3; 6240.1500, subpart 2; 6240.1600; 6240.1700; 6240.1800, subpart 1; and 6240.1900, subpart 1, are repealed.

Executive Orders

Executive Department

Executive Order 93-13: Providing for the Assignment of Duties to State Agencies Under the Land and Water Conservation Fund Act of 1965 (P.L. 94-422); Rescinding Executive Order No. 93-3

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

WHEREAS, proper administration of the federal Land and Water Conservation Fund Act of 1965, as amended, requires the assignment of specific duties to various state agencies; and

WHEREAS, *Minnesota Statutes* 1992, Section 86.71 authorizes designation of a state agency or agencies to apply for, receive, and accept federal funds from this grant program;

NOW, THEREFORE, I hereby order that:

1. The Department of Natural Resources be designated the state agency to administer the Land and Water Conservation Fund Grant Program in Minnesota.

2. The Director of the Trails and Waterways Unit in the Department of Natural Resources shall serve as the state liaison officer and shall be ultimately responsible for overall administration and compliance of the Land and Water Conservation Fund in Minnesota. The Director of the Outdoor Recreation Grant Unit in the Department of Natural Resources's Office of Planning shall serve as the alternate liaison officer and shall assist

Executive Orders

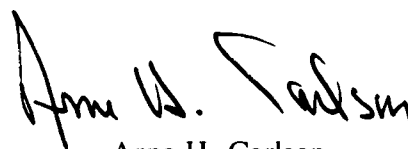
the state liaison officer in carrying out the responsibilities of this program. In the absence of the state liaison officer and the alternate state liaison officer, the Assistant Commissioner for Operations in the Department of Natural Resources shall have authority to sign project agreements and amendments. Responsibility for administration of this program shall include:

- a. Implementing an ongoing statewide comprehensive outdoor recreation planning process that includes an assessment of outdoor recreation in Minnesota, a plan for addressing outdoor recreation issues, and a process for allocating federal grant funds to acquire and develop projects that provide public outdoor recreation;
- b. Ensuring compliance by all grant recipients with state laws and regulations and with federal requirements stated in the Land and Water Conservation Fund Grant Manual;
- c. Managing projects by preparing and submitting applications, amendments and billings, inspecting projects to ensure proper completion, operation and maintenance, and other functions necessary for proper program administration and management;
- d. Reporting on activities of the grant program as required by federal and state regulations; and
- e. Cooperating with the National Park Service in activities that further proper administration of this grant program in Minnesota.

Executive Order 93-3 is rescinded.

Pursuant to *Minnesota Statutes* 1992, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1992, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this thirteenth day of July, 1993.



Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Dated: 30 July 1993

Executive Department

Emergency Executive Order 93-14: Providing for Assistance to State Officials

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

WHEREAS, the devastating floods of 1993 have severely affected the health and welfare of the citizens of the State of Minnesota; and

WHEREAS, the floods have damaged crops and left numerous agricultural and seasonal workers without employment; and

WHEREAS, the floods have affected food shelves throughout the state, leaving many critically short of food supplies; and

WHEREAS, officials from the State of Minnesota request assistance in transporting food that is being collected by state government employees during "Harvest of Hope";

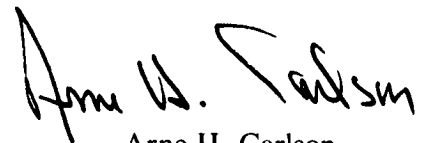
NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to active duty, in the service of the State, such elements and equipment of the military forces of the State as required and for such period of time as necessary to assist and support civil authorities in collecting and transporting donated food to provide relief to those areas affected by the floods of 1993.

2. The cost of subsistence, transportation, fuel, and pay and allowances of said individuals shall be defrayed from the general fund of the State as provided for in *Minnesota Statutes* 1992, Sections 192.49, subd. 1; 192.51, and 192.52.

Pursuant to *Minnesota Statutes* 1992, Section 4.035, subd. 2, this Order shall be effective August 6, 1993, and shall remain in effect until such date as elements of the military forces of the State are no longer required or until rescinded by proper authority.

IN TESTIMONY WHEREOF, I have set my hand this third day of August, 1993.



Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Dated: 3 August 1993

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 State Board of Electricity

Notice of Monthly Meetings

The monthly meetings of the State Board of Electricity are held on the second Tuesday of each month at 10:00 a.m. in the Board's office in the Grigg's Midway Building at 1821 University Avenue, Room S 173, St. Paul, Minnesota 55104.

Ethical Practices Board

Request for Advisory Opinion Re: Classification and Reporting of "Donation In-Kind"

The Ethical Practices Board solicits comments regarding the following request for an advisory opinion received from Alan W. Weinblatt, Esq., Weinblatt and Davis. Written comments should arrive at the Board office, 1st Floor South, Centennial Building, 658 Cedar Street, St. Paul, MN 55155-1603, prior to September 10, 1993, for consideration at the Board's meeting of October 14, 1993. July 26, 1993—I represent the Minnesota State Democratic Farmer Labor Party (the "DFL") on whose behalf this opinion is requested.

Official Notices

Both in 1993 and 1994, the party proposes to offer its endorsed candidates for legislative and statewide election, the opportunity to have their pictures taken with various national political leaders including but not limited to the President of the United States, the Vice President and members of the presidential cabinet. This opportunity will not be generally available to other persons.

The DFL party proposes to pay all of the costs associated with the photo session and to provide its endorsed candidates with one or more negatives of the photographs.

Minnesota Statutes §10A.01 subd. 7(b) defines a "donation in kind" in part as meaning anything of value other than money . . . given by an association . . . to a principal campaign committee for the purpose of influencing the nomination or election of a candidate—

The DFL would like the opinion of the Board as to whether or not its providing of the photo opportunity and/or photo negative to its candidates in 1993 and/or 1994 would be considered to be a "donation in kind". If the answer to this question is in the affirmative, please advise as to the appropriate method of valuing the photo opportunity and/or negative.

