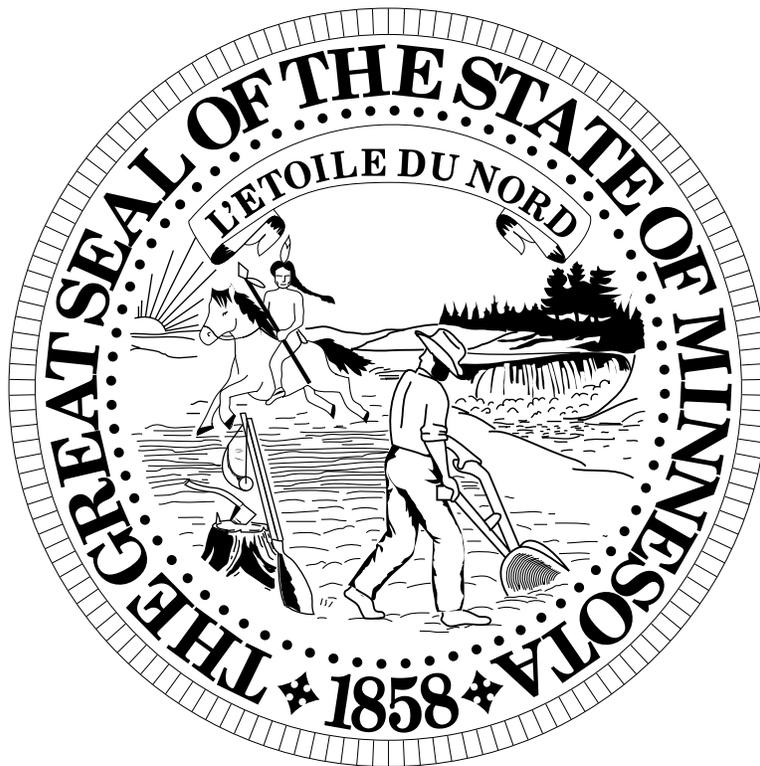


State of Minnesota

# State Register

Rules and Official Notices Edition



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# State Register

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The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
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#49	Monday 5 June	Noon Wednesday 24 May	Noon Tuesday 30 May
#50	Monday 12 June	Noon Wednesday 31 May	Noon Tuesday 6 June
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Room 175 State Office Building, St. Paul, MN 55155

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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 80 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. The current 1997 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a 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 most current edition of 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 issues #1-39; issues #40-51 inclusive; and issue 52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (651) 297-3000, or toll-free 1-800-657-3757.

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# Proposed Rules

## Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

## Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

## Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

## Board of Dietetics and Nutrition Practice

### Proposed Permanent Rules Relating to Licensing and Fees

#### NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

#### Proposed Amendment to Rules Governing Annual Renewal Fee, Late Renewal Penalty, *Minnesota Rule* 3250.0050, Issues Related to the Annual License Renewal Process Including but Not Limited to, Automatic Termination of License for Non-Renewal

**Introduction.** The Board of Dietetics and Nutrition Practice intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Laurie Mickelson, Executive Director at Board of Dietetics and Nutrition Practice, 2829 University Avenue SE, Suite 555, Minneapolis, MN 55414, (612) 617-2175. TTY users may call the Board of Dietetics and Nutrition Practice at 1-800-627-3529.

**Subject of Rules and Statutory Authority.** The proposed rules are about the annual renewal fee, late renewal penalty and issues related to the annual renewal process. The statutory authority to adopt the rules is *Minnesota Statutes*, 148.624, Subd. 4, 148.623 (1) and 214.06, Subd. 1, 2. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on July 3, 2000, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on July 3, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the with-

drawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at the cost of reproduction from the agency.

**Adoption and Review of Rules.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 16 May 2000

Laurie Mickelson  
Executive Director

### **3250.0045 TERMS AND RENEWAL OF LICENSE.**

Subpart 1. **Renewal of License.** To renew a license, a licensee shall submit an application for renewal to the board, postmarked no later than November 30 of each year.

Subp. 2. **Voluntary termination.** A licensee may indicate on the application for renewal that the licensee wishes to voluntarily terminate the license.

Subp. 3. **Failure to submit renewal application.** A licensee who has not renewed the license by November 30 must be notified by letter by December 30. The letter must be sent to the last known address of the licensee in the file of the board and must state that the renewal is overdue and that failure to pay the current fee and current late fee by January 30 will result in termination of the license. A second notice must be sent by first class mail to each licensee who has not paid the renewal fee and late fee at least seven days before the first board meeting to occur after January 30. This notice must state that board action will be taken to terminate the license of a person who has not responded to the first notice.

Subp. 4. **Termination due to nonrenewal of license.** The board shall terminate the license of a licensee whose license renewal has not been received by January 30 and to whom notification has been sent as provided in subpart 3. Failure of a licensee to receive notification is not grounds for later challenge by the licensee of the termination. The former licensee must be notified by first class mail within seven days of the board action. The terminated status placed on a license may be removed by following the criteria of part 3250.0150 for reinstatement.

### **3250.0050 FEE SCHEDULE.**

[For text of subps 1 and 2, see M.R.]

Subp. 3. **License renewal fee.** Annual renewal fees are due by November 30 of each year. ~~Renewal requests postmarked after November 30 shall be assessed a late penalty fee.~~ The fees are as follows:

A. ~~annual renewal, \$100; and~~

B. ~~late renewal penalty, \$50~~ annual renewal fee is \$75.

Subp. 4. **Late renewal penalty.** ~~Renewal requests postmarked after November 30 shall be assessed a late penalty fee equal to 50 percent of the current annual renewal fee.~~

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
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## Proposed Rules

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### 3250.0150 REINSTATEMENT.

A licensee who voluntarily terminated the license or whose license ~~has not been renewed~~ was terminated by board action shall, in order to have the licensee's license reinstated:

- A. submit to the board a completed reinstatement application on a form provided by the board;
- B. submit evidence to the board of having obtained the required continuing education units for the continuing education cycle in effect at the time that the licensee's license was ~~not renewed~~ terminated;
- C. submit evidence to the board of having met the continuing education requirements that would have applied to the licensee during the period of time between the ~~nonrenewal~~ termination of the license and the application for reinstatement had the licensee held a license during that time; and
- D. submit to the board the appropriate reinstatement fee which shall be the current annual renewal and late penalty fees plus an administrative charge of \$25.

## Secretary of State

### Proposed Permanent Rules Relating to Elections

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

#### Proposed Amendment to and Repeal of Rules Governing Voter Registration; Petitions; Absentee and Mail Voting; Voting Systems; Ballots; Redistricting; and Precinct Boundary Changes, *Minnesota Rules*, chapters 8200; 8205; 8210; 8220; 8230; 8250; and 8255.

**Introduction.** The Minnesota Secretary of State intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on Thursday, June 29, 2000, a public hearing will be held in Room 400 South, State Office Building, 100 Constitution Avenue, St. Paul, Minnesota 55155, starting at 9:30 a.m. on July 11, 2000. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after June 29, 2000 and before July 11, 2000.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is:

J. Bradley King  
Director, Elections Division  
Office of the Secretary of State  
180 State Office Building  
100 Constitution Avenue  
St. Paul, MN 55155-1299  
(651) 215-1440  
(877) 600-8683  
[elections@sos.state.mn.us](mailto:elections@sos.state.mn.us)

TTY users may call the Secretary at (800) 627-3529

**Subject of Rules and Statutory Authority.** The proposed rules are about election administration and voter registration. Specifically, the proposed rules are about (1) technical amendments necessary to clarify existing election-related rules by using better drafting and consistent terms; (2) voter registration procedures and cards; (3) procedures governing inspection of polling place rosters; (4) procedures governing the form, circulation, filing, and verification of election-related petitions; (5) technical amendments necessary to remove references to the presidential primary and other election procedures that are no longer authorized or used in this state; (6) absentee and mail balloting procedures and forms; (7) amendments necessary to make the rules conform to recent statutory changes; (8) procedures for certifying, testing, and using electronic voting systems that must be followed before, during, and after election day; (9) the language and formats required for ballots; (10) procedures for packaging ballots; (11) procedures for determining the order of minor party candidates on the general election ballot; (12) procedures for completing local redistricting; and (13) procedures to help municipalities consider school district boundaries when reestablishing precinct boundaries. The proposed rules also repeal *Minnesota Rules*, parts 8200.3800, subpart 1; 8200.6300; 8200.9115, subpart 2; 8205.1000;

8205.2000, subpart 2; 8205.2100, subpart 2; 8205.2110, subpart 2; 8210.0200, subparts 1e, 1f, and 5; 8210.0250; 8210.3000, subpart 4c; 8220.0250, subparts 2, 2a, 7, 10, 17, 20, 23, 25a, 27, 31, 32, 34, 36, and 38; 8250.0360; and 8250.1550, which concern obsolete procedures; redundant provisions; or provisions related to the unauthorized presidential primary.

The statutory authority to adopt the rules is *Minnesota Statutes*, sections 201.071, subdivision 1 (form of voter registration card); 201.091, subdivision 4 (requests to examine voter registration information); 201.221, subdivisions 1, 2 (voter registration); 203B.04, subdivision 1 (absentee ballot applications); 203B.04, subdivision 5 (permanent absentees); 203B.08, subdivision 4 (absentee voting); 203B.09 (forms related to absentee voting); 203B.125 (absentee voting); 204B.071 (petitions); 204B.14, subdivision 4 (precinct boundaries); 204B.45, subdivision 3 (mail balloting); 205.17, subdivision 6 (form of municipal ballot); 205A.08, subdivision 5 (form of school district ballot); 204D.08, subdivision 1 (primary ballot); 204D.11, subdivisions 1, 2, 3, 4, 6 (form of white, pink, canary, and gray ballots); 206.84, subdivision 3 (optical scan ballots); 447.32, subdivision 4 (tan ballot); 206.57, subdivision 1 (examination and use of voting systems); 206.81 (experimental use of voting systems); 206.82, subdivision 1 (test procedures for voting systems); 211C.03 (form of recall petition); 211C.04 (form and filing of proposed recall petition); 211C.06 (verification of recall petition). A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. Additional copies of the rules are available upon request from the agency contact person listed above.

**Comments.** You have until 4:30 p.m. on Thursday, June 29, 2000, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Thursday, June 29, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for July 11, 2000, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 215-1440 after Thursday, June 29, 2000 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone 612-341-7604, and FAX 612-349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in

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## Proposed Rules

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writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 16 May 2000

Mary Kiffmeyer  
Secretary of State

### 8200.0300 DELEGATION OF DUTIES.

The county auditor may delegate to municipal officials all duties assigned to the county auditor by chapter 8200 and by *Minnesota Statutes*, chapter 201, except the preparation and distribution of lists of registered voters ~~and the duties assigned to the county auditor by parts 8200.8100 to 8200.8300~~. The auditor may delegate the responsibility to accept voter registrations, but a delegation of this responsibility does not relieve the auditor of the duty to accept voter registrations.

### 8200.1100 PRINTING SPECIFICATIONS.

Voter registration cards printed for the purpose of distribution and mailing must be printed pursuant to items A to D.

- A. The size must be six inches by ~~8-3/4~~ 8-9/16 inches, including a ~~three-fourths inch~~ 9/16-inch stub.
- B. The paper must be at least 100-pound white offset.
- C. The secretary of state may approve alternate forms of voter registration cards ~~to be attached to or included in tax booklets and forms used by state agencies, and other forms deemed appropriate by the secretary of state~~ if the forms ~~contain~~ have spaces for the information required in *Minnesota Statutes*, section 201.071.
- D. The ~~top~~ bottom stub must have ~~a substance~~ an adhesive applied to it so that the card can be sealed when it is folded together for mailing.

**8200.1200 REGISTRATION CARD; FORMAT.**

Subpart 1. **Form.** The voter registration card must:

- A. contain the data elements provided in *Minnesota Statutes*, section 201.071;
- B. contain the following certification. I certify that I
  - will be at least 18 years old on election day;
  - am a citizen of the United States;
  - will have resided in Minnesota for 20 days immediately preceding election day;
  - reside at the address given as my residence;
  - am not under guardianship of the person;
  - have not been found by a court to be legally incompetent to vote;
  - have not been convicted of a felony without having my civil rights restored; and
  - have read and understand this statement, that giving false information is a felony punishable by not more than 5 years imprisonment or a fine of not more than \$10,000, or both;
- C. be consistent in layout with the data entry screens used by the statewide registration system;
- D. take into consideration readability and ease of understanding;
- E. provide room for including a mailing address for returning the completed registration;
- F. have printed on or with the card a set of instructions for completing the registration; and
- G. have printed on or with the card a statement that assistance for registration and voting is available for elderly and disabled individuals and residents of health care facilities.

The secretary of state shall provide examples of the voter registration card to all county auditors.

Subp. 2. **Box for office use only.** The voter registration card must contain a box marked for “election day official use only” which contains “W \_\_”, “P \_\_”, and “SD.” These ~~initials~~ abbreviations stand for “ward,” “precinct,” and “school district.” Other information may also be included. Judges of election shall record the type of election day voter registration proof and its number, if any, in the “election day official use only” box.

[For text of subp 3, see M.R.]

**8200.2600 PROPERLY COMPLETED REGISTRATIONS.**

If a county auditor determines that a registration card ~~is not faulty or defective~~ has been properly completed, the auditor shall file the card and enter the registration on the state registration system. The county auditor shall maintain the file in an orderly manner. The county auditor shall have a card notice mailed to each newly registered voter indicating the voter’s name, address, precinct, and polling place. The card must require that it be returned if not deliverable as addressed.

**8200.2800 REGISTRATIONS RECEIVED FEWER THAN 20 DAYS BEFORE ELECTION.**

When an auditor receives correctly completed registrations during the period when registrations cannot be accepted for an election, the auditor shall ~~notify~~ mail the applicant a notice of late registration stating that the applicant must register on election day to vote at the upcoming election. ~~In the notice to the applicant, the auditor shall explain that the registration card received by the auditor makes the applicant registered to vote on the day after the upcoming election.~~

**8200.2900 ~~FAULTY OR DEFICIENT REGISTRATIONS.~~**

When a person attempts to register prior to election day and the county auditor determines that the registration is ~~faulty or defective~~ deficient, the auditor shall notify the person attempting to register that the registration was not correctly completed. The auditor shall attempt to obtain the needed information by mail or telephone. If a registration card is ~~faulty or defective and the address or the telephone number cannot be determined~~ deficient, the registration card shall ~~not be removed from the files filed~~ and shall be maintained separately for one year 22 months. The applicant shall be allowed to vote only after correctly completing a registration card.

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When the auditor notifies a person of an incorrectly completed registration, the auditor shall also notify the applicant of the dates on which registrations cannot be accepted for an election and of the procedures for election day registration. In the notice to the applicant, the auditor shall explain that a correctly completed registration received by the auditor during the period when registrations cannot be accepted for the upcoming election will make the applicant registered to vote on the day after the upcoming election.

When an auditor receives a faulty or deficient registration during the period when registrations cannot be accepted for an election, the auditor shall notify the applicant that the applicant must register at the polling place of the precinct in which she or he resides on election day to vote at the election. In the notice to the applicant, the auditor shall explain that a correctly completed registration received by the auditor during the period when registrations cannot be accepted for the upcoming election will make the applicant registered to vote on the day after the upcoming election.

### **8200.2950 ADDRESSES ON VOTER REGISTRATION CARDS.**

A person having a residence with a street address who completes a voter registration card must provide the street address assigned to the person's residence in the residence space on the voter registration card. ~~The alternate mailing address space on the voter registration card must be used only~~ When the United States Postal Service will not deliver mail to the registrant's residence address, the registrant must also enter an alternate mailing address on the voter registration card.

### **8200.3000 REGISTRATION IN WRONG COUNTY.**

When a county auditor receives a registration card from a person ~~who the auditor has reason to believe is a resident of whose address is in~~ another county, the auditor shall within two working days forward the registration card to the auditor of the proper county ~~if it can be ascertained.~~

### **8200.3100 ~~NOTICE~~ NOTICES OF INEFFECTIVE OR DEFICIENT AND LATE REGISTRATION.**

Subpart 1. **Conditions requiring.** If a county auditor receives a voter registration card that is ~~defective~~ deficient, the auditor shall send a notice of ~~ineffective~~ deficient registration to the person seeking to register. If a county auditor receives a voter registration card that is filed during the period when preelection voter registrations cannot be accepted, the auditor shall send a notice of late registration to the person seeking to register. The notice of late registration must require that it be returned if not deliverable. The secretary of state shall provide sample ~~notice forms~~ notices of deficient and late registration.

### **8200.3500 ACKNOWLEDGMENT OF INELIGIBLE APPLICATIONS.**

Ineligible applicants shall be notified of the reasons for their ineligibility and their cards maintained separately by the auditor for ~~one year~~ 22 months.

### **8200.3700 REMOVAL OF CARDS FROM REGISTRATION FILES.**

If a registration card is to be removed from the registration files, except that of a deceased person or that of a voter who has reregistered in another county or state, the county auditor may notify the person whose card is to be removed of the removal and the reason for the removal in writing. The cards removed must be maintained in separate files for ~~one year~~ 22 months.

### **8200.5100 ELECTION DAY REGISTRATION AT PRECINCT ONLY.**

Subpart 1. **Procedure; proof.** Any person otherwise qualified but not registered to vote in the precinct in which the person resides may register to vote on election day at the polling place of the precinct in which the person resides. To register on election day, a person must complete and sign the registration card and provide proof of residence. A person may prove residence on election day only:

A. by presenting:

(1) a valid Minnesota driver's license, ~~learner's permit, or a receipt for either that contains the voter's valid address in the precinct;~~

(2) a valid Minnesota identification card issued by the Minnesota Department of Public Safety ~~or a receipt for the identification card that contains the voter's valid address in the precinct; or~~

(3) a current Minnesota student identification card that contains the student's picture and valid address in the precinct, ~~a current student fee statement that contains the student's valid address in the precinct, or a copy of a current student registration card that contains the student's valid address in the precinct; or~~

B. ~~by having a valid registration in the same precinct under a different address;~~

C. ~~by presenting a notice of late registration mailed by the county auditor or municipal clerk; or~~

~~D.~~ by having a person who is registered to vote in the precinct and knows the applicant is a resident of the precinct sign the oath in part 8200.9939.

The oath in item ~~D~~ B must be attached to the voter registration card until the address of the applicant is verified by the county auditor. The county auditor shall file the oaths and maintain them for ~~one year~~ 22 months.

Subp. 2. **Additional proof of residence allowed.** An eligible voter may prove residence under this subpart by presenting one of the ~~photo identification cards~~ proofs of identity listed in item A and one of the additional proofs of residence listed in item B.

A. ~~The following documents are~~ An identification card issued by the United States government, the state of Minnesota, a Minnesota postsecondary educational institution, or a Minnesota county or municipality is an acceptable ~~photo identification cards~~ proof of identity under this subpart if ~~they contain~~ it contains the voter's name and photograph:

- ~~(1) a Minnesota driver's license or identification card;~~
- ~~(2) a United States passport;~~
- ~~(3) a United States military identification card; or~~
- ~~(4) a student identification card issued by a Minnesota postsecondary educational institution.~~

B. ~~The following documents are acceptable proofs of residence under this subpart if the document shows the voter's name and current address in the precinct:~~

~~(1) an original bill for gas, electric, telephone, cable television, solid waste, water, or sewer services is acceptable as an additional proof of residence under this subpart if:~~

- ~~(1) the bill shows the voter's name and current address in the precinct; and~~
- ~~(2) the due date on the bill is within 30 days before or after election day;~~
- (2) a receipt for a Minnesota driver's license or identification card;
- (3) an instruction permit issued by the Minnesota Department of Public Safety;
- (4) a current student fee statement; or
- (5) a notice of late registration mailed by the county auditor or municipal clerk.

