

83 Aug. 8

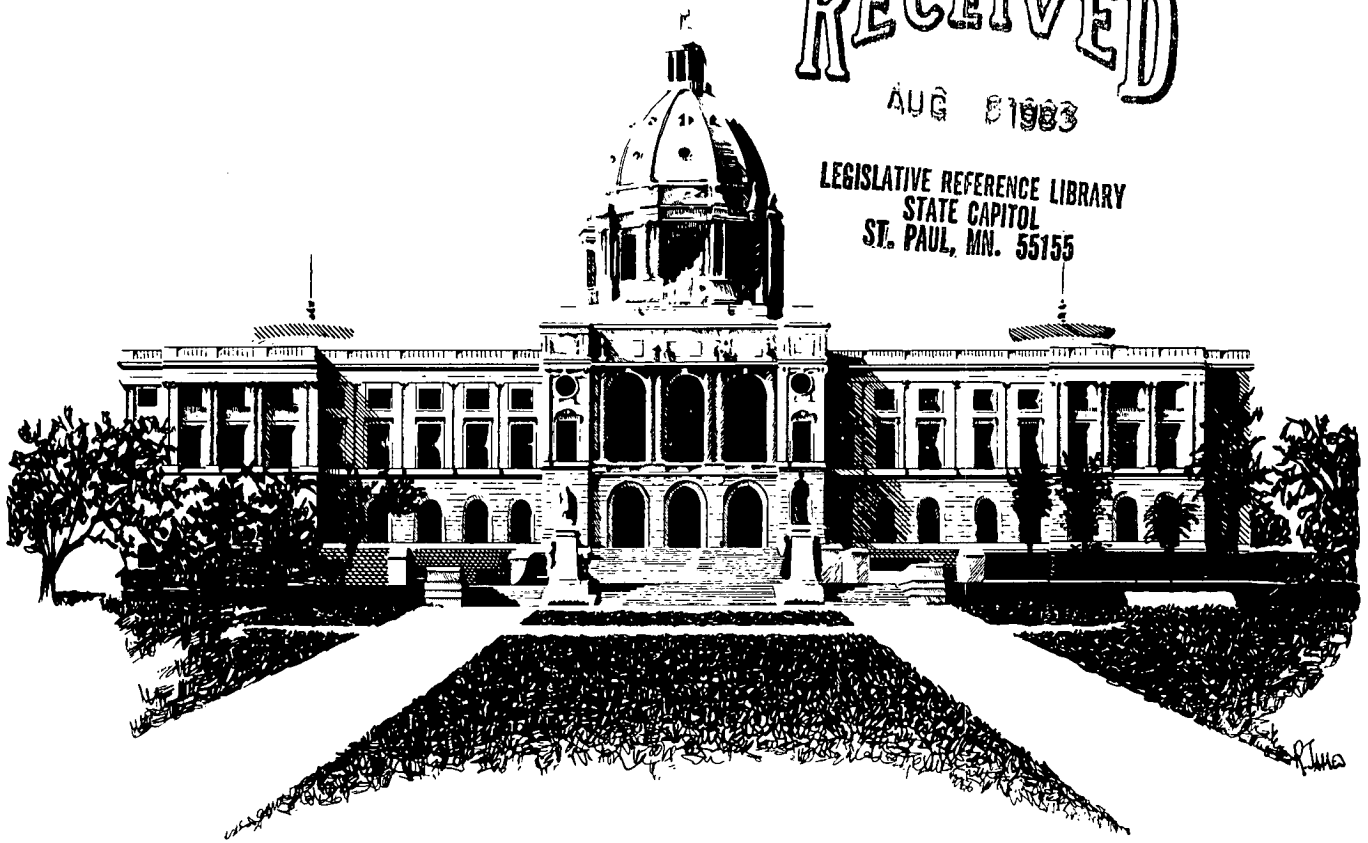
STATE REGISTER

STATE OF MINNESOTA

RECEIVED

AUG 8 1983

LEGISLATIVE REFERENCE LIBRARY
STATE CAPITOL
ST. PAUL, MN. 55155



VOLUME 8, NUMBER 6

August 8, 1983

Pages 185-216



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 8			
7	Monday Aug 1	Monday Aug 8	Monday Aug 15
8	Monday Aug 8	Monday Aug 15	Monday Aug 22
9	Monday Aug 15	Monday Aug 22	Monday Aug 29
10	Monday Aug 22	Monday Aug 29	Monday Sept 5

*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.

The *State Register* is published by the State of Minnesota, State Register and Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to Minn. Stat. § 14.46. Publication is weekly, on Mondays, with an index issue in September. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$130.00 per year, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota. Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$3.25 per copy.

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.

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

Rudy Perpich
Governor

Carol Anderson Porter
Editor

Sandra J. Hale
Commissioner
Department of Administration

Paul Hoffman, Robin PanLener, Jean Walburg
Editorial Staff

Stephen A. Ordahl
Director
State Register and
Public Documents Division

Margaret Connelly
State Register Index Editor

Debbie Kobold
Circulation Manager

CONTENTS

MCAR AMENDMENTS AND ADDITIONS

Inclusive listing for Issues 1-6 188

PROPOSED RULES

Public Welfare Department

Proposed Amendment to Rule Governing Foster Care for Children [notice of hearing] 189

ADOPTED RULES

Minnesota Higher Education Coordinating Board

Adopted Rules Governing State Scholarships and Grants-in-Aid; Part-Time Student Grants; Work-Study Grants; Area Vocational-Technical Institute Tuition Subsidy; Assistance for Student Dependents of Minnesota Veterans; State Student Loans; Private College Contracts; and Private Institutions Registration and Approval of Degrees and Names 196

SUPREME COURT

Decisions Filed Friday, July 29, 1983

C4-83-730 The Killowatt Organization (TKO), Inc., Appellant, v. The Department of Energy, Planning and Development, Northern States Power Company, Southern Minnesota Municipal Power Agency (SMMPA), United Minnesota Municipal Power Agency (UMMPA), Ramsey County 197

C6-82-1416 J. J. Brooksbank Co., Inc., Appellant, v. Budget Rent-A-Car Corporation, Hennepin County 197

STATE CONTRACTS

Administration Department

Third-Party Financing for Energy Conservation Measures 197

Economic Security Department

Operation of Dislocated Worker Program 198

Economic Security Department

Management Information System Modification 198

Health Department

Medical Director Position 199

Metropolitan Council

Invitation to Submit Proposals for Regional Aviation Systems Plan Update for Twin Cities Metropolitan Area 199

Minnesota Higher Education Coordinating Board

Financial Consultants for Sale of Student Loan Revenue Bonds 200

State Designer Selection Board

Request for Proposal (to Architects and Engineers Registered in Minnesota) 201

State University System

Southwest State University
Marketing Consultant Services 203

Transportation Department

Contract Available for Lime Sludge Marketing Study 203

OFFICIAL NOTICES

Agriculture Department

Outside Opinion Sought on Proposed Amendments to Rules Governing Seed Potato Certification 205

Animal Health Board

Notice of Special Board Meeting 206

Commerce Department

Bulletin No. 2801: Maximum Lawful Rate of Interest for Mortgage and Contracts for Deed for August 1983 206

Economic Security Department

Notice of Public Comment Period and Hearing on Proposed State Plan for the Minnesota Energy Assistance Program—1984 206

Energy and Economic Development Department

Outside Opinion Sought on Proposed Rules Governing the Establishment and Administration of the School Energy Conservation Retrofit Program 207

Health Department

Emergency Medical Services Licensure Application 207

State Board of Investment

Investment Advisory Council
Notice of Regular Meetings 208

Natural Resources Department

Notice of Intent to Adopt Rules Pursuant to Laws of 1983, Chapter 270 208

Natural Resources Department

Petitions Concerning Designation of Certain Public Waters and Wetlands in Crow Wing County [notice of and order for hearing] 208

Board of Nursing

Outside Opinion Sought on Proposed Rules Pertaining to Programs for Study for Certified Registered Nurse Anesthetists and Certified Nurse Midwives 209

Peace Officer Standards and Training Board

Outside Opinion Sought on Rules Governing Procedures for Investigation and Resolution of Allegations of Misconduct by Persons Licensed by the Board 210

Pollution Control Agency

Outside Opinion Sought on Redesignation of Twin Cities Sulfur Dioxide Nonattainment Area 210

Public Welfare Department

Notice of Meeting Schedule of the Interagency Board for Quality Assurance 211

Public Welfare Department

Outside Opinion Sought on Allocation of State Grant Funds for Semi-Independent Living Services (SILS) for Mentally Retarded Persons 211

Public Welfare Department

Notice of Legislative Hearings on the Federal Alcohol, Drug Abuse and Mental Health Block Grant, and the Availability of a Statement Describing the Intended Use of Alcohol and Drug Abuse Funds from the Alcohol, Drug Abuse and Mental Health Block Grant—Federal Fiscal 1984 212

Secretary of State's Office

Notice of Vacancies in Multi-Member State Agencies 212

Transportation Department

Notice of Intent to Solicit Applications 214

NOTICE

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
Issue 26, cumulative for 1-26	Issue 52, cumulative for 1-52
Issue 27-38, inclusive	

The listings are arranged in the same order as the table of contents of the *MCAR 1982 Reprint*.

