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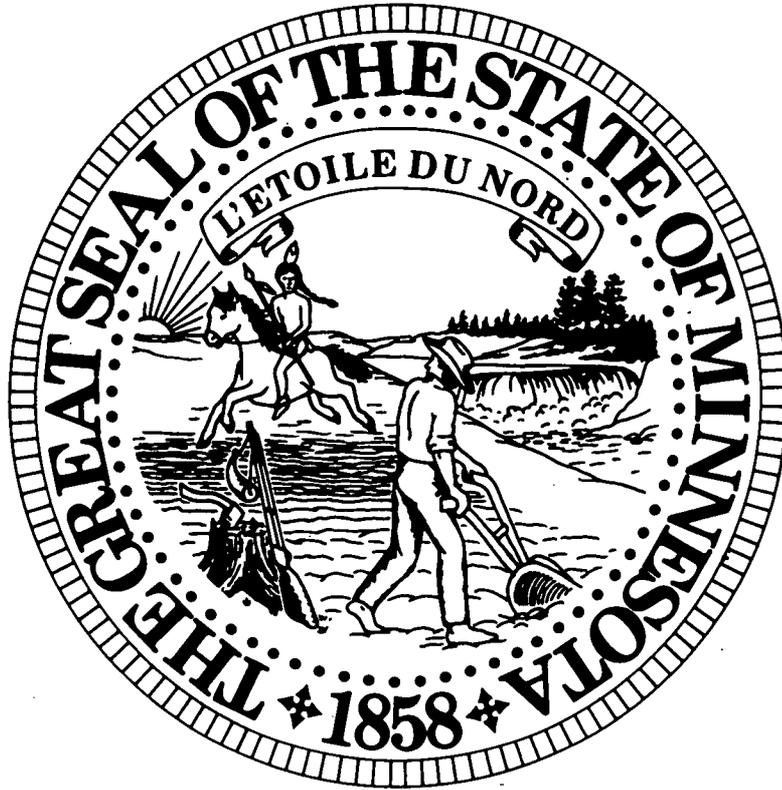
The Minnesota

# State Register

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Department of Administration—Print Communications Division



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

**Tuesday 18 January 1994**  
**Volume 18, Number 29**  
**Pages 1661-1684**

# State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional, technical and consulting contracts, non-state bids and public contracts, and grants.

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

### Printing Schedule and Submission Deadlines

Vol. 18 Issue Number	PUBLISH DATE	Submission deadline for Adopted and Proposed Rules	Submission deadline for: Emergency Rules, Executive Orders, Commissioner's Orders, Revenue Notices, Official Notices, State Grants, Professional, Technical and Consulting Contracts, Non-State Bids and Public Contracts
29	Tuesday 18 January	Monday 3 January	Monday 10 January
30	Monday 24 January	Monday 10 January	Friday 14 January
31	Monday 31 January	Friday 14 January	Monday 24 January
32	Monday 7 February	Monday 24 January	Monday 31 January

The *State Register* is published by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, MN 55155, pursuant to *Minnesota Statutes* § 14.46.

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**Perspectives**—Publication about the Senate.

**Session Review**—Summarizes actions of the Minnesota Senate.

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Room 231 State Capitol, St. Paul, MN 55155  
(612) 296-0504

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

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# Minnesota Rules: Amendments and Additions

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

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

Issue #27-28 Inclusive (issues #1-26 appeared in #26)

### Pollution Control Agency

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<i>Minnesota Statutes</i> set + supplement	18-2	\$165.00	-- via First Class Mail	90-5	\$125.00
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<i>Tax Court/Property Decisions</i>	90-11	\$350.00	-- via ONLINE Service	90-7-online	\$140.00
<i>Workers Compensation Decisions</i> Vol. 48	90-13	\$195.00	Trial Subscription (13 weeks) of both <i>State Register</i> and <i>Contracts Supplement</i>	90-2	\$ 60.00

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## Adopted Rules

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

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

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

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

## Pollution Control Agency

### Adopted Permanent Rules Relating to Fees for Hazardous Waste

The rules proposed and published at *State Register*, Volume 18, Number 15, pages 1041-1048, October 11, 1993 (18 SR 1041), are adopted with the following modifications:

#### Rules as Adopted

#### 7046.0010 DEFINITIONS.

Subp. 2a. Closed system. A "closed system" means a conveyance system for waste that consists entirely of permanent and rigid components where no human handling is needed to convey the waste from the point where it becomes a waste to the point of discharge to a sewer system.

Subp. 17b. Sewer system. "Sewer system" means a tributary or tributaries to a publicly owned treatment works or to a facility holding a National Pollutant Discharge Elimination System (NPDES) permit or State Disposal System (SDS) permit.

Subp. 18. Sewered wastes. "Sewered wastes" means wastes that are discharged to a sewer system ~~which is tributary to a publicly owned treatment works or to a facility holding a National Pollutant Discharge Elimination System (NPDES) permit or State Disposal System (SDS) permit,~~ and that are hazardous wastes at the point of generation before treatment or commingling with other wastewater which may or may not render them nonhazardous.

#### 7046.0031 NONMETROPOLITAN AREA GENERATOR FEES.

Subpart 1. **Basis of fees.** Nonmetropolitan area generators must pay a hazardous waste generator fee that consists of an annual fee under subpart 4 and a statewide program fee under part ~~7045.0040~~ 7046.0040. The agency shall charge nonmetropolitan area generator fees based on the license application and licensing reports submitted by generators or other appropriate information available to the agency. Beginning July 1, 1994, fees will be examined annually and adjusted, as necessary, under part 7046.0060.

Subp. 4. **Annual fees.** The annual fee is the minimum fee in item A or the total waste generation quantity fee ~~fees~~ in item B, whichever is greater. Very small quantity generators pay the minimum fee and are exempt from quantity fees.

B. **Quantity fee.** The quantity fee is assessed for each waste stream according to the quantity rate table and management method factors. To determine the quantity fee, the applicable rate from the table in subitem (1) is applied to each waste stream quantity, and the result multiplied by the applicable management factor in subitem (2) for that waste stream. The quantity fee for a sewerage waste stream is determined under item C.

**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

(1) Quantity rate table. A generator may report quantities in pounds or gallons. For the purposes of this part, one gallon of hazardous waste equals ten pounds of hazardous waste.

	POUNDS/GALLONS	POUNDS	GALLONS
STEP 1	\$0.052 / \$0.52	0 - 4,000	0 - 400
STEP 2	One-fourth of step 1 rate	4,001 - 26,400	401 - 2,640
STEP 3	One-half of step 2 rate	26,401 - 100,000	2,641 - 10,000
STEP 4	One-tenth of step 3 rate	100,001 - 500,000	10,001 - 50,000
STEP 5	\$0.00 / \$0.00	> than 500,000	> than 50,000

Beginning July 1, 1994, the quantity rate table will be examined annually and step 1 will be adjusted, if necessary, under part ~~7045.0060~~ 7046.0060, step 18.