The DFL's second inquiry pertains to its "in-house" printing facilities. Specifically, the party proposes to sell to its endorsed candidates only (and not to any others) printing services of its in-house printing shop at its cost. Those services would be available to DFL candidates and the subunits of the party on an "as available" basis.

The party wishes to know whether or not providing of such printing services, at its cost only, would be considered to be a "donation in kind" within the meaning of *Minnesota Statutes* §10A.01 subd. 7(b). If the answer to this question is in the affirmative, how should the party determine the amount of any donation in kind.

Thirdly, the DFL may have an opportunity to purchase a number of computers at a bargain sale price. The party would like to make these computers available to its legislative and statewide candidates for sale or lease for a token amount of money during 1993 and 1994. Would a sale of these computers at below the current market price be a donation in kind? Would the answer change if the DFL had purchased the computers at a token price? What would be the proper measure of any in-kind contribution?

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective August 9, 1993, prevailing wage rates are certified for commercial construction projects in: Crow Wing county; Crosby City Hall Asbestos Removal-Crosby. Olmsted county: Rochester Skyway and Civic Center Parking Garage-Rochester. St. Louis county: Eveleth-Gilbert Schools Life Safety Renovations-Eveleth. Scott county: 1993 Prior Lake High School Athletic Track Rehabilitation-Prior Lake. Washington county: MCF-Stillwater Minimum Security Building Window Replacement-Stillwater.

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.
Commissioner

Minnesota Comprehensive Health Association

Notice of Meeting of the Ad Hoc Work Group on MCHA Premiums

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Ad Hoc Work Group on MCHA Premiums will be held at 4:00 p.m. on Monday, August 16, 1993 at Prudential Insurance Company of America, 3701 South Wayzata Boulevard, Minneapolis, Minnesota, in the 8th floor board room.

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

Minnesota Comprehensive Health Association

Notice of Meeting of the Enrollee Appeal Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Enrollee Appeal Committee will be held at 3:00 p.m. on Tuesday, August 10, 1993 at Park Place Center, 5775 Wayzata Boulevard, Suite 746, St. Louis Park, Minnesota.

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

Professional, Technical & Consulting Contracts

Department of Natural Resources

Division of Fish and Wildlife

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Contests for Selecting a Design for Fish and Wildlife Stamps

NOTICE IS HEREBY GIVEN that the State Department of Natural Resources is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rule governing contests for selecting a design for fish and wildlife stamps. The adoption of the rule is authorized by *Minnesota Statutes*, section 97A.045, subdivision 7, which requires the agency to make rules governing contests for selecting a design for each stamp.

The State Department of Natural Resources requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Richard Hassinger, Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4020. Oral statements will be received during regular business hours over the telephone at (612) 297-1308 and in person at the above address.

All statements of information and opinions shall be accepted until September 17, 1993. Any written material received by the State Department of Natural Resources shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 27 July 1993

Eugene R. Gere
Assistant Commissioner

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.

In accordance with *Minnesota Rules Part 1230.1910*, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612) 296-2600 or [TDD (612) 297-5353 and ask for 296-2600].

Department of Administration

Materials Management Division

The State is soliciting proposals for the Department of Natural Resources for "Computer Related Professional Consulting Services"

Estimated total value approximately \$150,000 annually. Proposals are due prior to 2:00 p.m., August 18, 1993. Proposals must be time stamped prior to 2:00 p.m. Proposals may be obtained by contacting:

Department of Administration
Materials Management Division
112 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

Attention: Don Olson, Contract Administrator
FAX: 612-297-3996 or PHONE: 612-296-3771

State Board of Electricity

Notice of Request for Proposals for Independent Contract Electrical Inspectors

The Minnesota State Board of Electricity is seeking services of independent contract electrical inspectors who must hold a Class "A" Journeyman or Class "A" Master electrician's license in Minnesota to make electrical inspections in designated geographical areas. Compensation is based on a percentage of the inspection fee paid by the installer of wiring when the inspections are completed.

Professional, Technical & Consulting Contracts

Presently there are no geographical areas open, but all applications submitted will be kept on file for future openings. A formal request for proposal may be requested from and other inquiries made to:

John Quinn
Executive Secretary
State Board of Electricity
Griggs Midway Bldg., Room S 173
1821 University Avenue
St. Paul, Minnesota 55104

Department of Employee Relations

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 Development 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. Prospective bidders must be trained and certified for the Myers-Briggs Type Indicator. The contract is expected to not exceed \$50,000.00 for the biennium ending June 30, 1995. Employee Relations reserves the right to not award the contract.

Contents of the Proposal

To be considered, proposals must minimally include the following:

1. A clear statement of the objectives, goals, and components of the proposal.
2. Identification and description of the deliverables provided by the responder.
3. Outline of the responder's background and experience in providing training to public sector employees, with a special emphasis on working with state government, executives, managers and employees. The personnel who will actually do the training must be clearly identified and their qualifications and experience detailed.
4. A description of the level of departmental participation in the project as well as any other services to be provided by the Department of Employee Relations.
5. A detailed cost and work plan that itemizes costs related to services and materials.

Evaluation

All proposals received by the deadline will be evaluated by a Department of Employee Relations committee which may invite proposal finalists to an interview. Evaluation factors are:

1. The trainer's credentials including licenses, certificates, degrees, and experience. Credentials of the person(s) actually doing the training is more important than those of the agency.
2. The quality of the program components and the plan for their implementation. In part, quality will be determined by the soundness of the behavioral models that underlie the training, including traditional and new concepts; the adherence to principles of adult learning in the design and delivery of the training; and the degree to which the training is practical and skill building in its approach.

Video-based instructional components and participant workbooks will be evaluated for realism, applicability to the state government context, clear expression, and organization.

Training materials must demonstrate sensitivity to cultures, ethnicity, gender, religion, disabilities, and other forms of diversity. Video tapes used in the training must be closed-captioned.

3. Training experiences with, or demonstrated knowledge of, management, supervision and organization in state government as opposed to the same in the private sector.
4. Training experience with, or demonstrated knowledge of, management, supervision and organization in the private sector. Responder must give examples of processes and techniques used in the private sector that may be applicable to the public sector.
5. Total cost of project including instructor's fees and materials. The contract does not have to be awarded to the lowest bidder.