MCAR AMENDMENTS AND ADDITIONS

TITLE 3 AGRICULTURE

Part 1 Agriculture Department

3 MCAR § 1.0325 (adopted)	28
3 MCAR § 1.0326 (adopted)	29
3 MCAR § 1.0327 (adopted)	30
3 MCAR § 1.0328 (adopted)	30

Part 2 Board of Animal Health

3 MCAR § 2.001, LSB 43, 3 MCAR § 2.044 (proposed)	77
---	----

TITLE 4 COMMERCE DEPARTMENT

Part 2 Energy and Economic Development

4 MCAR §§ 2.501-2.508 (proposed repeal)	149
---	-----

Part 3 Public Utilities Commission

4 MCAR §§ 3.0317-3.0322 (proposed)	82
4 MCAR §§ 3.0450 [Temp]-3.0454 [Temp], 3.0456 [Temp], 3.0460 [Temp]-3.0463 [Temp] (proposed)	103

Part 11 Electricity Board

4 MCAR §§ 11.033-11.038 (proposed)	137
--	-----

TITLE 5 EDUCATION

Part 1 Education Department

5 MCAR § 1.0807 (proposed temporary)	144
--	-----

Part 2 Higher Education Coordinating Board

5 MCAR §§ 2.0604, 2.0606, 2.0100, 2.2101-2.2106, 2.2201-2.2206, 2.2301-2.2307, 2.2401-2.2405, 2.2501-2.2503, 2.2601-2.2605, 2.2701-2.2705, 2.2801-2.2811 (adopted)	196
--	-----

5 MCAR §§ 2.0101-2.0108, 2.0201-2.0209, 2.0801-2.0806,

2.0901-2.0918, 2.0990, 2.1001-2.1008 (repealed)

196

TITLE 6 ENVIRONMENT

Part 4 Pollution Control Agency

6 MCAR § 4.8024 (proposed)	101
----------------------------------	-----

TITLE 11 PUBLIC SAFETY

Part 2 Corrections Department

11 MCAR §§ 2.001-2.012 (proposed)	57
---	----

TITLE 12 SOCIAL SERVICE

Part 2 Public Welfare Department

12 MCAR § 2.027 (adopted)	161
12 MCAR §§ 2.05001 [Temp]-2.5016 [Temp] (proposed)	6
12 MCAR §§ 2.05401-2.05403 (proposed temporary)	150
12 MCAR § 2.164 (proposed temporary)	160
12 MCAR § 2.204 (proposed)	189

Part 3 House Finance Agency

12 MCAR §§ 3.002 [Temp], 3.055 [Temp]-3.057 [Temp] (proposed)	5
12 MCAR §§ 3.002 [Temp], 3.133 [Temp], 3.134 [Temp] (adopted)	116
12 MCAR §§ 3.058 [Temp]-3.061 [Temp] (proposed)	109
12 MCAR §§ 3.160 [Temp]-3.165 [Temp] (proposed)	111

TITLE 13 TAXATION**Part 1 Revenue Department**

13 MCAR §§ 1.6004, 1.6501-1.6503; and 2019 (adopted) 114

TITLE 14 TRANSPORTATION**Part 1 Transportation Department**

14 MCAR §§ 1.7001, 1.7003, 1.7005, 1.7007-1.7009 (adopted) . . . 30

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.

Department of Public Welfare**Proposed Amendment to Rule Governing Foster Care for Children (12 MCAR § 2.204)****Notice of Hearing**

A public hearing concerning the above entitled matter will be held in Centennial Office Building, Conference Room A, Fourth Floor, 658 Cedar Street, St. Paul, Minnesota 55155, on September 9, 1983, commencing at 9:30 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed rule may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rule, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to George Beck, Hearing Examiner, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415 (612) 341-7601 either before the hearing or within five working days after the public hearing ends. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minnesota Statutes, section 14.01-14.56 and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

Notice is hereby given that 25 days prior to the hearing, a statement of need and reasonableness will be available for review at the agency and at the Office of Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

12 MCAR § 2.204 governs the administration and provision of foster care services to children and their families by the local social services agency when the agency has placement and supervisory responsibilities. The purpose of foster care services to

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
--

PROPOSED RULES

children is to provide substitute family or group care for a child while an intensive effort is made to correct or improve the condition necessitating placement in order to reunite the family or, in the failure of this, to provide some other permanent plan for the child.

Amendments to this rule are proposed to comply with the provisions of federal law, 42 USC 670 et seq, and recent changes in Minnesota law enacted during the '82 and '83 legislative sessions. These amendments include the establishment of foster care basic maintenance rates; difficulty of care payments to be established by local county boards of commissioners; case plan requirements; and requirements for administrative reviews and dispositional hearings for children in foster care.

The agency's authority to adopt the proposed rule is contained in Minnesota Statutes, section 393.07, subdivisions 1-3; Minnesota Statutes, section 256.01, subdivision 2 (2); Minnesota Statutes, section 257.175; Minnesota Statutes, section 256E.05, subdivision 1; and Minnesota Statutes, section 256.82, subdivision 3.

Attached to this notice of hearing is a fiscal statement giving this fiscal impact of the rule on local public bodies according to the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Sandra Erickson, Division of Social Services, Department of Public Welfare, Fourth Floor, Centennial Office Building, St. Paul, Minnesota 55155 (612) 296-3250. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule, contact Sandy Erickson.

Note: Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted (or resubmitted) to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner (in the case of the hearing examiner's report), or to the agency, (in the case of the agency's submission or resubmission to the Attorney General).

Minnesota Statutes ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minnesota Statutes, section 10A.01, subdivision 11, 1979 supp., as any individual:

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

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

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

July 22, 1983

Leonard W. Levine
Commissioner of Public Welfare

PROJECTIONS OF FOSTER CARE MAINTENANCE COSTS

	<u>'84 Caseload \$'s</u>	<u>15% rate increase</u>	<u>'85 Caseload \$'s</u>	<u>15% rate increase</u>
COUNTY FUNDS:	\$43,889,000	\$50,472,000	\$45,443,000	\$52,254,000

As evidenced by the attached table, foster care maintenance payments are expected to increase overall by approximately 15% for the last half of calendar year 1983 (assuming the rule is promulgated by July 1, 1983). For state fiscal year 1984, assuming the entire rate increase would be borne by county government, the increase in county funds would be \$6,583,350.00.

On January 1, 1984 there is a rate adjustment in the 0-11 year age group of 15.09%. Data from the Substitute Care Inventory indicates that the 14-17 year old age group is the largest age group in substitute care (46% of all children). The 0-11 year age group is approximately 35% of the total population but tend to remain in foster care the least amount of time. The worst case scenario as depicted above reflects a 15% increase across all age groups. It could be argued that only 35% of the '85 Caseload \$'s amount would increase by 15.09% for the last six months of 1984. On January 1, 1985 there would be an across the board rate increase for all age groups depending upon the latest data promulgated by the U.S.D.A. Estimates of the Cost of Raising A Child. For this reason, the 15% increase was depicted as a 15% increase across all age groups. It is not possible to predict with certainty the fiscal impact of increased county costs for just one age grouping, i.e., 0-11 years, given the shortened length of stay, the numbers placed for adoption and data unavailable for costs associated with just this younger population.

PROPOSED RULES

Foster care rates effective January 1, 1985 will not be computed until October, 1984.

Initial Clothing Allowance: This new policy allows for 60 Days in which the purchase may be made for a child. The new rate is flexible, "up to", and is based on the child's needs. Not all children receive an initial clothing allowance. This determination is made by the local social services agency.

In summary, the county costs of foster care maintenance payments may increase by \$6.6 million in SFY'84. The number of children in substitute care has been dropping on a steady basis since October '79 10-79 through 10-81 the number of children in care dropped 990 children and projections indicate another drop of nearly 750 children. Increased parental fees and recoveries from third party payors, e.g. insurance, are expected to increase 13% over the next biennium.

CURRENT RATE STRUCTURE (1981)			PROPOSED RATE STRUCTURE		
AGE	Mo. RATE	% INCREASE	AGE	RATE (1983)	RATE (1984)
0-3	\$151	+40.397%	0-11	\$212	\$244
4-8	\$192	+10.416%			
9-11	\$211	+ 4.739%			
		+15.217%			
12-14	\$251	+16.733%	12-14	\$293	\$293
15-18	\$276	+15.942%	15-18	\$320	\$320

INITIAL CLOTHING ALLOWANCE WITHIN FIRST 30 DAYS OF PLACEMENT (CURRENT POLICY)			PROPOSED NEW INITIAL CLOTHING ALLOWANCE WITHIN FIRST 60 DAYS OF PLACEMENT		
AGE	RATE	% INCREASE	AGE	RATE (1983)	RATE (1984)
0-3	\$ 68	+114.70%	0-11	up to \$146	up to \$168
4-8	\$102	+ 43.137%			
9-11	\$135	+ 8.148%			
	\$101	+44.554%			
12-14	\$236	+ 22.033%	12-14	up to \$288	up to \$288
15-18	\$271	+ 28.413%	15-18	up to \$348	up to \$348

12 MCAR § 2.204 Foster care—children.

A. [Unchanged.]

B. Definitions.

1.-9. [Unchanged.]

10. Foster care maintenance payments. "Foster care maintenance payments" means payments to cover the cost of and the cost of providing a child's food, clothing, shelter, daily supervision, school supplies, and personal incidentals, and reasonable travel to the child's home for visitation. In the case of institutional care, the term includes the reasonable costs of administration and operation of the institutions which are necessary to provide the things listed in the preceding sentence.

11. Dispositional hearing. A "dispositional hearing" is a hearing held by a family or juvenile court, or another court, including a tribal court, of competent jurisdiction, or by an administrative body appointed or approved by the court, to determine the future status of the child, including whether the child should be continued in foster care for a specified period, should be placed for adoption, or should be continued in foster care on a permanent or long-term basis.

12. Administrative review. "Administrative review" is a review open to the participation of the parents of the child and conducted by a panel of appropriate persons, at least one of whom is not responsible for the case management of or the delivery of services to either the child or the parents.

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

13. Voluntary placement. "Voluntary placement" is an out-of-home placement of a minor by or with participation of the social service agency, after the parents or guardian of the minor have requested the assistance of the agency and signed a voluntary placement agreement.

14. Voluntary placement agreement. "Voluntary placement agreement" means a written agreement, binding on the parties to the agreement, between the social service agency and the parents or guardians of a minor child, which specifies the legal status of the child and the rights and obligations of the parents, the child, and the agency.

15. Difficulty of care payment. "Difficulty of care payment" means a supplemental maintenance payment determined by the local social services agency and based upon an assessment of the child's special needs due to existing physical, mental, or emotional handicaps. A difficulty of care payment does not include payment for services rendered by a licensed foster parent.

