

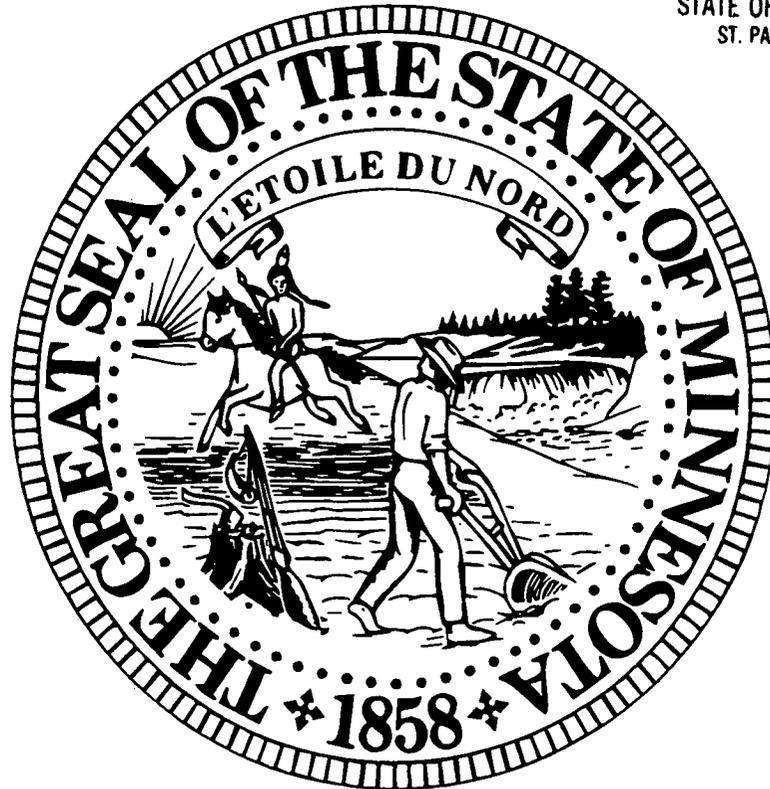
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**State Register**

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**Rules and Official Notices Edition**

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# State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-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.

### Printing Schedule and Submission Deadlines

Vol. 20 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 36	Monday 4 March	Friday 16 February	Monday 26 February
# 37	Monday 11 March	Monday 26 February	Monday 4 March
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To submit notices for publication in the *State Register*, contact the editor listed above. The charge is \$80.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Submit two copies of your notice, typed double spaced, with a letter on your letterhead stationery requesting publication date. Send to the *State Register* at the address listed below.

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- *Contracts Supplement* (published every Tuesday, Wednesday, Friday) One year subscription: \$125.00 via first class mail, \$140.00 via fax or through our On-Line Service via your computer modem. For a free sample demo of the On-Line Service call via your modem: 612/821-4096. Access item "S": *State Register* Modem parameters 8-N-1 1200/2400. By purchasing the On-Line access you are agreeing to not redistribute without authorization.
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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:

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

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

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

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The *State Register Contracts Supplement* with commodities and price contracts advertised by the state is published every Tuesday, Wednesday and Friday. Award results are currently only available from the Materials Management Helpline.

Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.

Vendors interested in responding to the commodity and price contracts advertised in the Contracts Supplement should contact the Department of Administration **Materials Management Division Helpline** 612/296-2600.

# 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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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 Public Safety

### Proposed Permanent Rules Relating to Merit System (Public Safety)

#### Notice of Intent to Adopt a Rule Without a Public Hearing

**Introduction.** The Minnesota Department of Public Safety intends to adopt amendments to permanent rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also submit a written request that a hearing be held on the rule.

**Agency Contact Person.** Comments or questions on the rule and written requests for a public hearing must be submitted to: Betty Carlson, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822, telephone (612) 296-3996, fax number (612) 282-5340.

**Subject of Rule and Statutory Authority.** The Minnesota Merit System rules provide for a system of personnel administration for 22 county and local emergency management agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

A proposed revision to part 7520.0650 provides for a recommended salary adjustment of 2% for all incumbents on the professional and clerical salary schedules who are covered by Merit System compensation plans. Amendments proposed to the compensation plan (parts 7520.1000-1100) provide for a 2% adjustment to the minimum salaries of all classifications covered by Merit System compensation plans, since this is the general salary adjustment being recommended for incumbents.

The statutory authority to adopt these rules is *Minnesota Statutes*, section 12.22, subd. 3. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

A free copy of this rule is available upon request from the agency contact person listed above. A copy of the proposed rule may also be viewed at any of the Minnesota county or local emergency management agencies covered by the Merit System.

**Comments.** You have until 4:30 p.m., April 3, 1996 to submit written comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rule must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing on the rule must be in writing and must be received by the agency contact person by 4:30 p.m. on April 3, 1996. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule.

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

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## Proposed Rules

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

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

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

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at 1st Floor, Centennial Office Building, 658 Cedar Street, Saint Paul, Minnesota 55155; telephone (612) 296-5148.

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

Dated: 15 February 1996

Arne H. Carlson  
Governor

### Rules as Proposed

#### 7520.0650 SALARY ADJUSTMENTS AND INCREASES.

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

Subp. 3. **Recommended adjustment.** The merit system general adjustment recommended for incumbents is ~~three~~ two percent for employees on the professional and clerical salary schedules.

[For text of subps 4 and 5, see M.R.]

#### 7520.1000 COMPENSATION PLAN (EMERGENCY MANAGEMENT), ~~1995~~ 1996; PROFESSIONAL.

##### Subpart 1. Plan.

	Minimum	Maximum
Administrative Officer Assistant	<del>1977</del> <u>2017</u>	<del>3086</del> <u>3148</u>
Emergency Management Director	<del>1808</del> <u>1845</u>	<del>2824</del> <u>2881</u>
Communications Officer	<del>1730</del> <u>1765</u>	<del>2709</del> <u>2763</u>
Operations Officer	<del>1977</del> <u>2017</u>	<del>3086</del> <u>3148</u>
Public Information Officer	<del>1977</del> <u>2017</u>	<del>3086</del> <u>3148</u>
Radiological Officer	<del>1730</del> <u>1765</u>	<del>2709</del> <u>2763</u>
Safety Services Coordinator	<del>1977</del> <u>2017</u>	<del>3086</del> <u>3148</u>

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## Proposed Rules

### 7520.1100 COMPENSATION PLAN (EMERGENCY MANAGEMENT), 1995 1996; CLERICAL.

Subpart 1. Plan.	Minimum	Maximum
Clerk I	<del>952</del> <u>972</u>	<del>1618</del> <u>1650</u>
Clerk II	<del>1107</del> <u>1129</u>	<del>1890</del> <u>1928</u>
Clerk III	<del>1292</del> <u>1319</u>	<del>2020</del> <u>2060</u>
Clerk-Typist I	<del>1040</del> <u>1061</u>	<del>1769</del> <u>1804</u>
Clerk-Typist II	<del>1107</del> <u>1129</u>	<del>1890</del> <u>1928</u>
Clerk-Typist III	<del>1384</del> <u>1412</u>	<del>2161</del> <u>2204</u>
Clerk-Steno	<del>1107</del> <u>1129</u>	<del>1890</del> <u>1928</u>

## Minnesota Racing Commission

### Proposed Permanent Rules Governing Horse Racing

#### Notice of Intent to Adopt a Rule Without a Public Hearing Unless 25 or More Persons Request a Hearing; Notice of Hearing if 25 or More Persons Request a Hearing; and Notice of Cancellation of Hearing if 25 or More Persons do Not Request a Hearing

1. **Introduction.** The Minnesota Racing Commission intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28 and *Minnesota Rules*, parts 1400.2300 and 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by April 3, 1996, a public hearing will be held at 7825 Washington Avenue South, Bloomington, MN, in the basement level conference room of the Olympic Place building, starting at 9:00 AM on April 16, 1996. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after April 3, 1996, the end of the 30-day comment period, and before April 16, 1996, the scheduled hearing date.

2. **Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to:

Richard G. Krueger, Executive Director  
Minnesota Racing Commission  
7825 Washington Avenue South  
Suite 800  
Bloomington, MN 55439  
612-341-7555

3. **Subject of Rule and Statutory Authority.** The proposed rules relate to Class C licensing, changes in the requirements for appointment of stewards, supervision and oversight of pari-mutuel betting, supervision of the conduct of the races at both Class B and Class D (County Fairs) facilities and registration requirements for thoroughbreds in the Minnesota Breeders' Fund program. The Commission's statutory authority to adopt these rules is set out in *Minnesota Statutes*, section 240.23, general rulemaking authority; 240.08, Subd. 1, occupational licensing; 240.10, license fees; 240.13, Subd. 3, types of betting; 240.16, Subd. 4, stewards; 240.18, Subd. 4, breeders' fund; 240.24, Subd. 1, medication and Subd. 3, fees; and 240.29 required races and definitions. A copy of the proposed rules is published in the *State Register* on March 4, 1996 and attached to this notice as mailed. A copy is also available free of charge by contacting the agency contact person.

4. **Comments.** You have until 4:30 P.M. on April 3, 1996 to submit written comment in support of or in opposition to a proposed rule or any part or subpart of the rule. Your comment must be in writing and reviewed by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. Any comments that you would like to make on the legality of any of the proposed rules must also be made during this comment period.

5. **Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 P.M. on April 3, 1996. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are encouraged to state the reason for the request and any changes you want made to the proposed rule.

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

7. **Accommodation.** If you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

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

9. **Cancellation of Hearing.** The hearing scheduled for April 16, 1996 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rule. If you requested a public hearing, the Commission will notify you before the scheduled hearing date whether or not the hearing will be held. You may also call Richard G. Krueger at 612-341-7555 after April 3, 1996 to find out whether the hearing will be held.

10. **Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on April 16, 1996 in the B Level Conference Room, Olympic Place, Bloomington, Minnesota beginning at 9:00 A.M. and continuing until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined by the Administrative Law Judge. An Administrative Law Judge is assigned to conduct the hearing. Judge Beck can be reached at the Office of Administrative Hearings, #1700 Washington Square, 100 Washington Avenue South, Minneapolis, Minnesota 55401, telephone number 612-341-7600.

11. **Hearing Procedure.** If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups, will have an opportunity to participate. You may present your view either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information presented. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received by the Office of Administrative Hearings no later than 4:30 P.M. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearing. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

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

13. **Small Business Considerations.** The Minnesota Racing Commission is subject to *Minnesota Statutes*, section 14.115 (1992), regarding small business considerations in rulemaking. The Commission's evaluation of the applicability of the methods contained in *Minnesota Statutes*, section 14.115, subdivision 2, (1992) for reducing the impact of the proposed rules on small businesses have been considered and addressed in the Statement of Need and Reasonableness.

14. **Expenditure of Public Money by Local Public Bodies.** These rules will not require the expenditure of public money by local public bodies, therefore *Minnesota Statutes*, section 14.11, subd. 1 is not applicable.

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## Proposed Rules

15. **Impact on Agricultural Lands.** These rules will have no impact on agricultural lands, therefore *Minnesota Statutes*, section 14.11, subd. 5 is not applicable.

16. **Notice to Department of Finance.** In accordance with *Minnesota Statutes*, section 16A.1285, subdivision 5, pertaining to departmental charges, the Commission has notified the Commissioner of Finance of the Commission's intent to adopt rules in the above-entitled matter.

17. **Notice to Chairs of Legislative Committees.** In accordance with *Minnesota Statutes*, section 16A.1285, subdivision 5, pertaining to departmental charges the Commission has sent a copy of this notice and a copy of the proposed rules to the Chairs of the House Ways and Means Committee and the Senate Finance Committee prior to submitting this notice to the *State Register*.

18. **Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at First Floor, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone number 612-296-5148.

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

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

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

Dated: 12 February 1996

Richard G. Krueger, Executive Director  
Minnesota Racing Commission

### Rules as Proposed

#### 7870.0450 CONSTRUCTION, EXPANSION, EXTENSION, ALTERATION, OR REMODELING OF FACILITIES.

No Class A or B licensee may construct, expand, extend, alter, or remodel a racetrack facility at a cost in excess of \$10,000 \$20,000 without the approval of the commission. Failure to obtain approval is cause for revocation or suspension of a license or imposition of a fine.

#### 7870.0490 CARE OF HORSES.

A racetrack facility must provide the following facilities, equipment, and personnel for horses:

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

C. stabling and training facilities available at least ~~three~~ two weeks before the start of the first race meeting for a breed of horse in any year unless a different time period is determined by contract between the association and the horseperson's organization representing a majority of the horsepersons;

[For text of items D and E, see M.R.]

#### 7871.0070 INFORMATION WINDOW.

Each association shall provide at least one information or complaint window where complaints may be made by members of the public. Complaint forms must include the name, address, and telephone number of the complainant, the date and nature of the complaint, and the department or persons with whom the complaint was made. When a patron makes a complaint, the association shall forward a copy of the complaint along with the action or proposed action taken, if any, to the commission staff within 48 hours of the complaint. A current set of all Minnesota commission rules and all administrative rules of the state in which the host racetrack is located regarding pari-mutuel wagering shall be available for public inspection during racing hours at every such window.

#### 7871.0120 APPOINTMENT OF PRESIDING OFFICIAL.

Subpart 1. **Requirement.** All races on which pari-mutuel betting is conducted on televised racing days ~~must~~ may be presided over by an official of the commission appointed by the director of pari-mutuel racing.

[For text of subp 2, see M.R.]

**7871.0150 EMERGENCY PROCEDURES FOR THE TOTALIZATOR SYSTEMS WHEN POOLS ARE COMMINGLED.**

Subpart 1. **Interruption of the audio/visual satellite signal from the host racetrack.** In the event of an interruption of both the audio/visual audio and video satellite signal from the host racetrack, the guest track's mutuel manager must:

A. notify the host track of the loss of the signal;

B. notify the presiding official or designated commission representative of the interruption;

C. establish telephone linkup with the host track announcer to the PA system at the guest racetrack. The licensee may continue to accept wagering on the balance of the program and subsequent programs until the satellite downlink has been reestablished. In the event this telephone link cannot be established after the initial start-up audio or visual signal had been established, the licensee may continue to accept wagering for a period of two races. The guest track must inform the public of the interruption, order of finish, and winning payoffs by announcements made over the public address system until the signal has been reestablished. In the event that the initial audio or visual signal is not established, the guest track must make an announcement to the public and refund any advanced wagers, until the signals are established.

