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STATE REGISTER

STATE OF MINNESOTA

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Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
SCHEDULE FOR VOLUME 7			
49	Monday May 23	Friday May 27	Monday June 6
50	Friday May 27	Monday June 6	Monday June 13
51	Monday June 6	Monday June 13	Monday June 20
52	Monday June 13	Monday June 20	Monday June 27

*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 Office of the State Register, 506 Rice Street, St. Paul, Minnesota 55103, (612) 296-0930.

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How to Follow State Agency Rulemaking Action in the *State Register*

State agencies must publish notice of their rulemaking action in the *State Register*. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a **NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION**. Such notices are published in the **OFFICIAL NOTICES** section. Proposed rules and adopted rules are published in separate sections of the magazine.

The **PROPOSED RULES** section contains:

- Calendar of Public Hearings on Proposed Rules.
- Proposed new rules (including Notice of Hearing and/or Notice of Intent to Adopt Rules without A Hearing).
- Proposed amendments to rules already in existence in the Minnesota Code of Agency Rules (MCAR).
- Proposed temporary rules.

The **ADOPTED RULES** section contains:

- Notice of adoption of new rules and rule amendments (those which were adopted without change from the proposed version previously published).
- Adopted amendments to new rules or rule amendments (changes made since the proposed version was published).
- Notice of adoption of temporary rules.
- Adopted amendments to temporary rules (changes made since the proposed version was published).

ALL ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES published in the *State Register* and filed with the Secretary of State before September 15, 1982, are published in the *Minnesota Code of Agency Rules 1982 Reprint*. ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES filed after September 15, 1982, will be included in a new publication, *Minnesota Rules*, scheduled for publication in spring of 1984. In the MCAR AMENDMENT AND ADDITIONS listing below, the rules published in the *MCAR 1982 Reprint* are identified with an asterisk. Proposed and adopted TEMPORARY RULES appear in the *State Register* but are not published in the *1982 Reprint* due to the short-term nature of their legal effectiveness.

The *State Register* publishes partial and cumulative listings of rule action in the MCAR AMENDMENTS AND ADDITIONS list on the following schedule:

Issues 1-13, inclusive	Issue 39, cumulative for 1-39
Issues 14-25, inclusive	Issues 40-51, inclusive
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PROPOSED RULES

Pursuant to Minn. Stat. of 1980, §§ 14.21, 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 seven 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 modifications are supported by the data and views submitted.

If, during the 30-day comment period, seven 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 §§ 14.13-14.20 which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

Pursuant to Minn. Stat. § 14.29, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Housing Finance Agency

Proposed Temporary Rules Governing Income Limits for Limited Unit Developments and Eligibility for the Homeownership Assistance Fund

Request for Public Comment

Notice is hereby given that the Minnesota Housing Finance Agency has proposed the following temporary rules for the purpose of setting income limits for Limited Unit Developments and Eligibility for the Homeownership Assistance Fund, pursuant to Laws 1981, Chapter 306, Section 3.

All interested persons are hereby afforded the opportunity to submit their comments on the proposed rules for 20 days immediately following publication of this material in the *State Register* by writing to Mike Haley, Director of Home Mortgage Programs, Minnesota Housing Finance Agency, Suite 200, 333 Sibley Street, St. Paul, Minnesota 55101. The temporary rules may be revised on the basis of comments received. Any written material received shall become part of the record in the final adoption of the temporary rule. As required by the Administrative Procedures Act, this temporary rule will be effective for not more than 180 days and may be continued in effect for up to an additional 180 days.

May 19, 1983

James J. Solem,
Executive Director

Proposed Temporary Rules

12 MCAR § 3.002 Definitions.

A.-N. [Unchanged.]

