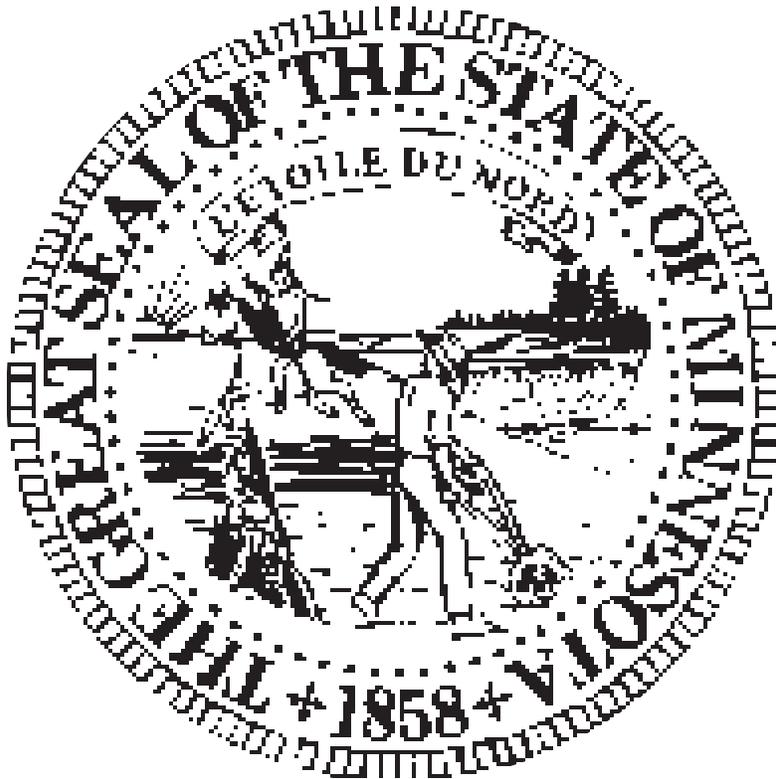


The Minnesota

# 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 8 June 1998**  
**Volume 22, Number 49**  
**Pages 2151-2186**

# 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
# 49	Monday 8 June	Noon Wednesday 27 May	Noon Tuesday 2 June
# 50	Monday 15 June	Noon Wednesday 3 June	Noon Tuesday 9 June
# 51	Monday 22 June	Noon Wednesday 10 June	Noon Tuesday 16 June
# 52	Monday 29 June	Noon Wednesday 17 June	Noon Tuesday 23 June

Arne H. Carlson, Governor 612/296-3391	Hubert H. Humphrey III, Attorney General 612/297-4272	Joan Anderson Grove, Secretary of State 612/296-2079
Joanne E. Benson, Lt. Governor 612/296-3391	Judi Dutcher, State Auditor 612/297-3670	Michael A. McGrath, State Treasurer 612/296-7091
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- *Contracts Supplement* (published every Tuesday, Wednesday, Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
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Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

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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# 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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## Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

### Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

### Emergency Expedited Rules

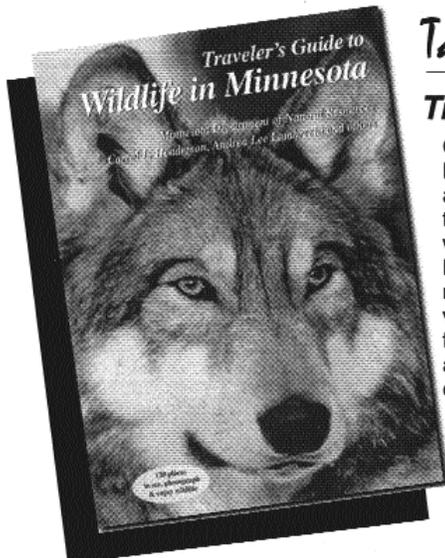
Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

## Department of Revenue

### Adopted Permanent Rules Relating to Gasoline and Special Fuel Tax; Refunds for Fuel Used in Power Take-off Units or Auxiliary Engines

The rules proposed and published at *State Register*, Volume 22, Number 38, pages 1708-1711, March 23, 1998 (22 SR 1708), are adopted as proposed.

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**Office of the Governor****Emergency Executive Order # 98-06: Providing for Assistance to Washington County**

I, **ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Emergency Executive Order:

**WHEREAS**, on May 30, 1998, a cluster of powerful thunderstorms roared through the metropolitan Twin Cities area with a mix of heavy straight line winds and rain; and

**WHEREAS**, the storms caused severe property damage to homes, businesses and utilities and cut off power to many thousands of people in and around Washington County; and

**WHEREAS**, the city of Newport and the Washington County Sheriff's Department do not have adequate local resources for providing security to the Newport area; and

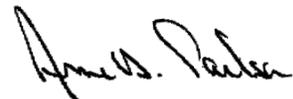
**WHEREAS**, the Washington County Sheriff requests assistance in providing security;

**NOW, THEREFORE**, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about May 31, 1998, in the service of the State, such personnel and equipment of the military forces of the State as required, and for such a period of time as necessary to provide security to the Newport area.
2. The Adjutant General of Minnesota is authorized to purchase, lease or contract goods or services necessary to accomplish this mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in the *Minnesota Statutes 1996*, sections 192.49, subd. 1; 192.51 and 192.52.

Pursuant to *Minnesota Statutes 1996*, section 4.035, subd. 2, this Order shall be effective immediately, and shall remain in effect until such date as elements of the military forces of the State are no longer required.

**IN TESTIMONY WHEREOF**, I have set my hand this first day of June, 1998.



ARNE H. CARLSON  
Governor

Filed According to Law:  
JOAN ANDERSON GROWE  
Secretary of State

# Commissioners' Orders

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## Commissioner of Commerce

### Notice of Public Hearing in the Matter of the Petition to Reorganize of the Minnesota Mutual Life Insurance Company

Notice of Public Hearing Before the Commissioner of Commerce of the State of Minnesota Under Section 60A.077 of *Minnesota Statutes* To be Held July 1, 1998

To: All Policyholders of The Minnesota Mutual Life Insurance Company ("Minnesota Mutual") and other interested parties:

NOTICE IS HEREBY GIVEN that a Public Hearing on Minnesota Mutual's proposed plan of reorganization (the "Plan") will be held by the Commissioner of Commerce of the State of Minnesota (the "Commissioner") pursuant to *Minnesota Statutes* section 60A.077, on the following date, time and place:

July 1, 1998  
9:00 a.m.  
Minnesota History Center  
3M Auditorium  
345 Kellogg Boulevard West  
Saint Paul, Minnesota 55102-1906

In the Plan, Minnesota Mutual states that it will reorganize by forming a mutual insurance holding company to be named "Minnesota Mutual Companies, Inc." Minnesota Mutual will be reorganized as a third tier stock insurance company subsidiary of the new holding company and renamed "Minnesota Life Insurance Company" ("Minnesota Life"). The membership interests of policyholders in Minnesota Mutual will be exchanged for membership interests in Minnesota Mutual Companies, Inc. and their insurance policies will remain with Minnesota Life and continue under the same terms and conditions as before. At all times after the Reorganization, Minnesota Mutual Companies, Inc. must own directly or indirectly at least a majority of the voting shares (and voting power) of Minnesota Life. The Company believes that conversion to a mutual holding company structure will provide it access to capital and the strategic flexibility it needs to compete in a changing business environment.

The purpose of the Public Hearing is to receive comments and information from any interested person for consideration by the Commissioner in rendering his decision on Minnesota Mutual's proposed Plan. The issue to be considered at the Public Hearing and generally by the Commissioner is whether the Plan fully meets the requirements of *Minnesota Statutes* Section 60A.077, subd. 3, whether the Plan is fair and equitable to policyholders of Minnesota Mutual and will protect the immediate and long-term interests of such policyholders. At the Public Hearing the Commissioner will also consider comments and information regarding member voting rights at a Special Meeting of Members to consider the Plan. Pursuant to *Minnesota Statutes* Sections 60A.077, subd. 5 and 60A.075, subd. 5, the Commissioner has preliminarily determined that each eligible member may cast one vote, with respect to the Reorganization.

The Plan is described in a Policyholder Information Statement prepared by Minnesota Mutual and mailed to members eligible to vote on the Plan. A copy of the Plan is included in the Policyholder Information Statement. Other interested parties may examine a copy of the Plan and the Policyholder Information Statement before the Public Hearing at the offices of Minnesota Mutual, 400 Robert Street North, Saint Paul, Minnesota 55101-2098, during regular business hours. A copy of the Plan, as well as the Policyholder Information Statement and other public material submitted to the Commissioner concerning Minnesota Mutual's Plan, will also be available for inspection at the office of the Minnesota Department of Commerce, 133 East 7th Street, Saint Paul, Minnesota 55101, during regular business hours.

Any person wishing to submit written comments is invited to do so by mailing or delivering a copy of the comment to the attention of Mr. Jason Rohloff, Department of Commerce, 133 East 7th Street, Saint Paul, Minnesota 55101, on or before June 30, 1998.

