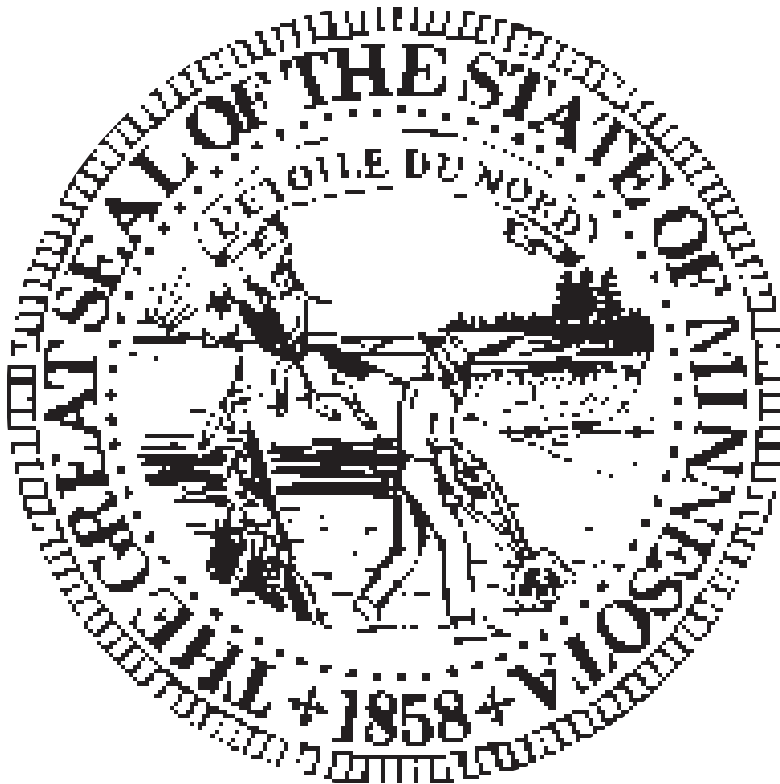


The Minnesota

State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the
Department of Administration – Communications Media Division

Monday 18 May 1998
Volume 22, Number 46
Pages 1999-2038

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.

Printing Schedule and Submission Deadlines

Vol. 22 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
# 46	Monday 18 May	Noon Wednesday 6 May	Noon Tuesday 12 May
# 47	Tuesday 26 May	Noon Wednesday 13 May	Noon Tuesday 19 May
# 48	Monday 1 June	Noon Wednesday 20 May	Noon Tuesday 26 May
# 49	Monday 8 June	Noon Wednesday 27 May	Noon Tuesday 2 June

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Publication Number: 326630. (ISSN 0146-7751)

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FOR LEGISLATIVE NEWS

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

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

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

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

Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1995 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Board of Animal Health

Proposed Permanent Rules Relating to Pseudorabies Control

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendment to Rules Governing Pseudorabies, *Minnesota Rules*, Importation of Swine 1700.2590-1700.3010, Pseudorabies Control 1705.2400-1705.2530, Pseudorabies Requirements for Exhibition 1715.0105, Sale of Swine at Markets and other Sales 1715.0550, Sale of Swine at State-Federal Markets 1715.0705, Sale of Swine at Public Stockyards 1715.1450.

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

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Dr. Paul L. Anderson at the Minnesota Board of Animal Health, 90 West Plato Boulevard, St Paul MN 55107, phone 612-296-2942, and fax 612-296-7417. TTY users may call the Board of Animal Health at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about pseudorabies. Rule amendments (1) make provisions to allow movement of pigs through nursery facilities to remote finishing sites, (2) amend requirements for testing in qualified negative swine herds to allow for use of official random sample testing, (3) amend requirements for release of quarantine by official random sample to eliminate inconsistencies between eradication stages, (4) repeal obsolete language regarding qualified negative gene-altered vaccinated herds and (5) clarify requirements for movement of swine from Stage IV and V areas. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 35.03 and 35.225. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, June 17, 1998, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

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

Proposed Rules

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on June 17, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

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

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

Dated: 4 May 1998

Thomas J. Hagerty, DVM
Executive Secretary, Board of Animal Health

1700.2950 IMPORTATION OF SWINE SEMEN AND EMBRYOS.

Swine semen and swine embryos imported into Minnesota for insemination of swine or implantation into swine must be accompanied by a document issued by an accredited veterinarian stating that the donor swine are not known to be infected with or exposed to pseudorabies, were negative to an official pseudorabies test within 30 days prior to the collection of the semen or embryos, or were members of a qualified pseudorabies-negative or qualified negative gene-altered vaccinated herd or a herd within a Stage IV or V state or area, and had not been exposed to pseudorabies within 30 days prior to the collection of the semen or embryos.

1700.3010 RESTRICTION OF IMPORTED FEEDING SWINE.

Imported feeder swine are restricted to the premises where they are to be fed until they are sold for slaughter except that:

- A. Feeder swine imported for resale at a market are restricted to the premises of the buyer.
- B. Feeder swine imported for resale by a licensed livestock dealer must be sold to a feeding premises within 72 hours.
- C. Feeder swine may be moved from the herd of the buyer for purposes other than immediate slaughter ~~only~~ if all are negative to a pseudorabies test conducted within 30 days prior to the movement.

D. Feeder swine may be moved from the herd of the buyer for further feeding if one of the following conditions is met:

(1) the herd is found to be negative for pseudorabies using an official random sample test (95/10) within 30 days prior to the movement; or

(2) the herd is located in a Stage III, IV, or V county and the feeder swine originated directly from a Stage III, IV, or V county.

1705.2400 DEFINITIONS.

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

Subp. 5. **Isolation.** “Isolation” means maintenance of swine in a manner that will ensure (1) that the swine have no physical contact with other domestic animals on the premises, and (2) that all drainage of organic waste is handled to prevent it from having contact with any other animals; ~~and (3) that the swine are separated from other animals by a lot or road or are held in a confinement building.~~

[For text of subps 5a to 7b, see M.R.]

Subp. 7c. **Qualified negative gene-altered vaccinated herd.** “Qualified negative gene-altered vaccinated herd” means a qualified pseudorabies-negative herd of swine ~~which has been free of pseudorabies for the previous 90 days, in which all swine over six months of age have been initially tested negative for pseudorabies, and for which the procedures in part 1705.2482 have been followed in which pseudorabies vaccine is used.~~

[For text of subps 8 to 12, see M.R.]

1705.2434 APPROVED PREMISES PROCEDURES.

Subpart 1. **Qualifications.** No person may accept feeder swine from quarantined herds for purposes of feeding them out unless a permit is obtained from the board. A person seeking a permit must agree to provide the board’s representative access during business hours to the premises and records required by this part. The operator of an approved premises must comply with the following requirements:

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

E. Dead hogs must be ~~buried, burned, or rendered~~ disposed of according to chapter 1719 within 24 hours or held so that wildlife or other domestic animals cannot reach them.

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

[For text of subps 2 to 5, see M.R.]

1705.2440 RELEASE OF QUARANTINE.

Subpart 1. **Methods.** Swine herd quarantine release may be accomplished by any of the methods in items A to E.

A. ~~Depopulation; repopulation:~~ The entire herd may be sold to slaughter accompanied by an owner’s notice of shipment. The premises must be cleaned and disinfected under the direction of the board. The quarantine must be released 30 days after completion of the cleaning and disinfection. If cleaning and disinfection are not done; and the hog facility may stand empty for 12 months and 120 days, the quarantine must then may be released with approval of the board.

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

C. Official random sample: ~~During Stage I or II of the pseudorabies program,~~ All swine present on the date a quarantine was imposed must be removed from the herd and there must be no clinical signs in the herd for at least six months. Two successive official random sample ~~(95/10)~~ (95/5) tests of the breeding herd, conducted at least 90 days apart, must be determined by the official pseudorabies epidemiologist to reveal no infection. Two successive official random sample (95/10) tests of progeny at least four months of age, conducted at least 90 days apart, must also be negative.

In finishing herds without any breeding swine, there must be two successive negative official random sample tests (95/10), conducted at least 90 days apart, on hogs over four months of age.

Herds removed from quarantine by the official random sample testing schedule must be tested negative by an official random sample (95/10) test one year after the quarantine is released.

~~During Stage III of the pseudorabies program, an official random sample (95/5) must be used in each instance of this part that calls for an official random sample (95/10).~~

During Stage IV or V of the pseudorabies program, quarantine release by official random sample may not be used.

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

[For text of subps 2 to 5, see M.R.]

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

1705.2460 INTRASTATE MOVEMENT OF BREEDING SWINE.

Subpart 1. **Requirements for movement.** Except for movement to another location within the same swine herd, or movement directly to slaughter, breeding swine moving from their premises of origin must:

- A. be accompanied by a certificate of veterinary inspection or pseudorabies test chart; and
- B. be identified by an eartag, tattoo, brand, or ear notch recognized by a breed association; and

C. be negative to an official or approved differential pseudorabies test conducted within 30 days prior to movement, or originate from a qualified pseudorabies-negative herd or a qualified negative gene-altered vaccinated herd or a Stage IV or V county or area.

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

Subp. 8a. **Movement into northern zone.** Only breeding swine that have had a negative pseudorabies test within the last 30 days or have originated from a qualified herd or a Stage IV or V county or area may be moved into the northern zone.

Subp. 8b. **Sale of swine semen and embryos.** Except for movement to another location within the same swine herd, swine semen and embryos moving from their premises of origin for insemination of swine or implantation into swine must be accompanied by a document issued by an accredited veterinarian stating that the donor swine are not known to be infected with or exposed to pseudorabies, were negative to a pseudorabies test within 30 days prior to the collection of the semen or embryos or were members of a qualified pseudorabies-negative or qualified negative gene-altered vaccinated herd or herd within a Stage IV or V county or area, and had not been exposed to pseudorabies within 30 days prior to the collection of the semen or embryos.

1705.2470 INTRASTATE MOVEMENT OF FEEDER PIGS.

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

Subp. 6. **Removal of restricted-movement classification.** The restricted-movement feeder pig classification may be removed from swine by a negative official random sample test (95/5) for pseudorabies test conducted at least 30 days after movement of the swine through the swine concentration point.

Subp. 7. **Resale of feeder pigs.** Except for restricted movement feeder pigs, feeder swine may be resold and moved from the herd of the buyer for further feeding if one of the following conditions is met:

A. the herd is found to be negative for pseudorabies using an official random sample test (95/10) within 30 days prior to the movement; or

B. the herd is located in a Stage III, IV, or V county and the feeder swine originate directly from a Stage III, IV, or V county.

1705.2476 PSEUDORABIES SURVEILLANCE AND CONTROL OF SPREAD.

[For text of subps 1 to 7, see M.R.]

Subp. 8. **Quarantined herd cleanup.** The owners of all quarantined herds in Minnesota must sign an approved official pseudorabies herd cleanup plan within ~~90~~ 30 days of the original quarantine date. Each herd cleanup plan must be updated every ~~42~~ six months.