O. "Persons and families of low and moderate income" means:

1. with respect to limited-unit mortgage loans pursuant to chapter four of these rules except for loans issued under 12 MCAR § 3.002 [Temporary] Definitions and Exhibit 12 MCAR § 3.002 O.-1. [Temporary], development cost loans pursuant to chapter three of these rules, planning grants pursuant to chapter five of these rules, and American Indian housing loans pursuant to chapter eight of these rules, which loans and grants are intended for a limited-unit development, or a dwelling unit in a planned unit development or a condominium, those persons and families whose adjusted income does not exceed the amounts set forth in ~~Exhibit 12 MCAR § 3.002 O.-1.~~ Exhibits 12 MCAR § 3.002 O.-3 [Temporary] and 12 MCAR § 3.002 O.-4 [Temporary] or such lower amount as shall be required to assure that the interest on obligations of the agency will be exempt from federal income taxation. "Metropolitan area" has the meaning given it in Minnesota Statutes, section 473.121, subdivision 2;

Exhibit 12 MCAR § 3.002 O.-1-

Mortgage Interest Rate	Nonmetropolitan Area	Metropolitan Area
	Maximum Adjusted Income	Maximum Adjusted Income
0-10.59%	\$19,000	\$24,000
10.60-11.09%	\$20,000	\$25,000
11.10-11.59%	\$21,000	\$25,000
11.60-12.00%	\$22,000	\$27,000

Exhibit 12 MCAR § 3.002 O.-3 [Temporary]
Maximum Adjusted Income for Loans for New Construction

Mortgage Interest Rate	Nonmetropolitan Area	Metropolitan Area
	Maximum Adjusted Income	Maximum Adjusted Income
0-10.00%	\$26,000	\$34,000
10.01-10.50%	\$27,000	\$35,000
10.51-11.00%	\$28,000	\$36,000
11.01-11.50%	\$29,000	\$37,000
11.51% and over	\$30,000	\$38,000

Exhibit 12 MCAR § 3.002 O.-4 [Temporary]
Maximum Adjusted Income for Loans for Existing Construction

Mortgage Interest Rate	Nonmetropolitan Area	Metropolitan Area
	Maximum Adjusted Income	Maximum Adjusted Income
0-10.00%	\$21,000	\$31,000
10.01-10.50%	\$22,000	\$32,000
10.51-11.00%	\$23,000	\$33,000
11.01-11.50%	\$24,000	\$34,000
11.51% and over	\$25,000	\$35,000

2.-5. [Unchanged.]

P.-V. [Unchanged.]

12 MCAR § 3.133 Homeownership assistance fund.

A. Monthly assistance. The agency may provide eligible recipients with interest-free monthly assistance loans in the form of monthly payments of a portion of the principal and interest installment due on the limited-unit development mortgage on qualifying property. Such payments shall not exceed \$100 per month and shall decrease by ~~\$10~~ \$20 per month or ~~\$120~~ \$240 per year each year. The maximum amount of monthly assistance to which a recipient is originally entitled shall be determined by the agency from time to time on the basis of the percentage of income which may reasonably be spent on mortgage payments, the interest rate charged for limited-unit development mortgage loans, and general housing and construction costs in the state of Minnesota, provided however, that the initial maximum monthly assistance which the agency shall determine to be available shall not exceed the following amounts for persons and families within the following annual adjusted income ranges as set forth in Exhibit 12 MCAR § 3.133 B.-1- and Exhibit 12 MCAR § 3.133 C.-2- for various potential interest rates to be charged by the agency on its limited-unit development mortgage loans.

B. Metropolitan area. Exhibit 12 MCAR § 3.133 B.-1. applies to eligible recipients whose qualifying property is in the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2.

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

PROPOSED RULES

Exhibit 12 MCAR § 3.133 B.-1-

Mortgage Interest Rate		Initial Maximum Monthly Assistance				
		\$100	\$80	\$60	\$40	\$20
0-10.59%	Adj. Hshld. Income	0-15000	15001-16000	16001-17000	17001-18000	18001-19000
	Adj. Hshld. Income	0-16000	16001-17000	17001-18000	18001-19000	19001-20000
11.10-11.59%	Adj. Hshld. Income	0-17000	17001-18000	18001-19000	19001-20000	20001-21000
	Adj. Hshld. Income	0-18000	18001-19000	19001-20000	20001-21000	21001-22000

Metropolitan Areas Initial Maximum Monthly Assistance

Mortgage Interest Rate		\$100	\$80	\$60	\$40	\$20
		0-10.00%	Adj. Hshld. Income	0-19000	19001-20000	20001-21000
10.01-10.50%	Adj. Hshld. Income	0-20000	20001-21000	21001-22000	22001-23000	23001-24000
10.51-11.00%	Adj. Hshld. Income	0-21000	21001-22000	22001-23000	23001-24000	24001-25000

C. Nonmetropolitan area. Exhibit 12 MCAR § 3.133 C.-2- applies to eligible recipients whose qualifying property is not in the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2.