Submission of Proposals

All proposals must be sent to and received by the HRD Services Division.

Professional, Technical & Consulting Contracts

Lynne Croes
Department of Employee Relations
Human Resources Development Services Division
200 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

All proposals must be received no later than 4:30 p.m., Friday, August 27, 1993. Late proposals will not be accepted. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Please submit four copies; each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal, as stated, must be valid for the length of the contract.

Department Contact

Prospective responders who have questions regarding this RFP may call Lynne Croes, (612) 297-3324, or they may write for information at the above address. Ms. Croes is the only employee authorized to answer questions regarding this RFP.

EVALUATION SCORESHEET

	1	2	3	4	5	Comments
Trainer's credentials, licenses, certificates, degrees, and experience.						
Quality of the proposal including clarity of objectives, goals and components of the proposal.						
Soundness of the behavioral models that underlie the training, including new and traditional concepts.						
Adherence to principles of adult learning in the design of the program and in the delivery plan.						
Training must be practical and skill building, and applicable to state government.						
Realism of all instructional materials including video tapes, handouts, workbooks, etc. Training materials include state government specific examples.						

Professional, Technical & Consulting Contracts

EVALUATION SCORESHEET

	1	2	3	4	5	Comments
Sensitivity to cultures, ethnicity, gender, religion, disabilities, and other kinds of diversity exist in the proposal, training materials, and video tapes.						
Video tapes to be used are closed-captioned.						
Training experience with, or demonstrated knowledge of, management, supervision and organization in state government as opposed to the same in the private sector.						
Training experience with, or demonstrated knowledge of, management, supervision and organization in the private sector. Examples of private sector techniques applicable to the public sector.						
Total cost of the project including instructor's fees and materials.						

Minnesota House of Representatives

The Minnesota House of Representatives is in the Process of Reviewing Internal Management Practices, Policies, and Procedures Within their Financial Accounting and Procurement Division, House Administrative Services (HAS)

Accordingly, the Minnesota House of Representatives is requesting proposals from qualified professional accounting and consultancy firms to assist us in evaluating the effectiveness and efficiency of the management, administration, practices, policies and procedures of HAS, which performs administrative services for the House as described below.

Background

The House of Representatives has 134 elected members and a permanent year round staff complement of 260 employees. The annual operating budget is approximately \$21,000,000 (80% of which is salaries and benefits).

The office of House Administrative Services is currently a fourteen person department, including the Director, divided into four functional areas.

Professional, Technical & Consulting Contracts

- Payroll/Accounts Payable

- Payroll, one and one-half positions, including supervisor, responsible for member, permanent staff, and temporary staff payroll operations, benefits administration, vacation/sick leave accrual accounting.

- Accounts Payable, two positions responsible for administrative and general expenses, member and staff reimbursements.

- Procurement

- Six positions, including manager, responsible for maintaining inventory and ordering of general supplies and equipment for the House.

- Information Systems

- Two positions, including manager, responsible for maintaining payroll and accounting software, and providing requested reports to senior management.

- Personnel

- One and one-half positions responsible for maintaining personnel salary structure data, employment recruiting in compliance with various federal and state regulations.

Scope

The scope of this project:

1. Identification, creation, modification, frequency and intended use of reports needed to provide decision-makers, administrators and the general public with appropriate information.
2. Identification, creation, modification, and intended use of forms and systems for control, management, and monitoring of activities, including relevant computer systems and software.
3. The organization and structure of HAS, including staffing and skill levels, and job and position definitions.
4. Identification, creation, modification, frequency of internal control systems and procedures.
5. Review procedures used by other House administrators for HAS related functions.
6. Review and modify (if needed) the structure of the House's internal auditing system.

Your response to this request should include:

1. **Approach and Methodology**

Please provide a brief description of the approach and methodology that would be used on this project to address the matters discussed above. Include the level of commitment the partner would give to this project and the manner and frequency of briefing that would be given to management and/or Leadership.

2. **Staffing and Qualifications**

Please provide a brief description, including years of experience, of the professional staff who would perform this project. Include your qualifications and experience in the performance of similar consultancy projects for state, county, or local governments. Please provide the name and phone number of a contact person at your firm to respond to questions relating to the questions relating to the RFP.

3. **Fees and Timing**

Please provide your aggregate fixed fee, the professional rates and manner of billing arrangement you would propose charging for this project. Also include an overview of your proposed timing of this project. Finally, discuss availability of providing supplemental additional work on implementing recommendations (and fee structure if different from above).

4. **Schedule**

Your proposal must be received by the close of business on August 20, 1993. Proposal should be addressed to:

Dee Long, Speaker of the House
Minnesota House of Representatives
Room 463 State Office Building
St. Paul, Minnesota 55155

Questions relating to this RFP may be directed to Kay Nelson (296-8892), Acting Director of House Administrative Services or Larry Bothwell (296-3889), Director of Staff. Refer to the contract enclosed for further details relating to this project.

Dated: 28 July 1993

Minnesota Housing Finance Agency

Notice of Request for Proposals for Administrators for the Home Equity Conversion

Counseling Program

The Minnesota Housing Finance Agency announces the availability of funding for the Home Equity Conversion Counseling Program. Proposals are hereby solicited from non-profit entities as defined in *Minnesota Rules* pt. 4900.0010, subpart 21 (including housing and redevelopment authorities), that have as a primary purpose assisting elderly persons in obtaining and maintaining affordable housing. Administrators may not be a part of or affiliated with a lender or a vendor of home equity conversion loans or products.

The Home Equity Conversion Counseling Program provides a grant for an eligible administrator to provide home equity conversion counseling services to senior homeowners on a state-wide basis. "Home equity conversion" means plans where homeowners convert equity in their homes into spendable funds while retaining title to the homes. The funds do not have an obligation of immediate repayment. The applicant selected to administer the program must, at a minimum, perform the counseling services prescribed in *Minnesota Rules* pt. 4900.2040.