C. If the ~~photo identification~~ proof of identity presented by the voter establishes the voter's identity and the additional proof of residence presented by the voter establishes the voter's current address in the precinct, the voter shall have proven residence under this subpart.

~~C. The secretary of state shall provide samples of utility bills acceptable as additional proof of residence under item B to local election officials for use in election judge training and in the polling place on election day.~~

[For text of subp 3, see M.R.]

#### **8200.5400 NOTATION OF IDENTIFICATION ON REGISTRATION CARD.**

When a voter uses ~~a Minnesota driver's license, learner's permit, Minnesota identification card, United States passport, United States military identification card, or Minnesota postsecondary student identification card~~ an identification card issued by the United States government, the state of Minnesota, a Minnesota postsecondary educational institution, or a Minnesota county or municipality or one of the documents listed in part 8200.5100, subpart 2, item B, to prove residence or identity when registering on election day, the election judge who is registering voters shall record the number on the identification card and the type of document in the "election day official use only" area of the registration card. ~~When a voter uses one of the documents listed in part 8200.5100, subpart 2, item B, to prove residence for election day registration, the election judge who is registering voters shall record the type of document on the card in the "office use only" area of the registration card.~~

#### **8200.5500 REGISTRATION CARDS RECEIVED ON ELECTION DAY.**

Registrations received at polling places on election day, ~~whether in governmental units having pre-election day registration or in governmental units having only election day registration,~~ shall must be filed in the same file and in the same manner as registrations received prior to that election day.

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### **8200.5700 NOTICE OF FAULTY DEFICIENT REGISTRATION.**

A voter registration office may send notices to election day registrants whose cards are found to be ~~faulty or defective~~ deficient and request that the voters contact the registration office.

### **8200.6400 FORM OF PUBLIC INFORMATION LIST PROVIDED BY SECRETARY OF STATE.**

The public information list provided by the secretary of state must contain the ~~following items from the statewide registration system: voter's name, voter's address, voter's telephone number (if provided by the voter), voter's party choice in the preceding presidential primary election, and the voter's record of voting in elections during the previous five calendar years~~ information required by *Minnesota Statutes*, section 201.091, subdivision 4. The public information list may also include the precinct, ward, congressional district, legislative district, county commissioner district, judicial district, school district, or other identifiers for each election district in which the voter resides. The public information list may be requested on paper or on electronic media.

### **8200.9120 INSPECTION OF POLLING PLACE ROSTERS.**

An individual who asks to inspect a polling place roster used on election day must provide the county auditor with identification and a written request stating the information required by *Minnesota Statutes*, section 201.091, subdivision 4. The auditor must conceal the date of birth and challenge status of each person on the roster before fulfilling the request for inspection.

### **8205.1010 FORM OF PETITIONS.**

Subpart 1. General form requirements. Petitions must be prepared in accordance with items A to I.

A. A petition must be prepared on paper no larger than 8-1/2 inches wide and 14 inches long. The signer's oath and the signature lines must be on the same side of the paper.

B. The language on the petition must be printed in as large as possible but no smaller than 8-point type.

C. Each petition page must have a short title describing the purpose of the petition.

D. Each petition page must have a statement summarizing the purpose of the petition.

E. If the purpose of the petition is to put a question on the ballot, each petition page may have a statement of 75 words or less summarizing the ballot question.

F. Each petition page must have a signer's oath in 14-point bold type. If the form of the signer's oath is not specified by statute, the following oath must be used: "I swear (or affirm) that I know the contents and purpose of this petition and that I signed this petition only once and of my own free will."

G. Each petition page must include the following statement immediately above the signature lines: "All information must be filled in by person(s) signing the petition."

H. Each petition page must have no more than ten signature lines. The signature lines must be consecutively numbered from one to ten. Each signature line must have space for the date of signature; a signature; and each signatory's year of birth; printed first, middle, and last name; and residence address, municipality, and county.

I. Each petition page must include the following statement: "All information on this petition is subject to public inspection."

### **8205.1020 CIRCULATING PETITIONS.**

Petitioners may circulate photocopies of a sample petition page.

### **8205.1030 SIGNING PETITIONS.**

The person signing the petition shall complete the signature date, name, year of birth, and residence address lines on the petition. A person physically unable to complete the petition may ask another for assistance. A person may sign a petition only once.

### **8205.1040 FILING PETITIONS.**

The person filing the petition must submit the entire petition at one time to the filing officer. The petitioners may submit the petition by mail, messenger, or similar delivery service. Filing of a petition is effective upon receipt by the filing officer. Petition pages must not be altered by anyone except the filing officer after the petition has been filed.

The filing officer must provide the person filing the petition with a receipt for the petition. The receipt must include the type of petition filed; the name, address, and telephone number of the person submitting the petition; the date on which the petition was filed; and the total number of pages in the petition submitted.

### **8205.1050 VERIFYING PETITIONS.**

Subpart 1. Verifying petitions. The filing officer shall verify each petition using the method in items A to C.

A. The filing officer shall inspect the form of the petition to determine whether it complies with part 8205.1010.

B. The filing officer shall inspect the petition to determine whether it has been signed by the required number of signatories and whether the signatories meet the applicable eligibility requirements.

If the petition has not been signed by the required number of qualified signatories, the filing officer must notify the person who filed the petition:

(1) that the petition has not been signed by the required number of signatories; and

(2) of the number of additional signatures needed.

If the time for circulating the petition has not expired, the petitioners may collect additional signatures and submit them at one time to the filing officer before the circulation period expires.

C. If the petition satisfies the form requirements in part 8205.1010 and has been signed by the required number of qualified signatories during the applicable time period, the filing officer shall notify the person whose name is on the petition receipt that the petition is sufficient.

Subp. 2. Time for verification. The filing officer shall complete the verification of a petition as soon as practicable but no later than ten working days after the day on which the petition was filed.

#### **8205.1060 APPLICABILITY.**

Parts 8205.1010 to 8205.1040 apply to proposed recall petitions and to recall petitions.

#### **8205.2000 FORM OF PROPOSED RECALL PETITION.**

Subpart 1. **Form of proposed recall petition.** Proposed recall petitions must be prepared in accordance with items A to ~~D~~ C.

A. ~~The proposed petition must be prepared on paper no larger than 8 1/2 inches wide and 14 inches long. Only one side of the paper may be used.~~

~~B.~~ The words "PROPOSED RECALL PETITION" must be printed at the top of each page of the petition.

B. Each page of the proposed petition must include the following information ~~in no less than eight point type:~~

(1) the information required by *Minnesota Statutes*, section 211C.03; ~~and~~

(2) ~~the statement "All information provided on this petition is subject to public inspection.";~~ and

(~~3~~) an oath in the following form: "I solemnly swear (or affirm) that I am an eligible voter residing in the district where the state officer serves or, in the case of a statewide officer, in the state; I know the purpose and content of the petition; and I signed the petition only once and of my own free will."

C. ~~Each page of the petition must be consecutively numbered. The signature lines on each page must be consecutively numbered from 1 to 10.~~

~~D.~~ Separate petitions must be used to propose the recall of more than one state officer.

~~E.~~ D. The secretary of state shall provide sample proposed recall petition pages.

Subp. 2. [See repealer.]

Subp. 3. **Submitting the proposed recall petition.** The proposed recall petition must be submitted to the secretary of state. ~~The proposed recall petition may be submitted by mail, messenger, or similar delivery service. Filing of a proposed recall petition is effective upon receipt of the petition by the secretary of state. A proposed petition page must not be altered after it has been submitted to the secretary of state.~~

The persons submitting the proposed recall petition also shall submit a written statement designating no more than three consenting signatories of the petition who will represent all petitioners in all matters relating to the recall. The secretary shall provide sample written statements.

The petition must be accompanied by a fee of \$100. If the filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient funds are not available or that is dishonored, the secretary of state shall send notice of the worthless instrument to the petitioners via registered mail with return receipt requested. The petitioners have five days from the time the secretary

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receives proof of receipt to provide the secretary of state with sufficient funds. If adequate payment is not made, the secretary of state shall dismiss the proposed petition.

Subp. 4. **Receipt of proposed recall petition.** ~~The secretary of state shall provide the person submitting the proposed recall petition a receipt for the petition. The receipt must include the name of the state officer who is the subject of the proposed petition; the name, address, and telephone number of the person submitting the petition; the date on which the petition was submitted; and the total number of pages in the petition submitted.~~

### 8205.2010 VERIFYING THE PROPOSED RECALL PETITION.

Subpart 1. **Verifying the proposed recall petition.** The secretary of state shall inspect the form of each proposed recall petition to determine whether it complies with the requirements in parts 8205.1010 and 8205.2000, subpart 1. The secretary of state shall inspect each proposed recall petition to determine whether it has been signed by at least 25 persons eligible to vote in the district where the state officer subject to the proposed recall petition serves or, in the case of a statewide officer, within the state. The secretary of state shall verify that the address given by each signatory is in the district served by the state officer subject to the proposed recall petition and that the birth date given by each signatory establishes that the signatory was at least 18 years old when the petition was signed.

If the secretary of state determines that less than 25 eligible voters have signed a proposed recall petition, the secretary of state shall immediately dismiss the petition and send written notice to the person submitting the petition.

If the secretary of state determines that the proposed recall petition is sufficient, the secretary shall immediately send written notice to the state officer subject to the proposed recall petition and the petitioners and shall forward the proposed petition to the clerk of the appellate courts.

Subp. 2. **Time for verification.** The secretary of state shall complete the verification of a proposed recall petition no later than three working days after the day on which the petition was filed.

### 8205.2110 FORM OF RECALL PETITION.

Subpart 1. **Form of recall petition.** Recall petitions must be prepared in accordance with items A ~~to D~~ and B.

~~A. The petition must be prepared on paper no larger than 8 1/2 inches wide and 14 inches long. Only one side of the paper may be used.~~

~~B.~~ The words "RECALL PETITION" must be printed at the top of each page of the petition.

B. Each page in the petition must include the following information ~~in no less than eight point type:~~

(1) the information required by *Minnesota Statutes*, section 211C.03; and

(2) ~~the statement "All information provided on this petition is subject to public inspection.";~~ and

(3) ~~an oath in the following form: "I solemnly swear (or affirm) that I am an eligible voter residing in the district where the state officer serves or, in the case of a statewide officer, in the state; I know the purpose and content of the petition; and I signed the petition only once and of my own free will."~~

~~C. Each page of the petition must be consecutively numbered. The signature lines on each page must be consecutively numbered from 1 to 10.~~

~~D.~~ A separate petition must be used for the recall of each state officer.

Subp. 2. [See repealer.]

Subp. 3. **Submitting the petition.** The completed petition must be filed with the secretary of state. ~~The petition may be filed by mail, messenger, or similar delivery service. Filing of a petition is effective upon receipt of the petition by the secretary of state. A petition page must not be altered after it has been submitted to the secretary of state.~~

Subp. 4. **Receipt of recall petition.** ~~The secretary of state shall provide the person submitting the recall petition a receipt for the petition. The receipt must include the name of the state officer who is the subject of the petition; the name, address, and telephone number of the person submitting the petition; the date on which the petition was submitted; and the total number of pages in the petition submitted.~~

### 8205.2120 VERIFYING THE RECALL PETITION.

Subpart 1. **Verifying the recall petition.** The secretary of state shall verify each recall petition by the following method.

A. The secretary of state shall inspect the form of the recall petition to determine whether it complies with the requirements in parts 8205.1010 and 8205.2110, subpart 1.

B. The secretary of state shall inspect each petition to determine whether it was filed within 90 days after the date of issuance. If the secretary of state determines that the petition was not filed within 90 days after the date of issuance, the secretary shall dismiss the petition and notify the petitioners of the reason for dismissal.

~~B.~~ C. The secretary of state shall inspect each petition to determine whether it has been signed by a number of persons eligible to vote in the district served by the state officer subject to the recall petition that is equal to at least 25 percent of the number of votes cast at the most recent general election for the office held by the state officer subject to the recall petition. If the petition has not been signed by the required number of eligible voters and the 90-day time limit has expired during the verification process, the secretary shall dismiss the petition and notify the petitioners of the reason for the dismissal. If the petition has not been signed by the required number of eligible voters but the 90-day time limit has not expired, the secretary shall notify the petitioners:

- (1) that the petition has not been signed by the required number of voters;
- (2) of the number of additional signatures needed;
- (3) that the 90-day time limit has not expired;
- (4) of the number of days left in the 90-day time limit; and

(5) that the petitioners may provide the secretary with the required number of additional signatures before the 90-day time limit expires. If the petitioners do not provide the necessary number of additional signatures during the 90-day time limit, the secretary shall dismiss the petition and notify the petitioners. If the petitioners provide the necessary number of required signatures within the 90-day time limit, the secretary shall continue the verification process.

~~C.~~ D. The secretary of state shall use a random sampling technique to verify that the persons signing the petition are eligible voters.

(1) If a member of the house of representatives or senate is the subject of the recall petition, the sample size must be 650 signatures.

(2) If the governor, lieutenant governor, secretary of state, state auditor, state treasurer, or attorney general, or a supreme court, court of appeals, or district court judge is the subject of the recall petition, the sample size must be 2,000 signatures.

(3) The secretary shall consecutively number every completed signature line on the petition. The signature lines on the petition that correspond to the random numbers generated constitute the sample for the verification process.

(4) The secretary of state shall verify that the address given by each signatory in the sample is in the district served by the state officer subject to the recall petition and that the birth date given by each signatory in the sample establishes that the signatory was at least 18 years old when the petition was signed. Signatures from persons determined by the secretary to be ineligible to vote must not be counted.

(5) The secretary shall determine what percentage of the signatories in the sample are eligible voters.

(6) The secretary shall multiply the total number of petition signatories by the percentage of signatories determined to be eligible voters in the sample to determine how many of the signatories on the petition are deemed to be eligible voters.

(7) If the statistical sampling shows the number of signatories deemed to be eligible voters is less than 100 percent of the required number and the 90-day time limit has expired during the verification process, the secretary shall dismiss the petition and notify the petitioners of the reasons for the dismissal.

(8) If the statistical sampling shows the number of signatories deemed to be eligible voters is less than 100 percent of the required number but the 90-day time limit has not expired during the verification process, the secretary shall notify the petitioners:

- (a) that the petition has not been signed by the required number of eligible voters;
- (b) of the number of additional signatures needed;
- (c) that the 90-day time limit has not expired;
- (d) of the number of days left in the 90-day time limit; and

(e) that the petitioners may provide the secretary with the required number of additional signatures before the 90-day time limit expires.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
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Telephone number (optional) \_\_\_\_\_

Date of birth (optional) \_\_\_\_\_

**Mail my absentee ballot to me at the following address:**

\_\_\_\_\_  
Street or Route No. Apt. No. Rural Box No.

\_\_\_\_\_  
City State Zip

Date \_\_\_\_\_  
Legal Signature \_\_\_\_\_

Subp. 1b. **Alternative application form.**

**ABSENTEE BALLOT APPLICATION**

**READ INSTRUCTIONS BEFORE COMPLETING**

RETURN THE APPLICATION AS SOON AS POSSIBLE. BALLOTS RECEIVED AFTER ELECTION DAY CANNOT BE COUNTED.

I hereby apply for absentee ballots for:

(Check one)

- both primary and general elections
- primary election only
- general election only

Name \_\_\_\_\_  
(please print)

**My legal residence address is:**

\_\_\_\_\_  
Street or Route No. Apt. No. Rural Box No.

\_\_\_\_\_  
 City  Township County Zip

(check whichever is applicable)

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Telephone number (optional) \_\_\_\_\_

Date of birth (optional) \_\_\_\_\_

## Mail my absentee ballot to me at the following address:

\_\_\_\_\_  
Street or Route No. Apt. No. Rural Box No.

\_\_\_\_\_  
City State Zip

Date \_\_\_\_\_  
Legal Signature \_\_\_\_\_

[For text of subps 1c and 1d, see M.R.]

Subp. 1e. [See repealer.]

Subp. 1f. [See repealer.]

Subp. 2. **Absentee ballot instruction.** The following instructions must be sent with an absentee ballot application prepared pursuant to *Minnesota Statutes*, section 203B.06, subdivision 1. Jurisdictions where absentee voting is allowed for any reason may omit instruction number 2:

### INSTRUCTIONS

1. To vote by absentee ballot

- you must be an eligible voter, and
- you must reside at the legal residence address you give on this application on election day.

It is a felony to make a false statement in an application for an absentee ballot, to apply for an absentee ballot more than once in an election with the intent to cast an illegal ballot, to show a ballot marked by a person to another person, or to violate an absentee ballot provision for the purpose of casting an illegal vote or to help anyone to cast an illegal vote.

2. Be sure to check the appropriate box indicating why you cannot go to your polling place on election day; these are the only reasons that entitle you to vote by absentee ballot.

3. Be sure to give your correct legal residence address as completely as possible, since this is used to verify your precinct number.

4. Be sure to sign the application.

5. Return the completed application as soon as possible to the ~~county auditor or municipal clerk~~ election official from whom you received it.

Remember:

- You must indicate whether you are requesting ballots for the primary or general election, or both.
- Do not submit more than one application for each election.
- Your absentee ballots will be mailed or delivered to you as soon as they are available.
- Ballots received by election officials after election day will not be counted.

Subp. 3. **Postcard application.** The absentee ballot application may be printed as a postcard application or in any other manner deemed appropriate by the ~~auditor or municipal clerk~~ secretary of state. If the application is printed as a postcard application, it must conform to United States Postal Service requirements.

[For text of subp 4, see M.R.]

Subp. 4a. **Permanent application form.**

**APPLICATION TO AUTOMATICALLY RECEIVE  
ABSENTEE BALLOT APPLICATIONS**

Name \_\_\_\_\_  
Last First Middle

Township or City  
of Legal Residence \_\_\_\_\_  
Township or City County

Address of  
Legal Residence \_\_\_\_\_  
Street Address or Route and Box Number

Mailing Address  
for Application  
(if different) \_\_\_\_\_  
Street Address or Route and Box Number  
\_\_\_\_\_  
Mailing City State Zip

Telephone Number (optional) \_\_\_\_\_

Date of Birth (optional) \_\_\_\_\_

I certify that I reasonably expect to be permanently unable to vote in person at the polling place for my precinct due to illness or disability and hereby request that an application for absentee ballots be sent to me before each election in which I am eligible to vote.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Subp. 5. [See repealer.]

[For text of subp 6, see M.R.]

**8210.0500 INSTRUCTIONS TO ABSENT VOTER.**

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

Subp. 2. **Instructions for unregistered voters.**

**INSTRUCTIONS TO ABSENTEE VOTERS**

Follow these instructions carefully.

Before you vote by absentee ballot you must have a witness.

Step 1. Locate one of the following ~~people~~ individuals to serve as your witness:

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a. ~~a United States citizen who is at least 18 years old, who lives in your county, and anyone who is eligible registered to vote (in Minnesota including your spouse or another relative who meets these qualifications may serve as your witness) this qualification;~~

b. a notary public; or

c. any person having authority to administer oaths; ~~or~~

~~d. a United States Postal Service official, if available.~~

Step 2. Fill out the voter registration card. Remember to sign your name at the bottom of the card.