An official random sample test (~~95/10~~) (95/5) of breeding swine and an official random sample test (95/10) of finishing swine in each quarantined herd must be completed at least every ~~42~~ six months to assess the prevalence of pseudorabies infected swine in the herd. ~~When a quarantined herd is located in a Stage III, IV, or V area, an official random sample test (95/5) of breeding swine and an official random sample test (95/5) of finishing swine in the herd must be completed at least every six months to assess the prevalence of pseudorabies infected swine in the herd.~~

Herd cleanup testing must be paid for by state or federal funds if the funds are available. If state or federal funds are not available, testing that is required in this part must be done at the owner's expense.

1705.2480 QUALIFIED PSEUDORABIES-NEGATIVE HERD PROCEDURES.

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

Subp. 3. **Requalification testing.** The pseudorabies status of a qualified pseudorabies-negative herd must be maintained by having a negative official pseudorabies test of at least 20 percent of the breeding herd and a sample of offspring as described in subpart 1, item C, every 80 to 100 days.

All qualified pseudorabies-negative herds must use one of the following herd testing schedules:

A. To test on a quarterly schedule:

(1) test 20 percent of the breeding herd every 90 days;

(2) test offspring over four months of age that are located on the same premises as the breeding herd every 90 days using the following test schedule:

(a) 10 head or less, test all;

(b) 11 to 35 head, test 10; or

(c) 36 or more head, test 30 percent up to a maximum of 30 head; and

(3) test offspring over four months of age that are located on any premises different than that of the breeding herd every 30 days using an official random sample test (95/10); or

B. To test on a monthly schedule:

(1) test seven percent, or complete an official random sample test (95/5) of the breeding herd every 30 days;

(2) test offspring over four months of age that are located on the same premises as the breeding herd every 30 days using the following test schedule:

(a) 10 head or less, test all;

(b) 11 or more head, test 10 head; and

(3) test offspring over four months of age that are located on any premises different from that of the breeding herd every 30 days using an official random sample test (95/10).

If the breeding herd or offspring are maintained on more than one premises, the appropriate percentage of the animals on each premises must be tested for each requalification.

[For text of subs 4 to 8, see M.R.]

Subp. 9. **Qualifications of breeding swine sales centers.** Breeding swine sales centers ~~operated by breeding companies,~~ in which animals are collected from qualified herds or herds in Stage IV or V areas, must test ten percent or complete an official random sample test (95/5) of their hog inventory each month with a minimum of ten animals tested.

1715.0105 EXHIBITION OF SWINE.

No swine from a pseudorabies quarantined herd may be exhibited at any type of exhibition. All swine, except swine entered in a slaughter class pursuant to part 1715.0060, must:

A. have had a negative official or approved differential pseudorabies test conducted within 30 days prior to the opening date of the exhibition, a record of which and the result must be entered on a test chart or certificate of veterinary inspection and presented to the official veterinarian at the time of entry; ~~or~~

B. originate directly from a qualified pseudorabies-negative herd or a qualified negative gene-altered vaccinated herd pursuant to parts 1705.2480 and 1705.2482, with the qualified herd number ~~or pseudorabies controlled vaccinated herd number~~ and date of last qualifying test reported to the official veterinarian at the time of entry; or

C. originate directly from a Stage IV or V county or area.

1715.0550 SALE OF SWINE.

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

Subp. 2. **Breeding swine.** Breeding swine must:

A. be negative to an official or approved differential pseudorabies test less than 30 days before sale or originate from a qualified pseudorabies-negative herd or a qualified negative gene-altered vaccinated herd or a Stage IV or V county or area;

B. be identified by an eartag, tattoo, brand, or ear notch recognized by a breed association;

C. be sold before feeder pigs are sold at the market; and

D. leave the sale with a restricted-movement certificate if the sales premises is used to sell feeder pigs, market hogs, or other untested swine.

[For text of subs 3 to 6, see M.R.]

1715.0705 SALE OF SWINE.

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

Subp. 2. **Breeding swine.** Breeding swine must:

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

Proposed Rules

- A. be negative to an official or approved differential pseudorabies test less than 30 days before sale or originate from a qualified pseudorabies-negative herd or a qualified negative gene-altered vaccinated herd or a Stage IV or V county or area;
- B. be negative to a brucellosis test less than 30 days before sale or originate from a validated brucellosis-free swine herd if originating from a state that is not validated brucellosis-free;
- C. be identified by an eartag, tattoo, brand, or ear notch recognized by a breed association;
- D. be sold before feeder pigs are sold at the market; and
- E. leave the sale with a restricted-movement certificate if the sales premises is used to sell feeder pigs, market hogs, or other untested swine.

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

1715.1450 SALE OF SWINE.

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

Subp. 2. **Breeding swine.** Breeding swine must:

- A. be negative to an official or approved differential pseudorabies test less than 30 days before sale or originate from a qualified pseudorabies-negative herd or a qualified negative gene-altered vaccinated herd or a Stage IV or V county or area;
- B. be either negative to a brucellosis test less than 30 days before sale or originate from a validated brucellosis-free swine herd if originating from a state that is not validated brucellosis-free;
- C. be identified by an eartag, tattoo, brand, or ear notch recognized by a breed association;
- D. leave the sale with a restricted-movement certificate if the sales premises is used to sell feeder pigs, market hogs, or other untested swine; and
- E. be sold before any feeder pigs are sold at the market.

[For text of subps 3 and 4, see M.R.]

REPEALER. Minnesota Rules, part 1705.2482, is repealed.

Crime Victims Reparations Board

Proposed Permanent Rules Relating to Crime Victims Reparations

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendments to the Rules Governing The Crime Victims Reparations Board Hearing Procedures, Minnesota Rules, Chapter 7505.

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

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Marie Bibus, Executive Director, at 444 Cedar Street, Suite 100, St. Paul, MN 55101-2156. TTY users may call the Center for Crime Victim Services at 612/282-6555.

Subject of Rules and Statutory Authority. These proposed amendments to the rules clarify the Board's authority and responsibilities with respect to cooperation with service providers and collection of restitution. To ensure the Board is only paying for services that are crime-related and victims are not collecting twice, the proposed amendments require service providers to submit specific information prior to payment. They reduce unnecessary paperwork and time-consuming reviews by asking for treatment plans to be submitted only if necessary. Benefits for certain types of crimes will be extended by lengthening the amount of time wage loss benefits that are available. They will seek to increase consistency of benefits available and meet the needs of crime victims seeking mental health counseling.

Likewise, the proposed amendments allow families of crime victims greater flexibility in caring for the victim by 1) giving family members of homicide victims greater flexibility in making funeral arrangements, and 2) giving parents of a hospitalized crime victim greater flexibility to stay with the injured child. The Board will have some flexibility in setting rates for certain types of coverage. Finally, the amendments will formalize the Board's acceptance of financial support from correctional facilities through the transfer of inmate wages.

The Board's statutory authority to adopt these amendments is found in *Minnesota Statutes*, section 611A.56, subdivision 1, paragraph (b). A copy of the proposed rules is published in the *State Register* immediately following this notice. A free copy of the proposed rules is available upon request from the contact person listed above.

Comments. You have until 4:30pm on June 17, 1998, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30pm on June 17, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

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

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

Dated: 4 May 1998

Marie Bibus
Executive Director
Crime Victims Reparations Board

7505.0700 COOPERATION WITH BOARD, ASSIGNMENT, SUBROGATION.

Failure by a claimant or claimant's representative or claimant's service provider to complete forms or submit requested reports or records, or otherwise to cooperate with the board's investigation, may constitute a ground for denial or reduction of a claim.

The claimant shall assign his or her rights to recover benefits or advantages from any source which is, or if readily available to the claimant would be, a collateral source and which is not deducted from the final award; provided that the assignment shall not exceed the amount of the final award. The claimant shall further agree to cooperate fully with the board in any subrogation action brought by the board or the claimant.

If a defendant is convicted of a crime and ordered to pay restitution, the board may seek to recover any or all of the restitution paid. Any excess amount recovered over the reparations amount awarded and paid shall be paid to the victim or claimant.

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

7505.2700 TREATMENT PLANS.

Subpart 1. **Applicability.** The board, in order to evaluate the reasonableness of treatment provided claimants, ~~shall~~ may require suppliers of mental health, physical therapy, chiropractic, medical, and home care services to submit treatment plans before consideration of their charges as a part of a reparations claim, ~~when the following time and charges standards apply:~~

~~A. if mental health treatment is likely to continue longer than six months after the date the claim is filed and the cost of the additional treatment will exceed \$1,500; or if the total cost of treatment in any case will exceed \$4,000;~~

~~B. if physical therapy treatment is likely to continue longer than three months after the date the claim is filed and the cost of additional treatment will exceed \$800; or if the total cost of treatment in any case will exceed \$1,500;~~

~~C. if chiropractic treatment is likely to continue longer than three months after the date the claim is filed and the cost of additional treatment will exceed \$1,000; or if the total cost of treatment in any case will exceed \$1,800;~~

~~D. if medical treatment for a single condition or injuries resulting from a single incident is likely to continue longer than three months after the date of injury and the cost of additional treatment will exceed \$2,500; or if the total cost of treatment in any case will exceed \$4,000; or~~

~~E. if licensed home care service, as defined in *Minnesota Statutes*, section 144A.43, if more than five home visits in total have been or will be delivered, regardless of cost.~~

~~The board may request treatment plans for other services provided to the victim if the total cost of the service exceeds \$500.~~

[For text of subps 2 to 5, see M.R.]

Subp. 6. **Extension beyond termination dates.** If treatment is likely to continue more than 30 days beyond the projected date of termination submitted in the treatment plan, the provider is responsible for submitting a new treatment plan and a revised termination date. ~~A revision must be considered by the board at its regular monthly meeting.~~ No compensation must be authorized for services rendered more than 30 days beyond a projected termination date without ~~board~~ staff approval of an extension.

7505.3200 LOSS OF INCOME.

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

Subp. 5. **Maximum number of weeks.** Compensation for loss of income usually may not exceed 26 weeks. If the victim's disability continues past 26 weeks, the victim may request an extension for up to ~~43~~ 26 additional weeks. This request must include an evaluation by a physician that states continuing disability and explains any extenuating circumstances.

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

Subp. 7. **Parent and spouse of deceased.** Payment of wage loss compensation for a parent or spouse of a victim who died as the direct result of a crime usually may not exceed six weeks. If the emotional disability of the parent or spouse continues past six weeks, the parent or spouse may make a request for an extension of the lost wages. The request must include an evaluation by a physician or psychologist stating that there is a continuing emotional disability due to the crime and a date by which the claimant is expected to return to work. The extension may not exceed ~~20~~ 46 weeks.

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

Subp. 9. Timeliness of request. A request for replacement of lost income must be made to the board within two years after the claim is filed.