There is currently a \$50,000 grant available for the Home Equity Conversion Counseling Program. The grant is to provide a home equity conversion counseling budget for a two-year period, with \$25,000 available for the period between October 1, 1993 through September 30, 1994, and \$25,000 available for the period between October 1, 1994 through September 30, 1995. Only one grant recipient will be selected.

Proposals must include:

1. Documentation of applicant eligibility as an administrator as described above and under *Minnesota Rules* 4900.2050.
2. A description of the applicant's organization that demonstrates that the applicant is knowledgeable about home equity conversion, including reverse mortgage programs; has experience in counseling older persons on housing, including knowledge of alternative arrangements for older persons; and has knowledge of existing public benefit programs and other appropriate financial and legal resources for older persons.
3. A detailed description of how the proposed program would be administered, including qualifications of staff and proposed means of recordkeeping.
4. A detailed budget for the specified period showing all sources and uses of funds, including grant funds.
5. A description of the means that the applicant plans to use to provide outreach and counseling on a state-wide basis.

The deadline for receipt of hand delivered proposals is 4:30 p.m., September 15, 1993. All other proposals must be sent by certified mail and postmarked no later than September 13, 1993.

All proposals will be evaluated by the Agency, in accordance with *Minnesota Rules* pt. 4900.2060. The Agency may enlist the services of individuals not employed by the Agency who are familiar with home equity conversion programs to aid in evaluating proposals received.

Complete proposals packets which contain specific information and instructions for proposal submission may be obtained from the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101-1998, Attention: Michael Haley, Director of Home Mortgage Programs.

Department of Human Services

Quality Services Division

Request for Proposals to Design a Process for Gathering Information from Counties that Will Help Identify Areas that Indicate Need for Improvement

Objectives to be accomplished include increased understanding of county perceived needs and expectations as related to the Department's services/products; identifying areas where improvements are needed; and developing a system for ongoing measurement of quality of effort in the Department's social service area. The project involves training department staff to interview people in various county social services roles.

The State reserves the right to cancel the solicitation if it is considered in its best interest.

The Department has estimated that the cost of this contract will not exceed \$30,000 and the project should be completed within 90 days following completion of the contract. All proposals must be submitted no later than August 30, 1993.

For a copy of a more detailed explanation of this request for proposals, please contact:

Richard Hardes
Quality Services Division
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3839
(612) 296-2829

A bidders conference will be held on August 20, 1993, to discuss any questions prospective responders may have. No other contacts will be accepted. This conference is scheduled at the Human Services Building in the Quality Services Division third floor workroom at 1:00 p.m., 444 Lafayette Road, St. Paul on the above date.

Department of Natural Resources

Division of Parks and Recreation

Request for Proposal: Statewide Campsite and Accommodation Reservation System

REQUEST FOR PROPOSAL

The Minnesota Department of Natural Resources is requesting proposals to provide a reservation system for camping and lodging in 61 Minnesota State Parks. The State of Minnesota welcomes all interested parties to submit proposals. This Request for Proposal does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest. The State also reserves the right to negotiate details of the project tasks outlined in this request.

All costs of the vendor providing this service will be covered by charging users a fee per reservation or by other methods mutually agreed to by the State and the vendor to be identified in the proposal submitted by the vendor.

A. SCOPE OF PROJECT

The Minnesota Department of Natural Resources, Division of Parks & Recreation (hereafter referred to as "the Department") desires to offer a centralized reservation service to the public visiting state parks and recreation areas.

The Department manages 66 state parks and recreation areas located throughout the state. Of these sixty-six parks, 61 have campgrounds; 3 parks also have one rental housekeeping cabin each; Itasca State Park, has a lodge complex that includes 25 sleeping rooms and 24 rental cabin units.

B. GOALS AND OBJECTIVES

The Department of Natural Resources, Division of Parks & Recreation desires to enter into an agreement with an outside source to provide a centralized reservation system for camping and lodging facilities (Option A); or to enter into an agreement with an outside source to provide a centralized reservation system for camping only (Option B). The Department shall have sole right to select which option and all respondents must submit a proposal for each option.

The intent of this endeavor is to provide an efficient, effective centralized system capable of determining the current status of reservation vacancies in all parks, making reservations for any available overnight facilities, providing basic information on the state park system and individual parks to users, directing callers to suitable alternate locations for a reservation if the first choice is unavailable, mailing reservation confirmation cards to users, and disseminating the reservation information to the individual parks.

C. BACKGROUND AND OVERVIEW

1981-1989

The Minnesota Department of Natural Resources, Division of Parks & Recreation initiated an in-house campsite reservation system in 1981 as a result of camper interest.

Each succeeding year until 1987, when all staffed parks with campgrounds came on line, the number of reservations taken increased. The numbers of reservations taken for the last two years of the in-house system are indicated below:

Fiscal Year 1988 : 22,021 reservations
Fiscal Year 1989: 31,125 reservations

The reservation fee for the in-house system was \$3.00. For the last few years of the in-house system, the procedures were relatively consistent:

1. Reservations were made by phone or in person by contacting the park at which the party was interested in staying.

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2. Reservations were accepted up to 15 days prior to arrival for any day of the year. Reservations were accepted Monday through Friday, 8:00 a.m. to 4:00 p.m.
3. The following information was needed to reserve a site: name, address and phone number; date and time of arrival and departure; number in the party; type and size of camping equipment; and if an electrical site was requested.
4. Campsite reservations were held until 8:00 p.m. of arrival date. If the party had not arrived by 8:00 p.m. and had not requested an extension, the campsite could be rented to someone else. All parks close at 10 p.m.
5. Specific sites were not guaranteed.
6. Up to three reservations were accepted per phone call or visit.
7. A non-refundable reservation fee was charged for each campsite reserved, payable on arrival.
8. The percent of total sites a park offered for reservations was not less than 50% nor more than 75%.