Step 3. Show your witness your proof of residence in the precinct. One of the following documents may be used as proof of residence:

a. ~~a valid Minnesota driver's license, permit, or identification card, or a receipt for any of these forms, that contains your current address;~~

b. a Minnesota student identification card that contains the student's picture and current address in the precinct;

c. the signature of a registered voter who lives in your precinct; if your witness lives in your precinct, your witness may also vouch for you; or

d. one document proof of identity from the list in (i) and one document proof of residence from the list in (ii):

(i) an original bill in your name for gas, electric, telephone, cable television, solid waste, water, or sewer services showing your current address and due up to 30 days before or after election day, and

(ii) your Minnesota driver's license or identification card, United States passport, United States military identification card with your photograph, or Minnesota postsecondary student identification card with your photograph;

e. the signature of a registered voter who lives in your precinct; if your witness is registered to vote in your precinct, your witness may also vouch for you;

~~d. a student identification card, registration card, or fee statement that contains the student's current address in the precinct; or~~

~~e. a current valid registration in the same precinct.~~

(i) an identification card issued by the United States government, the state of Minnesota, a Minnesota postsecondary educational institution, or a Minnesota county or municipality; and

(ii) one of the following documents that contains your name and current address in the precinct:

• an original bill for gas, electric, telephone, cable television, solid waste, water, or sewer services due within 30 days before or after election day;

• a receipt for a Minnesota driver's license or identification card;

• an instruction permit issued by the Minnesota Department of Public Safety;

• a current student fee statement; or

• a notice of late registration mailed by the county auditor or municipal clerk.

Step 4. Show your witness the unmarked ballots.

Step 5. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you.

Step 6. Fold each ballot so that your votes cannot be seen. Do not put any identifying marks on the ballot.

Step 7. Place all voted ballots in the tan ballot envelope and seal the envelope. Do not write on the ballot envelope

Step 8. Place the tan secrecy envelope and your completed voter registration card into the white ballot return envelope and seal the envelope. ~~An unsealed envelope will not be accepted.~~

Step 9. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness ~~is~~ are required as well.

Step 10. ~~Your ballot may be returned~~ Return your ballot to the address on the white ballot return envelope in one of the following ways:

a. by mail so it will be delivered by election day;

b. in person ~~to your county auditor or municipal clerk at the address on the front of the white ballot return envelope~~ no later than 5:00 p.m. on the day before election day; or

c. ~~by agent delivery to your county auditor or municipal clerk~~ having someone else return your ballot by 3:00 p.m. on election day (this person cannot be a candidate and cannot return ballots for more than three voters).

~~You may mark and return your ballots at any time after you receive them.~~

~~If your ballots are mailed, enough time should be allowed to permit the ballots to be delivered by the postal service no later than election day.~~

~~If you or your agent return your ballots in person, your county auditor or municipal clerk must receive them no later than 7:00 p.m. on the day before the election.~~

**Note:** Follow these instructions carefully. An improperly completed ballot, or statement of voter or witness, will invalidate your votes. If you have any questions, please call .....

Subp. 3. **Instructions for registered voters.**

### INSTRUCTIONS TO ABSENTEE VOTERS

Follow these instructions carefully.

Before you vote by absentee ballot you must have a witness.

Step 1. Locate one of the following ~~people~~ individuals to serve as your witness:

a. ~~a United States citizen who is at least 18 years old, who lives in your county, and anyone who is eligible registered to vote (in Minnesota including your spouse or another relative who meets these qualifications may serve as your witness)~~ this qualification:

b. a notary public; or

c. any person having authority to administer oaths; ~~or~~

~~d. a United States Postal Service official, if available.~~

Step 2. Show your witness the unmarked ballots.

Step 3. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you.

Step 4. Fold each ballot so that your votes cannot be seen. Do not put any identifying marks on the ballot.

Step 5. Place all voted ballots in the tan ballot secrecy envelope and seal the envelope. Do not write on the ballot envelope.

Step 6. Place the tan ballot secrecy envelope into the white ballot return envelope and seal the envelope. ~~An unsealed envelope will not be accepted.~~

Step 7. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness ~~is~~ are required as well.

Step 8. ~~Your ballot may be returned~~ Return your ballot to the address on the white ballot return envelope in one of the following ways:

a. by mail so it will be delivered by election day;

b. in person ~~to your county auditor or municipal clerk at the address on the front of the white ballot return envelope~~ no later than 5:00 p.m. on the day before election day; or

c. by ~~agent delivery to your county auditor or municipal clerk~~ having someone else return your ballot by 3:00 p.m. on election day (this person cannot be a candidate and cannot return ballots for more than three voters).

~~You may mark and return your ballots at any time after you receive them.~~

~~If your ballots are mailed, enough time should be allowed to permit the ballots to be delivered by the postal service no later than election day.~~

~~If you or your agent return your ballots in person, your county auditor or municipal clerk must receive them no later than 7:00 p.m. on the day before the election.~~

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**Note:** Follow these instructions carefully. An improperly completed ballot, or statement of voter or witness, will invalidate your votes. If you have any questions, please call .....

### 8210.0600 STATEMENT OF ABSENTEE VOTER.

Subpart 1. **Form.** Except as provided in subpart 4, the statement of absentee voter for persons voting under *Minnesota Statutes*, sections 203B.04 to 203B.15, must be printed in the form shown in subpart 1a.

Subp. 1a. **Statement of absentee voter form.**

↓ TO BE COMPLETED BY VOTER ↓

VOTER'S NAME (PLEASE PRINT)

\_\_\_\_\_

VOTER'S ADDRESS (PLEASE PRINT)

\_\_\_\_\_

I certify that on election day I will meet all the legal requirements to vote by absentee ballot.

VOTER'S SIGNATURE

DATE

\_\_\_\_\_

\_\_\_\_\_

↓ TO BE COMPLETED BY WITNESS ↓

I certify that the voter

- showed me the blank ballots before voting;
- marked the ballots in secrecy or, if physically unable to mark the ballots, the ballots were marked as directed by the voter;
- enclosed and sealed the ballots in the secrecy envelope;
- registered to vote by filling out and enclosing a voter registration card in the ballot envelope; and
- provided proof of residence as indicated below.

NAME OF WITNESS (PLEASE PRINT)

\_\_\_\_\_

ADDRESS OF WITNESS (PLEASE PRINT)

\_\_\_\_\_

SIGNATURE OF WITNESS

DATE

\_\_\_\_\_

TITLE OF WITNESS (IF AN OFFICIAL)

\_\_\_\_\_

↓ ROOF OF RESIDENCE USED BY VOTER ↓

Witness - please check one:

- ( ) MN Driver's License/~~Permit~~, ID Card, or ~~receipt~~  
~~Student ID~~ with current address.  
Number: \_\_\_\_\_
- ( ) Utility bill, MN driver's license receipt, MN learner's permit, student fee statement, or notice of late registration  
plus a MN Driver's License/ID Card,  
~~U.S. passport, U.S. military ID card with picture, or student ID card with picture.~~  
government or student ID card with picture.  
Number: \_\_\_\_\_
- (~~→~~) ~~Previous registration in the same precinct.~~
- (~~→~~) ~~Student ID. Number:~~
- (~~→~~) ~~Notice of Late Registration from county auditor or municipal clerk.~~
- ( ) Registered voter in the precinct who vouched for absentee voter's residence in the precinct.  
(Please complete the next three lines.)

VOUCHER'S NAME (PLEASE PRINT)

\_\_\_\_\_

VOUCHER'S ADDRESS (PLEASE PRINT)

\_\_\_\_\_

VOUCHER'S SIGNATURE

\_\_\_\_\_

[For text of subs 2 to 4a, see M.R.]

**8210.0700 ABSENTEE BALLOT RETURN ENVELOPE AS PROVIDED BY MINNESOTA STATUTES, SECTIONS 203B.04 TO 203B.15.**

[For text of subs 1 and 2, see M.R.]

Subp. 3. **Mailing address.** County auditors and municipal clerks shall cause a mailing address to be printed on each return envelope ~~which~~ that they mail or deliver to an absent voter. The address block shall be located in the lower right one-quarter of the envelope. A return envelope may be addressed to the county auditor, to the municipal clerk, or to the election judges of the precinct in which the absent voter is eligible to vote.

When an auditor has the duty to address envelopes for a municipality and the envelopes are to be addressed to the election judges, the clerk shall notify the auditor of the proper mailing address of each polling place in the municipality. The clerk shall immediately notify the auditor of every change in the initial notification.

[For text of subs 7 to 10, see M.R.]

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### 8210.2200 DUTIES OF COUNTY AUDITOR OR MUNICIPAL CLERK UPON RECEIPT OF ABSENTEE BALLOT RETURN ENVELOPE.

Subpart 1. **Personal delivery.** Absentee ballot return envelopes that are delivered in person by an absent voter ~~or an agent~~ must be received by the county auditor or municipal clerk by ~~7:00~~ 5:00 p.m. on the day before election day. Absentee ballot return envelopes that are delivered in person by an agent must be received by the county auditor or municipal clerk by 3:00 p.m. on election day.

[For text of subs 2 and 3, see M.R.]

### 8210.3000 MAIL BALLOTING.

[For text of subs 1 to 4, see M.R.]

Subp. 4a. **Form of instructions to mail voters.**

#### INSTRUCTIONS TO MAIL BALLOT VOTERS

Follow these instructions carefully.

Before you vote you must have a witness.

Step 1. Locate one of the following ~~people~~ individuals to serve as your witness:

- a. ~~a United States citizen who is at least 18 years old, who lives in your county, and anyone who is eligible registered to vote (in Minnesota including your spouse or another relative who meets these qualifications may serve as your witness)~~ this qualification;
- b. a notary public; or
- c. any person having authority to administer ~~an oath, such as a judge~~ oaths.

Step 2. Show your witness the unmarked ballots.

Step 3. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you.

Step 4. Fold each ballot so that your votes cannot be seen. Do not put any identifying marks on the ballot.

Step 5. Place all voted ballots in the tan colored Ballot Secrecy Envelope and seal the envelope. Do not write on this envelope.

Step 6. Place the tan colored ballot secrecy envelope into the white ballot return envelope and seal the envelope. ~~An unsealed envelope will not be accepted.~~

Step 7. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness ~~is~~ are required as well.

Step 8. ~~The ballot return envelope may be mailed or delivered in person by you or your designated agent to the county auditor's office.~~

You may mark and return your ballot at any time before election day. Be sure to mail back the ballot in time to Return your ballot to the address on the white ballot return envelope by mail so it will be delivered by election day or return the ballot in person or through your designated agent to the auditor's office no later than 8:00 p.m. on election day.

If you have questions, please call (...) ...-.... .

[For text of subp 4b, see M.R.]

Subp. 4c. [See repealer.]

[For text of subs 5 and 6, see M.R.]

Subp. 6a. **Form of replacement mail ballot affidavit.**

#### REPLACEMENT MAIL BALLOT AFFIDAVIT OF

\_\_\_\_\_  
(print or type legal name of voter)

\_\_\_\_\_  
(print or type legal address)

I certify that

- I am a resident and eligible voter in

\_\_\_\_\_ (name of township or territory)

- ~~I certify that~~ I am requesting a replacement ballot because I spoiled, lost, or did not receive the ballot mailed to me;
- ~~I certify that~~ if I spoiled the ballot, I have returned the spoiled ballot to the official who issued the ballot or that it is enclosed with this affidavit;
- ~~I certify that~~ if I receive both ballots or find the first ballot, I will destroy the unused ballot and will vote only once; and
- I understand that voting twice is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both.

\_\_\_\_\_ (date)

\_\_\_\_\_ (legal signature of voter)

[For text of subp 7, see M.R.]

Subp. 8. **Returning ballots.** Mail ballots may be returned to the official conducting the election by mail, in person, or by designated agent. The official conducting the election must accept ballots returned in person, or by designated agent, ~~must be accepted~~ until 8:00 p.m. on the day of the election. An individual shall not be the designated agent of more than three absentee voters in one election.

[For text of subps 9 to 12, see M.R.]

Subp. 13. **Experimental Alternate forms.** The secretary of state may authorize the ~~experimental~~ alternate use of envelopes and other forms related to mail elections.

#### **8220.0050 CONDUCT OF ELECTIONS.**

Except as provided in chapters 8220 and 8230 or in *Minnesota Statutes* ~~or in parts 8220.0050 to 8230.4395~~, elections shall be conducted in the manner prescribed for precincts using paper ballots in the Minnesota election law.

#### **8220.0150 MINIMUM STANDARDS.**

~~Parts 8220.0050 to 8230.4395~~ Chapters 8220 and 8230 set minimum standards for procedures in the use of electronic voting systems. An election jurisdiction may by resolution require additional procedures.

#### **8220.0250 DEFINITIONS.**

Subpart 1. **Scope.** As used in ~~parts 8220.0150 to 8230.4395~~ chapters 8220 and 8230, terms defined in *Minnesota Statutes*, section 206.56, have the meanings given them in that section, and the following terms defined in this part have the meanings given them.

[For text of subp 1a, see M.R.]

Subp. 2. [See repealer.]

Subp. 2a. [See repealer.]

[For text of subp 3a, see M.R.]

Subp. 3b. Ballot secrecy cover. “Ballot secrecy cover” means a cover to be used by the voter to conceal the votes marked on the ballot.

[For text of subp 4a, see M.R.]

**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.

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Subp. 5a. **Central count voting system.** “Central count voting system” means an electronic voting system designed ~~to count ballots from more than one precinct at a central counting center~~ for and certified by the secretary of state for use in a central counting center.

Subp. 5b. **Central counting center.** “Central counting center” means a place selected by the governing body of an election jurisdiction where an electronic voting system is used to count ballots from more than one precinct after voting hours have ended.

Subp. 7. [See repealer.]

Subp. 10. [See repealer.]

[For text of subps 11 to 15, see M.R.]

Subp. 16. **Election jurisdiction.** “Election jurisdiction” means any municipality, school district, county, or special election district ~~holding~~ having responsibility for operating electronic voting systems to be used at an election or part of an election.

Subp. 17. [See repealer.]

[For text of subps 18 and 18a, see M.R.]

Subp. 20. [See repealer.]

[For text of subp 21, see M.R.]

Subp. 22a. **Precinct ~~count~~ counting center.** “Precinct ~~count~~ counting center” means a precinct where a precinct count voting system is used to count votes on ballots at the precinct polling place as voters deposit the ballots into the ballot box.

[For text of subp 22b, see M.R.]

Subp. 23. [See repealer.]

[For text of subp 24, see M.R.]

Subp. 25a. [See repealer.]

[For text of subp 26, see M.R.]

Subp. 27. [See repealer.]

[For text of subps 28a and 30, see M.R.]

Subp. 31. [See repealer.]

Subp. 32. [See repealer.]

[For text of subp 33, see M.R.]

Subp. 34. [See repealer.]

Subp. 35. **Vendor.** “Vendor” means an individual or organization other than an election jurisdiction supplying any element of an electronic voting system, including but not limited to hardware, software, and programming services.

Subp. 36. [See repealer.]

Subp. 38. [See repealer.]

### 8220.0350 APPLICATION.

An application by a vendor pursuant to *Minnesota Statutes*, section 206.57, for examination of an electronic voting system must be accompanied by the following:

A. ~~an initial deposit, in an amount set by the secretary of state, toward the examination fee and~~ a signed agreement that the vendor will pay all costs incurred by the secretary of state, the vendor, and any designees of the secretary of state in accomplishing the examination;

B. complete specifications of all hardware, firmware, and software;

C. all technical manuals and documentation related to the system;

D. complete instructional materials necessary for the operation of the equipment by election jurisdictions and a description of any training available to users and purchasers;

E. a list of all state election authorities that have tested and approved the system for use;

F. a list of all election jurisdictions where the system has been used for elections;

G. a description of any support services offered by the vendor and of all peripheral equipment that can be used in conjunction with the system;

H. recommended procedures for use of the system at Minnesota elections including procedures necessary to protect the integrity of the election;

I. specifications for materials and supplies required to be used with the system;

J. specifications for stickers for write-in votes that can be used with the system;

K. explanation of the level of technical expertise required to program or prepare the system for use at an election; and

L. certification by an independent testing authority approved by the secretary of state of conformance to standards for voting equipment issued by the Federal Election Commission.

The vendor may submit additional material including test reports and evaluations by other states, election jurisdictions, and independent testing agencies. The secretary of state shall make a preliminary review of the application. If the secretary of state determines from the preliminary review that the system obviously does not meet provisions of Minnesota election laws, the vendor may withdraw the application ~~and the secretary may refund the deposit.~~

#### **8220.0450 ACCEPTANCE DEMONSTRATION.**

The vendor shall train a designee of the secretary of state in the preparation and operation of the system. The training must be at least as extensive as the training required for an election jurisdiction to be able to prepare and use the system at Minnesota elections.

The acceptance demonstration must be provided by the vendor and attended by designees of the secretary of state. The vendor is responsible for demonstrating that the system can meet all requirements of chapters 8220 and 8230 and Minnesota election law ~~and parts 8220.0050 to 8230.4395.~~ In the acceptance demonstration, the vendor of the system must demonstrate the following concerning the system:

A. its storage requirements;

B. its speed of operation under conditions that simulate the scope and length of actual election ballots;

C. full audit capability, with an audit trail, which includes a printout of overvotes and undervotes for each office and issue, and with the undervotes recorded directly from the ballots and not determined by subtraction of totals from ballots that were not overvoted;

D. all ~~special parameter alterations~~ features that can be programmed;

E. all design specifications;

F. maximum numbers of precincts, offices and issues, and candidates per office which can be handled;

G. the production of reports which include vote totals and all statistics and other information required by the secretary of state;

H. simulation of vote counting involving a configuration of the largest number of voters, precincts, offices, and candidates with which the system is expected to be used, which vote counting includes ballots showing overvotes, undervotes, and invalid votes as well as those with no overvotes or stray marks in unassigned locations, in many different combinations, and demonstrates rotation sequences and the ability to ~~deal with~~ count votes cast on the partisan, nonpartisan, and proposal sections of the ballot independently;

I. accuracy of vote counting and procedures or process for testing accuracy;

J. provisions for maintaining the security and integrity of elections; and

K. provisions for write-in votes.

The vendor shall identify all hardware configurations with which software is intended to operate and shall provide an acceptance demonstration for every hardware and software configuration for which certification for use in Minnesota is requested. The secretary of state may provide additional ballots or test decks for the acceptance demonstration.

The acceptance demonstration and training of the secretary of state's designee may be accomplished either at the vendor's site or at the office of the secretary of state.

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### 8220.0650 APPROVAL OF SYSTEMS.

Subpart 1. **Certification.** If, from the reports of the demonstration and testing, the secretary of state determines that the system complies with ~~chapters 8220 and 8230 and Minnesota Statutes and parts 8220.0050 to 8230.4395~~ and can be used safely at elections, the secretary of state shall issue to the vendor a certification of the system for use in Minnesota. The certification must be limited to specific hardware and software configurations and may not extend to models or configurations not examined. The certification may include stipulations or special procedures for use of the system. No certification may be issued until the vendor has:

A. paid all costs of the examination required under the agreement submitted with the application;

B. certified that the vendor and any agent acting on behalf of the vendor will offer the system for use or sale only ~~in accordance with~~ according to chapters 8220 and 8230 and Minnesota Statutes and parts 8220.0050 to 8230.4395 and any stipulations of the certification;

C. certified that the vendor will immediately notify the secretary of state of any modifications to the system and will not offer for sale or provide for use in Minnesota any modified system if the secretary of state advises the vendor that, in the opinion of the secretary, the modifications constitute a significant change requiring that the system be reexamined;

D. deposited with ~~the secretary of state~~ an escrow agent a copy of all programs, documentation, and source ~~code~~. ~~If the vendor considers this data proprietary, the secretary of state shall maintain the integrity and security of the data codes;~~ and

E. deposited with the secretary of state a bond in the amount of ~~\$5,000~~ specified in Minnesota Statutes, section 206.57, subdivision 4, conditioned on the vendor offering the system for sale in the manner required by ~~parts 8220.0050 to 8230.4395~~ chapters 8220 and 8230 and any conditions under which the system is certified for use in Minnesota. The form and execution of the bond must be acceptable to the secretary of state. Bonds must be issued by corporations authorized to contract as a surety in Minnesota. This bond is not in lieu of any right of action by the purchaser or the state of Minnesota against the vendor or the surety. The bond is required until the adoption, use, or purchase of the system or program is discontinued in Minnesota.

