

State Register =

Iudicial Notice Shall Be Taken of Material Published in the State Register

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

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

Monday 12 December	Monday 28 November	Monday 5 December
Monday 5 December	Friday 18 November	Monday 28 November
Monday 28 November	Monday 14 November	Friday 18 November
Monday 21 November	Monday 7 November	Monday 14 November
PUBLISH DATE	Adopted and Proposed RULES	State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
	Deadline for both	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices,
	PUBLISH DATE Monday 21 November Monday 28 November Monday 5 December	PUBLISH DATEAdopted and Proposed RULESMonday 21 NovemberMonday 7 NovemberMonday 28 NovemberMonday 14 NovemberMonday 5 DecemberFriday 18 November

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Perspectives-Publication about the Senate.

Session Review-Summarizes actions of the Minnesota Senate.

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

HOUSE

tatives; 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.

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

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Minnesota Rules: Amendments and Additions =

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

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

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

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

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Adopted Rules

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

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

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

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

Housing Finance Agency

Adopted Permanent Rules Relating to Affordable Rental Investment Fund Program

The rules proposed and published at "State Register," Volume 19, Number 6, pages 278-280, August 8, 1994 (19 SR 278), are adopted as proposed.

Department of Labor and Industry

Adopted Permanent Rules Relating to Occupational Safety and Health; Reporting

The rules proposed and published at "State Register," Volume 19, Number 4, pages 185-186, July 25, 1994 (19 SR 185), are adopted with the following modifications:

Rules as Adopted

5210.0680 REPORTING OF FATALITY OR MULTIPLE HOSPITALIZATION INCIDENTS.

Subpart 1. When and where to report. Within eight hours after the death of any employee from a work-related incident or the inpatient hospitalization of three or more employees as a result of a work-related incident, the employer of any employees so affected shall orally report the fatality or multiple hospitalization by telephone or in person to the any Minnesota Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) office that is nearest to the site of the incident. After normal business hours and on Saturdays, Sundays, and state holidays, the report shall be made within the eight-hour time period by using the federal Occupational Safety and Health Administration (federal OSHA), United States Department of Labor, toll-free central telephone number (1-800-321-OSHA(6742)).

Department of Public Safety

Adopted Permanent Rules Governing Firearms Permit Standards

Notice of Adoption of Rules Exempt from Rulemaking Provision of the Administrative Procedures Act, *Minnesota Statutes*, Chapter 14

NOTICE IS HEREBY GIVEN that the Department of Public Safety has adopted amendments to the rules governing firearms permit standards. The statutory authority for these rules, *Minnesota Statutes* 624.715, specifically exempts these standards from the rulemaking provisions of the Administrative Procedures Act, *Minnesota Statutes*, Chapter 14. These amendments are being adopted in conformance with *Minnesota Statutes* 3.846 and 14.38.

A free copy of the rule is available from the department of Public Safety. To get a free copy of the rule contact:

Mr. Richard Carlquist, Deputy Commissioner Minnesota Department of Public Safety 445 Minnesota Street Suite 1000, North Central Life Tower St. Paul, Minnesota 55101-2156 (612) 296-6642

> Michael S. Jordan, Commissioner -Department of Public Safety

Rules as Adopted

7416.0100 APPLICATION FOR A PISTOL HANDGUN TRANSFEREE PERMIT.

An application for a pistol handgun transferee permit must be made on a form entitled "Minnesota Uniform Handgun Firearm Application/Receipt, Acquisition Transferee Permit or Report of Transfer for Handguns Firearms." A facsimile of the first page of the form is reproduced at part 7416.9910 7416.9911. A facsimile of the second page of the form is reproduced at part 7416.9930.

7416.0300 REPORT OF TRANSFER OF A PISTOL HANDGUN.

A report of transfer of a pistol handgun must be made on a form entitled "Minnesota Uniform Handgun Firearm Application/Receipt, Acquisition Transferee Permit or Report of Transfer for Handguns Firearms." A facsimile of the first page of the form is reproduced at part 7416.9910 7416.9911. A facsimile of the second page of the form is reproduced at part 7416.9930.

7416.0400 APPLICATION FOR A PERMIT TO CARRY A PISTOL.

An application for a permit to carry a pistol must be made on a form entitled "Minnesota Uniform Handgun Firearm Application/Receipt, Carry Permit for Handgun in Public Place." A facsimile of the first page of the form is reproduced at part 7416.9920 7416.9931. A facsimile of the second page of the form is reproduced at part 7416.9930.

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

<u>7416.9911</u> MINNESOTA UNIFORM FIREARM APPLICATION/RECEIPT TRANSFEREE PERMIT OR REPORT OF TRANSFER FOR FIREARMS.

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NOTE: This conse reliance on it. If not	nt is subject to revo previously revoked,	cation at any time ex this authorization wi	cept to the ex I terminate upo	tent that the Com on notification to th	missioner of Hu e applicant of th	iman Si ve deniz	ervices ha	as already taken as of this application.
		A	PLICANT	NFORMATION	المريسول ک	· · ·		
NAME (LAST, FIRST, MIDO	LE, JR/SR):				DATE OF BIRTH			HOME PHONE NUMBER
MAIDEN NAME (IF APPLIC	ULE) OR OTHER NAMES	OU HAVE USED	<u> </u>					
		·····						
PRESENT RESIDENCE AD	DRESS:		City:		COUNTY:		STATE:	ZIP CODE
RACE: SEX.	HEIGHT:	WEIGHT:	EYE COLOR:	HAIR COLOR:	MN DRIVERS LICE	NSE OR I	D NUMBER:	
DISTINGUISHING PHYSICA	L CHARACTERISTICS (INC	ULDING SCARS, MARKS, Y	TTOOS, ETC):					
· · · · · · · · · · · · · · · · · · ·					· · · · · · · · · · · · · · · · · · ·			
					··· <u> </u>			

В.