In accordance with *Minnesota Statutes* section 60A.077, subd. 3(d), any interested person wishing to examine witnesses or present oral argument in connection with the Public Hearing must mail or deliver a written notice of appearance to the Department of Commerce at the above address on or before June 10, 1998. Such notice must contain the name, address and telephone number of the person wishing to make a statement or examine witnesses and of his or her authorized representative, if any. Scheduling and time priority will be accorded to persons who file advance written notices of appearance. Persons who have not filed such notices may nonetheless present a verbal or written statement at the Public Hearing, subject to available time. The Presiding Officer will reserve the right to limit the length of any verbal statement. Written and verbal statements will receive equal consideration. Persons wishing to obtain further information on the administrative procedures governing the Public Hearing may request copies of Scheduling Orders or Prehearing Notices, if any, from the Department of Commerce at the above address.

The proceedings will be stenographically transcribed. Any persons may obtain a copy of the transcript at his or her own expense by making arrangements with Minnesota Mutual or the reporting service.

Dated: 18 May 1998

David B. Gruenes  
Commissioner  
Minnesota Department of Commerce

## **Commissioner of Commerce**

### **Order Setting Matter for Public Hearing in the Matter of the Petition to Reorganize of the Minnesota Mutual Life Insurance Company**

**TO: The Minnesota Department of Commerce; The Minnesota Mutual Life Insurance Company; Policyholders of The Minnesota Mutual Life Insurance Company; and other interested parties:**

The Minnesota Mutual Life Insurance Company ("Petitioner") filed a Plan of Reorganization ("Plan") under *Minnesota Statutes* Section 60A.077 with the undersigned Minnesota Commissioner of Commerce ("Commissioner") on May 12, 1998. Pursuant to the authority set forth in *Minnesota Statutes* Sec. 60A.077, subd.3 (d) the Commissioner has determined to conduct a public hearing regarding the proposed Plan on July 1, 1998, commencing at 9:00 a.m. in the 3M Auditorium of the Minnesota History Center, 345 Kellogg Boulevard, St. Paul, Minnesota. The Commissioner hereby appoints The Honorable George Beck, Administrative Law Judge ("ALJ"), Minnesota Office of Administrative Hearings, to serve as the presiding officer at the public hearing for the following limited purposes:

- (1) To rule on all issues concerning pre-hearing discovery; the admissibility of evidence, including the competency of witnesses and the authenticity and reliability of documentary evidence; and the determination of all other matters which come before the ALJ which bear on the creation and preservation of a full, accurate and reliable record of the public proceedings regarding the Proposed Plan; and
- (2) To ensure that the Petitioner, policyholders and any other person whose interest may be affected by the proposed reorganization who have filed Notices of Appearance, as well as all other interested parties requesting an opportunity to present statements on the record at the public hearing, receive just consideration and due process, while at the same time promoting the interests of administrative efficiency and economy.

In connection with the Public Hearing, the Commissioner reserves to himself, subject to the advice and consultation of the ALJ, the following responsibilities:

- (1) The adoption of a scheduling order and any amendments or modifications thereto, including the date on which the official record in this case shall be closed;
- (2) The determination of any issues involving party standing, including the identity of those "policyholder members" of the Petitioner who will be permitted to participate as parties in this proceeding and, if the Commissioner should ultimately approve or modify the Plan, to vote on the Plan or modification to the Plan;
- (3) The determination of any legal issues involving the completeness of the Proposed Plan in this proceeding, including any issue as to whether Petitioner has submitted all information in support of the Plan required by *Minnesota Statutes* Sec. 60A.077, subd. 3;
- (4) The adoption of Findings of Fact, Conclusions of Law and Order approving or disapproving the Plan.

The Commissioner shall conduct an initial pre-hearing conference on May 18, 1998, at 10:30 a.m., in the offices of the Department of Commerce, St. Paul, Minnesota for the purpose of approving the form of Notice of Public Hearing, approving a scheduling order applicable to the proceedings, and, if appropriate, ruling on any issues presented by the Petitioner and/or the Department with regard to matters of policyholder/member standing and voting eligibility.

Dated: 18 May 1998

David B. Gruenes, Commissioner  
Minnesota Department of Commerce

## Commissioners' Orders

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### Commissioner of Commerce

#### Scheduling Order in the Matter of the Petition to Reorganize the Minnesota Mutual Life Insurance Company

**TO: The Minnesota Department of Commerce; The Minnesota Mutual Life Insurance Company; Policyholders of The Minnesota Mutual Life Insurance Company; and other interested parties:**

The Minnesota Mutual Life Insurance Company ("Petitioner") filed a Plan of Reorganization ("Plan") under *Minnesota Statutes* Section 60A.077 with the undersigned Minnesota Commissioner of Commerce ("Commissioner") on May 12, 1998. On May 18, 1998, the undersigned Commissioner issued an Order directing that a public hearing be held with regard to the Proposed Plan pursuant to *Minnesota Statutes* Section 60A.077, subd. 3(d), and appointing the Honorable George Beck as the Commissioner's designee to serve as the presiding officer at the Public Hearing. A preliminary pre-hearing conference was held before the undersigned and ALJ May 18, 1998. Appearances were made by the Petitioner and the Department of Commerce through their counsel of record.

Based on the records, files and proceedings herein, and upon the comments and suggestions of the Petitioner and the Department, the undersigned adopts the following

#### **SCHEDULING ORDER**

These requirements and deadlines shall govern all future proceedings in connection with the Plan and the public hearing to be held on July 1, 1998, at 9:00 a.m. at the 3M Auditorium of the Minnesota History Center, 345 Kellogg Boulevard, St. Paul, Minnesota.

- (1) On or before May 27, 1998, the Petitioner shall cause to be mailed to its eligible members of record as of April 13, 1998, at the last known address contained in the Petitioner's records, a copy a Policyholder Information Statement describing the Plan, which includes a copy of the Notice of Public Hearing, in the form approved by the Commissioner on May 18, 1998, a copy of which is attached hereto. The Petitioner shall post all public documents it files with the Commissioner related to the Plan on the Petitioner's website: <http://www.minnesotamutual.com>. The Commerce Department shall promptly cause the order Setting Matter for Public Hearing, the Notice of Public Hearing and this scheduling order, to be published in the *Minnesota State Register*. The Department shall post all orders issued in connection with this proceeding on the Department's website at [www.commerce.state.mn.us](http://www.commerce.state.mn.us). The Department shall also maintain in its website a link to Petitioner's website.
- (2) On or before June 10, 1998, any policyholder or other person seeking party status in this matter in order to submit sworn testimony in the record, or to examine or cross-examine witnesses, must file a written Notice of Appearance with the Commissioner c/o Jason Rohloff, Minnesota Department of Commerce, 133 East Seventh Street, St. Paul, MN 55101 in the form attached.
- (3) The procedures applicable to the public hearing are described in *Minnesota Statutes* 60A.077, subd. 3(d), the text of which is set forth below.<sup>1</sup> Any discovery to be conducted by a party to this proceeding shall be completed by June 26, 1998.
- (4) The parties to any disputes which arise in connection with discovery shall promptly exhaust all efforts to resolve such disputes between themselves. Any unresolved disputes shall be submitted immediately by written motion to the ALJ, with proof of service of the motion. No motions may be filed after 4:30 p.m. on June 22, 1998. Any party who wishes to respond to such motion shall file a response with the ALJ, with proof of service, by June 24, 1998.
- (5) On or before June 24, 1998, the Petitioner shall, if it elects to submit a pre-hearing brief, file the original of such brief with the Commissioner, and serve a copy upon the ALJ, the Department and all other parties of record. The Department and any other party which elects to submit a pre-hearing brief, shall file the original thereof with the Commissioner and serve a copy on the Petitioner and all other parties of record on or before June 29, 1998.

- (6) The order of presentation at the public hearing on July 1, 1998 shall be as follows:

First, the Commissioner will open the proceeding with introductory comments, summarizing the nature and purpose of the public hearing process, and recognizing the official parties to the proceeding.

Second, The Commissioner will then introduce ALJ Beck, who will outline the procedural format of the hearing process, including the order of examination by parties and the guidelines applicable to presentations by non-parties; the standards applicable to the admission of evidence in the record; and other matters affecting the orderly presentation of evidence in the record.

Third, ALJ Beck shall call upon the Petitioner's representatives to make an opening statement summarizing the purpose and substance of the Plan, as well as the statutory requirements applicable to the Plan. The Petitioner shall then present its witnesses, either individually or as a panel, and present direct testimony and documentary evidence in support of the Plan.

Fourth, the Petitioner's witnesses shall be subject to cross-examination, first by the Department, and then, in order of appearance, by the other parties who have submitted notices of appearance in the case. The Petitioner shall conduct any re-direct examination permitted by the ALJ.

Fifth, the Department shall tender its witnesses, if any, who shall be subject to cross-examination first by the Petitioner, and next by other parties in the same order applicable to the cross-examination of Petitioner's witnesses.

Sixth, any other party who wishes to offer record evidence shall tender that party's witnesses for direct and cross-examination according to the same order.

Seventh, any other person who has not filed a notice of appearance, but who wishes to make a statement on the record, shall be permitted an opportunity to do so, subject to any time limitations and other considerations of fairness and efficiency in the discretion of the ALJ.

Eighth, time permitting, the Petitioner shall be permitted to make a brief closing argument in support of the Proposed Plan, and any other party may present a brief closing argument in favor of or in opposition to the Plan.

