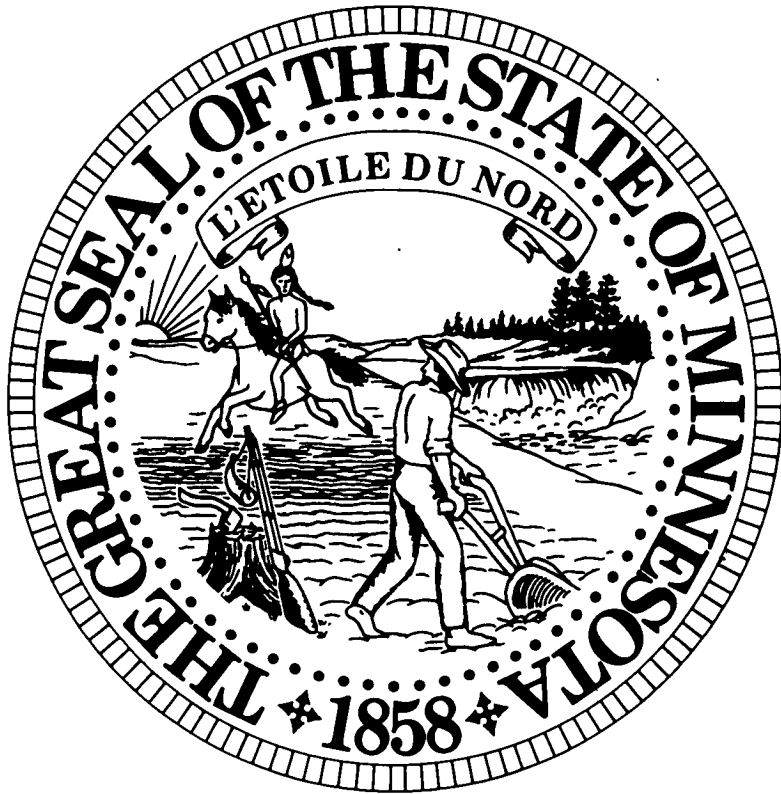


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The Minnesota
**State
Register**

Department of Administration—Print Communications Division



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

Monday 20 July 1992
Volume 17, Number 3
Pages 81-128

State Register

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

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

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 17 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
3	Monday 6 July	Monday 13 July	Monday 20 July
4	Monday 13 July	Monday 20 July	Monday 27 July
5	Monday 20 July	Monday 27 July	Monday 3 August
6	Monday 27 July	Monday 3 August	Monday 10 August

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-0929.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$150.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Arne H. Carlson, Governor

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FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 231 State Capitol, St. Paul, MN 55155
(612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

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Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Health

Proposed Permanent Rules Relating to Infants; Newborn Metabolic Error Test

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, section 144.125 and section 144.128.

All persons have 30 days or until 4:30 p.m. on August 19, 1992 in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period or until 4:30 p.m. on August 19, 1992. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to: Malcolm B. Jenkins, Ph.D., Human Genetics Unit, Maternal and Child Health Division, 717 S.E. Delaware Street, P.O. Box 9441, Minneapolis, Minnesota 55440-9441; (612) 623-5268.

The proposed rule may be modified if the modifications are supported by data and views submitted to the Department and do not result in a substantial change in the proposed rule as noticed.

The proposed changes will add hemoglobinopathy and congenital adrenal hyperplasia to the Minnesota Department of Health newborn screening program.

A free copy of the rule is available upon request from Malcolm B. Jenkins, Ph.D., Human Genetics Unit, Maternal and Child Health Division, 717 S.E. Delaware Street, P.O. Box 9441, Minneapolis, Minnesota 55440-9441; (612) 623-5268.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Malcolm B. Jenkins, Ph.D., Human Genetics Unit, Maternal and Child Health Division, 717 S.E. Delaware Street, P.O. Box 9441, Minneapolis, Minnesota 55440-9441; (612) 623-5268, upon request.

Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form, including the issues of substantial change; whether the Department has the authority to adopt the rules; and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Any

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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person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the adopted rule must submit the written request to Malcolm B. Jenkins, Ph.D., Human Genetics Unit, Maternal and Child Health Division, 717 S.E. Delaware Street, P.O. Box 9441, Minneapolis, Minnesota 55440-9441; (612) 623-5268. If the proposed rule has been modified, the notice will also state that fact and will state that a free copy of the proposed rule, as modified, will be available on request from the Department.

Marlene E. Marschall
Commissioner of Health

Rules as Proposed

TESTS OF INFANTS FOR INBORN METABOLIC ERRORS CAUSING MENTAL RETARDATION

4615.0300 PURPOSE AND SCOPE.

Parts 4615.0300 to 4615.0700 describe the responsibilities of the hospitals, physicians, and the Minnesota Department of Health to assure that all newborn infants are screened for hemoglobinopathy, phenylketonuria, galactosemia, ~~and~~ hypothyroidism, and congenital adrenal hyperplasia.

4615.0400 DEFINITIONS.

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

Subp. 5. **Responsible party.** "Responsible party" means the administrative officer or other person in charge of ~~each~~ the hospital where the child is born, and the physician or other person operating under the supervision of a physician in attendance at the birth, or if not so attended, one of the parents.

Subp. 6. **Screen.** "Screen" means to carry out a series of laboratory tests on a dried capillary blood specimen which will identify those newborn infants who may develop hemoglobinopathy, phenylketonuria, galactosemia, ~~and/or~~ hypothyroidism, and/or congenital adrenal hyperplasia.

Subp. 7. **Specimen.** "Specimen" means a specimen of dried ~~capillary~~ blood from the newborn infant collected on a specimen card.

[For text of subp 8, see M.R.]

4615.0500 DUTIES OF RESPONSIBLE PARTIES INVOLVED IN ~~THE~~ NEWBORN METABOLIC SCREENING PROGRAM.

The responsible party shall do all of the following:

A. Inform the parent(s) or legal guardian that their newborn(s) will be screened for the metabolic diseases hemoglobinopathy, phenylketonuria, galactosemia, ~~and~~ hypothyroidism, and congenital adrenal hyperplasia, and explain the reasons for such screening and their right to refuse this screening on the grounds that such tests conflict with their religious tenets and practices.

B. Collect or have collected a specimen for screening no later than the fifth day after the infant's birth, unless the parents lawfully object to such screening. If this specimen is taken prior to 24 hours after birth, the responsible party shall notify the parents or legal guardian verbally and in writing of the necessity of having the ~~PKU~~ phenylketonuria test repeated on their newborn not later than the 14th day of life. If taking a blood sample at the times specified above is medically contraindicated, the sample shall be taken as soon as the infant's condition permits.

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

D. Send the specimen ~~and the following information card including all of the required information as indicated on the card~~ to the Minnesota Department of Health laboratory within 24 hours after collection:

- (1) ~~newborn infant's name;~~
- (2) ~~sex;~~
- (3) ~~mother's name;~~
- (4) ~~home address;~~
- (5) ~~date of birth;~~
- (6) ~~date of first feeding;~~
- (7) ~~date specimen collected;~~
- (8) ~~name and address of attending physician and hospital submitting specimen;~~
- (9) ~~county;~~
- (10) ~~birth weight or gestational age; and~~

~~(+) bottle, breast, both.~~

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

4615.0600 DUTIES OF THE DEPARTMENT OF HEALTH.

The Minnesota Department of Health shall do all of the following:

A. develop specimen cards and make them available ~~at no charge~~ to the responsible party;

B. maintain a record of all cases of hemoglobinopathy, phenylketonuria, galactosemia, ~~and~~ hypothyroidism, and congenital adrenal hyperplasia reported to it; and

C. notify the attending physician within 24 hours of obtaining the results, verbally and in writing by deposition in first class mail, of positive screening results and provide consultation on diagnostic and treatment sources available.

4615.0700 DUTIES OF THE ATTENDING PHYSICIAN.

The attending physician shall do all of the following:

A. Report, in writing, ~~all confirmed diagnoses~~ results of diagnostic evaluation of all instances of positive newborn screening results of hemoglobinopathy, phenylketonuria, galactosemia, ~~and~~ hypothyroidism, and congenital adrenal hyperplasia to: Human Genetics Unit, Minnesota Department of Health, 717 SE Delaware Street, P.O. Box 9441, Minneapolis, MN ~~55440~~ 55440-9441.

B. ~~However, if he~~ the attending physician refers a patient with positive screening results to a medical specialist for diagnosis and/or treatment, ~~he~~ the attending physician may delegate the responsibility for reporting a confirmed diagnosis to the medical specialist.

HEMOGLOBINOPATHY, PHENYLKETONURIA, GALACTOSEMIA, HYPOTHYROIDISM, AND CONGENITAL ADRENAL HYPERPLASIA TESTING; PROGRAM; TREATMENT FOR POSITIVE DIAGNOSIS; REGISTRY OF CASES

4615.0750 PURPOSE AND SCOPE.

The purpose and scope of parts 4615.0750 to 4615.0760 is to describe the responsibilities of the Minnesota Department of Health to assure that persons diagnosed as having hemoglobinopathy, phenylketonuria ~~and other metabolic diseases causing mental retardation~~, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia will: (1) have access to approved laboratory treatment control tests ~~and when available~~; (2) have necessary financial assistance for treatment of diagnosed cases when indicated; and ~~will~~ (3) be included in a registry of cases for the purpose of coordinating follow-up services.

4615.0755 DEFINITIONS.

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

Subp. 4. [See repealer.]

Subp. 5. **Patient.** "Patient" means the person who has been diagnosed with hemoglobinopathy, phenylketonuria ~~or other metabolic disease causing mental retardation~~, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia or the person's parents or legal guardian.

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

Subp. 7. [See repealer.]

Subp. 8. **Registry.** "Registry" means a permanent record maintained by the department on each patient diagnosed by a physician and reported to the department as having hemoglobinopathy, phenylketonuria ~~or other metabolic disease causing mental retardation~~, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia.

[For text of subs 9 to 11, see M.R.]

4615.0760 RESPONSIBILITIES OF DEPARTMENT OF HEALTH.

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

Subp. 3. **Assistance in obtaining treatment.** The department shall make arrangements for the medically indicated treatment of the metabolic defect ~~causing mental retardation~~ in diagnosed cases of hemoglobinopathy, phenylketonuria ~~and other metabolic disease causing mental retardation~~, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia when the patient is uninsured or is

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

Proposed Rules

unable to pay the cost of treatment because of a lack of available income. The arrangements include referral to appropriate agencies which have financial resources to pay for medically indicated treatment such as private health insurance companies, medical assistance, Children's Health Plan, and Services for Children with Handicaps.

Subp. 4. **Registry of cases.** The department shall maintain a registry of all diagnosed cases of hemoglobinopathy, phenylketonuria and other metabolic diseases causing mental retardation, galactosemia, hypothyroidism, and congenital adrenal hyperplasia reported to the department. The registry shall be updated not more often than annually by direct contact with the patient to determine their address and their need for medical treatment services, educational materials and counseling related to their metabolic disease. The registry shall include the following minimum data on each patient:

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

[For text of subp 5, see M.R.]

REPEALER. Minnesota Rules, part 4615.0755, subparts 4 and 7, are repealed.

Department of Human Services

Proposed Permanent Rules Relating to State Grants for Mental Health Services

Notice of Intent to Adopt Rules Without a Public Hearing and Notice of Intent to Adopt Rules With a Public Hearing if Twenty-five or More Persons Request a Hearing

NOTICE IS HEREBY GIVEN that the State Department of Human Services proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, sections 14.22 to 14.28. The specific statutory authority to adopt the rule is found in *Minnesota Statutes*, sections 245.484, which requires the commissioner to adopt permanent rules "as necessary to carry out" the Minnesota Comprehensive Adult Mental Health Act and the Minnesota Comprehensive Children's Mental Health Act; 245.4886, which requires the commissioner to establish a statewide program to assist counties in providing services to children with severe emotional disturbance and their families; and 256E.12, which requires the commissioner to establish a statewide program to assist counties in providing services to persons with serious and persistent mental illness.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. The 30-day comment period ends at 4:30 p.m. on August 19, 1992. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. The 30-day comment period ends at 4:30 p.m. on August 19, 1992. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON AUGUST 31, 1992, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between August 20, 1992 and August 28, 1992 at (612) 296-7454.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to: Eleanor Weber, Minnesota Department of Human Services, Rules and Bulletins Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3816.

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from Nancy Bishop at the address and telephone number above.

A copy of the proposed rule may be viewed at any of the county welfare or human service agencies in the State of Minnesota.

Proposed parts 9535.1700 to 9535.1760 establish standards for receipt and distribution of state grants to counties for two types of mental health services: community-based mental health services for children with severe emotional disturbance and their families, and community support and case management services for adults with serious and persistent mental illness. The proposed rule will affect counties and contracting service providers, as well as clients of mental health services.

The proposed rule will establish: eligibility to receive grants; funding criteria for grants; criteria for grant applications, the use of grant funds, and grant distributions; budget requirements for counties; county fiscal reporting requirements; that counties will receive

grant funds quarterly; criteria for county disposal of revenues attributable to services specified in the grant applications exceeding the amount of the budget, and for termination and repayment of funds; that the commissioner may reallocate returned or unused funds; criteria for counties to amend budgets; opportunities for counties to apply for grants for special projects; and criteria for maintenance and retention of required records and data, and the commissioner's access to them.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request from Nancy Bishop at the address and telephone number above.

Adoption of these rules will not result in additional spending by local public bodies. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Nancy Bishop at the address and telephone number above.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Eleanor Weber at the address above.

