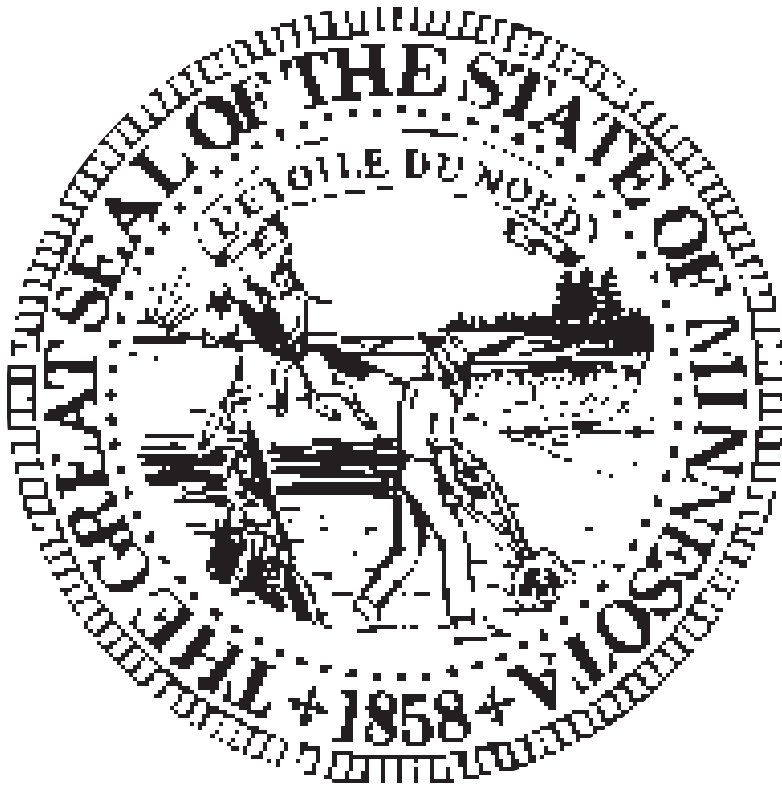


The Minnesota

# State Register

Rules and Official Notices Edition



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# State Register

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

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

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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
# 9	Tuesday 2 September	Monday 18 August	Monday 25 August
# 10	Monday 8 September	Monday 25 August	Friday 29 August
# 11	Monday 15 September	Friday 29 August	Monday 8 September
# 12	Monday 22 September	Monday 8 September	Monday 15 September

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<b>Minnesota Rules: Amendments &amp; Additions</b>		<b>Transportation Department</b>	
Volume 22, issues #1-9.....	338	City of West St. Paul petition for variance from requirements for after-the-fact-plan-approval .....	357
<b>Adopted Rules</b>		<b>State Grants &amp; Loans</b>	
<b>Human Services Department</b>		<b>Minnesota Amateur Sports Commission</b>	
Repealing certain Department of Human Services rules .....	340	Proposals sought from communities interested in developing ice arenas .....	357
<b>Expedited Emergency Rules</b>		<b>Housing Finance Agency</b>	
<b>Natural Resources Department</b>		Funds available for the tenant service coordination demonstration project .....	363
Adopted expedited emergency game and fish rules; 1997 deer season.....	340	<b>Human Services Department</b>	
<b>Executive Orders</b>		Proposals sought for chronic neglect projects from county and private social service agencies.....	364
<b>Governor's Office</b>		Proposals sought for child welfare reform pilots.....	365
Emergency Executive Order #97-19: Providing for personnel and equipment for the Monticello Nuclear Power Plant drill and exercise .....	350	<b>Public Safety Department</b>	
<b>Revenue Notices</b>		Grants available for aid in identification of critical issues, education and awareness, and investigation and prosecution of motor vehicle theft.....	365
<b>Revenue Department</b>		<b>Professional, Technical, &amp; Consulting Contracts</b>	
#97-10: MinnesotaCare - social work.....	350	<b>Administration Department</b>	
#97-11: MinnesotaCare - dietetic and nutrition care services .....	352	Proposals sought for the electronic transfer of state of Minnesota tax information.....	366
<b>Official Notices</b>		<b>Children, Families and Learning Department</b>	
<b>Agriculture Department</b>		Proposals sought to provide a study of the at home infant child care program.....	366
Rural Finance Authority Board cancellation of September 3, 1997 meeting; next meeting on October 1, 1997.....	353	<b>Higher Education Services Office</b>	
<b>Emergency Medical Services Regulatory Board</b>		Proposals sought for graphic designers.....	367
License application by Rush City Ambulance Service.....	353	Proposals sought for prepress services .....	367
<b>Minnesota Historical Society</b>		<b>Non-State Public Bids, Contracts &amp; Grants</b>	
Meeting September 18, 1997 of the State Review Board to consider nominations to the National Register of Historic Places .....	354	<b>Metropolitan Council</b>	
<b>Housing Finance Agency</b>		Invitation to Bid on Compaq Deskpro 6000 computers .....	368
Comments sought on planned amendments to rules for the rural and urban homesteading program.....	354	Proposals sought for bar code data collection system .....	368
<b>Labor and Industry Department</b>		Proposals sought for document/check printing system hardware/software .....	368
Prevailing wage certifications for commercial construction projects effective September 2, 1997 .....	355	Commodity, Service and Construction contracts are published in a bulletin, the <i>State Register Contracts Supplement</i> , published Tuesday, Wednesday and Friday. Award results are available from the Materials Management Helpline 612/296-2600.	
<b>Metropolitan Airports Commission</b>		Professional, Technical and Consulting contract awards are published monthly in an <i>Awards Report</i> .	
Adoption of Ordinance No. 82 regulating the vehicles, drivers and their owners within the airport.....	355	Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.	
<b>Teachers Retirement Association</b>			
Meeting September 19, 1997 of the Board of Trustees .....	356		
<b>Teaching Board</b>			
Comments sought for planned amendments to rules for teacher licensing .....	356		