7505.3400 SECONDARY VICTIMS.

For the purposes of this chapter, the term "victim" includes, in addition to those meanings specifically provided in *Minnesota Statutes*, section 611A.52, the following:

A. a parent, spouse, or minor child of a victim who died as the direct result of a crime;

B. a witness to a violent crime who suffered physical or emotional injury. Payment for a witness is limited to ~~ten~~ 20 counseling sessions;

C. a grandparent, sibling, or adult child of a victim who died as the direct result of a crime, if the grandparent, sibling, or child has suffered emotional injury. Payment for a grandparent, sibling, or adult child is limited to ~~ten~~ 20 counseling sessions; ~~and~~

D. a person who discovered the body of a victim who died as the direct result of a crime, if the person has suffered emotional injury. Payment for a person who discovered a body is limited to ~~ten~~ 20 counseling sessions; and

E. a spouse of a victim who was injured as a direct result of a crime. Payment for a spouse of an injured victim is limited to 20 counseling sessions.

7505.3500 PARENTS OF ~~CHILD~~ INJURED VICTIMS.

The board shall authorize payment for up to ~~five~~ 20 counseling sessions for a parent who is a primary caretaker of a victim of ~~domestic child abuse or child sexual assault~~ who was injured as a direct result of a crime, if the treatment plan filed under and complying with part 7505.2700 indicates that the sessions directly benefit the victim.

When care is needed by a victim and when a determination is made by the board that a parent or any other guardian of the victim is an appropriate person to provide care to the victim, the board shall authorize payment to reimburse the parent for lost wages, and reasonable expenses for transportation and lodging. Total payment to a parent under this provision must not exceed \$2,000. Computation of lost wages shall be the same as under part 7505.3200.

7505.3750 FUNERAL RATE LIMITS.

Within 30 days of the beginning of each fiscal year, the board shall determine the maximum amount allowable for funeral, burial, or cremation. The claimant may use up to \$1,000 of the maximum funeral benefit to pay for airfare or other transportation for family members to attend the funeral.

7505.3800 MENTAL HEALTH TREATMENT RATE LIMITS.

~~The board must not pay more than \$75 an hour for individual mental health therapy nor more than \$40 an hour for group mental health therapy.~~ Within 30 days of the beginning of each fiscal year, the board shall determine the maximum hourly rate allowable for mental health therapy. The board shall also determine the maximum amount allowable for the total accumulated expenses for a victim's outpatient counseling.

7505.4100 INMATE WAGE DEDUCTIONS.

The board is authorized to accept financial support from correctional facilities through the transfer of inmate wage deductions.

REVISOR INSTRUCTION. In *Minnesota Rules*, the revisor of statutes shall renumber as chapter 3050 the crime victims reparations board rules that are currently coded as chapter 7505 and shall appropriately revise any rule cross-references in light of that recoding. The revisor shall renumber each section in column A with the corresponding number in column B.

<u>Column A</u>	<u>Column B</u>
<u>7505.0100</u>	<u>3050.0100</u>
<u>7505.0200</u>	<u>3050.0200</u>
<u>7505.0300</u>	<u>3050.0300</u>
<u>7505.0400</u>	<u>3050.0400</u>
<u>7505.0600</u>	<u>3050.0600</u>
<u>7505.0700</u>	<u>3050.0700</u>
<u>7505.0750</u>	<u>3050.0750</u>
<u>7505.1900</u>	<u>3050.1900</u>
<u>7505.2600</u>	<u>3050.2600</u>
<u>7505.2700</u>	<u>3050.2700</u>
<u>7505.2800</u>	<u>3050.2800</u>
<u>7505.2900</u>	<u>3050.2900</u>
<u>7505.3100</u>	<u>3050.3100</u>
<u>7505.3200</u>	<u>3050.3200</u>
<u>7505.3300</u>	<u>3050.3300</u>
<u>7505.3400</u>	<u>3050.3400</u>
<u>7505.3500</u>	<u>3050.3500</u>
<u>7505.3600</u>	<u>3050.3600</u>
<u>7505.3700</u>	<u>3050.3700</u>
<u>7505.3750</u>	<u>3050.3750</u>
<u>7505.3800</u>	<u>3050.3800</u>
<u>7505.3900</u>	<u>3050.3900</u>
<u>7505.4000</u>	<u>3050.4000</u>
<u>7505.4100</u>	<u>3050.4100</u>

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Proposed Rules

EFFECTIVE DATE. *Minnesota Rules*, parts 7505.3200, subparts 5, 7, and 9; 7505.3400; 7505.3500; 7505.3750; and 7505.3800 are effective for claims submitted as a result of crimes committed on or after five working days after the notice of adoption is published in the *State Register*.

Department of Health

Proposed Permanent Rules Relating to Mortuary Science

Proposed Permanent Rules Related to Mortuary Science, *Minnesota Rules*, Chapter 4610.

Rules Inadvertently Not Published with Notice. The following rules were inadvertently not published with the Notice of Intent to Adopt Rules Without a Public Hearing that was published in the *State Register* on May 4, 1998.

Dated: 7 May 1998

Dave Orren, Rule Writer
Department of Health

4610.0420 RESIDENT ~~TRAINEE~~ ~~INTERN~~ REGISTRATION.

Resident ~~trainee intern~~ registration with the commissioner of health shall show the date on which the ~~traineeship~~ ~~internship~~ began, the name and address of the ~~mortician~~ ~~individual licensed to practice mortuary science in Minnesota~~ under whom the ~~trainee intern~~ is registered, and the name and address of the company, corporation, or firm of which the ~~mortician supervising mortuary science licensee~~ is the owner, partner, or employee. Discontinuance of ~~training the internship~~ or transfer to some other ~~mortician supervising mortuary science licensee~~ for service as a ~~trainee an intern~~ shall be immediately reported to the commissioner of health. The ~~trainee intern~~ shall file with the commissioner of health not less than 25 case reports upon the forms provided by the commissioner, which shall be signed by the ~~mortician supervising mortuary science licensee~~ under whom the ~~trainee intern~~ is registered.

The application for the initial or renewal registration shall be accompanied by a registration fee in an amount specified in part 4610.2800. The initial and renewal registration shall be issued for the calendar year for which application is made and shall expire on December 31 of each year. Renewal applications and fees shall be submitted no later than December 31 of the year preceding the year for which application is made.

~~Trainee Intern~~ registration shall be permitted for no more than three years; provided that for good cause the ~~Mortuary Science Advisory Council~~ ~~commissioner of health~~ may extend the registration for an additional period not to exceed one year.

4610.0600 FUNERAL DIRECTORS.

Subpart 1. **Licensing requirement.** Every person who wishes to qualify to engage in the practice of funeral directing under *Minnesota Statutes*, chapter 149A, shall comply with the following requirements.

The applicant shall submit two affidavits from ordained religious leaders of the applicant's faith substantiating the beliefs and convictions of the applicant's faith which forbids the practice of embalming.

~~The applicant shall be at least 18 years of age, shall have satisfactorily completed at least two years at an accredited college or university with approximate credit evaluation in course areas as follows: speech and English, 12 quarter credits; the social sciences, 20 quarter credits; natural science, 20 quarter credits; health education (to include personal or community health) 4 quarter credits; and elective areas, 34 quarter credits. Following such academic work applicants shall have completed a course of study and submit the applicant's official transcript from any school of mortuary science accredited by the American Board of Funeral Service Education in order to verify completion of all credits with the exception of embalming.~~

~~After the educational qualifications in the order specified have been acquired, the applicant shall have served at least one year as a trainee in funeral directing under a Minnesota licensed mortician. During the period of practical experience or traineeship the applicant shall have been registered as a trainee in funeral directing with the commissioner and shall have participated under supervision in the arranging and direction of at least 25 funerals. The applicant shall attain a satisfactory level of achievement in a comprehensive written examination given by the commissioner in such subjects as anatomy, microbiology, business methods, chemistry, funeral service directing and funeral service management, pathology, *Minnesota laws* and rules as they apply to mortuary science, and the practice of funeral directing. An applicant who fails to attain a satisfactory level of achievement may be reexamined at the discretion of the commissioner.~~

[For text of subs 3 and 4, see M.R.]

4610.0650 FUNERAL ESTABLISHMENT PERMIT LICENSE.

Applications for an original or renewal permit license to operate a funeral establishment must be submitted on forms provided by the commissioner together with a fee in an amount specified in part 4610.2800. Original permits licenses are effective from the day of issuance to the next June 30. Renewal permits licenses must be issued on an annual basis from July 1 to June 30 of the following year. Failure to submit the renewal application and fee by the expiration date results in an increase in the fee in an amount specified in part 4610.2800. If the renewal application and fee are not paid within 31 days after the expiration date, the permit license automatically lapses.

4610.2800 FEES.

Subpart 1. **Generally.** Fees for registration, examination, and licenses under parts 4610.0420 to 4610.0650 are in subparts 2 and 3.

Subp. 2. **Mortuary science fees.** The following fees are mortuary science fees:

- A. ~~trainee intern~~ registration and renewal fee, ~~\$25~~ \$50;
- B. examination fee, ~~\$50~~ \$100;
- C. original license fee, ~~\$40~~ \$100;
- D. license by endorsement, \$200;
- E. renewal fee, ~~\$50~~ \$100; and
- F. renewal fee late charge, ~~\$40~~ \$25.

Subp. 3. **Funeral directors.** The following fees are funeral director fees:

- A. application fee, ~~\$50~~ \$100;
- B. renewal fee, ~~\$50~~ \$100; and
- C. renewal fee late charge, ~~\$40~~ \$25.

Subp. 4. **Funeral establishments.** The following fees are funeral establishment fees:

- A. funeral establishment permit license fee, ~~\$135~~ \$225;
- B. renewal permit license fee, ~~\$135~~ \$225; and
- C. renewal permit license late charge, ~~\$15~~ \$25.

Expedited Emergency Rules

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

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Bear Tagging and 1998 Bear Quotas

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.535, 97B.405, and 97B.411.

Dated: 6 May 1998

Rosney W. Sando
Commissioner of Natural Resources

By Gail Lewellan, Assistant Commissioner of
Human Resources and Legal Affairs

6232.2800 GENERAL REGULATIONS FOR TAKING BEARS.

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

Subp. 4. **Tagging and license validation.** Persons taking a bear must affix a tag and validate their license at the site of kill as provided below:

Exempt Rules

A. Persons killing a bear must affix to the carcass the site tag provided with their bear hunting license. The tag must be ~~fastened~~ affixed around the bear's sternum (breast bone), through an ear, or around a leg bone or tendon so that the tag cannot be readily removed ~~without breaking the seal or lock~~. A hunter may not possess or use the site tag of another, except when transporting a bear as provided by *Minnesota Statutes*, section 97A.535.

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

[For text of subps 5 to 7, see M.R.]

Subp. 8. White bears protected. A person may not take a white bear.

6232.3055 1998 BEAR QUOTAS.

The number of available licenses for quota areas for the 1998 bear hunting season is 18,210 and is divided as follows:

- A. Bear Quota Area 12: 670;
- B. Bear Quota Area 13: 850;
- C. Bear Quota Area 22: 250;
- D. Bear Quota Area 24: 1,790;
- E. Bear Quota Area 25: 1,820;
- F. Bear Quota Area 26: 1,130;
- G. Bear Quota Area 31: 2,290;
- H. Bear Quota Area 41: 550;
- I. Bear Quota Area 44: 2,700;
- J. Bear Quota Area 45: 1,290; and
- K. Bear Quota Area 51: 4,870.