Dated: 12 June 1992

State of Minnesota
Natalie Haas Steffen
Commissioner

Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer than Twenty-Five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules without a Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Rooms 1A and 1B at the Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota on August 31, 1992 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between August 20, 1992 and August 28, 1992 at (612) 296-7454.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Jon L. Lunde, Administrative Law Judge, Office of Administrative Hearings, 100 Washington Square #1700, Minneapolis, Minnesota 55401-2138; telephone (612) 341-7645, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. Any written materials or responses must be received at the office no later than 4:30 p.m. on the final day. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have five business days to respond in writing to any new information submitted during the comment period. During the five-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the five-day period. Any written materials or responses must be received at the office no later than 4:30 p.m. on the final day. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, sections 14.15 and 14.50. The rule hearing is governed by *Minnesota Statutes*, sections 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

Proposed parts 9535.1700 to 9535.1760 establish standards for receipt and distribution of state grants to counties for two types of mental health services: community-based mental health services for children with severe emotional disturbance and their families,

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Proposed Rules

and community support and case management services for adults with serious and persistent mental illness. The proposed rule will affect counties and contracting service providers, as well as clients of mental health services.

The proposed rule will establish: eligibility to receive grants; funding criteria for grants; criteria for grant applications, the use of grant funds, and grant distributions; budget requirements for counties; county fiscal reporting requirements; that counties will receive grant funds quarterly; criteria for county disposal of revenues attributable to services specified in the grant applications exceeding the amount of the budget, and for termination and repayment of funds; that the commissioner may reallocate returned or unused funds; criteria for counties to amend budgets; opportunities for counties to apply for grants for special projects; and criteria for maintenance and retention of required records and data, and the commissioner's access to them.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, sections 245.484, which requires the commissioner to adopt permanent rules "as necessary to carry out" the Minnesota Comprehensive Adult Mental Health Act and the Minnesota Comprehensive Children's Mental Health Act; 245.4886, which requires the commissioner to establish a statewide program to assist counties in providing services to children with severe emotional disturbance and their families; and 256E.12, which requires the commissioner to establish a statewide program to assist counties in providing services to persons with serious and persistent mental illness. Adoption of these rules will not result in additional spending by local public bodies. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Nancy Bishop, Minnesota Department of Human Services, Rules and Bulletins Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3816, (612) 296-7454.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Nancy Bishop at the address above. This rule is available for viewing at each of the county welfare or human service agencies in the State of Minnesota.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Mary Jo Verschay, Minnesota Department of Human Services, Mental Health Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3828, (612) 297-2831.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the secretary of state. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the secretary of state.

NOTICE IS HEREBY GIVEN that a **STATEMENT OF NEED AND REASONABLENESS** is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the **STATEMENT OF NEED AND REASONABLENESS** may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Lobbyists must register with the State Ethical Practices Board. Questions should be directed to the Ethical Practices Board, 1st Floor, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Dated: 12 June 1992

Natalie Haas Steffen
Commissioner

Rules as Proposed (all new material)

9535.1700 PURPOSE.

Parts 9535.1700 to 9535.1760 establish standards for the receipt and distribution of state grants allocated under *Minnesota Statutes*, section 245.4886, to assist county boards in the delivery of children's community-based mental health services, and under *Minnesota Statutes*, section 256E.12, to assist county boards in the delivery of adult community support and case management services.

Use of state grants must be in accordance with *Minnesota Statutes*, sections 245.4886 and 256E.12.

9535.1705 DEFINITIONS.

Subpart 1. **Scope.** Unless otherwise defined in this part, the terms used in parts 9535.1700 to 9535.1760 have the meanings given them in *Minnesota Statutes*, sections 245.462 and 245.4871. For the purposes of parts 9535.1700 to 9535.1760, the terms defined in subparts 2 to 4 have the meanings given them.

Subp. 2. **Children's community-based mental health services.** "Children's community-based mental health services" means the services listed in *Minnesota Statutes*, section 245.4886, subdivision 1.

Subp. 3. **County funds.** "County funds" means funds available to a county through county levies, state block grants under *Minnesota*

Statutes, section 256E.06, federal block grants under *Minnesota Statutes*, section 256E.07, family preservation grants under *Minnesota Statutes*, section 256F.05, and state revenues distributed in lieu of property taxes or other revenue sharing.

Subp. 4. **Grant period.** "Grant period" means the time period in the grant application approved by the commissioner.

9535.1710 ELIGIBILITY TO RECEIVE GRANT.

Only county boards that submit and obtain the commissioner's approval for the grant application as required under parts 9535.1700 to 9535.1760 are eligible to receive grants under parts 9535.1700 to 9535.1760.

9535.1715 GRANT APPLICATION.

Subpart 1. **Application for grants.** A county board or two or more county boards jointly applying for a grant under part 9535.1710 shall submit to the commissioner a grant application that includes budget information for the use of the grant funds. The grant application must be completed in the manner prescribed on forms provided by the commissioner. Beginning with calendar years 1994 and 1995, the grant application must be part of the county board's biennial community social services plan, except that any grant application for a special project under part 9535.1730 need not be included in the county board's biennial community social services plan.

Subp. 2. **County board signature or copy of approving resolution.** As evidence of the county board's approval, the grant application submitted to the commissioner by the county board must be:

- A. signed by the chair of the county board; or
- B. accompanied by a copy of the county board resolution approving the submission.

If two or more county boards jointly apply for a grant, the chair of each county board participating in the joint application shall either sign the grant application or submit a copy of the county board's resolution approving the submission.

9535.1720 FUNDING CRITERIA.

The commissioner shall distribute grants to county boards whose grant applications meet the criteria in items A to E.

A. The grant application must be consistent with the respective mental health component of the county's community social services plan required by *Minnesota Statutes*, section 256E.09, that is approved by the commissioner.

B. For grants to provide children's community-based mental health services, the grant application must describe how the county board is collaborating or will collaborate in the development, funding, and delivery of children's community-based mental health services with other agencies in the local system of care.

C. The grant application must comply with parts 9535.1700 to 9535.1760 and with *Minnesota Statutes*, sections 245.461 to 245.4888.

D. In the grant application submitted to the commissioner according to part 9535.1715, the county board shall agree that:

- (1) it considered the advice of the local adult or children's mental health advisory council, or the adult or children's mental health subcommittee of the existing local mental health advisory council when developing the grant application;
- (2) it will consider the advice of the local adult or children's mental health advisory council, or the adult or children's mental health subcommittee of the existing local mental health advisory council if the grant application is amended;
- (3) services will be provided in accordance with the needs identified in each client's individual or family community support plan;
- (4) where available, the following will be used instead of grant funds under parts 9535.1700 to 9535.1760:
 - (a) medical assistance, under *Minnesota Statutes*, section 256B.0625;
 - (b) general assistance medical care, under *Minnesota Statutes*, section 256D.03;
 - (c) the children's health plan, under *Minnesota Statutes*, section 256.936;
 - (d) the health right plan, under *Minnesota Statutes*, section 256.936;
 - (e) private insurance and other third-party payors;
 - (f) client fees, under *Minnesota Statutes*, section 245.481; and

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Proposed Rules

(g) other funds; and

(5) the cost per unit of service as determined by the commissioner will be comparable to the cost of similar services in the same or similar local trade area. "Local trade area" has the meaning given it in part 9505.0175, subpart 22.

E. The grant application must state that grant funds will only be used for:

(1) the services specified in *Minnesota Statutes*, section 245.4886, and as defined in *Minnesota Statutes*, section 245.4871;

or

(2) the services specified in *Minnesota Statutes*, section 256E.12, and as defined in *Minnesota Statutes*, section 245.462;

and

(3) other services that:

(a) have minor costs;

(b) are essential for the provision of services specified in *Minnesota Statutes*, section 245.4886 or 256E.12;

(c) cannot be paid for from the funds listed in item D, subitem (4); and

(d) are approved by the commissioner.

If the commissioner determines that a grant application merits funding but does not meet the criteria in parts 9535.1700 to 9535.1760, the commissioner shall specify the conditions the grant application must meet in order to receive the grant.

9535.1725 DISTRIBUTION FORMULA.

At or before the beginning of the grant period, the commissioner shall use the formulas in items A to F to distribute grants under parts 9535.1700 to 9535.1760 to county boards whose grant applications meet the requirements in parts 9535.1700 to 9535.1760.

A. Within the limits of the appropriations under *Minnesota Statutes*, section 245.4886 or 256E.12, the commissioner shall allocate to each county board whose grant application is approved under part 9535.1720, the greater of the following:

(1) an annual allocation equal to the county's allocation for the preceding year, excluding any supplemental funds reallocated from other counties, plus a cost of living increase based on the legislative appropriation for that purpose;

(2) at least \$22,000 annually for children with severe emotional disturbance, or at least \$41,000 annually for adults with serious and persistent mental illness; or

(3) \$2.25 per capita for children with severe emotional disturbance, or \$2.10 per capita for adults with serious and persistent mental illness. Per capita must be based on the respective county adult or child population as determined by the most recent data of the state demographer.

B. The amount under item A, subitem (1), does not include special project funds under part 9535.1730 unless the commissioner determines a special project is more appropriately funded as part of the ongoing allocation under this part.

C. The commissioner shall increase the amounts in item A, subitems (2) and (3), to the extent funds are available, to enable more services to be provided as required by *Minnesota Statutes*, sections 245.461 to 245.4888.

D. If the appropriations under this part are decreased, then the per-county allocations in item A must be decreased in the same proportion as the decrease in the appropriation and must not be adjusted to reflect new data of the state demographer.

E. If the appropriations under this part remain the same as the appropriations in the preceding year, the per-county allocations in item A must be the same as those in the preceding year and must not be adjusted to reflect new data of the state demographer.

F. Two or more county boards that apply jointly for a grant shall receive a multicounty grant equal to the sum of the individual county board allocations in items A to E. Actual utilization of grants by each participating county board may be different from the individual county board allocation in items A to E if the county boards demonstrate to the commissioner that the differences are based on differing service needs of each county.

9535.1730 FUNDING SPECIAL PROJECTS.

In addition to grants distributed under part 9535.1725, a county board may apply to the commissioner for grants for special projects designed to help children with severe emotional disturbance to function and remain with their families in the community and to help adults with serious and persistent mental illness to function and remain in the community. Special projects must provide at least one of the services under *Minnesota Statutes*, section 245.4886, subdivision 1, or 256E.12, subdivision 1, unless the legislature enacts appropriations under *Minnesota Statutes*, section 245.4886 or 256E.12, for a different service.

Within the limits of appropriations available, the commissioner may award grants to county boards for special projects the commissioner believes will help children with severe emotional disturbance to function and remain with their families in the community and will help adults with serious and persistent mental illness to function and remain in the community.

9535.1735 BUDGET REQUIREMENTS.

Subpart 1. **Estimated budget required.** When applying for a grant, the county board shall submit to the commissioner a budget covering all children's community-based mental health services or all adult community support and case management services to be provided by the county board, its contracting service providers, and any subcontracting service providers.

Additionally, the county board's budget must show the total projected revenue from the following sources:

- A. grant funds under parts 9535.1700 to 9535.1760;
- B. county funds;
- C. medical assistance;
- D. general assistance medical care;
- E. client fees;
- F. private insurance and other third-party payors;
- G. other public agencies, including schools, colleges, health departments, and corrections;
- H. other sources;
- I. the children's health plan, under *Minnesota Statutes*, section 256.936; and
- J. the health right plan, under *Minnesota Statutes*, section 256.936.

Subp. 2. **Submittal of contracting service provider budgets.** The county board shall submit to the commissioner the name, budgeted expenditures, budgeted revenues, and a list of services provided by the county board's contracting service providers or subcontracting service providers.

Subp. 3. **Provider contracts and subcontracts.** All contracts for services between a county board and a service provider, and all contracts for services between a contracting service provider and a subcontracting service provider must be in accordance with parts 9550.0010 to 9550.0092, governing the administration of community social services, and parts 9535.1700 to 9535.1760.

Subp. 4. **Joint applications.** When two or more county boards apply jointly for grants, they shall designate which county board will:

- A. act as the host county to receive the grant; and
- B. designate a contact person.

County boards applying jointly shall agree by resolution on the assignment of responsibilities in parts 9535.1700 to 9535.1760.

Subp. 5. **Matching funds required for grants for adult community support and case management services.** When applying for a grant for adult community support and case management services, the county board shall provide matching funds of at least ten percent of the budget estimated under subpart 1. For purposes of this subpart, "matching funds" means the revenue from the sources listed in subpart 1, items B to H.

9535.1740 PAYMENT TO COUNTY BOARD.

Subpart 1. **Fiscal reports.** The commissioner shall specify requirements for fiscal reporting under *Minnesota Statutes*, section 256.01, subdivision 2, clause (17).

Additionally, if the commissioner requests, the county board shall submit, by service provider, a year-end summary of the total expenditures and the total revenues by revenue sources listed in part 9535.1735, subpart 1.

Subp. 2. **Grant payments.** The commissioner shall make quarterly grant payments under this part to a county board whose grant application is approved under parts 9535.1710 to 9535.1760. The commissioner shall make an initial advance in an amount sufficient to cover the time period from the beginning of the grant period to the next scheduled payment. The commissioner shall make subsequent quarterly grant payments on a reimbursement basis for actual expenditures reported by a county board to the commissioner. The commissioner shall adjust the quarterly grant payments for anticipated spending patterns and additional income according to subpart 3.

Total payments for a grant period must not exceed the lesser of the following, made according to a budget approved under parts 9535.1710 to 9535.1760:

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- A. the grant award;
- B. 90 percent of actual expenditures under *Minnesota Statutes*, section 256.12; or
- C. 100 percent of actual expenditures under *Minnesota Statutes*, section 245.4886.

Subp. 3. **Disposition of additional income.** If a county board, its contracting service providers, or subcontracting service providers receive revenue for the services specified in the grant application approved by the commissioner exceeding the amount of revenue estimated in the budget, the county board shall:

- A. use the additional income to provide additional children's community-based mental health services, or adult community support and case management services within the grant period in which the additional income is received;
- B. use the additional income in place of the county board funds committed to services in the county board's approved budget, if the county board's total mental health expenditure, after the reduction in county funds, complies with the maintenance of effort provisions in *Minnesota Statutes*, section 245.48; or
- C. notify the commissioner on an annual basis of the amount of actual excess revenue and request the commissioner to authorize the transfer of some or all of these excess funds to the subsequent grant period. The commissioner shall authorize the transfer or adjust the subsequent payment by an amount equal to the excess revenue.