**Subp. 2. Computer interface interruption.**

A. In the event the guest totalizator system fails to transfer the data to the host system, the guest mutuel manager must notify either the host mutuel department or the host tote system representatives and the stewards designated commission representative of the problem and interruption. If necessary, the guest mutuel manager will make a request to the host track for additional time prior to the start of the race to allow for attempt a retransmission of the data or a manual merge before going official.

B. If a second the attempted retransfer of data transfer fails, host the tote system or mutuel representatives shall notify the stewards or the designated commission representative that the transfer has failed and that the pools must be merged manually. In the event of a manual merge:

[For text of subitems (1) to (3), see M.R.]

[For text of items C and D, see M.R.]

**Subp. 3. Complete totalizator system failure at the guest track.**

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

B. The host racetrack's mutuel manager and host tote representatives must be notified of the system failure and all wagers at the guest track on the race in which the system failure occurred, and all advance wagers shall be taken out of the pools at the host racetrack.

**Subp. 4. Complete totalizator system failure at the host racetrack.**

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

C. In the event that separate pools are calculated, the guest track must make an announcement to that effect. On-track winning payoffs must also be announced or displayed. The mutuel department and/or tote representative must submit to the commission reports supporting the separate calculated payoffs within 24 hours of the failure.

**Subp. 5. Notification and reporting.** In the event of an emergency in connection with the pari-mutuels and/or tote system covered in subparts 1 to 4 or in any situation not covered in subparts 1 to 4, the pari-mutuel representative from the association will notify the stewards or designated commission representative of the interruption as soon as possible and render a written report to the commission within 48 hours.

**7872.0100 APPLICATION FOR RACING DAYS.**

[For text of subs 1 to 6, see M.R.]

**Subp. 7. Variations to televised racing days within dates previously approved by commission.** The director of pari-mutuel racing may approve variations and changes in racing programs and host racetracks if requested by the licensee and if all provided that the changes meet the criteria in part 7872.0110, subpart 2, and that the association representative requesting the variations submit documentation of the variations to the director of pari-mutuel racing within 24 hours following the request.

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## Proposed Rules

### 7873.0120 PARI-MUTUEL BETTING.

Subpart 1. **Deficiencies.** In the event there is insufficient money available in a net pari-mutuel pool to return \$2.10 on each winning \$2 wager or \$1.05 on each winning \$1 wager, the association conducting the pari-mutuel betting shall pay the deficiency from its share the gross breakage amount of the pool pools involved in the race.

[For text of subp 2, see M.R.]

### 7873.0125 CALCULATION OF PAYOFFS.

[For text of subs 1 to 8, see M.R.]

**Subp. 9. Underpayments or overpayments.** In the event that an error occurs in the calculation of payoff amounts for pari-mutuel wagers which are cashed or entitled to be cashed and, as a result causes overpayments or underpayments to occur, the mutuel department will notify the commission and follow up the notification with the appropriate reports. Underpayments shall be moved to a special mutuel account the morning following the day on which the underpayment occurred. Effort must be made to notify the public of the underpayment. Unless a claim is filed, the underpayments will remain in the special mutuel account until such time that the meet or live racing season during which the underpayment occurred is due to be purged and will then be included as outs.

### 7873.0185 TRIFECTA.

[For text of subs 1 to 6, see M.R.]

Subp. 7. **Restrictions on trifecta races.** The restrictions in items A and B apply to trifecta races.

A. Coupled or uncoupled entries and mutuel fields are prohibited from starting in trifecta races.

B. If fewer than eight horses are declared starters, trifecta wagering shall be canceled and all trifecta wagers shall be refunded. At least eight betting interests must remain after scratch time. However, should a scratch occur after the horses leave the paddock, trifecta wagering shall be allowed. In no event shall trifecta wagering be allowed on a race with fewer than seven betting interests and all trifecta wagering must be refunded. If time permits, the association may schedule exacta wagering in place of trifecta wagering.

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

### 7873.0186 TWIN TRIFECTA.

[For text of subs 1 to 8, see M.R.]

Subp. 9. **Restrictions on twin trifecta races.** The restrictions in items A and B apply to twin trifecta races.

A. Coupled or uncoupled entries and mutuel fields are prohibited from starting in twin All restrictions on trifecta races apply.

B. If fewer than ~~eight~~ seven horses are declared starters for the first race of the twin trifecta, twin trifecta wagering shall be canceled for that day and all twin trifecta wagers shall be refunded. However, any accumulated second race twin trifecta carryover will not be affected and will carry over to the next consecutive race day. In the event this occurs on the final program, the accumulated net pool of the second twin trifecta race will be deposited in a trust account by the association, and the pool, as well as all accrued interest, shall be carried over and included in the second race twin trifecta net pool for the next consecutive racing date as an additional net amount to be distributed.

If fewer than ~~eight~~ seven horses are declared starters for the second race of the twin trifecta, all holders of exchange tickets to the second race of the twin trifecta will share equally in that part of the second race net pool added in that day. The amount carried over from previous days will not be distributed and will be carried over to the next consecutive race day. In the event this occurs on the final program, the accumulated net pool of the second twin trifecta race will be deposited in a trust account by the association, and the pool, as well as all accrued interest, shall be carried over and included in the second race twin trifecta net pool for the next consecutive racing date as an additional net amount to be distributed.

[For text of subp 10, see M.R.]

### 7873.0192 SUPER-TRI WAGERING AND POOLS.

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

Subp. 5. **Scratches.**

A. If fewer than ~~eight~~ seven horses are declared starters for the first race of the super-tri, super-tri wagering shall be canceled for that day and all super-tri wagers shall be refunded. However, any accumulated second race super-tri carryover will not be affected and will carry over to the next consecutive race day.

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## Proposed Rules

If fewer than ~~eight~~ seven horses are declared starters for the second race of the super-tri, all holders of exchange tickets to the second race of the super-tri will share equally in that part of the second race net pool added in that day. The amount carried over from previous days will not be distributed and will be carried over to the next consecutive race day.

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

[For text of subps 6 to 8, see M.R.]

### Subp. 9. Restrictions on super-tri races.

A. ~~Coupled or uncoupled entries and mutuel fields are prohibited from starting in~~ All restrictions on super-tri races shall apply.

B. If fewer than ~~eight~~ seven horses are declared starters for the first race of the super-tri, super-tri wagering shall be canceled for that day and all super-tri wagers shall be refunded. However, any accumulated second race super-tri carryover will not be affected and will carryover to the next consecutive race day, including mandatory distribution days. In the event this occurs on the final program, the accumulated net pool of the second race super-tri race will be deposited in a trust account by the association, and the pool, as well as all accrued interest, shall be carried over and included in the second race super-tri net pool for the next consecutive racing date as an additional net amount to be distributed.

If fewer than ~~eight~~ seven horses are declared starters for the second race of the super-tri, all holders of exchange tickets to the second race of the super-tri will share equally in that part of the second race net pool added on that day. The amount carried over from previous days will not be distributed and will be carried over to the next consecutive race day, including mandatory distribution days. In the event this occurs on the final program, the accumulated net pool of the second super-tri race will be deposited in a trust account by the association, and the pool, as well as all accrued interest, shall be carried over and included in the second race super-tri net pool for the next consecutive racing date as an additional net amount to be distributed.

[For text of subp 10, see M.R.]

### 7873.0230 INFORMATION WINDOW.

Each association shall provide at least one information or complaint window where complaints may be made by members of the public. Complaint forms must include the name, address, and telephone number of the complainant, the date and nature of the complaint, and the department or persons with whom the complaint was made. When a patron makes a complaint, the association shall forward a copy of the complaint along with the action or proposed action taken, if any, to the commission staff within 48 hours of the complaint. A current set of all commission rules regarding the conduct of pari-mutuel wagering shall be available for public inspection during racing hours at every such window.

### 7874.0100 GENERAL PROVISIONS.

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

Subp. 3. **Payment of unredeemed tickets.** After reporting to the commission, pursuant to *Minnesota Statutes*, section 240.13, and not later than 100 days after the end of a race meeting, a Class B licensee must remit to the commission an amount equal to the total value of unredeemed tickets from the race meeting in the same manner as in subpart 2. Within ten days after the end of a race meeting, excluding Saturdays, Sundays, and holidays, a Class D licensee must remit to the commission an amount equal to the value of unredeemed tickets from the race meeting.

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

### 7877.0120 FEES.

Subpart 1. **License fees.** ~~Effective January 1, 1993,~~ Each application for a Class C license, or its renewal, shall be accompanied by the payment of an annual fee according to the following schedule:

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

P. owner, multiple, corporate, partnership, or stable, \$35;

[For text of items Q to Z, see M.R.]

AA. association staff, permanent, \$35; ~~and~~

BB. ~~stables,~~ \$50 owner/trainer/driver, \$25; ~~and~~

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## Proposed Rules

CC. with the exception of owner/trainer/driver, all applicants to participate at a Class D licensed facility, \$10.

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

### 7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.

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

Subp. 2. **Multiple owners.** Applicants for a multiple owner's license must comply with subpart 1 and the following requirements.

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

H. A stable is defined as any ownership operating under a name other than their own name and must be registered with the commission by filing an application on a form prescribed by the commission. No person may use the real name of another owner of race horses as a stable name. A stable name which has already been registered may not be registered by another owner. The granting of a stable name registration by the commission shall not relieve any person from the obligation to file or register a fictitious name as provided by the laws of Minnesota. The registration of a stable name must reflect all actual ownership interests.

[For text of subs 3 to 16, see M.R.]

### 7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

Subpart 1. **Owners.** Horse owners shall have the following responsibilities:

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

E. A stable name is defined as any ownership operating under the terms farm, stable, or ranch or any individual operating under a name other than its own name and must be registered with the commission by filing an application on a form prescribed by the commission and paying a \$50 annual fee. No person may use the real name of another owner of race horses as a stable name. A stable name which has already been registered may not be registered by another owner.

(1) The granting of a stable name registration by the commission shall not relieve any person from the obligation to file or register a fictitious name as provided by the laws of Minnesota.

(2) An application to register a stable name shall disclose the real names of all interests participating in the stable and the percentage of ownership interest of each, including the interest owned by any corporation, general partnership, limited partnership, trust, estate, or individual.

(3) A stable name may be changed at any time by registering a new stable name and by paying the \$50 annual fee. A stable name may be abandoned by giving written notice to the commission. Any change of five percent or more in ownership of a stable registered under a stable name shall be immediately reported to the commission.

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

Subp. 7. **Jockey's agent.** A jockey's agent shall keep a written record of all engagements made for jockeys he or she represents. The record shall be accurate and up-to-date, and shall be available at all times for inspection by the stewards.

A jockey's No jockey agent shall give no be permitted to contract riding engagements for more than two calls per race for any jockeys and one apprentice jockey represented. Any No agent arranging may arrange more than two calls for a jockey in any race and shall designate one of the engagements as a first call and the other as a second call.

A jockey's agent shall be in the racing secretary's office, or shall check-in with the racing secretary's office, at scratch time to confirm a jockey's commitments for the day's program.

A jockey's agent shall notify the stewards in writing if he or she no longer intends to serve as agent for any jockey. When so notifying the stewards, the agent also shall turn over to the stewards a list of any unfulfilled engagements that he or she has made for the jockey.

[For text of subs 8 to 10, see M.R.]

### 7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

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

Subp. 3. **Starter.** The starter shall have primary supervision over horses entered in any race from the moment they leave the paddock until the time that the start is effected.

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

D. The following starter's duties and responsibilities are applicable only to thoroughbred or quarter horse racing:

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## Proposed Rules

(1) The starter shall ~~cause all horses to be loaded in order of post position, except for unruly horses, which may be loaded out of order with the consent of the stewards~~ shall determine the procedures for loading horses into the starting gate.

[For text of subitems (2) to (6), see M.R.]

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

Subp. 8. **Commission veterinarian.** The commission veterinarian shall maintain a list of the following:

- A. horses that are scratched because of illness or injury;
- B. horses that are pulled up because of lameness or other injury during a race;
- C. horses that are bleeders, pursuant to part 7890.0140, subpart 1; and
- D. horses otherwise considered unfit to race in the professional judgment of the commission veterinarian or the association veterinarian.

The veterinarian's list shall be posted in the racing secretary's office, and any horse whose name is on the list shall be ineligible to ~~enter start in~~ a race for five calendar days, or until the commission veterinarian or association veterinarian removes it from the list, whichever is later. For purposes of this subpart, the five-day period during which a horse is ineligible to ~~enter start~~ begins to run on the first day the horse is placed on the list. The veterinarian's list is binding on all racetracks under the jurisdiction of the commission.

The commission veterinarian shall conduct racing soundness examinations pursuant to part 7891.0100. If the veterinarian finds that any horse is unfit to race he or she shall notify the stewards immediately.

The commission veterinarian shall supervise the operation of a barn for the detention and testing of horses after each race pursuant to chapter 7890.

The commission veterinarian shall have the authority to draw blood from any horse or pony on the grounds of an association for the purpose of conducting an Agar-Gel immunodiffusion (Coggins) test, and shall supervise the removal from the racetrack of any horse or pony having positive Coggins test results.

In the event of a veterinary emergency where the owner's veterinarian is not on racetrack grounds, the commission veterinarian or association veterinarian may administer emergency treatment on the request of the owner or the owner's agent. In such cases the owner is responsible for any costs incurred.

[For text of subps 8a to 15, see M.R.]

### 7878.0100 DEFINITIONS.

[For text of subps 1 to 8, see M.R.]

Subp. 9. **First aid course.** "First aid course" means the Red Cross ~~Multimedia Course (Basic)~~ or American Heart Association basic course.

[For text of subps 10 and 11, see M.R.]