Subp. 2. **Decertification.** If a voting system no longer meets the standards of ~~chapters 8220 and 8230 or Minnesota Statutes or parts 8220.0050 to 8230.4395~~, the secretary of state may withdraw certification of the voting system. The vendor must be given written notification of intent to withdraw certification and may within ten days of receipt of the notification submit a written request to the secretary of state for a contested case hearing under *Minnesota Statutes*, sections 14.57 to 14.62.

Subp. 3. **Forfeiture of bond.** If the secretary of state determines that a vendor has offered for sale or use at an election a voting system in a manner other than that required by ~~parts 8220.0050 to 8230.4395~~ chapters 8220 and 8230 or any conditions under which the system was certified, the bond required by subpart 1, item E, must be forfeited. The secretary of state shall notify the vendor of the intent to forfeit the bond in writing and provide the vendor an opportunity to furnish a written explanation to the secretary of state prior to forfeiture. No system may be subsequently offered for sale or use at an election by the vendor who has received a notice of intent to forfeit the bond or whose bond has been forfeited, until the vendor has submitted an additional bond in the amount of ~~\$5,000~~ \$50,000. The secretary of state shall notify each official on the user list of a receipt, forfeiture, or restoration of these bonds.

### 8220.0700 PERIODIC REEXAMINATION OF SOFTWARE.

After an electronic voting system has been certified by the secretary of state, the software necessary to operate the voting system, tabulate votes, and prepare ballot styles must be reexamined and ~~reapproved~~ recertified under part 8220.0650, subpart 1, by the secretary of state or an independent testing authority approved by the secretary of state at least once every four years and at any time that, in the opinion of the secretary of state, the voting system no longer complies with Minnesota election law. The certification or approval of a significant change to a voting system's software satisfies the requirements of this part. The secretary of state may waive the reexamination and reapproval requirement in this part if no changes have been made to a voting system's software or if the software continues to operate in conformance with Minnesota election law.

### 8220.0750 PREPARATION OF COMPUTER PROGRAMS.

Computer programs must be prepared so as to tabulate accurately each voter's choices for all candidates, offices, and measures for which the voter is lawfully entitled to vote in conformity with chapters 8220 and 8230 and the laws of Minnesota ~~and parts 8220.0050 to 8230.4395~~.

Computer programs must require an electronically readable precinct identifier or ballot style indicator on all ballots.

The vote tabulation portion of the computer program must be prepared as follows:

A. The computer program must reflect the rotation sequence of the candidates' names as they appear on the ballots in the various precincts.

B. The computer program must reflect the offices and questions to be voted on in the order that they appear on the ballots in the various precincts.

C. The computer program must count valid votes cast by a voter for candidates for an office.

D. The computer program must count valid votes cast by a voter for or against any question.

E. The computer program must not count the votes cast by a voter for an office or question if the number of votes cast exceeds the number which the voter is entitled to vote for on that office or question, but it must record that there is an overvote condition as referred to in part 8220.0450, item C.

F. The computer program must ignore stray marks on a ballot ~~in unassigned locations~~; these marks must have no effect on any portion of the ballot.

G. For the purpose of programming, the partisan, nonpartisan, and proposal sections of the ballot are independent ballots; no action of a voter on one section of the ballot may affect the voter's action on another section of the ballot.

H. In partisan primary elections, the computer program must count the votes recorded by a voter for candidates in one political party only and reject all of the partisan section of the ballot if votes are cast for candidates of more than one political party, but count valid votes in the nonpartisan section of the ballot.

I. In partisan primary elections the computer program must check for the situation of a voter casting votes for candidates of more than one political party prior to checking for overvote conditions.

J. If the counting equipment can examine and return a ballot to the voter before counting it, the computer program must check for and reject without counting any ballot with an overvote or, at a partisan primary, with votes cast for candidates of more than one party. When the ballot is returned to a voter, an error message must indicate the type of defect and may indicate the specific office or question where the defective condition was found. The error message must print on a paper tape or display electronically. ~~If the voting system is capable of emitting an audible signal while electronically displaying the error message, it must do so.~~

K. A mark indicating a write-in is a vote for the purpose of determining if an overvote condition exists. Except where an overvote condition for the office exists, the computer program must record that a write-in has been indicated. The program must count and record valid votes on the ballot for all other offices and questions before a ballot with a write-in recorded is separated from ballots with no write-ins recorded. The program must report, by office, the total number of write-ins recorded.

#### **8220.0800 PROGRAM PREPARATION BONDS.**

Subpart 1. **Amount of bonds.** Each vendor preparing programs for use with an electronic voting system shall deposit a bond with the secretary of state in the amount of \$5,000. The form of the bond must be acceptable to the secretary of state. Bonds must be issued by corporations authorized to contract as a surety in Minnesota. This bond is not in lieu of any right of action by the purchaser or the state of Minnesota against the vendor or the surety. The bond is required until the adoption, use, or purchase of the system or program is discontinued in Minnesota.

Subp. 2. **Forfeiture of bonds.** If the secretary of state determines that a program used with an electronic voting system was not prepared in the manner required by ~~parts 8220.0050 to 8230.4395~~ chapters 8220 and 8230 and the written instructions of the official responsible for preparation of the ballots, the bond must be forfeited to the extent necessary to cover actual expenses resulting from the failure of the program. The secretary of state shall determine within 45 days after receiving notification of the failure of a program and a request for reimbursement of expenses resulting from the failure of the program from the appropriate election officials, what actual costs were incurred as a result of the program failure. The secretary of state shall notify the vendor of the intent to forfeit the bond in writing and provide the vendor an opportunity to furnish a written explanation to the secretary of state prior to forfeiture. If required to meet actual expenses in excess of the amount of the bond posted under subpart 1, the secretary of state shall use, to the extent necessary, any bond posted by the vendor under part 8220.0650 as compensation to the election jurisdiction. The secretary of state shall notify each official on the user list of any receipt, forfeiture, or restoration of these bonds.

#### **8220.1050 PREPARATION OF TEST DECK.**

The election jurisdiction requesting the computer program must prepare a test deck of ballots to be used to determine that the voting system and the computer program will correctly count the votes cast for all offices and all proposals in compliance with the Minnesota election law.

~~The test deck must test in a manner commensurate with the logic of the computer program, the capabilities of the program, and storage to correctly tally the number of votes which might be cast for any office or question in the election.~~

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The test deck must conform to part 8220.1150. A test deck must be prepared specifically for each election.

The test deck prepared must consist of a preaudited configuration of ballots to record a predetermined number of valid votes for each candidate and issue.

### **8220.1350 PRELIMINARY TESTING OF COMPUTER PROGRAMS.**

Prior to the public accuracy test, the election jurisdiction providing the computer programs shall test the voting systems and programs to ascertain that they will correctly count the votes for all offices and measures. The computer programs must be tested on all precincts.

The election jurisdiction ~~requesting the computer programs~~ shall compare the ~~edit listing against the~~ zero tape ~~and with the~~ ballots of all precincts to ascertain that the appropriate ballots are in each precinct and that the offices and questions to be voted on and the candidates' names are in the order that they appear on the ballots for each precinct. Each election jurisdiction shall make a certificate as to the above matters and file it with the county auditor.

The test must be conducted using the test deck prepared under the direction of the election jurisdiction, and the results must be compared against the predetermined results of the test deck.

### **8220.1450 DUTIES UPON COMPLETION.**

~~When~~ After an errorless count has been made on all precincts, the election jurisdiction providing the computer program must:

[For text of items A to D, see M.R.]

### **8220.1550 PUBLIC ACCURACY TEST.**

The election jurisdiction must hold a public accuracy test ~~must be held~~ within 14 days prior to the election for the purpose of demonstrating the accuracy of the computer programs and voting systems to be used at the election. The public accuracy test must be conducted according to *Minnesota Statutes*, section 206.83.

The time and place of the public accuracy test must be designated by the election jurisdiction providing the computer program, which must give at least 48 hours' public notice of the time and place of the test by publication in official newspapers and by posting a notice in the office of the county auditor and each local election official conducting the test.

The test must be open to the public. At least two election judges of different political parties must witness the test. The chief election official of the election jurisdiction shall explain the methods and test procedures used to determine the accuracy of the computer programs. This will include submitting as public record the certificate prepared in accordance with part 8220.1450 that all precincts have been tested using the test deck prepared under the direction of the election jurisdiction.

The sealed container containing the computer programs, test deck, and predetermined results must be opened and the computer programs tested to determine their accuracy on the voting systems on which they are to be used on election day. The ~~initial~~ testing of the voting systems and programs must be with the test deck prepared under the direction of the election jurisdiction. In election jurisdictions with three or fewer precincts, all the precincts must be tested. In election jurisdictions with more than three precincts, a minimum of three precincts must be tested. One precinct from each congressional district, legislative district, county commissioner district, ward, and school district on the ballot must be tested. The official conducting the election shall select the precincts to be tested.

~~The backup computer program prepared and delivered according to part 8220.0850 must be tested on the voting system on which it would be used on election day. The test decks used in these procedures must be the ones prepared in accordance with parts 8220.0750 to 8220.1850. Any test ballots made under parts 8220.0750 to 8220.1850 must be marked "TEST."~~

If an error is detected in any part of the testing, the cause must be ascertained, the error corrected, and an errorless count must be made on all precincts. At the discretion of the election jurisdiction, the meeting may be adjourned to a time and date certain.

### **8220.2050 ISOLATION FROM OTHER INFLUENCES OF VOTING SYSTEM.**

The voting system must be set up so that the vote-tallying procedures will function in isolation ~~from other influences~~ while being tested or operated on election day. No physical connection must exist between a ~~precinct count~~ voting system and any other computer ~~during hours that voting is occurring in that precinct on election day~~ while the voting system is tabulating results for a precinct.

### **8230.0050 APPLICABILITY.**

~~Parts 8230.0050 to 8230.4395~~ Chapters 8220 and 8230 apply to optical scan voting systems.

**8230.0150 PROCEDURES.**

Unless otherwise provided for in chapters 8220 and 8230 or in Minnesota law ~~or in parts 8230.0050 to 8230.4395~~, paper ballot procedures as provided in Minnesota election law must be followed to the extent possible.

**8230.0250 ARRANGEMENT OF VOTING STATIONS.**

~~Precincts using optical scan voting systems~~ Election jurisdictions may provide self-contained voting stations for use by voters in casting their ballots. If a voter claims that the arrangement of the stations does not afford the opportunity to vote in secrecy, the judges shall rearrange the stations to provide for increased secrecy.

**8230.0560 BALLOTS.**

Ballots must meet or exceed the specifications the equipment manufacturer has filed with the secretary of state. The election official responsible for preparing the ballots must supply to the ballot printer the equipment manufacturer's recommended standards and specifications for ballot printing. ~~The equipment manufacturer must file recommended procedures and standards for checking ballot specifications with the secretary of state. The equipment manufacturer also must file specifications for stickers to be used for write-in votes on ballots with the secretary of state.~~

Each ballot must have printed on it both the name of the precinct and an electronically readable precinct identifier or ballot style indicator. A ballot style used in more than one precinct may have the names of all precincts in which it is used printed on the ballot. Only an electronically readable precinct identifier or ballot style indicator is required on a presidential or federal absentee ballot.

Voting instructions must be printed at the top of each side of the ballot that contains one or more offices or questions to be voted on. The instructions must include an illustration of the proper mark to be used to indicate a vote. Lines for the initials of at least two election judges must be printed on one side of the ballot.

The vendor must deliver ballots in shrink-wrapped packages of 25, 50, or 100 ballots. The ballots must be stored in a manner to protect against moisture.

The local election official must certify to the county auditor the number of ballots received for each ballot style. The local election official or county auditor shall package the ballots for each precinct in groups of 25, 50, or 100 and seal or place the ballots into a package or transfer case. The package or transfer case must contain a certificate stating the number of ballots it contains. All ballots not issued to a precinct or assigned for absentee voting must be secured and accounted for by the official conducting the election. The official conducting the election must maintain a record of the number of ballots issued to each precinct. The ballots must be delivered to the chief election judge of each precinct.

**8230.0570 BALLOT SECRECY COVERS.**

The ballot secrecy cover must be of sufficient size and construction so that when the ballot is inserted in it all portions indicating voting marks are hidden from view.

**8230.0580 SUPPLIES.**

A ballot box must be provided to each precinct for the deposit of voted ballots.

The following items must be included in the precinct supplies:

- A. the sample ballot for the precinct;
- B. ballot secrecy covers;
- C. envelopes marked "spoiled ballots," "write-in ballots," and "ballots for which duplicates were or are to be made";
- D. a form to record write-in votes if needed; and
- E. a set of instructions for operating the precinct on election day.

In election jurisdictions using central count voting systems, an envelope marked "defective ballots" also must be provided to each precinct.

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### 8230.0650 VOTING PROCEDURE.

Every voter at the polling place must be offered a demonstration of how to mark the ballot and use the voting system.

The election judge shall not deliver a ballot to a voter until the judge has received a voter receipt. The voter receipt may contain an example of the target used on the ballot. The election judge must state or demonstrate how to complete the target as the ballot is handed to the voter. A writing instrument without an eraser that will produce marks that can be accurately read by the ballot counter must be provided to each voter.

Upon being issued a ballot and offered a ballot secrecy cover, the voter shall go to an unoccupied voting station and vote.

Upon leaving the voting station, the voter shall insert the ballot into the ballot counter or ballot box. The voter may choose to hand the ballot to an election judge who shall insert the ballot into the ballot counter or ballot box.

### 8230.1850 DEFECTIVE BALLOT.

If a ballot has been damaged, ~~it~~ the election judges may be duplicated and counted duplicate and count it. The damaged ballot must be placed in the duplicate ballot envelope. If it is clearly evident from examination of the ballot that the ballot has been damaged or marked for the purpose of distinguishing it, then the ballot is defective and may not be counted. The ballot must be placed in the defective ballot envelope and returned to the official in charge of the election for the election jurisdiction.

### 8230.3950 SUMMARY STATEMENTS.

The election official in charge of the central counting center must prepare ~~one~~ two or more summary statements. The summary statement must state the name of the county; the name of the municipality, school district, or special district; precinct name and code; offices; names of candidates; number of persons registered at 7:00 a.m. on election day; number of ballots counted; vote totals; and any other data required by the secretary of state. Authorized personnel in the central counting center shall enter this data into the election reporting system established by the secretary of state for the purpose of state reporting of election results. The summary statement may be a computer printout as well as any forms designated by the secretary of state.

### 8230.4050 DISTRIBUTION OF SUMMARY STATEMENTS.

The summary ~~statement~~ statements referred to in part 8230.3950 must be certified to the official conducting the election. The official conducting the election shall prepare one summary statement for each jurisdiction canvassing the results of the election. For state elections, the county auditor shall forward a summary statement to the secretary of state together with two copies of the county canvassing board report. The official conducting the election may authorize the printing of copies of the summary statement for public information purposes. The official conducting the election shall prepare copies of any additional forms required by the secretary of state.

### 8230.4360 DUPLICATION OF BALLOTS.

Any ballots requiring duplication at the polling place must be duplicated in the manner described in ~~items A to E~~ part 8230.3850.

~~A. Whenever a ballot is required to be duplicated, the duplication process must be performed by two election judges not of the same political party.~~

~~B. Whenever it is necessary to duplicate a ballot, the duplicate ballot and the original ballot must be identified with a single number written on both ballots. The number on the duplicate ballot must be the same number as on the original ballot. When more than one ballot is being duplicated in a precinct, the numbering must be serial.~~

~~C. The reason for duplication must be written on the duplicate ballot. The election judges duplicating the ballot shall initial the duplicate ballot and the original ballot.~~

~~D. When duplicating a ballot, one election judge shall call from the original ballot the valid selections of the voter; another election judge shall prepare the duplicate ballot with the voter's valid selections. The duplicate ballot must be compared against the original ballot to ensure it has been accurately duplicated.~~

~~E. All original ballots which require duplication must be placed in an envelope marked "ballots for which duplicates were or are to be made." The duplicate ballot must be placed with the other valid ballots to be tabulated.~~

### 8230.4365 PRECINCT COUNT VOTING SYSTEM EQUIPMENT AND PROCEDURES.

Subpart 1. **Number of ballot counters and memory units.** At least one precinct count voting system and at least one memory unit must be used in each precinct. One precinct count voting system and one memory unit may be used to count ballots for up to four precincts that are in the same municipality county and that have a combined total of fewer than 2,500 registered voters as of June 1 of that election year. A separate summary statement must be produced for each precinct being counted by the precinct count voting system and the voted ballots must be separated and sealed by precinct.

[For text of subs 2 to 6, see M.R.]

**8230.4390 CERTIFICATE OF ELECTION JUDGES.**

The election judges shall sign a “certificate of election judges.” The certificate must state:

[For text of items A to G, see M.R.]

H. that all ballots used in the election and all ballots that have been duplicated have been placed in the transfer case and ~~the~~ the case was securely sealed with an official seal in such a manner as to render it impossible to open the case without breaking the seal; and

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

**8250.0200 AUDITOR’S DUTIES.**

The white ballot shall be prepared under the direction of the county auditors in a sufficient number to enable the clerks to comply with ~~the provisions of Minnesota Statutes, section 204B.29.~~ The county auditors shall prepare and print the white ballot as soon as practicable, but in no event less than 30 days before the election. Two weeks before the general election the auditor shall file sample copies of the white ballot in the auditor’s office for public inspection. Ballots for distribution in the polling place must be ~~bound in pads of 50 packaged in quantities of 25, 50, or 100.~~

**8250.0300 FORM OF BALLOTS.**

The white ballot shall be printed with black ink on white paper as close as practicable to 30 pound. The ballot shall be ~~5-1/4~~ no less than four inches wide and printed so as to be easily legible, with suitable lines for divisions between candidates, offices, instructions, and other matter proper to be printed on the ballot. The auditor shall prepare the ballots in such a manner as to enable the voter to understand what candidates have been nominated and how many are to be elected to each office and to designate the voter’s choice easily and accurately.

**8250.0365 FORM OF PINK BALLOT.**

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Designation by number.** ~~If more than one constitutional amendment is on the ballot, each constitutional amendment must be designated by a number. Each constitutional amendment and~~ must be preceded by the word “AMENDMENT” and the number assigned to the amendment.

**8250.0370 FORM OF CANARY BALLOT.**

Subpart 1. **General form.** The canary ballot must be prepared in the same manner as the white ballot, except as provided in this part. The county auditor may add the name of the county directly under the heading of the canary ballot. The county auditor must add the date of the election directly under the heading of the canary ballot and the name of the county, if this name is printed on the ballot. If the canary ballot contains a ballot question, the following instruction must be printed directly under the instructions required in part 8250.0400. “To vote for a question, put an (X) in the square next to the word “YES” for that question. To vote against a question, put an (X) in the square next to the word “NO” for that question.” Ballots for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp. 2. **Ballot order.** County offices must be listed first on the canary ballot in the following order and identified as follows in upper case letters:

COUNTY COMMISSIONER  
COUNTY AUDITOR  
COUNTY TREASURER  
COUNTY RECORDER  
COUNTY SHERIFF  
COUNTY ATTORNEY  
COUNTY SURVEYOR  
COUNTY CORONER

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
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## Proposed Rules

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The name and number of the district that the person elected will represent must be printed in upper case letters or numbers directly under the title of the office.