C. Services to children in foster care.

1. Service delivery.

a.-g. [Unchanged.]

h. Service plan and review. For those children who are placed in foster family homes, group homes or relatives' homes (unless placement with the relative is planned to be permanent) and for whom the local social service agency has placement and/or supervisory responsibility, the agency shall comply with the following requirements: in (1)-(4).

(1) Service Case placement plan.

(a) The agency shall develop, in conjunction with the child's parent(s), or other custodian, the child's legal guardian, and if possible, the child, a service plan which includes:

(i) the specific reasons for the placement of the child in a foster home, including a description of the problems or conditions in the home of the parent or parents which necessitated removal of the child from his home;

(ii) the specific actions to be taken by the parent or parents of the child to eliminate or correct the problems or conditions identified in clause (i); and the time period during which the actions are to be taken;

(iii) the financial responsibilities and obligations, if any, of the parents for the support of the child during the period the child is in the foster home;

(iv) the visitation rights and obligations of the parent or parents during the period the child is in the foster home;

(v) the social and other supportive services to be provided to the parent or parents of the child, the child, and the foster parents during the period the child is in the foster home;

(vi) the date on which the child is expected to be returned to the home of his parent or parents;

(vii) the nature of the effort to be made by the social service agency responsible for the placement to reunite the family.

(viii) the actions to be taken for meeting the special educational needs of the child including the responsibilities of the foster parents and the child's parents.

(b) The agency shall advise the parents of their right to receive assistance from any person or social service agency and their right to legal counsel in the preparation of the service plan.

(c) In those situations where the child's condition or behavior may require change before placement can be terminated, the service plan shall include actions to be taken or progress to be made by the child while in placement.

(d) The visitation plan shall be detailed and shall include, but not be limited to, the date and conditions of the first visit, specific days of visits, specific hours for beginning and ending of visits and special conditions of visitation.

(e) The agency shall explain to the parents that if the parents are unable to correct the conditions necessary for their child's return home, they could lose their parental rights.

(f) If the agency cannot comply with any service plan requirement, the agency shall document the reason in the record.

(2) Six-month administrative review of service plan. The local social service agency shall provide an administrative, supervisory, or conference review at least every six months for each child in placement to determine the appropriateness and adequacy of the service plan. The review shall include persons other than or in addition to the service worker responsible for the case. The administrative review may be waived if the court has reviewed the service plan within that six-month period.

(3) Review of service plan with parents and child. Within 180 days of the child's initial placement, if the child is still in foster care, the local social service agency shall review the service plan, including in the review all persons involved in the plan's preparation. The review may be waived if the court has reviewed the plan within the 180 day period. prepare a written plan for each child who is placed in a foster home or residential facility. The plan must be prepared before the child is placed unless the child's situation requires immediate placement. If an emergency placement is necessary, the case plan must be prepared within 30 days after the initial placement.

The case placement plan must include the following components:

(a) the agency's assessment of the family, including:

(i) a list of the presenting problems which brought the family to the agency, or a statement of why the agency intervened in the family situation;

(ii) a discussion of services that were provided to prevent the need for the removal of the child from the home, and why the services were not successful, or why the parents requested placement of their child;

(iii) a discussion of alternative plans that were considered and why foster care was chosen;

(iv) a discussion of why the particular foster home or facility was selected, including a description of the facility that was selected, and the reason it was chosen; the reason a foster home was not used if the child was placed in an institution; and the reason why the child was not placed in the local county if the child was placed in another county or state;

(b) a signed agreement among the agency, the parents, and, if appropriate, the child which includes:

(i) an assessment of the specific reasons for the placement of the child in a foster home or institution, including a description of the problems or conditions in the home which necessitated removal of the child from the home;

(ii) the specific actions to be taken by the parents to eliminate or correct the problems or conditions which necessitated placement, and the time period during which the actions are to be taken;

(iii) the financial responsibilities and obligations, if any, of the parents for the support of the child during the period the child is in the foster home;

(iv) the date on which the child is expected to be returned to the home of his parents;

(v) the specific action to be taken by the child, if appropriate, to change behavior which contributed to the need for placement;

(vi) the social and other supportive services to be provided by the agency to assist the parents and the child during the period the child is in the foster home;

(vii) the frequency of contacts of the agency with the parents and the child; and

(viii) the visitation rights and obligations of the parents during the period the child is in the foster home;

(c) an agreement signed by the agency, the parents, the foster parents, and if appropriate, the child which includes:

(i) the authority and responsibility of the foster parents to arrange for medical and dental care for the child;

(ii) the authority and responsibility of the foster parents to arrange for education for the child and to meet with teachers regarding the child's progress;

(iii) the specific action and behavior of the child that the foster parents are to work with;

(iv) the authority and responsibility of the foster parents for supervision of the child;

(v) the plan for the parents to visit the child, which includes the specific days for visits, the specific hours for the beginning and end of each visit, and any special conditions affecting visitation; and

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

(vi) the social service to be provided by the agency to assist the foster parents, including the frequency of contacts and the person assigned to them.

(d) the agency shall advise the parents of their right to receive assistance from any person or social service agency and their right to legal counsel in the preparation of the placement plan;

(e) the agency shall explain to the parents that if the parents are unable to correct the conditions necessary for their child's return home, they could lose their parental rights; and

(f) if the agency cannot comply with any placement plan requirement, the agency shall document the reason in the record.

(2) Administrative review. All cases must be reviewed by an administrative panel periodically, but at least once every six months. The review must be open to the parents, the child, and the foster parents. The review must determine:

(a) whether the placement remains necessary and appropriate;

(b) the extent of compliance with the case plan;

(c) the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care; and

(d) the likely date by which the child may be returned to the home or placed for legal adoption or guardianship.

(3) Petition for court review. As an alternative to the administrative review for children placed in foster care by voluntary agreement, the local social service agency may petition the court pursuant to Minnesota Statutes, section 260.131, subdivision 12, for review of the foster care to determine if placement is in the best interests of the child.

(4) Dispositional hearing. For each child in foster care under court order pursuant to Minnesota Statutes, section 260.191, subdivision 1, the local social services agency shall petition the court for a dispositional hearing pursuant to Minnesota Statutes, section 260.191, subdivision 2, no later than 12 months after the initial dispositional hearing and annually thereafter during the continuation of foster care. For each child in foster care whose parental rights have been terminated and the child made a ward of the commissioner of public welfare, the local social services agency shall petition the court pursuant to Minnesota Statutes, section 260.242, subdivision 2, clause (d) for a dispositional hearing. The dispositional hearing must be held in a juvenile court or a tribal court of competent jurisdiction, or by an administrative body appointed or approved by the court.

When the dates of the dispositional hearing and the periodic review coincide, the dispositional hearing may replace the periodic review. A periodic review cannot substitute for a dispositional hearing.

Children in permanent foster care, whose placement was approved by the court, are excluded from this requirement.

(5) Eighteen-month review of voluntary placements. If the child is not returned to his home within 18 months after his initial placement in a residential facility, the local social service agency shall either return the child to the home of his parents or file an appropriate petition with the court to review the foster care status of the child and make a decision as to the child's continued placement.

i.-k. [Unchanged.]

l. Rates paid to foster homes.

(1) Rates paid for children in foster care shall be uniform regardless of funding source, and maintenance rates paid for children in foster care shall be established pursuant to 12 MCAR § 2.044. This requirement is waived when the local social service agency is being reimbursed pursuant to 12 MCAR § 2.030, Cost of Care for Mentally Retarded or Epileptic, or Emotionally Handicapped Children.

(2) When foster care is provided for a child through contract with another public or private agency, maintenance payments to the cooperating agency's foster care facilities shall be determined according to 12 MCAR § 2.044. If the local social service agency is contracting for administrative or social service costs, payments to the cooperating agency shall be an amount which is additional to the maintenance rates established in 12 MCAR § 2.044.

(1) The local social services agency shall make payments based on the following maintenance standards:

PROPOSED RULES

<u>Age</u>	<u>Monthly Maintenance Standard</u>	<u>Initial Clothing</u>
<u>0-11</u>	<u>\$212 (\$244 effective January 1984)</u>	<u>up to \$146 (up to \$168 effective January 1984)</u>
<u>12-14</u>	<u>\$293</u>	<u>up to \$288</u>
<u>15-18</u>	<u>\$320</u>	<u>up to \$348</u>

The initial clothing allowance shall be available based on the child's needs during the first 60 days of the initial placement. The state agency shall annually review and revise the maintenance standard based on "USDA Estimates of the Cost of Raising a Child," issued by the United States Department of Agriculture, Agricultural Resources Service, Pub. 1411 (October, 1982).

(2) In addition to the basic maintenance standard, monthly payments for additional maintenance needs shall be made as determined by the local social services agency. The local county board shall establish "difficulty of care" payments for all children in foster care.

(3) When foster care is provided for a child through contract with another public or private agency, foster care maintenance payments and difficulty of care payments shall be determined according to the rate schedule in (1) and (2). If the local social service agency is contracting for administrative or social service costs, payments to the cooperating agency shall be in an amount which is additional to the maintenance rate established in (1) and (2).

(4) The local social service agency may pay a fee for services to foster parents based on the foster parents' skills, experience, or training. This fee is not a maintenance expense.

(5) The local social service agency may, through action by the county welfare board, human service board, or board of county commissioners, establish a local fund of county money through which the agency may reimburse foster parents for the cost of repairing damage done to the foster home by the foster child, and the additional car insurance premium cost of a foster child who possesses a permit or license to drive a car.

m. [Reletter as n.]

D. [Unchanged.]

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

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.

Minnesota Higher Education Coordinating Board

Adopted Rules Governing State Scholarships and Grants-In-Aid; Part-Time Student Grants; Work-Study Grants; Area Vocational-Technical Institute Tuition Subsidy; Assistance for Student Dependents of Minnesota Veterans; State Student Loans; Private College Contracts; and Private Institutions Registration and Approval of Degrees and Names

The rules proposed and published at *State Register*, Volume 7, Number 41, pp. 1449-1463, April 11, 1983 (7 S.R. 1449) are now adopted with the following modifications.