EFFECTIVE DATE; EFFECT OF EMERGENCY AMENDMENTS. *Minnesota Rules*, parts 6232.2800, subpart 8, and 6232.3055 are effective through December 31, 1998. After the emergency amendments to *Minnesota Rules*, part 6232.2800, subpart 4, expire, the permanent rule as it read prior to those amendments again takes effect, except as it may be amended by permanent rule.

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* §§ 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

Department of Labor and Industry

Adopted Exempt Permanent Rules Relating to Occupational Safety and Health; Adoption of Federal Standards by Reference

NOTE: On April 23, 1998, federal OSHA published a correction to the new Respiratory Protection Standard, stating that the original standard will continue in effect until October 5, 1998, the date for full compliance with the revised standard. October 5, 1998, is also the date for full compliance in Minnesota.

The rules proposed and published at *State Register*, Volume 22, Number 35, pages 1473-1475, March 2, 1998 (22 SR 1473), are adopted as proposed.

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and mat-

Department of Agriculture

Agronomy and Plant Protection Division

Notice of Special Local Need Registration for Aquathol Herbicide and Alamo and Tilt Fungicides

On May 5, 1998, the Minnesota Department of Agriculture issued Special Local Need (SLN) registrations for: Aquathol herbicide manufactured by Elf Atochem North America Inc., Philadelphia, PA 19103, for use of an improved formulation of Aquathol for aquatic weed control; Alamo fungicide manufactured by Novartis Crop Protection, Inc., Greensboro, NC 27419, for use of an increased rate of Alamo fungicide on elm trees for the control of dutch elm disease; and for Tilt fungicide also manufactured by Novartis Crop Protection, for use for a heading time application to wheat for the control of leaf and glume blotch diseases.

A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

Objections may be submitted to: John C. Sierk, Minnesota Department of Agriculture, Agronomy and Plant Protection Division, 90 West Plato Boulevard, St. Paul, MN 55107. Comment deadline is June 17, 1998.

Emergency Medical Services Regulatory Board

Notice of Completed Application In the matter of the License Application of the Westbrook Ambulance Association, Westbrook, Minnesota

PLEASE TAKE NOTICE that the Emergency Medical Services Regulatory Board (hereinafter "EMSRB") has received a completed application from the **Westbrook Ambulance Association, Westbrook, Minnesota**, for a new type of service, advanced ambulance service - specialized.

NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes* Sec. 144E.11, subd. 3 (1997), each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations or comments opposing the application to the EMSRB within 30 days or by June 16, 1998, 4:30 p.m.

Written recommendations or comments opposing the application should be sent to: Donald Hedman, Interim Executive Director, EMSRB, 2829 University Ave. S.E., Suite 310, Minneapolis, Minnesota 55414-3222.

If fewer than six comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to *Minnesota Statutes* Sec. 144E.11, subd. 4 (1997). If six or more comments in opposition to the application are received during the comment period or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to *Minnesota Statutes* Sec. 144E.11, subd. 5(a), (b) (1997). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a hearing, a contested case hearing will be scheduled and notice of the hearing given pursuant to *Minnesota Statutes* Sec. 144E.11, subd. 5(c), (e) (1997).

Dated: 7 May 1998

Donald O. Hedman, Interim Executive Director

Official Notices

Department of Health

Bureau of Health Systems and Special Populations

Public Meeting Regarding the Minnesota Department of Health Application to the Federal Department of Health and Human Services for Federal Fiscal Year 1999 Maternal and Child Health Services Block Grant Funding

The Minnesota Department of Health will sponsor a public meeting to obtain comment on its application for continuation of Federal Maternal and Child Health (MCH) Services Block Grant funding for the Fiscal Year starting October 1, 1998 and ending September 30, 1998. The draft application will be available for inspection upon request beginning June 1, 1998.

Discussion of the application will be conducted as part of the regularly scheduled meeting of the state Maternal and Child Health Advisory Task Force held Monday, June 8, 1998, at the Minnesota Department of Health, 717 S.E. Delaware Street, Minneapolis, Minnesota. The application discussion will be held in the Chesley Room (room 105). Any person or group may submit either written or oral comments at the meeting.

Any person needing special accommodations for a disability should so indicate at the time of registration. Persons planning to attend and/or present comments are requested to register by June 4, 1998.

For information concerning time of the meeting or registration contact:

Kristen Nicklawske
Family Health Director's Office
Minnesota Department of Health
717 S.E. Delaware Street
P.O. Box 9441
Minneapolis, MN 55440-9441
(612) 623-5785

Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations on Behalf of the College of St. Benedict

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of the College of St. Benedict, a Minnesota nonprofit corporation (the "College"), as owner and operator of the College of St. Benedict, an institution of higher education, at the Authority's offices at Suite 450, Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on June 8, 1998 at 9:00 a.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$16,445,000 to finance a project generally described as (a) the construction of an approximately 10,000 square foot bookstore and student development offices within and renovation of Mary Hall Commons (the "Mary Hall Commons Project"); (b) the relocation of the bus stop ("Bus Stop"); (c) the construction of a central chilling tower ("Chilling Tower"); (d) renovation of the present Loft building for academic services ("Loft Building"); (e) renovation and expansion of the East Apartments ("East Apartments"); (f) renovation of first and second floors and addition of air conditioning to Gertrude Hall ("Gertrude Hall") and (g) the refunding of the Authority's outstanding Revenue Bonds, Series Three-W (College of Saint Benedict) dated March 15, 1994, originally issued to finance a project generally described as (i) the acquisition, construction, furnishing and equipping of a residence hall for approximately 242 students, including appurtenant site improvements; (ii) the refunding of the Authority's outstanding Variable Rate Demand Revenue Bonds, Series Three-D (College of Saint Benedict), dated May 2, 1991 originally issued to finance the acquisition, construction, furnishing and equipping of an approximately 41,000 square foot science facility including site improvements; and (iii) the refunding of the Authority's outstanding Mortgage Revenue Bonds, Series Two-Q (College of Saint Benedict), dated May 1, 1988 originally issued to finance construction, furnishing and equipping of Margretta Hall, a residence hall, with appurtenant site improvements and adjacent parking; the renovation of St. Teresa Hall for faculty and administrative offices and a reception area; the installation of air conditioning in Claire Lynch Hall, a gymnasium; and the installation of a storm sewer (the "Refundings" and collectively, the "Project"), owned or to be owned and operated by the College and located on its main campus, the principal street address of which is 37 South College Avenue, St. Joseph, Minnesota 56374.

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

Dated: 12 May 1998

By Order of the Minnesota Higher
Education Facilities Authority
J. Luther Anderson
Executive Director

Housing Finance Agency

Notice of Tomorrow's Homes Today, Housing Design Competition

The Tomorrow's Homes Today, Housing Design Competition encourages the exploration of innovative and imaginative solutions in technology, design, planning and building techniques that reduce the cost of building homes for Minnesota's low and moderate income families.

The competition is open to all Minnesota designers, nonprofit housing providers, students with associated faculty sponsors, architects, architectural firms, builders and developers. There is no fee required to enter this competition.

For complete design competition goals, parameters and presentation requirements contact Nancy Slattsveen (612) 296-7994 or Han Lee (612) 296-9850 at the Minnesota Housing Finance Agency. Entries must be received at MHFA's 3rd floor reception desk no later than 5:00 Friday, August 14, 1998. If mailed, they must show a postmark of that date. No late entries will be accepted.

Department of Labor and Industry

Labor Standards Division

Notice of Addition to Prevailing Wage Rates

An additional class of Labor, **Truck Drivers Group 2 Code 304 Four or More Axle Unit, Straight Body truck**, has been determined for the Commercial Prevailing Wage Rates in Goodhue County, which were certified 10/20/97.

An additional class of Labor, **Code 420 Roofer**, has been determined for the Commercial Prevailing Wage Rates in Kittson County.

An additional class of Labor, **Code 403 Bricklayers**, has been determined for the Commercial Prevailing Wage Rates in Kittson County.

Copies of the additional certification may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306 or by calling (612) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.50 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich
Commissioner

Pollution Control Agency

Air Quality Division

Request for Comments on Planned New Air Quality Rules Governing Transportation Conformity to be Codified at *Minnesota Rules Chapter 7009*

Subject of Rule: The Minnesota Pollution Control Agency (MPCA) requests comments on its planned development of new rules governing transportation conformity. The MPCA is considering developing rules that will meet the requirements of the 1990 Clean Air Act Amendments (CAAA) to develop a legally enforceable transportation conformity revision to the State Implementation Plan (SIP) for air quality. This revision must ensure that federally funded transportation programs, plans, and projects will not result in violations of air quality standards. The MPCA staff plans to develop and adopt a state rule which it will submit to the U.S. Environmental Protection Agency (EPA) as a SIP revision.

The MPCA will incorporate by reference all sections of the federal rule, except a section on consultation procedures. The MPCA will develop this section to be used by agencies when considering transportation planning and funding documents. The federal rule limits involvement to specified agencies for each item under consideration. For Minnesota these agencies are the MPCA, Minnesota Department of Transportation (Mn/DOT), U.S. Department of Transportation (DOT), EPA, metropolitan planning organizations (MPOS) and local transportation agencies.

Persons Affected: The programs, plans, and projects affected are in portions of areas that are classified by EPA as not meeting standards (nonattainment) for transportation-related pollutants, or now meeting standards but under additional requirements (maintenance areas) and are subject to metropolitan planning regulations found at 23 CFR pt. 450. The affected MPOS are the Metropolitan Interstate Committee of the Arrowhead Regional Development Commission, the St. Cloud Area Planning Organization, and the Twin Cities Metropolitan Council in cooperation with its Transportation Advisory Board. These responsibilities specifically affect the cities of Duluth and St. Cloud, all of Ramsey, Hennepin, and Anoka counties, and portions of Carver, Dakota, Scott, Washington, and Wright counties. Mn/DOT has transportation conformity responsibilities for the affected portions of Wright County. In addition to these MPOS and Mn/DOT, other agencies affected by this planned rulemaking are the MPCA, DOT, EPA, Title 23 and Federal Transit (Law) grant recipients, and local transportation agencies in these areas.

Advisory Committee: The MPCA has not formed an advisory committee to assist in this rulemaking. Since the passage of the 1990 CAAA, the MPCA has been an active member of an Interagency Task Force that deals with conformity issues. The MPCA has participated in the Interagency Task Force to provide a partnership with other agencies in interpreting the federal rule, ensuring the continued flow of federal funds and maintaining air quality. The MPCA plans to work with the Interagency Task Force in developing rule language that will be acceptable to all parties affected. Persons interested in a list of Interagency Task Force members should contact Susanne Spitzer by 4:30 p.m. on June 17, 1998, at the address and telephone number listed below.

Statutory Authority: *Minnesota Statutes* § 116.07, subd. 4, authorizes the MPCA to adopt rules and standards for the prevention, abatement and control of air pollution.