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		PREVIO	US RESIDENCE (PAST 10 Y	EARS)			
	STREET ADDRESS		СПҮ	COUNTY	STATE	ZIP C	ODE
					:		
				-	i i		
1.	Have you been convicted of a crime	of violence as de	fined in Minn. Stat. 624.712 i	n Minnesota or elsew	here and no	t	_
	either (1) been restored to your civil	-	years ago or (2) your sentenc	e expired at least 10 y	rears ago?	🗆 №О	
	If yes, complete the following information of	CRIME(S):				٦	
	LOCATION OF CONVICTION (CITY, COUNTY, STAT	TE):				1	
	L					ļ	
_							—
2.	Have you been convicted after Augu- If yes, was the assault committed with					LI NO	
	609.224 OR was the assault victim a					DNO	
	If yes, complete the following informa						
	CONVICTION DATE(S):	CRUME(S):]	
	LOCATION OF CONVICTION (CITY, COUNTY, STAT	<u> </u>					
3	Have you been convicted of a crime	ounishable by in	noriconment for a term evoce		liers of what	•	
	Have you been convicted of a crime punishment was actually imposed? // yes, complete the following informa [CONVICTION DATE(S):						🗆 yes
	punishment was actually imposed? If yes, complete the following information of the following inform	tion:					
	punishment was actually imposed? If yes, complete the following information	tion:					
	punishment was actually imposed? If yes, complete the following information of the following inform	tion:					
	punishment was actually imposed? If yes, complete the following information of the following inform	tion: CRIME(5): E):		· · · · · · · · · · · · · · · · · · ·		□ NO	
4.	punishment was actually imposed? If yes, complete the following informa CONVICTION DATE(S): LOCATION OF CONVICTION (CITY, COUNTY, STAT Have you ever been pardoned for a c If yes, complete the following informa	Ition: CRIME(S): E): crime of violence?	·	· · · · · · · · · · · · · · · · · · ·		□ NO	
4.	Punishment was actually imposed? If yes, complete the following informa CONVICTION DATE(S): LOCATION OF CONVICTION (CITY, COUNTY, STAT Have you ever been pardoned for a c	Ition: CRIME(S): E): crime of violence?	·	· · · · · · · · · · · · · · · · · · ·		□ NO	
4.	punishment was actually imposed? If yes, complete the following informa CONVICTION DATE(S): LOCATION OF CONVICTION (CITY, COUNTY, STAT Have you ever been pardoned for a c If yes, complete the following informa	ttion: CRIME(S): E): Crime of violence? Ition: CRIMMAL CHAI	·	· · · · · · · · · · · · · · · · · · ·		□ NO	
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4.	punishment was actually imposed? If yes, complete the following informa CONVICTION DATE(S): LOCATION OF CONVICTION (CITY, COUNTY, STAT Have you ever been partioned for a C If yes, complete the following informa FARDON DATE: LOCATION OF ORIGINAL CONVICTION (CITY, COU Under the law of the jurisdiction wher pardoned or have you had your civil r	ttion: CRIME(5): E): Crime of violence? ttion: ORUGHUL CHUN NTV, STATE): To you were convis ights restored?	RE: Cted, has your conviction bee	n expunged, set aside		Поо 	Dyes
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9	Have you fied from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceedings'	סא 🗋 ייייי	· _ ۱
		_	_
10.	Are you a peace officer?	_	-
	chemical dependency?	🗆 NO	
11	Have you ever been committed to a treatment facility in Minnesota or elsewhere as a "mentally it", "mentally		
•••	retarded", or "mentally III and dangerous to the public" person as defined in Minnesota Statute § 2538.02?	🗆 NO	
12	Have you been contined in a treatment facility as a "mentally II", mentally retarded", or "mentally III and dangerous to the public" person as defined in Minnesota Statute § 2538.02 or been bound incompetent to stand trial or not guility by reason of mental likness?		
13.	Have you ever been discharged from the armed torces of the United States under dishonorable conditions?	🗇 NO	Ð
14.	Have you ever renounced your citizenship having been a citizen of the United States?	🗔 NO	Ð
15	I am (check one) American Citizen 🔲 Legal Resident 🔲 Alien (Attach co	py of docu	menta
	REBY AFFIRM THAT THE INFORMATION PROVIDED ON THIS APPLICATION/RECEIPT IS CORRECT UT		
PRC	SECUTION AND/OR VOIDING OF ANY PERMIT ISSUED HEREUNDER.		
800	NATURE OF APPLICANT: DATE:		
	RESTRICTIONS		
	tollowing restrictions apply to the possession of finantias, to transferee permits and reports of transfer		
•	Must be at least 18 years old to acquire or possess a handgun or a semisutometic military-style assault weapons, but und at least 21 years old to acquire handguns from loonsed deelers. Must not have been convicted of a orme of violence (as defined in Minnesota Statules § 624.712, subdivision 5) in Mi unless 10 years have elapted aince your civil rights have been restored or your sentence has expired, and during that the rowardsed to ave other orme of violence.	innesota or	eloow
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7416.9931 MINNESOTA UNIFORM HANDGUN APPLICATION/RECEIPT CARRY PERMIT FOR HANDGUN IN PUBLIC PLACE.

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1		ence as defined in Minn. Stat. 624.712 in Minnesota or elsewhere and not		
	either (1) been restored to your civil rights a If yes, complete the following information:	It least 10 years ago or (2) your sentence expired at least 10 years ago?	NO	
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	LOCATION OF CONVICTION (CITY, COUNTY, STATE).			
•	House you been ennimed after Avenut 1, 10	192, of assault in the fifth degree under Minn. Stat. 609.224?		
2		ee years of a previous assault conviction under Minn. Stat. 609.224 /	INU	
	609.224 OR was the assault victim a family	or household member?	🗔 NO	
	If yes, complete the following information:			
	CONVICTION DATE(S):	RIMÉ(S).		
	LOCATION OF CONVICTION (CITY, COUNTY, STATE):			
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3.	Have you been convicted of a crime punish nunishment was actually imposed?	hable by imprisonment for a term exceeding one year regardless of what		
	If yes, complete the following information:			
	• • • •	RIME(S).		
	LOCATION OF CONVICTION (CITY, COUNTY, STATE).			
4.	If yes, complete the following information:	f violence?	סא 🗆	
4.	If yes, complete the following information:	RIGIMAL CHARGE:	🗋 NO	
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	the public" person as defined in Minnesota Statute § 2538.02 or been found incompetent to stand thal or not guility by reason of mental kiness?		Ξv
5.	Have you ever been discharged from the armed forces of the United States under dishonorable conditions?		Бч
6.	Have you ever renounced your citizenship having been a citizen of the United States?		ΞY
7.	I am (check one) American Citizen 🔲 Legal Resident 📑 Alien (Attach copy	of docum	hentab
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	NATURE OF APPLICANT: DATE:		
	RESTRICTIONS		
	MESTRICTIONS tollowing restrictions apply to the possession of firearms, to transferee permits and reports of transfer fo	r hendg	-
	Nextomatic military-style assault weapons, and permits to carry handguns. Must be at least 18 years old to acquire or possess a handgun or a semiautomatic military-style assault weapons, but under k		
	at least 21 years old to acquire handguns from licensed dealers.		
•	Must not have been convicted of a crime of violence (as defined in Minnesota Statutes § 624.712, subdivision 5) in Minne unless 10 years have elapsed aince your civil rights have been restored or your sentence has expired, and during final terms convicted of any other crime of violence.	you have	nol b
•	Must not have been convicted of fitth-degree assault as defined in Minnesota Statutes § 509.224 in Minnesota or elsewhere ain (1) within 3 years of a previous assault conviction under Minnesota Statutes § 509.221 to 509.224; or (2) where the assault vic household member, unless 3 years have elapsed since the date of conviction and during that are you have not been convicte degree assault.	tim was i	s family
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•	Must not have been either convicted in Minnesota or elsewhere of unlawful use, possession or sale of a controlled sub: possession of a small amount of marijuana), or hospitalized or committed for insetment for the habitual use of a controlled subst unless you possess a certificate from a medical doctor or psychiathist, or other satisfactory proof, that you have not abuaed a co during the parts they pears.	ance or r	nerijue
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•	Must not have been convicted in Minnesota or elsewhere of a crime punkhable by imprisonment for more than a year (o pertaining to antitrust violations, untair trade practices, restraints of trade, or similar offenese relating to the regulation of b unless your off rights have been restored or the conviction has been particined, arguinged, or set aside.	ther than NISINGSS	otien practic
	Must not be fugilive from justice.		
	Must not be a user of any controlled substance as defined in Chapter 152 of Minnesota Statutes. Must not be an alien who is illegally or unterviully in the United States.		
	Must not have discharged from the armed forces of the United States under dishonorable conditions.		
	Must not have renounced your United States citizenship.		
•	Must not have been confined to a treatment lacity in Minnesota or elsewhere as mentally &, mentally retarded or munitally ill the public or found incompetent to stand that or not gully by reason of mental lineas unless you possess a certificate from a psychiatrist incomed in Minnesota, or other satisfactory proof that you no longer suffer from this deability.	and dan medical	docic
he	following requirements, in addition to those stated above, also apply to permits to servy handguns:		
•	Must provide either a finarms safety certificate recognized by the Department of Natural Resources, evidence of auccessful o of ability to use a finarm supervised by the chief of police, or shertif, or other astistactory proof of ability to use a pistol safety.	ompletion	n of a
٠	Must have an occupation or personal safety hazard requiring a permit to carry.		
	20 404		
	RECEIPT		
HE	REBY ACKNOWLEDGE ACCEPTANCE OF THIS APPLICATION:		
1			
	nature of person accepting application:		