Rules as Adopted

5 MCAR § 2.0604 Terms of loans and grants.

A. ~~Conditions for conversion of loans.~~ Each eligible institution shall be authorized and be responsible for informing any foreign student who receives funds or residency residing status pursuant to the program that the funds are provided initially as a loan and will not be converted to a grant until the student submits ~~written, documentable~~ evidence that the student has returned to his home country within one year of completion of the student's education and has not returned to the United States for five years as a permanent resident.

~~B. Emergency scholarship funds. Prior to the annual report on which appears a loan cancellation involving emergency scholarship funds, the board must approve evidence submitted to the institution by the student. The board shall approve a loan cancellation when the evidence shows that the student has met the requirements in A. The evidence may be notarized statements by the student, notarized statements by persons who know the student, letters from the students with postmarks of the student's country, or similar writings.~~

B.-F. [Reletter as C. G Unchanged.]

5 MCAR § 2.0606 Disbursement of funds.

A.-B. [Unchanged.]

C. ~~Accountability.~~ Each participating school institution shall be accountable for any funds disbursed to students under the provisions of these rules as long as loan balances are outstanding and regulations.

~~D. Time for return of funds. Any emergency scholarship fund disbursement plus accrued interest which is outstanding six years after the documented date the student left school shall be remitted to the board according to the procedures established to implement B.~~

SUPREME COURT**Decisions Filed Friday, July 29, 1983****Compiled by Wayne Tschimperle, Clerk**

C4-83-730 The Killowatt Organization (TKO), Inc., Appellant, vs. The Department of Energy, Planning and Development, Northern States Power Company, Southern Minnesota Municipal Power Agency (SMMPA), United Minnesota Municipal Power Agency (UMMPA). Ramsey County.

The trial court acted within its authority, under Minn. Stat. § 562.02 (1982), in requiring the posting of a surety bond by a party effectively challenging the authorization, sale, issuance or delivery of bonds in a public project.

The trial court did not abuse its discretion by requiring that a \$6,000,000 bond be posted pursuant to Minn. Stat. § 562.02 (1982).

Affirmed. Amdahl, C. J. Took no part, Peterson, J.

C6-82-1416 J. J. Brooksbank Co., Inc., Appellant, vs. Budget Rent-A-Car Corporation. Hennepin County.

In this declaratory judgment action, the trial court erred in determining that the local licensee was entitled to a 10% reduction in reservation charges. A one-third reduction in reservation charges comports more fully with a reasonable interpretation and practical construction of the licensing agreement.

Affirmed as modified. Peterson, J. Dissenting, Simonett, J., Todd, J., Scott, J., and 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 Administration
Energy Conservation Division****Notice of Request for Proposals to Firms Interested in Third Party Financing for Energy Conservation Measures**

The Department of Administration, Energy Conservation Division, has been requested to select firms to provide energy conservation measures in accordance with Minnesota Laws 1983, chapter 301, section 69, to be codified as Minnesota Statutes, section 16.02, subdivision 29. Section 69 authorizes state agencies to obtain energy conserving equipment and services on a shared-savings and guaranteed-savings basis through contracts of greater than one year duration but not exceeding ten years.

Firms who wish to be considered for these projects should request a copy of the rules for "Request for Proposal" and submit a separate proposal for each facility based on the rules on or before 4:00 p.m., October 14, 1983, to Donald T. Johnson, Energy Conservation Division, Room G-26, Administration Bldg., St. Paul, MN. 55155. (612-296-8204).

The following facilities to be considered for energy modifications are:

1. St. Cloud State University
St. Cloud, MN
2. Minnesota Correctional Facility
Oak Park Heights, MN

STATE CONTRACTS

3. Brainerd State Hospital
Brainerd, MN
4. Minnesota Correctional Facility
Lino Lakes, MN

SCOPE:

In a shared-savings program, an energy service firm purchases, installs and services energy conserving measures at no capitol cost to the state. In return, the state agrees to share with the firm a percentage of whatever energy cost savings result. In a guaranteed-savings program, the firm, likewise, provides energy conserving measures to the state. However, the firm warrants that the state will achieve a specific level of energy cost savings due to the energy conserving measures. As a pre-condition to concluding shared-savings and guaranteed-savings contracts with the state, the law requires a firm to collect certain data for the accurate determination of the state's anticipated energy cost savings. Collection of the data is accomplished through a detailed engineering audit comparable to the Minnesota Maxi Audit. The audit may be limited to specific building systems if the state and the firm mutually agree. By virtue of the audit, the firm is apprised of the size and type of buildings involved, the nature of the energy consuming equipment, the patterns and types of fuel used, and other factors that may influence energy consumption. On the basis of the energy audit, the firm is required to determine the type of energy conserving measures which are needed to calculate the energy savings (BTU savings and energy cost savings) that such measures will generate for the state.

Send all proposals to Donald T. Johnson at the above address.

Department of Economic Security

Notice of Request for Proposals for Operation of Dislocated Worker Program

In accordance with Laws of 1979, Chapter 336, The Minnesota Department of Economic Security, Governor's Job Training Office is requesting proposals from qualified bidders to operate dislocated worker programs in the State of Minnesota. Approximately \$1,800,000 will be available for dislocated worker programs to operate in Federal Fiscal Year 1984.

Request for Proposal Application is available upon request. Inquiries and request should be directed to:

Ed Retka
Governor's Job Training Office
690 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
Phone: (612) 296-7918

Proposals must be received by the Governor's Job Training Office no later than Friday, September 16, 1983, at 5:00 p.m.

Department of Economic Security

Notice of Request for Proposals for Management Information System Modification

The Department of Economic Security is requesting proposals from contractors to modify its existing Management Information Systems to enable them to provide the data required to meet the reporting requirements of the Job Training Partnership Act (JTPA).

Work must be completed by November 1, 1983; approximately \$35,000 is available to cover the cost of this project.

For more complete information or a copy of the Request for Proposal, call Larry Simmons at (612) 296-6066.

Completed proposals must be received at the following address by 4:30 p.m. on August 29, 1983. The decision on the contract will be made by September 12, 1983.

Larry Simmons, Office of Budget and Management
690 American Center Building
160 East Kellogg Boulevard
St. Paul, Minnesota 55101

Department of Health Health Systems Division Emergency Medical Services Section

Notice of Request for Proposals for Medical Director

The Minnesota Department of Health is requesting proposals from eligible physicians who would be able to serve as medical director of its Emergency Medical Services Section for the period October 1, 1983, to September 30, 1984. Qualifications for the position are: current active practice of emergency medicine or a related specialty; recognized standing in the professional community in the form of current or recent chairmanships and memberships of the American College of Emergency Physicians, Minnesota Medical Association, and other relevant professional associations; experience in working with governmental agencies; familiarity with the state emergency medical systems grant program and other relevant federal and state programs; an interest in assisting the Department of Health in defining and reaching its goals in regard to the planning and development of emergency medical services, the regulation of current services, and the setting of appropriate guidelines and standards.

Minimum tasks include: assisting the Department of Health in the administration of rules and regulations pertaining to EMS, reviewing requests for waivers and variances, representing the Department to various professional, governmental and public entities, providing general technical assistance as needed to the Department and providing regular progress reports.

Candidates must respond in the form of a proposal to enter into a contract as required by the Department of Health. Maximum reimbursement for a total of 150 to 250 hours assistance will be \$12,000, which includes travel and expenses. The deadline for proposals is September 9, 1983.

Copies of the request for proposals and other information are available from:

James M. Stoffels, Chief
Emergency Medical Services Section
Minnesota Department of Health
717 Delaware St. S.E.
P.O. Box 9441
Minneapolis, Minnesota 55440

Metropolitan Council

Invitation to Submit Proposals for Regional Aviation Systems Plan Update for Twin Cities Metropolitan Area

The Metropolitan Council of the Twin Cities intends to update its Regional Aviation Systems Plan. This Plan will be accomplished according to the procedures outlined in FAA Advisory Circular 150/5900-1B, Planning Grant Program for Airports.

The Metropolitan Council is responsible for preparing regional plans and policies for the Seven County Minneapolis-St. Paul Metropolitan Area. The objective of the Metropolitan Aviation System Update project is to conduct a comprehensive evaluation of the Metropolitan Aviation System Plan last conducted in 1977. A reassessment of the regional aviation needs and ability to meet these needs is timely in light of the social and economic realities affecting the Twin Cities Metropolitan Area. A maximum of \$200,000 has been budgeted for this activity.

One of the key objectives of the Aviation System Plan update is to identify subregional and user benefits of the airport system. The clear identification of those economic sectors supporting or being supported by aviation can provide the Council, as well as the Metropolitan Airports Commission, with a firmer base upon which financial commitments, user charges and capital improvement projects can be evaluated. With increasing pressure on funding sources, the tracing of the economic benefits and disbenefits of each element of the airport system can identify potential new sources of funds or means by which funds might be transferred from one use to another to yield the most efficient and effective aviation system.

Planning Services

The consultant selected for this project should be capable of providing a range of planning services necessary to complete the proposed project. These services should include sufficient expertise to:

1. Establish quantitative relationships between the aviation system and economic activity

STATE CONTRACTS

2. Identify role of aviation in the regional economy
3. Determine importance of air access to the Twin Cities economy relative to other areas.
4. Forecast aviation system demand to the year 2000.
5. Identify system needs as determined by the ability of the existing system to satisfy the aviation demand.
6. Establish a framework for evaluating changes to the aviation system and their influences on the economic well being of the Metropolitan Area
7. Develop a hearing draft document by December 1984.