- (7) The official record of the public hearing in this matter shall remain open until July 10, 1998 for purposes of receiving written statements from policyholder members and other persons whose interests may be affected by the proposed reorganization. Any person who desires to submit written comments may do so by filing their comments with the Commissioner, c/o Jason Rohloff, at Minnesota Department of Commerce, 133 East Seventh Street, St. Paul, MN 55101. The Petitioner and the Department, along with any other party to the proceeding, may, but are not required to, submit post-hearing briefs and proposed Findings of Fact and Conclusions of Law to the Commissioner on or before July 17, 1998.
- (8) The Commissioner shall issue a final order approving, disapproving or modifying the Proposed Plan on or before July 29, 1998.

Dated: 21 May 1998

David B. Gruenes, Commissioner  
Minnesota Department of Commerce

<sup>1</sup> (d) The commissioner may, but need not, conduct a public hearing regarding the proposed plan. The hearing must be held within 30 days after submission of a completed plan of reorganization to the commissioner. The commissioner shall give the reorganizing mutual company at least 20 days' notice of the hearing. At the hearing, the reorganizing mutual company, its policyholders, and any other person whose interest may be affected by the proposed reorganization, may present evidence, examine and cross-examine witnesses, and offer oral and written arguments or comments according to the procedure for contested cases under chapter 14. The persons participating may conduct discovery proceedings in the same manner as prescribed for the district courts of this state. All discovery proceedings must be concluded no later than three days before the scheduled commencement of the public hearing.

## Revenue Notices

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### Commissioner of Commerce

#### Notice of Appearance in the Matter of the Petition to Reorganize of the Minnesota Mutual Life Insurance Company

(Please submit this Notice of Appearance only if you desire to participate at the public hearing as a party for purposes of submitting sworn testimony, examining and cross-examining witnesses. The Commissioner will make the final decision as to who will be granted party status in the event of a dispute. You need not file this Notice of Appearance if you desire only to make oral statements on the record at the public hearing, or if you wish to submit written comments to the Commissioner of Commerce. If you wish to submit written comments, please submit them to the Commissioner's representative whose name is set forth below by July 10, 1998.)

**TO:** The Minnesota Commissioner of Commerce, c/o Jason Rohloff, Minnesota Department of Commerce, 133 East Seventh Street, St. Paul, MN 55101

You are hereby advised that the party named below will appear at the above hearing:

**NAME OF PARTY:**

**ADDRESS:**

**TELEPHONE NUMBER:**

**PARTY'S ATTORNEY OR OTHER REPRESENTATIVE:**

**OFFICE ADDRESS:**

**TELEPHONE NUMBER:**

**SIGNATURE OF PARTY OR ATTORNEY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## Revenue Notices

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

### Department of Revenue

#### Revenue Notice # 98-10: MinnesotaCare - Legend Gas Distributors

This Revenue Notice explains the application of the MinnesotaCare tax to payments received by a legend gas distributor for sales made to a hospital, health care provider, or other entity that dispenses legend drugs to patients or consumers.

The MinnesotaCare tax is imposed on the gross revenues received by a wholesale drug distributor. Gross revenues are defined in *Minnesota Statutes*, § 295.50, subdivision 3, as the total amounts received by a wholesale drug distributor for sale or distribution of legend drugs delivered in Minnesota.

Legend drugs are defined in *Minnesota Statutes*, § 151.01, subdivision 17, as a drug which is required by federal law to bear the following statement, "Caution: Federal law prohibits dispensing without a prescription."

**Issue:** Are legend gases - including oxygen - considered legend drugs and thus subject to tax?

**Department Position:** Yes. Legend gases are subject to tax since they fall within the definition of a legend drug; these gases must bear the federal warning statement regarding their dispensing. Oxygen is considered a legend drug when it is sold for medical use. Therefore, legend gas distributors are subject to the MinnesotaCare tax on gross receipts from the sale of oxygen for medical use. If oxygen is sold for some other purpose (e.g., industrial), it is not considered a legend drug and not subject to the MinnesotaCare tax. Hospitals and other health care providers may deduct the cost of legend gases in the same manner they deduct the cost of other legend drugs under *Minnesota Statutes*, § 295.53, subdivision 1(6).

Dated: 8 June 1998

Jennifer L. Engh  
Assistant Commissioner for Tax Policy

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

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

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## Department of Administration

### Request for Comments on Planned Amendment to Rules Governing A Limited Sales License for Manufactured Homes, *Minnesota Rules*, Chapter 1350

**Subject of Rules.** The Minnesota Department of Administration requests comments on its planned amendment to rules governing the limited sales licenses for Manufactured Homes. The Department is considering rule amendments that will give manufactured home community owners the authority to annually sell no more than five used homes in their communities. The Licensee must be the titleholder of the homes.

**Persons Affected.** The amendment to the rules would likely affect manufactured home community owners and those in the general public that plan to purchase manufactured homes.

**Statutory Authority.** *Minnesota Statutes*, section 327.31 through 327.36 and 327B.04 authorizes the Department to adopt rules relating to manufactured homes.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department does not contemplate appointing an advisory committee to comment on the planned rules.

**Rules Drafts.** The Department has not yet prepared a draft of the planned rules amendments.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be addressed to: Janet Streff, 408 Metro Square Building, 121 7th Place East, St. Paul, MN 55101.

**Alternative Format.** Upon request, this Request for Comments 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.

**Note:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 28 May 1998

Thomas R. Joachim, Director  
Building Codes and Standards Division  
Department of Administration

## Official Notices

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### Department of Children, Families and Learning

#### Request for Comments on Planned Amendment of Rules Relating to Inclusive Education Program *Minnesota Rules 3500.0550*

**Subject of Rules.** The Commissioner of the Department of Children, Families & Learning requests comments on the planned amendments to the Inclusive Education Rule. Issues that may be considered by the Commissioner when the rule amendment is proposed include but are not limited to the Inclusive Education Plan required of school districts, implementation of the plan, staff development and compliance procedures.

**Persons affected.** The amendment of the rule would affect public school students, their parents, teachers, school administrators and local school boards. The Commissioner does not contemplate appointing an advisory committee to comment on the planned rule.

**Statutory Authority.** *Minnesota Law*, Chapter 398, Article 5, Section 7, requires the Commissioner to make rules for Inclusive Education.

**Public Comment.** Interested persons or groups may submit comments or information on the planned amendment of rules in writing or orally until 4:30 p.m. on July 13, 1998. The Department has not yet prepared a draft of the planned amendment to the rule.

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

Mary S. Pfeifer  
550 Cedar Street, Room 624  
St. Paul, MN 55101-2273  
Phone: (612) 297-7820 or 1-800-657-3927  
TTY: (612) 297-2094  
Fax: (612) 296-3775

**Alternative Format.** Upon request, this Request for Comments 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 listed above.

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

Dated: 20 May 1998

Robert Wedl  
Commissioner

### Minnesota Comprehensive Health Association

#### Notice of Meeting of the Executive Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Executive Committee will be held at 8:00 a.m. on Friday, June 12, 1998. The meeting will be at The Minnesota Club, 317 Washington Avenue, St. Paul.

For additional information, please call Lynn Gruber at (612) 593-9609.

## Minnesota Comprehensive Health Association

### Notice of Annual Meeting of Members and Annual Meeting of the Board of Directors

**NOTICE IS HEREBY GIVEN** that the Annual Meeting of Members of the Minnesota Comprehensive Health Association (MCHA), will be held at 9:00 a.m. on Friday, June 12, 1998 at The Minnesota Club, 317 Washington Avenue, St. Paul, to be immediately followed by the Annual Meeting of the Board of Directors.

For additional information, please call Lynn Gruber at (612) 593-9609.

## Department of Health

### Division of Family Health

### Public Input Regarding the Health Department Application for Continuation of the Federally Funded Abstinence Education Program

The Minnesota Department of Health invites public comment concerning its application to the federal government for continuation of the Abstinence Education Program for the Fiscal Year ending September 30, 1999. Written comments are requested which may be mailed or presented at a public meeting scheduled on Monday, June 15, 1998 from 9:00 a.m. - 11:00 a.m. in the Mississippi Room at the Minnesota Department of Health Service Center located at the Snelling Business Park, 1645 Energy Park Drive, St. Paul. All comments are due at the department June 15, 1998.

This continuation application consists of two parts. The first reports program accomplishments to date. The second section describes how the current two year contracts will continue implementation during the next federal fiscal year. The department intends that input from public comment received in response to this notice, in addition to the experience of the local projects, will inform a dialogue to be conducted with interested persons in advance of the application for third year funding.

Persons planning to attend and/or present comments are requested to register as soon as possible, but no later than June 12, 1998. Any person needing special accommodations for a disability should so indicate at the time of registration.

To register for the meeting or request a copy of the draft application, please contact: Davetta McBride at (612) 623-5537 or E-Mail at [mcbri1@MDH-mom.health.state.mn.us](mailto:mcbri1@MDH-mom.health.state.mn.us).

## Department of Human Rights

### Enforcement Division

### Compliance Services Section

### Request for Comments on Planned Rule Governing the Means by Which a Contract may be Revoked, if Given to a Contractor Who is Not in Compliance and Planned Amendments to Rules Governing Contract Compliance, *Minnesota Rules*, 5000.3400 to 5000.3600

**Subject of Rules.** The Minnesota Department of Human Rights, Compliance Services Section requests comment on planned amendments governing contract compliance. The Department is considering rule amendments that will reflect the current status and administering of *Minnesota Statutes* section 363.073. The amendments will clarify language and ensure that Department's procedures for compliance are efficient. Comment is also requested on a planned rule which would govern the means by which a contract may be revoked if given to a contractor who does not have a valid certificate of compliance is also under consideration.