Public Comment: Interested persons or groups may submit comments, suggestions for additional changes that meet the criteria above, or information on this planned rule in writing or orally until 4:30 p.m. on June 17, 1998. The MPCA has not yet prepared a draft of the planned rule amendments. Interested or affected parties should address written or oral comments, questions, requests to receive a draft of the rule when the MPCA staff has prepared it, and requests for more information on this planned rule to:

Susanne P. Spitzer, AICP
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
(612) 296-7723
Internet: susanne.spitzer@pca.state.mn.us

NOTE: Comments submitted in response to this notice will be considered in drafting the rule, but will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Peder A. Larson
Commissioner

JOINT NOTICE:

Pollution Control Agency

Ground Water and Solid Waste Division

Minnesota Department of Agriculture

Agronomy & Plant Protection Division

Notice of Proposed Update of the Permanent List of Priorities Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants

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

Pursuant to *Minnesota Statutes* § 115B.17 (1997) and *Minnesota Rules* 7044.0950 (1997), the MPCA and MDA are proposing the following changes to the PLP.

The MPCA is proposing the addition of the Whiteway Cleaners Site, in Minneapolis, Hennepin County to the PLP. The Whiteway Cleaners Site has a Hazard Ranking System score of four (see *Minnesota Rules* 7044.0350), and has been assigned to Response Action Classes C and D (see *Minnesota Rules* 7044.0450). The four response action classes are defined as follows: Class A - Declared Emergency; Class B - Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing; Class C - Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site; and Class D - Remedial Investigations and Feasibility Studies (RI/FS) Necessary or in Progress.

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

The MPCA is proposing to delete the following sites from the PLP: Agate Lake Scrapyard, Cass County; Ecolotech, Inc., St. Paul; General Coatings, Eagan; Lakeland Ground Water Contamination Site, Washington County; Sheldahl, Inc., Northfield; Twin Cities Air Force Reserve Base, Minneapolis; Voss Scrapyard, Belle Plaine; and the 8701 Concord Boulevard Dump, Inver Grove Heights. The MPCA has determined that either all MERLA Response Actions have been completed at these sites or that the site(s) do not pose a threat to public health or the environment. In the case of the Lakeland Ground Water Contamination Site, the MPCA has determined that all appropriate response actions under MERLA have been taken to address the volatile organic compound contaminated ground water. The MPCA will continue to address the petroleum ground-water contamination in the Lakeland area under the state's Petrofund Program.

The MPCA is also proposing to delete the following landfills from the PLP: Anoka Regional Mixed Municipal Solid Waste Land Disposal Facility, Anoka County; Battle Lake Area Sanitary Landfill, Otter Tail County; Dodge County Sanitary Bypass Landfill, Dodge County; Houston County Sanitary Landfill, Houston County; Salol Sanitary Landfill, Roseau County; and Wabasha County Sanitary Landfill, Wabasha County. These landfills are "qualified facilities" under the Landfill Cleanup Act of 1994 (Act) and have been issued a Notice of Compliance (NOC) by the Commissioner of the MPCA. Under authority of the Act, the state of Minnesota, through the MPCA, has now assumed responsibility for any necessary response actions at these sites, and will be responsible for long-term maintenance of the facility. Therefore, MERLA funded response actions will no longer be necessary at these sites, and deletion of these sites from the PLP is appropriate.

In addition, it is anticipated that the following three closed landfill "qualified facilities" under the Act will receive a NOC prior to June 25, 1998, the date that the MPCA Commissioner anticipates making a decision in this matter. Therefore, the MPCA is also proposing to delete the following landfills from the PLP: Flying Cloud Sanitary Landfill, Hennepin County; Tellijohn Sanitary Landfill, Le Sueur County; and Koochiching County Sanitary Landfill, Koochiching County. Should a NOC not be issued to any of these facilities prior to June 25, 1998, the deletion of that facility from the PLP will be postponed until after issuance of a NOC.

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

The MPCA and MDA invite members of the public to submit written comments on these proposed changes to the PLP. All written comments with regard to this proposed addition and deletions must be received no later than 4:30 p.m., June 19, 1998.

Written comments regarding the proposed MPCA site addition and deletions should be submitted to: Gary L. Krueger, Site Response Section, Ground Water and Solid Waste Division, Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, Minnesota 55155-4194.

State Grants & Loans

Any questions regarding MDA sites listed on the PLP should be directed to Robert Anderson, Incident Response Unit, Agronomy & Plant Protection Division, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota 55107-2094.

An interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Board make the decision on whether to adopt the proposed addition to and/or deletions from the PLP. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, by 4:30 p.m. on June 19, 1998. The decision whether to adopt the proposed addition to and/or deletions from the PLP will be made by the MPCA Board if: (1) the Commissioner grants the petition requesting the matter to be presented to the MPCA Board; or (2) a MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the proposed addition to and/or deletions from the PLP.

Requests for a complete updated PLP or information on a specific site currently listed on the PLP can be directed to the MPCA's Public Information Office at the above address, or by telephoning (612) 296-6300 or toll free at (800) 657-3864.

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

Peder A. Larson
Commissioner - MPCA
Gene Hugoson
Commissioner - MDA

Public Employees Retirement Association (PERA)

Notice of Meeting of the Finance Committee of the Board of Trustees

A Finance Committee meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Tuesday, May 19, 1998, at 9:00 a.m. in the offices of the association, 514 Saint Peter Street, Suite 200, Saint Paul, Minnesota.

State Grants & Loans

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

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

Administration Department

Communications Media Division

State Register Available Free on the Internet Beginning July 6, 1998

The *State Register* will be available free on the Internet beginning with the first issue of volume 23 on July 6, 1998. The website address is: www.comm.media.state.mn.us

Paper copies will continue to be available at current prices, \$5.00 per individual copy, \$10.00 per copy with an "affidavit of publication," and \$160 for a full year's subscription, including cumulative indices.

In addition, the "State Register Contracts Supplement" will appear free of charge on the Internet website listed above, beginning July 1, 1998 with issue # 775, as will the text of the *Minnesota Guidebook to State Agency Services 1996-1999*. Paper copies will continue to be sold for both items.

The "State Register Contracts Supplement" will be available for an annual paper subscription at \$135 per year (156 issues), and by FAX for \$150 per year. Individual paper copies cost \$1.00.

The *Minnesota Guidebook to State Agency Services 1996-1999* has been reduced to half-price for paper copies (\$14.98 for either spiral-bound or looseleaf [binder sold separately at \$7.95]). Compact disks of the *Guidebook* have also been marked half-price: \$29.98 for single user, \$117.98 for small network CD (2-10 users), and \$499.98 for large network CD (11-unlimited use).

For more information, call Minnesota's Bookstore at (612) 297-3000, or toll-free: 1-800-657-3757, FAX: (612) 297-8260.

Department of Corrections

Notice of Availability of Funds to Conduct Focus Groups in Communities on the Affect of Crime and Violence and to Prepare a Handbook of the Findings

The Minnesota Department of Corrections, Community Preservation Unit, announces the availability of funds to: (1) conduct a series of focus group interviews and forums in communities of color in Hennepin County, Ramsey County and selected counties in Greater Minnesota to learn how these communities are being affected by crime and violence and what they can do to make a difference; (2) prepare a handbook from the findings collected from these focus group interviews and elsewhere, that would be instructive to the communities of color in planning appropriate programmatic or policy responses to restorative justice issues in their communities.

The grant program will provide funding in the amount of \$32,675.00 in state fiscal year 1999 (July 1, 1998 - March 1, 1999).

There is no assurance of continued funding for following fiscal years.

The deadline for proposal submission is June 8, 1998, 4:30 p.m. To receive a copy of the request for proposal which describes in detail how to apply for this funding, contact Farris Bell, Director, Community Preservation Unit, Minnesota Department of Corrections, 1450 Energy Park Drive, Suite 200, St. Paul, MN 55108-5219. Telephone (612) 603-0195, Fax (612) 603-6766, TTY (612) 643-3589.

Department of Health

Division of Family Health

Minnesota Healthy Beginnings

Request for Proposals for Minnesota Healthy Beginnings

Purpose: The Minnesota Department of Health (MDH) has state funds available for Phase One of Minnesota Healthy Beginnings. Minnesota Healthy Beginnings is a universally offered home visiting program for all expectant parents and families with newborns. The overall goal of Minnesota Healthy Beginnings is to strengthen families and to promote positive parenting and healthy child development by offering information, support and access to community resources to all families regardless of income or risk.

Methodology: Programs funded under Phase One of Minnesota Healthy Beginnings must:

- 1) Identify all newborns prenatally or at the time of birth within the program's service area.
- 2) Offer at least one home visit by a trained home visitor. If accepted, the home visit must occur prenatally or as soon after birth as possible and must include a public health nursing assessment.
- 3) Offer information on infant care, growth and development, parenting, the prevention of disease, injury and exposure to environmental hazards, and health care services and support services available in the community.
- 4) Provide referrals to health care services, if needed and desired, including to providers of health care coverage for which they may be eligible, family planning, pediatric preventive services, immunizations, developmental assessments, and public assistance programs as appropriate.
- 5) Establish a coalition, or use an existing family service collaborative, to: a) determine the roles of provider agencies, family identification methods, referral mechanisms, and payment responsibilities appropriate for the existing systems in the service area; and b) coordinate with early childhood family education and home visiting programs for the prevention of abuse and neglect.
- 6) Develop a method for multi-disciplinary, interagency coordination of family services that includes parental participation.

Duration: January 1, 1999 through December 31, 2003 (five calendar years).

Eligibility: Any public or private non-profit agency or family service collaborative may apply for funding.

Funding: A total of \$704,000 for each calendar year is available on a competitive basis, subject to continued Legislative appropriations for this purpose, which translates to an estimated number of 2,350 live births at a rate of \$300 per birth per calendar year. This request for proposals (RFP) does not obligate the department to spend this dollar amount. The department will fund *at least one* program to provide home visiting services to families within the seven county metro area and *at least one* program to provide home visiting services to families outside the metropolitan area. The maximum amount of funding for which any agency is eligible is based upon the average number of live births that occurred to residents of the geographic area to be served by the program in the last three calendar years for which data is available.

State Grants & Loans

Statutory Requirements: Funded Minnesota Healthy Beginnings programs will operate under the provisions of *Minnesota Statutes*, Section 145.16A (Universally Offered Home Visiting Programs for Infant Care), a copy of which is provided with the RFP packet.

MDH Review Process: All applications will be reviewed by professionals with knowledge and experience related to home visiting, community coalitions, and maternal and child health. The criteria for review are available with the RFP packet. Site visits by members of the application review team will also occur to shortlisted applicants. Final award notifications will be made by Friday, October 16, 1998. A formal contract will be executed prior to initiation of a Minnesota Healthy Beginnings program. MDH reserves the right to reject any and all proposals in whole or in part, if, in the Commissioner of Health's judgement, this decision will best serve the interests of the State of Minnesota.

Application Instructions: Call or write Junie Svenson at the address and phone number below for the full RFP packet which will be sent free of charge to interested agencies. The RFP packet includes additional background information and application guidance, the application form, review criteria, statutory requirements, and a schedule of technical assistance workshops that will be held in different areas of the state for agencies wishing additional background and guidance regarding Minnesota Healthy Beginnings and the grant application process.