9535.1745 TERMINATION AND REPAYMENT OF FUNDS.

If the commissioner determines that state grants for services allocated to the county board under *Minnesota Statutes*, section 245.4886 or 256E.12, are not being used as specified in a county board's approved grant application, the commissioner may terminate all or part of the grant funds and may require repayment according to *Minnesota Statutes*, section 245.483.

9535.1750 REALLOCATION OF GRANT FUNDS.

The commissioner may reallocate returned or unused grant funds to other eligible county boards as a supplemental allocation under parts 9535.1700 to 9535.1760, or for special projects under part 9535.1730. For purposes of this part, "unused grant funds" means:

- A. grant funds not awarded to a county board; or
- B. grant funds awarded to a county board but not used.

9535.1755 BUDGET AMENDMENTS.

A county board that finds it necessary to amend the budget approved by the commissioner shall follow the procedures for amending the adult mental health component of a county's community social services plan under *Minnesota Statutes*, section 245.478, subdivision 9, or the children's mental health component of a county's community social services plan under *Minnesota Statutes*, section 245.4888, subdivision 9. The commissioner shall give approval if a county board demonstrates a need to change the services funded under *Minnesota Statutes*, section 245.4886 or 256E.12, based on an assessment of unmet needs of children with severe emotional disturbance and their families or adults with serious and persistent mental illness, and if all the requirements of *Minnesota Statutes*, sections 245.461 to 245.4888, and 256E.081 are met.

9535.1760 RECORDS.

Subpart 1. **Maintenance of financial records.** The county board, its contracting service providers, and any subcontracting service providers shall maintain financial records using generally accepted accounting principles so that:

- A. expenditures for services funded under parts 9535.1700 to 9535.1760 can be easily compared to the county board's approved budget for those services;
- B. all sources of income can be readily identified; and
- C. documentation is available for all expenditures.

Budget records must include copies of all fiscal reports submitted to meet state or federal requirements.

Subp. 2. **Maintenance of service records and required reporting.** The county board, its contracting service providers, and any subcontracting service providers shall maintain data specified by the commissioner on services funded under parts 9535.1700 to 9535.1760, so the commissioner can determine the effectiveness of the services in achieving the purpose specified under *Minnesota Statutes*, sections 245.461 to 245.4888.

The county board must submit periodic reports in the manner prescribed and on forms provided by the commissioner.

Subp. 3. **Availability and access.** The county board, its contracting service providers, and any subcontracting service providers shall upon request make all budget, expenditure, and service records pertaining to the provision of services funded under parts 9535.1700 to 9535.1760 available to the commissioner for audit purposes.

The commissioner shall be given access without prior notice to the physical plant and grounds of contracting service providers and subcontracting service providers and to documents and information relevant to services funded under parts 9535.1700 to 9535.1760.

The commissioner shall be given access whenever the commissioner deems necessary. The requirements of *Minnesota Statutes*, chapter 13, pertaining to government data practices must be followed.

Additionally, the county board, its contracting service providers, and any subcontracting service providers shall allow the commissioner to make photocopies, photographs, and audio and videotape recordings at the commissioner's expense and in accordance with *Minnesota Statutes*, chapter 13.

Subp. 4. **Retention of records.** The county board, its contracting service providers, and any subcontracting service providers shall retain a copy of the records required under subpart 1 for three years plus the current year unless an audit requires a longer retention period. The records may be microfilmed at the end of the third year after the record was made. For purposes of this subpart, "copy of the records" means a photocopy or a computer-generated reproduction.

REPEALER. *Minnesota Rules*, parts 9535.0100; 9535.0200; 9535.0300; 9535.0400; 9535.0500; 9535.0600; 9535.0700; 9535.0800; 9535.0900; 9535.1000; 9535.1100; 9535.1200; 9535.1300; 9535.1400; 9535.1500; and 9535.1600, are repealed.

Adopted Rules

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

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

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

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

Department of Revenue

Adopted Permanent Rules Relating to Taxation; Income; Air Carriers

The rules proposed and published at *State Register*, Volume 16, Number 46, pages 2438-2441, May 11, 1992 (16 SR 2438), are adopted as proposed.

Transportation Regulation Board

Adopted Permanent Rules Relating to Practice and Procedure

The rules proposed and published at *State Register*, Volume 15, Number 38, pages 2096-2104, March 18, 1991 (15 SR 2096); Volume 15, Number 52, pages 2732-2734, June 24, 1991 (15 SR 2732); and Volume 16, Number 6, page 218, August 5, 1991 (16 SR 218), are adopted with the following modifications:

Rules as Adopted

8920.0100 DEFINITIONS.

Subp. 3. **Complainant.** "Complainant" means a person who complains formally or informally ~~that of a person who violates~~ (1) a board rule, (2) a general order of the board, or ~~that~~ (3) an action or failure to act by the board, whether past, present, or reasonably certain to occur as determined by the board, allegedly violates a law governing the activities of the board or under which the board has jurisdiction or allegedly violates a board rule or order.

Subp. 4. **Filed.** "Filed" means deposit in the mail as shown by the postmark.

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Adopted Rules

Subp. ~~5~~. **Intervenor.** "Intervenor" means a person permitted to intervene as a party in a proceeding under this chapter.

Subp. ~~5-6~~. **Motor carrier.** "Motor carrier" has the meaning given it in *Minnesota Statutes*, section 221.011, and includes local cartage carriers.

Subp. ~~6-7~~. **Participant.** "Participant" means a person appearing at a proceeding under part 8920.0800 to present views without becoming a party.

Subp. ~~7-8~~. **Party.** "Party" means a person by or against whom a proceeding before the board is begun, a person permitted to intervene in a proceeding under this chapter, or a person admitted under this chapter as a protestant in a motor carrier proceeding.

Subp. ~~8-9~~. **Person.** "Person" means an individual, organization, corporation, municipal corporation, public corporation, body politic, government agency, association, partnership, receiver, joint venture, trustee at common law, or statutory trust guardian or personal representative.

Subp. ~~9-10~~. **Petitioner.** "Petitioner" means a person who requests board permission, authorization, or approval or notifies the board of a proposed change in a tariff or rate proposal.

Subp. ~~10-11~~. **Presiding officer.** "Presiding officer" means the presiding board member, when appropriate, or the administrative law judge presiding at a hearing.

Subp. ~~11-12~~. **Proceeding.** "Proceeding" means an undertaking of the board, on its own motion or otherwise, formal or informal, by which it seeks to resolve a question or issue presented to it in a complaint, petition, application, or notice of a proposed change in a tariff or other rate proposal.

Subp. ~~12-13~~. **Proof of service.** "Proof of service" means a certificate or affidavit of service stating the facts of service, including the ~~time~~ date and manner of service, and identifying the parties served.

Subp. ~~13-14~~. **Protestant.** "Protestant" means a party person objecting in a motor carrier proceeding involving a petition for board permission, authorization, or approval of new, additional, or modified motor carrier operating authority.

Subp. ~~14-15~~. **Respondent.** "Respondent" means one against whom a complaint is filed or against whom an investigation, order to show cause, or other proceeding on board motion is addressed.

Subp. ~~15-16~~. **Service date.** "Service date" means the same as issue date. ~~In the case of an order of the board, it is the date stamped in the upper right hand corner. In the case of a letter or notice, it is the date typed in the upper right hand corner.~~

Subp. ~~16-17~~. **Staff.** "Staff" means professional or managerial persons employed by the board or assigned by the attorney general or commissioner of transportation to assist the board in a proceeding.

8920.0150 TIME.

Subp. 2. **Extra time for service by mail.** When a party has the right or is required to do some act or take some action within a prescribed period after the service of a notice or other paper on the party, or whenever service is required to be made within a prescribed period before a specified event, and the notice or paper is served by mail, three days is added to the prescribed period. ~~In the event an agency chooses to utilize the Central Mailing Section, Publications Division, Department of Administration, four days is added to the prescribed period.~~

8920.0200 SCOPE AND CONSTRUCTION.

This chapter governs practice and procedure in matters before the board. It is to be liberally construed to secure just, economical, and expeditious determination of the issues presented. This chapter is to be construed by the board in light of its statutory responsibilities and its obligation to act in the public interest. Except as otherwise indicated, this chapter applies to persons subject to the regulatory jurisdiction of the board. A conflict between this chapter and a statute must be resolved according to the statute. After the assignment of a case to the Office of Administrative Hearings, the rules of the Office of Administrative Hearings govern the conduct of the case until the final report of the administrative law judge is issued.

INITIATING A PROCEEDING; FORM

8920.0300 INITIATED BY COMPLAINT, PETITION, OR MOTION.

A proceeding may be initiated by:

B. a petition for the granting or modifying of a license, permit, franchise, certificate of convenience and necessity, privilege, or authority to grant or withhold that is specifically vested in the board;

8920.0500 PARTIES IN GENERAL.

Parties to proceedings are referred to as petitioners, complainants, intervenors, respondents, or protestants according to the nature of the proceeding and the relationship of the parties to it. Parties to a proceeding before the board may present evidence, cross-examine witnesses, and file briefs and exceptions to ~~the administrative law judge's~~ a recommended decision. Parties must be notified of scheduling actions relating to the proceedings.

8920.0600 INTERVENORS.

Subp. 2. **Petition and showing of interest.** Before the case is assigned to an administrative law judge, other persons may become parties to the proceeding by leave of the board ~~or administrative law judge~~ on petitioning to intervene under parts 8920.2300 to 8920.2500 and showing that:

B. by the outcome of the proceeding the person will be bound and affected either favorably or adversely with respect to an asserted interest peculiar to the person as distinguished from an interest common to the public or other taxpayers in general.

After the assignment of a case to an administrative law judge, persons seeking to intervene must proceed pursuant to part 1400.6200.

8920.0700 PROTESTANTS; NOTICE.

Subpart 1. **Party to proceeding.** A person who becomes a party to ~~the a~~ proceeding involving a petition for board permission, authorization, or approval of new, additional, or modified motor carrier operating authority under this part is referred to as a protestant.

Subp. 3. **Failure to file timely notice.** A motor carrier desiring to participate in the proceeding may be admitted as a party only when it has filed a timely notice of intent to protest as required by *Minnesota Statutes*, section 174A.02, subdivision 4, that is, within 20 days of the notice having been fully given. This subpart does not apply to a request to participate in a proceeding that has been assigned to an administrative law judge. With respect to such a request, the rules of the Office of Administrative Hearings apply.

8920.0800 PARTICIPANTS.

~~The administrative law judge~~ In proceedings before the board, it may hear the views or evidence of a person concerning the subject matter, but no person may become or may be considered to have become a party to the proceeding by reason of that participation in the hearing.

A person may enter an appearance in a proceeding before the board, but no person may become or may be considered to have become a party to the proceeding by reason of having entered an appearance.

8920.1900 SUPPLEMENTAL COMPLAINT.

Supplemental complaints setting forth causes of action alleged to have accrued in favor of the complainants and against the respondents since the filing of the original formal complaint may be served by the complainants on the respondents at any time before the date set for hearing on the original complaint and, upon leave granted, may be filed as provided for original complaints. Supplemental complaints must be disposed of in the same proceeding, if practicable. This part applies only to cases before assignment to an administrative law judge or to original proceedings before the board.

8920.2300 PETITION TO INTERVENE.

Subpart 1. **Filed with board.** This part applies only to an original proceeding before the board or a contested case proceeding before its assignment to the Office of Administrative Hearings. A person desiring to be made a party to a pending proceeding may petition for leave to intervene. The original petition, six copies, and the proof of service must be filed with the board before the case is assigned to the Office of Administrative Hearings. After assignment to the Office of Administrative Hearings, a petition to intervene ~~may should~~ be filed at least ten days before the date set for hearing pursuant to part 1400.6200. A petition to intervene may be filed after that time only for good cause shown.

Subp. 2. **Grounds and interest alleged.** A petition to intervene filed with the board must allege the grounds for the proposed intervention and the specific interest of the petitioner in the proceeding that qualifies the petitioner as a party under this chapter. The allegations must be reasonably pertinent to the issues involved in the principal pleadings, and must not unduly broaden the issues.

Subp. 3. **Signature.** ~~The A~~ A petition filed with the board must be signed and verified in the same way as a formal complaint.

Subp. 4. **Service.** ~~The A~~ A petition filed with the board must be served under part 8920.2700 on the parties to the proceeding.

8920.2400 ANSWER TO PETITION TO INTERVENE.

Parties to ~~the a~~ proceeding before the board may file answers to petitions to intervene with the board with proof of service on the petitioner in intervention before the hearing, or parties may answer on the record at the opening of the hearing if fewer than ten days have elapsed from the date of service on them of the petition to intervene. If ten days or more have elapsed, the ~~administrative law judge board~~ shall grant or deny the petition to intervene and state the reasons. If permission is granted, the petitioner to intervene becomes an intervenor and a party to the proceedings. Answers to petitions to intervene must admit or deny the interest of the petitioner in intervention. If the intervention is objected to by a party to the proceeding, the grounds for the objection must be stated in the

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Adopted Rules

answer. The answers ~~need not~~ must be ~~verified unless the petition to intervene has been~~ verified. Failure to file an answer to a petition to intervene or to make oral objection to the petition is considered to be consent to the intervention. However, on considering the files and records of the proceeding, the administrative law judge board may grant or deny the petition to intervene regardless of whether answers to it have been filed or oral objections made.

8920.2500 SCOPE OF INTERVENOR'S PARTICIPATION.

In proceedings before the board, the participation of a party granted leave to intervene is limited to those matters raised in its petition to intervene, unless for good cause shown on the record the administrative law judge board grants an intervenor the right to participate more fully than set forth in the petition to intervene. If there are two or more intervenors with substantially like interests and positions, the administrative law judge board, to expedite the hearing, may set appropriate limits on the number of attorneys permitted to cross-examine and to make and argue motions and objections on behalf of the intervenors.