### 7878.0110 MINIMUM SELECTION STANDARDS.

Subpart 1. **Applicant must meet selection standards.** A person eligible to be licensed by the commission as a security officer must be an employee of a Class A, B, or D licensee and shall meet the following minimum selection standards prior to being appointed a security officer. The appointing authority may certify that the applicant has already completed certain of these standards and provide documentation to that effect pursuant to subpart 2. In all cases, the security officer must:

- A. be a citizen of the United States;
- B. complete a comprehensive written Minnesota racing commission license application;
- C. submit to a thorough background search by the BCA to disclose the existence of any criminal record or conduct which would adversely affect the performance of the security officer's duties;
- D. not have been convicted of a felony in Minnesota (or in any other state or federal jurisdiction which would have been a felony if committed in Minnesota), or criminal theft, or a pari-mutuel horse racing or gambling crime;

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## Proposed Rules

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E. provide fingerprint cards to the commission;

F. undergo a thorough medical examination conducted by a licensed physician to determine that the individual is free from any physical defect which might adversely affect his or her performance as a security officer; and

G. ~~undergo an evaluation made by a licensed psychologist to determine that the individual is free from any emotional or mental condition that might adversely affect his or her performance as a security officer; and~~

H. pass an oral examination conducted by the appointing authority to demonstrate the existence of communication skills necessary to perform the duties and functions of a security officer.

[For text of subp 2, see M.R.]

### 7878.0130 BASIC COURSE.

Subpart 1. **Applicant shall successfully complete basic course.** No security officer may be licensed unless the officer or his or her appointing authority furnishes proof to the commission that the prospective licensee has successfully completed a basic course which includes at least ~~40~~ 16 hours of instruction in the following subject areas:

A. Minnesota criminal statutes;

B. Minnesota horse racing statutes;

C. criminal procedure;

D. rights of individuals (constitutional law);

E. ~~human behavior~~ Minnesota Racing Commission rules;

F. security operations and procedures;

G. first aid;

H. cardio pulmonary resuscitation (CPR); and

I. ~~defense tactics~~;

J. ~~report writing~~; and

K. ~~testifying~~.

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

### 7879.0100 QUALIFICATIONS AND APPOINTMENT OF STEWARDS.

Subpart 1. **Qualifications for stewards.** No person may qualify for commission appointment or approval as a steward unless:

A. he or she has served as a steward, director of racing, racing secretary, assistant racing secretary, starter, placing judge, patrol judge, paddock judge, identifier, clerk of scales, or other racing officials' position at one or more recognized race meetings for a period of not less than 60 days per year during at least three of the five preceding calendar years or has had at least five years experience as a trainer or a jockey. In the case of racing at a Class B facility, other than in an emergency situation, all candidates must ~~have completed the course work for accreditation as a steward at a steward accreditation program approved by~~ formally accredited by the Association of Racing Commissioners International;

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

Subp. 2. **Appointment and approval of stewards.** The following procedures must be observed in the appointment of stewards:

A. There shall be three stewards for each race meeting, at least two of whom shall be appointed by the commission. The third steward may be nominated by the association for approval by the commission ~~if the commission determines that nomination by the association will be in the best interests of racing.~~

The commission must notify the association if it will accept an association's nomination for a steward. The name of the association nominee for steward must be submitted no later than 30 days before commencement of a race meeting and must be accompanied by biographical data setting forth the experience and qualifications of the nominee. No steward may serve until approved by the commission.

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

**7883.0100 ENTRIES AND SUBSCRIPTIONS.**

[For text of subs 1 to 6, see M.R.]

Subp. 7. **Coupled entries.** Except in stakes races and races which are conditioned for horses eligible for specified stakes, not more than two horses of the same licensed ownership or interest shall be entered and started in a race.

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

C. All horses owned wholly or in part by the same person, or his or her spouse, ~~or trained by the same trainer,~~ shall be coupled and run as an entry.

~~D. Notwithstanding items A to D, where two or more horses are coupled as an entry only for the reason that the horses are trained by the same trainer, the association may run those horses as separate interests.~~

[For text of subs 8 to 15a, see M.R.]

Subp. 16. **Workout requirements.** In order to be eligible:

A. A horse which has not started for a period of 30 days or more shall not be eligible to be entered start until it has completed one timed workout no less than 48 hours prior to the day of entry race in which it is entered. Any day of entry workout following the entry of a horse shall appear on the official daily racing program or shall be posted for the public.

B. A horse which has not started for a period of 60 days or more shall not be eligible to be entered start until it has completed two timed workouts no less than 48 hours prior to the day of entry race in which it is entered.

C. First-time starters must have gate approval and a minimum of two timed workouts, one of which must be out of the gate within 60 days prior to the day of entry race in which it is entered.

D. A horse, other than a first-time starter, which has not started for a period of one year or more shall not be eligible to be entered start until it has completed three timed workouts, at least one of which must be before the commission veterinarian or the association veterinarian not less than 72 hours prior to the race in which it is entered.

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

[For text of subs 17 and 18, see M.R.]

**7883.0130 PENALTIES AND ALLOWANCES.**

Subpart 1. **Determining penalties and allowances.** Penalties and allowances shall be determined as follows.

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

E. Eligibility, penalties, and allowances of weight for all races will be determined from the reports, records, and statistics published by the Daily Racing Form, Equibase, or furnished by the Arabian Jockey Club (Colorado), and from information contained on Jockey Club (Lexington) foal certificates, and from certificates issued by the American Quarter Horse Association (AQHA), and the Arabian Horse Registry of America, Inc. (AHRA). Information contained on these certificates that is not published by the Daily Racing Form, or certified by the AQHA, or certified by the Arabian Jockey Club (AJC), will not be considered. Responsibility for weight carried and eligibility still remains with the owner and trainer as provided in part 7883.0100, subpart 15.

[For text of items F and G, see M.R.]

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

**7883.0140 CLAIMING RACES.**

[For text of subs 1 to 6, see M.R.]

Subp. 7. **Invalid claims.** A claim is invalid if:

A. the name of the horse to be claimed is erroneously spelled or is not specified in the space provided on the claim form;

B. the claimant does not have at least the amount of the claim and any applicable ~~state sales~~ tax on deposit or credited with the horsepersons' bookkeeper;

C. the claim form does not specify the designated price as printed in the program, or is not signed, or does not fully indicate the name of the party making the claim, or is otherwise incorrectly completed; or

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## Proposed Rules

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D. the claim envelope is inaccurate.

[For text of subs 8 to 20, see M.R.]

Subp. 21. [See repealer.]

[For text of subs 22 to 30, see M.R.]

### 7883.0160 POST TO FINISH.

[For text of subs 1 to 5, see M.R.]

Subp. 6. **Interference and willful fouling.** The following rules shall apply with respect to the running of a race.

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

C. During a race no jockey shall willfully strike or touch another jockey or another jockey's horse or equipment for the purpose of interfering with that horse or jockey, nor shall a jockey strike his or her horse on or about the head area. A jockey shall use a whip in a manner consistent with using his or her best efforts to win. This does not mean that a jockey must use the whip indiscriminately. Jockeys are prohibited from whipping a horse:

- (1) on the head, flanks, or on any part of its body other than the shoulders or hind quarters;
- (2) during the post parade except when necessary to control the horse;
- (3) excessively or brutally causing welts or breaks in the skin;
- (4) when the horse is clearly out of the race or has obtained its maximum placing; or
- (5) persistently even though the horse is showing no response under the whip; or
- (6) after the race.

Correct uses of the whip are:

- (a) showing horses the whip before hitting them;
- (b) using the whip in rhythm with the horse's stride; and
- (c) using the whip as an aid to maintain a horse running straight.

[For text of items D and E, see M.R.]

Subp. 7. **Determination of disqualifications.** The stewards are vested with sole and complete power and authority to determine when a disqualification is proper, its extent, and whether it applies to any other part of an entry. Their decision shall be final.

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

C. In the event of a disqualification, the stewards, at the request of the owner of the disqualified horse, shall review the race with that owner within 72 hours of the race.

[For text of subs 8 to 14, see M.R.]

### 7890.0140 BLEEDERS.

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

Subp. 3. **Bleeders imported from other jurisdictions.** A horse shipped into Minnesota from another jurisdiction ~~may shall~~ be considered a bleeder allowed to race on Lasix® provided ~~that the jurisdiction from which it was shipped certified the horse as a bleeder it raced on Lasix® in its last start,~~ and documentation to that effect is ~~transmitted~~ submitted to and accepted by the commission veterinarian at the Minnesota racetrack to which it is shipped; and ~~the that this~~ transmission occurs prior to the initial entry of the horse into a race at the current race meeting.

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

Subp. 5. **Restrictions on confirmed bleeders.** Confirmed bleeders shall be subject to the following restrictions:

A. For the first observed bleeding in Minnesota, the horse shall be placed on the bleeder list and the veterinarian's list and shall not be removed from the veterinarian's list without the approval of the commission veterinarian. Such a horse shall be ineligible to race for at least ~~46~~ 12 days following the observed bleeding.

B. When a horse has been observed bleeding for the second time in Minnesota, the horse shall be placed on the veterinarian's list and shall not be removed from the list without the approval of the commission veterinarian. Such a horse shall be ineligible to race for at least ~~30~~ 21 days following the observed bleeding.

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

[For text of subps 6 to 10, see M.R.]

**7892.0120 TAKING OF SAMPLES.****Subpart 1. Horses tested.**

A. Blood and/or urine test samples shall be taken from at least two horses, one of which must be the winning horse in every race ~~and horses finishing second in races with quinella or exacta wagering.~~

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

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

**7895.0110 THOROUGHBRED BREEDERS' FUND.**

**Subpart 1. Definitions.** For purposes of this part, the following terms have the meaning given them unless another intention clearly appears.

A. "Minnesota-foaled" or "Minnesota-bred" means a horse foaled in Minnesota by a Minnesota registered broodmare.

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

[For text of subps 2 to 8, see M.R.]

**7895.0125 THOROUGHBRED REGISTRATION.**

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

**Subp. 3. Foal registration and certification.** For a horse foaled by a Minnesota registered broodmare in Minnesota to be registered and subsequently certified as a Minnesota-bred, the following requirements must be met:

A. Within 30 days of the date a horse is foaled in Minnesota, the foal must be registered with the racing commission or official registering agency. The registration form must contain the following information: the date, the name of the owner of the foaling dam, the jockey club registration number of the foaling broodmare, the date that the foal was born, an owner's statement that the foal was born in Minnesota, and the signature and veterinary license number of the veterinarian submitting the report. Failure to submit the veterinarian's report will disqualify any subsequent claim to register the foal as Minnesota-bred.

[For text of items B to E, see M.R.]

**REPEALER.** Minnesota Rules, part 7883.0140, subpart 21, is repealed.

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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.

## Department of Human Services

### Adopted Permanent Rules Relating to Homemaker Services

The rules proposed and published at *State Register*, Volume 20, Number 23, pages 1262-1263, December 4, 1995 (20 SR 1262), are adopted as proposed.

## Department of Natural Resources

### Adopted Exempt Rules Relating to Designated Experimental Waters and Designated Special Management Waters

#### Rules as Adopted

#### 6264.0300 DESIGNATED EXPERIMENTAL WATERS.

Subpart 1. **General provisions.** While on or fishing on in designated experimental waters, all fish for which size restrictions apply must be intact and measurable, regardless of where taken. Length of fish is determined by measuring from the tip of the nose to the tip of the tail when fully extended. Where possession of fish taken from a designated experimental water is restricted, possession includes personal possession and possession in a vehicle.

[For text of subps 2 to 13, see M.R.]

Subp. 14. **Stieger Lake experimental regulations.** ~~Stieger Lake is closed at all times to the possession of largemouth bass, muskellunge, northern pike, and walleye. All largemouth bass, muskellunge, northern pike, and walleye must be returned to the water immediately. While on or fishing in Stieger Lake, angling for largemouth bass, muskellunge, northern pike, and walleye shall be limited to catch and release only, whereby any largemouth bass, muskellunge, northern pike, or walleye caught must be immediately returned to the water. Catch and release angling for largemouth bass, muskellunge, northern pike, and walleye shall be legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass, muskellunge, northern pike, or walleye while on or fishing in Stieger Lake.~~ Spearing is prohibited from December 1 through February 15.

Name	Location	County	End Date
Stieger	T.116, R.24, S.11,12,13,14	Carver	<del>3/1/1996</del> <u>3/1/2003</u>

Subp. 15. **Waconia Lake experimental regulations.** All walleye in possession while on or fishing in Waconia Lake must be 16 inches or greater in length. Walleye less than 16 inches must be returned to the water immediately. All largemouth bass in possession while on or fishing in Waconia Lake must be less than 17 inches in length or greater than 21 inches in length. All largemouth bass which are 17 to 21 inches in length, inclusive, must be returned to the water immediately. A person's possession limit may not include more than one largemouth bass in possession may be over 21 inches in length.

Name	Location	County	End Date
Waconia	T.116, R.24,25, S.Various	Carver	<del>3/1/1996</del> <u>3/1/2003</u>

[For text of subps 16 to 24, see M.R.]

Subp. 25. **Catch and release fishing on trout streams.** While on or fishing on in the following waters, ~~all trout must be immediately returned to the water. All legal methods of taking trout are allowed, except that barbed hooks are prohibited. A hook from which the barb has been removed by crimping or filing is allowed.~~ angling for trout shall be limited to catch and release only, whereby any trout caught must be immediately returned to the water. Catch and release angling for trout shall be legal during the open season for trout in inland streams. It is unlawful for anyone to have in possession, regardless of where taken, any trout while on or fishing in the following waters.

Name	Location	County	End Date
A. Middle Branch Whitewater R.	T.107, R.11, S.35 and T.106, R.11, S.2,3,10, from the posted boundary at the point where a tributary enters the stream from the west in the NW 1/4 NE 1/4, S.35 of T.107, R.11 upstream approximately 3.3 miles to the source in the SW 1/4 NE 1/4, S.10 of T.106, R.11	Olmsted	<del>3/1/1996</del> <u>3/1/2000</u>
B. Hay Cr.	T.112, R.15, S.23, 24,26, <del>27</del> from the posted boundary at the point where Hay Creek crosses the SW 1/4 SE 1/4 section line of S.24 upstream approximately <del>3.9</del> <u>2.4</u> miles to the posted boundary in the <del>SW 1/4 SE 1/4, S.27</del> <u>NW 1/4 NE 1/4, S.26</u>	Goodhue	<del>3/1/1996</del> <u>3/1/2000</u>

[For text of subps 26 to 35, see M.R.]