1990-1993

The Minnesota Department of Natural Resources, Division of Parks & Recreation entered into a 3 year contract with Mistix Corporation in 1990 whereby Mistix provided the reservation service to the Department for approximately 70% of the campsites in each park and 100% of the lodging facilities. The contract was extended for one year to include calendar year 1993. This service included:

1. A toll-free telephone number useable in the U.S. and Canada for customers to call to make camping and lodging reservations. A toll-free TDD number was also provided.
2. Hours of Operation: 8 a.m. to 5 p.m. (Central Time) Mon-Sat, January 1 to October 1, 8 a.m. to 5 p.m. (Central Time) Mon-Fri, October 1 to January 1.
3. Daily FAX reports showing valid reservation arrivals for the coming 10 days from April 1 to November 1 and weekly Fax reports showing valid reservation arrivals for the coming 10 days from November 1 to April 1 of each year.
4. Daily FAX reports to Itasca State Park showing the confirmed camping and lodging reservations that were processed on the preceding business day.
5. Services to the Department including but not limited to access to support personnel for customer service, a toll-free 800 number for technical support, and services for notification of customers in the event of emergencies at the park facilities.
6. \$10,000 of promotional marketing services in each of the first two (2) years of the contract and \$7,500 in the third year of the contract. There were expenditures required for calendar year 1993.
7. On-line computer access to the reservation system for the Department liaison person and Itasca State Park for customer account checks, inventory checking, availability information, and other needs.

The number of transactions for calendar year 1991 totaled 44,529 and the net reservations totaled 42,826.

The number of transactions for calendar year 1992 totaled 42,000 and the net reservations totaled 40,057.

The number of transactions for January through June 1993 totaled 23,426 and the net reservations totaled 22,854.

Itasca lodging reservations totaled approximately 2,000/year and these are included in the numbers noted above.

Facilities:

The state parks in Minnesota that provide overnight accommodations vary in the facilities, activities and environment offered. They range from large (34,037 acres at St. Croix) to small (187 at Monson Lake); from rugged and hilly (Whitewater) to prairie (Blue Mounds, Buffalo River) to water-based (Lake Carlos, Lake Shetek) and from remote (Zippel Bay, Judge Magney) to urban (William O'Brien, Afton).

The number of campsites varies from a high of 218 at Itasca to a low of 18 at Moose Lake.

Campsites also vary. Some are backpacking sites, others are suitable only for tent camping, and others are suited for recreational vehicles of varying sizes. More than 1000 sites have electrical hookups. The number of campsites available for use may vary by time of year, and is dependent on the funding available to the Department. Some campgrounds offer showers, flush toilets, playground equipment, and other developed facilities; others offer only vault toilets. The current camping fees are:

Semi-modern (showers)	\$10.00 or \$12.00/campsite/night
Rustic (no showers)	\$ 8.00/campsite/night
Electricity	\$ 2.50/campsite/night additional
Backpack/Boat-in	\$ 7.00/campsite/night

The camping facilities currently available in Minnesota State Parks include:

- 3809 Drive-in sites (1012 are electrical sites)
- 127 Backpack sites
- 85 Walk-in sites
- 61 Canoe sites

The lodging facilities in Minnesota State Parks currently include:

- 3 Rental housekeeping cabins in 3 parks

Itasca State Park has the following facilities:

- 6 One room housekeeping cabins
- 1 Two bedroom housekeeping cabin (Squaw Lake)
- 5 One bedroom cabins
- 1 Two bedroom cabin
- 6 Three bedroom cabins
- 1 Fourplex cabin (4 rooms)
- 1 Motel unit—Nicollet Court (18 rooms)
- 1 Clubhouse (10 rooms)
- 1 Lodge—Douglas Lodge (7 rooms)

Some parks are very accessible; they have multiple phone lines and adequate staff to answer phones during business hours. Others, however, are minimally staffed and are unable to answer the phone during some periods. Some parks are located in areas where the only available phone service is a party line and this may create unique problems for electronic communication.

Approximately 55 parks are equipped with personal computers and all parks have fax machines. The fax machines are Murata model F-25. The computers are stand alone units and are not part of a network. Computers are predominately IBM including some PS-2 with micro-channel architecture. The other computers are IBM clones. The present operating system is DOS. Parks with computers have modems.

D. PROJECT TASKS

Contractor Obligations.

OPTION A: CAMPING AND LODGING RESERVATION SERVICE

The contractor will provide the following:

1. A computerized reservation system for the public to make a reservation for an appropriate campsite (site is non-specific, but customer may select specific campground, electric or non-electric, and/or other attributes) or other overnight accommodation at a specific park for a time period within the maximum set by the Department.

If the caller's requested park does not have suitable campsites or other overnight accommodations available, a computer search will be made to determine the availability of a suitable campsite or accommodation at another state park. If a caller is interested in an accommodation with specific characteristics or services (i.e. electrical hook-ups), a computer search will be made to determine the availability of a suitable accommodation within the requested park or at another park.

The contractor will provide a toll-free "800" number useable in the U.S. and Canada for reservation requests, cancellations, and information. This number must provide a direct line to a reservation operator and not be a "pass through" system that uses other operators to route the calls to reservation operators. The contractor will provide a toll-free "800" number for TDD use by hearing impaired customers. Also, the contractor will provide a number for international callers to make reservations.

Note: Subject to Department staffing and funding, the following option may be implemented during the term of the contract:

If customer questions exceed the information available to the reservation operators, the reservation system will be capable of switching the customer directly to the Department of Natural Resources Info Center for assistance.

A caller shall be able to make a reservation for a drive-in campsite, walk-in campsite or backpack/boat-in campsite from ninety (90) days in advance of the date of arrival up until three (3) days prior to the date of arrival. Approximately 70% of the campsites available in each park will be reservable. Horse campsites, Group Centers, and Group Camps will not be included in the reservation system.

Reservations made for each park shall be provided to the park or to a location specified for the park by computer or fax machine at least two days prior to arrival (i.e. reservations made on Tuesday for Friday arrival must be provided to the park on Wednesday). The cost of transmitting the information to the parks is the responsibility of the contractor. This information shall include the customers name, arrival date, site type, length of stay, confirmation number, and the telephone number listed in the account. This information shall also be available upon request by the park or Department at any time prior to the day when it must be delivered.