Submittal Contents

Consultant firms interested in being considered for this work effort are invited to submit six copies of the following information in the format indicated below:

1. Background and experience of the firm or firms including type of ownership, organization of the firm(s) length of time firm(s) has been operating under present organization, range of professional services offered, depth of major departments and total number of support personnel by function. If a team approach is to be used, the responsibilities of each team member should be clearly identified and similar information should be submitted for each team member.
2. A brief description of relevant previous work accomplishments including project description, cost, length of time involved, and specific responsibilities.
3. Resumes of key personnel expected to be assigned to the project, specifically identifying relevant and recent experience, and their areas of responsibility.
4. A brief (not to exceed 10 pages) narrative outlining the consultant's approach to the project in a format consistent with the points outlined under the Services section, particularly identifying an understanding of the unique aspects of the project.
5. The names and telephone numbers of three recent clients for whom similar work has been accomplished.
6. Effectiveness of an implemented Affirmative Action Program, and the extent to which minority and/or female-owned businesses will participate in the contract proposed. The Council has established a minority business enterprise participation goal of 10% for this contract.

The above information should be submitted to the following address prior to the close of work on September 2, 1983:

Mark J. Ryan
Metropolitan Council
Transportation Planning
300 Metro Square Building
7th & Robert St.
St. Paul, Minn. 55101

From these transmittals, a group of 3 to 5 firms, or teams, will be invited to submit more detailed proposals and to appear for interviews prior to final selection.

LA692A

Minnesota Higher Education Coordinating Board Notice of Request for Proposals for Financial Consultants to Sell Student Loan Revenue Bonds

Notice is hereby given that the Minnesota Higher Education Coordinating Board intends to engage the services of a financial consultant to provide consultive service regarding the issuance of revenue bonds and assist in the preparation of official statement, and to provide consultive services for the selling of student loan notes to secondary markets for fiscal year 1984, 1985, and 1986.

Those interested in receiving requests for proposals should contact:

Arlon J. Haupert
Director of Administrative Services
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-9685

Proposals will be accepted until 4:00 p.m. August 31, 1983.

State Designer Selection Board

Notice of Request for Proposal

To Architects and Engineers Registered in Minnesota:

The State Designer Selection Board has been requested to select designer for four projects for the Department of Administration. Design firms who wish to be considered for these projects should submit proposals on or before 4:00 p.m., August 31, 1983, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

1. Six copies of the proposal will be required.
2. All data must be on 8½" × 11" sheets, soft bound.
3. The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.
4. The proposal should consist of the following information in the order indicated below:
 - a) Number and name of project.
 - b) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc.
 - c) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If the applicant chooses to list projects which are relevant in type, scale, or character to the project at hand, the person's role in the project must be identified.
 - d) A commitment to enter the work promptly and to assign the people listed in "C" above and to supply other necessary staff.
 - e) A list of design projects in process or completed in the three (3) years prior to the date of this request for agencies or institutions of the State of Minnesota, including the University of Minnesota, by the firm(s) listed in "b" together with the approximate fees associated with each project.
 - f) A section of not more than fourteen (14) faces containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described.

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

5. In accordance with the provisions of Minnesota Statutes, 1981 Supplement, section 363.073; for all contracts estimated to be in excess of \$50,000, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted. Your proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- b) A statement certifying that your firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
- c) A statement certifying that your firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

6. Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:

- a) Enclose a self-address stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded.
- b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

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

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

STATE CONTRACTS

7a) PROJECT—7-83

Replace Emission Control Unit
Fergus Falls State Hospital
Fergus Falls, Minnesota
Department of Public Welfare
Project Budget: \$450,000.00

General Description: The project consists of designing and installing a system of pollution control of the flue gases emitted from the #1 lignite fired high pressure boiler. Scope of the project will include modifications to existing breeching, mechanical collectors, and boiler controls. Completed project must meet or exceed the Environmental Protection Agency and the Minnesota Pollution Control Agency standards for particulate emission and opacity. A fee of 7% is considered appropriate for this work.

The firm selected for this project should have had broad experience in high pressure boiler/power plant design work. They must be conversant with and in the specialized field of pollution control equipment and the regulations/codes pertaining to such installation.

The firm will have to have had related experiences on power plant systems using lignite coal as a fuel.

Firms having done satisfactory work for the state on power plant work will be given serious consideration during the selection process.

The state is currently involved in a mutual stipulation agreement with the Minnesota Pollution Control Agency and indirectly with Environmental Pollution Agency (Federal) wherein the Department of Administration and the Agency/Institution have agreed to clean up smokestack emissions on a predetermined timetable.

It's desired to have the above control equipment installed according to the following schedule:

- | | |
|---|--------------------|
| 1) Designed and bid | —November 1, 1983 |
| 2) Contractor approval | —December 1, 1983 |
| 3) Begin construction/demolition after heating season | —April 15, 1984 |
| 4) System returned to service | —September 1, 1984 |
| 5) Testing to meet MPCA and EPA standards | —November 15, 1984 |

The institution does have a standby gas/oil fired boiler that can be fired during construction phases for needed requirements.

7b) PROJECT—8-83

Asbestos Removal
Bangsberg Hall
Bemidji State University

\$1,315,000.00 has been allotted for removal of asbestos in this building.

The University has made a survey of the building, identifying critical areas and testing of the friable materials. It is the general intent to remove the asbestos materials from the building and replacing with substitute materials. This includes primarily the fireproofing of the structural steel and some duct work and piping.

In the selection of the consultant the Board will be considering the following:

I. The firm or association of firms:

- 1) Experience with similar types of projects.
- 2) Knowledge of prevailing PCA, OSHA and Board of Health regulations, removal techniques and disposal materials.
- 3) Staff available for timely completion of the documents and observation of the work.

The appropriate fee will be determined following a site walk through with the selected consultant and may range between 5 and 10% of the estimated construction cost.

7c) PROJECT—9-83

Life Safety Projects
Capitol Complex
Approximate Allocation: \$1,000,000.00 for construction, fees and administration.

The scope of the work is based on the Fire Marshal's and State Building Code inspection and recommendation. The intended work is in the Veteran's Service Building, Centennial Building, B.C.A. Building and Administration Building. The work includes general, mechanical, and electrical work i.e. exit ways, sprinkler systems, fire dampering, exit lighting and fire alarm systems.

In selection of the consultant, the board will expect the consultant to address:

- 1) Experience in similar types of projects.
- 2) Coordination of design disciplines required.
- 3) Knowledge and experience in selection of systems and components suitable to retrofitting existing monitoring systems. Buildings in the Capitol Complex are monitored by the Honeywell 5600 system.
- 4) Ability to provide adequate staff to complete the work in a timely way.
- 7d) **PROJECT—10-83**
Life Safety and Elevator Improvements
Department of Transportation Building
St. Paul, Minnesota
Approximate Allocation: \$1,493,000.00 for construction, fees, testing and administration.

Description of the Project:

- a) The life safety improvements includes remodeling as recommended by the Fire Marshal's and State Building Code Offices. These recommendations have been compiled into a list of items which provide a program of construction work. The improvements include installation of a fire pump, and sprinkler system throughout the building, and standpipe system, construct 1 hour rated exit corridors with automatic release door hold opens.
- b) Modernize and improve the existing elevators 1 through 4, extend travel of elevators 3 and 4 to the basement floor level. The construction work will occur while state personnel occupy the building during normal office hours.

Roger D. Clemence, Chairman
State Designer Selection Board

State University System Southwest State University

Notice of Request for Proposals for Marketing Consultant Services

Notice is hereby given that Southwest State University, Marshall, MN requests proposals from marketing consultants for services to provide:

1. Market research to determine audience make-up, outside perceptions and existing clientele motivation.
 2. An audit and evaluation of present marketing efforts to determine effectiveness and to recommend changes to be made to provide a more effective marketing and recruiting program.
 3. Assistance in designing and writing outreach promotional pieces setting forth a new graphic image and standards manual.
- Estimated cost for these services will run approximately \$60,000.

Requests for proposal forms will be made available upon request. Please contact Jeff Kuiper, Office of Business Services at (507) 537-6212, to obtain these forms.

Completed proposals are due by 2:00 pm, August 30, 1983.

Department of Transportation Division of Technical Services

Notice of Availability of a Contract to Conduct a Lime Sludge Marketing Study

The Minnesota Department of Transportation (Mn/DOT) is responsible for the conduct of a study and preparation of reports that will address the feasibility of disposing of a large accumulation of lime sludge adjacent to a segment of I94 in North Minneapolis. The studies will include an investigation into the areas of the marketing/recycling potential of the lime sludge and for disposal. To accomplish this work Mn/DOT requires the services of a qualified consultant to perform the marketing/recycling portion of the study and to assist Mn/DOT in other areas of the studies as required.

STATE CONTRACTS

In accomplishment of the Marketing/Recycling Study, the proposed Consultant will be responsible for the performance of tasks which shall include but not be limited to the following:

A. Marketing/Recycling

1. A complete listing of all potential uses of lime sludge.
2. A listing of the potential uses of lime sludge with the particular characteristics of the lime sludge involved at the subject site and an explanation of the reasons for rejecting the potential uses.
3. A description of the possibility of altering the characteristics of the lime sludge in order to expand potential end uses.
4. A listing of possible uses of the lime sludge and a description of the conditions under which each user would participate in using the lime sludge.
5. An estimate of costs to Mn/DOT for each possible use of the lime sludge and an estimate of the quantities that might be used for each possible use over a specified time period.
6. A plan with a time schedule for contracting or otherwise engaging each of the recommended end users and a description of the persons and/or organizations who would accomplish the tasks necessary to engage these users.
7. A plan for developing markets which presently do not exist for the lime sludge, including a time schedule, an estimate of how much of the lime sludge could be recycled, and a description of the persons and/or organizations who would accomplish the specific tasks.

B. The proposed consultant shall provide assistance as directed by Mn/DOT in the preparation of such data as maybe necessary for Mn/DOT to complete other phases of the necessary research. Such tasks may include but not be limited to the following:

1. Provide the names and addresses of individuals or companies accepting lime sludge for reuse.
2. Establish amount of lime sludge to be reused (including application rates for land application projects) at each reuse site.
3. Identify the method for the safe transfer of the lime sludge to the reuse site.
4. Describe the method of reuse of the lime sludge at each reuse site.
5. Establish the period of time over which the reuse will occur at each reuse site.
6. Prepare a description, including plans, specifications, and ground water monitoring, for any additional storage necessary prior to utilization of the lime sludge.
7. Develop any additional information necessary to support the feasibility of the utilization project.