Six copies of the completed proposal and cover letter, to be signed by a person authorized to enter into a grant contract with MDH, at least one of which must have all original signatures in ink, must be submitted to:

Junie Svenson, M.P.H.
Minnesota Department of Health
Division of Family Health
717 Delaware Street S.E., P. O. Box 9441
Minneapolis, Minnesota 55440-9441
TEL: (612) 623-5411
FAX: (612) 623-5442

on or before 4:30 p.m., Friday, August 14, 1998. A legible postmark from the Post Office or a private carrier which indicates a date and time preceding the above deadline will be accepted as verification that the deadline was met.

Junie Svenson is the only MDH employee authorized to answer questions regarding this RFP. Other department personnel are NOT allowed to discuss the RFP with anyone, including responders, before submission deadline.

Housing Finance Agency

Notice of Request for Proposals for Single Family Combined Program(s) Application (Super RFP)

The Minnesota Housing Finance Agency (MHFA), the Greater Minnesota Housing Fund (GMHF) and the Metropolitan Council are seeking proposals from eligible organizations interested in participating in one or more of the following eleven programs:

- "Home At Last" (GMHF/MHFA)
- The Livable Communities Act Local Housing Incentive Account (Metropolitan Council)
- Metropolitan Council Housing Assistance Loan Program (Metropolitan Council)
- Community Activity Set Aside Program (MHFA)
- Community Fix-up Fund Program (MHFA)
- Community Revitalization Fund (MHFA)
- Entry Cost Homeownership Opportunity Program (MHFA)
- Foreclosure Prevention Assistance Program (MHFA)
- Full Cycle Homeownership Services (MHFA)
- Minnesota Urban & Rural Homesteading Program (MHFA)
- Urban Indian Housing Program (MHFA)

This single application will allow eligible participants to apply for one or more of these programs using the same application package. Home At Last, The Livable Communities Act Local Housing Incentive Account, Metropolitan Council Housing Assistance Loan Program, Community Revitalization Fund, Foreclosure Prevention Assistance Program, Full Cycle Homeownership Services, Minnesota Urban and Rural Homesteading Program and the Urban Indian Housing Program are limited

resource programs and applications will be competitive in nature. These eight programs may be used in conjunction with the other non-limited resource programs under this application. The remaining programs, Community Activity Set Aside Program, Community Fix-up Fund and Entry Cost Homeownership Opportunity Program, are not competitive and may be applied for at any time. Final RFP selections for limited fund programs will be submitted to the Agency's Board in September, 1998. The following information is a brief description of each program.

Community Activity Set Aside Program (CASA)

Provides lenders, local governments, and/or nonprofit housing providers with set-asides of MHFA mortgage revenue bond funds to enable them to meet the homeownership objectives/needs of their communities. Below market interest rate funds are available for set-asides (that may be directed) for use by local governments, nonprofits, community organizations and other housing providers.

Eligible Program Applicants: Lenders who are currently participating in the MHFA Minnesota Mortgage Loan Program (MMP).

Funds Available: Ongoing program

Contact Person: Eleanor Northrop, MHFA

Telephone Number: (612) 296-1795 or 1-800-710-8871

Community Fix-up Fund

This program provides participating Fix-up Fund lenders and local partners with a source of funds to address the home improvement needs/objectives of a designated community. Below market-rate home improvement loans are available for low to moderate income households in a designated community. The maximum income limit, loan amount and loan term exceed those of the Fix-up Fund.

Eligible Program Applicants: Applications must be submitted by participating Fix-up Funds lenders or lender consortia.

Funds Available: Funding will be available to meet anticipated need, with 50% available in the 11-county metro area, and the other 50% available outstate.

Contact Person: Judd Schultz/Kathy Aanerud, MHFA

Telephone Number: (612) 297-3124 or 1-800-710-8871

Community Revitalization Fund (CRF)

The Community Revitalization Fund is a combination of MHFA funding resources designed to encourage partnership efforts between housing organizations. It does this by providing funds in the form of either a grant or loan, to assist communities in improving, preserving and/or constructing owner occupied, single family housing in designated neighborhoods and/or geographical areas throughout Minnesota.

Eligible Program Applicants: Eligible applicants include private (non-governmental) 501C(3) not-for-profit housing providers, for-profits, cities, local units of government, HRAs, CAPs, EDAs and other community organizations.

Funds Available: Approximately \$5 million statewide

Contact Person: Reed Erickson/Nancy Slattsveen, MHFA

Telephone Number: (612) 296-8843 or 1-800-710-8871

Entry Cost Homeownership Opportunity Program (ECHO)

This program was established to encourage the development of community lending initiatives by private lenders with community partners. Under this program, interest free, deferred loans are provided to low income homebuyers who would otherwise be unable to afford homeownership. Lenders are required to contribute a portion of the loan through their own resources. This activity provides homeownership opportunities throughout the state.

Eligible Program Applicants: Private or public sector direct mortgage lenders.

Funds Available: Ongoing program

Contact Person: Eleanor Northrop, MHFA

Telephone Number: (612) 296-1795 or 1-800-710-8871

Foreclosure Prevention Assistance Program

This program assists individuals facing foreclosure due to a temporary financial crisis by providing case management services and, if applicable, mortgage payment or financial assistance on an emergency basis. Financial assistance is provided to the program recipients in the form of a secured deferred mortgage or other lien against the property.

State Grants & Loans

Eligible Program Applicants: Eligible entities include nonprofit housing organizations as defined in *Minnesota Statutes* 462A.03, subd. 22 (which includes housing and redevelopment authorities and other political subdivisions).

Funds Available: \$580,000

Contact Person: Tana Douville, MHFA

Telephone Number: (612) 297-3133 or 1-800-710-8871

Full Cycle Homeownership Services

The objective of this program is to provide funds to build and/or maintain capacity for eligible entities which are providing comprehensive homebuyer training and support on either a pre- or post-purchase basis for low to moderate income homebuyers. Eligible Program Applicants: Experienced 501(C)(3) nonprofit housing providers, HRAs, CAPs, and EDAs who are engaged in comprehensive homebuyer training and who are supported by and have received training from the Homeownership Center or MHFA's Home Stretch Program, or have been in the business of providing homebuyer training for at least three years.

Funds Available: \$350,000; \$125,000 to the seven-county metropolitan area, and \$225,000 to the balance of the state. Maximum application: \$25,000 per year, per applicant.

Contact Person: Becky Landon, MHFA

Telephone Number: (612) 296-3029 or 1-800-710-8871

Greater Minnesota Housing Fund/Home At Last

Program goal is to stimulate construction of single family starter-homes and creation of vital new residential neighborhoods in Greater Minnesota through efficient use of land and infrastructure, and utilization of economies of scale and other cost-saving practices. Projects must be located outside the seven-county Twin Cities area.

Eligible Program Applicants: City or local government agency serving a community in Greater Minnesota. A non-profit or for-profit builder and/or developer.

Funds Available: \$5,000,000

Contact Person: Barbara McCormick, Greater Minnesota Housing Fund

Telephone Number: 1-800-277-2258 or (612) 221-1997

Metropolitan Council Livable Communities Act Local Housing Incentive Account

Assists eligible communities in the seven-county metropolitan area in meeting their negotiated affordable and life-cycle housing goals through the development, construction, acquisition, preservation and rehabilitation of permanent affordable single-family housing. Grants are disbursed directly to the community.

Eligible Program Applicants: Any community in the seven-county metropolitan area that is participating in the Local Housing Incentive Program, or an individual, a nonprofit entity, a for-profit entity, a cooperative housing corporation, or a Minnesota Housing and Redevelopment Authority that is partnering with a participating community.

Funds Available: \$500,000

Contact Person: Linda Milashius, Metropolitan Council

Telephone Number: (612) 602-1541

Metropolitan Council Housing Assistance Loan Program

Program is intended to assist local units of government in providing affordable housing opportunities throughout the metropolitan area. It is intended to encourage an array of housing types and prices, to provide families access to employment opportunities, and meet housing needs as family financial and lifestyle needs change. Loans will be made available to participating communities for the acquisition, rehabilitation and new construction of permanent affordable housing. The maximum amount of loan funds may be committed to any one project is \$125,000.

Eligible Program Applicants: Cities, counties and housing and redevelopment authorities in the seven-county metropolitan area that participate in the Metro HRA's Section 8 program operating area, as defined in *Minnesota Statutes* Chapter 473 and where assistance is directly administered by the Metro HRA or its subcontractors.

Funds Available: \$500,000

Contact Person: Linda Milashius, Metropolitan Council

Telephone Number: (612) 602-1541

Minnesota Urban and Rural Homesteading Program (MURL)

This program provides grants that will be used by eligible organizations to acquire single family residences that are vacant, condemned or abandoned, rehabilitate those properties, and then sell them by way of contract for deed to first-time homebuyers who are at risk. The program is designed to arrest or prevent the spread of blight and preserve the existing housing stock. MURL funds are available statewide.

Eligible Program Applicants: Political subdivisions, nonprofit organizations or housing and redevelopment authorities.

Funds Available: \$1,756,000

Contact Person: Doug Kocina, MHFA

Telephone Number: (612) 296-9567 or 1-800-710-8871

Urban Indian Housing Program

The Urban Indian Housing Program provides loans for American Indian persons and families residing in urban areas of the state. Funds must be directed toward demonstrating innovative methods of providing housing for urban Indians and may involve, but are not limited to, the construction, purchase and rehabilitation of residential housing. Alternative program components which deal primarily with rental and rehabilitation of housing are encouraged.

Eligible Program Applicants: An Administrator must be a nonprofit entity (501C3) or local community government or extension thereof or an Indian tribal organization.

Funds Available: \$750,000

Contact Person: Donna Fairbanks, MHFA

Telephone Number: (612) 297-4060 or 1-800-710-8871

Application Process

Application packets must be requested from MHFA. To request an application, call: (612) 297-3139.

Completed applications must be received at MHFA by **5:00 p.m. on Friday, June 19, 1998.** Applications should be mailed to:

Minnesota Housing Finance Agency
Attn: John Silvis
400 Sibley Street, Suite 300
St. Paul, MN 55101-1988

Applicants are encouraged to contact the specific person identified for each program to discuss their proposal prior to submission of their application.

For general RFP information contact:

John Silvis, Housing Development Officer
(612) 297-3127 in the metro area or
1-800-710-8871 outside the metro area

MHFA reserves the right to modify or withdraw this request for proposal at any time, and will not reimburse any applicants for costs incurred in the preparation and/or submission of proposals.

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, and final submission date of completed contract proposal.

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

Department of Administration

State Designer Selection Board

Request for Proposals for Department of Correction, Fire Marshal Fire/Life Safety Orders at MCF-Stillwater

IN AN ATTEMPT TO FACILITATE COMMUNICATION, THE STATE DESIGNER SELECTION BOARD HAS MADE SOME CHANGES IN THEIR STANDARD RFP LANGUAGE. PLEASE READ CAREFULLY THE SECTIONS THAT ARE IN BOLD TYPE AS THEY CONTAIN REVISIONS TO THE RFP.