If two of the offices listed in this subpart have been combined into one office, the combined office must take the place of the first office listed in this subpart.

The names of candidates to fill vacancies at a special election must be listed under the heading "Special election for (name of office) to fill vacancy in term expiring (date)" with the name of the office, the date of expiration of the term, and any other information necessary to distinguish the office. Vacant offices being filled by special election must be listed with other offices of that type but after any offices for which a candidate will be elected for a full term.

Any county offices not listed in this subpart must follow the office of county coroner on the ballot and must be listed in the order determined by the county auditor.

County ballot questions must be printed after county offices on the canary ballot. ~~Each county ballot question must be designated by a number.~~ When more than one county question is on the ballot, each county ballot question must be designated by a number and must be preceded by the words "COUNTY QUESTION" in upper case letters and the number assigned to the question. The county auditor or county board shall provide a title for each county question printed on the canary ballot. The title must not contain more than ten words. The county attorney shall review the title to determine whether it accurately describes the question asked. The title must not be used on the ballot until it has been approved by the county attorney. The title must be printed in upper case letters and must be printed above the question to which it refers. The body of the question must be printed in upper and lower case letters.

Special district offices must follow the last county question. Soil and water conservation districts are special districts. The words "SOIL AND WATER CONSERVATION DISTRICT SUPERVISOR" in upper case letters must precede the names of candidates for the soil and water conservation district board. Where soil and water conservation district supervisor offices are designated by number, the offices must be listed in numerical order. The name and number of the district that the person elected will represent must be printed in upper case letters or numbers directly under the title of the office.

Judicial offices must follow special district offices and appear in the following order: chief justice - supreme court, associate justice - supreme court, judge - court of appeals, and judge - district court. Where judicial seats are designated by number, the offices must be listed in numerical order. Optical scan ballots must be prepared in the order provided in *Minnesota Statutes*, chapter 206. ~~County and judicial offices for which there is only one candidate will appear in the manner provided in *Minnesota Statutes*, section 204D.14.~~

Subp. 3. **Ballot size.** The canary ballot must be ~~5-1/4~~ no less than four inches wide and no more than 30 inches long.

### 8250.0385 FORM OF GREEN BALLOT.

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

Subp. 2. **Ballot order.** The municipal clerk may add ~~the name of the municipality and~~ the type of election directly ~~under the heading of~~ above the date on the green ballot. City offices must be listed in the following order and must be identified as follows in upper case letters:

MAYOR  
COUNCIL MEMBER  
CITY CLERK  
CITY TREASURER

Town offices must be listed in the following order and must be identified as follows in upper case letters:

TOWN SUPERVISOR  
TOWN CLERK  
TOWN TREASURER

The name and/or number of the district that the person elected will represent must be printed in upper case letters or numbers directly under the title of the office.

Municipal offices elected at large must be listed before other offices of the same type elected by district. Where municipal offices are designated by number, those offices must be listed in numerical order. If two of the offices listed in this subpart have been combined into one office, the combined office must take the place of the first office listed in this subpart. Vacant municipal offices being filled by special election must be listed with offices of the same type but after any offices for which candidates will be elected for a full term. The title of a vacant township office being filled at an annual town election may be followed by the number of years

remaining in the term. Municipal offices not listed in this subpart must follow the last office listed above and must be listed in the order determined by the municipal clerk.

**8250.0390 FORM OF BLUE BALLOT.**

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

Subp. 2. **Ballot heading.** The words "CITY QUESTION BALLOT" or "TOWN QUESTION BALLOT" must be printed at the top of the ballot in upper case letters. The municipal clerk may add ~~the name of the municipality and~~ the type of election directly ~~under the heading of~~ above the date on the blue ballot. The following words must be printed directly under the ballot heading, municipality name, ~~and~~ election type, and election date. "To vote for a question, put an (X) in the square next to the word "YES" for that question. To vote against a question, put an (X) in the square next to the word "NO" for that question."

~~When more than one municipal question is on the ballot,~~ each municipal ballot question must be designated by a number. ~~Each municipal ballot question and~~ must be preceded by the words "CITY QUESTION" or "TOWN QUESTION" in upper case letters and the number assigned to the question. The municipal clerk or municipal governing body shall provide a title for each municipal question printed on the blue ballot. The title must not contain more than ten words. The municipality's attorney shall review the title to determine whether it accurately describes the question asked. The title must not be used on the ballot until it has been approved by the municipality's attorney. The title must be printed in upper case letters and must be printed above the question to which it refers. The body of the question must be printed in upper and lower case letters.

**8250.0395 FORM OF BUFF BALLOT.**

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

Subp. 2. **Ballot offices.** The words "SCHOOL DISTRICT BALLOT" must be printed at the top of the ballot in upper case letters. The school district clerk ~~may~~ must add the name and/or number of the school district and the ~~type date of the~~ election directly under the heading of the buff ballot. The school district clerk may add the type of election directly above the date on the buff ballot. School district offices must be identified on the buff ballot as follows in upper case letters:

**SCHOOL BOARD MEMBER**

The name and/or number of the district that the person elected will represent must be printed directly under the title of the office.

School district offices elected at large must be listed before other offices of the same type elected by district. Where school board offices are designated by number, the offices must be listed in numerical order. Vacant offices being filled by special election must be listed with offices of the same type but after any offices for which a candidate will be elected for a full term.

**8250.0397 FORM OF GOLDENROD BALLOT.**

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

Subp. 2. **Ballot heading.** The words "SCHOOL DISTRICT QUESTION BALLOT" must be printed at the top of the ballot in upper case letters. The school district clerk ~~may~~ must add the name and/or number of the school district and the ~~type date of the~~ election directly under the heading of the goldenrod ballot. The school district clerk may add the type of election directly above the date on the goldenrod ballot. The following words must be printed directly under the ballot heading, school district identifier, ~~and~~ election type, and election date. "To vote for a question, put an (X) in the square next to the word "YES" for that question. To vote against a question, put an (X) in the square next to the word "NO" for that question."

~~When more than one question is on the ballot,~~ each ballot question must be designated by number. ~~Each ballot question and~~ must be preceded by the words "SCHOOL DISTRICT BALLOT QUESTION" in upper case letters and the number assigned to the question. The school district clerk or school board shall provide a title for each school district question printed on the goldenrod ballot. The title must not contain more than ten words. The school district's attorney shall review the title to determine whether it accurately describes the question asked. The title must not be used on the ballot until it has been approved by the school district's attorney. The title must be printed in upper case letters and must be printed above the question to which it refers. The body of the question must be printed in upper and lower case letters.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
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## Proposed Rules

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### 8250.0398 FORM OF TAN BALLOT.

Subpart 1. General form. The hospital district ballot must be prepared in the same manner as the white ballot, except as provided in this part. Ballots for electronic voting systems must be prepared in the manner provided for paper ballots to the extent practicable.

Subp. 2. Ballot heading. The words "HOSPITAL DISTRICT BALLOT" must be printed at the top of the ballot in upper case letters. The hospital district clerk must add the name of the hospital district and the date of the election directly under the heading of the tan ballot. The hospital district clerk may add the type of election directly above the date on the tan ballot.

Subp. 3. Ballot offices. Hospital district offices must be identified on the tan ballot as follows in upper case letters:

HOSPITAL DISTRICT BOARD MEMBER

The name and/or number of the district that the person elected will represent must be printed directly under the title of the office.

Hospital district offices elected at large must be listed before other offices of the same type elected by district. Where hospital district offices are designated by number, the offices must be listed in numerical order. Vacant offices being filled by special election must be listed with offices of the same type but after any offices for which a candidate will be elected for a full term. The title of a vacant hospital district office being filled by special election may be followed by the number of years remaining in the term.

Subp. 4. Ballot questions. The following instruction must be printed directly under the ballot heading, hospital district identifier, election type, and election date. "To vote for a question, put an (X) in the square next to the word "YES" for that question. To vote against a question, put an (X) in the square next to the word "NO" for that question."

When more than one question is on the ballot, each ballot question must be designated by number and must be preceded by the words "HOSPITAL DISTRICT BALLOT QUESTION" in upper case letters and the number assigned to the question. The hospital district clerk or hospital district board shall provide a title for each hospital district question printed on the tan ballot. The title must not contain more than ten words. The hospital district's attorney shall review the title to determine whether it accurately describes the question asked. The title must not be used on the ballot until it has been approved by the hospital district's attorney. The title must be printed in upper case letters and must be printed above the question to which it refers. The body of the question must be printed in upper and lower case letters.

Subp. 5. Offices and questions on same ballot. If both hospital district offices and questions will be on the hospital district ballot, the instruction for voting for questions must follow the instruction for voting for offices.

### 8250.0500 BALLOT HEADING.

At the top of the white ballot shall be printed the words "STATE GENERAL ELECTION BALLOT" in upper case letters. The county auditor may add the name of the county directly under the heading of the white ballot. The date of the election must be printed directly under the heading of the white ballot and the name of the county, if that name is printed on the ballot.

### 8250.1000 ORDER OF CANDIDATES.

Before a general election, the secretary of state shall certify to the county auditors the order in which the names of the candidates representing the political parties as defined in *Minnesota Statutes*, section 200.02, subdivision 6, must appear for every partisan office on the white ballot. Candidates nominated by petition must appear on the ballot beneath the names of the candidates of the political parties as defined in *Minnesota Statutes*, section 200.02, subdivision 6, and in the order ~~in which the petitions were filed with the filing officer~~ determined by lot by the secretary of state. The secretary shall draw lots once by political party or principle. To draw the lot, a candidate who has used the word "independent" to designate the candidate's party or principal must be identified by the word "independent" followed by the candidate's surname. The order of political parties or principles determined by the drawing of lots applies to all partisan offices on the ballot.

### 8250.1800 FORMAT OF BALLOTS FOR OPTICAL SCAN SYSTEMS.

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

Subp. 2. Ballot order. When more than one of the following types of offices is on the ballot, the offices must appear on the optical scan voting system ballot in the following order and must be identified as follows in upper case letters:

FEDERAL OFFICES

STATE OFFICES

CONSTITUTIONAL AMENDMENTS

COUNTY OFFICES

COUNTY QUESTIONS

CITY OFFICES

CITY QUESTIONS

TOWN OFFICES

TOWN QUESTIONS

SCHOOL DISTRICT OFFICES

SCHOOL DISTRICT QUESTIONS

SPECIAL DISTRICT OFFICES

SPECIAL DISTRICT QUESTIONS

JUDICIAL OFFICES

The county auditor may add the name and/or number of the appropriate county, municipality, school district, or special district directly under the titles listed in this subpart.

Subp. 2a. **Primary ballot.** Items A to F apply to primary ballots.

A. On the partisan primary ballot, the names of the political parties that head the political party columns must be shaded with a screen of 30 percent.

B. The office titles must be shaded with a screen of ten percent.

C. If a partisan primary ballot also includes a nonpartisan primary section, the title of the nonpartisan section of the ballot must be printed white on black.

D. If a partisan primary ballot also includes a nonpartisan primary section, the 12-point solid line between political party columns that is required by *Minnesota Statutes*, section 204D.08, subdivision 4, must not be used between the party columns.

E. If a partisan primary ballot also includes a nonpartisan primary section, a bold line must divide the partisan section of the ballot from the nonpartisan section of the ballot.

F. If a partisan primary ballot has political party columns on both sides of the ballot, the instruction in subpart 5 must not be used on the ballot.

[For text of subps 3 to 7, see M.R.]

#### **8255.0010 ALTERNATE DATES FOR COMPLETION OF LOCAL REDISTRICTING.**

If the adoption of the legislative redistricting plan or the resolution of any court challenge to the legislative redistricting plan occurs less than 19 weeks before the state primary, in a year ending in two, the following schedule for reestablishment of precinct boundaries and election districts must be followed:

A. Precincts must be reestablished no later than ~~four weeks~~ 28 days after the adoption of the legislative plan.

B. Wards must be redistricted no later than ~~four weeks~~ 28 days after the adoption of the legislative plan.

C. Local government election districts must be redistricted no later than ~~six weeks~~ 42 days after adoption of the legislative plan.

When a municipality completes the reestablishment of precinct boundaries, the municipal clerk shall immediately provide the secretary of state, county auditor, and all school districts with territory in the municipality a copy of a map illustrating the precinct boundaries.

#### **8255.0015 COORDINATION OF REESTABLISHMENT OF PRECINCT BOUNDARIES.**

Before reestablishing precinct boundaries after redistricting, a municipality must obtain maps of the school districts located wholly or partially in the municipality.

**REPEALER.** *Minnesota Rules*, parts 8200.3800, subpart 1; 8200.6300; 8200.9115, subpart 2; 8205.1000; 8205.2000, subpart 2; 8205.2100, subpart 2; 8205.2110, subpart 2; 8210.0200, subparts 1e, 1f, and 5; 8210.0250; 8210.3000, subpart 4c; 8220.0250, subparts 2, 2a, 7, 10, 17, 20, 23, 25a, 27, 31, 32, 34, 36, and 38; 8250.0360; and 8250.1550, are repealed.

**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.

# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statutes* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: 2000 Bear Season; Permit Procedures; Quotas

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of these rules is *Minnesota Statutes*, section 97B.405 and 97B.411.

Dated: 17 May 2000

Allen Garber  
Commissioner of Natural Resources

#### **6232.2700 SEASONS AND DATES TO TAKE BEARS.**

Bears may be taken by licensed hunters using legal firearms or legal bow and arrow from ~~September 1~~ the Wednesday nearest August 26 through the Sunday nearest October 15.

#### **6232.2900 BEAR PERMIT PROCEDURES.**

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Required identification number, eligibility.** A person who is at least 12 years old and has successfully completed a firearms safety course approved by the commissioner prior to ~~September 1~~ the Wednesday nearest August 26, and whose big game hunting privileges are not suspended, is eligible to purchase a bear license for the no-quota area or to enter a drawing for a permit area license. All applicants who will have reached their 18th birthday by ~~September 1~~ the Wednesday nearest August 26 must provide a driver's license number, a state of Minnesota identification card number issued by the Department of Public Safety, or a 13-digit Firearms Safety Certificate number. Eligible applicants under this age who do not submit one of these numbers will be assigned a number and entered into the preference drawing.

[For text of subps 4 to 7, see M.R.]

#### **6232.3055 BEAR LICENSE QUOTAS.**

The number of available licenses for quota areas for the 2000 bear hunting season is 20,710 and is divided as follows:

- A. Bear Quota Area 12: 700;
- B. Bear Quota Area 13: 1,100;
- C. Bear Quota Area 22: 250;
- D. Bear Quota Area 24: 1,500;
- E. Bear Quota Area 25: 2,400;
- F. Bear Quota Area 26: 1,500;
- G. Bear Quota Area 31: 2,660;
- H. Bear Quota Area 41: 600;
- I. Bear Quota Area 44: 3,000;
- J. Bear Quota Area 45: 2,000;
- K. Bear Quota Area 51: 5,000.

**EFFECT:** Minnesota Rules, part 6232.3055, is effective through December 31, 2000. After the emergency amendments to Minnesota Rules, parts 6232.2700 and 6232.2900, expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule.

# Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners' orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Pollution Control Agency

### Findings of Fact, Conclusions, and Order in the Matter of the Petition for Annexation of Specified Area Adjacent to the Crane Lake Water and Sanitary District

The Crane Lake Water and Sanitary District and St. Louis County petitioned the Minnesota Pollution Control Agency (MPCA) under *Minnesota Statutes* § 115.21 requesting the annexation of specified area adjacent to the Crane Lake Water and Sanitary District. The Chair of the Crane Lake Water and Sanitary District and the Commissioner of St. Louis County were authorized to sign the petition pursuant to resolutions passed by their respective bodies of government.

The MPCA published the Notice of Intent to Approve the Annexation of Specified Areas Adjacent to the Crane Lake Water and Sanitary District in the *State Register* on Monday, February 28, 2000. The MPCA also notified all property owners in the affected area by mail of the notification published in the *State Register*.

The MPCA, after having considered the petition, having published notice of the intent to approve the annexation to the sanitary district in the *State Register*, having notified the affected landowners of the intent to approve the annexation, having reviewed the comment letters received during the comment period, having not received twenty-five (25) or more hearing requests requisite for a hearing, and being fully advised in this matter, hereby makes the following:

#### FINDINGS OF FACT

1. The territory of the existing Crane Lake Water and Sanitary District is legally described as: All of unorganized Township 67 North, Range 17 West; and  
Section 18 and the SE 1/4 of the SW 1/4 of Section 7, of unorganized Township 67 North, Range 16 West, St. Louis County, Minnesota.
2. The territory proposed to be annexed to the Crane Lake Water and Sanitary District is legally described as:  
The SW 1/4 of the SE 1/4, Section 7, Township 67 North, Range 16 West, St. Louis County, Minnesota.
3. On June 2, 1999, a public meeting was held at the Crane Lake Fire Hall/Community Center to consider the proposed annexation of the territory. Notice of the public meeting was published at least once each week for two weeks in the *Cook News-Herald*, a qualified newspaper published in the area. The Notice was published on May 20, 1999, and May 27, 1999, in the *Cook News-Herald*. The meeting Notice was posted at the Crane Lake Fire Hall, the Crane Lake Chapel, and the Crane Lake Post Office on May 15, 1999.
4. On August 5, 1998, the Crane Lake Water and Sanitary District adopted a resolution authorizing the submission of the petition for annexation to the Crane Lake Water and Sanitary District.
5. On September 14, 1999, the St. Louis County Board of County Commissioners adopted a resolution authorizing the Chair of the Board to sign a petition in support of the annexation. The resolution was published in the *Duluth News Tribune* on October 14, 1999, and became effective forty (40) days after the date of publication.
6. On December 22, 1999, a petition was filed with the MPCA requesting approval of the annexation of specified areas to the Crane Lake Water and Sanitary District. The Chair of the Crane Lake Water and Sanitary District and the Chair of the St. Louis County Board signed the petition for annexation of specified territory to the district as authorized by the resolutions. The petition requesting annexation to the Crane Lake Water and Sanitary District has met all the requirements of *Minnesota Statutes* § 115.21, subd. 1.
7. The annexation area is not within twenty-five (25) miles of the boundary of a city of the first class.
8. On February 28, 2000, the MPCA published the Notice of Intent to Approve the Annexation of Specified Areas Adjacent to the Crane Lake Water and Sanitary District in the *State Register* at 24 SR 1218. The Notice was mailed to each of the property owners in the area of the existing district and the annexation area using addresses provided by the county auditor. The public notice period lasted for 30 days and ended on March 28, 2000.
9. By March 28, 2000, the end of the public notice period, the MPCA had received one (1) letter requesting a contested case hearing on the matter. *Minnesota Statutes* § 115.20 subd., 4(b), requires the MPCA to hold a contested case hearing if twenty five (25) or more written requests are received by the end of the public notice period. The MPCA received one (1)

## Commissioner's Orders

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letter requesting a contested case hearing, two (2) calls in opposition to the annexation, and seven (7) calls requesting more information.