This receipt does not constitute a permit to acquire, possess or carry firearms.

_ Time: _

REPEALER. Minnesota Rules, parts 7416.9910; 7416.9920; and 7416.9930, are repealed.

Date:

Minnesota State Retirement System

Adopted Permanent Rules Relating to Deferred Compensation Amendments

Rules as Adopted

7905.0100 DEFINITIONS.

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

Subp. 4a, Board of directors. "Board of directors" means the Minnesota State Retirement System Board of Directors.

[For text of subps 5 to 11, see M.R.]

Subp. 12. Includable compensation. "Includable compensation" means the compensation remaining after any deferrals through the plan and any amount of compensation excluded from federal gross income as a result of contributions made for the benefit of an employee under a tax-sheltered annuity under section 403(b), expense account authorized under section 125, employee contributions to a retirement plan excluded under section 414(h)(2), or employee deferrals as defined under section 401(k) or 408(k)(6) of the Internal Revenue Code of 1986 has the meaning given in section 457 of the Internal Revenue Code.

[For text of subps 13 to 18, see M.R.]

Subp. 18a. Product providers. "Product providers" means any company that has a contract with the State Board of Investment to offer an investment product under the plan or the supplemental investment fund.

[For text of subps 19 to 21, see M.R.]

Subp. 22. Unforeseeable emergency. "Unforeseeable emergency" means a severe financial hardship to the participant resulting from a sudden and unexpected illness or accident of the participant or of a dependent of the participant, loss of the participant's property due to casualty, or other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the participant as defined in section 457 of the *Internal Revenue Code*. The circumstances that will constitute an unfore-seeable emergency will depend upon the facts of each case, but in any case payment will not be made to the extent that the hardship is, or may be relieved, through reimbursement or compensation by insurance or otherwise by liquidation of the participant's assets to the extent the liquidation of the assets would not itself cause severe financial hardship or by cessation of deferrals under the plan.

7905.0200 ESTABLISHMENT OF PLAN.

The plan shall be known as the "Minnesota public employees' state deferred compensation plan" ("plan") and is created according to *Minnesota Statutes*, section 352.96 and section 457 of the *Internal Revenue Code*. The plan shall constitute a continuation of the Minnesota deferred compensation plan, approved by the attorney general and filed with the secretary of state and the commissioner of administration, November 24, 1975.

7905.0300 PURPOSE OF PLAN.

The purpose of the plan is to allow employees to designate a portion of their compensation to be withheld each pay period by the employer and invested at the discretion of and in a manner approved by the director board of directors for the employer until separation from service, financial hardship, or death of the employee. Any compensation deferred by employees may be invested by the director board of directors, for the employer, but there is no requirement for the director board of directors or employer to do so. Participation in the plan shall not be construed to establish or create an employment contract between the employee and the employer.

7905.0400 APPLICABLE LAW.

The plan shall be construed, administered, and governed in all respects under and by the laws of the state of Minnesota, *Minnesota Statutes*, section 352.96 and section 457 of the *Internal Revenue Code*.

7905.0600 ADMINISTRATION OF PLAN.

The director board of directors has the full power and authority to administer the plan and promulgate, adopt, amend, or revoke internal management procedures which are consistent with, and necessary to implement and maintain, the plan.

7905.0700 WRITTEN AGREEMENT.

The employer or the director on behalf of the <u>board of directors and the</u> employer shall enter into a written agreement with each participant. The written agreement and other application forms shall be in a form and manner as prescribed by the director and shall set forth the obligations contained in the plan, the amounts of compensation to be deferred, and other information the director considers necessary to administer the plan.

7905.0800 COPIES OF PLAN, PAMPHLETS, AND ACCOUNT STATEMENTS.

Pamphlets describing the plan and outlining the options and opportunities available shall be prepared under the direction of the director and made available to eligible employees. Copies of the plan will be made available upon request. Individual account statements shall be made available to each participant at least annually semiannually.

7905.1000 ENROLLMENT.

Any employee eligible to participate according to part 7905.0900 may become a participant by agreeing with the employer in writing, on a form approved by the director, to a deferment of the participant's compensation according to parts 7905.1100 and 7905.1200. The deferment will begin with the first pay date following 30 days from the date the application is properly completed by the employee and accepted by the employer or director acting for the employer shall be made in compliance with section 457 of the Internal Revenue Code. The application shall also specify an investment preference for the deferred compensation.

7905.1100 MINIMUM DEFERRAL.

The minimum amount which may be deferred is \$10 per pay period <u>per product provider</u>. The amounts to be deferred must be stated in whole dollars. If the application indicates an amount including cents, the cents will be disregarded.

7905.1200 MAXIMUM DEFERRAL.

The total amount of deferred compensation during any taxable year shall not exceed the limits provided in items A and B established under section 457 of the Internal Revenue Code.

A: 33-1/3 percent of includable compensation or \$7,500, whichever is less; or

B. for each of three taxable years preceding the year in which the participant will attain normal retirement age, the participant may defer an amount equal to the limits in item A plus an additional amount equal to the difference between the amount of compensation that could have been deferred under the plan, and the amount that was deferred for years after December 31, 1978. In no event, however, can the deferral exceed \$15,000 for any taxable year.