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## Adopted Rules

**Subp. 36. Bear Creek Reservoir experimental regulations.** All largemouth bass in possession while on or fishing in Bear Creek Reservoir must be 15 inches or greater in length. All largemouth bass less than 15 inches must be returned to the water immediately.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
Bear Creek Reservoir	T.106, R.12, S.17	Olmsted	3/1/2001

**Subp. 37. Northern pike maximum size limits.** All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length. All northern pike 24 inches or greater must be returned to the water immediately.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
A. Big Birch	T.126,127, R.32,33, S. Various	Todd, Stearns	3/1/2006
B. Melissa	T.138, R.41, Various	Becker	3/1/2006
C. Sallie	T.138, R.41, Various	Becker	3/1/2006

**Subp. 38. Big Stone Lake experimental regulations.** All walleye in possession while on or fishing in Big Stone Lake must be 14 inches or greater in length. All walleye less than 14 inches must be returned to the water immediately.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
Big Stone	T.121-124, R.46- 49 S. Various	Big Stone	3/1/2004

**Subp. 39. Lac qui Parle Lake Experimental regulations.** All walleye in possession while on or fishing in Lac qui Parle Lake must be 15 inches or greater in length. All walleye less than 15 inches must be returned to the water immediately.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
Lac qui Parle Lake	T.118-120, R.41,42,43 S. Various upstream to Marsh Lake Dam, including the Watson Sag (Chippewa River Diversion) upstream to the diversion dam	Lac qui Parle Chippewa	3/1/2004

**Subp. 40. Boys Lake experimental regulations.** All trout in possession must be 14 inches or greater in length while on or fishing in Boys Lake. All trout less than 14 inches must be returned to the water immediately. The possession limit on Boys Lake is two trout. While on or fishing in Boys Lake, only artificial lures and flies with single hooks may be used. No bait may be used or possessed while fishing in Boys Lake. Boys Lake is closed to winter fishing.

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**Adopted Rules**

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>Boys Lake</u>	<u>T.62, R.2, S.5.8</u>	<u>Cook</u>	<u>3/1/2004</u>

Subp. 41. Farm Island Lake experimental regulations. All walleye in possession while on or fishing in Farm Island Lake must be less than 16 inches or greater than 19 inches in length. All walleye which are 16 to 19 inches in length, inclusive, must be returned to the water immediately.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>Farm Island</u>	<u>T.45.46, R.27 Various</u>	<u>Aitkin</u>	<u>3/1/2004</u>

Subp. 42. Smallmouth bass maximum size limits. All smallmouth bass in possession while on or fishing in the following waters must be less than 11 inches in length. All smallmouth bass 11 inches or greater must be returned to the water immediately.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>A. Flour</u>	<u>T.64, R.1W, S.1.2,11,12; R.1E, S.5.6</u>	<u>Cook</u>	<u>3/1/2004</u>
<u>B. Hungry Jack</u>	<u>T.64.65, R.1 S.2-4.35</u>	<u>Cook</u>	<u>3/1/2004</u>
<u>C. Two Island</u>	<u>T.62, R.1, S.3-5.8,9</u>	<u>Cook</u>	<u>3/1/2004</u>

Subp. 43. Lake of the Woods experimental regulations. The possession limit for northern pike taken from the following waters is three. All northern pike in possession while on or fishing in the following waters must be less than 30 inches or greater than 40 inches in length. All northern pike which are 30 to 40 inches, inclusive, must be returned to the water immediately. A person's possession limit may not include more than one northern pike greater than 40 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>A. Lake of the Woods</u>	<u>T.162-168, R.32-37 S. Various</u>	<u>Lake of the Woods</u>	<u>3/1/2006</u>
<u>B. Rainy River</u>	<u>T.162, R.31, S.19 from the U.S. Coast Guard lighthouse at Wheeler's Point upstream to the Koochiching County line in T.160, R.30,</u>	<u>Lake of</u>	

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## Adopted Rules

<u>S.12</u>	<u>the Woods</u>	<u>3/1/2006</u>	
<u>C. Winter Road River</u>	<u>T.161, R.31, S.20 upstream to the headwaters</u>	<u>Lake of the Woods</u>	<u>3/1/2006</u>
<u>D. Baudette River</u>	<u>T.161, R.31, S.35 upstream to the headwaters</u>	<u>Lake of the Woods</u>	<u>3/1/2006</u>
<u>E. Warroad River</u>	<u>T.163, R.36, S.28 upstream to the headwaters</u>	<u>Roseau</u>	<u>3/1/2006</u>

**Subp. 44. Moccasin Lake experimental regulations.** While on or fishing in Moccasin Lake, angling for largemouth bass shall be limited to catch and release only, whereby any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass shall be legal during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass while on or fishing in Moccasin Lake.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>Moccasin Lake</u>	<u>T.141, R.29, S.28,32,33</u>	<u>Cass</u>	<u>3/1/2003</u>

**Subp. 45. Moose Lake experimental regulations.** All largemouth bass in possession while on or fishing in Moose Lake must be less than 12 inches in length. All largemouth bass 12 inches and greater must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>Moose Lake</u>	<u>T.128, R.32, S.15,22</u>	<u>Todd</u>	<u>3/1/2005</u>

**Subp. 46. Portage Lake experimental regulations.** While on or fishing in Portage Lake, angling for largemouth bass and smallmouth bass shall be limited to catch and release only, whereby any largemouth or smallmouth bass caught must be immediately returned to the water. Catch and release angling for largemouth and smallmouth bass shall be legal during the open season for largemouth and smallmouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth or smallmouth bass while being on or fishing in Portage Lake.

<u>Name</u>	<u>Location</u>	<u>County</u>	<u>End Date</u>
<u>Portage Lake</u>	<u>T.141, R.31, S.23-26</u>	<u>Cass</u>	<u>3/1/2003</u>

### **6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.**

**Subpart 1. General provisions.** While on or fishing in designated special management waters, all fish for which size restrictions apply must be intact and measurable, regardless of where taken. Length of fish is determined by measuring from the tip of the nose to the top of the tail when fully extended. Where possession of fish is restricted, possession includes personal possession and possession in a vehicle.

**Subp. 2. Hay Creek special management regulations.** While on or fishing in Hay Creek, angling for trout shall be limited to catch and release only, whereby any trout caught must be immediately returned to the water. Catch and release angling for trout shall be legal during the open season for trout in inland streams. It is unlawful for anyone to have in possession, regardless of where taken, any trout while on or fishing in Hay Creek. All legal methods of taking trout are allowed, except that barbed hooks are prohibited. A hook from which the barb has been removed by crimping or filing is allowed.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Hay Creek</u>	<u>T.112, R.15, S.26,27, from the posted boundary in the NW 1/4 NE 1/4, S.26 upstream approximately 1.8 miles to the posted boundary in the SW 1/4 SE 1/4 S.27</u>	<u>Goodhue</u>

Subp. 3. Winter trout stream season. The following waters are open to angling during a winter trout season from January 1 through March 31. The following restrictions apply to the winter season. While on or fishing in the following waters, angling for trout shall be limited to catch and release only, whereby any trout caught must be immediately returned to the water. It is unlawful for anyone to have in possession, regardless of where taken, any trout while on or fishing in the following waters. All legal methods of taking trout are allowed, except that barbed hooks are prohibited. A hook from which the barb has been removed by crimping or filing is allowed.

	<u>Name</u>	<u>Location</u>	<u>County</u>
A.	<u>Middle Branch Whitewater River</u>	<u>T.107, R.10, S.9, 16,17,20, from the upstream side of State Highway 74 bridge in the SW 1/4 SE 1/4, S.9 upstream approximately 2.9 miles to the confluence with Trout Run, SE 1/4 SE 1/4, S.20</u>	<u>Winona</u>
B.	<u>South Branch Whitewater River</u>	<u>T.107, R.10, S.3,10,11, 14, from the confluence with the Whitewater River in the SW 1/4 SE 1/4, S.3 upstream approximately 2.0 miles to the downstream side of Winona County Highway 37 bridge in the NW 1/4 NE 1/4, S.14</u>	<u>Winona</u>
C.	<u>Beaver Creek</u>	<u>T.108, R.10, S.19,20, 21, and T.108, R.11, S.24, from the Whitewater Wildlife Management Area Sanctuary boundary at the north section line of S.21 to T.108, R.10 upstream approximately 3.9 miles to the source in the NE 1/4 NW 1/4, S.24 of T.108, R.11</u>	<u>Winona, Wabasha</u>
D.	<u>Hay Creek</u>	<u>T.112, R.15, S.23,24,26,27,</u>	

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

## Adopted Rules

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from the posted boundary at the point where Hay Creek crosses the SW 1/4 SE 1/4 section line of S.24 upstream approximately 4.2 miles to the posted boundary in the SW 1/4 SE 1/4, S.27

Goodhue

**Subp. 4. Mille Lacs Lake special management regulations.** While on or fishing in Mille Lacs Lake, a person's possession limit may not include more than one walleye over 20 inches in length. Mille Lacs Lake is closed to the taking of fish between the hours of 10 p.m. and 6 a.m. daily during the period commencing at 10 p.m. on the Monday following the Saturday two weeks prior to the Saturday of Memorial Day weekend and ending at 12:01 a.m. on Monday, four weeks after the date of commencement. During the above referenced closure, no person shall be on the waters of Mille Lacs Lake while having in possession any equipment whereby fish may be taken. Spearing is prohibited from December 1 through April 30. A person may not have a spear in possession while on or fishing in Mille Lacs Lake during this period.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Mille Lacs</u>	<u>T.42-45, R.25-28, S. Various</u>	<u>Aitkin, Mille Lacs</u>

**Subp. 5. Trout minimum length limits.** All trout in possession while on or fishing in the following waters must be 18 inches or greater in length. All trout less than 18 inches in length must be returned to the water immediately. The possession limit on the following waters is one trout. While on or fishing in the following waters, only artificial lures and flies with single hooks may be used. No bait may be used or possessed while fishing on the following waters. The following waters are closed to winter fishing.

	<u>Name</u>	<u>Location</u>	<u>County</u>
A.	<u>Thrush</u>	<u>T.63, R.1W, S.31</u>	<u>Cook</u>
B.	<u>Turnip</u>	<u>T.64, R.1E, S.24</u>	<u>Cook</u>

Pursuant to the provisions of Minnesota Statutes §14.101, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

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### Department of Administration and Department of Agriculture Notice of Sale of Public Property

The Minnesota Departments of Administration and Agriculture intend to sell state-owned agricultural property in Martin County. Refer to the following advertisement to be placed in newspapers in the area:

#### Notice of Farm Land For Sale

The Commissioner of Administration and the Minnesota Department of Agriculture offer for sale by sealed bids approximately 154 acres (more or less) of land located in Sections 13 and 14, Township 103 N, Range 29 W, in Martin County.

The parcel will be sold on the basis of highest bid which meets all bid requirements, but not for less than the minimum bid of \$238,500. All bids must be received by 1:30 p.m., March 12 1996 at the Department of Administration, Real Estate Management Division; Room 309; 50 Sherburne Avenue; St. Paul, MN 55155.

Bids will be opened at 2:00 p.m. on March 12, 1996, at the Department of Administration (address listed above).

For bid information, forms, envelopes and legal description, contact Wayne Waslaski at the Department of Administration (address listed above) or call at (612) 296-2278. The terms and conditions of the sale will be included with the bid information.

### Environmental Quality Board

#### Opinions Sought on Planned Amendment to Rule Governing the Environmental Review Program, *Minnesota Rules*, parts 4410.0200 to 4410.7500

**Subject of Rule.** The Environmental Quality Board requests comments on its planned amendment to the rule governing environmental review. The board is considering rule amendments that clarify and update various provisions of the existing rule, and that adjust certain mandatory Environmental Assessment Worksheet, Environmental Impact Statement, and Exemption thresholds. The amendments planned are modifications of amendments which were published in the *State Register* on 10 April 1995 (Volume 19, pages 2067 to 2084) but which were later withdrawn.

**Persons Affected.** The amendment of the rule would likely affect state agencies and local units of government that are responsible for preparing environmental review documents; persons, businesses and other organizations that undertake the development of projects that cause manipulation of the physical environment; and citizens and organizations concerned about the environmental impacts of development projects.

**Statutory Authority.** *Minnesota Statutes*, sections 116D.04 and 116D.045 authorize the board to adopt rules for the operation of the environmental review program.

**Public Comment.** Interested persons or groups may submit comments or information on this planned rule amendment in writing or orally until 4:30 p.m. on April 1, 1996. The board does not anticipate that a draft of the rule amendment will be available before publication of the proposed amendment; however, the planned amendment will be similar, except as modified, to the amendment published in the *State Register* on April 10, 1995.

Written or oral comments, questions, and requests for more information on this planned rule should be addressed to:

Gregg Downing, Environmental Review Coordinator  
Environmental Quality Board  
300 Centennial Building, 658 Cedar Street  
St. Paul, MN 55155  
(612) 296-8253  
FAX: (612) 296-3698.

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule amendment is started.

Charles W. Williams  
Chair

## Environmental Quality Board

### Opinions Sought on Planned Rules Governing Application for a Site Permit for Large Wind Energy Conversion System

**Subject of Rule.** The Environmental Quality Board requests comments on its planned rules governing the review of site permit applications for Large Wind Energy Conversion Systems. A Large Wind Energy Conversion System or LWECS means any combination of wind energy conversion systems with a combined nameplate capacity of 5,000 kilowatts or more. The rules will address the following: (1) criteria that the board shall use to designate LWECS sites, which must include the impact of LWECS on humans and the environment; (2) procedures that the board will follow in acting on an application for a LWECS; (3) procedures for notification to the public of the application and for the conduct of a public information meeting and a public hearing on the proposed LWECS; (4) requirements for environmental review of the LWECS; (5) conditions in the site permit for turbine type and design; site layout and construction; and operation and maintenance of the LWECS, including the requirement to restore, to the extent possible, the area affected by construction of the LWECS to the natural conditions that existed immediately before construction of the LWECS; (6) revocation or suspension of a site permit when violations of the permit or other requirements occur; (7) payment of fees for the necessary and reasonable costs of the board in acting on a permit application.