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Contractor hours of operation shall be a minimum of Monday through Saturday, 10:00 a.m. to 7:00 p.m. Central Time from January 1 to October 1 and Monday through Friday, 10:00 a.m. to 7:00 p.m. Central Time from October 1 to January 1 each year of the contract, or as agreed upon in writing by both parties.

2. Any computer software needed; to include the supply, installation, and maintenance of the software. Upgrading and replacing all computer software shall be the responsibility of the contractor. Software supplied by the contractor shall be compatible with the microcomputers used in Minnesota State Parks.

The parks which have a computer dial-up capability with the Contractor's main computer system will have the ability to request by computer, any and all reservation information necessary to successfully operate the reservation system at the park level.

One or more work stations with the features of an on-line terminal will be located at the Department's central office at 500 Lafayette Road, St. Paul, Minnesota and will be connected to the Contractor's main reservation system by modem or dedicated phone line. These work stations will function as on-line terminals and will have the capability to transfer data between the main system and local files for off-line processing. When connected to the main system, these work stations shall access other features as needed including but not limited to making reservations, canceling reservations, and putting facilities on hold for specified periods of time.

The Contractor shall be responsible for training Contractor and Department employees in the operation of all computer hardware and software related to the operation of the reservation system. The level of training shall be adequate to provide for the effective use of any and all computer hardware and software provided by the contractor.

The Contractor shall have the capability to provide reservation information to each park via fax machine and shall be responsible for providing training adequate for the operation of the reservation system.

3. Sufficient staff to handle incoming calls for reservations. For the purpose of this proposal, "sufficient" means that monthly average "on hold" time waiting for a reservation operator shall be less than 2 minutes. This time will not include time spent accessing a digital voice processing system that may be available for checking campsite reservation availabilities. The Contractor's telephone equipment shall have the capability to monitor and record the hold times and the number of callers that get a busy signal when calling in. A taped message approved by the Department shall be used for all callers put "on hold" waiting for an operator.

4. A collection system whereby the Contractor will collect from the caller a reservation fee. A reservation fee as agreed upon will be charged for any campsite or lodging facility reserved unless another alternative for payment to the contractor is agreed to by the State. Fees for the option periods, if exercised by the Department, are subject to negotiation.

The Contractor will accept MasterCard, American Express, Discover, and Visa credit cards (and others at their option and expense) as a method of payment for phone-in reservations, and shall provide a method to accept mail-in and overnight express delivery of personal checks as a means of payment for reservations.

Written policy and procedures covering refunds, reservation changes, and cancellations will be mutually developed by the Department and the Contractor prior to the start of the reservation system.

5. A reporting system which will provide, as a minimum, the following information: the number of reservations taken (by park by day); the names and addresses of users; and summaries of user data collected at the time a reservation is made, in a form mutually agreed upon by the Department and the Contractor. Reports will be submitted on a monthly basis.

6. All forms needed to operate the reservation system. These forms will be printed at the Contractor's expense and provided to the Department by the Contractor at the Contractor's expense. Reservation confirmation shall be printed on recycled paper. Reservation confirmation cards sent to the customer shall include information on Department reservation policies and a customer satisfaction response form, approved by the Department, pertinent to the reservation service.

7. The capability to provide confirmation numbers. For each campsite or lodging facility reserved; a confirmation number will be provided to the customer and that number will be provided to the park where the reservation is made. The numbering system will include a park code number assigned by the Department and an identifier number of the reservation operator who made the reservation.

8. The collection of data necessary to train its staff. The Contractor through its own personnel and its own expense will assemble the necessary accurate and appropriate data on each park and its accommodations for the purpose of training its own staff. This training material will be reviewed and approved by the Department.

9. Assistance to the Department in collecting and updating an inventory of each park's campsites, lodging and other facilities necessary to the operation of the Contractor's computer system. The Contractor will provide a standardized information form. This form will include campsite type, campsite length, lodging accommodations, location, description and any other necessary information.

10. A performance bond or certified check in the amount of \$25,000 to insure operation performance upon agreement of the contract by both parties will be required and will be payable to:

State of Minnesota

All monies earned as interest as a result of this bond shall be returned to the Contractor. The Department reserves the right to terminate the contract for cause if performance is not in the public interest.

Professional, Technical & Consulting Contracts

11. A **marketing plan** as part of the Request for Proposal, identifying expenditures of a minimum of \$7,500 per year through the life of the contract, for marketing of the reservation system. The marketing plan shall be approved by the Department and failure to provide marketing to the extent of the plan, documented by the Contractor, will result in payment to the Department of the balance of the \$7,500 not spent. This marketing plan may include user surveys on service performance and user satisfaction levels.

12. **Notification of specific information to each caller seeking a reservation.** The Contractor shall inform each caller making a reservation through the Contractor's reservation system the following information:

a. An entrance fee is required to gain access to each state area and this fee is in addition to the camping, lodging and reservation fee.

b. The locations at the park where annual and daily park permits can be purchased and where the customer must check in at the park to pay camping and lodging fees.

c. Park closing hours and that the failure to arrive prior to a time to be determined at the Department's discretion will void the Department's obligation to honor the entire reservation.

d. Other information as identified by the Department which is necessary to assure appropriate use of the overnight accommodations.

13. A **reservation service starting February 1, 1994**, continuously through the term of the contract ending December 31, 1996, except on those holidays agreed upon by the Department. At the option of the Department, the contract may be extended for up to five 1-year renewal periods. The contract including any renewals shall not extend beyond December 31, 2001.

14. **Mailing lists of reservation system users** shall be provided to the Department without charge upon request. Mailing lists shall be available in both paper copy and electronic media. The sale or distribution of any such lists by the contractor is not permitted.

15. A **method by which the Contractor can identify persons** who will not be permitted further use of the reservation system because of abuses, etc. when such persons have been identified to the Contractor by the Department.