**Persons Affected.** The amendment to the rule specifically affects any business with more than 40 full-time employees on any single day in the past 12 months, that contracts in excess of \$100,000 with the state of Minnesota. The rule amendments and rule would be of interest to these businesses that do business or wish to do business with the state of Minnesota, pro-business organizations, social welfare organizations, business associations, contractors organizations, minority organizations, trade unions, women's organizations, disability organizations, state agencies and minority councils.

## Official Notices

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**Statutory Authority.** *Minnesota Statutes*, section 363.074 authorizes the commissioner to adopt rules to implement section 363.073 specifying the criteria used to review affirmative action plans and the standards used to review implementation of affirmative action plans.

**Public Comment.** Interested persons or groups may submit comments or information on these planned amendments in writing or orally until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the amendments.

**Rule Drafts.** The Department has not yet prepared a draft of planned amendments. Drafts will be available when prepared and should be available prior to publication of any proposed amendments.

**Agency Contact Person.** Written comments, questions or requests to receive a draft of the amendments when they have been prepared, and requests for more information on these planned amendments should be addressed to Kristin B. Kershasky, Department of Human Rights, Army Corps of Engineers Centre, 190 East 5th Street, Suite 700, St. Paul, MN 55101. (612) 296-5138, FAX (612)296-9055, TTY users may call the Department at (612) 296-1283.

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

**Note.** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 2 June 1998

Dolores Fridge, Commissioner  
Department of Human Rights

## Department of Human Services

### Request for Comments on Service Delivery Standards for the Demonstration Project for People with Disabilities

The Minnesota Department of Human Services (DHS) is announcing a 30-day comment period on its Service Delivery Standards document for the Demonstration Project for People with Disabilities (DPPD). There will be a public hearing from 1 pm to 4 pm on June 25, 1998 in Hearing Room RB2 in the basement of the State Office Building, 100 Constitution Ave., St. Paul. If needed, the hearing will be extended until 5 pm. The north entrance of this building is the most physically accessible.

The Demonstration Project for People with Disabilities is a demonstration project by DHS, in cooperation with county authorities, to create a coordinated service delivery system in which the acute and long term benefits of the medical assistance program is provided and funded on a capitated basis for people with disabilities eligible for medical assistance.

The Service Delivery Standards document is the proposed contract standards for the provision and management of services for covered enrollees in the DPPD. It will not include all contract standards which may ultimately appear in an expanded contract specifications document.

Although the DPPD planning does not involve rulemaking, the DHS is voluntarily soliciting public comment in order to have a better standards document.

People interested in testifying at the public hearing should call Stephanie Slaton at (612) 215-1277 to have their name placed of the list of people to testify. People can also sign up to testify at the public hearing. The order of testimony will be according to the list. Individual testimony will be limited to no more than 10 minutes. People testifying at the public hearing are encouraged to also submit their comments in writing.

All written comments and letters of support must be mechanically written, citing the section of the Service Delivery Standards document, and proposed alternative language. No handwritten comments, margin notes, or general critique will be considered.

The comments or letters of support must include the submitter's name and affiliation. If the submitter wants to be contacted for any needed clarification of comments, include telephone number or e-mail address.

Written comments and letters of support must be received by 4:00 on July 9, 1998.

The Department of Human Services will consider all comments. The Department of Human Services is not obligated to acknowledge or respond to each comment.

To request a copy of the Service Delivery Standards document, please call Stephanie Slaton at (612) 215-1277. Copies of the Service Delivery Standards will be automatically mailed to all members of the Service Delivery Standards group that advised DHS, the DPPD Stakeholders Committee, and counties involved in the DPPD. All written inquiries, comments, and letters of support should be sent to:

Gary Cox  
e-mail: [gary.cox@state.mn.us](mailto:gary.cox@state.mn.us)  
diskette formatted in WordPerfect for Windows  
mail: Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3828  
FAX: Write "To:Gary Cox" on each page (612) 297-1949.

Call Stephanie Slaton at (612) 215-1277 for additional information. If you ask, DHS will give you this information in another form, such as Braille, large print or audiotape.

## Department of Natural Resources

### Division of Fish and Wildlife

#### Notice of Fish and Wildlife Habitat Stamp Art Contests

#### Background about the Fish and Wildlife Habitat Stamp Art Contests

**Minnesota Statutes 97A.045 and Minnesota Rules 6290 permit the Commissioner of the Department of Natural Resources (DNR) to conduct contests for selection of designs for fish and wildlife habitat stamps.**

**NOTICE IS HEREBY GIVEN** that entry dates for four habitat stamp contests conducted by the DNR are as follows:

- 1. 1999 Trout and Salmon Stamp contest.** Entries will be accepted beginning July 27, 1998 and continuing until 4 p.m. Friday, August 7, 1998 at the DNR Fisheries Office, 500 Lafayette Road, St. Paul, MN 55155.
- 2. 1999 Migratory Waterfowl Stamp contest.** Entries will be accepted beginning August 10, 1998 and continuing until 4 p.m. Friday, August 21, 1998 at the DNR Wildlife Office, 500 Lafayette Road, St. Paul, MN 55155.
- 3. 1999 Pheasant Habitat Stamp contest.** Entries will be accepted beginning August 31, 1998 and continuing until 4 p.m. Friday, September 11, 1998 at the DNR Wildlife Office, 500 Lafayette Road, St. Paul, MN 55155.
- 4. Year 2000 Turkey Habitat Stamp contest.** Entries will be accepted beginning January 25, 1999 and continuing until 4 p.m. Friday, February 5, 1999 at the DNR Wildlife Office, 500 Lafayette Road, St. Paul, MN 55155.

All entries for the contests must be accompanied by the appropriate application materials. Contest application packages, which include all entry forms and specifications, are available by writing: Minnesota DNR Information Center, 500 Lafayette Road, St. Paul, MN 55155-4040; or by calling the DNR at (612) 296-6157.

Dated: 1 July 1997

Tom Landwehr  
Section of Wildlife  
Department of Natural Resources

## Official Notices

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### Department of Natural Resources

#### Bureau of Real Estate Management

#### Notice of Intent to Establish a List of Qualified Individuals for the Appraisal and Review of 576 State Lakeshore Lease Lots Located in 11 Counties

**NOTICE IS HEREBY GIVEN**, the Department of Natural Resources, Bureau of Real Estate Management will establish a list of qualified individuals to appraise and review the completed appraisals of 576 State Lakeshore Lease Lots located in 11 counties. Interested individuals must hold a valid Minnesota real estate appraisal license. Applicants must be acceptable to the County Board in which the subject property is located and the Commissioner of Natural Resources to be considered for appraisal assignments. Work will be completed prior to June 1, 1999.

Contract requirements may include but are not limited to: inspection of subject properties, inspection and verification of recent sales, and preparation and delivery of a self contained appraisal report that meets USPAP requirements. All appraisals must be completed for each subject property within 90 days; all reviews of completed reports must be completed within 30 days of receipt. Contracts will contain a payment penalty clause for work completed after the date due. Interested individuals should submit a letter of interest, including qualifications, prior to June 17, 1998, to:

Dated: 20 May 1998

Mike Miller  
Department of Natural Resources  
Bureau of Real Estate Management  
500 Lafayette Road - Box 30  
St Paul, MN 55155-4030  
(612) 296-0237

### Office of the Ombudsman for Mental Health and Mental Retardation

#### Notice of Meeting of the Advisory Committee

The Ombudsman for Mental Health and Mental Retardation Advisory Committee will hold a general meeting from 9:00 a.m. until 1:00 p.m. on Thursday, June 18, 1998. The meeting will be held in LL52 of the Metro Square Building on 7th and Robert Street, St. Paul.

### Metropolitan Council Environmental Services

#### Public Hearing on Draft Facility Plan for South Washington County Wastewater Treatment Plant Project No. 9501

The Metropolitan Council will hold a public hearing on the Draft Facility Plan for the new South Washington County Wastewater Treatment Plant, MCES Project 9501. The public hearing will be held at Independent School District 833 Board Room, South Washington County Schools, 7362 East Point Douglas Road, Cottage Grove, MN, July 14, 1998 at 7 p.m. The public hearing presentation will be on the Draft Facility Plan, including the selected site and the concept for future potential phased service.

This study identifies the most efficient and effective way to provide service capacity for wastewater treatment for Cottage Grove, eastern Woodbury and potentially southern Lake Elmo at a new wastewater treatment plant. The selected site is the existing 10-acre Cottage Grove plant property, which allows a compact plant of 15 million-gallon-per-day (mgd) capacity for liquids treatment, which is projected to be adequate to the year 2050. This Draft Facility Plan is for an initial capacity of approximately 10 mgd, which is projected to be adequate until the year 2020.

Copies of the Draft Facility Plan will be available for review no later than June 12, 1998, at the following locations:

- Metropolitan Council Regional Data Center, 230 East Fifth Street, St. Paul
- Metropolitan Council Environmental Services, Office of Customer Relations and Environmental Education, 230 East Fifth St., St. Paul
- Cottage Grove City Hall, 7516-80th Street South, Cottage Grove
- Woodbury City Hall, 8301 Valley Creek Road, Woodbury
- Lake Elmo City Hall, 3800 LaVerne Avenue North, Lake Elmo
- Park Grove Branch Library, 7900 Hemingway Avenue South, Cottage Grove
- Woodbury Branch Library, 2150 Radio Drive, Woodbury

All interested people are encouraged to attend the hearings and provide comments.