The participant may designate and use this eatch up provision only once whether or not it is used in less than all of the three taxable years ending before attaining normal retirement age and whether or not the participant or former participant rejoins the plan. The participant may not use this eatch up provision in another eligible plan.

If a participant also participates in or has amounts contributed by the employer for the purchase of a tax-sheltered annuity, a section 401(k) plan, or a salary reduction simplified employee pension plan, and part or all of the contributions are excludable from taxable income under section 403(b), 402(a)(8), or 402(h)(1)(B) of the *Internal Revenue Code*, the contributions reduce the maximums established in items A and B.

In no event can deferrals exceed an employee's compensation less deductions for FICA, any other taxes, pension contributions, and other mandatory deductions.

7905.1300 MODIFICATIONS TO AMOUNT DEFERRED.

The employer shall adjust the participant's total annual compensation, on a pay period basis, by the deferred compensation amount indicated on the participant's application. That amount, subject to the limits of part 7905.1200, may be increased or decreased only by proper application to the employer or to the director acting for the employer. The ehange shall take effect the first pay date following 30 days from receipt and approval of the application. Only two modifications, other than a revocation of participation as provided in part 7905.1400, may be made each taxable year.

7905.1400 REVOCATION OF DEFERRAL.

A participant may revoke an election to have compensation deferred by notifying the employer or the director acting for the employer in writing on a form prescribed by the director. The participant's full compensation on a nondeferred basis will then be restored beginning with the first pay date following 30 days from the date notification was received; however, the participant's deferred compensation account shall be paid only as provided in parts 7905.1700 to 7905.2400.

7905.1700 DEFERRED COMPENSATION ACCOUNTS AND VALUATION.

Subpart 1. Participants' accounts. An investment account shall be established for each participant which shall be the basis for any distributions payable to the participants under parts 7905.2000 to 7905.2400. Each participant's account shall be credited with

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

the amount of any compensation deferred and received, less the administrative charge in subpart 4, and shall be further credited or debited, as applicable, with any increase or decrease resulting from investments under part 7905.1900, credited or debited with any investment expenses, if applicable, debited for the amount of any distribution, and credited initially with the value, on December 19, 1983, of any bookkeeping account maintained under the prior plan.

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

Subp. 4. Administrative expense. The administrative expenses of the plan will be paid under *Minnesota Statutes*, section 11A.17. If amounts generated by *Minnesota Statutes*, section 11A.17, are insufficient to pay all necessary administrative expenses, up to one-half percent shall be deducted each pay period from the first \$3,000 deferred compensation invested in the supplemental investment account each calendar year to pay administrative costs. The director shall review the charge levied annually and if the levy proves to be excessive or insufficient to pay all necessary costs of administration, the director shall adjust the charges accordingly after review of the necessity for the charge by the legislative auditor.

Administrative costs for the fixed and variable annuity account shall be established by the contract as approved by the board under *Minnesota Statutes*, section 352.96.

7905.1900 INVESTMENT OF FUNDS.

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

Subp. 2. Investment options. The participant may select an investment preference from among the options provided in the deferred compensation account.

The supplemental investment account shall provide the options of the income share account, growth share account, or, common stock index account, money market account, bond market account, or fixed interest account available under Minnesota Statutes. chapter 11A.

The fixed or variable annuity account shall provide the options of a fixed annuity or a variable annuity as provided in the contract approved by the board under *Minnesota Statutes*, section 352.96.

A participant may select a combination of these five investment account preferences by specifying on the application the amount to be deferred under each investment preference. A participant may select the account options of only one of the companies approved by the board at any one time. The amount to be deferred cannot be less than \$10 per pay period per account selected product provider.

Subp. 3. Investment preference requests for future compensation. A participant shall, at the time of enrollment, make an investment preference request on an application provided for that purpose. Once made, an investment request shall continue for any deferments unless later changed by the participant.

A participant may change an investment preference request for future amounts of deferred compensation. A change in investment request shall be effective with respect to compensation to be deferred for the first pay date following 30 days from receipt of the request.

Subp. 4. Investment preference requests for past deferred compensation. A participant may also change an investment preference request with respect to all or part of previously deferred compensation. Changes are limited to a change within the fixed or variable annuity account according to the terms of the annuity contracts or within the supplemental investment account but not between the annuity accounts and the supplemental investment account, nor between companies approved by the board. Changes are also permitted between the fixed or variable annuity accounts according to the terms of the contract and the supplemental investment account. These changes in investment preference shall be effected as soon as practical as cash flow to an account permits, but not later than six months after the requested change.

7905.2100 METHODS OF DISTRIBUTION.

Subpart 1. Election in general. Distribution of a participant's deferred compensation account shall be made in one of the following ways, with the date of distribution determined according to part 7905.2200. Benefits shall be paid at least annually and in nonincreasing amounts as provided in section $457\frac{(d)(2)(C)}{(d)}$ of the Internal Revenue Code. Elections by a participant as authorized in this chapter shall be made on forms approved by the director.

Subp. 2. Supplemental investment account. A participant in the supplemental investment account will have deferred compensation distributed over a period of 60 months, unless at least 30 days before distribution the participant elects to have distribution made in one of the following methods:

[For text of items A and B, see M.R.]

C. for distribution beginning before the death of the participant, in monthly installments over a period of months specified by the participant; provided, however, that the amounts payable to the participant will be paid at times that are not later than the time determined under section 401(a)(9)(G) of the *Internal Revenue Code* relating to incidental death benefits as prescribed by the

federal tax regulations. Any amount not distributed to the participant during the participant's lifetime will continue to the beneficiary at least as rapidly as was made to the participant before death.

The monthly installment payment from the supplemental investment account shall be determined by dividing the number of shares held by the months to be paid according to the withdrawal period selected. If the computation results in a monthly payment of less than \$100, the number of shares that equal approximately \$100 shall be determined and shall be redeemed and distributed to the employee or beneficiary each month until the deferred compensation is depleted in its entirety. If the deferred compensation has been invested in shares of more than one investment account, shares will be redeemed in whole units proportionately to the extent possible. Money market and guaranteed return fixed interest account investment payments shall also include payment of annual interest on the invested balance. If the value of the participant's account is \$1,000 or less, distribution shall be made in a lump sum.

If an acceptable application for a lump sum withdrawal and the information necessary to process the withdrawal is received in the office of the system prior to the end of any month, the lump sum payment should be processed within the first ten working days of the following month. If not processed within ten working days, the participant will be paid interest at the rate set by the commissioner of revenue in accordance with *Minnesota Statutes*, section 270.75, subdivision 5. Interest will be calculated from the day after the tenth working day to the date payment is processed.