10. The Crane Lake Water and Sanitary District was originally formed in January 1996. Through a technical error that occurred in 1995, the annexation area was omitted from the proposed legal description for the sanitary district. The petitioners for formation of the Crane Lake Water and Sanitary District originally intended for the annexation area to be included in the area of the sanitary district. The Board of Managers of the sanitary district had been assuming that the annexation area was included within the boundaries of the district until they were notified in August 1998 that the annexation area had not been included in the legal description in the petition for formation of the sanitary district. The Board of Managers of the Crane Lake Water and Sanitary District resolved to annex the land that was unintentionally omitted for the purpose of providing continuity of wastewater services within its boundaries.
11. There is a need throughout the annexation area and the contiguous area of the existing sanitary district for an adequate and efficient means of treating and disposing of domestic sewage. Similar conditions exist in the annexation area as do in the territory of the existing sanitary district. The annexation of the specified area allows the sanitary district to provide continuous wastewater services, which is important for achieving the purposes of *Minnesota Statutes* § 115.19.
12. Annexation of specified territory to the Crane Lake Water and Sanitary District will serve the purpose of promoting the public health and welfare by providing an adequate and efficient system and means of collecting, conveying, pumping, treating, and disposing of domestic sewage within the district.
13. The maintenance of the sanitary district is administratively feasible and will further the public health, safety, and welfare. The district is administered by a five-member governing board who are voters within the sanitary district and who are appointed by the members of the St. Louis County Board. The Crane Lake Water and Sanitary District has adopted ordinances which adequately and equitably provide a means of collecting, conveying, pumping, treating, and disposing of domestic sewage and garbage and industrial wastes within the district.

### CONCLUSIONS

1. The Commissioner of the MPCA has subject matter jurisdiction over the petition and annexation pursuant to *Minnesota Statutes* §§ 115.18 to 115.37 (1999).
2. The petitioners have substantially complied with all the procedural requirements of *Minnesota Statutes* § 115.20, as well as other substantive and procedural requirements of law and rule. This matter, therefore, is properly before the Commissioner.
3. The conditions described in *Minnesota Statutes* § 115.19 and 115.21 for annexation of territory to a sanitary district do exist within the area identified in the legal description.
4. Any of the foregoing Findings of Fact that might properly be termed Conclusions and Conclusions that might properly be termed Findings are hereby adopted as such.

NOW THEREFORE, the Commissioner hereby makes the following:

### ORDER

It is ORDERED that the specified areas adjacent to the Crane Lake Water and Sanitary District, as identified in the legal description in the petition filed with the MPCA and stated herein, be annexed to the Crane Lake Water and Sanitary District.

Dated: 19 May 2000

Lisa J. Thorvig  
Deputy Commissioner

# Revenue Notices

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 # 00-06: Sales and Use Tax & Solid Waste Management Tax - Charges for Purchasing and Using Waste Compactors and Waste Collection Containers

Due to 1999 law changes, Revenue Notice # 98-16 is hereby revoked and replaced with this notice which describes the sales and use tax exemption for certain waste compactors and waste collection containers.

#### A. Definitions

- **“Waste management services”** is defined in *Minnesota Statutes*, section 297H.01, subdivision 12. It means waste collection, transportation, processing, and disposal.
- **“Waste management service provider”** is defined in *Minnesota Statutes*, section 297H.01, subdivision 11. It means the person who directly bills the generator or self-hauler for waste management services, and includes, but is not limited to, waste-haulers, waste management facilities, utility services, and political subdivisions, to the extent they directly bill for waste management services.
- **“Mixed municipal solid waste”** is defined in *Minnesota Statutes*, sections 297H.01, subdivision 5, and 115A.03, subdivision 21. It means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection. The following are examples of items that are not included in the definition of mixed municipal solid waste as long as they are collected, processed, and disposed of as separate waste streams from mixed municipal solid waste: auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters.
- **“Non-mixed-municipal solid waste”** is defined in *Minnesota Statutes*, sections 297H.01, subdivision 6; 115A.03, subdivisions 7 and 13a; and 116.76, subdivisions 12 and 14. It means construction debris, and infectious, pathological, and industrial waste.
- **“Recycling”** is defined in *Minnesota Statutes*, section 115A.03, subdivision 25b. It means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

#### B. Imposition of the Solid Waste Management Tax and the Sales and Use Tax

Pursuant to *Minnesota Statutes*, Chapter 297H, a solid waste management tax is imposed on charges for mixed municipal solid waste and non-mixed-municipal solid waste services. These charges are not subject to sales and use tax. Charges for recycling services are exempt from the solid waste management tax and are not subject to sales and use tax.

#### C. Sales and Use Tax Exemptions for Certain Compactors or Waste Collection Containers

Pursuant to *Minnesota Statutes*, section 297A.25, subdivision 83, sales and purchases of compactors and waste collection containers made after June 30, 1999, are exempt from sales and use tax if purchased by a waste management service provider and are used in providing waste management services that are subject to the solid waste management tax. A waste management service provider that does not remit solid waste management tax on customer charges or lease or rental payments for compactors and waste collection containers under Chapter 297H is ineligible for this exemption.

If bags are used as waste collection containers and the other requirements set out above are met, they may be purchased exempt from sales and use tax. Sales of stickers or indicia used to identify the waste collection containers do not qualify for this exemption and are subject to sales and use tax.

This exemption does not extend to motor vehicles, although compactors or waste collection containers that are subsequently attached to a motor vehicle may qualify for this exemption. Purchases of repair and replacement parts for compactors and waste collection containers do not qualify for this exemption.

- **Mixed Municipal Solid Waste.** The total charge for mixed municipal solid waste services, including any charges for compactors or waste collection containers, is subject to the solid waste management tax. These charges are not subject to sales and use tax. Compactors and waste collection containers to be used for mixed municipal solid waste services may be purchased by waste management service providers exempt from sales and use tax.

## Revenue Notices

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- **Non-Mixed-Municipal Solid Waste.** Since the solid waste management tax also applies to the non-mixed-municipal solid waste services, the sales and use tax exemption applies to the purchase of the compactors and waste collection containers used to provide these services. The charges for the non-mixed-municipal solid waste services are not subject to sales and use tax. Separately stated charges for compactors or containers used for non-mixed-municipal solid waste are not subject to the solid waste management tax or sales and use tax.
- **Recycling.** Since a separately stated charge for recycling is exempt from the solid waste management tax, a separately stated charge for the compactor or container used for recycling is also exempt from the solid waste management tax. The charge to the generator for the use of the compactor or waste collection container is also not subject to sales and use tax. However, the provider of the recycling service must pay sales and use tax on their purchase of compactors or waste collection containers used for recycling.
- **Multiple Purposes.** Purchases of compactors and waste collection containers which are primarily used for mixed municipal solid waste collection and/or non-mixed-municipal solid waste collection are exempt from sales or use tax. Compactors or waste collection containers primarily used for recycling do not qualify for the sales and use tax exemption. Primarily used means the compactor or waste collection container is used 50 percent or more of the time for a specific purpose.

### D. Special Situations.

**Situation # 1: Separate Legal Entity.** If a generator receives a bill from a separate legal entity, other than the waste management service provider, for the rental or lease of a compactor or waste collection container for any use, the compactor or waste collection container charges are subject to the sales and use tax as the rental of tangible personal property. The container provider may purchase the compactors or waste collection containers exempt from sales and use tax for the purpose of resale.

**Situation # 2: Sales of Compactors or Waste Collection Containers.** If a waste management services provider sells a compactor or waste collection container to a waste generator for any use by the generator, and bills the generator a separately-stated charge for the compactor or waste collection container, the provider may purchase the compactor or waste collection container from their supplier exempt for the purpose of resale. While the charge to the generator is not subject to the solid waste management tax, the provider must charge sales tax on the sale of the compactor or waste collection container to the generator.

**Situation # 3: Conditional Sales of Compactors or Waste Collection Containers.** If a contract designated as a lease of a compactor or waste collection container exists between the waste management services provider (lessor) and waste generator (lessee), and (1) the contract binds the lessee for a fixed term, and (2) the lessee is to obtain title at the end of the term of the agreement, or (3) has the option at that time to purchase the compactor or waste collection container for a nominal amount, the contract is regarded as a sale and not as a lease. Nominal amount means 1 percent or less of the value of the full contract amount for the compactor or waste collection container at the time the contract is signed.

Consequently, the lessor may purchase the compactor or waste collection container from their supplier exempt for the purpose of resale and the charge will not be subject to the solid waste management tax, provided the lessor charges sales tax on the entire contract amount for the compactor or waste collection container at the time the contract is signed.

Dated: 30 May 2000

Jennifer L. Engh  
Assistant Commissioner for Tax Policy

# Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Department of Administration

### State Designer Selection Board (SDSB)

#### Board Meetings Pursuant to SDSB *Minnesota Rule 3200.0400*, below is the schedule of State Designer Selection

Board meeting dates, times and agenda items as of May 18, 2000:

- **June 6, 2000, 9 a.m.**
  1. Shortlisting: Project 00-7 Department of Corrections MCF-Stillwater, Repair of Inside Surface of Perimeter Security Wall
  2. Shortlisting: Project 00-8 Minnesota State Academy for the Deaf, Renovation of the West Wing of Noyes Hall
- **June 13, 2000, 9 a.m.**
  1. Shortlisting: Project 00-10 Department of Corrections MCF-Stillwater, Renovation of the Existing Vacant Laundry Area to a Health Services Area
  2. Interviews/Selection: Project 00-7 Department of Corrections MCF-Stillwater, Repair of Inside Surface of Perimeter Security Wall
  3. Interviews/Selection: Project 00-8 Minnesota State Academy for the Deaf, Renovation of the West Wing of Noyes Hall
- **June 20, 2000, 9 a.m.**
  1. Shortlisting: Project 00-9 Department of Military Affairs to Select a Consultant to Provide HVAC and Electrical Commissioning Services for the New National Guard Training & Community Center in Mankato
  2. Shortlisting: Project 00-11 Department of Human Services, St. Peter Regional Treatment Center for an Upgrade to the Shantz and Pexton Buildings
  3. Interviews/Selection: Project 00-10 Department of Corrections MCF-Stillwater, Renovation of the Existing Vacant Laundry Area to a Health Services Area
- **June 27, 2000, 9 a.m.**
  1. Interviews/Selection: Project 00-9 Department of Military Affairs to Select a Consultant to Provide HVAC and Electrical Commissioning Services for the New National Guard Training & Community Center in Mankato
  2. Interviews/Selection: Project 00-11 Department of Human Services, St. Peter Regional Treatment Center for an Upgrade to the Shantz and Pexton Buildings

Unless otherwise stated, all meetings are held in the Administration Building, 50 Sherburne Avenue, St. Paul, Room G-10/Conference Room A. Other matters may come before the Board and be added to the agenda as needed. For additional information, contact Lisa Blue at 651-297-5526.

**Executive Council  
State Board of Investment  
Land Exchange Board  
Investment Advisory Council**

**Notice of Meetings**

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, June 7, 2000 at 9:00 A.M. in Room 125, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Tuesday, June 6, 2000 at 2:00 P.M. in the SBI Conference Room, Capitol Professional Office Building, Suite 10 (Main Floor), 590 Park Street, St. Paul, MN.

**Department of Health**

**MCSHN Cost-Sharing Schedule**

The applicant's share is one percent of cost for each \$1000 or fraction of income above 60 percent of the State's gross median income for a household of the same size as the applicant's. The applicant's percent share is found on the schedule by looking under the number which corresponds with the number of members in the applicant's household shown on the far left of that income level. For each additional household member greater than 10, add 3 percent to 144 percent for each additional household member and multiply the new percentage by the State's dollar amount for four - person households.

**INCOME LEVELS BY NUMBER OF MEMBERS IN HOUSEHOLD 7/1/00 TO 6/30/01**

%	1	2	3	4	5
0	0 - 20948	0 - 27393	0 - 33839	0 - 40284	0 - 46729
1	20949 - 21948	27394 - 28393	33840 - 34839	40285 - 41284	46730 - 47729
2	21949 - 22948	28394 - 29393	34840 - 35839	41285 - 42284	47730 - 48729
3	22949 - 23948	29394 - 30393	35840 - 36839	42285 - 43284	48730 - 49729
4	23949 - 24948	30394 - 31393	36840 - 37839	43285 - 44284	49730 - 50729
5	24949 - 25948	31394 - 32393	37840 - 38839	44285 - 45284	50730 - 51729
6	25949 - 26948	32394 - 33393	38840 - 39839	45285 - 46284	51730 - 52729
7	26949 - 27948	33394 - 34393	39840 - 40839	46285 - 47284	52730 - 53729
8	27949 - 28948	34394 - 35393	40840 - 41839	47285 - 48284	53730 - 54729
9	28949 - 29948	35394 - 36393	41840 - 42839	48285 - 49284	54730 - 55729
10	29949 - 30948	36394 - 37393	42840 - 43839	49285 - 50284	55730 - 56729
11	30949 - 31948	37394 - 38393	43840 - 44839	50285 - 51284	56730 - 57729
12	31949 - 32948	38394 - 39393	44840 - 45839	51285 - 52284	57730 - 58729
13	32949 - 33948	39394 - 40393	45840 - 46839	52285 - 53284	58730 - 59729
14	33949 - 34948	40394 - 41393	46840 - 47839	53285 - 54284	59730 - 60729
15	34949 - 35948	41394 - 42393	47840 - 48839	54285 - 55284	60730 - 61729
16	35949 - 36948	42394 - 43393	48840 - 49839	55285 - 56284	61730 - 62729
17	36949 - 37948	43394 - 44393	49840 - 50839	56285 - 57284	62730 - 63729
18	37949 - 38948	44394 - 45393	50840 - 51839	57285 - 58284	63730 - 64729

%	6	7	8	9	10
0	0 - 53175	0 - 54383	0 - 55592	0 - 56800	0 - 58009
1	53176 - 54175	54384 - 55383	55593 - 56592	56801 - 57800	58010 - 59009
2	54176 - 55175	55384 - 56383	56593 - 57592	57801 - 58800	59010 - 60009
3	55176 - 56175	56384 - 57383	57593 - 58592	58801 - 59800	60010 - 61009
4	56176 - 57175	57384 - 58383	58593 - 59592	59801 - 60800	61010 - 62009
5	57176 - 58175	58384 - 59383	59593 - 60592	60801 - 61800	62010 - 63009
6	58176 - 59175	59384 - 60383	60593 - 61592	61801 - 62800	63010 - 64009
7	59176 - 60175	60384 - 61383	61593 - 62592	62801 - 63800	64010 - 65009
8	60176 - 61175	61384 - 62383	62593 - 63592	63801 - 64800	65010 - 66009
9	61176 - 62175	62384 - 63383	63593 - 64592	64801 - 65800	66010 - 67009
10	62176 - 63175	63384 - 64383	64593 - 65592	65801 - 66800	67010 - 68009
11	63176 - 64175	64384 - 65383	65593 - 66592	66801 - 67800	68010 - 69009
12	64176 - 65175	65384 - 66383	66593 - 67592	67801 - 68800	69010 - 70009
13	65176 - 66175	66384 - 67383	67593 - 68592	68801 - 69800	70010 - 71009
14	66176 - 67175	67384 - 68383	68593 - 69592	69801 - 70800	71010 - 72009
15	67176 - 68175	68384 - 69383	69593 - 70592	70801 - 71800	72010 - 73009
16	68176 - 69175	69384 - 70383	70593 - 71592	71801 - 72800	73010 - 74009
17	69176 - 70175	70384 - 71383	71593 - 72592	72801 - 73800	74010 - 75009
18	70176 - 71175	71384 - 72383	72593 - 73592	73801 - 74800	75010 - 76009

## Minnesota Higher Education Facilities Authority

### Notice of Public Hearing on Revenue Obligations on Behalf of the Minneapolis College of Art and Design

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of the Minneapolis College of Art and Design, a Minnesota nonprofit corporation and institution of higher education (the "College"), at the Authority's offices at Kings Room Complex, 3rd Floor of Buntrock Commons on the main campus of St. Olaf College, 1520 St. Olaf Avenue, Northfield, Minnesota on June 21, 2000 at 2:00 p.m. Under the proposals, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$8,100,000 to finance a project generally described as the (a) construction of a college commons building and a studio addition totaling approximately 24,000 square feet, (b) roof replacement, (c) improvement of central air handling system and (d) renovation, equipping and furnishing of seven student apartment buildings and related site improvements (collectively, the "Project"), owned or to be owned and operated by the College and located at 2501 Stevens Avenue South, Minneapolis, Minnesota, 55404.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 21 June 2000

By Order Of The Minnesota Higher  
Education Facilities Authority  
Marianne Remedios  
Executive Director

## Official Notices

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### Department of Human Services

#### Minnesota Board on Aging

#### Public Comments Sought on Proposed State Plan for Federal Fiscal Years 2001-2003

**NOTICE IS HEREBY GIVEN** that the Minnesota Board on Aging seeks public comment on its proposed State Plan for federal fiscal years beginning 10/1/00 through 9/30/03. The proposed State Plan reflects the priorities of the Board during the three year period. The plan qualifies Minnesota for federal funds under the Older Americans Act.

Copies of the plan may be obtained by writing to the Minnesota Board on Aging at Department of Human Services Building, 444 Lafayette Road, St. Paul, Minnesota, 55155-3843, or by telephoning our office at 651-296-2770. Copies of the plan will also be available for review at the offices of the 14 Area Agencies on Aging.

Comments may be made in writing through Friday, June 30, 2000 at 4:30 PM and should be addressed to:

Minnesota Board on Aging  
444 Lafayette Road  
Saint Paul, Minnesota 55155-3843  
Attn: James Varpness, Executive Director

### Department of Labor and Industry

#### Labor Standards Unit

#### Notice of Corrections to Highway/Heavy Prevailing Wage Rates

Corrections have been made to the Highway/Heavy Wage Rates certified 10/25/99, for **Labor Code 101, Laborer, Common and Labor Code 102, Laborer, Skilled, in Region 4.**

Copies of the corrected certifications may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306 or by calling (612) 296-6452. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich  
Commissioner

### Department of Labor and Industry

#### Labor Standards Unit

#### Notice of Addition to Highway/Heavy Prevailing Wage Rates

An **additional** rate has been added to the Highway/Heavy Prevailing Wage Rates certified 10/25/99, for **Group 3 in Region 2.**

Copies of the certified wage rates for this Region may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 296-6452. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich  
Commissioner

**Pollution Control Agency****Policy and Planning Division****Minnesota Department of Agriculture****Agronomy & Plant Protection Division****Notice of Proposed Update of the Permanent List of Priorities Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants**

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Agriculture (MDA) are publishing for public comment proposed additions to and deletions from the Permanent List of Priorities (PLP), which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA or MDA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), *Minnesota Statutes* ch. 115B.

Pursuant to *Minnesota Statutes* § 115B.17 (1998) and *Minnesota Rule* 7044.0950 (1997), the MPCA is proposing the following changes to the PLP.

The MPCA is proposing to add the following two sites to the PLP (Hazard Ranking Scores assigned pursuant to *Minnesota Rule* 7044.0350 follows each site): DeFour Cleaners, Northfield (17), and the Kennedy Building Site, Minneapolis (1). Each of these sites has been assigned to Response Action Classes C and D (see *Minnesota Rule* 7044.0450). The four response action classes are defined as follows: Class A - Declared Emergency; Class B - Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing; Class C - Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site; and Class D - Remedial Investigations and Feasibility Studies (RI/FS) Necessary or in Progress.

The MDA is not proposing to add any MDA site to the PLP, at this time.

The MPCA is proposing to delete the following four sites from the PLP: Robbinsdale Development Site, Hennepin County; City of Rice Municipal Well #2, Benton County; Lakeland Ground Water Contamination Site, Washington County; and Tower Asphalt, Washington County.

The MPCA has determined that either all MERLA funded response actions have been completed at these sites or that the sites do not pose a threat to public health or the environment.