**Persons Affected.** The rules would likely affect persons, businesses, developers and other organizations that undertake the development of Large Wing Energy Conversion Systems with a combine nameplate capacity of 5,000 kilowatts or more; and citizens and organizations concerned about the environmental impacts of LWECS projects and the use of the wind resource.

**Statutory Authority.** *Minnesota Statutes*, section 116C.695 authorizes the board to adopt rules governing the consideration of an application for a site permit for an LWECS.

**Public Comment.** Interested persons or groups may submit comments or information on this planned rule in writing or orally until 4:30 p.m. on May 6, 1996. The board has not yet prepared a draft of the planned rules, although a set of interim procedures that will form the basis of the rules is available. Persons interested in obtaining a copy of the interim procedures or a copy of the proposed rules when they are available, should contact Mr. Hartman at the address below.

Written or oral comments, questions, and requests for more information on this planned rule should be addressed to:

Larry Hartman  
Environmental Quality Board  
300 Centennial Building, 658 Cedar Street  
St. Paul, MN 55155  
(612) 296-5089 or 1-800-657-3794  
FAX: (612) 296-3698  
E-Mail: larry.hartman@mnplan.state.mn.us.

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 4 March 1996

Charles W. Williams, Chair  
Environmental Quality Board

## Metropolitan Council

### Notice of Intent to Amend the Water Resources Management Policy Plan

This notice is prepared and published in accordance with the Metropolitan Council's Administrative Procedures dated June 26, 1992.

During 1996, the Metropolitan Council will undertake a major amendment to its *Water Resources Management Policy Plan*, including; *Part 1. Wastewater Treatment and Handling Policy Plan*, *Part 2. Surface Water Management: Nonpoint Source Pollution and Stormwater Runoff*, and *Part 3. Water Resources Management Development Guide/Policy Plan*. A number of important problems and issues are expected to be addressed in the amendment, including but not necessarily limited to: responding to direction provided in the Regional Blueprint; providing methods to implement the development scenario to be adopted by the Council in mid-1996; integrating water management policies; reevaluating the need for a regional goal of no-adverse impact on

waters; revisiting the adopted policies on water management, on-site sewage disposal systems, reconveyance of interceptors, metropolitan sewer service access, inflow/infiltration; bringing the plan up-to-date as it relates to sewer system capacities and needs; and incorporating the recommendations of the Rate Study Task Force regarding allocation of sewer service costs.

At this time, the Council anticipates adopting the amendments by the end of 1996. This schedule would provide the official public hearing on the "draft" in late October/early November 1996. This is a preliminary schedule and is subject to change. The schedule and dates should be verified with the project manager.

Leisa Thompson  
Metropolitan Council Environmental Services  
Environmental Planning and Evaluation  
230 East Fifth Street  
St. Paul, MN 55101  
612/229-2061  
612/229-3760 (TTY)

Fax comments to 612/229-2071

Record comments on the Council's Public Comment Line: 612/291-6536

Send comments electronically to: [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)

The changes proposed in the revision may affect the standards for determining projects of metropolitan significance in the Metropolitan Significance Rules Chapter 5800.

## Office of the Secretary of State

### Notice of Vacancies in Multi-Member Agencies

**NOTICE IS HEREBY GIVEN** to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. In accordance with the Minnesota Open Appointments Law, the Secretary of State acts as an administrator in publishing vacancies, receiving applications, and recording appointments. Applications will be reviewed and appointments made by the Appointing Authorities for these various agencies. Completed applications are to be submitted to the Secretary of State by March 26, 1996. Appointing Authorities for these agencies may also choose to review applications received by the Secretary of State after that date. Applications are kept on file for a one year period.

The 1995 Annual Report and Registration of Multi-Member Agencies is now available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the 1995 fiscal year. The 1995 Annual Report also indicates members with terms that end in January 1996 as open for application; many of these positions may still be open. To order copies of the 1995 Annual Report please call the Minnesota Bookstore at 297-3000 or 1-800-657-3757.

**BOARD OF ELECTRICITY** Griggs Midway Bldg., Room S173, 1821 University Ave., St. Paul, MN 55104. 612-642-0800. *Minnesota Statutes* 326.241.

APPOINTING AUTHORITY: Governor (01).

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Public member.

The board licenses electricians and inspects all new electrical installations in any construction, remodeling, replacement or repair. The board consists of eleven members including two representatives of rural electrical suppliers, two master electricians who are contractors, two journeyman electricians, one registered consulting electrical engineer, two licensed alarm and communication system contractors, and two public members. Meetings once each month, St. Paul. Members must file with the Ethical Practices Board. The board does not expire.

**BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS** 2700 University Ave. W., St. Paul, MN 55114. 612-642-0595. *Minnesota Statutes* 144A.19.

APPOINTING AUTHORITY: Governor (01).

COMPENSATION: \$55 per diem.

## Official Notices

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**VACANCY:** Two vacancies: One medical doctor and one administrator of a non-profit long-term care facility.

The board licenses administrators of nursing homes, conducts studies of nursing home administration; approves continuing education programs for administrators; investigates complaints and allegations of rule violations. The board consists of eleven members including four owners or managers of nursing homes, one doctor, one nurse, and three public members. Representatives of the Department of Health and the Department of Human Services are ex-officio members. Quarterly meetings. Members must file with the Ethical Practices Board. The board does not expire.

**BOARD OF PRIVATE DETECTIVE AND PROTECTIVE AGENT SERVICES** 1246 University Ave., St. Paul, MN 55104. 612-642-0775. *Minnesota Statutes* 326.32 - 326.339.

**APPOINTING AUTHORITY:** Commissioner of Public Safety (23).

**COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** One vacancy: Public member.

The board licenses private detectives and protective agents. The board consists of five members including the superintendent of the Bureau of Criminal Apprehension or assistant, a licensed protective agent, a licensed private detective and two public members. Monthly meetings, traditionally the last Monday of each month. Meetings may be subject to change. Members file with the Ethical Practices Board. The board does not expire.

**COUNCIL ON ASIAN-PACIFIC MINNESOTANS** 205 Aurora Ave., Suite 100., St. Paul, MN 55103. 612-296-0538. *Minnesota Statutes* 3.9226.

**APPOINTING AUTHORITY:** Governor (01).

**COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** One vacancy: Representative of Tibetan community for a term expiring in January, 1997.

The council advises the Governor and legislature on issues confronting Asian-Pacific people in this state. The Governor appoints nineteen members who represent the Asian-Pacific community of this state. The legislature appoints two senators and two representatives who are non-voting members. Quarterly meetings (special meetings as needed), hosted by various agencies throughout the state of Minnesota. The council expires June 30, 1997 per *Minnesota Statutes* 15.059 subd. 5 as amended by *Laws of 1993*.

**FOOD SAFETY ADVISORY COMMITTEE** Dept. of Agriculture, 90 W. Plato Blvd. St. Paul, MN 55107. 612-296-1192. *Minnesota Statutes* 28A.20.

**APPOINTING AUTHORITY:** Governor.

**COMPENSATION:** None.

**VACANCY:** Thirteen positions: Please read the description of membership requirements.

The committee advises the Commissioner of Agriculture and Legislature on food issues and food safety. The committee consists of thirteen members: the Commissioner of Agriculture; the Commissioner of Health; a representative of the U.S. Food and Drug Administration; a representative of the U.S. Dept. of Agriculture one person from the University of Minnesota knowledgeable in food and food safety issues; and eight members appointed by the governor who are interested in food and food safety, of whom: two persons are health or food professionals; one person represents a statewide general farm organization; one person represents a local food inspection agency; and one person represents a food-oriented consumer group. Members appointed by the governor four-year terms. The meetings will be held quarterly for about 3 hours at the Dept. of Agriculture.

**INVESTMENT ADVISORY COUNCIL** M.E.A. Bldg., Room 105, 55 Sherburne Ave., St. Paul, MN 55155. 612-296-3328. *Minnesota Statutes* 11A.08.

**APPOINTING AUTHORITY:** Board of Investment (16)/Governor (01).

**COMPENSATION:** None.

**VACANCY:** Four vacancies: Applicants should be experienced in general investment matters.

The council advises the Board of Investment on policy relating to investments of state funds. The council consists of seventeen members including ten members experienced in general investment matters & appointed by the board. Ex-Officio members include the Commissioner of Finance, the executive director of the Minnesota State Retirement System, the executive director of the Public Employees Retirement Association, the executive director of the Teachers Retirement Association. A retiree and two public fund members are appointed by the governor.

Quarterly meetings generally scheduled for the first Tuesday of the first full week in March, June, September, and December. Members must file with the Ethical Practices Board. The council does not expire per *Minnesota Statutes* 11A.08.

**MINNESOTA COMMISSION SERVING DEAF AND HARD OF HEARING PEOPLE** Dept. of Human Services, 444 Lafayette Rd., St. Paul, MN 55155-3814. 612-297-7305 TDD & voice. *Minnesota Statutes* 256C.28.

**APPOINTING AUTHORITY:** Commissioner of Human Services (15).

**COMPENSATION:** \$55 per diem.

**VACANCY:** One vacancy: Must be a member of the Advisory Committee for the S.E. (Rochester) Regional Service Center for the Deaf and Hard of Hearing People.

The commission advises the Commissioners of the Departments of Human Services, Education, Economic Security, and Health, the Governor and legislature, regarding policies, programs, services affecting deaf and hard of hearing citizens and creates public awareness of the needs and potential of deaf and hard of hearing people.

The commission includes fifteen members, seven of whom are appointed at-large, plus one member from each advisory committee under section 256C.24, subd. 3. At least fifty percent of the members must be deaf or hard of hearing. Terms are for three years. Members may not serve more than two consecutive terms. Members who are full time state employees or full time employees of political subdivisions of the state will not receive the per diem. Meetings are usually held in St. Paul at 444 Lafayette Rd., with occasional meetings in other cities around the state. There are four to five full commission meetings each year with numerous subcommittee meetings. The commission does not expire.

**STATEWIDE INDEPENDENT LIVING COUNCIL** State Services for the Blind jointly with Rehabilitation Services; 2200 University Ave. W, #240, St. Paul, MN 55114-1840. 612-642-0863. Public Law 93-112 (Rehabilitation Act of 1973, Sec. 705).

**APPOINTING AUTHORITY:** Governor (01).

**COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** One vacancy: A disabled person or a parent or advocate of the disabled.

The council shall monitor, review, and evaluate the implementation of the state plan for independent living; jointly develop and submit in conjunction with the designated state agencies, the state plan required in section 704 of the Rehabilitation Act of 1973 as amended by Public Law 93-112; coordinate activities with the State Rehabilitation Advisory Council and the State Rehabilitation Advisory Council for the Blind established under section 105 of the Rehabilitation Act and other councils that address the needs of specific disability populations and issues under other federal law; ensure that all regularly scheduled meetings of the council are open to the public and sufficient advance notice is provided; and submit to the Commissioner of Rehabilitation Services Administration such periodic reports as the Commissioner may reasonably request and keep such records, and afford such access to such records, as the Commissioner finds necessary to verify such reports. The council is composed of seventeen voting and four ex-officio members for a total of twenty-one members: one director of a center for independent living by the directors of centers for independent living within the state; four ex-officio non-voting members consisting of one representative from the Department of Economic Security, Division of Rehabilitation Services, one representative from the Division of State Services for the Blind, two representatives from other state agencies (not Department of Economic Security) that provide services for individuals with disabilities; and sixteen members from the following: representatives from centers for independent living, parents and guardians of individuals with disabilities, advocates of and for individuals with disabilities, representatives from private businesses, representatives from organizations that provide services for individuals with disabilities, and other appropriate individuals. The above persons must provide statewide representation, represent a broad range of individuals with disabilities, and be knowledgeable about centers for independent living and independent living services. A majority of the above must be individuals with disabilities described in section 7(8) (B) of the Rehabilitation Act, not employed by any state agency or center for independent living, and of these, three members must be blind, one of these with an additional severe disability. Meeting schedule and locations undetermined at this time. The council expires June 30, 1997 per *Minnesota Statutes* 15.059 subd. 5 as amended by *Laws of 1993*.

## Teachers Retirement Association

### Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Friday, March 15, 1996, at 9:30 a.m. in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

## Department of Transportation (Mn/DOT)

### Notice of Availability of a Historic Bridge

Pursuant to the Surface Transportation and Uniform Assistance Act of 1987, Section 123(f) the Minnesota Department of Transportation does hereby offer a historic bridge to any state or local government agency, or responsible private entity, who might be interested in moving and rehabilitating it for preservation purposes. This bridge is located in Lake County and carries Minnesota Trunk Highway 61 over the Gooseberry River. The bridge, #3585, is 269 feet long and is made up of three spans. The center span is an arch truss approximately 150 feet long and the end spans are girder spans approximately 60 feet long each. Any eligible interested party should submit a Statement of Interest to Mn/DOT.

Most of the bridge elements will require repair and rehabilitation. Some of the bridge elements may need to be replaced. The recipient must agree to rehabilitate and maintain the structure according to the Secretary of Interior's "Standards for Rehabilitation" in order to preserve the historic integrity of the structure. The actual dismantling and salvaging of the bridge will be accomplished only by the Mn/DOT contractor that is constructing the new Gooseberry River Bridge. This salvaging work will be included in the Mn/DOT construction project.

The new owner can be reimbursed for costs incurred in such activities as relocation, site preparation, reassembly, rehabilitation, etc. The costs eligible for reimbursement, cannot exceed the estimated costs of demolition as determined by the Minnesota Department of Transportation. This estimated cost, assuming the steel parts would not be salvaged, is \$90,000.

The new owner must also enter into an agreement with Mn/DOT and the Minnesota Historical Society to:

1. accept title to the bridge;
2. maintain the bridge and the features that gave it its historical significance;
3. assume all future legal and financial responsibility for the bridge, including an agreement to hold the Minnesota Department of Transportation harmless in any liability action;
4. the dismantling and salvaging of the old Gooseberry River Bridge shall be accomplished by the Mn/DOT contractor that is constructing the new Gooseberry River Bridge, which salvaging work will be included in the Mn/DOT construction project;
5. the new owner of the old Gooseberry River Bridge must reimburse Mn/DOT for the actual costs of the dismantling, salvaging, related delay and disruption costs experienced by the Mn/DOT contractor, for this salvaging effort, that are in excess of the estimated cost of demolition of the bridge. It is estimated that this cost, dismantling etc., will be in excess of \$750,000. The new owner must be bonded for \$1,000,000 to cover these dismantling costs.