8920.2600 AMENDMENTS.

Subpart 1. **Amendments of pleadings.** Formal complaints, answers to formal complaints, and replies may be amended before the original time for answering or replying has expired, ~~but may be amended after that time only by order of the administrative law judge for good cause shown upon motion and upon notice to the parties to the proceeding.~~ After a case is assigned to an administrative law judge, amendments must be filed as motions pursuant to part 1400.5600, subpart 5, or 1400.6700, as appropriate.

In proceedings before the board, amendments to petitions initiating a proceeding that do not enlarge the authority or relief sought or otherwise materially alter the petition, and amendments to notices of intent to protest and petitions to intervene, may be made without leave of the administrative law judge board before the day of the hearing. After the hearing begins, the petition, notices of intent to protest, or petitions to intervene may be amended only by order of the administrative law judge board for good cause shown upon motion.

Subp. 2. **Answers.** In proceedings before the board, rules on the form, content, signature, verification, and time of filing of answers to formal complaints and petitions to intervene apply to answers to amended or supplemental complaints and answers to amended petition to intervene.

8920.2700 SERVICE.

When filing a pleading or other document initiating or relating to a proceeding pending before the board, the rules of service in items A to D must be adhered to.

A. Service of documents must be made on other parties in proceedings before the board by deposit in the first class mail with postage prepaid or by delivery in person, unless otherwise ordered by the administrative law judge board or unless otherwise specifically provided by law.

C. The date of service is the day when the document served is deposited in the mail as evidenced by the postmark or is delivered in person, as the case may be, unless otherwise provided by the board ~~or the administrative law judge if the case has been referred to the Office of Administrative Hearings.~~

D. When a document is served, the person serving the paper shall file with the board ~~or the administrative law judge~~ proof of service, or proof of acceptance of service by the person served or the person's attorney. Proof of service or acceptance must be annexed to the copies of the documents served.

8920.2800 CONTINUANCES AND EXTENSIONS OF TIME.

In proceedings before the board, for good cause shown, continuance and extensions of time may be granted or denied at the discretion of the board ~~or the administrative law judge.~~

8920.3000 TRADE SECRET AND PROPRIETARY INFORMATION.

This chapter does not require parties to reveal proprietary information or trade secrets or processes in a document filed with the board under this chapter. When a document is filed with proprietary information or trade secret portions omitted, the person filing the document shall bring the omissions to the attention of the administrative law judge board. The administrative law judge board may require omitted information to be submitted. If the administrative law judge board considers this information to be necessary to the hearing, the information must be protected by protective orders.

8920.3100 HEARINGS.

Subp. 2. **Board determination.** Unless a hearing is required by law, the board may determine a proceeding without a contested case hearing and without referring the proceeding to the Office of Administrative Hearings:

C. when the parties stipulate, either in writing or oral entry in the record, to all ~~or part of the~~ material facts involved in the controversy; or

Subp. 3. **Waiver of right to testify.** When competent motor carriers object to the grant of a petition but choose not to intervene as

protestants within the established time frame. this choice operates to waive the right of these motor carriers to testify at the a hearing before the board on the matter.

Subp. 4. Contested case procedures incorporated. Parts 1400.5100 to 1400.8300 are incorporated by reference.

Subp. 5. Record of proceeding. A written transcript of testimony before the Office of Administrative Hearings may be required if exceptions to findings of fact in a recommended decision are taken under part 8920.3200, subpart 2, or if a hearing is scheduled to last more than one day. The transcript is to be prepared at the expense of the petitioner or complainant and, at the discretion of the board, protestants or respondents.

Subp. 4. Appearances of attorneys. Parties, except individuals appearing on their own behalf, must be represented by an attorney. Participants, as defined in part 8920.0100, subpart 6, need not be represented by an attorney. Persons holding specific authority to practice before the board in their areas of expertise since the effective date of part 7830.3000, subpart 1, may continue to do so within the express limits of that authority.

Subp. 5. Presiding officers. Each formal hearing before the board must be presided over by one or more board members and, where appropriate, by one or more members of the staff, with each person presiding known as a presiding officer. The presiding officers have complete charge of the proceedings and shall rule on all matters of evidence, continuances, motions, or other matters involving the case from the time the proceedings have been assigned to the presiding officers.

Subp. 6. Discretionary hearing on informal complaint. When it appears to the board, following any investigation that the board considers appropriate, that a person filing an informal complaint is entitled to relief, it may order a hearing upon the informal complaint. It may at any time order a hearing on any matter on the informal docket or on any other matter where a hearing is discretionary with the board.

Subp. 7. Hearing on formal complaint; other hearings. The board shall assign a time and place of hearing pursuant to part 8920.3500 (1) when issue has been joined upon formal complaint by service of answer or by failure of respondent to answer, and proof of the service or failure has been filed, (2) in every other contested case, and (3) in every case in which a hearing is required by law.

Subp. 8. Examination of witnesses, cross-examination, and rebuttal. Witnesses may be examined orally before the presiding officers or, when deemed appropriate, direct evidence may be taken by written statement prepared in advance of the hearing. In these cases the author of the written statement will be made available for cross-examination. Every party to a contested case may cross-examine witnesses and submit rebuttal evidence.

Subp. 9. Exhibits. Unless the presiding officers direct otherwise, exhibits offered to the board at any hearing or conference in a contested case must be six in number with additional copies furnished to parties of record.

Subp. 10. Order of procedure. Unless otherwise directed, the following order of procedure applies to all hearings before the board:

A. At hearings on informal complaints, formal complaints, or petitions, the complainant or petitioner shall open the proof.

B. The presiding officers shall determine the subsequent order of procedure.

C. Intervening parties shall follow the party in whose behalf intervention is made; except that in all cases when the intervention is not in support of either original party, the presiding officers shall determine when the intervening party must be heard.

Subp. 11. Failure to appear. If a complainant or petitioner fails to appear at a hearing, the presiding officers, at their discretion, may:

A. dismiss the proceeding with or without prejudice;

B. continue the hearing; or

C. grant the relief requested on the basis of a verified complaint or petition and affidavits, if any, filed in the case, which must be considered as having been offered in evidence at the hearing by the complainant or petitioner who is absent. However, the presiding officers shall not grant the relief requested if any person appears at the hearing who qualifies as a party and objects to the relief being granted.

Subp. 12. Admission of evidence. In a contested case, the presiding officers may admit and give probative effect to evidence that possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. They shall give effect to rules of privilege recognized by law. They may exclude incompetent, irrelevant, immaterial, and repetitious evidence.

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Subp. 13. Documentary evidence. In a contested case, documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.

Subp. 14. Evidence must be offered. All evidence in a contested case, including records and documents in the possession of the board of which the presiding officers desire to avail themselves, must be offered and made a part of the record in the case. No other factual information or evidence may be considered in the determination of the case.

Subp. 15. Official notice. In a contested case, the presiding officers may take notice of judicially cognizable facts. They may take notice of general, technical, or scientific facts within their specialized knowledge. Parties must be notified in writing either before or during hearing, by reference in preliminary reports or otherwise, or by oral statement in the record, of the material so noticed. The parties must be afforded opportunity to contest the facts so noticed.

Subp. 16. Record of proceeding. A written transcript of testimony before the Office of Administrative Hearings may be required if:

A. exceptions to findings of fact in a recommended decision are taken under part 8920.3700; or

B. if a hearing is scheduled to last more than one day.

8920.3200 CONFERENCE RECOMMENDED BY PRESIDING OFFICER.

The presiding officers, with or without motion, may direct that a conference be held and direct the parties to the proceeding, their attorneys, and the staff of the Department of Transportation to appear to consider any or all of the matters enumerated in part 8920.3600, subpart 2. Due notice of the time and place of the conference will be given to all parties to the proceeding, their attorneys, and the staff of the Department of Transportation. All parties shall come to the conference fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect to those problems. Preparation should include, among other things, advance study of all relevant material and advance informal communication between the parties, including requests for additional data and information, to the extent it appears feasible and desirable. Failure of a party to attend the conference, without prior notification to the presiding officer and for good cause, after being served with due notice of the time and place, constitutes a waiver of all objections to any order or ruling with respect thereto, but must not otherwise prejudice an absent party's position as to the issues in the proceeding. The presiding officers at the conference may dispose of by ruling, irrespective of the consent of the parties, any procedural matters which they are authorized to rule upon during the course of the proceeding. All rulings made at the prehearing conference are binding on all parties to the proceedings. These rulings may be subsequently modified for good cause shown.

Nothing contained in part 8920.3600 and this part may be construed as precluding any party to a proceeding from submitting at any time offers of settlement or proposals of adjustment to all parties and to the staff of the Department of Transportation, or from requesting conferences for that purpose. The presiding officers have the same powers at settlement conferences as those enumerated for prehearing conferences.

8920.3300 STIPULATION.

The parties to a proceeding before the board may agree by stipulation either in writing filed with the board or oral entry in the record upon the facts or any portion of the facts involved in the controversy. The stipulation must be regarded and used as evidence in the determination of the facts.

8920.3400 WITNESSES AND SUBPOENAS.

Subpoenas requiring the attendance of witnesses at any designated place of hearing within Minnesota or for the production of books, papers, or documents may be issued by the board, by any member of the board, or by a presiding officer. Upon motion made promptly and in any event at or before the time specified in the subpoena for compliance with the subpoena, the board may: quash or modify the subpoena if it is unreasonable or oppressive; or condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, or documents.

Witnesses who are subpoenaed are entitled to the same fees as are paid for like service in the district courts of Minnesota. These fees must be paid by the party at whose instance the testimony is taken.

Service of subpoenas must be made in like manner as provided by law for the service of subpoenas in the district courts of this state.

8920.3500 WRITTEN NOTICE.

Except as otherwise provided by statute or this chapter, written notice of any hearing must be served at least 30 days before the date set for the hearing, upon all parties and other persons as the board directs, unless the board for good cause determines a longer or shorter period of notice. The notice must state the time, place, and nature of the hearing and include a concise statement of the matter to be considered. The board, except as otherwise provided by statute, may prescribe by order the form and extent of notice to be given. The board's notice of public hearings and decisions must be issued weekly and must be mailed to all subscribers, and to

all parties and other persons deemed interested in a given proceeding by the secretary, and constitutes official notice of all formal proceedings.

8920.3600 PREHEARING CONFERENCES AND SETTLEMENT CONFERENCES.

Subpart 1. Conferences. In order to provide opportunity for submitting and considering facts, arguments, offers of settlement, or proposals of adjustment, for settling a proceeding or any of the issues in the proceeding, or for considering means by which the conduct of the hearing may be facilitated and the disposition of the proceeding expedited, conferences between the parties to the proceeding and staff for these purposes may be held at any time before the hearings before the presiding officers as time, the nature of the proceeding, and the public interest may permit.

Subp. 2. Issues at conferences. At a prehearing or other conference as may be held to expedite the orderly conduct and disposition of any hearing, there may be considered, in addition to any offers of settlement or proposals of adjustment, the possibility of the following:

- A. simplification of the factual and legal issues to be determined;
- B. amendment of pleadings;
- C. determination of prehearing motions;
- D. separation of issues;
- E. consolidation of presentations by parties having substantially the same interest;
- F. the names, number, and order of presentation of witnesses giving testimony;
- G. production of exhibits and consideration of their authenticity;
- H. arrangement for completion of discovery activities;
- I. submission and consideration of appropriate authorities in support of contentions made;
- J. estimation of the time required for hearing;
- K. discussion of the possibility of voluntary dismissal of the proceedings; and
- L. all other matters that may aid in the disposition of the proceedings.

~~8920.3200~~ 8920.3700 EXCEPTIONS TO RECOMMENDED DECISIONS AND ORDERS.

Subpart 1. ~~Decision contents; service.~~ A recommended decision of an administrative law judge in a contested case hearing must consist of findings of fact, conclusions of law, and recommendation. The decision must be served on the parties to the proceeding by mail.

Subp. 2. Filing exceptions. Within 20 days after the service date, which is the issue date, of a recommended decision of an administrative law judge in a contested case hearing, a party may file and serve exceptions to the decision and reasons in support of the exceptions. The filing must be postmarked mailed or delivered personally. Since the postmark would be later than the issue date when an order is sent by the board through the Central Mailing Section, four days is added to the prescribed period of 20 days in accordance with part 8920.0150. If an order is exceptions are mailed without going through the Central Mailing Section, three days is added to the prescribed period of 20 days in accordance with part 8920.0150. Exceptions that are not filed in a timely fashion must not be accepted or read by the board unless the party, for good cause shown, has applied to the board for an extension of time.

Subp. 3. 2. Contents of exceptions. Exceptions to findings of fact or conclusions of law must be specific and must be stated and numbered separately. When exception is taken that a finding of fact is unsupported or contrary to substantial evidence in the record, a corrected finding must be submitted. Specific reference in the transcript supporting the correction to the finding must be submitted in support of the exception.

Subp. 4. 3. Replies. A reply to an exception is not required, but may be filed by a party within ten days after service by mail of the exception to which the reply is made. Proof of service of the reply on the parties of record must be filed with the reply.

Subp. 5. 4. Supporting arguments required. Exceptions and replies must contain written arguments in support of the position taken by the party filing them.

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Adopted Rules

~~8920.3300~~ 8920.3800 ORAL ARGUMENT.

~~8920.3400~~ 8920.3900 UNTIMELY SUBMISSION OF COMMENTS OR LETTERS.

~~8920.3500~~ 8920.4000 PETITION FOR FURTHER HEARING.

Before the board issues a final ~~rewritten~~ written decision or order in a proceeding, a party desiring a further hearing may file a petition for further hearing with the board. The petition must clearly set forth the grounds relied on for a further hearing. If the party proposes to produce additional testimony, the testimony must be briefly summarized. No further hearing may be granted if the evidence to be adduced appears to be merely cumulative. The petition must be served on the parties to the proceeding. An adverse party has ten days from the service date of the petition to answer. A reply to an answer is not permitted. The board may grant or deny the petition without a hearing or may set a hearing on the petition.