16. A **method by which the Contractor shall exclude reservations** for campsites, lodging and cabins upon notification by the Department for reasons of rehabilitation or other events.

17. **The Contractor shall have a training plan approved by the Department and shall provide training** to all reservation operators on telephone etiquette and customer service to assure minimal numbers of customer complaints about "rude" or "argumentative" operators. The Contractor shall use a method to periodically evaluate the customer service skills of the reservation operators. The Contractor shall have a monitoring plan whereby the performance of reservation operators are evaluated during actual customer contacts to assure acceptable performance.

18. **The Contractor shall provide a toll-free "800" number Hotline** for Department personnel to request reservation information not available on the normal reports and to request assistance to Department personnel in the event of software, communication, or similar problems. The minimum hours of operation must match the hours of operation of the reservation service.

ITASCA STATE PARK LODGING REQUIREMENTS

In addition to the requirements stated above, the Itasca State Park lodging operations have additional requirements that must be met by the contractor.

19. A **park user shall be able to make reservations for lodging rooms and cabins from 365 days in advance up until the day of arrival (same day reservation);** or as mutually agreed upon by the Department and the Contractor. 100% of the lodging facilities available will be reservable.

20. **The contractor will provide two or more workstations at Itasca State Park with the capability for continuous on-line communication with the contractor's main reservation computer.** These workstations will allow Itasca State Park staff to make reservations and process cancellations up to 365 days in advance, and to put lodging facilities on hold up to 30 months in advance. These workstations will have the capability to provide immediate confirmation numbers and print confirmation cards for any reservations made at these workstations.

21. **Workstation access to the contractor's main reservation computer will be a minimum of daily, 6:30 a.m. to 11:30 p.m. Central Time from May 1 to November 1 and daily, 7:00 a.m. to 5:00 p.m. Central Time from November 1 to May 1 each year of the contract.**

22. **Workstation software supplied by the contractor for Itasca State Park lodging operations must be capable of direct interface with the presently used "Micros 2700" restaurant software system and the "Reserve5" front desk software OR the contractor may provide replacement software that meets or exceeds the capabilities of the "Micros 2700" and "Reserve5" software.** The Department will retain the sole right to accept or reject proposed software replacements for "Micros 2700" and "Reserve5". Special report capabilities which exceed standard restaurant and lodging industry requirements are required by the Department and Itasca State Park.

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23. The contractor will collect a lodging deposit from customers making lodging reservations. This fee will be in addition to the reservation fee and will be deposited with the State of Minnesota on a regular basis.

Note: Subject to Department staffing and funding, the following option may be implemented during the term of the contract:

If customer questions exceed the information available to the reservation operators, the reservation system will be capable of switching the customer directly to Itasca State Park Douglas Lodge for assistance.

OPTION B: CAMPING RESERVATION SERVICE ONLY

The contractor will provide the following:

All services included in project task items 1 through 18 listed above. All lodging facilities would be excluded from the reservation service. Project task items 19 through 23 would not be required.

Responder may propose additional tasks or activities if they will substantially improve the results of the project. Responder may provide additional information pertinent to the proposal items demonstrating the responder's past accomplishments and work.

E. DEPARTMENT CONTACTS

Prospective responders who have any questions regarding this Request for Proposal may call or write:

Ronald G. Hains
Operations Manager
Minnesota Department of Natural Resources
Division of Parks & Recreation
500 Lafayette Road
St. Paul, MN 55155-4039
(612) 296-2609

Please note: Other Department personnel are not allowed to discuss the project with responders before the submittal of proposal deadline.

A formal question and answer period will be conducted by Mr. Hains and other Department representatives at: **1 p.m. on Tuesday, August 24, 1993**, at the Department's office listed above. Bidder representatives are encouraged to attend.

F. SUBMISSION OF PROPOSALS

All proposals must be sent to and received by:

Ronald G. Hains
Operations Manager
Minnesota Department of Natural Resources
Division of Parks & Recreation
500 Lafayette Road
St. Paul, MN 55155-4039

not later than **2 p.m.**, CDT, Friday, September 17, 1993.

LATE PROPOSALS WILL NOT BE ACCEPTED.

Submit three (3) copies of the proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

G. PROJECT COMPLETION DATE

The centralized reservation system will be fully operational by Tuesday, February 1, 1994.

H. PROPOSAL CONTENTS

Bid Security: A certified check in the amount of \$1,000, made payable to the "State of Minnesota" must accompany the proposal. All checks will be held until the award of the contract. Unsuccessful proposals will have the checks returned within 15 days following award of the contract. The bid security of the successful proposal will be held until the reservation service is operational.

The following will be considered minimum contents of the proposal:

1. A restatement of the objectives, goals and tasks to show or demonstrate the responder's view of the nature of the project.
2. An identification and description of the deliverables to be provided by the responder for both option A and option B. This shall include a detailed response to each task listed in the Contractors obligations.

Professional, Technical & Consulting Contracts

3. An outline of the responder's background and experience with particular emphasis on local, state, and federal government work; and identification of personnel to conduct the project, with detailed information about their training and work experience. No change in personnel assigned to the project will be permitted without the approval of the Operations Manager, Division of Parks & Recreation.

4. A detailed cost and work plan for both option A and option B which will identify the timeline and major tasks to be accomplished to be used as a scheduling and managing tool to measure contract compliance.

5. Identification of the level of the Department's participation in the project as well as any other services to be provided by the Department.

6. Identification of the reservation fee to be charged to each user for both option A and option B which will be the sole source of revenue for the Contractor to cover the costs of the proposed reservation system. The Department will pay nothing to the Contractor to implement the reservation system.

7. Identification of the cost of the reservation service to the Department if the contractor wishes to propose a preferred alternative to collecting a reservation fee as a means to pay for the cost of the service to the contractor. Describe the alternative in sufficient detail for the Department to evaluate the benefits of the proposal.

8. An affirmative action certificate of compliance or evidence of application for a certificate of compliance pursuant to *Minnesota Statutes* Section 363.073 or certification that the responder has not had more than 20 full-time employees in the preceding twelve months.