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for these projects must deliver proposals on or before 4:00 p.m., Monday, June 1, 1998, to:

Sharon Schmidt, Executive Secretary
State Designer Selection Board
Department of Administration
200 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155-3000
(612) 297-5525

IN ORDER TO BE CONSIDERED BY THE BOARD, THE PROPOSALS MUST CONFORM TO THE FOLLOWING CONTENT AND FORMAT REQUIREMENTS AS OUTLINED IN ITEMS 1 THROUGH 5 BELOW. FAILURE TO DO SO WILL RESULT IN THE DISQUALIFICATION OF THE PROPOSAL:

1. Seven (7) copies of the proposal will be required plus one additional unbound copy in black and white for micro fiche purposes only.
2. All data must be on 8 1/2" x 11" sheets, soft bound. No more than 20 printed faces will be allowed (see the following bullet points for clarification).
 - Any letters directed to the Board shall be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
 - Blank dividers (with printed tab headings only) are not counted as faces.
 - Front and back covers of proposals are not counted as faces.
 - None of the statutory, mandatory, or optional information, except as required in 3) below, shall appear on the dividers or covers.
3. The front cover of the proposal must be clearly labeled with the project number, as listed below, together with the designer's firm name, address, telephone number, fax number, and the name of the contact person. The back cover shall remain blank.
4. Brief Proposal Summary:

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of the persons responsible for the management, design, and production of each major element of the work, including consultants, as well as Minnesota registration numbers for all (e.g., architects, civil/electrical/mechanical/structural engineers, fire protection specialist, landscape architects, land surveyors, and geotechnical);
- c. The proposal shall contain a statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter the work promptly, if selected, by engaging the consultants and assigning the persons named

Professional, Technical & Consulting Contracts

in 4.b above, along with adequate staff to meet the requirements of work;

- e. A list of State and University of Minnesota current and past projects and studies awarded to the prime firms(s) submitting this proposal during the four years immediately preceding the date of this request for proposal. For the purposes of this list, "awarded" shall mean you have been selected for a given project regardless of the status of the contract.

The prime firm(s) shall list and total all fees associated with these projects and studies whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects and studies listed pursuant to the above.

NOTE: Please call the Executive Secretary at (612) 297-5525 and leave your address or fax number to receive a copy of the acceptable format for providing this information.

- f. **Minnesota Statutes, Section 363.073, subd. 1, in part, requires: "No department or agency of the state shall accept any bid or proposal for a contract or agreement unless the firm or business has an affirmative action plan submitted to the commissioner of human rights for approval. No department or agency of the state shall execute any contract or agreement for goods or services in excess of \$100,000 with any business having more than 40 full-time employees, either within or outside this state, on a single working day during the previous 12 months, unless the firm or business has an affirmative action plan for the employment of minority persons, women, and the disabled that has been approved by the commissioner of human rights." THEREFORE, THE PROPOSAL SHALL INCLUDE ONE OF THE FOLLOWING:**

- 1) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
 - 2) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
 - 3) A statement certifying that the firm has applied for Affirmative Action Plan Approval to the Commissioner of Human Rights and the date when such application was received by the Commissioner of Human Rights; or
 - 4) A statement certifying that the firm has not had a cumulative total of more than 40 full-time employees at any time during the previous 12 months, anywhere in the United States.
5. Additional Mandatory Proposal Contents:
- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material must be identified. It must be work in which the personnel listed in 4 b) above have had significant participation and their roles must be clearly described. It must be noted if the personnel were, at the time of the work, employed by other than their present firms.
 - b. Expanded resumes showing qualification of individuals, listed in 4.b) above, administering or producing the major elements of the work, including consultants. Identify roles that such persons played in projects which are relevant to the project at hand.
 - c. A discussion of the firm's understanding of and approach to the project.
 - d. A listing of relevant past projects.
6. Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:
- a. Enclose a **self-addressed stamped** postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
 - b. Enclose a **self-addressed stamped** mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

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

Any questions concerning the Board's procedures or their schedule for the projects herein described may be referred to the Executive Secretary at (612) 297-5525.

7. PROJECT 7-98

Professional, Technical & Consulting Contracts

**Department of Corrections
MCF-Stillwater
Fire Marshal Fire/Life Safety Orders
Stillwater, Minnesota**

1. PROJECT DESCRIPTION:

Over a period of years, the Fire Marshal has written several orders which need to be corrected to bring MCF-Stillwater into compliance with applicable codes and regulations. The work is spread throughout the entire facility. Asbestos abatement will be done by others. A copy of the Fire Marshal's work orders and a study of the scope of work are available in the DSBC office for review. These include:

- Fire sprinkler installation in several buildings.
- Installation of heat/smoke detectors in several areas.
- Installation of dust collection systems.
- Spray paint booth duct work repair.
- Installation of secondary egress routes.

2. REQUIRED CONSULTANT SERVICES:

The selected designer will be responsible for project design, contract documents, bidding, and construction administration phases. Services required include architectural, electrical/mechanical/structural engineering, fire protection services, and cost estimating.

Prior experience in the correctional field preferred but not required.

3. PROJECT BUDGET:

The current construction budget is \$1,035,000 including contingency. The total project cost, including fees, permits, and tests is \$1,150,000.

4. PROJECT SCHEDULE:

The Design process shall begin in July 1998, and we would like to have the documents ready for bidding in February 1999. Construction should start in April 1999 and is expected to take about 15 months.

5. INFORMATIONAL MEETING/SITE VISIT:

An informational meeting will be held Wednesday, May 27, 1998, at 9:00 a.m. at the MCF-Stillwater, 5500 Picket Avenue, Stillwater, Minnesota. All firms interested in this tour should contact David Bye, Physical Plant Director at (612) 779-2812 to sign up. No cell phones, pocket knives, or tobacco products will be allowed in the facility. Participants will also be required to walk through the metal detector.

6. PROJECT CONTACT:

Questions concerning the project should be referred to:

Mr. David Bye
Physical Plant Director
MCF-Stillwater
Box 55
Stillwater, MN 55082
Phone: (612) 779-2812
Fax: (612) 351-3601

Mr. Joseph R. Miller
Capital Resources Administrator
Department of Corrections
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
Phone: (612) 642-0247
Fax: (612) 603-0150

Ms. Kath Ouska
Project Manager
Division of State Building Construction
Department of Administration
G-10 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155-3000
Phone: (612) 296-4644
Fax: (612) 296-7650

7. STATE DESIGNER BOARD SCHEDULE:

Project Site Visit: Wednesday, May 27, 1998 at 9:00 a.m.
Project Proposals Due: Monday, June 1, 1998, by 4:00 p.m.
Project Short List: Tuesday, June 16, 1998
Project Interviews & Award: Tuesday, June 30, 1998, at 9:00 a.m., 200 Administration Building, 50 Sherburne Avenue, St. Paul

Douglas Wolfangle, P.E., Chair
State Designer Selection Board

Department of Administration

Division of State Building Construction

Notice of Requests for Professional Services of Architects, Engineers, Landscape Architects, Surveyors

1) Contracts Available for Architects, Engineers, Landscape Architects

The Department of Administration (Admin) intends to retain the services of qualified professionally registered architects, engineers, and landscape architects to design, prepare construction drawings and monitor construction of a number of projects during the year commencing July 1, 1998. These projects will be varied in nature and scope and will involve new construction, remodeling projects, and facility studies. The total cost of construction or remodeling projects will be less than \$750,000.00 and the fees associated with facility studies or land surveys will be less than \$60,000.00. Particular emphasis will be placed on the background and experience of the firm on similar projects as well as the firm's geographic proximity to the project.

Firms wishing to be considered for these projects are asked to submit a short brochure or resume consisting of no more than 10 printed faces outlining the following information:

1. Name, Address, and contract person for the firm (Must be the principal in charge or corporate office as described in the corporate resolution), phone and FAX numbers, and e-mail address. (If you have more than one (1) location, information should be provided for each location as selection is determined by locality as one of the criteria)
2. The number of staff involved in design, their classifications, certifications and firms fee structure.
3. The firm's experience in the design disciplines (Architectural, Mechanical, Electrical, Structural, Civil, Landscape Architecture) matching the categories listed below in which they wish to be considered:
 - 1) Research and Planning
 - 2) Educational
 - 3) Health and Medical
 - 4) Correctional
 - 5) Restoration
 - 6) Office and Administration
 - 7) Recreational
 - 8) Service and Industrial
 - 9) Arts, including Performing Arts
 - 10) Exhibition and Display
 - 11) Landscape and Site Planning
 - 12) Interiors
 - 13) Water and Waste Facilities
 - 14) Energy Supply and Distribution
 - 15) Pollution Control
 - 16) Acoustics
 - 17) Hazardous Substance Disposition
 - 18) Mechanical Engineering
 - 19) Electrical Engineering
 - 20) Civil Engineering
 - 21) Structural engineering
 - 22) Land Surveying
4. A list of the number of projects in the past three years by category including description, scope and date completed.
5. Federal Tax Identification Number (or Social Security Number) and State Tax Identification Number.

Professional, Technical & Consulting Contracts

6. Provide five project references with information regarding the primary contract person for the completed project. Include name, position, company, mailing address, telephone, FAX numbers. If possible include at least three(3) public agency references.
7. Technological design capabilities of the firm. (AutoCAD, Intergraph, Arris, Etc.)
8. Registration numbers of members of the firm as assigned by the State Board of Registration.

The Department of Administration, Division of State Building Construction will retain the list of qualified applicants. Notice of status will be mailed to each firm upon certification of qualifications and registration. Qualified applicants will be contacted as the need arises and may be requested to provide job specific proposals or to appear in St. Paul for an interview. Basic Service Agreements or Professional Technical contracts will be processed. Each contract written, in which the estimated cost of construction is over One-Hundred Thousand Dollars (\$100,000.00), will require "Errors and Omissions" insurance be provided in the amount equal to 10% of the construction value.

In some cases, Admin may enter into contracts for investigative studies. These contracts will be prepared on the basis of the needs of Admin.

The names of firms responding will be provided to other agencies of the State having a need for the services described herein and will be retained on file with Admin until June 30, 1999.

Designers for projects with estimated costs or fees in excess of those shown above will be selected by the State Designer Selection Board. Projects referred to the Board will be advertised in the *State Register*.

Submit letter of interest and brochure on or before 4:30 PM CDST June 16, 1998 to:

Division of State Building Construction
50 Sherburne, Room G-10
St. Paul, MN 55155-3000
Attn.: Lawrence R. Pepin

Questions will be answered by calling 612.296.4650

Department of Children, Families and Learning

School and Community Technology Division

Notice of Request for Minnesota Electronic Curriculum Repository

The State of Minnesota, Department of Children, Families & Learning is developing the Minnesota Electronic Curriculum Repository (MECR) for use by teachers, students, parents and administrators. The MECR is an Internet based system, which will permit access to a database of information used in conjunction with the Minnesota Graduation Standards. Initially, the database will include a directory of the Minnesota Graduation Standards, assessment packages associated with each standard, and tasks indicative of the types of classroom activities that meet the standards. It is envisioned that various stakeholders in education will access the MECR as part of curriculum planning, staff development, and student achievement of the standards. This access will be via a variety of computer types and other technologies capable of Internet.