~~8920.3600~~ 8920.4100 BOARD'S FINAL DECISIONS AND ORDERS.

~~8920.3700~~ 8920.4200 PETITIONS FOR FURTHER ACTIONS.

~~8920.3800~~ 8920.4300 AMENDMENT OF EFFECTIVE DATE.

Petitions to amend an order or decision that seek only a change in the date when the order or decision takes effect, or in the period or date prescribed, must be made by petition reasonably filed and served in a like manner as other petitions under this part and part ~~8920.3900~~ 8920.4400, except that, if an unforeseen emergency satisfactorily shown by the petitioner requires relief within three days, the relief may be sought informally, by telegram or otherwise, upon notice to the parties to the proceeding.

~~8920.3900~~ 8920.4400 SECOND PETITION ON SAME GROUND.

~~8920.4000~~ 8920.4500 VARIANCE.

Official Notices

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

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

Department of Agriculture

Agronomy Services Division

Notice of Special Local Need Registration

Pursuant to *Minnesota Statutes* Chapter 18B.27 and *Minnesota Rules* Parts 1505.0870 - 1505.0930, the Minnesota Department of Agriculture, on July 7, 1992, issued a Special Local Need (SLN) 24(c) registration for Alamo (propiconazole) fungicide manufactured by Ciba-Geigy Corporation, Greensboro, NC 27419, for control of oak wilt in oaks and American elm.

Petitions objecting to the issuance of the SLN registration may be filed within 30 days from publication of notice in the *State Register*. Petitions must contain the signatures and addresses of 500 or more individuals of legal voting age.

Objections may be submitted to Calvin Blanchard, Minnesota Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107. Comment deadline is August 31, 1992.

Board of Animal Health

Notice of Board Meeting

A meeting of the Board of Animal Health has been scheduled for Wednesday, July 29, 1992 at the Board offices at 9:30 a.m. The Board offices are located at 90 W. Plato Blvd., St. Paul, MN 55107.

Information about this meeting can be obtained by calling the Board office at 612-296-5000.

Eugene H. Kirchoff
Accounting Supervisor

Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Determinations for Highway/Heavy Projects in All Counties

On July 20, 1992 the commissioner certified prevailing wage rates for Highway/Heavy construction projects statewide.

Copies of the determined wage rates for Minnesota counties may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or calling (612) 296-6452. The charges for the cost of copying and mailing are \$1.00 for the first copy and \$.50 for any additional copies. Please note that the cost for one county varies according to the number of pages per county.

John B. Lennes, Jr.
Commissioner

Department of Natural Resources

Division of Forestry

Notice of Intent to Solicit Outside Opinion Regarding Proposed Adoption of Rules Relating to Recreational Motor Vehicle (RMV) Use on Department of Natural Resources Forestry Division-Administered Lands

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources is seeking information or opinions from sources outside the agency in preparing to promulgate rules relating to use of recreational motor vehicles (RMVs) on lands under the authority of the Commissioner (as defined in *Minnesota Statutes* 89.001, subd. 13).

Draft Recreational Motor Vehicle rules relate to trailers, traffic control, vehicle operation, organized special events, and operating under the influence of alcohol, controlled or hazardous substance. Opinions relating to regulating recreational motor vehicle impacts on lands, wetlands, and waters, use while hunting, or designating places for use are beyond the scope of this notice.

The promulgation of rules is authorized by *Minnesota Statutes*, sections 84.03, 89.031, 89.19, and 89.21. The Minnesota Department of Natural Resources requests information and comments concerning the subject matter of these draft rules. Interested or affected persons or groups may submit statement of information or comment orally or in writing.

Written statements, or requests for copies of the draft rules, shall be addressed to:

John Hellquist
Department of Natural Resources
Division of Forestry
500 Lafayette Road
St. Paul, Minnesota 55155-4044

Oral statements will be received during regular business hours over the telephone at (612) 297-3508 and in person at the above address.

All statements of information and comments shall be accepted until Monday, September 21, 1992. Any written material received by the Minnesota Department of Natural Resources shall become part of the record in the event that the rules are promulgated.

Rodney W. Sando, Commissioner
Department of Natural Resources

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Department of Natural Resources

Office of Planning

Notice of Intent to Solicit Outside Opinion Regarding Proposed Adoption of Rules Relating to All-Terrain Vehicles (ATVs)

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources is seeking information or opinions from sources outside the agency in preparing to promulgate rules relating to ATV registration and display of numbers, dealer's and manufacturers registration, special permits, required equipment, specifications related to mufflers, traffic control, operation of all-terrain vehicles, regulations by government subdivisions, uniform signs, and all-terrain vehicle education and training programs.

The promulgation of these rules is authorized by *Minnesota Statutes* 84.924. Opinions relating to regulating all-terrain vehicle impacts on lands, wetlands, and waters, use while hunting, or designating places for use are beyond the scope of this notice.

The Minnesota Department of Natural Resources requests information and comments concerning the subject matter of these draft rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements, or requests for copies of the draft rules, shall be addressed to:

Brad Moore
Department of Natural Resources
Office of Planning
500 Lafayette Road
St. Paul, Minnesota 55155-4010

Oral statements will be received during regular business hours over the telephone at (612) 297-4743 and in person at the above address.

All statements of information and comments shall be accepted until Monday, September 21, 1992. Any written material received by the Minnesota Department of Natural Resources shall become part of the record in the event that the rules are promulgated.

Rodney W. Sando, Commissioner
Department of Natural Resources

Minnesota Pollution Control Agency

Findings of Fact

Conclusions and Order

In the Matter of the Petition by the Unincorporated Area Around Rush Lake to be Known as Shorewood Park Sanitary District for the Formation of the Shorewood Park Sanitary District

A hearing was held on the above matter before Allan W. Klein, Administrative Law Judge from the State Office of Administrative Hearings, on April 22, 1992, at 7:00 p.m. in Rush City.

The following persons appeared at the hearing: For the proposed sanitary district, Mr. Curt Brekke, Midwest Assistance Program, P.O. Box 184, Shakopee, Minnesota 55379. For the staff of the Minnesota Pollution Control Agency ("MPCA" or the "Agency"), Mr. Daniel P. Ofstedal, Special Assistance Attorney General, Suite 200, 520 Lafayette Road, St. Paul, Minnesota 55155, (612) 296-7703.

The record closed April 22, 1992.

On May 8, 1992, the Administrative Law Judge issued his report, including Findings of Fact, Conclusions and Recommendations. The matter then came on before the MPCA Board at its regular monthly meeting on June 29, 1992.

The MPCA, having considered the report from the Administrative Law Judge and the record created herein, and after affording all interested persons an opportunity to be heard, and being fully advised in the matter, hereby makes the following:

FINDINGS OF FACT

The MPCA hereby adopts as its Findings of Fact the findings of the Administrative Law Judge in his report dated May 8, 1992.

Based upon the foregoing Findings of Fact, the MPCA hereby makes the following:

CONCLUSIONS

1. That the MPCA has subject matter jurisdiction over the Petition and the proposed establishment pursuant to *Minnesota Statutes* §§ 115.18 to 115.37 (1990).
2. The MPCA has complied with all the procedural requirements of *Minnesota Statutes* § 115.20 (1990), as well as other substantive and procedural requirements of law and rule. This matter is, therefore, properly before the Agency.
3. The conditions described in *Minnesota Statutes* § 115.19 (1990) for the creation of a sanitary district do exist within the boundaries described in the map attached.
4. Any of the foregoing Findings of Fact that might properly be termed Conclusions and any Conclusions that might properly be termed Findings, are hereby adopted.

Now therefore, the Minnesota Pollution Control Agency hereby makes the following:

ORDER

It is Ordered that the Shorewood Park Sanitary District is hereby created to include the unincorporated area around Rush Lake described in the map attached to the petition filed with the MPCA.

Dated: 29 June 1992

Daniel D. Foley, M.D.
Chairman
MPCA Board

Charles W. Williams
Commissioner
Minnesota Pollution Control Agency

Public Safety**Crime Victims Reparations Board****Notice of Solicitation of Outside Information or Opinions Regarding Rules Governing Reparations for Crime Victims**

NOTICE IS HEREBY GIVEN that the Minnesota Crime Victims Reparations Board is seeking information or opinions from sources outside the Board in preparing to propose the amendment of rules governing reparations for crime victims. The Board has authority to grant or deny reparations to crime victims under *Minnesota Statutes*, sections 611A.51 to 611A.68. The adoption of the rules is authorized by *Minnesota Statutes*, section 611A.56, subdivision 1, which states: "the board shall: . . . (b) adopt rules to implement and administer sections 611A.51 to 611A.68"

The Minnesota Crime Victims Reparations Board requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written statements should be addressed to:

Marie Bibus
Minnesota Crime Victims Reparations Board
Griggs Midway Building, Room N465
1821 University Avenue
St. Paul, Minnesota 55104

Oral statements will be received during regular business hours over the telephone at (612) 649-5993 and in person at the above address.

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

Dated: 7 July 1992

Donna Anderson, Executive Director
Minnesota Crime Victims Reparations Board

Official Notices

Department of Public Service

Energy Division

Notice of Intent to Solicit Outside Opinion Regarding Rulemaking for Once-Through Cooling Systems Conversion Loans

NOTICE IS HEREBY GIVEN that the Minnesota Department of Public Service is seeking information or opinions from sources outside the agency in preparing proposed rules establishing energy efficiency criteria for replacement cooling systems eligibility for once-through cooling conversion loans. The adoption of this rule is authorized by *Minnesota Statutes*, section 446A.21.

Interested persons or groups may submit data or views on the subject of concern in writing or orally. Written statements should be directed to:

Narvel Somdahl
Department of Public Service
150 East Kellogg Boulevard, Room 790
St. Paul, MN 55101
Telephone: 612/297-2117

Oral statements or comments will be received during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday.

All statements of information and opinions will be accepted until 4:30 p.m., August 28, 1992. Any written material received by the agency shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 9 July 1992

Krista L. Sanda, Commissioner
MN Department of Public Service

State Grants

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

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

Department of Health

Request for Proposals Local Injury Prevention Projects

A. Purpose

The Minnesota Department of Health (MDH), Division of Health Promotion and Education, Health Behavior Development and Education Section, is seeking proposals from agencies, boards, institutions, and organizations across Minnesota to implement known, previously evaluated injury interventions. Up to fifteen (15) grants will be awarded.

B. Eligibility Criteria

Eligible applicants for these grants are agencies, boards, institutions, and/or organizations in Minnesota. To compete successfully for the intervention funds, the following criteria must be met:

1. Local funds must be used to match the State funds. Local funds may take the form of supplies, equipment, meeting support, travel, etc., but may not represent staff time;
2. Identify local leadership in the project;
3. Describe the magnitude of the local problem this project will address;
4. Develop a succinct set of measurable, time-framed objectives;
5. Describe the methodology (how the objectives will be accomplished). This should include the presence of a local workgroup

or coalition (the applicant can be a coalition or the applicant must involve others in the community in the planning and conduct of the intervention) to support the intervention effort, and descriptive plans to conduct the intervention; and

6. Identify and describe the product of the intervention. That is, as a result of this intervention, what behaviors in the community will change or be influenced to change, what safety items will have been distributed, and how will the applicant (and the STATE) know this has occurred? Thus, include an evaluation component which assesses how the intervention worked and which measures any outcomes.

While not a requirement, applicants other than public health agencies are strongly encouraged to include the local public health constituency in the planning and conduct of the project.

C. Goal and Objectives of Injury Projects

The goal of these projects is to reduce the risk for and occurrence of injury in a defined geographic area. Emphasis will be placed upon projects dedicated to the prevention of brain and spinal cord injury. Specific objectives will vary by the type of prevention project selected; all projects will identify a workgroup (or coalition) aware of the injury problem locally, able to conduct the proposed project, and positioned to compete for further funding should such funds become available.

D. Budget/Time Frame

The MDH will support up to fifteen (15) projects between January and September 1993. Actual project completion times will range from six to nine months. Individual awards will range from \$3,000 to \$5,000 (average award \$4,000); a total of \$60,000 is available to fund these projects. The MDH funding may only be used for the intervention effort or for the purchase of injury prevention devices.

E. MDH Activities

In addition to funding these projects, the MDH injury staff will serve in an advisory capacity to local project staff by providing consultation and guidance in the coalition or local capacity building, the collecting and analyzing of local health data, and the evaluation of the project.

F. Proposal Content and Evaluation

The proposals should **not be longer than five pages**, excluding any applicable attachments (reports, résumés, letters of support), and must include a narrative which describes:

1. Applicant's name, address, telephone number.
2. The prevention project selected and rationale for its selection.
3. Specific, measurable objectives for the project.
4. Descriptive methodology for fulfilling the objectives.
5. A plan to evaluate the project.
6. The presence of a local coalition or workgroup to conduct the project and its evaluation.
7. The justified budget for the project.
8. Appropriate letters of support, including affiliation with the local public health community.
9. Appropriate signatures authorizing the applicant to conduct the injury prevention project. Thus, an appropriate signature includes a board chair, executive officer, or other official empowered to commit the applicant to receive and expend funds on behalf of the applicant.

The proposal will be evaluated on the presence and adequacy of these factors. The most important evaluation criterion is that the prevention project selected must have previously been demonstrated to be effective in either reducing risk of injury, preventing the injury event itself, or both. The grants will be reviewed internally by members of the Department's Injury Prevention Coordinating Committee. External reviewers may be requested to screen and rank applicants.

G. Proposal Information

Prospective applicants who have any questions about the Request for Proposal may call or write (or submit the proposal to):

Laurel Briske or Mark Kinde
Minnesota Injury Prevention Program
Health Promotion and Education
Minnesota Department of Health
717 Delaware St. S.E., P.O. Box 9441
Minneapolis, MN 55440
Telephone: 612/623-5202 or 5782
Fax: 612/623-5775

State Grants

PROPOSALS MUST BE RECEIVED BY 5:00 P.M., SEPTEMBER 14, 1992.