(2) Management method factors. The commissioner will reduce fees for generators who use hazardous waste management methods that are environmentally beneficial by the following factors:

(a) hazardous waste managed in the following ways has a management method factor of 0.5: recycled, neutralized and is not hazardous for any other reason; or burned for fuel under part 7045.0692; or ~~sewered waste that is pretreated to a nonhazardous state;~~

(b) hazardous waste managed in the following ways way has a management method factor of 0.7: items containing hazardous waste laundered by a commercial service or ~~sewered waste that is pretreated and remains hazardous;~~ and

C. Sewered waste streams. The quantity fee for hazardous waste that is discharged to a sewer system is assessed according to subitems (1) to (5):

(1) For hazardous waste that is not pretreated prior to discharge, the quantity fee is assessed under item A or B, whichever is greater.

(2) For hazardous waste that is managed in a closed system and that is pretreated to a nonhazardous state prior to discharge where the pretreatment process produces residuals classified as hazardous, the quantity fee is assessed based on the quantity of the residuals. The quantity fee is determined under item B using the quantity of the residuals after pretreatment and not the quantity of hazardous waste generated before pretreatment.

(3) For hazardous waste that is managed in a closed system and that is pretreated to a nonhazardous state prior to discharge where the pretreatment process does not produce residuals or produces residuals that are nonhazardous, the quantity fee is determined by dividing the quantity of hazardous waste generated before pretreatment by a factor of 600. The quantity rates in item B are then applied to the result to determine the quantity fee.

(4) For hazardous waste that is not managed in a closed system and that is pretreated to a nonhazardous state prior to discharge, the quantity fee is assessed under item A or B, whichever is greater. If assessed under item B using the quantity rate table, the fee for that sewered waste stream will be reduced by a management factor of 0.5.

(5) For hazardous waste that is managed in either a closed or an open system and that is pretreated and remains hazardous prior to discharge, the quantity fee is assessed under item A or B, whichever is greater. If assessed under item B using the quantity rate table, the fee for that sewered waste stream will be reduced by a management factor of 0.7.

If the quantity fee for pretreated sewered waste is assessed on the quantity of hazardous waste generated before pretreatment, the portion of the residual attributable to that waste stream is exempt from fees under this chapter.

Pretreated sewered waste is presumed to be hazardous until the generator provides adequate documentation to the commissioner that the waste is pretreated to a nonhazardous state. The generator may provide documentation under the licensing procedures provided in parts 7045.0225 to 7045.0250 or under the appeal procedure provided in part 7046.0070.

### 7046.0045 RETROACTIVE FEE.

Subpart 1. **Applicability.** For large quantity and small quantity generators, the commissioner shall assess annual and statewide program fees retroactively for each calendar year, up to a maximum of three calendar years, prior to the most recent calendar year subject to fees. Retroactive fees for waste produced for less than the maximum retroactive period may be prorated based on actual months of production if documented by the generator under the appeal procedure provided in part ~~7045.0070~~ 7046.0070. Retroactive fees apply according to items A to C.

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* §270.0604.

## Department of Revenue

### Revenue Notice #94-1: Employer-provided Educational Assistance.

#### Federal Exclusion of Employer-provided Educational Assistance:

The federal government's recently enacted Omnibus Budget Reconciliation Act of 1993 restores the exclusion of up to \$5,250 of employer-provided educational assistance benefits from federal taxable income. The provision, contained in section 127 of the Internal Revenue Code, had expired on June 30, 1992. The Revenue Reconciliation Act retroactively reinstated the provision as of July 1, 1992. The retroactive change has resulted in federal refund claims.

#### Minnesota Refunds:

Minnesota has not adopted the federal changes. Minnesota may adopt the federal changes this coming year and may or may not choose to apply them retroactively. Until Minnesota law is changed, the Minnesota Department of Revenue cannot allow claims for refund based on the federal changes. However, if a taxpayer files an amended 1992 Minnesota return on the basis of the federal changes, the department will not affirmatively deny the claim for refund. Instead, the department will hold the amended return until the end of the legislative session. If the federal changes are adopted, the department will allow the claim. If not, the department will deny it.

#### Federal Form W-2, wage and Tax Statement:

When employers amend their employees' 1992 W-2 forms for federal purposes, they should not amend the amount listed for state wages. The department will not require employers to amend their employees' W-2 forms for state purposes. Employers should not adjust state wages on 1993 W-2 forms to reflect the exclusion.

#### 1993 Minnesota Returns

In 1993, taxpayers who receive educational assistance benefits will have higher Minnesota taxable income than federal taxable income. Because Minnesota income tax forms have not been adjusted to reflect the federal changes, taxpayers will still be using their federal taxable incomes to calculate their Minnesota income tax liabilities. If Minnesota adopts the federal changes, no adjustments will need to be made. If the law is not changed, taxpayers who received educational assistance benefits will have to increase their Minnesota taxable income in 1993.

#### 1994 Withholding:

In 1994, the department will not require employers to withhold state tax attributable to provision of educational assistance benefits to employees. If Minnesota adopts the federal changes for 1994, no adjustments will need to be made by the department or by taxpayers. If Minnesota does not adopt the federal changes, employers will have to withhold additional tax from employees wages during the second half of the year. If this occurs, the department will abate penalties for employers' late deposits of withheld tax and will not impose additional tax charges on employees' for under-withholding attributable to employer-provided educational assistance.

Dated: 17 January 1994

Debra L. McMartin  
Assistant Commissioner for Tax Policy

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## Official Notices

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

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

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## Department of Commerce

### Official Notice: Minnesota Joint Underwriting Association Notice of Activation to Insure Specified Classes of Business and Public Hearing

NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes*, section 62I.21, the Minnesota Joint Underwriting Association (MJUA) and the Market Assistance Plan (MAP) are activated to provide assistance to the following classes of business unable to obtain insurance from private insurers:

## Official Notices

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INDUSTRIAL SAFETY CONSULTANT  
DESIGN ENGINEER  
STRUCTURAL ENGINEER  
MECHANICAL CONTRACTOR

The MJUA and MAP are activated to provide assistance to the above classes of business for a period of 180 days following publication of this notice. A public hearing will be held, for the purpose of determining whether activation should continue beyond 180 days, at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota, 55401-2138, on March 28, 1994, at 9:30 a.m. and continuing until all interested persons and groups have had an opportunity to be heard. The hearing shall be governed by *Minnesota Statute* Sections 14.57-14.69 and by *Minnesota Rules* Parts 1400.1500-1400.8400, (1985). Questions regarding the procedure may be directed to Administrative Law Judge George Beck, 100 Washington Square, Suite 1700, Minneapolis, MN 55401-2138, telephone (612) 341-7601. The authority for this proceeding is found in Chapter 62I of *Minnesota Statutes*, specifically sections 62I.21 and 62I.22. (A copy of those sections follows this notice.)

Prior to the hearing a pre-hearing conference will be held at 9:30 a.m. on March 10, 1994, at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138.

*Minnesota Statutes*, Chapter 62I, which governs the Minnesota Joint Underwriting Association provides for temporary activation for 180 days by the Commissioner of Commerce. To extend the Minnesota Joint Underwriting Association's authority beyond the 180 day period a hearing must be held. Those classes of business for which the Minnesota Joint Underwriting Association was temporarily activated, by this notice and by previously published notices, must prove, at the hearing, that they meet the statutory requirements for coverage by the Minnesota Joint Underwriting Association.