Comments, which must be received by 5 p.m. on Tuesday, July 28, 1998, may also be submitted as follows:

- Send written comments to: Pauline Langsdorf at Metropolitan Council Environmental Services, 230 East Fifth Street, St. Paul, MN 55101
- FAX comments to Pauline Langsdorf at 602-1003
- Record comments on Metropolitan Council's Public Comment Line at 602-1500
- E-mail comments to *data.center@metc.state.mn.us*
- Send TTY comments to 291-0904

Upon request, Metropolitan Council will provide reasonable accommodations to people with disabilities. Requests must be received prior to July 1, 1998.

Additional information can be obtained from Metropolitan Council Environmental Services, Office of Customer Relations and Environmental Education, at 602-1806.

## **Minnesota Property Insurance Placement Facility**

### **Meeting Notice of the Governing Board**

**NOTICE IS HEREBY GIVEN** that the Governing Board meeting of the Minnesota Property Insurance Placement Facility will be held at 9:30 a.m. on Wednesday, June 10, 1998. The meetings will be held at Minnesota Property Insurance Placement Facility located at 1201 Marquette Avenue, Suite 310; Minneapolis, Minnesota. For additional information please call 338-7584.

## **Minnesota Racing Commission**

### **Request for Comments on Planned Amendment to Rules Governing: *Minnesota Rules* 7869.0100 Definitions, 7870.0050 Disclosure of Improvements and Equipment, 7870.0170 Class A License Criteria, 7870.0220 Disclosure of Improvements and Equipment, 7870.0640 Disclosure of Improvements and Equipment, 7871 Televised Racing Days, 7873 Pari-Mutuel Rules, and 7875.0200 Equipment**

**Subject of Rules.** The Minnesota Racing Commission requests comments on its planned amendment to rules governing the operation of the racetrack totalizator system. The Commission is considering a rule amendment that would:

- regulate wire and other communications relating to the racetrack's totalizator system.

**Persons Affected.** The proposed rule amendments would affect the racetrack (class A and B license holder) and wagering patrons.

**Statutory Authority.** The Commission's statutory authority to amend these rules is set out in *Minnesota Statutes*, sections 240.23 general rulemaking authority.

## Official Notices

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**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing or orally until further notice. The Commission has appointed an advisory committee to comment on the planned rules.

**Rules Drafts.** The Commission has not yet prepared a draft of the planned rules amendments.

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared and requests for more information on these planned rules should be addressed to:

Richard G. Krueger, Executive Director  
Minnesota Racing Commission  
P.O. Box 630  
Shakopee, Mn 55379  
612-496-7950.

TTY users may call the Commission at 1-800-627-3529.

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

**Note:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started.

Dated: 22 May 1998

Richard G. Krueger  
Executive Director  
Minnesota Racing Commission

## Public Employees Retirement Association

### Notice of Meeting of the Public Employees Retirement Association Board of Trustees

The regular meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, June 11, 1998, at 9:30 a.m. in the offices of the association, 514 St. Peter Street, Saint Paul, Minnesota.

## Department of Public Safety

### Request for Comments on Planned Amendment to Rules Governing School Safety Patrol Flag and Pole, *Minnesota Rules, Chapter 7415.0300*

**Subject of Rules.** The Minnesota Department of Public Safety requests comments on its planned amendment to rules governing school safety patrol flags and poles. The Department is considering a rule amendment that will make it optional for schools to attach a light to a safety patrol flag in order to increase the safety of children using cross walks by increasing visibility during inclement weather conditions.

**Persons Affected.** The amendment to the rules would directly affect school administrators, safety patrol advisors, local law enforcement, school patrols and small light device manufacturers. The rules would also affect those persons from the general public who encounter school safety patrol cross walks.

**Statutory Authority.** *Minnesota Statutes*, section 126.15, subd.4 authorizes the Commissioner of Public Safety to prescribe the method of identification and operation to be used with respect to school safety patrols in order that they be uniform throughout the state.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on August 1, 1998. The Department does not contemplate appointing an advisory committee to comment on the planned rules.

**Rules Drafts.** The Department has not yet prepared a draft of the planned rules amendments.

**Agency Contact Person.** Written comments, questions, and requests for more information on these planned rules should be addressed to: Barbara Anderson, Pupil Transportation Safety, State Patrol, 444 Cedar St., Suite 130, St. Paul, MN 55101-5130, telephone number (612) 215-5777. TTY users may call the Department at (612) 282-6555.

**Alternative Format.** Upon request, this Request for Comments 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.

**Note:** Comments received in response to this notice may not be included in the formal rulemaking record submitted to the administrative law judge. The Department will, however, consider the comments when preparing the draft of the proposed rules.

Dated: 1 June 1998

Donald E. Davis  
Commissioner of Public Safety

## Teachers Retirement Association

### Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Monday, June 22, 1998 at 9:30 a.m. in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

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## 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.

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## Center for Crime Victim Services

### Notice of Availability of Funds for Providing Services to Battered Women and Sexual Assault Victims

The Minnesota Center for Crime Victim Services announces the availability of state and federal grant funds for community-based programs, programs serving traditionally underserved populations, and special time-limited projects that provide services to battered women and sexual assault victims.

The following grants are for the nine-month period from October 1, 1998, through June 30, 1999. Applications are due on **Monday, July 20, 1998.**

#### Battered Women Services:

**1. Community Advocacy Program in Unserved Counties:** One grant in the amount of \$28,500 is available to provide start-up funds for direct services in counties where there are no state funded community advocacy services for battered women. Applicants are responsible for planning and implementing services according to minimum programmatic standards. The following 35 counties are defined as unserved for these grant funds: Beltrami, Benton, Big Stone, Carver, Chippewa, Chisago, Clearwater, Crow Wing, Dakota, Faribault, Goodhue, Grant, Jackson, Kanabec, Kittson, Lac Qui Parle, Lake of the Woods, LeSueur, Mahnomon, Marshall, Martin, Meeker, Mower, Murray, Olmsted, Otter Tail, Pipestone, Red Lake, Renville, Rock, Sibley, Stearns, Swift, Wadena, and Waseca. Priority may be given for services proposed in counties with no other available victim services. Nonprofit organizations, Indian tribal governments, and local units of government with a major program focus of serving battered women are eligible to apply. Successful applicants may be eligible to apply for continued funding when funds become available.

**2. Battered Women Defendants:** Up to two grants of \$29,919 each (one grant targeted for the Twin Cities area and one for greater Minnesota) are available to address the safety issues of battered women who are also defendants. Nonprofit organizations, Indian tribal governments, and local units of government with a major program focus of serving battered women are eligible to apply.

## State Grants & Loans

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**3. Increasing Access to Services for Special Populations of Battered Women:** Up to \$90,000 is available for special projects to increase access to services for older women, women with physical and/or developmental disabilities, women with mental illness, women who are chemically dependent, women experiencing primarily emotional abuse, and lesbian, bisexual, and transgender women. Grant award ranges from \$5,000 to \$30,000. Nonprofit organizations, Indian tribal governments, and local units of government with a major program focus of serving battered women are eligible to apply.

**4. Transitional Housing and Other Supportive Services for Women Leaving Prostitution:** One grant of up to \$125,000 is available to expand existing services for prostituted women, to include the development and implementation of transitional housing and other support services for women leaving prostitution as well as intensive case management specific to the needs of prostituted individuals receiving housing component services such as rental, mortgage, and utility assistance. Nonprofit organizations and local units of government that have a major program focus of serving women used in systems of prostitution are eligible to apply. A fifty percent match is required for \$50,000 of the grant and a five percent match is required for the remaining \$75,000 of the grant.

### **Sexual Assault Services:**

**1. Community Based Sexual Assault Services:** Up to three grants of \$30,000 each are available to establish advocacy services in unserved counties with populations of more than 15,000. Eligible counties are Chisago, Faribault, Isanti, LeSueur, Martin, McLeod, Meeker, Mower, Renville and Waseca. Applicants are responsible for planning and implementing services according to minimum programmatic standards. Nonprofit organizations and local units of governments are eligible to apply. Successful programs may be eligible to apply for continued funding of \$40,000 per year after the initial grant period.

**2. Advocacy Services for Sexual Assault Survivors of Politically Motivated Torture and Training for Advocates on Victims of Torture:** One grant of \$75,000 is available to develop and provide services to survivors who are victims of torture and to design and implement training programs for sexual assault advocates. Nonprofit organizations with a major program focus of serving survivors of politically motivated torture are eligible to apply. The successful applicant may be eligible to apply for another year of funding in FY00.

**3. New Sexual Assault Services to African Americans:** One grant of \$30,000 is available to establish basic sexual assault advocacy services to African Americans. Applicants are responsible for planning and implementing services according to minimum programmatic standards. Nonprofit organizations and local units of government are eligible to apply. Successful applicants may be eligible to apply for continued funding of \$40,000 per year after the initial grant period.