Evaluation and selection will be completed by October 15, 1992. Results will be sent immediately by mail to all applicants. Disbursement of funds will occur via grant contract with selected applicants. It is anticipated that funding will be awarded by December 31, 1992 for project activity to commence January 1, 1993.

This Request for Proposals does not obligate the STATE to complete the project, and the STATE reserves the right to cancel the solicitation if it is considered to be in the STATE'S best interest.

Funding for these projects is made possible through a grant from the National Center for Injury Control, Centers for Disease Control, Atlanta, Georgia.

Department of Human Services

Chemical Dependency Program Division

Grant Funds Available for Chemical Dependency Programs for Pregnant Women and Women with Children

The Chemical Dependency Program Division of the Minnesota Department of Human Services (hereinafter CDPD) is soliciting proposals for initiation of new or enhancement of existing services to increase treatment slots and positive treatment outcomes for chemically dependent pregnant women and women with children. \$250,000 is available for one or more grantees. Eligible applicants are licensed halfway houses or primary alcohol and drug treatment programs knowledgeable in the areas of chemical dependency, child development, parenting skills, and housing who are willing to develop a new or expand an existing project for chemically dependent women in alcohol and drug treatment and aftercare where their children (ages 0-12) can be with them and be connected with services that provide pre/postnatal care. Proposals may be submitted for the development of new or continuation of existing residential or non-residential chemical dependency treatment services for women and their children (ages 0-12).

Funds may be used for operating costs, transportation, child development, subsidized housing and parenting education. It is anticipated that the work called for would begin by November 1, 1992 or upon such date as the grant agreement is executed as to encumbrance by the Commissioner of Finance, whichever occurs later. The funds contemplated for this RFP are state funds. State funds are available for use through June 30, 1993.

This Request for Proposals is contingent on the availability of funds. The State reserves the right to reject any and all proposals and to apply the funds to another purpose. The state will not reimburse for the costs of proposal preparation or participation in proposal consideration procedures. Eight copies of the proposal must be received by CDPD no later than 4:20 p.m. on Thursday, August 20, 1992, or have a legible postmark date no later than August 19, 1992. Proposals must follow the CDPD proposal format. Grant application forms are available on request from the Chemical Dependency Program Division (612/296-3991). Copies of the RFP are available on request from Pamela Young (612/296-4589). Proposals should be sent to:

Dorrie Hennagir, Grants Manager
Chemical Dependency Program Division
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3823

Requests for information concerning program issues should be addressed to Pamela Young (612/296-4589) and budget/fund usage questions should be addressed to Dorrie Hennagir (612/296-4617).

Department of Human Services

Long Term Care Management Division

Request for Proposals for Respite Care and Caregiver Support Projects

The Minnesota Department of Human Services is soliciting proposals from private or public health or human service agencies. The Department proposes the creation of up to thirteen additional projects statewide to benefit informal caregivers. Preference will be given to counties not in the seven-county metropolitan area.

These projects will be funded with State appropriations for the state fiscal year 1993. The maximum request in fiscal year 1993 is \$20,000. A request from two or more organizations, areas, or counties wishing to create a joint project will be considered for additional funding.

Professional, Technical & Consulting Contracts

Projects should combine both respite care and caregiver support services. Projects must serve at a minimum caregivers providing care to persons over age 65. Projects may serve caregivers providing care to other persons as resources allow.

This Request for Proposals does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

All proposals must be submitted no later than 4:00 p.m. August 20, 1992. For more information regarding this request for proposals, please contact:

Gina Grannes
Department of Human Services
Long Term Care Management
444 Lafayette Road
St. Paul, MN 55155-3844
(612) 297-4182

Professional, Technical & Consulting Contracts

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

Commerce Department

Bid Specifications for Organizations and Individuals Wishing to Assist the Minnesota Commerce Department with the Study of Healthy Lifestyle Premium Reductions—Minnesota 1992 Session Chapter 549, Article 3, Section 22

I. INTRODUCTION AND BACKGROUND

The Minnesota Department of Commerce (hereinafter the "Department") is soliciting bids from individuals or organizations qualified to assist an actuarial study of healthy lifestyle insurance premium reductions pursuant to Minnesota Chapter 549 (1992) Article 3, Section 22. The individuals or organizations (hereinafter, the "consulting firm") will provide a study of healthy lifestyle behaviors in relation to premium reductions to assist the Department's recommendations due on or before December 15, 1992.

Selection of a consulting firm will be made in the best interest of the Department based upon the bids submitted and the quality of study indicated. Follow-up information may be requested from any bidder after the deadline to clarify any portion of the proposal. The Department intends to select a consulting firm as soon as reasonably possible.

II. CONSULTING FIRM RESPONSIBILITIES

The Consulting Firm shall:

- A. Provide actuarial analysis of conclusions in the literature and available data on healthy lifestyle behaviors including the following:
 1. Catalog the types of lifestyle behaviors that should be considered for premium discounts and the actuarial connection to premium discounts;
 2. Develop criteria for appropriateness of premium discounts for individual and small group markets;
 3. Provide estimates of the level or amounts of premium discounts, including appropriateness of premium discounts of up to 25 percent of the premium; and
 4. Estimate the ability of health carriers to monitor compliance with promised lifestyle behaviors and premium discounts.
- B. Provide a literature survey of healthy lifestyle behaviors in relation to premium discounts including the following:
 1. Review and summarize articles in the last ten years in the medical, insurance, and actuarial literature relating to healthy lifestyle behaviors, including but not limited to, nonuse of tobacco, nonuse of alcohol, and regular exercise that should be eligible for discounts; and
 2. Summarize studies over last 10 years by private firms or government agencies of healthy lifestyle behaviors in relation to health care costs.

Professional, Technical & Consulting Contracts

C. Produce a report on healthy lifestyle premium reductions in concert with the Department including the following:

1. Meet and cooperate with Department staff to establish a project work plan;
2. Provide a preliminary report to the Department on or before October 15, 1992;
3. Provide a final report to the Department on or before November 13, 1992; and
4. Provide at least 10 hours of explanation and expert testimony regarding the report following completion of the report.

III. INFORMATION REQUIRED IN PROPOSAL

In addition to agreeing to and detailing how it intends to fulfill the preceding itemized responsibilities, any prospective consulting firm must provide the following information:

A. Qualifications and Background

The consulting firm should possess professional life and healthy actuarial skills and experience; oral and written communication skills; a familiarity with individual and small group health premiums; ability to assemble relevant literature and data; and demonstrated report writing skills.

B. References and Current Capabilities

A list of other clients for which the prospective consulting firm has provided or is now providing studies similar to those sought by the request for proposal, and the nature of the reports provided to each. Entities listed as references may be contacted by the Department as part of the evaluation of proposal.

IV. EVALUATION CRITERIA

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

1. Expresses understanding of project objectives.
2. Project work plan.
3. Project cost detail.
4. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

V. FORM OF COMPENSATION

Proposals to act as the consulting firm for the study of healthy lifestyle premium reductions are to include proposed compensation. The compensation should include all anticipated hourly fees for services rendered with an agreement to complete the work within a proposed total compensation limit.

Total proposed compensation to the consulting firm shall not exceed \$20,000.

VI. DURATION OF CONTRACT

The proposed contract period for the consulting firm will be for five months period commencing on or about August 28, 1992 and expiring on January 29, 1993.

THE COMMISSIONER OF COMMERCE RESERVES THE RIGHT TO REQUEST CLARIFICATION OR ELABORATION OF ANY SEGMENT OF ANY PROPOSAL AND TO NEGOTIATE IN THE BEST INTEREST OF THE DEPARTMENT.

VII. ADDITIONAL PROPOSAL AND CONTRACT REQUIREMENTS

A. Duration of Offer:

All proposals must indicate that they are valid for 90 days. This period may be extended by mutual agreement between the consulting firm and the Department.

B. Public Status of Proposals Submitted:

All proposals submitted in response to this Request for Proposals will become the property of the Department. Such proposals shall also constitute public records and shall be available for view and reproduction by any person after the choice of consulting firm has been made.

VIII. WORKERS COMPENSATION

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

IX. SCHEDULE FOR BIDS

All bids must be received in the Commerce Department by August 21, 1992 at 4:30 p.m. The Department of Commerce will make its decision on which consulting firm bid to accept as soon as reasonably possible.

X. FURTHER CONTRACT INFORMATION

For purposes of inquiry, contact:

Mr. Patrick L. Nelson
Department of Commerce
Registration and Analysis
133 East 7th Street
St. Paul, MN 55101
(612) 291-6325

This is the only employee authorized to answer questions regarding this request for proposal.

Employee Relations Department

Proposals Sought for Administration of the State's Self-Insured Worker's Compensation Program

The Minnesota Department of Employee Relations (DOER) is soliciting bids from qualified vendors to administer the State's self-insured workers' compensation program. These services must comply with all applicable laws and administrative rules governing the operation of workers' compensation programs and with all specifications provided as part of this RFP. A complete statement of the State's requirements and other terms and conditions governing this RFP may be obtained by contacting:

Elizabeth Houlding
Claims Management Supervisor
Minnesota Department of Employee Relations
200 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155
(612) 296-8190 (Ms. Houlding's telephone)
or leave message with
(612) 296-9244 (department secretary)

All proposals must be received by DOER by 4:30 p.m. on November 1, 1992. Late proposals will not be accepted. Ten copies of the proposal must be submitted in a sealed mailing envelope or package with vendor's name and address written on the outside, and with evidence of the vendor's compliance with the Minnesota Human Rights Act attached to the envelope or package.

A vendor conference for interested vendors is scheduled for 1:00 p.m. on Friday, August 14, 1992 at DOER. Those interested in attending must call Ms. Elizabeth Houlding for reservations.

DOER is also requesting information on the feasibility and cost of implementing a fully insured worker's compensation program for State employees. Qualified vendors may include their response to this Request for Information (RFI) as a component of their response to the RFP or they may submit a stand-alone response.

Minnesota State Lottery

Request for Proposal for Video Cassette Prize Packages

The Minnesota State Lottery is seeking proposals to provide a wide variety of video cassettes and the marketing and distribution/fulfillment of the cassettes. As part of an instant (scratch) Lottery game, players will be eligible to win a video cassette. The selected vendor will be required to supply a wide variety of video titles for selection, including a special Minnesota sports video; complete fulfillment; and substantial marketing and public relations support for the game. This request for proposal does not obligate the Lottery to complete the project and the Lottery reserves the right to cancel the solicitation. Vendors interested in applying should contact: Susie Kivi, Buyer, Minnesota State Lottery, 2645 Long Lake Road, Roseville, MN 55113 or call (612) 635-8105. The deadline for submitting responses is July 31, 1992.

Professional, Technical & Consulting Contracts

Metropolitan Waste Control Commission

Request for Proposals for Third Party Administrator for Self-Insured Workers' Compensation Program

The Metropolitan Waste Control Commission (MWCC) is requesting proposals for a Third Party Administrator for its self-insured Workers' Compensation Program for a three-year period. This Request provides background information on the MWCC and describes items which should be specifically addressed in proposals responding to this RFP.

Copies of the Request for Proposal can be obtained by contacting George Kaczor, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, (612) 229-2035.

Proposals will be accepted by the Metropolitan Waste Control Commission until 4:00 p.m. on August 4, 1992.

Six (6) copies of your proposal shall be addressed to:

Metropolitan Waste Control Commission
Attn: George Kaczor
Mears Park Centre
230 East 5th Street
St. Paul, Minnesota 55101

The Metropolitan Waste Control Commission reserves the right to reject all or any proposals and to waive any minor irregularities and deviations from the requirements outlined in the RFP.

BY ORDER OF THE METROPOLITAN WASTE CONTROL COMMISSION
Gordon O. Voss, Chief Administrator

Department of Public Safety

Office of Traffic Safety

Request for Proposals for Child Car Seat Program

The Department of Public Safety is seeking proposals to conduct activities and disseminate information on child car seats through funding provided by the National Highway Traffic Safety Administration. Details are contained in a Request for Proposals which may be obtained by calling or writing:

Contact: Susan J. Palmer
Telephone: (612) 296-8512
Address: Department of Public Safety
Office of Traffic Safety
Room 207 Transportation Building
395 John Ireland Boulevard
St. Paul, Minnesota 55155

Estimated cost of the contract is \$95,000.00. Final date for submitting proposals is Wednesday, August 12, 1992 by 4:00 p.m.

Department of Public Safety

Office of Traffic Safety

Request for Proposals for Minnesota Passenger Protection Program

The Department of Public Safety is seeking proposals to conduct activities and disseminate information on seat belts and automatic crash protection systems through funding provided by the National Highway Traffic Safety Administration. Details are contained in a Request for Proposals which may be obtained by calling or writing:

Contact: Susan J. Palmer
Telephone: (612) 296-8512
Address: Department of Public Safety
Office of Traffic Safety
Room 207 Transportation Building

395 John Ireland Boulevard
St. Paul, Minnesota 55155

Estimated cost of the contract is \$170,000.00. Final date for submitting proposals is Wednesday, August 12, 1992 by 4:00 p.m.

Department of Revenue

Minerals Division

Request for Proposal to Sample and Analyze Taconite Pellets

A. Scope of Project

The Minnesota Department of Revenue is requesting proposals to sample and analyze taconite pellets in conjunction with our responsibilities in administering the Taconite Production Tax and Occupation Tax. Pellet analysis is an important component in calculating both of these taxes. Independent verification of moisture, lime, and magnesia analyses which are submitted by the various taconite companies is essential. This request for proposal does not obligate the state to complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

B. Goals and Objectives

The primary goal of the project is to verify that the monthly average moisture and pellet analysis data submitted by the seven taconite mining companies is accurate. A secondary goal is to evaluate the sampling and laboratory procedures used by each company to insure that consistent and accurate data is supplied to the Department of Revenue, Minerals Tax Office. If a statistically significant difference is obtained during the verification work by the contractor, the contractor will work with the Minerals Tax Office and the mining company to identify the cause of the discrepancy.