Among those requirements are:

- (1) That members of those classes are unable to obtain insurance through ordinary means;
- (2) That the insurance being sought is required by statute, ordinance, or otherwise required by law, or is necessary to earn a livelihood or conduct a business; and
- 3) That the classes of business serve a public purpose.

The classes of business specified in this notice and previously published notices must be shown to meet the statutory requirements of the Minnesota Joint Underwriting Association's authority to provide coverage to them will end after 180 days from the date the notice of activation was published in the *State Register*.

Activation of a class of business does not guarantee coverage to any class member. Coverage of individual class members is determined by the Minnesota Joint Underwriting Association on a case by case basis once the class has been activated. The MJUA's address is: Pioneer Post Office Box 1760, St. Paul, Minnesota 55101. Their phone number is (612) 222-0484.

The Department strongly suggests that any persons affected by this hearing or otherwise interested in the proceedings familiarize themselves with the requirements of Chapter 62I and the contested case procedures prior to the hearing, that they take such other steps as are appropriate to protect their interest and that any questions they may have as to how to proceed or how to participate at the hearing be directed to the Administrative Law Judge prior to the hearing.

All interested or affected persons will have an opportunity to participate at the hearing. Questioning of agency representatives or witnesses, and of interested persons making oral statements will be allowed in the manner set forth in the Rules pertaining to contested cases (*Minnesota Rules* parts 1400.1500-1400.8400).

Anyone wishing to oppose activation beyond the 180 days for any particular class, must file a petition to intervene with the administrative law judge at least 10 days before the hearing date. If no notice to intervene is filed for a class, then the class is activated beyond the 180 day period without further action.

*Minnesota Statutes* chapter 10A requires each lobbyist to register with the State of Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statute* Section 10A.01, subdivision 11 as an 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 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 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.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Dated: 10 January 1994

**62I.21 ACTIVATION OF MARKET ASSISTANCE PLAN AND JOINT UNDERWRITING ASSOCIATION.**

At any time the commissioner of commerce deems it necessary to provide assistance with respect to the placement of general liability insurance coverage on Minnesota risks for a class of business, the commissioner shall by notice in the *State Register* activate the market assistance plan and the joint underwriting association. The plan and association are activated for a period of 180 days from publication of the notice. At the same time the notice is published, the commissioner shall prepare a written petition requesting that a hearing be held to determine whether activation of the market assistance plan and the joint underwriting association is necessary beyond the 180-day period. The hearing must be held in accordance with section 62I.22. The commissioner by order shall deactivate the market assistance program and the joint underwriting association at any time the commissioner finds that the market assistance program and the joint underwriting association are not necessary.

**62I.22 HEARING.**

Subdivision 1. **ADMINISTRATIVE LAW JUDGE.** The commissioner shall forward a copy of the petition to activate the market assistance plan and the joint underwriting association with respect to a class of business to the chief administrative law judge. The chief administrative law judge shall, within three business days of receipt of the copy of the petition, set a hearing date, assign an administrative law judge to hear the matter, and notify the commissioner of the hearing date and administrative law judge assigned to the matter. The hearing date must be no less than 60 days nor more than 90 days from the date of receipt of the petition by the chief administrative law judge.

Subd. 2. **NOTICE.** The commissioner of commerce shall publish notice of the hearing in the *State Register* at least 30 days before the hearing date. The notice should be that used for rulemaking under chapter 14. Approval by the administrative law judge of the notice prior to publication is not required. The notice must contain a statement that anyone wishing to oppose activation beyond 180 days for any particular class, must file a petition to intervene with the administrative law judge at least ten days before the hearing date. If no notice to intervene is filed for a class then the class is activated beyond the 180 day period without further action.

Subd. 3. **CONTESTED CASE; REPORT.** The hearing and all matters after the hearing are a contested case under chapter 14. Within 45 days from the commencement of the hearing and within 15 days of the completion of the hearing of the administrative law judge shall submit a report to the commissioner of commerce. The parties, or the administrative law judge, if the parties cannot agree, shall adjust all time requirements under the contested case procedure to conform with the 45 day requirement.

Subd. 4. **DECISION.** The commissioner shall make a decision within ten days of the receipt of the administrative law judge's report.

Subd. 5. **WAIVER OF MODIFICATION.** If all parties to the proceeding agree, any of the requirements of this section may be waived or modified.

Subd. 6. **CASE PRESENTATION.** The department of commerce, upon request by small businesses as defined by section 14.115, subdivision 1, shall assist small businesses in any specific class requesting continuation of coverage beyond the 180 day period, in coordinating the class and presenting the case in the contested hearing.

## Department of Health

### Notice of Solicitation of Outside Information or Opinions Regarding Development of Permanent Rules Governing the Collection of Health Care Data

**NOTICE IS HEREBY GIVEN** that the State Department of Health is seeking information or opinions from sources outside the Department in preparing to propose the adoption of permanent rules governing the collection of health care data. The adoption of the permanent rules is authorized by *Minnesota Statutes*, section 62J.35, subdivision 5, as enacted in 1993 *Minnesota Laws*, chapter 345, article 3, section 8, which states: "The commissioner shall adopt permanent rules and may adopt emergency rules to implement the data collection and reporting requirements in this chapter." *Minnesota Statutes*, chapter 62J, sets out data collection and reporting requirements for the 1992 and 1993 MinnesotaCare legislation.

In November 1993, the Commissioner of Health adopted four sets of emergency rules: chapter 4650, aggregate data from hospitals; chapter 4651, aggregate data from health care providers; chapter 4652, aggregate data from commercial insurance companies; and, chapter 4653, encounter level data from group purchasers. We will use the emergency rules as the starting point for the development of the permanent rules. We anticipate that the permanent rules will differ from the emergency rules based on what we learn in implementing the emergency rules, comments received from the public, and 1994 legislation. The permanent rules may also include the collection of quality indicators. The permanent rules may also include the collection of other data necessary to carrying out the Department's statutory requirements for data collection and reporting.

The Department intends to form an advisory task force and four advisory work groups to advise the Department on the development of the rules. There will be one work group for each set of rules. The work groups will develop the four sets of rules and will report to the task force. The task force will oversee the work on all four sets of rules and will coordinate the work on issues common to more than one set of rules.

## Official Notices

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The task force will have approximately ten members. Five members will come from the Minnesota Health Data Institute and five members will be selected by the Department. The Minnesota Health Data Institute is created in *Minnesota Statutes*, section 62J.45, and is a public-private partnership between the Commissioner of Health and a Board of Directors representing health carriers and other group purchasers, health care providers, and consumers. The work groups will be made up of persons who are technically qualified to advise on data collection issues. We will invite persons to serve on the task force and work groups who commented on the emergency rules or who express an interest in the permanent rules. We will try to accommodate all interested persons.