Applications are due **Monday, July 20, 1998**. To receive a request for proposals that provides complete information and describes how to apply, contact:

Minnesota Center for Crime Victim Services  
c/o Minnesota Department of Corrections  
Victim Services Unit  
1450 Energy Park Drive, Suite 200  
St. Paul, Minnesota 55108-5219  
voice (612) 642-0251  
outside the metro area 1/800-657-3679  
TTY (612) 643-3589

## Department of Human Services

### Adult Supports Division Refugee Services Section

#### Request for Proposals for Refugee Social Services

**NOTICE IS HEREBY GIVEN** that the Refugee Services Section, Adult Supports Division, Minnesota Department of Human Services, is seeking proposals to provide social services to refugees in Minnesota.

The project period will be one year, from October 1, 1998 to September 30, 1999. At the State's discretion, awards may be renewed for four additional years depending on service needs, contract performance and availability of funds. Contract performance will be evaluated based on achievement of contract goals and cost-effectiveness of services.

Funding is from the federal Office of Refugee Resettlement. The estimated amount of funds available is \$2.5 million.

A bidders' conference will be held 1:30 - 4:00 P.M. on June 17, 1998 in Room 1 A/B of the Human Services Building, 444 Lafayette Road, St. Paul, MN 55155.

To be considered for funding, proposals must be post-marked or hand-delivered to the Refugee Services Section by 4:20 P.M., CDT, July 14, 1998. We reserve the right not to act on this Request for Proposals.

Please direct all questions and requests for copies of the full Requests for Proposals to:

Jodie Eversman  
Minnesota Department of Human Services  
Adult Supports Division  
Refugee Services Section  
Human Services Building  
444 Lafayette Road  
Saint Paul, Minnesota 55155-3837  
Phone: 612-296-1383

## Department of Public Safety

### Minnesota Auto Theft Prevention Program

#### Notice of Grant Availability for Businesses, Government Units, and Community Organizations for Auto Theft Prevention

The Minnesota Auto Theft Prevention Program Board announces the availability of over \$350,000.00 in grant funds still accessible for the July 1, 1998 through June 30, 1999 grant period. Applications will be accepted from State, County, Local Police Departments, Governmental Agencies, Prosecutors, Judiciary, Businesses, Community and Neighborhood Organizations. This reimbursement grant program must be for projects dedicated to the area of auto theft. Grant application packets may be obtained by contacting Dennis Roske at the Auto Theft Prevention Office at (612/405-6153 or 405-6155). To be considered, applications must be received in the MATPP office in Mendota Heights by 4:30 p.m. on June 1, 1998.

# Professional, Technical & Consulting Contracts

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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].

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## 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](http://www.comm.media.state.mn.us)

For reliability, ease of service, and convenience, 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 well as the text of the *Minnesota Guidebook to State Agency Services 1996-1999*. Paper copies will be sold for both items.

To assist those with busy schedules, limited time, and occasional "forgetfulness," the print versions of these publications will remain available through subscriptions, as well as FAX for the "State Register Contracts Supplement." These will continue to provide reliable, convenient, and easy ways of notifying you of important information, rather than leaving the burden of searching up to you and your staff.

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 Administration

### State Designer Selection Board

#### **Request for Proposals for Minnesota State Academy for the Deaf, Faribault, Renovation of Tate Hall (SDSB Project No. 11-98)**

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 p.m., Monday, June 22, 1998, to:

**Sharon Schmidt, Acting Executive Secretary**  
State Designer Selection Board  
Department of Administration  
50 Sherburne Avenue, **Room 200**  
St. Paul, Minnesota 55155-3000  
**612.297.5525**

Questions concerning the Board's procedures herein described or the schedule in Item 7.h may be referred to the Executive Secretary at 612.297.5525. Questions relating to the project may be referred to the project contact(s) in Item 7.i.

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## Professional, Technical & Consulting Contracts

**NOTE TO RESPONDERS: 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. Eight (8) copies of the proposal shall be submitted plus one (1) additional unbound copy in black and white for micro fiche purposes only.
2. All data shall be on 8 1/2" x 11" sheets, soft bound. No more than 20 printed faces shall be allowed (see the following for clarification):
  - a. All letters directed to the Board shall be bound into the proposal and all pages shall be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
  - b. Blank dividers (with printed tab headings only) shall not be counted as faces.
  - c. Front and back covers of proposals shall not counted as faces.
  - d. None of the statutory, mandatory, or optional information, except as requested in Item 3 below, shall appear on the dividers or covers.
3. **The front cover of the proposal shall be clearly labeled with the project number and project title as shown at the top of this request for proposal, 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, and Minnesota registration number for each person and consultant (e.g., architects, civil/electrical/mechanical/structural engineers, landscape architects, land surveyors, and geoscientist);
- c. 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 in Item 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 firm(s) responding to this request for 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 fee 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.

## Professional, Technical & Consulting Contracts

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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 shall be identified. It shall be work in which the personnel listed in Item 4.b above have had significant participation and their roles shall be clearly described. It shall 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 Item 4.b above, administering or producing the major elements of the work, including consultants. Identify roles in which 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 shall follow one of the following procedures:
  - a. Enclose a *self-addressed, stamped* postal card with the proposals. Design firms shall be notified when material is ready to be picked up. Design firms shall have two weeks to pick up their proposals, after which time the proposals shall be discarded; or
  - b. Enclose a *self-addressed, stamped* mailing envelope with the proposals. When the Board has completed its review, proposals shall be returned using this envelope.

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

**7. PROJECT 11-98**  
**Minnesota State Academy for the Deaf**  
**615 Olof Hanson Drive**  
**P.O. Box 308**  
**Faribault, MN 55021-0308**

a. PROJECT DESCRIPTION:

This project requires renovation of Tate Hall at the Minnesota State Academy for the Deaf (Academy). Tate Hall is a 57,624 square foot building which was constructed in 1912 and was placed on the National Register of Historic Places in 1966. Tate serves as the dormitory facility for girls attending the Academy and houses administrative offices, the health clinic, and the museum. Renovation will include:

- 1) Roof replacement;
- 2) Installation and replacement of roof drainage system, i.e., eaves, gutters, scuppers;
- 3) Mold removal and refinishing of interior walls;
- 4) Refinishing and replacement of interior trim doors/door frames, window sills, and baseboards;
- 5) Modify existing fire sprinkler system as necessary to meet new design;
- 6) Refinishing of wood floors, replacement of old carpet, and replacement of tile;
- 7) Replacement and repair of ceiling treatment throughout the building
- 8) Installation of air-conditioning ventilation and exhaust system and upgrade of heating system;
- 9) Upgrade of plumbing system;
- 10) Exterior door replacement;
- 11) Replacement and/or repair of window shutters;
- 12) Window replacement;
- 13) Expansion of bathroom facilities in three living areas;
- 14) Installation of a living skills training area in three living units;
- 15) Removal of lower level bathing facilities and laundry facilities; and
- 16) Conversion of lower level bathing and laundry area to an activity and study area.

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## Professional, Technical & Consulting Contracts

b. **REQUIRED CONSULTANT SERVICES:**

The selected designer will be responsible for schematic design, design development, contract and bidding documents and construction administration. Services required include architectural, mechanical, electrical, structural, registered fire protection engineer, project scheduling and independent cost estimating.

The design team should demonstrate past experience with projects of this type including architectural detailing sensitivity to this vintage building, so as to maintain the exterior and interior architectural elements. The architect selected shall work with the Historical Society and the State Architect on a National Registered Building.

c. **SERVICES PROVIDED BY OTHERS:**

- 1) Perimeter drain tile, exterior water proofing, and covering of stone foundation with mortar.
- 2) Asbestos abatement of floor and ceiling tile.
- 3) Asbestos abatement of pipe system has been completed.

d. **PROJECT BUDGET/FEES:**

The current construction budget is estimated at \$3,611,405 plus 3 percent for equipment and furnishings. Designer fees of approximately 7.5 percent of construction cost shall include all travel expenses.

e. **PROJECT SCHEDULE:**

Design five months, bidding one month and construction one year. Construction scheduling will be a major concern as the building has full occupancy throughout the school year.

f. **PROJECT INFORMATIONAL MEETING/SITE VISIT:**

An informational meeting will be held on Wednesday, June 17, 1998, at 1 p.m. in the administration building on the Deaf Academy Campus in Faribault, Minnesota. Additional programming and predesign information will be made available to the firms chosen for the short list only.

g. **STATE DESIGNER SELECTION BOARD SCHEDULE:**

**Project Site Visit:** Wednesday, June 17, 1998, at 1 p.m.  
**Project Proposals Due:** Monday, June 22, 1998, by 4 p.m.  
**Project Short List:** Tuesday, July 7, 1998  
**Project Interviews & Award:** Tuesday, July 21, 1998

h. **PROJECT CONTACT(S):**

Questions concerning the project should be referred to:

Audrey Tebo  
Interim Administrator  
Minnesota State Academy for the Deaf  
615 Olof Hansen Drive  
Faribault, MN 55021  
Phone: 507.332.5400  
Fax: 507.332.5528  
Email: [tebo@msad.state.mn.us](mailto:tebo@msad.state.mn.us)

Gary Paulsen, Project Manager  
Building Construction Division  
Department of Administration  
G-10 Administration Building  
50 Sherburne Ave.  
St. Paul, Minnesota 55155  
Phone: 612.296.3427  
Fax: 612.296.7650

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

# Professional, Technical & Consulting Contracts

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## Department of Administration

### State Designer Selection Board

#### Request for Proposals for Department of Revenue, Construction of New Building In Ely, Minnesota (SDSB Project No. 10-98)

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 p.m., Monday, June 22, 1998, to:

**Sharon Schmidt, Acting Executive Secretary**  
State Designer Selection Board  
Department of Administration  
50 Sherburne Avenue, **Room 200**  
St. Paul, Minnesota 55155-3000  
**612.297.5525**

Questions concerning the Board's procedures herein described or the schedule in Item 7.h may be referred to the Executive Secretary at 612.297.5525. Questions relating to the project may be referred to the project contact(s) in Item 7.i.