The new owners will also need to obtain Minnesota State Historic Preservation Officer approval for the relocation site, and may need to conduct an archaeological survey of the site depending on the Minnesota SHPO evaluation of the archaeological potential, and may need to make adjustments to the project or undertake data recovery if significant archaeological properties are found.

Interested parties should contact:

Rod Garver, Corridor Manager  
Mn/DOT  
1123 Mesaba Ave  
Duluth, MN 55811  
Phone: (218) 723-4830

Written proposals must be submitted, to the above address, by April 12, 1996.

Selection of the new owner will be based on the ability to complete the relocation and rehabilitation, financial responsibilities for maintaining the bridge, and the proposed use and location of the bridge.

## Department of Transportation

### Petition of Sherburne County for a Variance from State Aid Requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Sherburne County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on County State Aid Highway No. 2 at the intersection of County State Aid Highway No. 29 in the City of Princeton, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9931, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 25 mph horizontal curve in lieu of the required 30 mph minimum design speed on the proposed construction project on County State Aid Highway No. 2 at the intersection of County State Aid Highway No. 29 in the City of Princeton, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 22 February 1996

Patrick B. Murphy  
Division Director  
State Aid for Local Transportation

## Department of Transportation

### Petition of the City of Fridley for a Variance from State Aid Requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the City Council of the City of Fridley has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a completed construction project on Cheri Lane-Fillmore Street (Municipal State Aid Street No. 319) at the intersection of Interstate 694 in the City of Fridley.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9936, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 20 mph horizontal curve in lieu of the required 30 mph minimum design speed on the completed construction project on Cheri Lane-Fillmore Street (Municipal State Aid Street No. 319) at the intersection of I-694 in the City of Fridley.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 22 February 1996

Patrick B. Murphy  
Division Director  
State Aid for Local Transportation

## Department of Transportation

### Petition of the City of Shakopee for a Variance from State Aid Requirements for ANNUAL MAINTENANCE ALLOCATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Shakopee has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to the 1996 maintenance allocation for the City of Shakopee.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.1400 adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit an increase in the 1996 maintenance allocation to 25% of the total allocation for the City of Shakopee.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 22 February 1996

Patrick B. Murphy  
Division Director  
State Aid for Local Transportation

## Department of Transportation

### Petition of the City of Spring Lake Park for a Variance from State Aid Requirements for DESIGN SPEED and RIGHT-OF-WAY WIDTH

NOTICE IS HEREBY GIVEN that the City Council of the City of Spring Lake Park has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on the University Avenue Service Road (Municipal State Aid Street No. 102) North of 81st Avenue in the City of Spring Lake Park.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2500 and 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow a 30 foot right-of-way width and a 15 mph design speed, in lieu of the required 60 foot minimum right-of-way width and minimum 30 mph design speed on the proposed construction project on the University Avenue Service Road (Municipal State Aid Street No. 102) North of 81st Avenue in the City of Spring Lake Park.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 22 February 1996

Patrick B. Murphy  
Division Director  
State Aid for Local Transportation

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

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

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## Department of Health

### Office of Rural Health and Primary Care

#### Notice of Grant Opportunity for Health Coverage Demonstration Project

The Minnesota Department of Health (MDH) and Regional Coordinating Board Five (RCB 5) are seeking proposals from non-profit organizations to develop and administer a pilot project to provide information about health coverage and advocacy services to individuals within the geographic area covered by the regional coordinating board.

The purpose of the pilot project is to explore the feasibility of providing health coverage and advocacy services on a regional basis. The successful respondent must:

- (1) provide individuals with assistance in interpreting the terms of their certificate, contract, or policy of health coverage, including but not limited to, terms relating to covered services, limitations on services, limitations on access to providers, and enrollee complaint and appeal procedures;
- (2) maintain a current listing of health care providers serving health plan company enrollees within regional coordinating board five and assist individuals in determining whether services provided by a specific provider are covered under the health plan;
- (3) assist and serve as advocates for enrollees in the complaint and appeals process; and
- (4) provide information supplied by the health plan companies to individuals obtaining health care services within the geographic area served by the regional coordinating board regarding each company's expenditure and activity dedicated directly to community-based prevention and health promotion. The information supplied by the health plan company shall include a description of the community-based prevention and health promotion projects conducted or to be conducted in the geographic area served by the regional coordinating board.

\$100,000 is available to fund this demonstration project. One contract will be awarded for the period July 1, 1996 through June 30, 1997.

Prospective applicants who have questions, and/or would like a copy of the complete Request for Applications and application form may contact:

Kay Markling  
Office of Rural Health and Primary Care  
Division of Community Health Services  
Minnesota Department of Health  
P.O. Box 64975  
St. Paul, MN 55164-0975  
Phone: (612) 282-6328  
Toll Free: 1-(800) 366-5424 (inside Minnesota only)

**Applications are due by *April 15, 1996 at 4:00 P.M.* to the address above.**

# 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 Administration

### Risk Management Division

#### Notice of Availability of a Request for Proposal for the Claims Administration for Property Casualty Claims

The Department of Administration of the State of Minnesota wishes to appoint a vendor for the claims administration of property casualty claims. The claims administrator will be responsible for the following claim handling functions:

investigation, negotiation and settlement, appraisals, litigation management, subrogation and any other claims administrative activities that may be required

A pre-bid conference for all potential proposers will be held on Monday, March 18, 1996, at 9:00 to 11:30 a.m. in the State Administrative Building, 50 Sherburne Avenue, St. Paul, Minnesota, Room 116A. This will be an opportunity for proposers to ask questions regarding the request for Proposal. Attending the pre-bid conference is not mandatory for participation in the Request for Proposal process.

A copy of the Request for Proposal can be obtained through the mail by calling the Department at (612) 296-6022 or by writing to Marlys Lockman, Department of Administration, Risk Management Division, 309 Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155.

The deadline for the receipt of the proposal is 4:00 p.m., April 15, 1996.

## Department of Health

### Proposals Sought for Collection, Analysis, and Interpretation of Data

The Minnesota Department of Health (MDH) is requesting proposals to develop, in conjunction with and with guidance from staff of the Division of Family Health, other areas of MDH, and the Maternal and Child Health (MCH) Advisory Task Force, a model and plan for the initial and ongoing collection, analysis, and interpretation of data necessary to monitor any health-related effects of various systems change initiatives on the children and women of childbearing age in Minnesota.

#### Goal

The goal of this project is for MDH to have the ongoing capacity to collect, analyze, and interpret data to monitor the effects of various systems change initiatives on women of childbearing age and children, in particular, those who are low-income, high risk, or have special health care needs.

#### Objective

The objective of this project is to develop specific strategies for initial and ongoing identification, collection, analysis, interpretation, and dissemination of a core set of health indicator data to monitor the effects of systems changes (such as managed health care, public funding reductions for health care and related services, the various Minnesota initiatives for changing Minnesota's services systems for children and families, and early hospital discharge following the birth of a baby) on the health of the MCH populations in the state.

#### Major Tasks and Outcomes

In order to complete this project the contractor must:

1. Become knowledgeable of the various systems changes anticipated and occurring in Minnesota that may have an impact on the health, health status, and health care utilization of mothers and children.
2. Working with MDH staff and the MCH Advisory Task Force, identify, obtain where possible, and assess the usefulness now and over time of selected baseline indicators. Develop a report of and plan for compiling essential core indicators to

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## Professional, Technical & Consulting Contracts

monitor the systems changes effects on health status, as noted above. Consideration must be given not only to indicators of health status, but also to related indicators of health care utilization; health care access and availability; and other cultural, geographic, and environmental contextual variables as they affect or are affected by changes in health status.

- a. Identify anticipated effects of these systems changes on the health of children and women of childbearing age, and what indicators could be used to monitor these effects, now and over time.
  - b. Become knowledgeable of the various existing data bases and other data resources of the Minnesota Department of Health and other state agencies and assess their applicability to this task. Assemble existing data in such a way as to provide both baseline and trend data for the indicators selected.
  - c. Develop and test a plan for collection of primary data (those that do not currently exist) applicable to the selected indicators, including conducting a feasibility study and pilot study prior to development of final plan recommendations.
3. Working with MDH staff and the MCH Advisory Task Force, develop a final report of a plan for future data assembly (of existing data), and collection (of new data), and how these data can be analyzed, interpreted, and disseminated for maximum effectiveness. The report should include a clear statement of all recommendations, describing the model and the selected indicators, identifying those indicators to be developed including a clear plan for primary data collection where necessary, describing an analysis and interpretation plan, and recommending a dissemination plan.
  4. Develop training proposal for MDH staff to implement the plan, including a timeline and cost estimates.

Responders may propose additional tasks or activities if they will substantially improve the results of the project. The contractor will work closely with MDH staff and the MCH Advisory Task Force, attending scheduled meetings of the Task Force during the contract period.

The project will be completed by May 15, 1997, or within 12 (twelve) months from the date the contract officially begins.

This request for proposals 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 interests.

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

Ruth Curwen Carlson, MCH Principal Planner/Project Coordinator  
Minnesota Department of Health  
Box 9441  
717 Delaware Street Southeast  
Minneapolis, Minnesota 55440-9441  
Telephone: (612) 623-5459

Other Department personnel are not allowed to discuss the request for proposal with anyone, including responders, before the proposal deadline.

All proposals must be sent to and received by:

Ruth Curwen Carlson, MCH Principal Planner/Project Coordinator  
Division of Family Health, Minnesota Department of Health  
Box 9441  
717 Delaware Street Southeast  
Minneapolis, Minnesota 55440-9441

All proposals must be received no later than 4:00 p.m., Friday, March 29, 1996, as indicated by the date and time noted on each response package by the Director's Office Receptionist, Third Floor, Division of Family Health, 717 Delaware St. S.E., Minneapolis, where the responses will be received.

No faxes or e-mails will be accepted. Late proposals will not be accepted. Submit 6 (six) 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 firm. Prices and terms of the proposal as stated must be valid for the length of any resulting contract. The Department has estimated that the cost of this project should not exceed \$30,000.

The following will be considered minimum contents of the proposal:

- A. A statement of the goal, objectives, and tasks to show or demonstrate the responder's view of the nature of the contract.
- B. A description of the deliverables to be provided by the responder.
- C. An outline of the responder's background and experience in this area with particular emphasis on local, state, and federal government work, including examples of similar work done by the responder. Identification of the personnel to conduct

## Professional, Technical & Consulting Contracts

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the project, with details on training and related work experience. No change in personnel assigned to the project will be permitted without the approval of the project manager.

- D. A detailed cost and work plan that will identify the major tasks to be accomplished and be used as a scheduling and managing tool, as well as the basis for invoicing.
- E. Identification of the level of the Department's participation in the project as well as any other services to be provided by the department.

All proposals received by the deadline will be evaluated by representatives of the Minnesota Department of Health. A 100 point scale will be used to create the final evaluation recommendation. At the Department's discretion, an interview may be part of the evaluation process.

The factors and weighting on which proposals will be judged include the following:

- A. Expressed understanding of the proposed objectives. 15%
- B. Work plan. 30%
- C. Cost detail. 10%
- D. Qualifications and experience 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. 35%
- E. Recognition of the role of cultural influences on health indicators. 10%

Preference to targeted group and economically disadvantaged businesses and individuals: 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, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of 4% preference in the evaluation of their proposal. For information regarding certification, contact the Materials Management Helpline at (612) 296-2600, TTD (612) 282-5799.

It is expected that evaluation and selection will be completed by April 15, 1996.

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

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

- A. Compensation will be for ALL services performed, unless a specific payment scheduled is mutually agreed upon. The state DOES NOT make regular payments based upon the passage of time, it only pays for services performed or work delivered AFTER it is accomplished.
- B. Payment is made only 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.
- C. 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.
- D. No more than 90 percent of the full amount due under the contract may be paid until the final products of the contract have been reviewed by the agency head and the agency head has determined that the contractor has satisfactorily fulfilled all the terms of the contract.

In compliance with *Minnesota Statutes* 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responders to this Request for Proposals.

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## Non-State Public Bids, Contracts & Grants

### Department of Natural Resources

#### Trails and Waterways Unit

#### Request for Proposals to Solicit and Sell Advertising Space to Fund the Minnesota Department of Natural Resource's 1996 Off-Highway Vehicle Regulations Handbook

The Minnesota Department of Natural Resources (DNR) is requesting proposals from qualified individuals or firms to solicit and sell advertising space in the DNR 1996 Off-Highway Vehicle Regulations handbook. The regulations handbook will include safety rules and regulations on All-Terrain Vehicles, Off-Highway Motorcycles and Off-Road Vehicles.

Copies of the Request for Proposals may be obtained from the Department of Natural Resources, Bureau of Information and Education, 500 Lafayette Road, St. Paul, MN 55155. Final date for submitting proposals is Monday, March 25, 1996, at 4 P.M.

For more information contact Sheila Gebhard, Bureau of Information and Education, Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155. (612) 296-6038.

### Pollution Control Agency

#### Proposals Sought for Assessment of the Water Quality Division's Point-Source Program

The Minnesota Pollution Control Agency seeks a consulting firm to complete a detailed assessment of the Water Quality Division's Point-Source Program. The project, called "Phase II," is designed to improve the efficiency and effectiveness of the point-source program. The first phase of this project was completed in December 1995 by the Governor appointed Blue-Ribbon Task Force on Funding Minnesota's Water-Quality Programs (*Laws of Minnesota* 1995, Chapter 220).

Contract Period: April 1, 1996 to December 31, 1996

Proposals must be received not later than 4:00 p.m. CST, on March 25, 1996

To obtain a copy of the request for proposals, contact:

Jeff Risberg  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, MN 55155  
Phone: 612/296-7231  
Fax: 612/297-8683

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## Non-State Public Bids, Contracts & Grants

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

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

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### Hennepin County

#### Civil Division

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

Hennepin County Board Resolution No. 93-5-408R1 requires the County Attorney at least annually to advertise for attorneys/firms who are interested in providing legal services to Hennepin County. Although nearly all legal work performed by the County is done by the staff attorneys in the County Attorney's Office, the office does enter into a limited number of special attorney

## **Non-State Public Bids, Contracts & Grants**

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contracts each year. Recent examples include: bond counsel, bond litigation, construction litigation, health law, real estate, title work, and bankruptcy.