The Department intends to form the task force and work groups by late January or early February 1994. The task force and work groups are expected to complete their work by the end of May 1994. The Department intends to publish a Notice Of Intent To Adopt Rules in July 1994. The rulemaking process should be completed by September 1994, if a rulemaking hearing is not required, or by December 1994, if a hearing is required.

The State Department of Health requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written statements should be addressed to:

Dave Orren  
Minnesota Department of Health  
Health Care Delivery Systems  
121 East Seventh Place  
P.O. Box 64975  
St. Paul, Minnesota 55164-0975

Oral statements will be received during regular business hours over the telephone at (612)282-6310 and in person at the above address.

All statements of information and opinions will be accepted until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. Any written material received by the Department will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

Dated: 10 January 1994

Mary Jo O'Brien, Commissioner  
Department of Health

## Labor and Industry Department

### Labor Standards Division

#### Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective January 17, 1994 prevailing wage rates were determined and certified for commercial construction projects in: Beltrami county: Bemidji State University Tamarack Hall Windows-Bemidji. Carlton county: 1994 Moose Lake Fire Sprinkling & Door Replacement-Moose Lake, Nopeming Truck Station-Nopeming. Chisago county: North Branch Truck Station Addition-North Branch. Hennepin county: Osseo School District Orchard Lane/Park Brook/Garden City Elementary Additions/Alterations, Hennepin County Government Center Asbestos Abatement/Elevators & Plenums, Minneapolis Technical College Exterior Rehabilitation-Minneapolis. Jackson county: Des Moines Rest Area Re-roofing-Des Moines. Ramsey county: Maxfield Magnet School Computer Room Improvements, League of Minnesota Cities-St. Paul. Winona county: St. Charles Truck Station-St. Charles.

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

John B. Lennes, Jr.  
Commissioner

## Minnesota State Retirement System

### Board of Directors, Regular Meeting

The regular meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, January 21, 1994, at 9:00 a.m. in the office of the System, 175 W. Lafayette Frontage Road, St. Paul, Minnesota.

Minnesota Public Utilities Commission

Notice and Order for Hearing: In the Matter of the Application by Lakehead Pipe Line Company, Inc. for a Certificate of Need for a Large Petroleum Pipeline Facility

- Don Storm .....Chair
Tom Burton.....Commissioner
Marshall Johnson.....Commissioner
Cynthia A. Kitlinski.....Commissioner
Dee Knaak .....Commissioner

ISSUE DATE: 10 January 1994 — DOCKET NO. PL-9/CN-93-1244

PROCEDURAL HISTORY

On December 10, 1993, Lakehead Pipe Line Company, Inc. (Lakehead or the Company) filed a certificate of need application pursuant to Minn. Stat. §§ 216B.2421, subd. 2(c) and 216B.243. Under the statutes Lakehead's proposed pipeline addition is a large energy facility and as such requires a certificate of need prior to construction.

On December 13, 1993, Lakehead filed a letter containing confidential shipper information required under Minn. Rules, parts 7853.0510 to 7853.0530.

On December 22, 1993, the Company's application for a certificate of need came before the Commission for consideration. At that meeting the Commission found that the application was substantially complete, as of December 13, 1993.

A copy of the Company's application is on file in the offices of the Department of Public Service, 121 Seventh Place East, Suite 200, St. Paul, MN 55101, and is available for public inspection during regular office hours.

Copies of the application are also available for public inspection at the Company's offices at Suite 400, Lake Superior Place, 21 West Superior Street, Duluth, MN 55802.

FINDINGS AND CONCLUSIONS

I. Jurisdiction and Referral for Contested Case Proceedings

The Commission has jurisdiction over applications for certificates of need for pipelines under Minn. Stat. § 216B.243. That statute also requires at least one public hearing under the Administrative Procedure Act in certificate of need proceedings. Minn. Stat. § 216B.243, subd. 4. The Commission's role is to determine whether the proposed facility complies with applicable criteria in statute and rule.

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

II. Issues to be Addressed

Minn. Stat. § 216B.243 and Minn. Rules, parts 7853.0010 to 7853.0800 set forth criteria which must be met to establish need for proposed large energy facilities, including pipelines. Parties to this proceeding shall address whether the proposed facility meets these criteria.

One criterion is found under Minn. Rules, parts 7853.0600 to 7853.0640, which require the applicant to file certain environmental data, including environmental information on each possible pipeline location.

III. Public Participation

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

The Commission has designated a staff member, David L. Jacobson, to coordinate public participation in this proceeding. Mr. Jacobson may be reached by telephone at (612) 297-4562. Mr. Jacobson's address is: Public Utilities Commission, 121 Seventh Place East, Suite 350, St. Paul, MN 55101-2147.

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

The company shall provide notice of the public and evidentiary hearings in newspapers of general circulation along the route of the proposed pipeline at least ten days prior to the start of the hearings. Such notices shall be in the form of visible display ads. The Company shall consult with Commission staff on the timing and text of such ads prior to publication. The Company shall submit proofs of publication of such ads from the newspapers selected.

## Official Notices

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### IV. Procedural Outline

#### A. Administrative Law Judge

The Administrative Law Judge assigned to this case is Steve Mihalchick. His address and telephone number are: 100 Washington Square, Suite 1700, Minneapolis, MN 55401; (612) 349-2544.

#### B. Investigation by the Department of Public Service; Information Requests

The Department of Public Service (the Department) shall initiate an investigation to determine the reasonableness of granting a certificate of need to the Company.

The Company shall facilitate the Department's investigation in every reasonable way.

All parties shall furnish adequate responses within 10 days to all reasonable information requests from other parties.

#### C. Hearing Procedure

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

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

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

Parties should bring to the hearing all documents, records, and witnesses necessary to support their positions. They should take note that any material introduced into evidence may become public data unless a party objects and requests relief under *Minn. Stat.* § 14.60, subd. 2 (1992).

Any questions regarding discovery under *Minn. Rules*, parts 1400.6700 to 1400.6800 or informal disposition under *Minn. Rules*, part 1400.5900 should be directed to Margie Hendriksen, Special Assistant Attorney General, 121 Seventh Place East, Suite 350, St. Paul, Minnesota 55101-2147, (612) 296-0410.

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

Within ten days of the date of this Order, the Company shall mail copies of the Order to affected landowners and the county boards of the affected counties.

#### D. Executive Secretary May Vary Time Requirements

The Commission authorizes the Executive Secretary to enter Orders on behalf of the Commission varying time requirements for the filing of pleadings and other documents and determining the conduct of this proceeding, according to the standards set forth in *Minn. Rules*, part 7830.4400. Any party adversely affected by such an Order may file a motion for reconsideration, vacation, or modification, no later than ten days from the date of its entry or one day before any such filing deadline or occurrence of an act directed in such Order.

#### E. Parties and Intervention

Currently, the Company is the only party to this proceeding. Other persons wishing to become formal parties to this proceeding shall promptly file petitions to intervene with the Administrative Law Judge. They shall serve copies of such petitions on all current parties and on the Commission. *Minn. Rules*, part 1400.6200.