Subp. 3. Fixed or variable annuity account. A participant in the fixed or variable annuity account will have deferred compensation distributed in the form of monthly an annuity or systematic withdrawal payments unless, before distribution, the participant elects a lump sum distribution. The annuity or systematic withdrawal payments shall be based on one of the following methods, as selected by the participant at least 30 days before distribution begins:

[For text of items A and B, see M.R.]

C. a period certain in which the amounts payable to the participant will be paid at times not later than the time determined under section 401(a)(9)(G) of the *Internal Revenue Code* relating to incidental death benefits as prescribed by the federal tax regulations. Any amount not distributed to the participant during the participant's lifetime will continue to the beneficiary at least as rapidly as was made to the participant before death.

If no election is made, the participant's deferred compensation will be paid on the basis of a five-year period certain annuity.

Notwithstanding any other rule to the contrary, if a fixed or variable annuity account is equal to or less than \$1,000, the account shall be distributed in a lump sum within 60 days following the close of the taxable year during which the distribution event occurs.

Once payments have begun on an annuity or <u>systematic withdrawal</u> basis, any future payments to a beneficiary will depend on the terms of the annuity or <u>systematic withdrawal</u> payments agreed to by the participant and the employer. If a participant dies before the end of a period certain, any remaining distributions will be paid to the beneficiary determined under part 7905.2500. If annuity payments have begun on a joint and last survivor basis, any payments due after the death of the participant will be due only to the other person on which the annuity payments have been based and not any other beneficiary.

If, in fact, an annuity contract is purchased, the owner and named beneficiary shall be the employer. Any rights of participants or beneficiaries are derived solely from the plan.

7905.2200 DATE OF DISTRIBUTION.

Subpart 1. Election in general. A participant may irrevocably elect, on a form approved by the director at least 30 days before the time any amounts become payable, to defer payment of some or all of the amounts to a fixed or determinable future time, subject to subparts 2 to 6.

Subp. 2. Electing distribution date. At any time prior to 30 days following the close of the taxable year in which separation from service occurs, A participant may designate a distribution date not later than the latest of:

A. April 1 after the close of the taxable year in which the participant attains age 70-1/2; or

B. 60 days after the close of the taxable year in which the participant separates from service.

Election of a date of distribution may be made only once and, once made, is irrevocable in accordance with section 457 of the Internal Revenue Code.

[For text of subps 3 to 5, see M.R.]

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

Subp. 6. No election. If no distribution date is elected, payment shall begin 60 days after the close of the taxable year in which separation from service occurs according to section 457 of the Internal Revenue Code.

7905.2300 UNFORESEEABLE EMERGENCY.

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

Subp. 2. Showing of an emergency. Any participant desiring a distribution by reason of an unforeseeable emergency must demonstrate that the circumstances being experienced were not under the participant's control and constitute a real emergency that is likely to cause the participant great financial hardship and qualifies under section 457 of the *Internal Revenue Code*. The employer or director acting for the employer shall have the authority to require medical or other evidence as may be needed to determine the necessity for the participant's withdrawal request.

Subp. 3. Amount and method of distribution. The distribution shall be limited to an amount sufficient only to meet the emergency and shall not exceed the amount of the deferred compensation account.

The allowed distribution shall be payable by a method determined by the employer or the director acting for the employer and begin as soon as possible after notice to the participant of approval. An approved unforeseeable emergency payment from the supplemental investment account may be based on the values determined on the prior month's accounting date if the application is received by the 20th of the month.

7905.2400 DESIGNATION OF BENEFICIARY.

A participant may designate a beneficiary or beneficiaries to receive payment of the participant's deferred compensation in the event of the participant's death. With respect to deferred compensation in the supplemental investment account, only a singular beneficiary may be designated. If the designated beneficiary predeceases the employee and a new beneficiary has not been named or the designated beneficiary dies before receiving payment, a lump sum payment shall be made to the participant's estate. The beneficiary designation shall be in writing and must be filed with the director or company approved by the board under *Minnesota Statutes*, section 352.96, subdivision 2, as the case may be, before the death of the participant. If no designation of beneficiary is filed with the director, the beneficiary shall be the surviving spouse, or if none, a lump sum payment shall be made to the participant's estate.

7905.2900 AMENDMENT OF PLAN.

The director board of directors acting for the employer shall have the authority to propose amendments to the plan consistent with Minnesota Statutes, section 352.96. No amendment or modification shall adversely affect the rights of participants or their benefieiaries to the receipt of compensation deferred before the amendment or modification unless required by state or federal law to maintain the tax status of the plan and any compensation previously deferred.

7905.3000 PRIOR PLAN.

The plan constitutes a continuation of the Minnesota deferred compensation plan approved by the attorney general and filed with the secretary of state and the commissioner of administration, November 24, 1975. All participants and any compensation deferred under the prior plan are, after January 1, 1981, governed by the terms of the plan subject to items A to D.

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

D. The revised plan is effective July 1, 1991 September 1, 1994.

Withdrawn Rules

Department of Agriculture

Agronomy Services Division

Notice of Withdrawal of Proposed Rule

NOTICE IS HEREBY GIVEN that the proposed rule governing agriculture inspectors, as published in the "State Register" on September 6, 1994, pages 544-547, (19 S.R. 544), is withdrawn.

Dated: 25 October 1994

Elton Redalen Commissioner

ERRATA

Department of Education

Incorrect Citation of Board Authority

The Notice of Hearing which appeared in the October 24, 1994-Vol. 19#17 pages 857-858-issue of the "State Register," contained an incorrect citation of the Board's statutory authority to adopt the proposed rules. The Board's statutory authority to adopt the proposed rules is provided by *Minnesota Statutes* 21.11, subd. 7b and *Laws of 1994*, Chapter 647, Article 3, Section 23.

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

Commissioners' Orders =

Department of Transportation

Order No. 80580: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825

Whereas, the Commissioner of Transportation has made his Order No. 80000, dated March 10, 1994, which order has been amended by Orders No's. 80212 and 80246 designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under *Minnesota Statutes* § 169.825, and

Whereas, the Commissioner has determined that the additional following routes, or segment of routes, should be designated to carry the gross weights allowed under *Minnesota Statutes* § 169.825.

IT IS HEREBY ORDERED that Commissioner of Transportation Order No. 80000 is further amended this date by adding the following designated streets and highway routes, or segment of routes, as follows:

COUNTY ROADS

POLK COUNTY

- County Road 236 from T.H. 2 to one mile North (12 Month).

WADENA COUNTY

- C.S.A.H. 2 from the South County Line to T.H. 10 (12 Month) in Aldrich.
- C.S.A.H. 11 from the West County line to T.H. 71 (12 Month) in Sebeka.

Dated: 14 November 1994

Revenue Notices =

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

Department of Revenue

Revenue Notice #94-25: Sales Tax on Motor Vehicles - Rebates

Minnesota Statutes, section 297B.02 imposes a sales tax on motor vehicles at the rate provided in chapter 297A on the purchase price of any motor vehicle purchased or acquired, either in or outside of Minnesota, which is required to be registered in Minnesota under *Minnesota Statutes*, Chapter 168.