C. Project Tasks

Some of the project tasks are listed as follows:

1. Conduct an on-site visit or inspection to evaluate sampling and analyses procedures of various taconite production facilities or railroad loading facilities, as directed by the Minerals Tax Office. The taconite production facilities which may be requested could be any of the following:

- USX Corporation, Minntac Plant, Mt. Iron, MN
- LTV Steel Mining Company, Hoyt Lakes, MN
- Cyprus Northshore Mining Corporation, Silver Bay, MN
- Inland Steel Mining Company, Virginia, MN
- Eveleth Mines, Eveleth, MN
- Hibbing Taconite Company, Hibbing, MN
- National Steel Pellet Company, Keewatin, MN

The railroad and shipping facilities where sampling may be requested are as follows:

- LTV ore docks, Taconite Harbor, MN
- DM&IR ore docks, weighing, and storage facilities in the Duluth and Two Harbors vicinity
- Burlington Northern Railroad ore docks, weighing, and storage facilities in Superior, Wisconsin vicinity

The number of facilities requested to be sampled will probably not exceed two or three in any single year.

2. Sample pellets at facilities requested and perform laboratory analyses of pellets. The analyses may be for moisture only, or a more complete chemical analyses may be required including percent Fe, SiO₂, CaO, MgO, and Al₂O₃.

3. Submit report of findings to the Minerals Tax Office.

4. Review results with Minerals Tax Office staff.

Responder may propose additional tasks or activities if they will substantially improve the results of the project.

D. Department Contacts

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

Tom Schmucker
Administrative Engineer

Professional, Technical & Consulting Contracts

Minnesota Department of Revenue
Minerals Tax Office
P.O. Box 481
Eveleth, MN 55734-0481
Phone: (218) 744-5364

This is the only employee authorized to answer questions about this RFP.

E. Submission of Proposals

All proposals must be sent to and received by:

Minnesota Department of Revenue
Minerals Tax Office
P.O. Box 481
Eveleth, MN 55734-0481
Attention: Tom Schmucker

not later than 4:00 p.m. August 7, 1992.

Late proposals will not be accepted. Submit one copy of proposal. Proposals are to be sealed in mailing envelopes with the responders name and address clearly written on the outside. Each copy of the proposal must be signed in ink by an authorized member of the firm. Prices and terms of the proposal, as stated, must be valid for the length of the project. An hourly rate should be quoted for the work described in Parts B and C. The proposal should be for work over a five-year period from July, 1992 through June 30, 1997.

F. Project Costs

The Department of Revenue has estimated that the cost of this project should not exceed \$60,000 over the five-year period Fiscal Year 1993 through Fiscal Year 1997.

G. Project Completion Date

This project will be completed by June 30, 1997.

H. Proposal Contents

The following will be considered minimum contents of the proposal:

1. A restatement of the objectives, goals, and tasks to demonstrate the responders view of the nature of the project.
2. Identify and describe the deliverables to be provided by the responder.
3. Outline the responders background and experience with particular emphasis on familiarity with the taconite or iron ore mining industry laboratory, sampling, and quality control procedures. Identify personnel to conduct the project and detail their training and experience. No change in personnel assigned to the project will be permitted without the approval of the State Project Manager.
4. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and to be used as a scheduling and managing tool, as well as the basis for invoicing. Travel time should be estimated from the responder's home work station or laboratory to each of the various production and shipping facilities listed in Part C. If travel time is to be billed at a separate rate, it should be clearly stated.
5. Identify the level of the Revenue Department's participation in the project, as well as any other services to be provided by the Department.

I. Evaluation Criteria

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

1. Expressed understanding of project objectives.
2. Project work plan.
3. Project cost detail.
4. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

Evaluation and selection will be completed by August 14, 1992.

J. Affirmative Action

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in

excess of \$50,000, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted. Your proposal will be rejected unless it includes one of the following:

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

K. Worker's Compensation

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

State Designer Selection Board

Request for Proposal for Two Technical College Projects

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select a designer for two Technical College projects. Design firms who wish to be considered for this project should deliver proposals on or before 4:00 p.m., August 11, 1992, to:

George Iwan
Executive Secretary, State Designer Selection Board
Room G-10, Administration Building
St. Paul, Minnesota 55155-3000

The proposal must conform to the following:

- 1) Six copies of the proposal will be required.
- 2) All data must be on 8½" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.

4) Mandatory Proposal contents in sequence:

a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.

b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. Identify roles that such persons played in projects which are relevant to the project at hand. **NOTE NEW REQUIREMENT:** The proposal must contain a statement indicating whether or not the consultants listed have been contacted and have agreed to be a part of the design team.

c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.

d) A list of State and University of Minnesota current and past projects and studies under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall list and total all fees associated with these projects and studies whether or not the fees have been received or are anticipated.

In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects and studies listed pursuant to the above. **NOTE:** Please call for a copy of the acceptable format for providing this information.

e) A section containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel were, at the time of the work, employed by other than their present firms.

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

Professional, Technical & Consulting Contracts

5) Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
 - b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
 - c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
 - d) A statement certifying that the firm has an application pending for a certificate of compliance.
- 6) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:
- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
 - b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

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

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

7a) PROJECT—17-92

Brainerd Technical College
New Campus

The Minnesota Technical College System intends to retain an architectural/engineering Design Consultant to complete all planning and design work for the Brainerd Technical College New Campus. The Project includes development of a new technical college campus to replace existing inadequate buildings. The new facilities will be located on a site adjacent to the Mississippi River and co-located with the existing Brainerd Community College. The proposed facilities will comprise a Minnesota Higher Education Park including the new Technical College, the existing Community College, a college common composed of joint and co-located functional areas, site circulation and parking, athletic fields and a river park area. Integration of space use between the Technical College and the Community College is anticipated. Preliminary studies indicate needs in the range of 225,000 GSF new space; 13,000 GSF remodeled Community College space; new parking for 655 cars and other site improvements work.

The selected Designer shall provide a comprehensive scope of services including Predesign Planning, Programming, Schematic Design, Design Development and Construction Documents Phases. The Project work will end with a completed design to be submitted by the Minnesota Technical College System to the State Legislature for additional funding to implement construction and occupancy. The Designer Team shall provide all architectural, interior design and engineering discipline services required and shall include at least two professional and experienced, independent consultants; 1) a higher education programming consultant and 2) a cost estimating consultant capable of providing costs data in-house during each Phase for all work including architectural, civil, general, mechanical, electrical, furniture, fixtures and equipment. The Designer Team shall complete all SD, DD and CD documents using only computer aided design and drafting technology in an electronic data exchange file format acceptable to the Owner.

The selected Designer and associated firms shall demonstrate experience in successfully completing higher education comprehensive projects. The wide range of activities required by the Project will require obtaining input and discussion from several sources. A project team process will be developed with the Designer as a key organization responsible for consolidation of data into a working facility design solution. The Owner may retain additional specialty consultants to assist in the project work.

The Designer shall complete a conceptual design and preliminary cost estimate of the project work for submission to the 1993 Minnesota Legislative Session by December 11, 1992.

This project planning work has been funded for \$1,200,000.00 for the entire project including all costs for administration, project support, site investigations, design fees, reimbursables and other expenses.

Additional project information is available upon request. An informational session for interested firms will be scheduled. Questions concerning this project may be referred to Barry Schaub at (612) 296-1417.

7b) PROJECT—18-92

Exterior Repairs
Minneapolis Technical College

The Minnesota Technical College System intends to retain an architectural/engineering Design Firm to provide consulting services to complete the planning, design and construction of the Exterior Building Repairs for the Minneapolis Technical College. The existing facility has major exterior building systems deficiencies including; 1) the exterior building envelope face brick, parapets, soffits, windows, lintels, sills, facias and wall insulation is experiencing water infiltration, masonry distress and damage to these and adjacent materials; 2) the large sloping glass wall on the southwest side of the building, the interior glass wall supporting structural space frame and the adjacent masonry is experiencing leakage, water infiltration, masonry distress and damage to these and adjacent interior and exterior materials; and 3) the roof membrane system is damaged at all parapet and perimeter locations. The project scope is to correct all exterior building defects which may include removal and replacement of exterior building brick, the major southwest side sloping glass wall, roofing and all related construction.

The selected Designer shall provide a comprehensive scope of services including Predesign Planning, Schematic Design, Design Development, Construction Documents, Bidding and Construction Administration Phases. The Designer Team shall provide all architectural and engineering discipline services required and shall include a professional and experienced, independent cost estimating consultant capable of providing costs data in-house during each Phase for all work including general, architectural and incidental mechanical and electrical. The Designer Team shall complete all SD, DD and CD documents using only computer aided design and drafting technology in an electronic data exchange file format acceptable to the Owner.

The selected Designer and associated firms shall demonstrate experience in successfully completing major structural repairs projects. A project team process will be developed with the Designer as the key organization responsible for consolidation of data into a design solution. The Owner may retain additional specialty consultants to assist in the project work.

This project work has been funded for \$6,706,000.00 for the entire project including all costs for administration, project support, site investigations, testing services, design fees, reimbursables, construction, contingencies, and other expenses.

Additional project information is available upon request. Questions concerning this project may be referred to Barry Schaub at (612) 296-1417.

James Tillitt, Chairman
State Designer Selection Board

Non-State Public Contracts

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

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

Minnesota Historical Society**Notice of Request for Proposals for Development, Fabrication, Delivery and Installation of an Exhibit Diorama on the Subject of Wild Ricing**

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to provide all labor, materials and supplies to complete the development, fabrication, delivery and installation of a major exhibit diorama on the subject of wild ricing.

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

Proposals must be received not later than August 6, 1992.

Details concerning submission requirements are included in the Request for Proposals.

State Contracts and Advertised Bids

Minnesota Historical Society

Notice of Request for Bids for Printing, Binding and Mailing of a Catalog

The Minnesota Historical Society is seeking bids from qualified firms to provide complete services for the printing, binding and mailing of its 1992 Fall/Winter Publications Catalog.

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

Bids must be received not later than August 8, 1992.

Details concerning submission requirements are included in the Request for Bids.

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek STATE REGISTER Contracts Supplement, published every Thursday. Call (612) 296-0931 for subscription information.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

COMMODITY CODE KEY

A = Sealed Bid
B = Write for Price
C = Request for Proposal
D = Request for Information
E = \$0-\$1,500 Estimated Dollar Value
F = \$1,500-\$5,000 Estimated Dollar Value

G = \$5,000-\$15,000 Estimated Dollar Value
H = \$15,000-\$50,000 Sealed Bid
I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required

J = Targeted Vendors Only
K = Local Service Needed
L = No Substitute
M = Installation Needed
N = Pre-Bid Conference
O = Insurance or Bonding Required

Commodity: Prequalification/performance test of mowing equipment

Contact: Mary Jo Bruski 612-296-3772

Bid due date at 2pm: August 5

Agency: Transportation Department

Deliver to: Various

Requisition #: Various

Commodity: B G—Electric patient lifts

Contact: Teresa Manzella 612-296-7556

Bid due date at 2pm: July 23

Agency: Ah Gwah Ching Nursing Home

Deliver to: Ah Gwah Ching

Requisition #: B 55510-03932

Commodity: B E—NEC monitor

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 23

Agency: Bemidji State University

Deliver to: Bemidji

Requisition #: B 26070-14791

Commodity: B F—Dynamic ram

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22

Agency: St. Cloud State University

Deliver to: St. Cloud

Requisition #: B 26073-23905

Commodity: B F L—Series 6500 interface systems

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22

Agency: Anoka Ramsey Community College

Deliver to: Coon Rapids

Requisition #: B 27152-46955

State Contracts and Advertised Bids

Commodity: B F—Apollo LCD panel
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 27156-10983

Commodity: B G L—Homs scales
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Department of Natural Resources—Fisheries
Deliver to: St. Paul
Requisition #: B 29000-58904

Commodity: B G—H.P. computer maintenance
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 23
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-31739

Commodity: B G—386/25 notebook computers
Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: July 22
Agency: Department of Finance
Deliver to: St. Paul
Requisition #: B 10000-04641

Commodity: B F—CD ROM drives
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 23
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-48212

Commodity: B F—386DX/25 computers
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Minneapolis Community College
Deliver to: Minneapolis
Requisition #: B 27151-49098

Commodity: B F L—PH meters
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 27156-10969

Commodity: B E—Scanplus scanner
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Hibbing Extension Duluth Center
Deliver to: Duluth
Requisition #: B 27163-65076

Commodity: B F L—Colorado tape drives
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: Grand Rapids
Requisition #: B 29002-22256

Commodity: B F—Intergraph hard disk
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79000-62921

Commodity: B F—Disk drive for intergraph 2400
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Minnesota Department of Transportation
Deliver to: Baxter
Requisition #: B 79300-09277

Commodity: B E—Telex slide projector, VC combo
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 23
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14776

Commodity: B E—O.H. projector—TV
Contact: Pam Anderson 612-296-1053

Bid due date at 4:30pm: July 23
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: St. Paul
Requisition #: B 29006-20703

Commodity: B F K M—Copier rental—rebid

Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 22
Agency: Attorney General
Deliver to: Various places
Requisition #: B 06000-11623-1

Commodity: B F K M—Fold/inserter
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 27
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-31536

Commodity: B G—Hot water & condensate tank
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: Virginia
Requisition #: B 79000-24057

Commodity: B F L—Intergraph memory upgrade
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 22
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79500-32504

Commodity: B E—Camcorder
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 23
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: St. Paul
Requisition #: B 29006-20679

Commodity: B F—Interior painting
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 23
Agency: Thistledeew Youth Camp
Deliver to: Togo
Requisition #: B 78780-05020