The estimated cost for this Study is \$25,000. The time schedule for completion of the Study and submittal of the report is two months.

In the event that there are numerous applicants for consideration for this project, there will be an initial reduction of contenders to approximately three who will then be invited for interview at which time one will be selected. The initial reduction will be based on the collective judgment of a selection committee after reviewing data submitted by the responding consultants. Applicants should be aware that on projects not involving Federal funds, Minnesota Laws 1983, Chapter 336, provide that any contract awarded by a public agency for engineering services, erection, construction, alteration, or repair of any public building or structure, or for any public work or improvement for which competitive bidding is not required by law, must be awarded to a Minnesota resident.

To that end a work proposal is hereby requested that will include the following:

1. A discussion of your understanding of the proposed work.
2. A description of your plan to accomplish the work.
3. A listing of individuals who you propose to perform the work including subconsultants if any.
4. Your Federal Forms 254/255.
5. Your brochure if you have one.
6. Resumes of key people who will be performing the work if not already included with above.

Please send your proposal to:

B. E. McCarthy
Consultant Services Engineer
Transportation Building
Room 612B
St. Paul, Minnesota 55155

To be considered, your proposal must be postmarked not later than twelve o'clock midnight August 29, 1983.

Questions regarding content of the study may be directed to Mr. Don Flemming at 612-545-3761. Questions regarding submission of the proposal may be directed to Mr. B. E. McCarthy at 612-296-3051.

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.

**Department of Agriculture
Plant Industry Division****Notice of Intent to Solicit Outside Opinion Regarding Proposed Amendments to Rules
Governing Seed Potato Certification**

Notice is hereby given that the Minnesota Department of Agriculture has begun to consider amendments to rules governing the Seed Potato Certification program. Rules 3 MCAR §§ 1.0127-1.0135 presently govern this matter. The proposed amendments, if adopted, would include the following changes: change the name "Foundation" to "Primary Foundation" and change the name "Approved" to "Foundation." The changes would facilitate the inter-state trade of Minnesota seed potatoes.

In order to adequately determine the nature and utility of such rules, the Department of Agriculture hereby requests information and comments from all interested individuals or groups concerning the subject matter of the proposed amendments to the rules.

All interested or affected persons or groups are requested to participate. Statements of information and comment may be made orally or in writing.

Written statements of information and comment may be addressed to:

Gerald Heil, Director
Planning Division
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107

Oral statements of information and comment will be received during regular business hours over the phone at (612) 296-1486, and in person at the above address.

All statements of information and comment must be received by August 26, 1983. Any written material received by the department shall become part of the record submitted to the Attorney General.

August 1, 1983

Jim Nichols
Commissioner of Agriculture

OFFICIAL NOTICES

Board of Animal Health

Notice of Special Board Meeting

Minnesota Board of Animal Health
Special Board Meeting
Friday, August 19, 1983 at 9:30 a.m.
Kaiserhoff Restaurant
New Ulm, Minnesota

The special meeting is being called to discuss proposed pseudorabies rule amendments. Information about this meeting may be obtained by calling the Board of Animal Health, Telephone: (612) 296-5000.

July 29, 1983

J. G. Flint
Executive Secretary

Department of Commerce Financial Institutions Division

Bulletin No. 2801: Maximum Lawful Rate of Interest for Mortgage and Contracts for Deed for the Month of August 1983

Notice is hereby given that pursuant to section 47.20, subd. 4a, Minnesota Statutes 1982, as amended by chapter 288, 1983 Session Laws, the maximum lawful rate of interest for conventional home mortgages for the month of August 1983 is fifteen (15.00) percentage points. Further, the maximum lawful rate of interest for contracts for deed for the month of August 1983 is fifteen (15.00) percentage points.

It is important to note that this maximum lawful interest rate does not apply to all real estate loans and contracts for deed. Under Minnesota's interest rate moratorium, which is identical to the Federal Usury Preemption, in most instances any rate may be charged on real estate mortgages and contracts for deed that constitute first liens.

This is based on the Federal Home Loan Mortgage Corporation (FHLMC) July 12, 1983, auction results and a weighted average yield for 8 month conventional mortgage commitments of 14.410%. This result plus three-eighths (3/8) percent totals 14.785% and is rounded off to the next highest one-quarter of one percent per annum. Current rates regarding the monthly publication are available by telephoning the Division of Financial Institution's 24-hour information number (612) 297-2751.

July 22, 1983

Michael A. Hatch
Commissioner of Commerce

Department of Economic Security

Notice of Public Comment Period and Hearing on Proposed State Plan for the Minnesota Energy Assistance Program—1984

Notice is hereby given that a public comment period on the above-entitled matter will begin upon publication of this notice and will close after thirty (30) days at 4:30 p.m. Wednesday, September 7, 1983.

All interested or affected persons will have an opportunity to comment concerning the proposed State Plan for the Minnesota Energy Assistance Program—1984. A single copy of the State Plan may be obtained by writing to:

R. Jane Brown, Director
Minnesota Energy Assistance Program
690 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

Notice is hereby given that public hearings on the above-entitled matter will be held at:

City	Hearing Site & Address	Time	Date
Marshall	Southwest State University, Room L.C. 217	7-9 p.m.	8/22
Duluth	Duluth Public Library, 520 West Superior St., Gold Room	7-9 p.m.	8/23
Mankato	Regional Library, 100 E. Main	7-9 p.m.	8/23
Virginia	Arrowhead Economic Opport. Agency, 6th St. & 3rd Ave. S.	7-9 p.m.	8/24
Bemidji	J.W. Smith Elementary School Aud., 18th & Minnesota	7-9 p.m.	8/24
Rochester	Salvation Army, 20 First Avenue N.E.	7-9 p.m.	8/24
Brainerd	Crow Wing Cty. Service Bldg., 326 Laurel, Mtg. Room 1	7-9 p.m.	8/25
Mora	Kanabec County Museum, West Forest Avenue	7-9 p.m.	8/25
Montevideo	Chippewa Cty. Court House, Assem. Rm., 11th & Washington	7-9 p.m.	8/25
Crookston	1st National Bank, 201 N. Broadway	7-9 p.m.	8/29
Willmar	Municipal Utilities Aud., 700 W. Litchfield Ave.	7-9 p.m.	8/29
Fergus Falls	Ottertail Cty. Gov. Service Bldg., 505 South Court	7-9 p.m.	8/30
St. Cloud	St. Cloud City Hall Annex, Downtown	7-9 p.m.	8/30
Minneapolis	319 City Hall	7-9 p.m.	8/31
St. Paul	State Office Bldg., Auditorium, 435 Park Street	2-3 & 7-9 p.m.	9/01

Oral and written testimony may be submitted at the hearing. In addition, written testimony will be accepted at the above address until 4:30 p.m. Wednesday, September 7, 1983. All comments will be considered by the Department of Economic Security, Office of Energy Assistance.

Department of Energy and Economic Development Energy and Economic Development Authority

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Establishment and Administration of the School Energy Conservation Retrofit Loan Program

Notice is hereby given that the Energy and Economic Development Authority of the Department of Energy and Economic Development is seeking information or opinions from sources outside the agency in preparing to promulgate rules governing the School Energy Conservation Retrofit Loan Program. The promulgation of these rules is authorized by the Laws of Minnesota 1983, chapter 323, and Laws of Minnesota 1983, chapter 289.

The Energy and Economic Development Authority of the Department of Energy and Economic Development requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Marsha Battles
Energy and Economic Development Authority
Department of Energy and Economic Development
980 American Center Building
150 East Kellogg Boulevard
Saint Paul, Minnesota 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-6893 and in person at the above address.

All statements of information and comments shall be accepted. Any written material received by the Energy and Economic Development Authority of the Department of Energy and Economic Development shall become part of record in the event that the rules are promulgated.

Department of Health Emergency Medical Services Section Emergency Medical Services Licensure Application

As of August 8, 1983, a complete application was submitted by District Memorial Hospital EMS, Forest Lake, Minnesota, for a change in license from a basic life support transportation service to an advanced life support transportation service.

OFFICIAL NOTICES

This notice is given pursuant to Minnesota Statutes 1979, section 144.802, which requires in part that the Commissioner of Health shall publish the notice in the *State Register* at the applicant's expense; and in a newspaper in the municipality in which the service will be provided.

Each municipality, county, community health services agency, and any other interested person wishing to comment on this application may submit comments to the Metropolitan Health Planning Board, 300 Metro Square Building, Seventh & Robert Streets, St. Paul, MN. 55101, before the close of business on September 7, 1983.

After a public hearing has been held, the Metropolitan Health Planning Board shall recommend that the Commissioner of Health grant or deny a license or recommend that a modified license be granted. The Metropolitan Health Planning Board shall make the recommendations and reasons available to any individual requesting them.

Within 30 days of receipt of the recommendation to the Commissioner of Health, the commissioner shall grant or deny the license to this applicant.

State Board of Investment Investment Advisory Council

Notice of Regular Meetings

The State Board of Investment will meet on Wednesday, August 17, 1983 at 8:45 a.m. in Room 118, State Capitol.

The Investment Advisory Council will meet at 7:30 a.m. on Tuesday, August 16, 1983 in the MEA Building Conference Room, 41 Sherburne, Saint Paul.

Department of Natural Resources Minerals Division

Notice of Intent to Adopt Rules

The Department of Natural Resources is drafting rules relating to peatland reclamation. Promulgation of these rules is authorized by Laws of 1983, chapter 270.

The Minnesota Department of Natural Resources requests information and comments concerning these rules. Interested or affected persons or groups may submit statements of information or comments orally or in writing. Written statements should be addressed to:

Elwood F. Rafn
Director, Division of Minerals
Department of Natural Resources
Box 45
Centennial Office Building
St. Paul, MN 55155

Comments should be submitted by October 11, 1983.