**NOTE TO RESPONDERS: 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. Eight (8) copies of the proposal shall be submitted plus one (1) additional unbound copy in black and white for micro fiche purposes only.
2. All data shall be on 8 1/2" x 11" sheets, soft bound. No more than 20 printed faces shall be allowed (see the following for clarification):
  - a. All letters directed to the Board shall be bound into the proposal and all pages shall be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
  - b. Blank dividers (with printed tab headings only) shall not be counted as faces.
  - c. Front and back covers of proposals shall not counted as faces.
  - d. None of the statutory, mandatory, or optional information, except as requested in Item 3 below, shall appear on the dividers or covers.
3. **The front cover of the proposal shall be clearly labeled with the project number and project title as shown at the top of this request for proposal, 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, and Minnesota registration number for each person and consultant (e.g., architects, civil/electrical/mechanical/structural engineers, landscape architects, land surveyors, and geoscientist);
  - c. 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 in Item 4.b above, along with adequate staff to meet the requirements of work;

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## Professional, Technical & Consulting Contracts

- e. A list of State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for 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 fee 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 shall be identified. It shall be work in which the personnel listed in Item 4.b above have had significant participation and their roles shall be clearly described. It shall 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 Item 4.b above, administering or producing the major elements of the work, including consultants. Identify roles in which 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 shall follow one of the following procedures:

- a. Enclose a **self-addressed, stamped** postal card with the proposals. Design firms shall be notified when material is ready to be picked up. Design firms shall have two weeks to pick up their proposals, after which time the proposals shall be discarded; or
- b. Enclose a **self-addressed, stamped** mailing envelope with the proposals. When the Board has completed its review, proposals shall be returned using this envelope.

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

## Professional, Technical & Consulting Contracts

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### 7. PROJECT 10-98

**Department of Revenue  
Miners Drive & 7th Ave E  
Ely, MN 55731**

#### a. PROJECT DESCRIPTION:

The new approximately 15,000 gross square feet (GSF), Department of Revenue (DOR) facility shall be constructed on Miners Drive, Ely, Minnesota adjacent to DOR's existing, leased facility, as follows (approximate areas):

- 1) 9,800 GSF: Collection Operations;
- 2) 3,350 GSF: Training and Conference; and
- 3) 1,850 GSF: Support.

Although the project has not had the benefit of the state's predesign process, the above programmed spaces will accommodate current operations and staffing levels. The design shall consider possible, future expansion of all areas.

The facility's design shall be sensitive to and in context with the community's northeastern Minnesota heritage providing that such design can be accomplished while maintaining project construction budget and schedule integrity.

The Collections Operations area shall be of open office design and monitored at all times for unauthorized entry. The remaining spaces shall be so arranged as to permit public access during off hours as determined by the DOR. Security system shall conform to DOR requirements.

It is intended that the majority of existing, collection workstations be reused depending upon both their need in the new facility and their serviceability. Fiber optics technology shall be used for all workstation interconnections and networking.

Cost effective, energy efficient HVAC systems and their operation shall be designed to meet the contrasting, severe winter/summer ambient conditions. Building envelope, HVAC, lighting and electrical systems design shall conform to the requirements of the Minnesota Energy Code.

#### b. REQUIRED CONSULTANT SERVICES:

The consultant shall:

- 1) Demonstrate experience in phased construction and design of facilities similar to that required for this facility;
- 2) Provide programming, schematic design, design development, construction documents, bidding, and construction administration phases services;
- 3) Provide architectural, interior design (space planning), electrical, mechanical and structural engineering, registered fire protection services, electronic/communication consultation, landscape architecture, scheduling, and cost estimating services; and
- 4) Coordinate services provided by others with consultant's services.

#### c. SERVICES PROVIDED BY OTHERS:

R. L. Kuusisto, Consulting Engineer, Ely, Minnesota has been retained as civil engineer/surveyor for all site design including surveys, rough grading, roadways, curbs, parking areas, sidewalks, exterior lighting rough-ins, utilities, storm lines, retention ponds, tree removal, and tree save areas.

Departments of Administration and Revenue staff shall coordinate the move from the existing facility to the new facility with a phased relocation of existing furniture and equipment.

#### d. SPECIAL CONSIDERATIONS:

See project schedule in Item f.

#### e. PROJECT BUDGET AND FEES:

Construction is estimated to be \$1.7 million. Architect/engineering fee shall be in the range of six percent to eight percent.

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## Professional, Technical & Consulting Contracts

f. PROJECT SCHEDULE:

The project construction schedule is defined by the following PERT activities' schedule:

Activity Description	Orig Dur	Early Start	Early Finish
Site Utilities	55	July 6, 1998	September 18, 1998
Foundations	25	August 31, 1998	October 2, 1998
Frame	35	September 14, 1998	October 30, 1998
Enclosure	42	October 5, 1998	December 1, 1998
Interior	104	November 9, 1998	April 1, 1999
Exterior	34	April 12, 1999	May 27, 1999
Fiber Cabling	30	February 1, 1999	March 12, 1999
FF&E	30	March 15, 1999	April 23, 1999
Site Work	23	May 10, 1999	June 9, 1999

The schedule represents DOR's desire to have the new facility operational by June 1999. The aggressive schedule is open to negotiation.

g. INFORMATIONAL MEETING:

An information meeting for short listed firms will be held July 14, 1998, at 9:30 a.m. in the City Hall at Ely, Minnesota. All firms interested in this tour shall contact William (Bill) Hennin at 218.365.3012 to enroll for this meeting.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

<b>Project Proposals Due:</b>	Monday, June 22, 1998, by 4 p.m.
<b>Project Short List:</b>	Tuesday, July 7, 1998
<b>Project Information Mtg:</b>	Tuesday, July 14, 1998
<b>Project Interviews &amp; Award:</b>	Tuesday, July 21, 1998

i. PROJECT CONTACT:

Questions concerning the project should be referred to:

Mr. A. Thomas Ulness, A.I.A., Assistant Commissioner  
Department of Administration  
50 Sherburne Avenue, Room 200  
St. Paul, MN 55155  
Phone: 612.296.6852  
FAX: 612.297.7909

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

## Professional, Technical & Consulting Contracts

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### Department of Children, Families and Learning

#### Minnesota Academic Excellence Foundation

#### Notice of Request for Proposal to Develop and Deliver Recognition and Training Programs to Minnesota Elementary and Secondary Students, Schools and Communities

The Minnesota Academic Excellence Foundation (MAEF) is soliciting proposals from qualified vendors to develop and deliver new and continuing recognition and training programs to Minnesota elementary and secondary students, schools and communities. The selected contractor(s) will implement four existing student and teacher recognition programs; deliver services to metro-area schools and affiliated academic activity coordinators; refine and distribute a new curriculum package to high school juniors and seniors; implement training and consultative services in continuous quality improvement to schools and volunteers; develop and implement printed, electronic and in-person communications and outreach activities. The project will involve intensive coordination with other MAEF programs and activities and require interactions with a variety of school and community groups and volunteers.

MAEF estimates the cost of this project should not exceed \$63,000.00. The anticipated project period is July 15, 1998 through June 30, 1999. Prospective contractors may respond to any or all components or parts of the project. Prospective contractors should specify in their responses the components being addressed and the total cost being proposed for each component.

**For a complete copy of the Request for Proposal, please contact:**

Tom Henderson  
Minnesota Academic Excellence Foundation  
657 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101-2273  
Phone: (612) 297-1875  
Fax: (612) 296-5846  
Email: [maef@state.mn.us](mailto:maef@state.mn.us)

In compliance with *Minnesota Statute* 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.

**Completed proposals are due no later than 4:00 PM on June 30, 1998.**

**Late proposals will not be considered.**

## Colleges and Universities, Minnesota State (Mn/SCU)

### Winona State University

#### Notice of Request for Bid for Lounge Furniture

**NOTICE IS HEREBY GIVEN** that Winona State University will receive sealed bids for lounge furniture.

Bid specifications will be available June 8, 1998 from Sandra Schmitt, Purchasing Director, PO BOX 5838, 205 Somsen Hall, Winona State University, Winona, MN 55987 or by calling (507) 457-5067.

Sealed bids must be received by Sandra Schmitt, PO BOX 5838 or Somsen 205C, Business Office, Winona State University, Winona, MN 55987 by 12 Noon on June 22, 1998.

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

## Department of Commerce

### Requests for Proposals for Organizations and Individuals Wishing to Act as Administrator on Behalf of the Minnesota Workers' Compensation Assigned Risk Plan

The Department of Commerce requests proposals from qualified entities to act as Plan Administrator and manage the day to day operations of the Minnesota Workers' Compensation Assigned Risk Plan pursuant to *Minnesota Statutes 79.251* and Chapter 176. Entities licensed pursuant to *Minnesota Statutes 60A.06* subd. 1, clause (5)(b) are ineligible to act as administrator.