In addition, the MPCA is proposing to delete from the PLP a portion of the Honeywell, Inc - Golden Valley Plant site (Honeywell site), Hennepin County. That portion of the Honeywell site the MPCA is proposing to delete is defined as Lot 1, Block 1 of the Honeywell Golden Valley Addition. Ground water sampling done on this portion of the Honeywell site has not shown levels of contaminants which would pose a threat to public health or the environment. Honeywell International, Inc. will continue to monitor ground water conditions on this portion of the site, in addition to monitoring the known contaminant source areas of those portions of the site remaining on the PLP.

The MPCA is also proposing to delete from the PLP the following closed landfills: Ironwood Sanitary Landfill, Fillmore County; Lindala Sanitary Landfill, Wright County; Woodlake Sanitary Landfill, Hennepin County; Freeway Sanitary Landfill, Dakota County; Pine Lane Sanitary Landfill, Chisago County; Killian Sanitary Landfill, Todd County; and Winona County Sanitary Landfill, Winona County. These landfills are "qualified facilities" under the Landfill Cleanup Act of 1994, as amended (Act). Under authority of the Act, the state of Minnesota, through the MPCA, will assume responsibility for any necessary response actions at these sites, and will be responsible for long-term maintenance of the facility. The MPCA will assume this responsibility after issuance of a Notice of Compliance (NOC) by the Commissioner of the MPCA. Once a NOC is issued, MERLA funded response actions would no longer be necessary at a particular site, and deletion of that site from the PLP would be appropriate. The MPCA anticipates issuance of a NOC to each of these qualified facilities and therefore the proposed deletion of these sites is appropriate. Deletion of each of these sites from the PLP will not occur until after issuance of a NOC to the respective qualified facility.

The MDA is not proposing to delete any MDA site from the PLP, at this time.

The MPCA and MDA invite members of the public to submit written comments on these proposed changes to the PLP. All written comments with regard to these proposed additions and deletions must be received no later than 4:30 p.m., on June 29, 2000.

Written comments regarding these proposed MPCA additions and deletions should be submitted to: Gary L. Krueger, Regular Facilities and Site Remediation Section, Policy and Planning Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

## Official Notices

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Any questions regarding PLP sites where MDA is the lead state agency should be directed to Terry McDill, Incident Response Unit, Agronomy & Plant Protection Division, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota 55107-2094.

Any interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Board make the decision on whether to adopt the additions or deletions from the PLP that have been proposed by the MPCA. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, by 4:30 p.m. on June 29, 2000. The decision whether to adopt the proposed additions to or deletions from the PLP will be made by the MPCA Board if: (1) the Commissioner grants the petition requesting the matter to be presented to the MPCA Board; or (2) a MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the proposed additions or deletions from the PLP.

Requests for a complete updated PLP or information on a specific site currently listed on the PLP can be directed to the MPCA's Public Information Office at the above address, or by telephoning (651) 296-6300 or toll free at (800) 657-3864.

All written comments received by the above deadline will be considered by the MPCA in establishing the updated PLP.

Karen A. Studders  
Commissioner  
Minnesota Pollution Control Agency  
  
Gene Hugoson  
Commissioner  
Minnesota Department of Agriculture

## Pollution Control Agency

### Notice of Intent to Approve the Annexation of Specified Areas Adjacent to the Villard Area Lakes Sanitary District in Accordance with *Minnesota Statutes* §§ 115.18 to 115.21

The Villard Area Lakes Sanitary District Board of Managers and Glenwood Township Board of Supervisors have petitioned the Minnesota Pollution Control Agency (MPCA) to approve the annexation of specified area adjacent to Villard Area Lakes Sanitary District. The territory of the existing Villard Area Lakes Sanitary District is legally described as:

The Southeast Quarter of the Southwest Quarter, the South Half of the South Half of the Northeast Quarter, and the Southeast Quarter, all in Section 11, Township 126 North, Range 37 West; and

The South Half of the Southwest Quarter of the Northwest Quarter, and the Southwest Quarter, all in Section 12, Township 126 North, Range 37 West; and

The West Half, and the South Half of the Southeast Quarter, all in Section 13, Township 126 North, Range 37 West; and

The East Half, the Southwest Quarter, the South Half of the Northwest Quarter, and the Northeast Quarter of the Northwest Quarter, all in Section 14, Township 126 North, Range 37 West; and

The East Half of the Southeast Quarter of the Southeast Quarter of Section 15, Township 126 North, Range 37 West; and

The East Half of the East Half of the Northeast Quarter, and the East Half of the Northeast Quarter of the Southeast Quarter, all in Section 22, Township 126 North, Range 37 West; and

All of Section 23, Township 126 North, Range 37 West; and

The West Half of Section 24, Township 126 North, Range 37 West, and all of the East Half of Section 24, Township 126 North, Range 37 West lying North of the Right of Way to Minnesota Trunk Highway 28; and

All of Section 25, Township 126 North, Range 37 West lying North of the Right of Way to Minnesota Trunk Highway 28; and

All of Section 26, Township 126 North, Range 37 West; and

All of Section 35, Township 126 North, Range 37 West; and

All of the West Half of Section 36, Township 126 North, Range 37 West, lying North of the Right of Way of Minnesota Trunk Highway 28; and

The Southwest Quarter of the Southwest Quarter of Section 18, Township 126 North, Range 36 West; and

The West Half of the Northwest Quarter of Section 19, Township 126 North, Range 36 West.

All contained in Leven Township, Pope County. A map of the area is available at the MPCA.

The territory proposed to be annexed to the Villard Area Lakes Sanitary District is located in Glenwood Township, Pope County, Minnesota, and is legally described as:

Commencing at the Northeast corner of Section 2-125-37, which is the point of beginning of the tract to be described;  
Thence South along the section line to the centerline of Minnesota Trunk Highway 28;  
Thence Southwesterly along the centerline of Minnesota Trunk Highway 28 to the West line of Section 2;  
Thence North along said section line to the Northwest corner of section 2-125-37;  
Thence East along the North line of the said section 2-125-37 to the point of beginning.

A map displaying the boundaries of the proposed annexation area is available at the MPCA.

The public has 30 days to submit written comments on the petition. If a person objects to the petition, that person may submit a written request for a hearing that meets the requirements of *Minnesota Rules* 7000.1800 and 7000.1900. The written comments or a written request for a hearing must be submitted to the MPCA by 4:30 p.m. on June 28, 2000. If twenty-five (25) or more timely requests for hearing are received, the MPCA will schedule a hearing prior to making a determination on the petition.

Following the end of the comment period and, if held, the public hearing, the MPCA Commissioner will decide whether to approve the petition for annexation of area to the Villard Area Lakes Sanitary District unless, as provided by *Minnesota Statutes* § 116.02, the MPCA Citizens' Board makes this decision. You have the right to submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board make the decision on approval of the petition for annexation of area to the Villard Area Lakes Sanitary District. Your petition must be in writing and must be received by MPCA staff during the public comment period. The MPCA Citizens' Board will only make the decision on approval of the petition for annexation of area to the sanitary district if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.

A copy of the petition, resolutions, map of the proposed annexation area and the existing sanitary district with the legal descriptions, and other documents relevant to the petition can be requested from the MPCA. Comments, questions, and requests for a hearing regarding the annexation to the sanitary district and requests for information must be submitted in writing to:

Amy Lockheart  
Regular Facilities and Site Remediation Section  
Policy and Planning Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
Saint Paul, Minnesota 55155-4194

Telephone: (651) 296-5426  
Toll-free: 1-800-657-3864  
TTY: (651) 282-5332  
Fax: (651) 297-8676  
[amy.lockheart@pca.state.mn.us](mailto:amy.lockheart@pca.state.mn.us)

This notice, the petition, and other documents relevant to the petition can be made available in other formats, including Braille, large print, audiotape, and other languages upon request.

Dated: 19 May 2000

Lisa J. Thorvig  
Deputy Commissioner

## **Minnesota Department of Trade and Economic Development**

### **Governor's Working Group on Minority Business Development**

#### **Notice of Public Meetings**

The Governor's Working Group on Minority Business Development will hold a deliberative meeting on June 12, 2000, from 11:30 AM to 2:00 PM at the Department of Trade and Economic Development, Conference Room A, 500 Metro Square, 121 7th Place East, St. Paul, MN.

All meetings, whether to receive information or conduct deliberations, are open to the public. A verbatim transcript of the meeting will be prepared and all information or materials received by or produced by the Working Group will be public data under the Minnesota Government Data Practices Act (*Minnesota Statutes* Chapter 13).

## State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan 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 and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

## Department of Agriculture

### Farm Advocate Program

#### Notice of Availability of Contracts for Minnesota Farm Advocates

The Minnesota Department of Agriculture announces the availability of contracts for farm advocates for the period of July 1, 2000 through June 30, 2001. Applicants must be farmers or former farmers; be familiar with or experienced in farm financial planning (cash flows through financial statements); be knowledgeable of farmers' borrowers rights and responsibilities with the ability to comprehend state and federal rules and regulations governing agricultural credit; have good communication skills (written, oral and listening); and have compassion for and an interest in helping other farmers. Resumes will be accepted through June 20, 2000.

For more information contact:

Jan Boll  
Farm Advocate Program  
Minnesota Department of Agriculture  
Route 1, Box 135  
Trail, MN 56684  
(218) 268-4472

## Housing Finance Agency

### Consolidated Request for Proposals: Single Family RFP, Multifamily RFP, and Housing Tax Credit Program

The Minnesota Housing Finance Agency (MHFA), the Greater Minnesota Housing Fund, the Metropolitan Council, the Family Housing Fund, Minnesota Department of Corrections, the Saint Paul Public Housing Authority, and the Minneapolis Public Housing Authority announce the availability of funds through a Consolidated Request for Proposals (RFP). Funds are available to assist in the development, construction, acquisition or rehabilitation of affordable homeownership, home improvement, or rental housing activities for low and moderate income residents of Minnesota.

The Consolidated RFP represents an effort to coordinate the resources available within the agency, and to address communities' comprehensive housing efforts.

Eligible applicants are invited to submit proposal(s) for the Single Family RFP, the Multifamily RFP and the Housing Tax Credit Program. Separate Single Family and Multifamily applications are required.

In the event that a comprehensive housing proposal is submitted which includes proposals for more than one of the RFP types, MHFA staff will review and process those funding applications simultaneously.

**Amount of Funds Available:** Fund availability is listed individually under each specific RFP section below.

**Eligible Locations:** MHFA funds are generally available statewide; while respective RFP partner's funds are available only in the Metro area or Greater Minnesota depending on the specific funding source.

**Eligible Applicants:** In general, eligible applicants for the majority of resources include Minnesota Cities, Minnesota units of government, Community Housing Development Organizations (CHDOs), community based organizations, Housing and Redevelopment Authorities, Community Action Agencies, limited profit and nonprofit entities, private individuals and tribal organizations.

Eligible applicants for multifamily and tax credit proposals include corporations and partnerships.

Economic Development Authorities, for profits, and approved lenders are also eligible applicants for some single family resources.

*Habitat for Humanity organizations are **not eligible** to apply for funding from the Community Revitalization Fund as the primary applicant under the “traditional Habitat model”, but are eligible to be secondary partners with those applicants previously mentioned.*

## **NEW SELECTION CRITERIA**

The MHFA has developed the following selection criteria to increase the extent to which housing resources are strategically targeted. These criteria will be used to evaluate proposals submitted in response to both the Single Family and Multifamily RFPs.

- The extent to which the proposal contains clearly identified goals relating to the housing element of a “Cooperatively Developed Plan” consistent with the mission of MHFA. A Cooperatively Developed Plan is a plan which encompasses multiple affordable housing and related service initiatives in a geographically defined area that is developed through the cooperation and input of two or more of the following entities:
  - city or county (or instrumentality thereof),
  - a regional unit of government,
  - neighborhood and/or community group,
  - housing providers, and funders.
- The extent to which the proposal is consistent with “Smart Growth.” Minnesota’s resources should be focused on helping those communities that are committed to sustaining existing development and enhancing its environmental resources. Smart growth is fostering more reliance on public transportation and creating housing options that allow families to stay and invest in a community. MHFA will consider several smart growth factors in selections. (Refer to application materials, or specific program concepts for more details.)
- The extent to which the proposal addresses the housing needs of “Underserved Populations.” Underserved populations are identified as individuals and/or households of color, single heads of households and disabled individuals.

## **NEW RESOURCES**

### **AGENCY-WIDE RESOURCES:**

**Economic Development and Housing Challenge Program (EDHC):** The program shall provide loans or grants for the purpose of construction, acquisition, rehabilitation, construction financing, permanent financing, interest rate reduction, refinancing, and gap financing of both single family and multifamily housing to support economic development activities or job creation/retention within a community or region by meeting locally identified housing needs.

**Income Limit** - 115% of the greater of state or area median income.

In order for proposals to be funded from this specific pool of funds, they must include a financial or in-kind contribution from an area employer (the purchase of housing tax credits by a local employer is considered an employer contribution), **AND**

A contribution from, at a minimum, one of the following:

- Local unit of government,
- Private philanthropic organization,
- Religious organization, or
- Charitable organization.

**For an Application to be considered for funding from the Economic Development and Housing Challenge Program, contributions from the sources mentioned above must equal or exceed the amount of funds requested from the RFP.**

The proposal must also address the housing needs of the local work force. (Example: The proposal must demonstrate the link between jobs and housing, define the target area, describe how employees will access jobs and services, and demonstrate that the housing being provided (owner occupied or rental) is affordable based on the wage level of the jobs being created/retained.)

For proposals comparable in nature, **preference** shall be given to proposals that:

- Include regulatory changes that result in identifiable cost avoidance or cost reductions. Examples include, but are not limited to, increased density, flexibility in site development standards, or zoning code requirements, etc.
- Include a financial or in-kind contribution from an area employer, a local unit of government, **and**
- A private philanthropic, religious, or charitable organization.

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**Innovative and Inclusionary Housing Program (IIH):** The MHFA's Innovative and Inclusionary Housing Program is available to support new construction development for single family or multifamily housing, or a combination of the two, in Greater Minnesota, with a variety of prices and designs which serve families with a range of incomes and housing needs.

These resources are targeted to developments in which process and regulatory improvements that reduce the cost of housing are implemented.

In order for proposals to be funded from this specific pool of funds, they must at a minimum, meet the following:

- Include identifiable cost savings from regulatory incentives by the local governing body, which would normally not be offered in a typical housing project. Examples of this could include, but are not limited to: density bonuses, reduced setbacks and parking requirements, decreased road widths, flexibility in site development standards and zoning code requirements, waiver of permit or impact fees, fast-track permitting and approvals, or any other regulatory incentives that will result in cost avoidance or reductions.
- Include a variety of prices and designs which serve households with a range of incomes and housing needs or include innovative building techniques or materials which lower the costs while maintaining high quality construction and livability.
- Include units affordable to households with incomes at or below 80% of the greater of state or area median income.

As part of the application, the applicant must be able to provide a quantified breakdown of the cost savings due to regulatory incentives or innovative building techniques or materials.

**Inclusionary Housing Account (IHA):** This program is similar to the MHFA's Innovative and Inclusionary Housing Program and is available through the Metropolitan Council for proposals in the seven-county metro area. The Council may award grants to municipalities, which may in turn make grants or loans to their development partners to fund the production of exclusionary housing developments in the municipality.

The Council will emphasize its support of economic integration in its funding selections, particularly in regard to how proposals serve the housing needs for households at 30 and 60 percent of median income.

IHA funds may assist developments in which the municipality offers incentives to assist in the production of inclusionary housing. The incentives that may be provided by municipalities include but are not limited to: density bonuses, reduced setbacks and parking requirements, decreased road widths, flexibility in site development standards and zoning code requirements, waiver of permit or impact fees, fast-track permitting and approvals, or any other regulatory incentives that will result in identifiable cost avoidance or reductions that contribute to the economic feasibility of inclusionary housing.

Applications must include information about the number of affordable units to be produced, the monthly rent or purchase price, the incentives to be provided by the municipality, and the dollar amount of the costs avoided or reduced because of the local waiver or reduction of local regulations.

### MULTIFAMILY RESOURCES:

**Minnesota Families Affordable Rental Investment Fund Program:** This new program will provide the total capital funding necessary to produce new or purchase and rehabilitate existing rental housing with rents of \$400 or less to house current or recent recipients of Minnesota Family Investment Program (MFIP) benefits. Program funds will be available in the amount of \$15 million per year for each of the next two years and may be accessed through either the Multifamily RFP process or on a pipeline basis. It is anticipated that approximately 50% of the units produced under this program will be in mixed income developments. Limited dividend, not for profit, and public housing authority sponsors are encouraged to participate. Units produced under this program must remain affordable for at least 30 years.

**Project-Based Rental Assistance:** This resource is available through the Metropolitan Council HRA via the *Multifamily RFP* for eligible projects located in the counties of Anoka, Carver, Hennepin (excluding the cities of Bloomington, Minneapolis, Plymouth, Richfield and St. Louis Park), and Ramsey (excluding the city of St. Paul). This resource is also available through the Saint Paul Public Housing Authority via the *Multifamily RFP* for eligible projects in the City of St. Paul.

Project based rental assistance is a housing subsidy program that permits a local housing agency to attach Section 8 certificates to newly constructed or rehabilitated units. The rental units are made available to low income families at or below 50% of the metro median family income at rents within the Section 8 existing fair market rent limit or HUD-approved exception rent limits. Eligible families receive rent assistance so long as they reside in the project-based dwelling unit.

Project based assistance is administered by designated housing agencies that administer the federal Section 8 certificate rent assistance programs. The assistance is provided in the form of a per-unit-month subsidy to the owner of a project on behalf of an eligible tenant while they reside in the project.

**SINGLE FAMILY RFP**

This Single Family RFP includes:

**The following Limited Fund Programs: Approximately \$6 million available.**

- Community Revitalization Fund (CRV)\*. Community Revitalization Fund includes the resources: Economic Development and Housing Challenge Program (EDHC), Innovative and Inclusionary Housing Program (IIH), and the MN Urban and Rural Homesteading Program (MURL)
- Homebuyer Education Counseling and Training Fund (HECAT)

\* The Family Housing Fund, GMHF and MHFA will provide funds for the Community Revitalization Fund, with the later two agencies also contributing to the GMHF Home At Last Program (HAL).

Metropolitan Council will also provide funds for their Local Housing Initiative Account (LHIA) and the Inclusionary Housing Account (IHA).

The Minnesota Department of Corrections may provide funds and/or assistance through the Institution Community Work Crew (ICWC) Affordable House Building Program.

**The following On-going MHFA programs:**

- Community Activity Set Aside Program (CASA)
- Community Fix-Up Fund (CFUF)
- Entry Cost Homeownership Opportunity Program (ECHO)

**Types of Funds Available, Single Family RFP:** The type of assistance provided by the Community Revitalization Fund (CRV) will vary - grant, interim construction loan or deferred loan - depending upon the needs addressed in each application and the availability of funding resources. The contributing partners strongly encourage communities to leverage funds with the resources available through this RFP to address the local housing need(s) identified in their comprehensive housing plan.