Manufacturer's rebates, whether paid directly to the purchaser or paid to the dealer, are part of the "purchase price" subject to the sales tax on motor vehicles.

This policy determination is effective for sales made after December 31, 1994.

Dated: 21 November 1994

Patricia A. Lien Assistant Commissioner for Tax Policy

James N. Denn Commissioner



: 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.

Departments of Education, Health and Human Services

Interagency Early Childhood Intervention Project

Notice of Public Hearings and Public Comment on the Year 6 State Plan for Part H, PL 102-119

NOTICE IS HEREBY GIVEN that the three state agencies, the Minnesota Departments of Education, Health and Human Services seek public comment through two public hearings on the Year 6 State Plan for Part H, PL 101-119 for Infants and Toddlers Birth through Age Two with Disabilities and their Families. Representatives from the State Agency Committee (composed of representatives from the Departments of Education, Health and Human Services) and the Governor's Interagency Coordinating Council on Early Childhood Intervention will be present to receive oral or written testimony at the public hearings listed below:

Wednesday, January 4, 1995 9:00 - 11:00 AM Brainerd Holiday Inn 2115 S. 6th St. Brainerd, MN 56401 (218) 829-1441 Thursday, January 5, 1995 4:00 - 6:30 PM Kelly Inn 161 St. Anthony St. Paul, MN 55103 (612) 227-8711

Copies of the draft Year 6 State Plan are available from Yolanda Sallis, Interagency Early Childhood Intervention Project, 987 Capitol Square Building, 550 Cedar St., St. Paul, MN 55101 or (612) 297-7366. If you are unable to attend the public hearings, written comments may be faxed to Jan Rubenstein, Interagency Early Childhood Intervention Project, Fax No: (612) 297-5635 or mailed to the address above through January 23, 1995.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective November 21, 1994 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Anoka: ISD #11 Security Doors.

Dakota: Cedar Infant Care Rooms-Eagan.

Hennepin: ISD #11 Security Doors; U of M Aquatic Center Offices/Staff Lockers Completion-Minneapolis.

Itasca: Keewatin Public Works Garage-Keewatin.

Ramsey: 1995 Partial Reroofing at Lakewood Community College-White Bear Lake.

St. Louis: Retail Grocery Building Expansion-Orr; Meadowlands Emergency Services Building-Meadowlands.

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

John B. Lennes, Jr. Commissioner

Metropolitan Council

Legal Notice of Intent by Metropolitan Council to Hold Public Hearing on Paratransit Plan December 14

The Metropolitan Council's Transportation Committee will hold a public hearing on its updated draft of the "Americans with Disabilities Act (ADA) Paratransit Plan" on December 14. The hearing will be at 5:00 p.m. in the first floor Chambers at Mears Park Centre, 230 East 5th Street, downtown St. Paul.

Interested persons are encouraged to attend the hearing and offer public comment. A sign language interpreter will be provided at the hearing. People who would like to speak at the public hearing can call 291-6511 (229-2715 TTY) to sign up in advance. People may also sign up at the hearing. Written comments should be submitted to: Barb Quade, Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, MN 55101. The Metropolitan Council will be accepting public comment on the plan through Tuesday, December 27, 1994.

Copies of the plan will be available to review on the 7th Floor of Mears Park Centre. The plan will also be available to review on a check-out basis in large-print, audiocassette and Braille formats. To review a copy of the plan, call 229-2708 (229-2715 TTY).

For more information on the "ADA Paratransit Plan," contact the Metropolitan Council at 291-6359 or 229-2715 TTY.

Dottie Rietow, Chair

University of Minnesota Board of Regents

Nominations Open for Four Positions on the Board of Regents

Nominations are open for four positions on the Board of Regents of the University of Minnesota. Terms of 2 at-large positions, the student position, and one position representing Congressional District 5 will expire in 1995. The Regent Candidate Advisory Council will screen applicants and recommend candidates to the Legislature. Nominees may be self-nominated or nominated by one or more citizens. For further information and/or applications, please contact Mary E. Ryan, (612) 296-1121 or write to Room 85, State Office Building, St. Paul, MN 55155. Applications of those nominated must be postmarked no later than December 9, 1994.

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 Education

Instructional Transformation Through Technology Grants

Notice of Grant Opportunity for Minnesota School Districts to Demonstrate the Deployment of Technology Advances to Facilitate Learning and Manage Information

Purpose

The Minnesota Department of Education is seeking applications from Minnesota school districts interested in competing for funds to demonstrate the deployment of computer and information technologies to facilitate individualized learning in alignment with the current graduation rule and the management of information.

Eligibility Criteria

Eligible applicants for these funds are Minnesota school districts or groups of Minnesota School Districts that demonstrate col-



laboration with businesses and higher education institutions. Community organizations and local government units may also be involved. Eligible applicants are school districts that:

- 1) Want to serve as a demonstration site for the application of information technology and technology products; and
- Want to share knowledge with other Minnesota school districts and technical expertise on the advanced application of information technology; and
- 3) Want to assist other Minnesota school districts in the replication of successful projects.

Scope of the Program

Per Chapter 647, Article 7, Section 17, Subdivision 1, the focus of this initiative is to:

- 1) Develop personalized learning plans designed to give learners more responsibility for their learning success and change the role of teacher to facilitator;
- 2) Match and allocate resources;
- 3) Create a curriculum environment that is multiplatform;
- 4) Provide user and contributor access to electronic libraries;
- 5) Schedule activities;
- 6) Automate progress reports;
- 7) Increase collaboration among school districts and with businesses, higher education institutions, and local government units;
- 8) Coordinate state defined standards to curriculum units for each student;
- 9) Increase accountability through a reporting system; and
- 10) Provide technical support, project evaluation, dissemination of services, and replication.

The Commissioner of Education shall establish an advisory panel consisting of representatives of teachers, school administrators, school boards, parents, students, higher education and business to assist in the selection process. The Commissioner, in consultation with the advisory panel, will award grants to applicants likely to meet the above ten outcomes.

Requirements and Selection Process

Candidates must be Minnesota school districts or groups of Minnesota school districts working in collaboration. Applicant districts must also demonstrate collaboration with business and higher education. Community organizations and local government may also be involved. The Commissioner will award the grants in consultation with the Advisory Panel.