#### F. Prehearing Conference

A prehearing conference will be held on January 26, 1994, starting at 9:00 A.M. The conference will be held in the Small Hearing Room, Public Utilities Commission, 121 Seventh Place East, Suite 350, St. Paul, MN 55101-2147.

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

#### G. Time Constraints

Under *Minn. Stat.* § 216B.243, subd. 5, and *Minn. Rules*, part 7855.0200, the Commission is required to act on the Company's application within six months of receipt of a filing which is substantially complete.

The Commission asks the Office of Administrative Hearings to conduct contested case proceedings in light of these time constraints. Parties should note the six-month statutory time frame at the outset and be prepared for the expedited hearing schedule that time frame requires.

#### **H. Application of Lobbying Provisions**

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

#### **I. Ex Parte Communications**

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

#### **ORDER**

1. A contested case hearing shall be held on the Company's certificate of need application. The proceeding shall begin with a prehearing conference on January 26, 1994, starting at 9:00 A.M. The conference will be held in the Small Hearing Room, Public Utilities Commission, 121 Seventh Place East, Suite 350, St. Paul, MN 55101-2147.
2. All parties to this proceeding may serve information requests on any other party. Information requests shall be answered within ten days of receipt.
3. Public hearings shall be held in this matter at times and places determined by the Administrative Law Judge after consultation with the Commission.
4. At least ten days prior to the start of public and evidentiary hearings, the Company shall provide notice of the hearings in newspapers of general circulation along the route of the proposed pipeline. Such notices shall be in the form of visible display ads. The Company shall consult with Commission Staff on the timing and text of such ads prior to publication. The Company shall submit proofs of publication of such ads from the newspapers selected.
5. Within ten days of the date of this Notice and Order for Hearing, the Company shall mail copies of this Order to affected landowners and the county boards of affected counties.
6. The Commission authorizes the Executive Secretary to enter Orders on behalf of the Commission varying time requirements for the filing of pleadings and other documents and determining the conduct of this proceeding, according to the standards set forth in *Minn. Rules*, part 7830.4400. Any party adversely affected by such an Order may file a motion for reconsideration, vacation, or modification, no later than ten days from the date of its entry or one day before any such filing deadline or occurrence of an act directed in such Order.
7. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

#### ATTACHMENT A

BEFORE THE MINNESOTA OFFICE  
OF ADMINISTRATIVE HEARINGS  
100 Washington Square, Suite 1700  
Minneapolis, Minnesota 55401-2138

FOR THE MINNESOTA PUBLIC  
UTILITIES COMMISSION  
121 Seventh Place East, Suite 350  
St. Paul, Minnesota 55101-2147

In the Matter of the Application  
by Lakehead Pipeline Company, Inc.,  
for a Certificate of Need for a Large  
Petroleum Pipeline Facility

MPUC Docket No. PL-9/CN-93-1244

OAH Docket No.

#### **NOTICE OF APPEARANCE**

Date of Hearing:

Name and Telephone Number of Administrative Law Judge: Judge Steve Mihalchick, (612) 349-2544

TO THE ADMINISTRATIVE LAW JUDGE:

You are advised that the party named below will appear at the above hearing.

NAME OF PARTY:

ADDRESS:

TELEPHONE NUMBER:

PARTY'S ATTORNEY OR OTHER REPRESENTATIVE:

OFFICE ADDRESS:

## State Grants

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TELEPHONE NUMBER:

SIGNATURE OF PARTY OR ATTORNEY: \_\_\_\_\_

DATE: \_\_\_\_\_

## State Grants

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

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

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## Department of Human Services

### Chemical Dependency Program Division

#### Notice of Public Comment on the Federal Alcohol and Drug Abuse Block Grant and the Availability of a Statement Describing the Intended Use of Funds for Federal Fiscal Year 1994.

NOTICE IS HEREBY GIVEN that the Department of Human Services, Chemical Dependency Program Division, is seeking public comment on the use of the Federal Alcohol and Drug Abuse Block Grant.

NOTICE IS ALSO GIVEN that the Department of Human Services has available a draft Description of Intended Use for funds available to the State of Minnesota from the Federal Fiscal Year 1994 Alcohol and Drug Abuse Block Grant. This description is being made available to the public for comment in accord with Title XIX, Part B of the Public Health Services Act, Public Law 102-321.

Information and copies of the Alcohol and Drug Abuse Plan are available from: Sheila Vadnais, Chemical Dependency Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3823, phone 612/296-4618.

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

## Professional, Technical & Consulting Contracts

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

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

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## Department of Administration

### Materials Management Division

#### Professional Technical Consulting Services Sought for Minnesota Department of Transportation Guidestar Program.

These services will provide support services for the Intelligent Vehicle Highway System. Services will be used for the following purposes:

- IVHS Program management support
- Feasibility and scoping investigations
- Marketing support
- Project support including:

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## Professional, Technical & Consulting Contracts

- Project development
- Project engineering
- Project Management support
- Project systems integration and testing
- Project technical support
- IVHS project evaluation

Term of contract(s) will be three years.

A Request for Proposal can be obtained by contacting:

Don Olson CPPB, Contract Administrator  
50 Sherburne Ave.  
Room 112 State Administration Building  
St. Paul, MN 55155  
612-396-3771  
FAX 612-297-3996

Proposals must be time received and time stamped by 3:00 P.M. February 14, 1994. A pre-proposal meeting will be held January 27, 1994 9:00 A.M. to 11:00 A.M. room 200 State Office Building, St. Paul, MN.

This request does not obligate the State of Minnesota to execute any contract contemplated in this notice, and the state reserves the right to cancel the solicitation.

## Department of Administration

### Materials Management Division

#### Partners sought to Participate in Professional Technical Consulting Services for Minnesota Department of Transportation Integrated Corridor Traffic Management (ICTM).

These services will provide support services for the I-494 corridor. Services will be used for the following purposes:

- Preliminary Engineering
- Detail Design
- Operational Test
- Detailed Evaluation

A Request for Proposal can be obtained by contacting:

Don Olson CPPB, Contract Administrator  
50 Sherburne Ave.  
Room 112 State Administration Building  
St. Paul, Mn. 55155  
612-396-3771  
FAX 612-297-3996

Proposals must be time received and time stamped by 3:00 P.M. February 10, 1994.

This request does not obligate the State of Minnesota to execute any contract contemplated in this notice, and the state reserves the right to cancel the solicitation.

## Department of Human Services

### Chemical Dependency Program Division

#### Notice of Request for Proposal for Literature Review of Substance Abuse Indicators

The Department of Human Services is seeking proposals from qualified vendors for a complete review of the scientific literature on quantitative indicators of substance abuse precursors and consequences for communities. These indicators will be used to target prevention/intervention efforts by the state and communities.

Details are contained in a Request for Proposals which may be obtained by calling or writing:

## Professional, Technical & Consulting Contracts

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David J. Koenig  
Chemical Dependency Program Division  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, MN 55155-3823  
Phone: (612) 296-9858

The estimated cost of the contract is \$20,000. The Department of Human Services reserves the right to reject any or all proposals.