The Department has estimated the cost of this project should not exceed 500,000.00. The project period is July 1, 1998 through June 30, 1999.

Proposals must be received in the Department of Children, Families & Learning offices no later than 4:00 p.m. on Monday, June 8, 1998.

To obtain a complete copy of this Request for Proposal, contact:

Mark Manning
Department of Children, Families & Learning
837 Capitol Square Building, 550 Cedar Street
St. Paul, Minnesota 55101
Phone: 612-297-3151
E-Mail: mark.manning@state.mn.us

In compliance with *Minnesota Statutes* 16B.17, the availability of this contracting opportunity is being offered to state employees. The response of any state employee will be evaluated along with other responses to this Request for Proposal.

Colleges and Universities, Minnesota State (MnSCU)

Anoka-Hennepin Technical College

Request for Proposal for FoodService Management

NOTICE IS HEREBY GIVEN that a FoodService Management Request for Proposals is now available for Anoka-Hennepin Technical College (AHTC).

Contact the purchasing office to obtain RFP document which outlines the process, terms and conditions for evaluating and contracting for the management of the AHTC foodservice locations. The objective of the AHTC FoodService is to provide a healthy, high quality foodservice program with a reasonably priced menu for our students and staff. This service is to include catering of specific college related events upon request and as an option the management of the Vending Machines.

Interested firms and individuals should contact: Monica Hanson, Purchasing Agent, AHTC, 1355 West Highway 10, Anoka, Minnesota 55303, (612) 576-4723; Fax: (612) 576-4715.

NOTE: Mandatory Site Visit: Thursday, May 28th, at 3:00 PM, AHTC Purchasing Office Bid Due Date: Friday, June 12, 1998 at 3:00 PM, AHTC Purchasing Office Award Date by: Friday, June 26, 1998 at 3:00 PM.

Department of Corrections

Request for Proposal for Dental Services

The Minnesota Department of Corrections, Health Services Unit, is requesting proposals for the provision of ongoing dental services to the inmate committed to the commissioner of corrections. Services shall include: Routine dental care such as restorations, root canal therapy, oral surgery and denture problems; handle dental emergencies with a prescription or personal visit to the dental clinic; delegate those services which the dental assistant is trained and licensed to perform; refer patients which cannot be handled in the dental clinic to appropriate resource for further treatment; and, maintain charts and records so that accurate data is available in the future.

For a complete RFP or additional information, please call or write to:

Dana Baumgartner
Health Care Administrator
Minnesota Department of Corrections
1450 Energy Park Drive - Suite 200
St. Paul, MN 55108-5219
Telephone: (612) 642-0248

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 responses to this Request for Proposal.

Proposals are due no later than 4:00 p.m. on Monday, June 15, 1998. No late proposals will be accepted.

Department of Labor and Industry

Notice of Request for Proposals to Provide Medical Case Management, Utilization Review and Bill Payment Services for Claims

The Minnesota Department of Labor and Industry, Special Compensation Fund is soliciting proposals from qualified vendors to provide medical case management, utilization review and bill payment services for uninsured employer, defaulted self-insured employer and asbestosis claims. These services must be provided in accordance with all applicable workers' compensation laws and administrative rules and within the specifications provided in the Request for Proposal.

Proposals are due no later than June 12, 1998. To request a copy of the Request for Proposal, contact:

Brandon Miller, Director
Special Compensation Fund
Minnesota Department of Labor and Industry
443 Lafayette Road
St. Paul, MN 55155
Phone: (612) 296-2411

Professional, Technical & Consulting Contracts

Department of Transportation

Notice of Availability of Contract for Economic Analysis of Reusing/Recycling Waste Materials from Outside Sources for Use in Highway Construction

In compliance with *Minnesota Statutes* Section 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 responses to this Request for Proposal.

The Minnesota Department of Transportation (Mn/DOT) is requesting proposals to develop a framework for basing decisions concerning environmental and economic issues.

Scope of Project: The purpose of the project is to produce economic analysis procedures Mn/DOT can use to determine whether there is an increase in short-term and long-term economic benefits as a result of reuse/recycling waste from outside sources.

The Contractor shall complete the following tasks:

- 1) Meet with Mn/DOT to conceptualize the framework to be used in developing a decision tree for economic analysis of proposed highway materials.
- 2) Conduct a literature review to identify similar studies that have been conducted.
- 3) Prepare a framework/economic analysis procedure, and submit to Mn/DOT for review and comment.
- 4) With assistance of Mn/DOT, prepare three case studies that can be used to test the procedure.
- 5) Submit a draft of the framework/economic analysis procedure for review and comment.
- 6) Make any final revisions, and submit a final report containing the economic analysis procedure.

The Contractor shall provide the following deliverable:

A final report presenting the economic analysis procedure to be used by Mn/DOT.

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

Mn/DOT has budgeted an amount not to exceed \$25,000.00 for this project.

It is anticipated that the contract period will begin June 1, 1998 and continue through September 30, 1998.

In accordance with *Minnesota Rules*, part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, 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 a 4% preference in the evaluation of their proposal. For information regarding certification, contact the Materials Management Helpline at (612) 296-2600 TTY (612) 282-5799.

NOTE: No more than 90% of the full amount due under the contract may be paid until the final deliverables of the contract have been reviewed by the agency and the agency has determined that the contractor has satisfactorily fulfilled the terms of the contract.

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

Bruce Johnson
Office of Environmental Services
Minnesota Department of Transportation
3485 Hadley Avenue North
Oakdale, MN 55128
(612) 779-5089 FAX (612) 779-5109

NOTE: Other Mn/DOT personnel are not allowed to discuss the project with responders before the submittal of proposed deadline.

Professional, Technical & Consulting Contracts

Proposals shall be sent to and received by:

Mark Hagen
Consultant Services Unit
Minnesota Department of Transportation
395 John Ireland Boulevard, MailStop 680
St. Paul, MN 55155

Proposals must be received by 2:00 p.m., May 29, 1998.

LATE PROPOSALS WILL NOT BE ACCEPTED

Submit four (4) copies of the proposal. Proposals are to be sealed in a mailing envelope or package 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 representative of the company. Prices and terms of the proposal as stated must be valid for the length of the project.

The following will be considered minimum contents of the proposal:

1. A restatement of the objectives, goals, and tasks to show or demonstrate the responder's view of the nature of the project.
2. Identify and describe the deliverables to be provided by the responder.
3. Outline the responder's background and experience with particular emphasis on local, state, and federal government work including all subcontractors. Identify personnel to conduct the project and detail their training and work experience. No change in personnel assigned to the project will be permitted without the prior approval of Mn/DOT's Contract Administrator.
4. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a schedule and managing tool, as well as the basis for invoicing.
5. Identify the level of the Mn/DOT's participation in the project as well as any other services to be provided by the Mn/DOT.
6. Indicate if your firm is Targeted Group Business, Economically Disadvantage Business.

All proposals received by the deadline will be evaluated by representatives of Mn/DOT. In some instances, an interview may be part of the evaluation process.

Factors upon which proposals will be judged the following:

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

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

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

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.

Metropolitan Airports Commission

Notice of Request for Qualifications for Tunnel/Bridge Consulting Services

The Metropolitan Airports Commission (MAC) is soliciting qualifications for Tunnel/Bridge Consulting Services for the Minneapolis-St. Paul International Airport. Submittals for the position are due on June 5, 1998. For a copy of the RFQ, contact Robert Vorpahl, P.E.; Program Development Engineer; 6040-28th Avenue South; Minneapolis, MN 55450; (612) 726-8127.

Metropolitan Council

Request for Proposals for Regional Fiscal Impact Study

The Metropolitan Council is requesting proposals from qualified, experienced consultants to conduct a number of case studies of fiscal impact analysis at the local level and to develop a regional approach to looking at fiscal impacts based on the case studies. Services include study design with Council staff, interviews and data gathering at the local level, fiscal impact model design and fiscal impact analysis reports for the case study communities.

A Request for Proposal for this project may be obtained by contacting William Byers at (612) 602-1322, (612) 291-0904 (TTY) or e-mail: Bill.Byers@metc.state.mn.us

Proposals will be accepted by the Council until 4 p.m., June 8, 1998. This request does not obligate the Council. The Council reserves the right to cancel this solicitation.

All proposals should be addressed to: Metropolitan Council, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101, ATTN: William Byers.

Minnehaha Creek Watershed District

Notice for Request for Qualifications for Consulting Engineering Services

Pursuant to *Minnesota Statutes* section 103B.277, Subdivision 5, the Minnehaha Creek Watershed District is soliciting Qualifications Statements for Professional engineering services for a period of two years commencing July 1, 1998.

Copies of the Request for Qualifications (RFQ) can be obtained by requesting it via a written or fax letter clearly stating the name and full address the RFQ should be mailed or faxed to. The mail address is Minnehaha Creek Watershed District; 2500 Shadywood Road; Excelsior, MN 55331-9578. The telephone number for fax requests is 612-471-0682.

Qualifications Statements will be due at the District office by June 10, 1998 at 4:00 p.m..

Minnesota Historical Society

Request for Proposals for Marketing and Distributing Microfilm

The Minnesota Historical Society is seeking proposals from qualified firms to market and distribute microfilm of materials in the Society's collections. The Society currently has 11,600 rolls of microfilm of its manuscript and State Archives collections and 65,000 rolls of microfilm of Minnesota newspapers dating from 1849 through the present. A sample of the microfilm titles produced by the Society will be attached to the Request for Proposals. Recognizing that the audience for this product is specialized, the Society would like to collaborate with a firm experienced in marketing and distributing microfilm of historical paper documents, records and newspapers.

Since the microfilming program at the Society has been supported and subsidized by the citizens of Minnesota, the Minnesota Historical Society will only consider proposals which contain non-exclusive rights to sales within the state of Minnesota.

The Request for Proposal is available by calling or writing Jenna Gruen, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone is (612) 297-5863 (jenna.gruen@mnhs.org).

All proposals must be received by Jenna E. Gruen, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 or an authorized agent no later than 2:00 p.m. Central Time, Tuesday June 9, 1998. Proposals must be submitted in a sealed envelope with the project name clearly written on the envelope. Late proposals will not be considered.

Authorized agents for receipt of bids are the following: Jenna E. Gruen, Contracting Officer or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center. Bids may not be delivered to the information desk, to the guard or to any location or individual other than as specified above.

Complete specifications and details concerning submission requirements are included in the Request for Proposals.

University of Minnesota

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

The University of Minnesota offers 24 hour/day, 7 day/week access to all Requests for Bids/Proposals through its fax back Bid Information Service (BIS). Subscriptions to BIS are \$75/per fiscal year (not prorated). Call 612-625-5534 for information or visit our web site at <http://purchserv.finop.umn.edu>. Choose BID Information Service.

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