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

Firms who are interested in the inclusion of their name on an outside counsel selection list should obtain and complete an Outside Counsel Selection Questionnaire. This questionnaire may be obtained by contacting Mary Battmer, A-2000 Government Center, Minneapolis, Minnesota 55487, telephone - (612) 348-5742.

## **Metropolitan Council**

### **Environmental Services (MCES)**

#### **Public Notice for Letters Of Interest for Professional Services in Support of In-House Projects**

The MCES is soliciting qualifications from parties interested in providing Professional Services in Support of In-House Projects. The MCES intends to engage firms with specific Areas of Expertise in the disciplines of Civil/Environmental, Mechanical, Electrical, and Structural to complement its own staff in supporting its Business Units (MWWTP, Regional WWTP, and Interceptors). Up to 12 firms will be prequalified and placed on retainer-type contracts of not to exceed \$100,000 annually.

The type of work envisioned for these firms includes providing technical assistance to MCES staff during those times periods when staff's experience does not include a specific area of engineering and/or when staff resources are insufficient to complete a project in a timely manner.

Firms interested in being considered for this work and wishing to receive an RFQ package are invited to submit a Letter Of Interest to:

Administrative Assistant, Contracts & Documents  
Metropolitan Council Environmental Services  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101

All inquiries regarding this RFQ are to be addressed to Rick Biddle at (612) 229-5012.

## **Minnesota Amateur Sport Commission**

### **Proposals Sought for Development of Ice Rinks**

#### **1. Background**

The state of Minnesota, acting through its agency - the Minnesota Amateur Sports Commission (MASC), is seeking interested communities to develop ice arenas. As per pending laws of MN, Minnesota communities will be eligible to be awarded grants for the development of new ice arenas and for the improvement of existing arenas. Grant recipients must have at least one local partner who is a political subdivision of the state.

This request for proposal is contingent upon final action of the 1996 Legislative Session and does not obligate the state to complete the proposed project, and the state reserves the right to cancel or amend the solicitation if it is considered to be in its best interest. Any changes by the 1996 Legislature relating to this RFP will be available upon written request to the MASC following the 1996 Legislative Session.

Grants awarded pursuant to this Request for Proposal shall be from the proceeds of bonds issued by the State of Minnesota. The use of bond proceed funds is restricted to capital expenditures; bond proceeds may not be used to finance operating costs or other non-capital expenditures.

In recent years, the Minnesota Legislature and U.S. Internal Revenue Service have enacted increasingly complex laws, rules and regulations governing bond proceed expenditures. Consequently, the Minnesota Attorney General's Office has drafted "boiler-

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## Non-State Public Bids, Contracts & Grants

plate" grant agreements that must be used to ensure that MASC complies with these bond regulations. The "boilerplate" agreements are on file at MASC. All responders should review copies of these agreements prior to submitted proposals, and should take specific exception in their proposals to any provision contained in the agreements that they find objectionable. Failure to do so shall be deemed acceptance of all the boilerplate terms and conditions.

### 2. Purpose

The purpose of this grant is to assist Minnesota communities in developing and renovating ice arenas. The result of this grant shall be to establish ice arenas capable of hosting all ice sports competitions and training. The purpose of the ice centers will be to maximize the communities ability to generate economic benefits and to promote ice sports participation for females and males.

### 3. Goals

The grant contract shall accomplish the development of new ice arenas and improvement of existing ice arenas. Towards that ultimate goal, the Minnesota Amateur Sports Commission (MASC) intends to accomplish these additional goals:

- A) Encourage communities and organizations to work in partnership to develop and operate ice arenas.
- B) Where possible, to encourage communities and organizations to develop arenas with multiple sheets of ice in order to reduce both construction and operating costs.
- C) Provide increased opportunities for female ice sport participation.
- D) Encourage in kind contributions from public and private organizations to develop ice arenas.
- E) Encourage the development of ice arenas that serve community sport and non-sport needs and ensure non-hockey groups will also have adequate access to the arenas.

### 4. Tasks

Respondents are asked to complete the following tasks:

- A) Complete responses to the content section of the RFP.
- B) Respondent may submit additional information and documentation if they enhance the goals of the project

### 5. Agency Contacts

Prospective responders who have questions regarding this RFP may call or write:

Paul D. Erickson  
Executive Director  
Minnesota Amateur Sports Commission  
1700 - 105th Avenue NE  
Blaine, MN 55449-4500  
Phone: 612-785-5632/Fax: 612-785-5699

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

### 6. Deadline

All proposals must be received by the MASC no later than Monday a) April 5, 1996 at 4:00 p.m. for applicants desiring to construct in 1996 and b) October 5, 1996 for applicants desiring to construct in 1997.

Responders must submit (3) three copies of their proposal for agency review. Proposals must be sealed in a mailing envelope, with the responders name and address clearly written on the outside by an authorized official of the community.

### 7. Grant Amount

The MASC is authorized to appropriate an amount to be determined by the 1996 Legislature. Respondents will find it necessary to augment the state grant matching contributions in order to develop an ice arena or arenas.

- Grant amount for new ice arenas. Communities may apply for up to \$250,000 for each ice arena (Either standard size 85' x 200' or the recommended Olympic size 100' x 200').
- Grant amount for existing ice arenas. Communities applying for a renovation grant for their existing ice arena may apply for up to \$50,000. Renovation grants must be matched by non-state sources on a 1:1 ratio.

### 8. Project Completion

For 1996 grant award recipients, the project will be completed by January 1, 1998, or within (16) sixteen months of when the contract officially begins.

## Non-State Public Bids, Contracts & Grants

For 1997 grant award recipients the project will be completed by January 1, 1999 or within (16) sixteen months of when the contract officially begins.

### 9. Content

Responders proposal should contain the following elements, as per MASC agency application instructions: (Complete Items A through G).

- A. Enter name of local governmental unit responsible for the project.
- B. The primary contact person is the individual who will have direct responsibility for the day-to-day activities of the project and to whom project inquiries can be directed (e.g., Director of the Recreation and Park Department, Mayor, City Manager, County Engineer, etc.)
- C. Name of project. If application is for the continuation of a previously approved, state-funded project, use the same project title as the original project. Identify the previous project number where indicated.
- D. Project documentation refers to the required documents necessary for final application submission. Submit all items (1-12).
- E. Federal Employer Identification Number. List the federal employer identification number assigned to your local government by the Internal Revenue Service.
- F. Signature of authorized official of the responsible agency, such as Chairperson of the County Board, Mayor, or other person as authorized by resolution of governmental unit. Please date and enter legal name of application.

Submit three copies of the Final Application Form. Both copies must bear the original signature of the Mayor or Chairperson.

**Resolution of Local Applicant.** The local government applicant is required to execute a resolution which authorizes filing of the application and execution of final agreements with the Minnesota Amateur Sports Commission (MASC).

An example of the required resolution is provided. All portions must be followed exactly as shown in the example.

Submit three copies of the executed resolution with the final application. Both copies must bear the **original** signatures of the certifying individual.

**Geographic Location.** Prepare a geographic location map which clearly illustrates the location of the proposed recreation site. Include on the map the following items:

- Project name and date submitted;
- Main roads and secondary streets leading to the recreation site (clearly labeled);
- North arrow and scale.

If possible, the map should be 8 ½ x 11 inches. A photocopy of a county highway map (for county or township projects) or a city street map (for municipal projects) may be used, providing it meets the above criteria. For large cities, the recreation site should also be shown on a district-level map.

Submit two copies of the geographic location map with the final application.

**Site Plan.** The primary purpose of the site plan is to clearly identify the proposed recreation area. The site plan will also identify any existing facilities and park acreage and any developments contemplated for the future. The following checklist is provided to assist with the preparation of the site plan. All of the appropriate checklist items must be included in the plan. Please prepare the maps neatly and legibly. Plans which do not reflect quality mapping will be returned to the local sponsor for revisions. Please follow the color codes described below.

If possible, the entire sports facility site plan should be mapped on one sheet not exceeding 24 x 36 inches.

Submit three copies of the site plan with the final application.

### Site Planning Checklist

Be sure to include on the site plan all of the following items which apply:

- ( ) Indicate all existing sport and support facilities.
- ( ) Show all adjacent county roads, city streets, highways, etc., and label with their numbers/names.
- ( ) Show city names, corporate limits, and section lines/corners.
- ( ) Indicate all lakes, rivers, streams, and wetlands and label with their appropriate names.
- ( ) Identify all environmental intrusions. Examples include overhead and underground service lines, old roads, buildings, storm sewers, railroad tracks, etc.

**Environmental Intrusions Statement.** Environmental intrusions refer to ALL man-made developments on, above, or below the sport facility. These include buildings, utility poles and lines, roads, driveways, underground intrusions, pipelines, power lines, sewer lines, railroad tracks, etc.

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## Non-State Public Bids, Contracts & Grants

Show every intrusion on the site plan (#3). List and describe every intrusion. Prepare a mitigation statement for each intrusion, explaining how the effects of the intrusion will be moderated.

Submit three copies of the Environmental Intrusions Statement with the final application.

**Agreements and Arrangements.** Include a copy of any legal agreements or arrangements with other organizations or governmental agencies participating in this project. An example would be a joint powers agreement for development of maintenance/operations with a school district, sports association, foundation, etc. Submit three copies of the agreements.

**Operations and Maintenance Statement.** Briefly describe the plan for operations and maintenance of the sports site. Indicate:

- agency responsible for maintenance;
- source of maintenance funds;
- length of time arena will be open (seasonally and/or daily basis);

Submit three copies of the Operations/Maintenance Statement with the final application.

**Note:** Government project sponsors are prohibited from converting any portion of the project to non-public or non-sport uses or transferring ownership of the property without the approval of the Minnesota Amateur Sports Commission. Government sponsors may contract or lease operations to a non-public entity, but ultimate ownership and operational responsibility must remain with the original public sponsor.

**Letter of County Concurrence.** If the applicant is a municipality or township, they must obtain a letter of support for their project from their respective county; e.g., from the county administrator, park director, planning director, or county board of commissioners. The letter from the county should include the following:

- the county has reviewed the project;
- the county finds the project to be in accordance with the goals of the county outdoor recreation plan; and
- the county fully supports all efforts of the local applicant.

To assist the county with their review, the local applicant should provide the county with the following project materials:

- geographic location map (#2); and
- site plan (#3)

To assist the county, you may want to provide them with a draft letter for their use. This should be done at the outset of the final application phase (immediately) to avoid a delay in the processing of the application for approval.

If the applicant is a county, a letter of concurrence is not required; simply state "does not apply."

Submit two copies of the County letter with the final application.

**Comprehensive Plan.** The local government applicant is required to demonstrate that the proposed sport facility is consistent with the local comprehensive plan. The applicant should demonstrate in writing how the proposed sport facility does not duplicate any existing facility in the area. In addition, it should be demonstrated that the proposed sport facility will be a complement to the existing infrastructure of facilities in the community. The Minnesota Amateur Sports Commission is also interested in knowing how the proposed facility fits with the current park and recreation plans. The applicant should demonstrate and estimate the frequency and types of uses by local, state, regional and national participants.

Submit a letter and not the comprehensive plan.

**Local Financial Commitment.** The local government applicant is required to provide either documentation of funds raised or to demonstrate how it intends to raise the local financial commitment. A written plan should be submitted on how the community intends to raise the funds, their timetable for raising the funds, and please include evidence of past fundraising efforts in the community that is of similar size and dimension.

If the community intends to use a local bond issue over local government funds, please indicate the date of intended bond issue vote or government board vote.

Submit three copies of local match plan.

**Economic Impact Analysis.** The local government applicant is required to demonstrate the economic impact implications of the proposed sport facility. As the goal of the Minnesota Amateur Sports Commission is to bring a new net economic impact to Minnesota, this economic impact study should concentrate on the numbers of out-of-state visitors who would travel to the site to participate in sporting events at the proposed facility. The applicant should outline a typical annual schedule of events with corresponding economic impact.

Submit three copies of economic impact analysis.

## Non-State Public Bids, Contracts & Grants

**Budget.** The local government applicant is required to submit a complete capital budget and operating budget for the proposed project. Submit three copies of the budgets.

### Resolution of Local Application (sample).

Required form of resolution of application authorizing filing of application and execution of agreement to construct sport facilities under the provision of the State Capital Bonding Fund.

WHEREAS, the Minnesota Amateur Sports Commission (MASC), via the State Capital Bonding Fund, provides for capital funds to assist political subdivisions of the state of Minnesota for the development of sport facilities, and

WHEREAS, the \_\_\_(city/county/state agency)\_\_\_\_\_ desires to construct and develop a \_\_\_(name of project)\_\_\_\_\_ for the sports of \_\_\_\_\_(list of sports affected)\_\_\_\_\_.

NOW, THEREFORE BE IT RESOLVED BY THE \_\_\_\_\_(city council/county board/state board)\_\_\_\_\_ of the \_\_\_\_\_(city/county/state agency)\_\_\_\_\_:

1) Estimates that the total cost of developing said facility shall be \$\_\_\_\_\_ and \_\_\_\_\_(city/county/state agency)\_\_\_\_\_ is requesting \$\_\_\_\_\_ from the Mighty Ducks Capital Bonding Fund and will assume responsibility for a match requirement of \$\_\_\_\_\_.

2) \_\_\_\_\_(city/county/state agency)\_\_\_\_\_ agrees to own, assume 100 percent operation costs for said sport facility, and will operate said facility for its intended purpose for the functional life of the facility which is estimated to be \_\_\_\_\_ years.

3) \_\_\_\_\_(city council/county board/state board)\_\_\_\_\_ agrees to enter into necessary and required agreements with the Minnesota Amateur Sports Commission for the specific purpose of constructing a sport facility and long-term program direction.

4) That an application be made to the State of Minnesota, Minnesota Amateur Sports Commission, to be included in the Minnesota Amateur Sports Commission's (Governor's) Capital Budget request for an amount presently estimated to be \$\_\_\_\_\_(fill in amount)\_\_\_\_\_.