IMPORTANT NOTE:

An alternate proposal must also be submitted to include the charge per reservation and any other differences in the proposal, if the Contractor is required to locate the reservation facility and offices within the State of Minnesota. For purposes of the alternate proposal, this facility shall house an operational manager and a sufficient number of operators to take the reservations.

Note: If the basic proposal is for a facility located within Minnesota this alternate need not be included. Failure to include it, otherwise, shall make the entire proposal void.

I. EVALUATION CRITERIA

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

1. Expressed understanding of project objectives.
2. Project work plan.
3. Project cost detail as identified by the fee per reservation to be charged to users or other alternatives proposed to cover the costs. This item will be a major consideration in the evaluation.
4. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of firm.
5. Customer service record, if applicable.

Evaluation and selection will be completed by mid October, 1993. Results will be sent immediately by mail to all responders.

J. AFFIRMATIVE ACTION

In accordance with the provisions of *Minnesota Statutes*, 1992 supplement, section 363.073; for all contracts estimated to be in excess of \$50,000, all responders having more than 20 full-time employees on a single day during the previous 12 months must have an affirmative action plan approved by the commissioner of Human Rights before a proposal may be accepted. Your proposal will not be accepted unless it includes one of the following:

1. A copy of your firm's current certificate issued by the Commissioner of Human Rights; or
2. A notarized statement certifying that your firm has not had more than 20 full-time employees at any time during the previous 12 months.

The State is an equal opportunity employer. No person shall be denied employment because of race, color, creed, religion, age, sex, sexual orientation, national origin, status with regard to public assistance, membership or activity in a local commission or disability. These provisions apply to all contractors, licensees, and sub-concessionaires.

K. SMALL BUSINESS INFORMATION

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as

Professional, Technical & Consulting Contracts

prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612) 296-2600 or (TDD) (612) 297-5353 and ask for 296-2600).

L. WORKER'S COMPENSATION

The successful responder will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

Non-State Public Bids and Contracts

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

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

Minnesota Historical Society

Notice of Request for Proposals for Cultural Resource Survey and Planning Work

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to provide professional services for cultural resource survey and planning projects as follows:

1. Multiple Property Documentation Form for precontact period earthworks and minimum of two National Register nominations.

Time Period: 10/1/93-7/31/94

2. Multiple projects involving Survey and National Register nominations for various individual properties and districts in Blue Earth, Chisago, Hennepin, Houston, Martin, Meeker, Todd, Wadena, and Waseca Counties determined eligible to the Register.

Time Periods: 10/1/93-6/30/93 and 4/1/93-12/31/93

3. Analysis of non-governmental organizations for targeted outreach and inclusion in State Preservation Planning initiatives.

Time Period: 10/1/93-1/31/94

A total of approximately \$22,000 is available in federal Historic Preservation Funds (HPF) to award in contracts in the fall of 1993. Pending notice of the 1994 appropriation, additional funds will be available to award in contracts to begin in the spring of 1994.

The Request for Proposals and Project Descriptions are available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Proposals are due no later than 2 p.m. Central Standard Time, September 2, 1993. Details concerning submission requirements and evaluation criteria for awards are included in the Request for Proposals.

This program receives Federal funds from the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally assisted Programs on the basis of race, color, national origin, age, or disability. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U.S. Department of the Interior, National Park Service, P. O. Box 37127, Washington, D.C. 20013-7127.

River Stories That Warm Your Heart

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



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

Old Times on the Mississippi River. George Merrick's lively, loving, and humorous reminiscences of his steamboat life from the bottom up, as a pantry boy, apprentice engineer, second clerk, and "cub" pilot. First published in 1909, he describes steamboat operations—from machinery and personnel to the economics of the business—with vivid examples and rich detail. 323 pp. includes appendices and index. Stock #17-45-SR. \$8.95 plus tax.

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

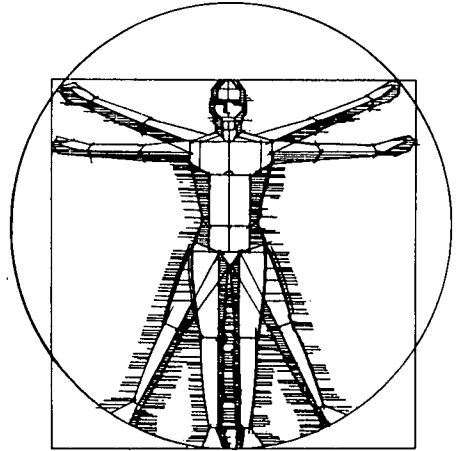
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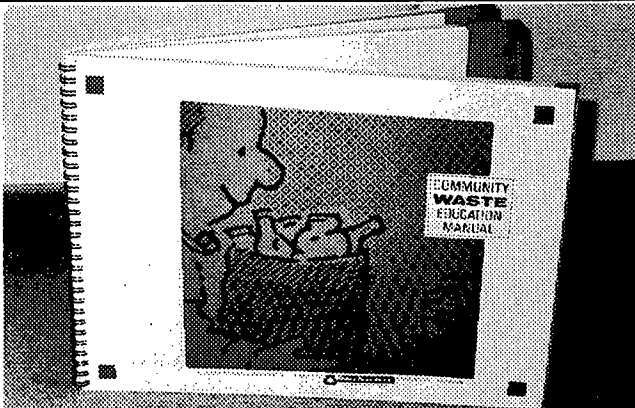
Directory of Chemical Dependency Programs in Minnesota.

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-SR. \$17.00 + \$1.10 tax.



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1989 Pollution Control Laws. Laws dealing with water pollution, disposal facilities, solid waste management, the Minnesota Environmental Rights Act, recycling, and more. Code #2-21, \$24.95.

1992 Hazardous Waste Rules. Governs the production, storage, transportation and disposal of hazardous waste. *Minnesota Rules* Chapter 7001, 7045 and 7046. Code #3-71, \$16.95.

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Police Report Writing Style Manual 1989. A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms and introduces the Data Practices Law. Code #14-13, \$15.00.

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