Exhibit 12 MCAR § 3.133 C.-2.

Mortgage Interest Rate		Initial Maximum Monthly Assistance				
		\$100	\$80	\$60	\$40	\$20
0-10.59%	Adj. Hshld. Income	0-10000	10001-11000	11001-12000	12001-13000	13001-14000
	Adj. Hshld. Income	0-11000	11001-12000	12001-13000	13001-14000	14001-15000
11.10-11.59%	Adj. Hshld. Income	0-12000	12001-13000	13001-14000	14001-15000	15001-16000
	Adj. Hshld. Income	0-13000	13001-14000	14001-15000	15001-16000	16001-17000

Nonmetropolitan Area Initial Maximum Monthly Assistance

<u>Mortgage Interest Rate</u>		\$100	\$80	\$60	\$40	\$20
0-	Adj. Hshld.	0-	13001-	14001-	15001-	16001-
10.00%	Income	13000	14000	15000	16000	17000
10.01-	Adj. Hshld.	0-	14001-	15001-	16001-	17001-
10.50%	Income	14000	15000	16000	17000	18000
10.51%	Adj. Hshld.	0-	15001-	16001-	17001-	18001-
11.00%	Income	15000	16000	17000	18000	19000

12 MCAR § 3.134 Homeownership assistance fund; downpayment assistance

The agency may provide interest-free downpayment assistance loans to ~~eligible~~ recipients eligible for monthly homeownership assistance who are determined, on the basis of normal credit procedures, to lack the cash or land equity necessary to pay the required downpayment, plus closing costs, expenses, and origination fees on the dwelling to be purchased. The amount of the downpayment assistance loan shall equal the amount by which the sum of the downpayment, closing costs, expenses, and origination fees exceeds five percent of the purchase price of the dwelling, but it shall not exceed the lesser of 50 percent of the downpayment or \$1,500.

ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.13-14.28 have been met and five working days after the rule is published in the *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 strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

A temporary rule becomes effective upon 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 temporary rule will be published in the manner provided for adopted rules under § 14.18.

**Department of Agriculture
Grain Inspection Division**

Notice of Withdrawal of Proposed Rules Governing the Licensing, Bonding and Auditing of Grain Banks, Public Grain Warehouses and Public Terminal Warehouses (Chapter Nine: PSC 240-249)

The rules proposed and published at *State Register*, Volume 7, Number 27, pages 1009-1014, January 3, 1983 (7 S.R. 1009) are withdrawn in their entirety by the Department. The rules are being withdrawn in order to incorporate public comments received during the thirty-day comment period which would result in substantial changes to the rules. The Department intends to republish the rules incorporating this material from the public comments at a future date.

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

Department of Labor and Industry Occupational Safety and Health Division

Adoption by Reference of Occupational Safety and Health Standards

Pursuant to Minn. Stat. § 182.655 (1982) notice was duly published at *State Register*, Volume 7, Number 41, p. 1463 (7 S.R. 1463) dated April 11, 1983 specifying the establishment and modification of certain Occupational Safety and Health Standards: specifically, the elimination of the attendant exemption and lifting of the ban on latch-open devices on gasoline dispensing nozzles included in the Hazardous Materials Standard—1910.106(g)(2) and 1910.106(g)(3)(vi); the respirator fit testing requirements in the Occupational Exposure to Lead Standard—1910.1025(f)(3); the exemption of educational and scientific diving from the requirements of the Commercial Diving Standard—Subpart T of Part 1910; the administrative stay of compliance plans for certain industries under the Occupational Exposure to Lead Standard—1910.1025(e)(3)(i)(B) and (E); and the consolidation of Occupational Safety and Health Standards for Shipyard Employment into one comprehensive standard—Part 1915.

No objections, comments or written requests for public hearing have been received; therefore, these Occupational Safety and Health Standards are adopted and are identical in every respect to their proposed form.