Department of Natural Resources

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in Crow Wing County

Notice of and Order for Hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1980) will be held in Meeting Room 1, Social Services Building, Brainerd, MN, on September 8, 1983, commencing at 1:00 p.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of County representative Herb Thiesse, Route 1, Box 207, Brainerd, MN, Department of Natural Resources representative Maynard Nelson, Box 756, Highway 15 South, New Ulm, MN, and County Soil and Water Conservation District representative George Hall, Star Route 2, Pequot Lakes, MN.

Each of the waters listed in this notice is the subject of a petition for a hearing. The issue to be determined at the hearing is

whether the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1980) and the criteria contained in Minn. Stat. § 105.37, subs. 14 and 15 (1980). Please take notice that waters listed in para. A.2. may sometimes also be considered for designation, in the alternative, as wetlands.

A. PUBLIC WATERS

1. Watercourses.

<u>Name</u>	<u>Section</u>	<u>From Township</u>	<u>Range</u>	<u>Section</u>	<u>To Township</u>	<u>Range</u>
None.						

2. Preliminarily designated under section 105.37, subs. 14(a)-14(h).

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
None.			

B. WETLANDS

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
18-345: Unnamed	2	136 (City of Breezy Point)	28

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to Minn. Stat. §§ 14.63 to 14.69 (1982).

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. Minn. Stat. § 105.42, subd. 1 (1980). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner from utilizing the bed of those waters for pasture or cropland during periods of drought. Minn. Stat. § 105.391, subs. 10 and 12 (1980).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present and cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this notice and order may be directed to any member of the hearings unit or to

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
444 Lafayette Road
St. Paul, MN 55101
Telephone: 612/296-0516.

July 29, 1983

Joseph N. Alexander, Commissioner
Department of Natural Resources

Board of Nursing

Notice of Intent to Solicit Outside Opinions Regarding Proposed Rules Pertaining to Programs for Study for Certified Registered Nurse Anesthetists and Certified Nurse Midwives

Notice is hereby given that the Board of Nursing is seeking information or opinions from sources outside the agency in preparing to promulgate rules governing the program of study required of Certified Registered Nurse Anesthetists and Certified Nurse Midwives who receive payment from insurance carriers.

The promulgation of these rules is authorized by Minnesota Laws, 1983, chapter 221, section 2, which requires the board to establish and maintain a list of acceptable programs of study.

OFFICIAL NOTICES

Interested or affected persons or groups may submit statements of information or comment orally or in writing. Statements shall be accepted until September 16, 1983 and should be directed to:

Joyce M. Schowalter, RN
Executive Secretary
Minnesota Board of Nursing
718 Delaware St. SE
Minneapolis, MN 55414
Phone: (612) 623-5493

Any written material received by the Board of Nursing shall become part of the record in the event that the rules are promulgated.

Joyce M. Schowalter, RN
Executive Secretary

Board of Peace Officer Standards and Training

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Procedures for Investigation and Resolution of Allegations of Misconduct by Persons Licensed by the Board

Notice is hereby given that the Board of Peace Officer Standards and Training is seeking information or opinions from sources outside the agency in preparing to promulgate new rules governing the procedures for investigation and resolution of allegations of misconduct by persons licensed by the board. The promulgation of these rules is authorized by Laws of 1983, ch. 269, §§ 3-6, which requires the agency to develop administrative rules.

The Board of Peace Officer Standards and Training requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Mark K. Shields, Executive Director
Board of Peace Officer Standards and Training
333 Sibley Street, Suite 495
St. Paul, MN 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-2620 and in person at the above address.

All statements of information and comment shall be accepted until September 9, 1983. Any written material received by the Board of Peace Officer Standards and Training shall become a part of the record in the event that the rules are promulgated.

Mark K. Shields
Executive Director

Minnesota Pollution Control Agency

Notice of Intent to Solicit Outside Opinion Regarding Redesignation of the Twin Cities Sulfur Dioxide Nonattainment Area

Notice is hereby given that the Minnesota Pollution Control Agency (agency) is seeking information from sources outside the agency regarding redesignation of the Twin Cities sulfur dioxide nonattainment area. An area which does not comply with a National Ambient Air Quality Standard is required to be designated nonattainment by the U. S. Environmental Protection Agency (EPA) and stringent air pollution control measures are required. As these measures bring the area into attainment, the state may request redesignation by EPA. Since most of the seven county metropolitan area is now attaining the sulfur dioxide standard, redesignation to attainment for most of this area is appropriate.

The agency requests information concerning the geographical area that should be redesignated as attainment of the sulfur

dioxide standard or that should remain designated nonattainment of this standard. Written or oral statements may be submitted by interested persons to Douglas M. Benson at the address below or at 612/296-7743, during regular business hours.

Douglas M. Benson
Minnesota Pollution Control Agency
Division of Air Quality
1935 West County Road B-2
Roseville, Minnesota 55113

Statements will be accepted until August 22, 1983.

Dated this 1st of August, 1983.

Sandra S. Gardebring
Executive Director

Department of Public Welfare Support Services Bureau

Notice of Meeting Schedule of the Interagency Board for Quality Assurance

Notice is hereby given that the meeting schedule of the Interagency Board for Quality Assurance will be the 2nd and 4th Tuesdays of every month from 9:00 to 11:00 a.m. in Conference Room D, 4th Floor of the Centennial Office Building, 658 Cedar, St. Paul, Minnesota.

The Interagency Board for Quality Assurance deals with nursing home care and was instituted by Chapter 199 of the 1983 legislative session.

If you wish further information about these meetings, contact:

Linda Donahue
Bureau of Support Services
Department of Public Welfare
658 Cedar, 4th Floor
St. Paul, MN 55155
612/296-6633

Department of Public Welfare Mental Health Bureau

Notice of Intent to Solicit Outside Opinion Concerning Allocation of State Grant Funds for Semi-Independent Living Services (SILS) for Mentally Retarded Persons

Notice is hereby given that the Minnesota Department of Public Welfare is considering a temporary rule 12 MCAR § 2.020 [Temporary], Administration of Semi-Independent Living Services (SILS) for Mentally Retarded Persons. This rule will govern grant applications, criteria for approval of applications, allocation of grants, and maintenance of program and financial statements by grant recipients.

Authority for this rule is contained in Laws of Minnesota 1983, chapter 310.

All interested or affected persons or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Mental Retardation Program Division
Department of Public Welfare
4th Floor Centennial Building
St. Paul, Minnesota 55155

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-2682.

All statements of information and comment must be received by September 5, 1983. Any written material received by the department shall become part of the rule record submitted to the Attorney General for review.

OFFICIAL NOTICES

Department of Public Welfare Chemical Dependency Program Division Mental Illness Program Division

Notice of Legislative Hearings on the Federal Alcohol, Drug Abuse and Mental Health Block Grant, and the Availability of a Statement Describing the Intended Use of Alcohol and Drug Abuse Funds from the Alcohol, Drug Abuse and Mental Health Block Grant—Federal Fiscal 1984

Notice is hereby given that the Senate Health and Human Services Committee will conduct a hearing on the use of the Federal Alcohol, Drug Abuse and Mental Health Block Grant on Thursday, August 25, 1983, at 10:00 AM in Room 15, Minnesota State Capitol. The House of Representatives Health and Welfare Committee will hold a similar hearing on September 20, 1983, at 10:00 a.m. in Room 57, State Office Building.

Notice is also given that the Department of Public Welfare has available a Description of Intended Use for the alcohol and drug abuse funds available to the State of Minnesota from the Federal Fiscal Year 1984 Alcohol, Drug Abuse and Mental Health Block Grant. This description is being made available to the public for comment in accord with Part B, Section 1915(d) of Title IX, Omnibus Budget Reconciliation Act of 1981.

All interested or affected persons or groups are invited to comment. Copies of the description are available from:

Sheila Vadnais
Chemical Dependency Program Division
Department of Public Welfare
Centennial Office Building, 4th Floor
St. Paul, MN 55155
(612) 296-3991

Comments on the proposed plan may be directed to the same address and phone number. Oral requests and comments will be received during normal business hours.

Office of the Secretary of State

Notice of Vacancies in Multi-Member State Agencies

Notice is hereby given to the public that vacancies have occurred in multi-member state agencies, pursuant to Minn. Stat. 15.0597, subd. 4. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul 55155-1299; (612) 296-2805. Application deadline is August 30, 1983.

ALCOHOL AND OTHER DRUG ABUSE ADVISORY COUNCIL has 1 vacancy open immediately for a person interested in alcohol dependency. The council advises the Commissioner of Public Welfare on problems of chemical dependency. Members are appointed by the Governor. Monthly meetings are held. Members receive \$35 per diem plus expenses. For specific information contact the Alcohol and Other Drug Abuse Advisory Council, 4th Floor, Centennial Bldg., St. Paul 55155; (612) 296-3991.

BOARD OF OPTOMETRY has 1 vacancy open immediately for a public member. The board licenses optometrists; adopts rules; and investigates complaints. Members are appointed by the Governor. Members must file with EPB and receive \$35 per diem plus expenses. For specific information contact the Board of Optometry, Room 342, 717 Delaware St., S.E., Mpls. 55440; (612) 623-5544.

WORKERS' COMPENSATION COURT OF APPEALS has 1 vacancy open for a judge. Must be learned in the law and have knowledge and experience in the Workers' Compensation Law (Minn. Stat. § 175A.01, subd. 1). Has appellate jurisdiction on all workers' compensation claims, and original jurisdiction on peace officers dependents claims. Appointed by the Governor and confirmed by the Senate; serve 6 year terms. Members must file with EPB. Full time position; salary is set at 90% of district court judge salary. For specific information contact the Workers' Compensation Court of Appeals, M.E.A. Bldg., 55 Sherburne, St. Paul 55103; (612) 296-6409.