Representatives from the MHFA and the Funding Partners will review each individual proposal and determine whether funds will be provided in the form(s) of assistance listed below:

- **First mortgage loans** provide long term fixed rate financing for the acquisition of a new or existing house for low and moderate income, first time homebuyers.
- **Interim construction financing** provides either no interest or low interest loans to entities to assist in acquiring, demolishing, rehabilitating and/or constructing homes for first time homebuyers. The interest rates on these loans vary. Interest free loans are provided to not-for-profit entities that use innovative construction or rehabilitation methods (including innovative materials, financing methods, etc.) to approach housing needs in a specific community. Interim construction loans must be repaid to the funder when the home is completed and sold.
- **Deferred loans** are interest free loans which require repayment if specific program requirements are not met. A proposal may utilize deferred loans to help bridge financing gaps not covered by a first mortgage and/or other funding resources.
- 4. **Grants** do not require repayment. Grants can be used for a variety of purposes (i.e. gap financing, construction, demolition, rehabilitation, zero percent contract for deed financing for first time, at risk homebuyers, etc.) Each proposal must specifically identify the type of financing requested.
- **Home improvement** loans are available to provide low interest loans to improve or maintain an existing home. These are typically second mortgages.
- 6. **Entry cost assistance** is an interest-free deferred loan designed to support community lending programs for down-payment and closing costs for first time homebuyers.

**Eligible Activities:** Eligible activities vary by program. It is the Applicant's responsibility to review each program concept carefully.

All proposals eligible for financing must address housing needs created by current local economic housing vitality initiatives (EVHI) or Metropolitan Housing Implementation Group (MHIG) Project Selection Criteria.

**Program Income Limits:** All of the programs within this RFP target households with incomes at or below 115% of the greater of state or area median income limits.

Organizations who are requesting assistance from the Greater Minnesota Housing Fund must serve households with incomes equal to or less than 80% of the statewide median. Assistance from the Family Housing Fund may only be used for families whose income does not exceed 80% of the Twin Cities metropolitan area median income limit.

See Single Family Program Concepts for current income limits.

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## MULTIFAMILY RFP

**Amount of Funds Available:** Approximately \$18 million.

In addition, the Agency has up to \$15 million available in the new Minnesota Families Affordable Rental Investment Fund Program mentioned in the “New Resources” section.

### Types of Funding Available, Multifamily RFP

1. **Deferred loan funds** are generally in the form of a zero percent (0%), 20-30 year deferred or subordinate loan or grant. Actual interest rate, term and type of loan or grant will vary depending upon recommended funding source(s) and will be discussed in detail with sponsors upon selection for funding.

For developments using the **Federal Housing Tax Credit Program**, loans may be structured with an interest rate to be eligible for inclusion in qualified basis. More information on the Housing Tax Credit Program follows this section.

2. **Long term fixed rate mortgages** for acquisition, refinance, or new construction of multifamily housing for developments that may generate adequate income to service debt are also available. These mortgages are offered through the Low and Moderate Income Rental Program (LMIR). Separate application materials are not required for the first mortgage programs.

First mortgage programs may be provided for new construction of housing tax credit developments. In addition, MHFA is interested in providing financing for developments with 20% project-based rental assistance and 80% market rate units, where the objective would be cost containment and creation of developments of scale (50 to 100 units).

- **Project-Based or Tenant Based Rental Assistance** may be available for eligible properties and eligible tenants. Rental assistance is generally provided in the form of a per-unit-month subsidy to the owner of a project on behalf of an eligible tenant living in the project. Rents must be within the Section 8 existing fair market rent limit or HUD-approved exception rent limits.

**Eligible Projects:** Funds may be used for a variety of rental housing types including permanent housing, preservation of federally assisted housing, publicly owned housing, temporary or transitional housing, emergency shelters, supportive housing and HIV/AIDS housing/services.

Permanent rental housing must be “residential housing” or be “generally available to low and moderate income people.” Developments in which the owner of permanent supportive housing is also the service provider are considered a low priority.

- “Residential housing” is housing where the individual units have bathrooms and kitchen facilities.
- Housing that is “generally available to low and moderate income people” is housing for which occupancy is either unrestricted or restricted only on the basis of income.

In addition to the new criteria previously listed, a priority may be given to developments which:

- demonstrate local government action that helps lower cost, such as regulatory changes or waivers that result in identifiable cost avoidance or reduction.
- demonstrate local government investment pursuant to a housing plan.
- demonstrate partnerships with non-housing groups.
- include substantial financial contributions from local employers.
- address housing needs of the local work force.

All proposals submitted must meet housing needs identified by local housing vitality initiatives (EVHI), or local continuum of care plans.

Developments in which economic integration is provided or maintained are encouraged.

Developments with age restrictions of 55 and older, are ineligible under most funding sources.

**Income Limits:** The overall goal of the Multifamily RFP is to serve lower income households. Funding sources generally allow incomes up to 60% of median income in the seven-county metropolitan area, and up to 80% of statewide median income in Greater Minnesota (adjusted for family size). Funding sources with an objective of addressing needs identified in a continuum of care plan require lower income limits, generally at or below 30% of the seven-county metro area median income.\*

**Gross Rent Limits:** For permanent rental housing proposals, maximum gross rents shall not exceed the following limits in Greater Minnesota and the Seven County Metro Area. The actual maximum gross rent limit will be dependent upon the recommended source(s) of funding.\*

- **Greater Minnesota:** 30% of 50% of statewide median income;
- **Seven County Metro Area:** The lesser of the Fair Market Rent or 30% of 50% of metro median income.

For transitional housing or permanent supportive housing proposals, maximum gross rents shall generally be equal to or less than 30% of the seven-county metro area median income.

*\*NOTE: Priority will generally be given to those developments serving the lowest income households.*

## HOUSING TAX CREDIT PROGRAM

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting 2001 Round 1 competition applications for reservation and allocation of Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986, as revised.

The Housing Tax Credits offer a ten year reduction in tax liability to owners and investors in eligible low income rental housing developments involving new construction, rehabilitation or existing rental housing with rehabilitation. General information on tax credit availability is posted to MHFA's internet web site ([www.mhfa.state.mn.us](http://www.mhfa.state.mn.us)).

Total estimated 2001 tax credits available for the State of Minnesota is \$5.9 million. MHFA has estimated the housing credit ceiling for Minnesota for calendar year 2001 based upon the amounts of the housing credit ceiling for calendar year 2000. The actual housing credit ceiling for the year 2001 will not be known by MHFA until some time in February or March of 2001. In early 2001 the IRS will make a final determination of Minnesota's population component used in determining Minnesota's final year 2001 housing credit ceiling. The IRS will publish this population component some time in February or March of 2001.

As in past competition years, 2001 Round 1 will be the primary tax credit selection / allocation round. It is anticipated that most of the 2001 tax credits will be forward selected during this round for the 2001 tax credit year. Any credits remaining following the conclusion of the 2000 Round 1 will be made available for 2001 Round 2.

The Minnesota Housing Finance Agency's 2001 Housing Tax Credit Program and related manual contents have been revised in several key respects as follows:

1) A Selection Priority for Government Participation/Rent Reduction is being created which gives priority to developments targeting units for project based and/or tenant based rental assistance and calls for a cooperatively developed plan between Owner and local HRA to identify and meet local need. 2) The Selection Priority for Promoting Rehabilitation is being revised to drop the requirement for 3 bedroom and larger unit types. 3) The Selection Priority for Development Cost Reduction is being revised to more substantially recognize the benefit to a development from Historic Tax Credit, certain Tax Increment Financing and Tax Abatement. 4) The Selection Priority for Family Design Features as well as general Housing Tax Credit Design Standards are being significantly revised to be more flexible, accommodating and encouraging of designs which incorporate desirable elements of cost and design efficiencies and good growth policy. 5) The Preference Priority for HUD insured loan commitment is being dropped. 6) Various submission requirements relating to owner developed Affirmative Fair Housing Marketing Plans as well as Tenant Selection Plans and Policies are being strengthened. 7) Various underwriting standards relating to Management and Operating benchmarks and Reserves are being clarified. 8) Various administrative and clarification revisions have also been made to certain text and forms. A "full manual" package including these revisions will be mailed out to those names currently contained on MHFA's Tax Credit Program mailing list and is also available upon request.

**Credit Formula:** The Minnesota Legislature designated the MHFA as the primary apportionment agency for housing tax credits for the state and also authorized eligible cities and counties to administer the tax credits in their respective jurisdictions based on the *Minnesota Statutes* Section 462A.222, Subd. 1(a)(2).

**Local Administration of Tax Credit:** The following eligible cities and counties have the authority to administer the tax credits locally:

<u>(S) Suballocator</u>		<u>(JPS) Joint Powers Suballocator</u>	
(S) St. Paul	(651) 266-6616	(JPS) Duluth	(218) 723-3357
(S) Dakota County	(612) 423-8104	(JPS) St. Cloud	(320) 252-0880
(S) Washington County	(651) 458-6556	(JPS) Rochester	(507) 285-8224
(S) Minneapolis	(612) 673-5067		

Applicants with eligible buildings located within the jurisdiction of the above local governments must apply to the local administrators (suballocators) for allocation of the housing tax credit. Nonprofit applicants may apply both to the MHFA and the suballocator for an allocation. Typically, the MHFA will not make an allocation for projects located within the jurisdiction of the cities or counties that have elected to administer the credits until the amounts reserved have been allocated or returned to the MHFA for allocation.

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For 2001, a suballocator was again able to elect to enter into a one year joint powers program with the MHFA (via Joint Powers Agreement) in which the participating suballocator (referenced as Joint Powers Suballocator above) could prioritize the developments within their jurisdiction and then turn the application over to the MHFA to perform certain allocation and compliance functions. If applicable to your proposal, contact the suballocator for your location to determine if they have elected to participate in this joint powers program.

**MHFA Administration Tax Credits:** In all tax credit rounds, applicants with eligible buildings in the balance of the state, not within the jurisdiction of a suballocator, may apply to the MHFA for an allocation of housing tax credits.

The MHFA has been designated as the credit agency to provide housing credits for projects involving qualified 501(c)(3) and 501(c)(4) nonprofit organizations statewide. Ten percent of the state ceiling has been set aside for qualified nonprofits as required by Section 42 of the *Internal Revenue Code of 1986*. Qualified nonprofits can apply to the MHFA for the housing tax credit set-aside, regardless of the geographic location of the proposed low income housing building, as specified in the allocation plan.

### APPLICATION PROCESS

To request a Single Family, Multifamily, or Housing Tax Credit Request for Proposal application packet, please contact:

Minnesota Housing Finance Agency  
400 Sibley Street, Suite 300  
St. Paul, MN 55101

*Single Family RFP* - (651) 297-3118, or Toll Free: 1-800-710-8871

*Housing Tax Credit* or *Multifamily RFP* - (651) 297-3294 or Toll Free: 1-800-657-3701

### APPLICATION SUBMISSION DEADLINES:

**One copy of the original application form and all attachments *PLUS* all additional copies and attachments as required by the specific RFP** are due by **5:00 p.m.** on the specified date:

- **Single Family RFP** applications are due **Friday, July 14, 2000.**
- **Multifamily RFP and Housing Tax Credit** applications are due **Thursday, July 20, 2000.**

**Recommendations for Single Family programs will be made to the MHFA Board on September 28, 2000.**

**All Multifamily recommendations, and recommendations for consolidated Single Family and Multifamily proposals will be made to the MHFA Board on October 26, 2000.**

This request for proposals is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or family status.

## Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 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. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

### Minnesota State Colleges and Universities

#### St. Cloud State University

##### Proposals Sought for Laundry Equipment and Service

Sealed proposals for items hereinafter described will be received by St. Cloud State University at the Business Office, Administrative Services Room 122, St. Cloud, Minnesota until **3:00 p.m. on June 22, 2000** and will be publicly opened and read aloud. The right to reserved to accept or reject any or all bids or parts of bids and to waive informalities therein.

Bids are requested for a **Laundry Equipment & Service** as per plans and specifications available in the Business Office, St. Cloud State University.

For further information contact:

Lisa Sparks  
Director of Purchasing  
St. Cloud State University – AS 122  
720 4th Ave. South  
St. Cloud, MN 56301-4498  
(320) 255-4788

### Minnesota State College and Universities

#### Winona State University

##### Request for Bids for Tables and Chairs for Laptop Classrooms

**NOTICE IS HEREBY GIVEN** that Winona State University will receive sealed bids for cable management system tables and task chairs for four (4) Laptop classrooms.

Bid specifications will be available May 30, 2000 from Sandra Schmitt, Purchasing Director, P.O. Box 5838, 205 Somsen Hall, Winona State University, Winona, MN 55987 or by calling 507-457-5067.

Sealed bids must be received by Sandra Schmitt, P.O. Box 5838 or Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 p.m. June 13, 2000.

Winona State University reserves the right to reject any or all bids or portions thereof, or to waive any irregularities or informalities in bids received.

## Professional, Technical & Consulting Contracts

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### Minnesota State Colleges and Universities

#### Winona State University

#### Proposals Sought for Air Supported Structure Over A Football Field

**NOTICE IS HEREBY GIVEN** that Winona State University acting as the owner for the State of Minnesota is accepting proposals to design and construct an air-supported structure of approximately 385' long x 225' wide and 66' high over the existing synthetic turf at Maxwell football field. The structure will be seasonal. It will be setup each Fall and removed and stored each Spring. It is anticipated that the anchoring system, to include any concrete curbs, and footings will be installed and in place prior to the start of football on August 15, 2000. Construction, including set-up will then be completed at the conclusion of the football season in November 2000. The estimated construction budget for this project is \$800,000. This solicitation does not obligate the University to spend the estimated dollar amount. Responders are requested to call or write for the full Request for Proposal, which will be sent free of charge to interested vendors. All proposals or inquiries must be addressed to:

Dick Lande  
Physical Plant Manager  
Winona State University  
175 West Mark Street  
P.O. Box 5838  
Winona, Minnesota 55987  
(507) 457-5045

Other personnel are not allowed to discuss the Request for Proposal with anyone including responders, before the proposal submission deadline.

Proposals are due no later than 3:00 p.m. on June 29, 2000.

## Department of Human Services

### Notice of Availability for Network, Graphics Application and Web-Form Development Support Request for Proposal (RFP)

The Department of Human Services is requesting proposals for Network, Graphics Application and Web-Form Development Support Services (hereafter "services"). Services are proposed to start 7/1/00. Further details regarding this request can be obtained from the Network, Graphics Applications and Web-Forms Development Support RFP document. This RFP can be obtained by contacting:

Department of Human Services  
Management Services Division  
Attention: Mark Faxvog  
C/O: Information Desk  
444 Lafayette Road  
St. Paul, MN 55155-3807  
(651) 296-7950

All proposals must be received by no later than 3:00 p.m. on Thursday June 15, 2000. Late proposals will not be considered. Responders should provide an original proposal plus eight (8) copies in 8 1/2" x 11" format. Please ensure that the original proposal be an authorized member of the firm, signed in ink. Prices and terms as stated must be valid for the length of any resulting contract. All proposals must be sent to the address above.

## Minnesota Supreme Court

### The Information Technology Division

#### Notice of Court Technology Vendor Search

The Minnesota Court Information System project (MNCIS), sponsored by the Minnesota Supreme Court, is currently seeking providers of court case management framework and fully integrated products.

Vendors should visit the project website to review functionality, technology and organizational requirements and complete an online application. Vendors meeting requirements will be asked to conduct a presentation. Based on the information gathered in this process, the team anticipates issuing a Request for Proposal mid-July, 2000.

To learn more, review requirements and submit an application to the project team, please link to <http://criminal.justice.state.mn.us/mncis/vendor/vendor.htm>.

## Minnesota Board of Nursing

### Health Professionals Services Program

#### Notice of Request for Proposals/Notice of Availability of Contract for Provision of Expert Medical Opinion Concerning Development and Implementation of Plans to Monitor the Management of Illnesses and Conditions of Regulated Health Care Professionals in Order to Protect the Public

The Health Professionals Services Program operated on behalf of participating health-related licensing boards with the Board of Nursing serving as administering board effective July 1, 2000, requires expert medical opinion and occupational advice concerning the development and implementation of plans to effectively monitor the management of illnesses or conditions of persons regulated by the health licensing boards who may be unable to practice with reasonable skill and safety by reason of illness, use of alcohol, drugs, chemicals or other materials or as a result of mental, physical or psychological conditions. The services to be performed will include: reviewing client medical records and charts, providing staff a written report on each case referred within thirty days, advising program staff about monitoring plans, and preparing briefings for staff and committees on topics related to monitoring treatment plan adherence by health care professionals. It is anticipated that cost for the services required will not exceed \$18,000 over the year of the contract. This proposal does not obligate the program to spend the estimated dollar amount.

You may call or write for the full RFP which will be sent free of charge to interested vendors. Contact Sheryl Jones at (651) 632-5099 or write to her at the same address as given for Monica Feider below.

Prospective responders who have any questions regarding this request for proposal may call or write:

Monica Feider, Acting Program Manager  
Health Professionals Services Program  
Suite 229, Iris Park Place  
1885 University Ave. W  
St. Paul, MN 55104  
Telephone: (651) 643-3456

Other program personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the submission deadline.

All proposals must be sent to Monica Feider, Acting Program Manager at the address above.

All proposals must be received no later than 4:00 p.m. on Wednesday, June 21, 2000. Late Proposals will not be considered.

## Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State 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.

## Metropolitan Airports Commission

### Request for Proposals to Provide Shared Ride Service

The Metropolitan Airports Commission of the Minneapolis St. Paul International Airport is requesting proposals to provide Shared Ride Service from qualified and experienced transportation providers. A **MANDATORY** pre-proposal meeting will be held in the Commission Chambers (Room 3040), Lindbergh Terminal, 4300 Glumack Drive on June 15, 2000 at 1:00 p.m., CDT.

Information and proposals documents are available by contacting:

Arlie Johnson, Manager  
Landside Operations, Metropolitan Airports Commission  
Minneapolis-St. Paul International Airport  
4300 Glumack Drive, Room 330  
St. Paul, MN 55111  
Phone (612) 726-5568  
FAX (612) 726-5728  
or e-mail: [ajohnson@mspmac.org](mailto:ajohnson@mspmac.org)

Proposals are due in the MAC offices no later than 12 Noon CDT on July 12, 2000.

## Metropolitan Council

### Proposals Sought for Printed Stationery – Letterhead, Envelopes, Etc.

Sealed bids for printing services of Metropolitan Council letterhead and various sizes of envelopes, will be received at the offices of the Metropolitan Council, 230 East 5th Street, St. Paul, Minnesota, 55101, on June 20, 2000, at 2:00 p.m., at which time and place they will be publicly read.

Copies of specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling 651-602-1499 or via Fax request at 651-602-1083. All bids must be submitted on Metropolitan Council approved forms.

The Metropolitan Council shall consider all bids received and intends to award a contract to the responsive and responsible bidder submitting the lowest total cost to the council, by the due date and time. The Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions in any bid, to obtain new bids, or to proceed to do the work otherwise.

## **Metropolitan Council**

### **Request for Bids for 4,500 Gallon Stainless Steel Tank and Installation**

Sealed bids will be received in the office of the Metropolitan Council, Environmental Services Division, (MCES), 230 East 5th Street, St. Paul, Minnesota 55101, for 4,500 gallon stainless steel tank and installation.

Bids will be received until TUESDAY, JUNE 13, 2000, at 2:00 p.m., at which time and place the bids will be publicly opened and read aloud.

Copies of the specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling 651-602-1499 or via Fax request at 651-602-1083.

All bids to be considered must be submitted on **Council approved bid forms**.

The award will be based upon, but not necessarily limited to, factors of price, lead time, agreement to the terms and conditions and past experience with the Metropolitan Council.

The Metropolitan Council shall consider all bids received and intends to award a contract to the responsive and responsible bidder submitting the lowest total cost to the Council, by the due date and time, provided, however, that the Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions of any bid, to obtain new bids, or to proceed to do the work otherwise.

## **University of Minnesota**

### **Notice of Bid Information Service (BIS) Available for All Potential Vendors**

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at [bidinfo.umn.edu](http://bidinfo.umn.edu) or call the BIS Coordinator at 612-625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