Steve Keefe
Commissioner of Labor and Industry

SUPREME COURT

Decisions Filed Friday, May 20, 1983

Compiled by Wayne Tschimperle, Clerk

CX-82-866 Ashraf Muhammed, petitioner, Appellant v. State of Minnesota. Hennepin County.

Postconviction court properly denied petition seeking resentencing according to the Minnesota Sentencing Guidelines. Affirmed. Amdahl, C.J.

C4-82-1334 State of Minnesota v. Frederick Quast, Appellant. Hennepin County.

Postconviction court properly denied petition seeking resentencing according to the Minnesota Sentencing Guidelines. Affirmed. Amdahl, C.J.

C3-82-1003, C7-82-1344 Michael J. Mrkonjich, Relator v. Erie Mining Company and Commissioner of Economic Security. Duane E. Fogerty, Relator v. Department of Corrections and Commissioner of Economic Security. Department of Economic Security.

When an employee has previously been wrongfully separated from employment, and a back pay award has been ultimately made to the employee, an unemployment compensation claims deputy should include the period for which back pay is awarded in a subsequent determination of "credit weeks." This rule applies only where the back pay award falls within the base period for the subsequent unemployment compensation claim, and expands the rule developed in *McClellan v. Northwest Airlines, Inc.*, 304 N.W.2d 35 (Minn. 1981).

The Department of Economic Security should seek repayment of unemployment compensation paid during the back pay period from the employee under Minn. Stat. § 268.18, subd. 1 (1980). Where this amount was deducted by the employer from the settlement award, the Department of Economic Security should seek reimbursement from the employer.

Reversed. Todd, J.

C1-82-1095, C6-82-1142, C5-82-1200 Minnesota Express, Inc., et al, Plaintiff/Respondents/Cross-Appellants v. Travelers Insurance Co., et al., Defendants/Appellants/Cross-Respondents. Hennepin County.

The intent of the legislature in enacting Minn. Stat. § 79.211, subd. 1 (1982), was to provide a new wage base against which any rate adopted after the effective date of the statute would be applied.

First certified question answered in the affirmative with instructions to dismiss. Todd, J.

C3-82-1146 Lyle H. McClish v. Pan-O-Gold Baking Company and Liberty Mutual Insurance Company, Relators, Pan-O-Gold Baking Company and Vigilant Insurance Company, Employer and Insurer, Pan-O-Gold Baking Company and City Insurance Company (Home Insurance Company), Employer and Insurer. Workers' Compensation Court of Appeals.

The determination of the Workers' Compensation Court of Appeals that an employee of a bakery company had sustained work-related personal injuries by repeated trauma to his back from 1974 through 1979 was not manifestly contrary to the evidence.

The determination of the Workers' Compensation Court of Appeals that employee was totally disabled was not manifestly against the evidence.

Temporary total disability payments are not subject to reduction under Minn. Stat. § 176.101, subd. 4 (1982) when the employee receives federal social security benefits for the same injury.

Affirmed. Kelley, J.

C6-81-1227 State of Minnesota v. Clayton M. Harris, Appellant. St. Louis County.

Evidence of defendant's guilt of burglary and theft of over \$2,500 was sufficient.

Police did not violate defendant's fourth amendment rights in arresting him or in seizing stolen rings he was wearing, and trial court properly denied a motion to suppress the rings.

Trial court properly instructed defense counsel not to refer to or argue from facts outside the record.

Trial court properly handled jury's request for replaying or rereading of testimony of witnesses.

Where defendant's trial counsel suggested that the court allow the jurors to separate during their deliberations, defendant cannot complain on appeal that it was error for the court to do so.

Affirmed. Kelley, J.

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

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

Department of Corrections Minnesota Correctional Facility-Shakopee

Notice of Request for Proposals for Food Service Management

Notice is hereby given to request proposals for the professional management of MCF-Shakopee food service activity, for the period of July 1, 1983 through June 30, 1985 at a cost not to exceed \$94,500 (\$46,000-FY'84; \$48,500-FY'85). Proposals shall include all civilian personnel to operate the service. Proposals must be submitted by 4:00 p.m., June 20, 1983.