### Department of Human Services

#### Chemical Dependency Program Division

#### Request for Proposals to Conduct Research and Evaluation Projects

The Chemical Dependency Program Division of the Department of Human Services is requesting proposals to conduct research and evaluation projects to provide information for future planning in Division program areas. The Division provides: 1) funding for chemical dependency treatment for poor and uninsured Minnesotans through the Consolidated Chemical Dependency Treatment Fund and MinnesotaCare; 2) grants for drug and alcohol abuse prevention, intervention, specialized treatment, training, research/evaluation and special populations; 3) information on drug and alcohol problems, treatment programs, treatment outcomes and costs; and 4) development of changes in substance abuse laws, policies, rules and funding. Research topics related to substance use/abuse prevalence or risk indicators/protective factors among select populations will also be considered.

A total of \$57,000 from state appropriations is available to potentially fund one or more projects. The funded project(s) would begin on or about March 1, 1994, or upon such date as it is executed by the Commissioner of Finance, whichever occurs later, and continue through June 30, 1994. All proposals must be submitted by February 15, 1994.

For a copy of the detailed Request for Proposals, please contact:

Chemical Dependency Program Division  
Department of Human Services  
444 Lafayette Road  
St. Paul, MN 55155-3823  
612-296-3991

### Department of Natural Resources

#### Division of Minerals

#### Notice of Request for Proposals: Laboratory Services to determine the presence of kimberlite pathfinder elements in overburden samples.

The Department of Natural Resources is seeking proposals for laboratory services aimed at determining whether or not kimberlite pathfinder minerals are present in overburden (OB) samples available in the collections of the Minnesota Department of Natural Resources Minerals Division.

Proposals must be received by 4:30 PM on February 7, 1994. Evaluation and selection shall be completed by February 14, 1994.

For a copy of the Request for Proposal contact:

Dr. Henk Dahlberg  
Manager  
Mineral Potential Evaluation Section  
Division of Minerals  
Minnesota Department of Natural Resources  
(218) 262-6767 (voice)  
(218) 263-5420 (FAX)

## **Minnesota State Lottery**

### **Request for Proposals for Security Services**

The Minnesota State Lottery is requesting proposals for providing 24-hour security officer services at the headquarters of the Minnesota State Lottery located in Roseville, Minnesota. Services also will include central station monitoring for headquarters and six regional offices. This proposal does not obligate the state to complete this project, and the state reserves the right to cancel the solicitations if it is considered to be in its best interest.

Organizations interested in receiving a copy of the Request for Proposal should contact:

Tom Barrett  
Administrative Services Manager  
Minnesota State Lottery  
2645 Long Lake Road  
Roseville, MN 55113-2533  
(612) 635-8108

Proposals are due by 2:00 p.m. on February 8, 1994.

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## **Non-State Public Bids and Contracts**

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

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

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## **Hennepin County**

### **Office of the County Attorney Civil Division**

#### **Notice of Solicitation of Interest for Outside Legal Counsel**

Hennepin County Board Resolution No. 93-5-408R1 requires the County Attorney to contract with any attorney who provides legal services to any County official, agency, board or commission. Although nearly all legal work performed by the County is done by the staff attorneys in the County Attorney's Office, the County does enter into a limited number of special attorney contracts each year. Recent examples include: bond counsel, bond litigation, construction litigation, health law and real estate.

Responses to this solicitation will be retained for one year and will serve as a starting point for retaining outside legal counsel. The County Attorney is not precluded from soliciting proposals from law firms or individuals which have not responded to this initial solicitation of interest or from seeking requests for proposals for specific legal work. The selection of outside counsel is not subject to the Minnesota competitive bidding laws and any recommendation of the County Attorney's Office is subject to approval by the County Administrator and/or County Board.

Firms who are interested in the inclusion of their name on an outside counsel selection list should obtain an Outside Counsel Selection Questionnaire from Patrick Diamond, Deputy County Attorney, C-2000 Government Center, Minneapolis, Minnesota 55487, telephone - (612) 348-8406.

## **Minnesota Historical Society**

### **Notice of Request for Bids for Provision and Installation of Automatic Doors at Historic Sites**

The Minnesota Historical Society is seeking bids from qualified firms to provide and install automatic doors at the five historic sites situated throughout the state. A single project including all five sites will be awarded to the successful bidder.

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

Complete Specifications and details concerning submission requirements and deadlines are included in the Request for Bids.

## **Non-State Public Bids and Contracts**

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### **Minnesota Historical Society**

#### **Notice of Request for Bids for Electronic Output, Printing, Binding and Mailing of Minnesota History Magazine**

The Minnesota Historical Society is seeking bids from qualified firms and individuals to provide all services to produce electronic page output from Postscript files, print, bind and mail its Minnesota History magazine.

Postscript files will be provided on a Syquest disk. The printer must have complete Adobe New Caledonia and associated New Caledonia Expert set of type fonts. Printing will be with soy inks on an offset press.

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

Complete Specifications and details concerning submission requirements and deadlines are included in the Request for Bids.

### **Ramsey County**

#### **Department of Public Works Engineering/Operations**

#### **Request for Prequalification Statements: Notice for Prequalifications for Bridge and Highway Reconstruction Preliminary Engineering - Design**

Ramsey County is considering an expanded Bridge construction program. To assist with the implementation of this program, Ramsey County may require the services of qualified consultants.

The services required are the preparation of feasibility reports, project memorandums, design study reports, field surveys, soil analysis, preliminary and detailed design plans, and specifications for County State Aid Highway, Federal and State contract award. The consultant will also be required to conduct public meetings and secure approvals from the municipality, Minnesota Department of Transportation and other agencies as required for specific projects.

Consultants who wish to be considered for any potential projects under this program should submit six copies of their prequalification brochure and/or resume, including federal forms 254 and 255, by January 27. The brochure and resume shall be limited to 20 pages. This is not a request for proposal. The prequalifications will be used by the County as a mechanism for selecting which firms will be invited to an oral interview. It is expected a qualified reference list will be developed from the interview process which will remain in effect for the next five years.

Please send your response to Wayne Leonard, Project Engineer, Ramsey County Department of Public Works, 3377 N. Rice Street, Shoreview, MN 55126, (612-482-5210).

### **Regional Transit Board**

#### **Metropolitan Transit Education Committee**

#### **Request For Proposals: Comprehensive Plan for Developing Transit Curricula**

##### **I. Introduction and Background**

During December 1992, the Regional Transit Board (RTB) and nine other transit related organizations combined to create the Metropolitan Transit Education Committee. The committee developed a strategic communications and education plan that focuses on the transit issues of the 90s to meet the need for transit information and education in the metropolitan area.

One tactic the committee is using for building awareness and educating our community is the development of a transit education program for the schools. The first step of developing this curricula is to do the research and ground work necessary and to produce a feasible strategy and timelines for the development of the school program. Phase one of our approach to this task is to develop a plan for how to proceed with transit curricula. The plan would outline what steps the committee should take to build and implement a transit education program in the schools.

##### **II. Objectives of the Curricula Plan**

The overall objective of this effort is to develop a plan using the formal education system to increase awareness and use of the transit system region - wide among school aged children. The plan will be used to guide the Transit Education Committee in producing a sound curricula and an effective implementation strategy for metropolitan schools.