The full Request for Proposal is available upon request from:

Cindy Claason  
Department of Commerce  
133 E. 7th Street  
St. Paul, MN 55101  
(612) 296-6329

Proposals must be received no later than 4:30 p.m. on Wednesday, July 15, 1998.

## Department of Economic Security

### Request for Letters of Interest for Implementing Marketing Plan for ISEEK

The Minnesota Department of Economic Security (MDES), Research Office is seeking persons or firms who may be interested in responding to a Request for Proposals related to implementing a marketing plan for the ISEEK (Internet System for Education and Employment Knowledge) program. The Marketing Plan is currently being developed by an outside contractor.

Due to the timeliness of implementing the first phase of the marketing plan it will not be possible for MDES to publish a Request for Proposals (RFP) using the normal time lines. Therefore, MDES is seeking persons or firms who are experienced in implementing Marketing Plans and who may be interested in responding to the Request for Proposal, when prepared, to implement a marketing plan for the ISEEK (Internet System for Education and Employment Knowledge) program. Interested parties must submit a letter of interest with a description of their previous experiences and the name and address of the person who will be responsible for preparing a response for the RFP.

Only persons who respond to this Request for Letters of Interest will be mailed an RFP when it has been prepared. It is expected that the respondents will have no longer than two calendar weeks to respond to the final RFP.

#### Background

The formal mission statement of ISEEK is "to use the World Wide Web to enhance education and career decision making." ISEEK is funded by the state legislature and is governed by participants from MDES, the University of Minnesota, Minnesota State Colleges and Universities, the Department of Children, Families and Learning, and the Office of Technology, as well as other parties. ISEEK is an Internet web site that provides students, job seekers, education planners and others with up-to-date career, employment and education information. The site supports people as they explore careers, seek Minnesota jobs, investigate Minnesota's higher education programs and courses, counsel students in career planning, seek Minnesota job applicants and/or seek educational or job opportunities using labor market information.

#### Marketing Plan

A marketing plan is currently being developed that will recommend the most cost effective way to promote ISEEK (within its budget) and will contain at least the following components:

- A description of the marketing challenges/opportunities to be faced.
- A description of appropriate ISEEK marketing goals.
- A recommended "campaign," including:
  - Key messages
  - A media analysis
  - A strategy for reaching targeted audiences
  - A strategy for achieving cooperative sponsorships
  - A public relations strategy (events and/or opportunities to get media attention)

## Professional, Technical & Consulting Contracts

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The plan will indicate both time lines for recommended activities and the financial costs associated with them. ISEEK is now operational on the Internet ([www.iseek.org](http://www.iseek.org)). It will become more complete in three subsequent stages (August 1998, January 1999, and June 1999).

### Estimated Marketing Budget

The estimated total ISEEK marketing budget is \$70,000 for the period ending June 30, 1999. However, this figure may either be increased or decreased by the ISEEK steering committee which is made up of representatives of the funding partners. This figure is expected to cover all costs of implementing those parts of the Marketing plan the Steering Committee approves including design and development of print and electronic advertising as well as the placement of those pieces.

### Submission of Letters of Interest

All letters of interest must be submitted to:

Theresa Van Hoomissen  
Department of Economic Security  
390 North Robert Street  
St. Paul, MN 55101  
612/296-3716

Persons who have questions concerning this request should contact Ms. Van Hoomissen. No other department personnel are allowed to discuss this Request for Letters of Interest with anyone, including responders, until after the submittal date.

All letters of interest must be received no later than 4:00 p.m. June 22, 1998.

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.

## Department of Labor and Industry

### Request for Proposals for Medical Consultant

The Minnesota Department of Labor and Industry is requesting proposals from eligible physicians to serve as medical consultant to the Department, including consultation with the Workers' Compensation Division, the Research and Statistics Unit, the Investigative Services Unit, Occupational Safety and Health Administration, the Workers' Compensation Advisory Panel, the Medical Services Review Board and the Rehabilitation Review Panel.

The successful candidate will assist the Department in developing, implementing and evaluating programs to oversee the effective delivery of worker' compensation rehabilitation and medical services, the regulation of services currently provided and the development and monitoring of treatment guidelines and standards.

Qualifications for the services include: current active practice of medicine, preferably with an active practice in the area of occupational injuries and illnesses; recognized standing in the professional community and with relevant professional association; and experience in working with governmental agencies. The candidate must have familiarity with the State workers' compensation rehabilitation and medical programs.

It is anticipated that a contract will be written for one year; July 1, 1998 through June 30, 1999, with annual option to renew for a maximum of four additional years.

The deadline for proposals, which must include current resume or curriculum vitae is 4:00 p.m. on June 22, 1998.

For a copy of the complete Request for Proposal please contact Kate Kimpan, Director of Research and Statistics, Minnesota Department of Labor and Industry, (612) 297-4594. Any questions regarding this Request for Proposal must also be directed to Ms. Kimpan. Other personnel are not allowed to discuss this Request for Proposal with anyone, including respondents, until the proposal submittal deadline.

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.

## Minnesota State Lottery

### Request for Bids for Promotional Merchandise

The Minnesota State Lottery will purchase a variety of promotional items for the purpose of marketing lottery games. Those items will be purchased under provisions of *Minnesota Statutes 349A.07* which states in part:

**“The director shall utilize an open bid process and shall take into account the particularly sensitive nature of the state lottery and shall consider the competence, quality of product, experience, and timely performance of each potential vendor in order to promote and ensure security, honesty, fairness, and integrity and the operation and administration of the lottery.”**

Since time frames of these purchases will often be extremely constrained, the Lottery will establish a list of vendors willing to deliver specific items or groups of items. Invitations to bid on specific items will then be mailed to these vendors and responses mailed directly to the Lottery offices in Roseville.

Companies interested in being included on the Minnesota State Lottery vendor list for promotional merchandise should submit: business name, address, contact person, phone number, fax number, and brief description of your product line.

All responses should be sent to: Susie Kivi, Minnesota State Lottery, 2645 Long Lake Road, Roseville, Minnesota 55113. Vendors may request their names and product lines be added to the list at anytime.

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## Non-State Public Bids, Contracts & Grants

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

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

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## Metropolitan Council

### Request for Proposals for Central Copy Center Facility Management Services

Proposals for Facility Management Services of an on-site central copy center and convenience copier program will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East Fifth Street, St. Paul, Minnesota, 55101, until Tuesday, July 7, 1998, until 3:00 P.M.

All potential responders are required to attend a pre-proposal information meeting that will be held at Mears Park Centre on June 17, 1998, at 10:00 A.M., and will include a tour of the Mears Park facility.

Information packets may be obtained from the offices of the Metropolitan Council or by calling (612) 602-1499 or via Fax request at (612) 602-1083.

The award will be based upon, but not necessarily limited to, factors of price, agreement to the Metropolitan Council's terms and conditions, ability to meet the specifications as outlined, and past experience with the Metropolitan Council.

The Metropolitan Council reserves the right to accept or reject any and all Proposals, or any part of any Proposal, and to waive any minor irregularities and deviations from requirements outlined in the specifications or to advertise for new proposals as it deems in its best interest.

## Minnesota Historical Society

### Request for Bids to Design, Layout, Typeset Four Issues of *Minnesota History* Magazine

The Minnesota Historical Society seeks an independent contractor to design, layout, and typeset four issues (one year) of its quarterly journal, *Minnesota History*. Responsibilities include: typesetting from electronic text in Microsoft Word or Rich Text File format; design and layout on Macintosh computer of 3 to 4 illustrated articles plus book reviews and notes sections per issue; design and layout of four-color covers. Issues are typically 48 pages but may vary from 44 to 52 or more pages.

## Non-State Public Bids, Contracts & Grants

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Requires demonstrated experience with desktop publishing: design, typesetting, and digital imaging skills. Must be able to provide printer with all text in PostScript or application files and art on Syquest disk with marked-up laser proofs. Demonstrated familiarity with humanities journal style and with typesetting requirements for scholarly publication required; ability to work with historic photographs and documents a must; experience with one, two, and four-color design also necessary.

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

All bids 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, Thursday, June 25, 1998. A bid opening will be conducted at that time. Bids must be submitted in a sealed envelope with the project name clearly written on the envelope. Late bids 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 Bids.

## Minnesota Historical Society

### Request for Bids for Electrical Service Upgrade and HVAC System Replacement at the Lower Sioux Agency

The Minnesota Historical Society is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies to complete the upgrade of the electrical service, panels, wiring, and location of the main breaker in the center as well as the removal of the existing HVAC system and replacing it with a more efficient modern unit including a DDC system. All work will be in accordance with the Technical Specifications, Instructions to Bidders, Supplementary Conditions, General Conditions, the Contract, and the Request for Bids.

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

All bids 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, Friday, June 19, 1998. A bid opening will be conducted at that time. Bids must be submitted in a sealed envelope with the project name clearly written on the envelope. A Bid Bond must be included in the amount of 5% of the total base bid if the total base bid is over \$50,000. Late bids 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.

**There will be a pre-bid meeting for all interested parties on June 11, 1998 at 11:00 am at the site. The Lower Sioux Agency is located on Redwood County Highway 2, nine miles east of Redwood Falls, Minnesota.**

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

## University of Minnesota

### Purchasing Services

#### 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.