For additional information contact:

Will Dague, Business Manager
MCF-Shakopee
Box 7
Shakopee, Minnesota 55379
Phone: (612) 445-3717

STATE CONTRACTS

Department of Economic Security

Notice of Request for Proposals for Projects in Public Parks and Recreation Areas under the Federal Emergency Jobs Act, Public Law—98-8

Notice is hereby given that the Department of Economic Security is requesting proposals for projects that will meet the intent of the "Small Business Administration's Parks & Recreational Development Grant Proposal" of the federal emergency jobs act to hire unemployed persons to work on landscaping and related projects on publicly owned or controlled land. Emphasis is on working through small businesses. Projects must be completed by October 1, 1983.

The total amount of money available for Minnesota is \$791,800.

The guidelines to be used in preparation of a proposal are available from the Office of Intergovernmental & Community Relations of the Minnesota Department of Economic Security. Deadline for receipt of proposals is 4:30 P.M., Wednesday, June 15, 1983. To obtain a copy of the guidelines, write or call:

Shirley Hokanson
Department of Economic Security
Room 408
390 North Robert Street
St. Paul, MN 55101
297-4306

Department of Employee Relations

Notice of Request for Proposals to Provide Enrollment Services for State Employee Group Insurance Program

The Department of Employee Relations is seeking an agency to provide enrollment services for the State employee group insurance program and to perform tasks related to this purpose such as training of departmental field staffs and dissemination of information regarding coverages and procedures to 47,000 employees under the program.

The agency selected will be paid on a monthly basis with the maximum annual amount estimated at approximately \$100,000. The contract will be from October 1, 1983 through September 30, 1984.

Proposals will be accepted until 4:00 p.m. on June 20, 1983. A formal request for proposal may be requested from and other inquiries made to:

James W. Fritze, Assistant Commissioner
Department of Employee Relations
3rd Floor, Space Center Building
444 Lafayette Road
St. Paul, MN 55101

Department of Health Bureau of Administration

Notice of Request for Proposals for the Operation of an Automated Uniform Food Delivery and Management Information System for the Special Supplemental Food Program for Women, Infants, and Children (WIC)

The Minnesota Department of Health is interested in soliciting proposals for the provision of automated food delivery and management information system data processing services for the Special Supplemental Food Program for Women, Infants, and Children.

The Special Supplemental Food Program for Women, Infants, and Children (WIC) provides special foods to pregnant, postpartum and nursing mothers, infants and young children to five years of age judged to be "at nutritional risk" by health professionals. The Food and Nutrition Service of the U.S. Department of Agriculture (USDA) provides grants to the Minnesota

Department of Health (MDH) which, in turn, enters into agreements with local health agencies which provide eligibility determination, nutrition counseling, a food delivery system utilizing negotiable food instruments redeemable at local grocers and pharmacies, and related administrative services to the WIC participants.

The Minnesota Department of Health currently operates an automated food delivery and management information system through two separate contracts: a bank contract and a service contract. The bank is responsible for the payment of acceptable cashed WIC food vouchers and the monthly production of a computer tape of all cashed vouchers to be sent to the service contractor. The service contractor is responsible for all other aspects of the automated system, including voucher production and reconciliation, masterfile maintenance, undistributed voucher processing production and other services. The current service contract expires October 30, 1983.

The purpose of this Request for Proposals (hereafter referred to as RFP) is to solicit proposals from interested parties for the provision of an automated food delivery and management information system for the Minnesota WIC Program which meet applicable USDA requirements. The Minnesota Department of Health (MDH) will contract with a private firm (hereafter referred to as the Contractor) to provide the system. This project includes modifying computer programs of the current system; modifying computer programs already developed by or available to the Contractor; developing new programs when needed; converting the masterfile records on the current computer system; implementing, operating and enhancing the system and providing training to MDH and local agency WIC staff. The system selected must be totally operated by the Contractor, excluding those functions performed under the MDH bank services contract.

The Minnesota Department of Health estimates that the cost of the system would be approximately \$400,000.00.

An RFP is available upon request. All proposals must be received by July 8, 1983. For further information, contact Ms. Mary Jane Davis, Minnesota Department of Health at (612) 623-5436.