All transit modes will be included in the final curricula: regular route buses, community circulators, dial-a-rides, van pools, ridesharing, travel demand management, Metro Mobility and light rail transit. The school program should educate children and

teach them the benefits of transit, why transit is important, how transit operates, basics of how to use transit or get more information on the changing transit system, and opportunities for transit options for the future.

The plan should determine what motivating factors can be used to get teachers and school officials to take an active role in teaching concepts about the importance of public transit.

### III. Description of Program Requirements

The curricula consultant is required to produce the following specific products: (please note that the percentages which follow each product indicate the relative weight of importance to be divided among the products.)

#### 1. Study of existing school transit programs on a local level as well as nationally.

A variety of existing school curricula has been collected from other parts of the country. These curricula samples can be used to help focus the direction of the new curricula development in terms of final finished product and in terms of the process used to develop the materials. Local efforts need to be researched. (10%)

#### 2. Study teacher and school system preferences for transit educational materials.

Determine needs and requirements of state policy. Determine teacher interest in the issues. Determine current teacher involvement in teaching transit or transportation issues. Determine what organizations might be helpful in developing or implementing the curricula. (20%)

#### 3. Research analysis.

After reviewing existing materials and working with state officials and teachers determine the following: (30%)

- Identify overall goals of the curricula (with committee assistance)
- Determine the appropriate grade level(s)
- Identify competing curricula and curricula that could be expanded with a transit component
- Identify the needs of educators and school administrators
- Identify audience characteristics - both students and teachers
- Identify how transit education needs fit with educators' needs
- Determine the appropriate learner outcomes that match Minnesota standards
- Determine specific learner outcomes for cognitive, affective and motor/skill
- Determine how to get teachers and schools active in the development process
- Determine number of curricula to distribute
- Determine a process for implementing the school curricula into the schools for maximum use
- Determine the appropriate delivery method and scope of completed curricula including length, method, background information, and testing or evaluation mechanisms

#### 4. Final plan that includes research results, analysis, and recommendations for implementing cost-effective regional school education strategies. (40%)

Once the study of existing data, the market research study and the analysis have all been completed, the contractor will provide detailed recommendations for implementing the most cost-effective strategies which can be used by the Transit Education Committee to reach school children.

The plan should contain all of the items listed in the research analysis section above. It should also include a curriculum framework and recommendations for field testing, teacher training/dissemination methods and program evaluation methods. The plan must include a range of strategy alternatives with complementary budget outlines. A priority listing for actions along with a calendar for implementing activities should also be included. The plan must also include any relevant documentation on data collected and any statistical analysis drawn from the data.

### IV. Proposal Requirements and Organization

Submissions should be limited to specific discussions of the elements outlined in this RFP. The intent of this RFP is to encourage responses which meet the stated requirements and propose methods to best accomplish the work within the stated budget.

The organization of proposals should follow the general outline below. Each proposal should consist of a Technical Proposal (Items 1 through 7 below) and a separate Cost Proposal (item 8 below). The ranking of proposals will be based on a review of the Technical Proposal. The Cost Proposals will be reviewed after evaluation of the Technical Proposals and selection of the top firms.

#### 1. Introduction

The contents of the introduction will be determined by the particular requirements of the proposer. In this section the proposer should demonstrate an adequate understanding of the role of the Metropolitan Transit Education Committee and the transit system in the Twin Cities metropolitan region and the work product to be completed.

## Non-State Public Bids and Contracts

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### 2. Study of Existing Data

The proposer should describe a procedure for examining existing data and recording key findings which can be used to develop the plan.

### 3. Transit Curricula Plan

The following information should be covered in this section:

- a. A description of the overall program being submitted including an explanation of the basic purpose and general focus.
- b. An explanation of the role of the contractor as it relates to the role of the Metropolitan Transit Education Committee.
- c. A thorough explanation of the consultant's proposed course of action. References should be made to the requirements of the RFP and an explanation given of how the contractor proposes to meet the requirements. If the contractor proposes major changes in the RFP approach, these changes should be specified and explained.
- d. An itemized description of the work products.

### 4. Program Management

The proposer must prepare an explanation of the program management system to be used to assure that the project is completed within the scheduled time frame to ensure that quality will be maintained in the required products.

### 5. Personnel, Equipment and Facilities

The proposer must describe the qualifications of lead personnel and any other supporting personnel to be employed on the program. A project manager must be designated, and an organizational chart for the project should be provided. This section of the proposal should also contain a brief resume for each person shown on the chart listing special qualifications applicable to the performance of the project. The specific effort to be contributed to the project by each of the key personnel and a statement expressed in percentage that each will devote to the effort must also be included. A summation of the minimum work hours of professional effort to be used in completing the project is required. Resumes of consultants, advisors or subcontractors should also be described if they are to be used.

The proposal shall also provide the following information: name, title, address, and telephone number of individuals with authority to negotiate and contractually bind the company and who also may be contacted during the period of proposal evaluation.

### 6. Subcontractors

A list of subcontractors and special contractors who will be hired, their specific responsibilities, qualifications, tasks, schedule and costs, etc., must be included here.

### 7. References

A list of three to five former clients (include addresses and phone numbers) for whom the proposer has performed services similar to those described in this Request for Proposal should be included. The proposer should include the address and phone number of the most recent client. Samples of previous reports on closely related projects, if available, are also requested.

### 8. Cost Proposal & Project Completion Timeline

Under separate cover, the Cost Proposal shall detail the scheduling of the individual work items described in the RFP and shall define both the total and line-item costs anticipated in completing the total work items. The Cost Proposal shall include a budget indicating expenditures for work hours and materials for each work item. Failure to provide adequate cost data will result in the proposal being found unresponsive.

### V. Contract Price and Allowable Costs

The RTB has a budget range of up to \$15,000 allocated for the services of a contractor to prepare and conduct this program.

At the time of contract negotiation, a payment schedule will be agreed upon between the RTB and the contractor. Payments will be tied to the successful completion of the specified deliverable end products. During contract negotiations, a detailed product deadline schedule, as well as a presentation schedule to the Metropolitan Transit Education Committee's School Curricula Subcommittee, will be agreed upon.

The RTB will not provide financial assistance to the contractor beyond the negotiated fee, but will collaborate with the contractor and give all reasonable cooperation in the collection of information.

All applicable costs can be charged to this contract within the fixed price limit. Appropriate charges may include wages and salaries, overhead, travel, materials and subcontract costs.

### VI. Contractor Selection Process and Related Provisions

In order to provide a consistent approach to selection of a contractor, a procedure has been established for the evaluation and hiring of contractors. The Transit Curricula Subcommittee will rate all proposals according to a rating sheet specifically developed

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## Non-State Public Bids and Contracts

to examine the technical competence and suitability of prospective contractors. Several of the firms receiving the highest composite scores on the rating sheets may then be interviewed and ranked by an interview panel.