State Contracts and Advertised Bids

Commodity: B G M—Kwik file mail equipment

Contact: Jack Bauer 612-296-2621

Bid due date at 4:30pm: July 27

Agency: Minnesota Department of Jobs & Training

Deliver to: St. Paul

Requisition #: B 21200-52273

Commodity: B G M—Food pass gate

Contact: Jack Bauer 612-296-2621

Bid due date at 4:30pm: July 15

Agency: Minnesota Correctional Facility

Deliver to: Red Wing

Requisition #: B 78760-03112

Commodity: B G—Fabricate overhead irrigation system

Contact: Mary Jo Bruski 612-296-3772

Bid due date at 4:30pm: July 28

Agency: I R R & R B

Deliver to: Chisholm

Requisition #: B 43000-60633

Commodity: A I—AT&T PBX system for Faribault

Contact: Teresa Manzella 612-296-7556

Bid due date at 2pm: August 6

Agency: Minnesota Correctional Facility—Faribault

Deliver to: B 78790-20855

Commodity: A I—Energy disp. spectroscopy of X-ray

Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: July 28

Agency: Winona State University

Deliver to: Winona

Requisition #: B 26074-14323

Commodity: B E L—External modems

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 23

Agency: Department of Natural Resources—Regional Headquarters

Deliver to: Grand Rapids

Requisition #: B 29002-22392

Commodity: B F—Maintenance contract—Toshiba & Mitsubishi

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 27

Agency: Office of the State Auditor

Deliver to: Various places

Requisition #: B 61000-43014

Commodity: A I L—Interpro 6450

Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: July 29

Agency: Minnesota Department of Transportation

Deliver to: St. Paul

Requisition #: B 79000-24176

Commodity: B G—Pen based portable computer

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 27

Agency: Minnesota Department of Transportation

Deliver to: St. Paul

Requisition #: B 79000-24196

Commodity: B F—Drive for Intergraph interpro

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 27

Agency: Minnesota Department of Transportation

Deliver to: St. Paul

Requisition #: B 79000-24226

Commodity: B F—Screen reader kit

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 27

Agency: Minnesota Department of Human Rights

Deliver to: St. Paul

Requisition #: B 17000-05031

Commodity: B F—H.P. postscript printer

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 23

Agency: North Hennepin Community College

Deliver to: Brooklyn Park

Requisition #: B 27153-21437

Commodity: B F—Maintenance contract—Altime computers

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 27

Agency: Office of the State Auditor

Deliver to: Various places

Requisition #: B 61000-43013

Commodity: B G—Zenith computer

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 27

Agency: Minnesota Department of Transportation

Deliver to: St. Paul

Requisition #: B 79000-24173

Commodity: A I L—Interpro 2430

Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: July 29

Agency: Minnesota Department of Transportation

Deliver to: St. Paul

Requisition #: B 79000-24178

Commodity: B F L—Plotter w/ intergraph driver

Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: July 27

Agency: Minnesota Department of Transportation

Deliver to: St. Paul

Requisition #: B 79000-24199

Commodity: A H—Sigma base system

Contact: Bernadette Vogel 612-296-3778

Bid due date at 2pm: July 29

Agency: Minnesota Department of Transportation

Deliver to: St. Paul

Requisition #: B 79000-24231

Commodity: B F—Agricultural test equipment

Contact: Pam Anderson 612-296-1053

Bid due date at 4:30pm: July 29

Agency: Minnesota Department of Agriculture

Deliver to: St. Paul

Requisition #: B 04121-22358

State Contracts and Advertised Bids

Commodity: B E—Apex dominator II
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 29
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14768

Commodity: B F—Service agreement for radios
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14585

Commodity: B G—Solus weather plus system
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 29
Agency: Minnesota Department of Transportation
Deliver to: Baxter
Requisition #: B 79300-09267

Commodity: B F—Concrete mix
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: July 23
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14586

Commodity: B E—Radio supplies
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: July 23
Agency: Department of Natural Resources—Division of Enforcement
Deliver to: North St. Paul
Requisition #: B 29000-58915

Commodity: B F—Microstation software
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: July 23
Agency: Minnesota Department of Transportation
Deliver to: Detroit Lakes
Requisition #: B 79000-24219

Commodity: B F—Doors (oak) & frames
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Department of Public Safety/Finance
Deliver to: Bemidji
Requisition #: B 26070-14747

Commodity: B F—27" TV monitor
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-67083

Commodity: Panasonic video cassette recorder
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Department of Natural Resources—Division of Enforcement
Deliver to: St. Paul
Requisition #: B 29000-58783

Commodity: B F L—Light fixture
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: July 23
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14793

Commodity: B F—X-ray supplies
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: July 23
Agency: Hibbing Extension Duluth Center
Deliver to: Duluth
Requisition #: B 27163-65075

Commodity: B G L—Microstation PC software
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: July 23
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-24180

Commodity: B F—DOS microstation software
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: July 23
Agency: Minnesota Department of Transportation
Deliver to: Various places
Requisition #: B 79050-28953

Commodity: B D—Marking paint
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: July 23
Agency: Minnesota Department of Transportation
Deliver to: Baxter
Requisition #: B 79300-02032

Commodity: B F—9mm new ammo
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 29
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-40530

Commodity: B F—Microfiche cabinets
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 29
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14775

Commodity: A H K M—Copier rental
Contact: Jack Bauer 612-296-2621
Bid due date at 2pm: July 29
Agency: Cambridge Center
Deliver to: Cambridge
Requisition #: B 27141-48948

Commodity: B F—Display
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 29
Agency: Department of Labor & Industry
Deliver to: St. Paul
Requisition #: B 42200-20094

Commodity: A H—Charter bus service
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 29
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14588

Commodity: B E—Boat trailer
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 29
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: Grand Rapids
Requisition #: B 29002-22266

Commodity: A H—Custom cabinets/sink
Contact: Joan Breisler 612-296-9071
Bid due date at 2pm: July 28
Agency: Facilities Management Office
Deliver to: Various places
Requisition #: B 99997-06943

State Contracts and Advertised Bids

Commodity: B F K—Copier maintenance
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 27
Agency: Trade & Economic Development/Fiscal Services
Deliver to: St. Paul
Requisition #: B 22400-06049

Commodity: B F—Display kiosk
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 29
Agency: North Hennepin Community College
Deliver to: Brooklyn Park
Requisition #: B 27000-10408

Commodity: B E—Press maintenance
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 23
Agency: North Hennepin Community College
Deliver to: Brooklyn Park
Requisition #: B 27153-10418

Commodity: B G K M—Copier rental
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 29
Agency: I R R & R B
Deliver to: Chisholm
Requisition #: B 43000-70062

Commodity: A H—Tractor-loader-mower
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 28
Agency: Department of Natural Resources—Metro Field Operations
Deliver to: Various places
Requisition #: B 29000-58892

Commodity: B G—Outboard motors
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 24
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: Various places
Requisition #: B 29002-22270

Commodity: B E—Snowblower
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Department of Natural Resources—Grand Rapids Warehouse
Deliver to: Grand Rapids
Requisition #: B 29002-22350

Commodity: B F—Tree planter
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 29
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: Brainerd
Requisition #: B 29003-04212

Commodity: B F—Transmission jack
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79000-23996

Commodity: B F—Sandblaster
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79000-23998

Commodity: B F M—Parts replacement on ind.
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: New Brighton
Requisition #: B 79000-24139

Commodity: A I—Tractor loader backhoe
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 30
Agency: Minnesota Department of Transportation
Deliver to: Various places
Requisition #: B 79382-02449

Commodity: B G—Hydraulic jack hammer
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: Crookston
Requisition #: B 79382-02454

Commodity: B F—Rockland rock rake
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 27
Agency: Department of Natural Resources—Moose Lake Area Forestry
Deliver to: Moose Lake
Requisition #: B 29003-04203

Commodity: B F—Tandem axel trailer
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Willow River Camp
Deliver to: Willow River
Requisition #: B 78890-42049

Commodity: B F—Sandblaster
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79000-23997

Commodity: B F—Barrier lift
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79000-24066

Commodity: B G—Jib crane and hoist
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: Maplewood
Requisition #: B 79000-24146

Commodity: A H—Stanley hydraulic breaker
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 29
Agency: Minnesota Department of Transportation
Deliver to: Mankato
Requisition #: B 79382-02453

Commodity: B G—Backhoe attachment
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: St. Cloud
Requisition #: B 79382-02455

State Contracts and Advertised Bids

Commodity: B F—Loegering tire crawlers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: St. Cloud
Requisition #: B 79382-02456

Commodity: B G—Supply and install sprinkler system
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: Golden Valley
Requisition #: B 79500-22531

Commodity: B G—Portable pressure washers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: Willmar
Requisition #: B 79800-03925

Commodity: B F—All American disc attachment
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 23
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79382-02460

Commodity: B F—Kamber spray gun
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Minnesota Department of Transportation
Deliver to: Rochester
Requisition #: B 79600-04441

Commodity: B G—Maintenance contract—Compaq system pro
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: July 28
Agency: Facilities Management Office
Deliver to: Little Falls
Requisition #: B 01000-06967

Commodity: B F—Clean and optimize Pony computers
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: July 28
Agency: Hibbing Extension Duluth Center
Deliver to: Duluth
Requisition #: B 27163-65083

Commodity: B G—External disk drives
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: July 28
Agency: Minnesota Housing Finance Agency
Deliver to: St. Paul
Requisition #: B 34000-06630

Commodity: A H L—Harris Nighthawk 4402
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: July 30
Agency: Minnesota Department of Transportation
Deliver to: Various places
Requisition #: B 79000-24334

Commodity: B F—Computer controlled VCR
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Lakewood Community College
Deliver to: White Bear Lake
Requisition #: B 27154-47422

Commodity: B G—Camcorder (video hi 8)
Contact: Pam Anderson (612) 296-1053
Bid due date at 4:30pm: July 27
Agency: Minnesota Pollution Control Agency
Deliver to: St. Paul
Requisition #: B 32600-31564

Commodity: B F—Video projector
Contact: Pam Anderson (612) 296-1053
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-24025

Commodity: A H L—Dec 433hp computer
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: July 30
Agency: Trade & Economic Development/Fiscal Services
Deliver to: St. Paul
Requisition #: B 22700-00584

Commodity: B F—Monitor for Apple
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: July 28
Agency: Minnesota Housing Finance Agency
Deliver to: St. Paul
Requisition #: B 34000-06629

Commodity: B F L—VMIC auto scan
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: July 30
Agency: Minnesota Department of Transportation
Deliver to: Various places
Requisition #: B 79000-24152

Commodity: A H L—Electrohome project units
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: July 30
Agency: Minnesota Department of Transportation
Deliver to: Various places
Requisition #: B 79000-24335

Commodity: B G—Hi 8 VCR/player edit system
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Minnesota Pollution Control Agency
Deliver to: St. Paul
Requisition #: B 32600-31540

Commodity: A H—Audio video system
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 24
Agency: Board of Voc-Tech Education
Deliver to: St. Paul
Requisition #: B 36000-24607

State Contracts and Advertised Bids

Commodity: A H—Traffic counters
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79000-24076

Commodity: B G—Clipping service—newspaper
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-30025

Commodity: B E—19" TV/VCR combo
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79900-92502

Commodity: B G M—Communication recorder
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 30
Agency: Department of Public Safety/Finance
Deliver to: St. Paul
Requisition #: B 07200-27277

Commodity: B F—Plasma cut system
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 30
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14730

Commodity: B G—Replace water line & reinsulate
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 30
Agency: Building Construction Division
Deliver to: Minneapolis
Requisition #: B 02310-25538-1

Commodity: B F—Chiller maintenance contract
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Community College Board
Deliver to: Coon Rapids
Requisition #: B 27000-46954

Commodity: B F—John Deere AMT
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 29
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11444

Commodity: B F—Lumber
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: Golden Valley
Requisition #: B 79500-22527

Commodity: B F K M—Used copier rental
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 28
Agency: Attorney General
Deliver to: Various places
Requisition #: B 06000-11616-1

Commodity: B F K M—copier
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Jobs & Training
Deliver to: Rochester
Requisition #: B 21200-51506-1

Commodity: A H—Panel type delivery van
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 30
Agency: Department of Administration
Deliver to: St. Paul
Requisition #: B 02307-32406

Commodity: B F—Hoffman tire changer
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 28
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64374

Commodity: B G—Portable lift/ramp type
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 27
Agency: Department Natural Resources—Field Services
Deliver to: St. Paul
Requisition #: B 29000-58820-1

Commodity: B E—Replacement hose
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 27
Agency: Minnesota Department of Transportation
Deliver to: St. Cloud
Requisition #: B 79350-01235

Commodity: B F—Replace Trane condensing unit
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: July 30
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79900-82538



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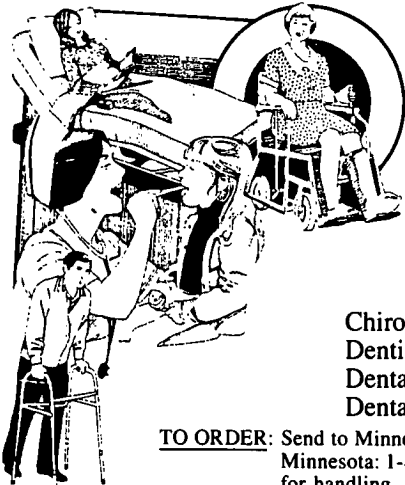
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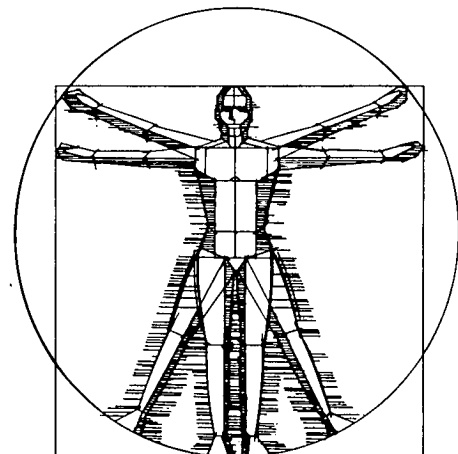
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