Minnesota Pollution Control Agency Solid and Hazardous Waste Division

Notice of Request for Qualifications/Request for Proposal for A Remedial Investigation/Feasibility Study of Polynuclear Aromatic Hydrocarbon and Other Coal-tar Derivative Contaminated Soil and Ground Water at the Reilly Tar and Chemical Hazardous Waste Site, St. Louis Park, Hennepin County, Minnesota. (This is a National Priorities List Federal Superfund Site.)

The Minnesota Pollution Control Agency (MPCA) is issuing a Request for Qualifications/Request for Proposal (RFQ/RFP) for consulting firms qualified to conduct a remedial investigation and feasibility study to analyze and determine the areal extent and depth of contamination by polynuclear aromatic hydrocarbons (PAH) and other coal-tar derivatives in organic soils (peat) and underlying drift deposits, including location and extent of organic fluid bodies; determine the type, extent, and condition of the organic soil and underlying drift deposits; conduct soil physical and chemical analyses on both the organic soils and underlying drift deposits to the top of the first bedrock unit approximately eighty feet beneath the surface; determine possible methods of cleanup ranging from no action with monitoring to total removal for the peat, drift deposits, organic fluid bodies, and contaminated water within the drift; and conduct limited bench and pilot scale testing of alternative clean up methods. The end result of the study is to be a final report comparing the environmental and cost effective analyses of all alternatives, including, for the recommended method, a scope of work outlining remedial design and implementation.

The estimated cost for this project is \$450,000 and the estimated duration is one year.

The complete text of the RFQ/RFP and the project description will be made available to all interested parties until 4:30, June 10, 1983 by calling or writing:

Kenneth C. LeVoir, Soil Scientist
Minnesota Pollution Control Agency
Solid and Hazardous Waste Division
1935 West County Road B-2
Roseville, Minnesota 55113
612/297-3772

Submittals of statement of qualifications are to be sealed in mailing envelopes or packages with the firm's name and address clearly written on the outside and received at the above address before 4:30, June 27, 1983. Late submittals will not be accepted. *Neither a cost estimate nor a proposal for a plan of study should be submitted with the statement for qualifications.*

STATE CONTRACTS

All submittals received by the deadline will be evaluated by staff of the MPCA, U.S. Environmental Protection Agency (EPA), Minnesota Department of Health (MDH), and city of St. Louis Park. The MPCA plans to make a selection of finalists by July 13, 1983. The selected group of most qualified firms will be requested to attend an informational meeting in Roseville, Minnesota on July 19, 1983 and will then be invited to prepare complete study proposals to be submitted no later than 4:30, August 16, 1983. The final consultant selection will be made by approximately September 9, 1983. All submittals become property of the state of Minnesota and will not be returned.

Department of Veterans Affairs

Notice of Contracts Available—Fiscal Year 1984

In accordance with Minn. Stat. § S16.0981, the Department of Veterans Affairs is publishing notice that the contracts listed below are available and will be awarded for Fiscal Year 1984 (July 1, 1983 to June 30, 1984).

A. Minnesota Veterans Home-Minneapolis

1. The Veterans Home-Minneapolis intends to engage the services of licensed individuals (where applicable) to provide various medical and related services to the residents of the facility. The estimated amount of the individual contracts are outlined below:

a. Dental Services	\$25,000
b. Chaplain Services (Catholic)	\$ 6,000
c. Optical/related Services	\$ 3,000
d. Medical Services	\$43,000

2. The Veterans Home intends to engage services of licensed individuals (where applicable) to provide services to the residents of the Minneapolis and Hastings facilities. The estimated amounts of the contracts are as follows:

a. Dietician	\$13,000
b. Podiatry Services	\$ 6,500

3. Inquiries and formal expressions of interest in the proposed contracts outlined above should be submitted by June 15, 1983, to:

Marie Rossa, Accounting Supervisor, Sr.
Veterans Home-Minneapolis
51st Street and Minnehaha Avenue
Minneapolis, Minnesota 55417

B. Minnesota Veterans Home-Hastings

1. The Veterans Home-Hastings intends to engage the services of licensed individuals to provide various medical and related services to the residents of the facility. The estimated amount of the individual contracts are outlined below:

a. Medical/Physician Services	\$15,000
b. Dental Services	\$15,000
c. Optical/Related Services	\$ 3,000

2. Inquiries and formal expressions of interest in the proposed contracts outlined above should be submitted by June 15, 1983, to:

Marilyn Bennett, Accounting Supervisor
Veterans Home-Hastings
1200 East 18th Street
Hastings, Minnesota 55033

C. Department of Veterans Affairs-Central Office

1. The Department of Veterans Affairs intends to engage the services of a licensed physician to review medical information to determine the medical eligibility for the department's financial assistance program. The estimated amount of the contract is not expected to exceed \$9,000.