Based on the Transit Curricula Subcommittee's recommendations and the approval of the RTB, the contract is then awarded by the executive director of the RTB to a responsible contractor. In order to qualify as responsible, a prospective contractor must meet the following standards as they relate to this Request for Proposal:

1. Have adequate technical and financial resources for contract performance, or have the ability to obtain such resources as required during performance.
2. Have the necessary experience, organization, technical qualifications, skills and facilities, or have the ability to obtain them.
3. Have a good understanding of transit and transit services in the Twin Cities metropolitan area.
4. Have a good understanding of curricula development, learner outcomes, the formal education system in the Twin Cities metropolitan region.
5. Demonstrate the qualifications of the project leader and other staff.
6. Be able to comply with the proposed or required performance schedule.
7. Have a satisfactory record of performance.
8. Be an Equal Opportunity Employer.
9. Be otherwise qualified and eligible to receive an award under applicable laws and regulations.

### Basis of Evaluation

In the evaluation of the merits of the proposal, the heaviest weighting will be given to the breadth and depth of the firm's experience in developing curricula, relevant experience of the personnel to be assigned to the project, and the degree of understanding of the project as demonstrated by the quality and thoroughness of the proposed work plan and its responsiveness to the RFP. Consideration will also be given to the firm's knowledge of the local education system, and of regulations that could affect the implementation of the plan.

### Rules for Proposal Response

Ten (10) copies of a completed proposal must be received by the RTB by the close of business, 5:00 p.m., February 15, 1994.

### Limitations on Contractors

1. All reports and pertinent data or materials are the sole property of the Metropolitan Transit Education Committee and may not be used or reproduced in any form without explicit written permission of the Metropolitan Transit Education Committee.
2. A proposer should expect to have access only to the public reports and public files of government agencies in preparing the proposal or reports. No compilation, tabulation, or analysis of data, definition of opinion, etc., should be anticipated by the contractor from the agencies, unless volunteered by a responsible official in those agencies.
3. A Request for Proposal does not commit the RTB to award a contract. The RTB reserves the right to accept or reject any or all proposals received as a result of a request, to negotiate with any qualified source, or to cancel in part or in its entirety a Request for Proposal if it is in the best interest of the RTB.

### Minority Business Enterprise

It is the policy of the RTB to provide Minority, Disadvantaged and Women Business Enterprises the opportunity to participate in all aspects of contracting to the maximum extent possible. The RTB's overall goal of total consultant dollars to be awarded to MBEs is 10 percent.

### VII. General Information

Proposals should be sent to Suzanne Hanson, the project manager for this program. All questions on this RFP and the proposals should be directed to her at (612) 229-2720 or:

Suzanne Hanson  
Public Information Manager  
Regional Transit Board  
Mears Park Centre (7th floor)  
230 E Fifth Street  
St. Paul, MN 55101

## Non-State Public Bids and Contracts

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### Timeline

Prospective contractors should note and adhere to the following schedule:

Release of RFP .....	January 3, 1994
Proposals due at RTB offices .....	February 14, 1994
Review of proposals by Curricula Subcommittee .....	February 15-23, 1994
Possible interviews .....	February 28 - March 4, 1994
Board approval of selection .....	March 21, 1994
Contract negotiated and project initiated .....	March 22, 1994
Project completed on or before .....	June 15, 1994

## Southwest Metro Transit Commission (SMTC)

### Advertisement for Bids: Transit Vehicles

Sealed proposals for the furnishing of Thirteen Large and Nine Small Transit Vehicles for use in accordance with the specifications as prepared by the Southwest Metro Transit Commission (SMTC) will be received at the offices of the SMTC in the City of Eden Prairie until 1:00 p.m. on the 15th day of February, 1994, then publicly opened and read aloud in the City Council Chambers of the City of Eden Prairie, 8080 Mitchell Road, Eden Prairie, MN.

Copies of the Bid Documents, including the specifications, may be obtained from the Administrator of the SMTC, 8080 Mitchell Road, Suite 104, Eden Prairie, Minnesota 55344-2230. Requests for the Bid Documents should be accompanied by a check in the amount of \$20.00 made payable to the SMTC. If you wish to receive the documents by overnight delivery, please enclose an additional \$17.00. All proposals shall be made on the form similar to those attached to and made a part of the proposed contract documents and shall be addressed to:

Diane Harberts, Administrator  
Southwest Metro Transit Commission  
8080 Mitchell Road, Suite 104  
Eden Prairie, MN 55344-2230

The outside of the sealed envelope must be marked "BID ON TRANSIT VEHICLES".

The right is reserved to accept or reject any and all bids.

Administrator  
SMTC

## University of Minnesota

### Campus Master Plan: Request for Proposal

The University of Minnesota is currently soliciting proposals from professional planning consultants for services to assist the University in the development of Campus Master Plans. Development of these Campus Master Plans is part of the University's system-wide initiative to prepare individual master plans for Duluth, Morris and Crookston. Consultant teams interested in obtaining a copy of the Request for Proposal document for the Duluth, Morris and Crookston Campus Master Plan, or for information on the RFP schedules, please contact the office of the Associate Vice President for Master Planning and Real Estate (tel. 612-625-7355). Multiple proposals may be submitted.

Minimum team qualifications include: demonstrated professional experience in issues related to contemporary campus planning; examples of at least two master plans for campuses of similar setting, size and scale, completed under the designated team leader's direction within the last five years; and CAD capability.

All proposals submitted, must be received by the University no later than 4:00 P.M. February 14, 1994.



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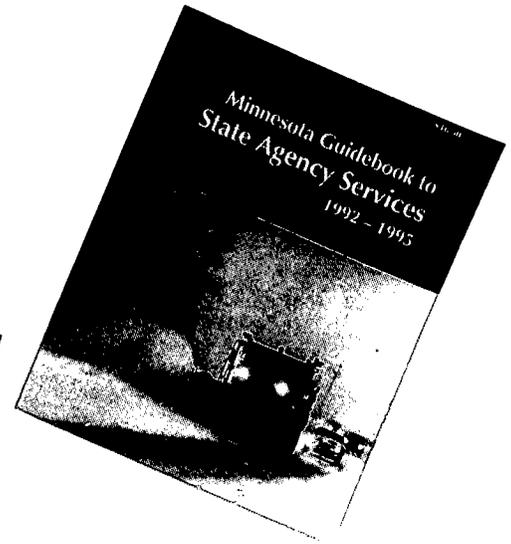
### Business & Professional Directories -----

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Lists companies alphabetically, by community, and by type of product manufactured. Includes name, address, phone number, sales volume, market products, area sales, marketing and purchasing. Also FAX numbers, data processing managers and chief engineers, when available. 742 pp. **Stock No. 40-2 SR \$95.00**

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Names and addresses in alphabetical order for licensed physicians, chiropractors, osteopaths, optometrists, podiatrists and registered physical therapists. 426 pp.

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This directory lists all State of Minnesota government agencies. Features a greatly expanded FAX section with over 250 numbers, alphabetical employee listings, a classified section, organized by department, and "yellow pages" listing state offices in Greater Minnesota. 264pp. **Stock No. 1-87 SR \$12.95**

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Comprehensive listing of chemical dependency treatment programs in Minnesota. Information on services provided, funding and staff, and a map are also included. 282 pp.

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