5) That the \_\_\_\_\_(authorized representative)\_\_\_\_\_ and/or \_\_\_\_\_(city/county/state agency)\_\_\_\_\_ is authorized and directed to execute said application and serve as the official liaison with the Minnesota Amateur Sports Commission.

### CERTIFICATION

I hereby certify that the foregoing resolution is a true and correct copy of the resolution presented to and adopted by the \_\_\_\_\_ at a duly authorized meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, as shown by the minutes of said meeting in my possession.

\_\_\_\_\_(signature/title of authorized official)\_\_\_\_\_

### Minnesota Amateur Sports Commission Facility Bonding Application.

A. Local unit of Government responsible for project: \_\_\_\_\_

B. Primary contact person for the project:

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_ Zip \_\_\_\_\_

County \_\_\_\_\_ Phone: H ( ) \_\_\_\_\_ W ( ) \_\_\_\_\_

C. Name of Project: \_\_\_\_\_

D. Type of Application: (check one)

\_\_\_\_\_ New Arena Grant \_\_\_\_\_ Existing Arena Grant

E. Project Documentation (refer to checklist) for New Arena Applicant.

The documents submitted in support of this application should be considered part of this application.

1. Resolution of Local Applicant
2. Geographic Location Map
3. Site Plan and Checklist
4. Environmental Intrusions Statement

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## Non-State Public Bids, Contracts & Grants

5. Agreements and Arrangements
6. Operation and Maintenance
7. Letter of County Concurrence
8. Comprehensive Plan (social benefit)
9. Local Financial Commitment
10. Economic Impact Analysis
11. Budget (or cost breakdown) - capital and operating

F. Federal Employer Identification Number: \_\_\_\_\_

G. Execution:

IN WITNESS THEREOF, the applicant has caused this application to be executed on \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_ By \_\_\_\_\_  
(Legal Name of Applicant) (Signature)

\_\_\_\_\_  
(Title, Mayor or Chairperson)

### Endorsement

Signature of person authorized to sign on behalf of the local unit. I hereby certify that the unit of local government identified hereby is willing and able to undertake the project described in this application.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

Mail to: Mail **one** copy of the completed application form with all required applications to: Minnesota Amateur Sports Commission, 1700 - 105th Avenue NE, Blaine MN 55449-4500.

In addition, the MASC will be available for telephone consultation for all responders.

In consideration of respondent's ability to identify the necessary resources in order to meet project completion deadline, each applicant should indicate which year it would be ready to receive a grant and consequently construct an arena.

- 1996 Grant for construction in calendar year 1996 (\*April 11, 1996 Deadline)
- 1996 Grant for construction in calendar year 1997 (\*October 4, 1996 Deadline)
- 1997 Grant for construction in calendar year 1998\*
- 1998 Grant for construction in calendar year 1999\*

\*Not yet appropriated by the MN legislature.

### 10. Evaluation Criteria

The MASC Board will make final determinations for grant awards. The MASC will prioritize the grant awards on the following basis:

#### New Arenas

##### 1. Demonstrated Ability of Applicant to Perform

- Proof of committed resources necessary to develop and construct a new ice arena (including the proposed state grant)
- An established site plan and preliminary architectural plans.
- Owner and Operating Agreements established.
- Proof that the land for site is committed or secured.
- An established time table for construction to meet MASC project deadlines.
- Proof of operating plan for financial viability.

##### 2. Demonstration of Partnerships

- Documentation that respondent has formed public and private partnerships to develop and operate a new ice arena(s) that may include cities, counties, school districts and private groups.

## Non-State Public Bids, Contracts & Grants

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### 3. Demonstrated Need for New Ice Arenas

- Demonstrate that an adequate participation base exists or can be developed within one hour drive from arena.

**Existing Arenas:** Applicant for existing arenas renovation grants are required to submit only the following documents:

1. Resolution of local applicant.
2. Site plan (i.e. map of arena) and outline of improvements or expansion.
3. Local financial commitment.
4. Budget of renovation project.
  - Allowable renovation projects preferred by the MASC include but are not limited to:
    - \* additional locker room, especially for female users
    - \* energy conservation measures and air quality improvement
    - \* code, health and safety issues
    - \* ice plant repair and replacement
    - \* ice resurfacers replacement
  - Ability to match state grant on at least a 1:1 ratio.
  - Definition: **existing arena** - any current arena with artificial ice that has conducted ice sport activity before January 1, 1996 shall be considered an existing arena for the purpose of this grant proposal.

All proposals following review, will be judged on the following factors:

- A. Expressed understanding of proposal objectives and goals.
- B. Quality of response to evaluation criteria.
- C. Budget and cost detail and quality of financial commitments (#10).
- D. Ability to meet legislative requirements (#11).

### 11. Legislative Requirements

Respondent should note the specific statutory requirements.

*Minnesota Statutes* Section 240A.09, 1995, the ice arena enabling legislation, was amended to include additional criteria and priorities. The legislation, as amended, directs the commission;

- \* to give priority to proposals submitted by more than one local government. In the metro area priority is also given to proposals that involve the construction of at least 2 ice sheets in a single facility,
- \* to accept proposals that have matching contributions including in-kind contributions (land, parking) and provide equal time for female groups,
- \* to the extent possible, award at least 50% of the grants to projects in Greater Minnesota, and
- \* to use at least 10% of the grant funds for ice centers designed for sports other than hockey.

### 12. State Contract Rules

Normal state contract rules will apply to this project.

## Minnesota Health Data Institute

### Notice of Request for Proposals for Consumer Survey Evaluation Focus Groups and Interviews

The Minnesota Health Data Institute seeks a firm to assist its Performance Measurement Committee in conducting focus groups and interviews to evaluate the process and methods used for its *1995 Consumer Survey*.

The focus groups will involve sessions with five identified groups: Medical Assistance program enrollees, Medicare subscribers, Minnesota employers who purchase health care services for their employees, Minnesota health plans who participated in the *1995 Consumer Survey*, and Minnesota consumers. Each focus group will be asked to review the public report, "You and Your Health Plan", issued by the Data Institute in October of 1995, and determine the report's usefulness to their particular needs as a representative of the identified focus group.

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## Non-State Public Bids, Contracts & Grants

The selected vendor will summarize the focus group findings in a report to the Data Institute. A second requirement of this Request for Proposal will be to conduct sixteen individual interviews with the Medical Directors of the private managed care and indemnity health plan companies who participated in the 1995 Consumer Survey project. These interviews will focus on determining the health plans' assessment of the survey process, identifying the usefulness of the survey, and asking how the health plan has or will utilize the survey results to incorporate quality improvement changes, alter its current strategic planning, or take other internal actions. Findings from these interviews will be summarized and reported to the Data Institute.

The focus groups and interviews will commence in early April 1996 after selection of a vendor through a competitive bidding process. The selected contractor will complete the focus groups and interviews during April of 1996 and be expected to submit a final written report to the Data Institute by Monday, May 6, 1996.

Prospective vendors may obtain full details of this Request for Proposal by contacting:

Deborah Anderson  
Minnesota Health Data Institute  
910 Piper Jaffray Plaza  
444 Cedar Street  
Saint Paul, Minnesota 55101  
Phone 612.228.4373 or Fax 612.222.4209

**Proposals are due by 5:00 p.m. on Thursday, March 21, 1996**

## Minneapolis Way to Grow

### Request for Proposals Sought for Program Evaluation

#### Background

Minneapolis Way to Grow (WTG), a community-based, school readiness program, is announcing a request for proposals to conduct a program evaluation. This evaluation will focus on the program's success in realizing its goals and objectives since its inception in 1989.

WTG works with families with children from conception to age 6. Its primary activity is to link families with the services and social supports they need. WTG represents a departure from traditional models of service delivery for many reasons. It is strengths-based and asks participants "what more do you need to make you more successful?" The program is universal and invites the participation of any family with young children living in a community WTG serves (there are currently WTG programs in seven of the eleven Minneapolis communities; planning for the eighth and ninth sites is in process). Finally, WTG does not offer services; rather, its primary function is to help families navigate a disjointed system of care and facilitate coordination of services for young families.

WTG also recognizes that family outcomes depend largely on the systems that serve them. For this reason, the collaborative participation of a variety of partners, including residents, the City of Minneapolis, Hennepin County, the Minneapolis Public Schools, The United Way, local corporations, and service providers, is an essential element of WTG.

All WTG sites report to the Citywide Way to Grow office. In addition, each site receives administrative, financial, and professional support from a **lead agency** (a preexisting service organization that provides an administrative home and serves as the site's fiscal agent); a **corporate sponsor** (a local corporation that provides financial and management support to the site); and a **health partner** (a local health care provider that provides partners with a site to address community health issues).

The WTG mission reads: Minneapolis Way to Grow is a community-based collaboration which initiates the systemic change necessary to promote family-friendly communities and the school readiness of all children. Recognizing that parents are the primary teachers of their children, Way to Grow coordinates informal and formal support systems to assist parents in meeting their children's growth and development needs from conception through age six.

#### Evaluation

The WTG evaluation committee, comprised of a representative group of WTG partners, has been meeting regularly over the past five months to determine the goals and purpose of the evaluation. Because of the broad scope of WTG's mission and the complexity of its organizational structure, the committee has agreed that, in addition to collecting quantitative outcome data, this evaluation must also focus on collecting qualitative data. While WTG needs an evaluation that will answer the questions that funders ask, its partners are committed to producing an evaluation that respects the organization's diversity, breadth, and complexity and will be useful to all stakeholders. The committee anticipates that 18 months will be required to conduct the evaluation and develop an ongoing data collection system that will permit WTG Citywide Office and sites to conduct self-assessments after the evaluation has been completed.

## Non-State Public Bids, Contracts & Grants

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The committee has established a set of preliminary research questions:

### I. WTG model and program

1. Are WTG babies "school ready?"
2. Are families functioning better as a result of participation in WTG?
3. Are families getting the formal and informal supports they need?
4. Do families continue to use supportive services independent of contact with WTG staff? Do they continue to use supportive services after their youngest child is older than 6?
5. What are the "broad" and "individual" contacts WTG makes with families and service providers? How effective are they in achieving WTG goals?
6. What does a "linkage activity" accomplish?

### II. Systems Change

7. Is the collaboration working? What indicators do we have? Are systems functioning better as a result of the WTG collaborative?
8. Can families better navigate the system of care that they use?
9. Is WTG funding stable? Is WTG well-positioned for future funding?
10. What indicators show a reduction in the duplication of services?
11. Are families part of designing WTG and its activities? Is it participant driven?

### III. Population Served

12. Which families is WTG reaching? Is it reaching isolated families? Is it a universal program?

### Qualifications

The successful candidate will:

1. Demonstrate an understanding of the WTG mission, goals, and objectives;
2. Have experience in program evaluation, preferably including experience in designing and conducting evaluations with qualitative data collection, analysis, and reporting;
3. Describe how they envision the working relationship between the WTG evaluation committee and themselves;
4. Demonstrate a commitment to the principles guiding the WTG evaluation;
5. Indicate experience with community-based organizations and the ability to design an evaluation that will be respectful of and useful to community organizations and residents. Furthermore, the successful proposal will define and describe the role of all stakeholders, including community residents in the evaluation effort;
6. Provide a brief explanation of the theoretical rationale for their proposal (for example, what guides your evaluation model? Have other organizations had success with this model?);
7. Provide a plan for incorporating, to the extent feasible and appropriate, current data collection efforts into overall evaluation effort. Current efforts include demographic data on participants; referrals to other services; pregnancy outcomes; and staff activities (the last recorded on a daily, weekly, and quarterly basis). The sites also collect information on participant goals and accomplishments, needs identified by program participants, home visit assessments, child immunization, site-sponsored group activities. The organization is also currently developing a system of measuring health outcomes of WTG participants; and
8. Propose an evaluation plan that will acknowledge those priorities described above. Specifically, the successful proposal will address the challenges in conducting an evaluation that balances the need for quantitative data with the texture and process conveyed through qualitative data collection and analysis. In addition, the successful proposal will describe an evaluation that will be equally useful as a marketing tool and a monitoring tool that WTG staff and partners can use to modify the program as appropriate.

Please direct all questions and requests for information to Anne Sherman (Evaluation Coordinator) at the WTG Citywide office, tel. 377-0930. **Please submit proposals and budget estimates by 9:00 am, March 25, 1996, to:** The Evaluation Committee, Minneapolis Way to Grow, 1220 Seventh Avenue North, Minneapolis, MN 55411.

# Wild About Birds

## The DNR Bird Feeding Guide

ISBN 0-9647451-0-0

**Carrol L. Henderson**, Supervisor of the Non-Game Wildlife Program at Minnesota's Department of Natural Resources, shares his knowledge and appreciation for the natural habitats and traits of the wild birds who, with a little help from us, can thrive in spite of a rapidly changing landscape. Written in the same instructive manner as his popular books "Woodworking for Wildlife" and "Landscaping for Wildlife," **"Wild About Birds: The DNR Bird Feeding Guide"** provides techniques used by the author to double the number of species using his feeders. Includes woodshop basics for construction of 26 different feeders and tips on 44 types of food, plus detailed descriptions and photos of almost all the feeder-using species east of the Rocky Mountains - 69 in all. There's even a section on some of the unusual and unexpected wild visitors that may show up for a free meal. Over 425 color photographs, illustrations and diagrams make **"Wild About Birds"** a great reference manual, display book or gift. Ideal for the ornithologist, woodworker, or backyard birdwatcher. Spiral bound, 288 pages. **Stock Number 9-24 \$19.95**

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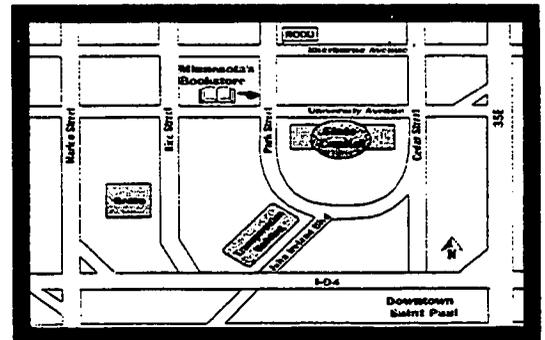
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