2. Inquiries and formal expressions of interest should be submitted by June 15, 1983, to:

R. J. Lavell, Deputy Commissioner
Department of Veterans Affairs
Veterans Service Building
St. Paul, Minnesota 55155

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, 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 Retirement System Regular Meeting, Board of Directors

A meeting of the Board of Directors, Minnesota State Retirement System, will be held on Wednesday, June 8, 1983, at 8:30 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

Department of Transportation

Petition of Grant County for a Variance from State Aid Standards for Design Speed

Notice is hereby given that the County Board of Grant County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project on CSAH 10 from CSAH 82 to the North County Line, and also on CSAH 82 from the North County Line to 1.17 miles Southeast.

The request is for a variance from 14 MCAR § 1.5032 H.1.d. Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 40 instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 23rd day of May, 1983

Richard P. Braun
Commissioner of Transportation

Petition of McLeod County for a Variance from State Aid Standards for Street Width

Notice is hereby given that the County Board of McLeod County has made a written request to the Commissioner of Transportation for a variance from minimum design standards for street width for reconstruction of CSAH 3 from Pryor Avenue to CSAH 15 in Glencoe.

The request is for a variance from 14 MCAR § 1.5032 H.1.d. Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit a street width of 44 feet instead of 46 feet.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 23rd day of May, 1983

Richard P. Braun
Commissioner of Transportation

Petition of the City of Coon Rapids for a Variance from State Aid Standards for Street Width

Notice is hereby given that the City Council of the City of Coon Rapids made a written request to the Commissioner of Transportation for a variance from minimum design standards for improvements on Robinson Drive from 105th Lane to South of 109th Avenue.

OFFICIAL NOTICES

The request is for a variance from 14 MCAR § 1.5032 H.I.d. Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit a street width of 44 feet instead of 46 feet.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 23rd day of May, 1983

Richard P. Braun
Commissioner of Transportation

Petition of the City of North Mankato for a Variance from State Aid Standards for Street Width

Notice is hereby given that the City Council of the City of North Mankato made a written request to the Commissioner of Transportation for a variance from minimum design standards for street width for the resurfacing of Lee Boulevard from Lookout Drive to Lor Ray Drive.

The request is for a variance from 14 MCAR § 1.5032, H.I.d. Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit a street width of 44 feet instead of 46 feet.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 23rd day of May, 1983

Richard P. Braun
Commissioner of Transportation

Petition of the City of Woodbury for a Variance from State Aid Standards for Street Width

Notice is hereby given that the City Council of the City of Woodbury made a written request to the Commissioner of Transportation for a variance from minimum design standards for street width on Weir Drive North from Valley Creek Road to Wooddale Boulevard.

The request is for a variance from 14 MCAR § 1.5032, H.I.d. Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit a street width of 44 feet instead of 46 feet.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 23rd day of May, 1983

Richard P. Braun
Commissioner of Transportation

Petition of the City of Winona for a Variance from State Aid Standards for Street Width

Notice is hereby given that the City Council of the City of Winona made a written request to the Commissioner of Transportation for a variance from minimum design standards for street width on Bundy Boulevard from Homer Road to Trunk Highway 14-61.

OFFICIAL NOTICES

The request is for a variance from 14 MCAR § 1.5032, H.1.d. Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit a street width of 44 feet instead of 46 feet.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 23rd day of May, 1983

Richard P. Braun
Commissioner of Transportation

STATE OF MINNESOTA

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Briefly/Preview—Senate news and committee calendar; published weekly during legislative sessions. Contact Senate Public Information Office, Room B29 State Capitol, St. Paul MN 55155, (612) 296-0504.

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