PUBLIC UTILITIES COMMISSION has 1 vacancy open immediately for a member. The commission regulates the rates and operations of electric, natural gas, and telephone utilities. Act through adjudicatory hearings, rule-making hearings, and

informal complaint resolutions. Members should be learned in the law; engaged in the profession of engineering, public accounting or property and utility valuation. Members appointed by the Governor and confirmed by the Senate for six-year terms. Must file with EPB. Full-time position; members receive \$40,000 per year. For specific information contact the Public Utilities Commission, 780 American Center Bldg., 160 E. Kellogg Blvd., St. Paul 55101; (612) 296-7124.

MINNESOTA PROPERTY INSURANCE PLACEMENT FACILITY (Fair-Plan Governing Committee) has 2 vacancies open for public members. Administers the Fair-Plan Act to make property insurance available in urban areas. Members appointed by the Commissioner of Commerce; members receive no compensation. For specific information contact the Minnesota Property Insurance Placement Facility, 12 S. 6th St., Room 1229, Mpls. 55402; (612) 338-7584.

WATER WELL CONTRACTORS AND EXPLORATORY BORERS ADVISORY COUNCIL has 2 vacancies open immediately for a professional engineer and a certified professional geologist. The council advises the Department of Health on licensing water well contractors and exploratory borers, and on administering the Water Well Construction Code. Members are appointed by the Commissioner of Health and receive \$35 per diem plus expenses. For specific information contact the Water Well Contractors and Exploratory Borers Advisory Council, 717 Delaware St., S.E., Mpls. 55440; (612) 623-5338.

CONTINUING INSURANCE EDUCATION ADVISORY TASK FORCE has 13 vacancies open immediately. Desired qualifications include the following: 3 members who are neither employed by an insurance company nor licensed as an insurance agent; 3 members who are employed by an insurance company, but not licensed; 7 members who are licensed insurance agents. The task force shall provide suggestions for rules relating to mandatory continuing education for insurance licensees. Members must be residents of Minnesota, are compensated for expenses, and are appointed by the Commissioner of Commerce. For specific information contact the Continuing Insurance Education Advisory Task Force, Barbara M. Kivisto, Commerce Dept., 500 Metro Square Bldg., St. Paul 55101; (612) 296-6391.

HAZARDOUS WASTE MANAGEMENT PLANNING COUNCIL has 4 vacancies open immediately for the following: 2 as citizen representatives and 2 as local government representatives. The council makes recommendations to the Waste Management Board on planning for and siting of hazardous waste processing and disposal facilities. Members are appointed by the chair-person of the Waste Management Board. Meetings are held once monthly. Members are compensated for expenses. For specific information contact the Hazardous Waste Management Planning Council, 123 Thorson Bldg., 7323-58th Ave. N., Crystal 55428; (612) 536-0816.

MINNESOTA JOB SKILLS PARTNERSHIP BOARD has vacancies for 8 members who must have expertise in and be representative of the following fields of education, job skills training, labor, business and government. The board shall bring together employers with specific training needs with educational or other non-profit institutions which can design programs to meet those needs. It shall train and place workers, and assist in development of training programs. Members are appointed by the Governor. Terms are staggered. Members receive no compensation. For specific information contact the Minnesota Job Skills Partnership Board, Roberta Schneider, 130 Capitol, St. Paul 55155; (612) 296-1792.

COMPENSATION COUNCIL has vacancies for 8 members, one from each congressional district and no more than 4 from any political party. The council shall recommend by January 1, 1984 to the legislature salary plans for constitutional officers, legislators and state judges. Members are appointed by the Governor and receive \$35 per diem. For specific information contact the Compensation Council, Roberta Schneider, 130 Capitol, St. Paul 55155; (612) 296-1792.

WATER RESOURCES BOARD has 1 vacancy open for a member at-large. The board has jurisdiction in establishment of watershed districts; and resolves water policy questions between governmental departments or between individuals and governmental departments. Members are appointed by the Governor and confirmed by the Senate; they may not be government employees. Members must file with EPB. Monthly meetings are held. Members receive \$35 per diem. For specific information contact the Water Resources Board, Room 206, 555 Wabasha St., St. Paul 55102; (612) 296-2840.

HIGHER EDUCATION COORDINATING BOARD has 1 vacancy open for a member at-large. The board analyzes and develops plans to meet present and long range higher education needs. Members are appointed by the Governor and confirmed by the Senate. Members must file with EPB. Monthly meetings are held. Members receive \$35 per diem. For specific information contact the Higher Education Coordinating Board, 400 Capitol Square Bldg., St. Paul 55101; (612) 296-3974.

CABLE COMMUNICATIONS BOARD has 1 vacancy for a public member. The board establishes rules and standards for cable communications in the state; approves service territories; provides consultant services; and represents the state before the federal communications commission. Members are appointed by the Governor and confirmed by the Senate; they must file with EPB, they may not be employed by or have financial interest in any communications company or subsidiaries; and no more than 4 members may be of the same political party. Monthly meetings are held. For specific information contact the Cable Communications Board, 500 Rice Street, St. Paul 55103; (612) 296-2545.

BOARD OF PODIATRY has 1 vacancy open for a licensed podiatrist. The board licenses podiatrists and investigates complaints. Members are appointed by the Governor and must file with EPB. Meetings are held every third month. Members

OFFICIAL NOTICES

receive \$35 per diem plus expenses. For specific information contact the Board of Podiatry, 717 Delaware St., S.E., Mpls. 55440; (612) 623-5513.

MUNICIPAL BOARD has 1 vacancy open for a member learned in the law. The board acts on all boundary adjustments between a city and adjacent land, and rules on incorporations. Members are appointed by the Governor and must file with EPB. Monthly meetings are held. Members receive \$50 per diem plus expenses. For specific information contact the Municipal Board, 165 Metro Square Bldg., St. Paul 55101; (612) 296-2428.

JUVENILE JUSTICE ADVISORY COMMITTEE has 1 vacancy open for a member at-large. Members must have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice. At least 1/5 must be under the age of 24; at least 3 shall have been or shall currently be under the jurisdiction of the juvenile justice system. Members are appointed by the Governor and are compensated for travel expenses. For specific information contact the Juvenile Justice Advisory Committee, 100 Hanover Bldg., St. Paul 55101; (612) 296-3133.

MINNESOTA MARKET ASSISTANCE PROGRAM COMMITTEE FOR LIQUOR LIABILITY has 4 vacancies open immediately for public members. The committee shall assist liquor licensees to obtain dram shop liability coverage. Members are appointed by the Commissioner of Commerce and receive no compensation or per diem. Meetings are held at the call of the Commissioner of Commerce. For specific information contact the Minnesota Market Assistance Program Committee for Liquor Liability, Bill Kyle, 500 Metro Square Bldg., St. Paul 55101; (612) 296-6944.

Department of Transportation Office of Transit

Notice of Intent to Solicit Applications

Notice is hereby given that the Commissioner, Minnesota Department of Transportation (Mn/DOT) is soliciting applications from providers of public transportation in non-urbanized areas of Minnesota (less than 50,000 population) under Section 9A of the Urban Mass Transportation Act of 1964, as amended.

Section 9A is an authorization for transit related capital expenditures. It's a one-year program of formula apportioned assistance which may be used for the following purposes: routine transit capital, normal bus facility modernization and/or construction, bus rehabilitation, purchase of support equipment such as radios, passenger shelters, bus stop signs, significant spare parts such as engines and transmissions, and for operations and maintenance planning. Funding is 80% federal, 20% local.

Applications for Section 9A grants must be received by September 13, 1983. More detailed instructions as to the application procedure may be obtained by writing Mr. Al Vogel, Minnesota Department of Transportation, 815 Transportation Building, St. Paul, Minnesota, 55155 or by calling him at (612) 296-0372.

STATE OF MINNESOTA

State Register and Public Documents Division
117 University Avenue
St. Paul, Minnesota 55155

ORDER FORM

State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court and Tax Court decisions.

- _____ Annual subscription \$130.00
- _____ Trial subscription (13 weeks) \$40.00
- _____ Single copies \$3.25 each

Minnesota Guidebook to State Agency Services 1982-83 A 750-page reference guide to services provided by Minnesota agencies.

_____ Single copy \$9.00 + \$.54 sales tax = \$9.54* each

Session Laws of Minnesota—1982. One volume. Laws enacted during the 1982 legislative session. Inquire about back volumes. \$35 + \$2.10 (sales tax) = \$37.10.*

State Register Binder. Durable 3½ inch, forest green binders imprinted with the *State Register* logo.

_____ **State Register Binder** \$6.50 + \$.39 (sales tax) = \$6.89* each

State Register Index. Contains cumulative findings aids to Volume 6 of the *State Register*, including MCAR Amendments and Additions, Executive Orders List, Executive Orders Index, Agency Index, Subject Matter Index.

_____ Single copy \$5.00

Worker's Compensation Decisions. Volume 35. Selected landmark decisions of the Worker's Compensation Court of Appeals. Available by annual subscription, with quarterly update service.

_____ Annual subscription \$65.00

Minnesota Outdoors Catalog—1983. Complete listing of material on the Minnesota outdoor activities. Bikeways, canoeing, county, lake and other maps. Books, charts, rules, laws, posters and more.

_____ FREE COPY

*To avoid Minnesota sales tax, please include your Certificate of Exempt Status issued by the Minnesota Department of Revenue. Please enclose full amount for items ordered. Make check or money order payable to "State of Minnesota."

EACH ORDER MUST INCLUDE ADDITIONAL \$1.50 FOR POSTAGE AND HANDLING.

Name _____

Attention of: _____

Street _____

City _____ State _____ Zip _____

Telephone _____

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:

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.

Perspectives—Publication about the Senate. Contact Senate Information Office.

Weekly Wrap-Up—House committees, committee assignments of individual representatives, news on committee meetings and action, House action and bill introductions. Contact House Information Office, Room 8 State Capitol, St. Paul, MN, (612) 296-2146.

This Week—weekly interim bulletin of the House. Contact House Information Office.

Legislative Reference Library
Room 111 Capitol
Interoffice