The contents (and criteria values for evaluation) of the grant proposals shall include:

1)	A statement of the objective, goals, tasks and results in demonstration of the above 10 points from Chapter 647, Article 7, Section 17, Subdivision 1.	40 points
2)	Outline of business partner(s) background and experience in educational management,	
	assessment and instructional software and/or instructional support.	20 points
3)	Ability of the products and results to be replicated in other Minnesota School Districts.	10 points
4)	Ability to deliver the products and results prior to June 30, 1996.	10 points
5)	Alignment of the products and results to the application of the Minnesota Graduation Standards.	10 points
6)	Degree to which products and results are reasonable in relation to the amount of grant funds requested.	10 points

Budget and Time Frame

Approximately \$1,600,000 is available to fund the grant applications. Individual grant awards shall not exceed \$400,000 per application. Applicants should clearly state in the application the grant amount requested. Funds are designed to support grant projects beginning on January 3, 1995 and completed prior to June 30, 1996. The Department of Education will review grant proposals and announce awards by December 30, 1994

Prospective applicants who have questions should contact:

J. Mark Manning Minnesota Department of Education Office of Information Technologies Capitol Square Building, Room 936 550 Cedar Street St. Paul, Minnesota 55101 Phone: 612-296-2752

APPLICATIONS MUST BE RECEIVED BY DECEMBER 1, 1994 AT 4:30 P.M. TO THE ABOVE ADDRESS.

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.

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

Department of Education

Notice of Request for Proposals for Computer-Based Information Systems for Minnesota's Results-Oriented Graduation Standards

The Minnesota Department of Education is soliciting proposals from qualified vendors to develop technology for data collection/reporting by schools and the state for the proposed graduation standards.

SCOPE OF THE PROJECT:

This Request for Proposals (RFP) process will produce access to information management systems that help maintain records, conduct progress/performance reporting, and support assessment for Minnesota's Results-Oriented Graduation Standards.

The development of a computer-based information system will be the result of a collaboration between Minnesota educators and the selected vendor who will form a private-public partnership to share development costs.

IMPLEMENTATION TARGET DATE:

January 1, 1996.

PROJECTED COST:

It is anticipated that the deliverables specified in this project will not exceed \$200,000.00.

COPIES OF RFP/INFORMATION AND QUESTIONS:

Copies of the RFP may be obtained from Mary Mehsikomer, Office of Information Technologies, Minnesota Department of Education by calling (612) 296-2752. Please provide your name, mailing address, and phone number when requesting the RFP.

All other requests for information or questions should be directed to:

J. Mark Manning Office of Information Technologies Minnesota Department of Education 936 Capitol Square Building 550 Cedar Street St. Paul, MN 55101 PHONE: [612] 297-3151

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

SUBMISSION OF PROPOSALS:

All proposals must be received by J. Mark Manning, Office of Information Technologies (address above) no later than 4:00 P.M. on December 16, 1994. Late proposals will not be accepted.



Instructional Learning Division

Request for Proposals to Develop and Produce a Manual on the Delivery of Special Education Instruction and Services

Introduction:

According to Article 3 Section 28 of Laws of 1994.

The commissioner of education shall develop a manual pertaining to the delivery of special education instruction and services for use by parents, school district administrators, teachers, and related service staff, and other direct service providers. The commissioner shall update the manual as necessary to ensure that the information contained in the manual is current.

This request for proposal does not obligate the state to complete the proposed project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

A. Scope of project:

Compile a user-friendly manual(s) pertaining to assessment, instructional design and recommended Special Education services for use by parents, teachers, school administrators, and other service providers in a format that is easily updated to contain at a minimum:

"(1) a concise listing of all federal and state laws, rules, and regulations that apply to special education;

(2) the rights and procedural safeguards available to students with disabilities and their parents or guardian; and

(3) the manual must be available within three months following the state board of education's adoption of state special education rules under section 23. The commissioner shall develop a plan to ensure that the manual is widely available to parents, school staff, and other interested individuals and organizations."

B. Goals and objectives:

To produce a manual(s) reflecting promising practices in all special education categories in the following areas:

- pre referral
- assessment
- instructional design
- team process
- special education services

With special consideration given to easy reading format.

C. Project Tasks

- Regularly meet with Instruction and Assessment work-group Technical Assistance work-group staff in the Office of Special Education, and the Office of Monitoring & Compliance to finalize project design and coordinate the activities of the project.
- Assemble a group of parents and a group of teachers with diverse regional and multi-cultural representation from all disability categories.
- Schedule and coordinate all on-site meetings with parent groups and teacher groups and including facility, audio-visual equipment, technology, printing/teaching materials.
- Design and facilitate meetings with diverse membership to collect/confirm data for inclusion in the final product.
- Aggregate and synthesize data collection results for inclusion in the final product.
- Compile a first draft version of the manual(s) by April 1, 1995.
- Convene group(s) to edit, review and recommend changes.
- Produce final draft for MDE edit review by May 15, 1995.
- Arrange contract and coordinate printing with the State Printer.
- Design a descriptive brochure for mass mailing outlining key components and benefits of the manual(s) and how to obtain one.

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

Professional, Technical & Consulting Contracts

D. Department Contacts:

Prospective responders who have any questions regarding this request for proposal may call or write the project director. Other personnel are NOT allowed to discuss the request with anyone, including responders, before the proposal submission deadline.

Nancy Larson, Ph.D. Education Specialist Capitol Square Building, Room 833 Office of Special Education 550 Cedar Street St. Paul, MN 55101

E. Submission of Proposals:

All proposals must be sent to and received by:

Nancy Larson, Ph.D. Project Director Capitol Square Building, Room 833 Office of Special Education 550 Cedar Street St. Paul, MN 55101

No later than 4:00 PM December 12, 1994. Late proposals will not be accepted.

Submit 3 copies of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's 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 any resulting contract.

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F. Project Costs:

The department has estimated that the cost of this project should not exceed \$50,000.

G. Project Completion Date:

The project will begin immediately upon execution and will be completed by June 15, 1995 or within 6 months from the date of project authorization. Intensive effort will be required immediately and through the duration of the contract.

H. Proposal Content:

The following will be considered minimum contents of the proposal:

- 1. Expressed understanding of proposal objectives.
- 2. Work plan and brief process description.
- 3. Cost detail.
- 4. Qualifications of both company and personnel. Experience of personnel who are committed to work on the contract will be given greater weight than that of the firm.
- 5. Identification of the level of the department's participation in the contract, as well as any other services to be provided by the department, and details of cost allowances for this participation.

I. Evaluation Criteria:

All proposals received by the deadline will be evaluated by representatives of the Department of Education, Office of Special Education. A personal interview may be part of the evaluation process. Factors upon which proposals may be judged, but are not limited to, the following:

1.	Expressed understanding of proposal objectives.	10%
2.	Project workplan and timeline.	40%
3.	Project cost detail.	20%
4.	Professional qualification and experience of proposed project staff.	30%

J. Affirmative Action:

In accordance with the provisions of *Minnesota Statutes*, 1990 supplement, section 363.073; for all contracts estimated to be *in excess of \$50,000*, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the commissioner of human rights before a proposal may be accepted. Your proposal will not be accepted unless it includes one of the following:



c

- A. A copy of your current certificate of compliance;
- B. A notarized letter of affidavit certifying that your firm has not had more than 20 full-time employees 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.

L. Targeted Group Businesses and Individuals:

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

M. Other:

The state's contract language includes the following terms and conditions (summarized here) which you should be aware of in preparing your response.

- (1) Compensation will be for ALL services performed, unless a specific payment schedule is mutually agreed upon. The state DOES NOT make regular payments based on the passage of time, it only pays for services performed or work delivered AFTER it is accomplished.
- (2) Payment is only made after the submission of an authorized invoice to the state. The state must pay its invoices within 30 days of receipt, unless they are formally contested.
- (3) Reimbursement for travel and subsistence expenses actually incurred in performance of a contract is limited to the current "Non-managerial Unrepresented Employees Plan" promulgated by the commissioner of employee relations. Travel outside of Minnesota must have received PRIOR written approval of the agency contact BEFORE it takes place. You can contact the commissioner of employee relations to get a copy of this plan.
- (4) No more than 90 percent of the full amount due under a contract may be paid until the final product(s) of the contract have been reviewed by the state's authorized agent and the state's authorized agent has determined that the contractor has satisfactorily fulfilled all the terms of the contract.

Department of Revenue

Property Tax Division

Notice of Request for Proposal for Review of Sales Ratio Study

Scope of Project:

The purpose of this project is to conduct a complete review of the Department of Revenue's Sales Ratio Study. The contractor will be required to analyze all aspects of the present sales ratio study. This includes, but is not necessarily limited to: review of data collection procedures; review of editing procedures; evaluation of the Department of Revenue's compliance with the International Association of Assessing Officer's Standard on Ratio Studies; review of the Department's use of electronic data processing; making recommendations for improvements in the data gathering and reporting process.

Project Goals:

The main objective of the project is to produce a plan for improving the speed in which the annual sales ratio studies are completed while maintaining or improving the quality of the study.

Project Tasks:

The contractor will be required to:

- 1. Evaluate department data collection practices. This includes reviewing the Certificate of Real Estate Value and sale data verification forms, along with sales data files from counties.
- 2. Review editing processes with special emphasis on quality control, data integrity and speed of processing.
- 3. Analyze reporting processes with emphasis on developing reports that both meet the statutory requirement of the sales ratio study and also provide assessors with tools to enable them to improve the overall quality of local assessment.
- 4. Responders are encouraged to propose additional tasks or activities if they will substantially improve the results of the

Professional, Technical & Consulting Contracts

project.

Project Duration:

The project should be completed by March 31, 1995.

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Project Cost:

The DOR estimates that the cost of the project should not exceed \$40,000.

Project Completion date:

March 31, 1995.

Department Contacts:

If there are any questions regarding this request for proposal, please call or write: Leonard Peterson, Minnesota Department of Revenue, 10 River Park Plaza, St. Paul, MN 55146-3340. Phone: (612) 297-2532. Fax: (612) 297-2166.

Please note that other department personnel are not allowed to discuss the project with responders before the deadline for submitting proposals.

Submission of Proposals:

All proposals must be sent to and received by Leonard Peterson, Supervisor, Sales Ratio Unit, Property Tax Division, Minnesota Department of Revenue, 10 River Park Plaza, St. Paul, MN 55146-3340 no later than 4:00 p.m., December 16, 1994.

Late proposals will not be accepted. Submit two copies of the proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed in ink by an authorized member of the entity making the proposal. Prices and terms of the proposal as stated must be valid for the length of the contract.

Proposal Contents:

The following will be considered minimal contents of the proposal:

- 1. A statement of the objectives, goals and tasks to demonstrate the responders view of the nature of the project.
- 2. Identification and description of the items to be provided by the responder.
- 3. An outline of the responder's background and experience with particular emphasis on previous sales ratio study design efforts.
- 4. A statement outlining the personnel who will be working on the project, and their background. No change in personnel assigned to the project will be permitted without the approval of the State Project Director/Manager.
- 5. A detailed cost and work plan which will identify the major tasks to be accomplished and which can be used as a scheduling and managing tool as well as a basis for invoicing.
- 6. A statement identifying the level of the DOR's participation in the project as well as any other services to be performed by the department.
- 7. A statement of the responders specific experience in designing sales ratio studies for statewide tax administration and for equalization of values and/or for aids distribution.
- 8. A statement identifying the level of participation by local tax administration officials in the project.

Evaluation:

All proposals received by the deadline will be evaluated by representatives of the DOR. 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. Expressed understanding of the project objectives. (10%)
- 2. Project Plan. (10%)
- 3. Project detail. (10%)
- 4. Experience and qualifications of the responder and additional staff in the field of statewide assessment sales ratio study design and administration. (70%)

Evaluation and selecting may be completed by December 31, 1994. Results will be sent immediately by mail to all responders.

This request for proposal does not obligate the state to complete the project, and the state reserves the right to cancel this solicitation if it is considered in its best interest.

Dated: 14 November 1994

STATE OF MINNESOTA Department of Administration

Minnesota's Bookstore

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Volunteer Program Development Tools

The Power and Potential of Youth in Service to Communities

Comprehensive guide to developing and sustaining a successful and meaningful youth volunteer program. Learn what it takes --- from developing a mission, vision and management philosophy to identifying skill and ability experiences suitable for youth age 5-24; from defining a program structure and outcomes to understanding common concerns and issues. Includes information on model programs throughout the state. 96pp. (MOVS, 1993) Stock No. 10-48 \$16.00

Planning it Safe: How to Control Liability & Risk in Volunteer Programs

Offers concrete suggestions, clear definitions, and a preventive approach to managing legal risk and liability concerns of volunteer programs. Discusses liability for personal injury, business liability, possible protection from liability, basic concepts of risk management, and specific risks your organization may face. 112pp. (MOVS, 1992) Stock No. 10-45 \$17.95





Promise of the Future/Responsibility Today

Report sites findings of the Governor's Blue Ribbon Committee on Mentoring and Your Community Service (1989-90). Includes recommendations for mentoring programs/youth community service as a means to match caring responsible individuals with youth to encourage and guide their personal growits. and development. 56pp. (MOVS, 1991) Stock No. 10-16 \$15.00

Bridging the Gap: A Training Manual for **Respite Care Volunteers**

Program assistance for the project director, coordinator of volunteers, or anyone associated with the training of volunteers in a respite care program for caregivers of chronically ill, frail, and elderly individuals. The manual offers ideas, plans, and resources to recruit, train, place and retain volunteers in a respite care program. Provides flexibility/options that enable the trainer to pick and choose training activities that are appropriate for the participants, the time available, and the trainer's skills. Topics covered include:

- * Recruiting volunteers * Guidelines for trainers
- Orientation * Resources
- * Handouts and forms
- Ice breaker activities
- - * Understanding the caregiver * Communications skills
 - * Dealing with grief and loss

* Practical tips Looseleaf, 200pp. (MN Dept. of Human Services, Stock No. 10-50 \$35.00 1994)

STATE OF MINNESOTA Department of Administration

Print Communications Division

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