# 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.

## Volume 22, issues #1-9

### Agriculture Board

1650.0511; .0531 (adopted) ..... 266

### Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design Board

1800.0200; .0300; .0400; .0500; .0800; .0900; .3900; .3905; .3910; .3915; .3920; .3930; .4000; .4100; .4200; .4300 (adopted)..... 90

1800.0500 s.5, 6 (repealed)..... 90

### Commerce Department

2675.8100; .8120; .8130; .8160; .8180; .8190 (proposed)..... 286

2675.8140; .8150 (proposed repealer) ..... 286

2820.1410; .1460; .1510; .1560; .1610; .1660; .1710; .1760; .1810; .1860; .1910; .1960; .2110; .2210; .2310; .2410; .2510; .2610 (adopted exempt) ..... 95

2820.1400; .1450; .1500; .1550; .1600; .1650; .1700; .1750; .1800; .1850; .1900; .1950; .2100; .2200; .2300; .2400; .2500; .2600 (repealed) ..... 95

### Education Board

3501.0180 (adopted exempt) ..... 24

### Health Department

4617.0002; .0059; .0065; .0066; .0067; .0068; .0069; .0070; .0075; .0080; .0086; .0087; .0088; .0090; .0100; .0120; .0171; .0176 (adopted) ..... 266

4617.0002 s.2a, 12a, 16a, 24a, 26a, 39, 40a, 44a; .0060; .0061; .0062; .0063; .0064; .0085; .0095; .0172; .0173; .0174 (repealed)..... 266

4670.0100; .1310; .2520; .2530; .2540; .2630; .4210 (adopted)..... 45

4670.1220; .1400; .1410; .1420; .1430; .1440; .1450; .1600; .3000; .3010; .3020; .3030; .3040; .3050; .3060; .3070; .3080 (repealed).. 45

4717.7000; 4720.5100; .5110; .5120; .5130; .5200; .5205; .5210; .5220; .5230; .5240; .5250; .5270; .5280; .5290; .5300; .5310; .5320; .5330; .5340; .5350; .5360; .5400; .5500; .5510; .5520; .5530; .5540; .5550; .5555; .5560; .5570; .5580; .5590 (proposed)..... 133

4717.7000; 4730.0100; .0300; .0400; .1000; .1120; .1130; .1210; .1510; .1520; .1640; .2510; .02520; .2530; .2540; .2550; .2560; .2570; .2580; .2710; .2750; .3500; .3610 (adopted)..... 314

4730.0100; s.111; .2500; .2700; .2900; .3605 (repealed) ..... 314

### Housing Finance Agency

4900.0010 (adopted) ..... 22

### Natural Resources Department

6216.0350; .0370 (adopted expedited emergency) ..... 199

6230.0200; .0400; .0500; .0600; .0800; .0900; 6232.0300; .0400; .2800; .3000; .3800; .4500; .4700; 6234.0600; .1200; .1300; .2600; 6240.0850; .1100; .1200; .1500; .1600; .1700; .1800; .1850; 6244.0410; 6254.0200; 6256.0600; 6258.0700; 6260.1100; .0200; 6262.0300; .0500; 6264.0300; .0400; 6266.0100; .0400; 6270.0050; .0100; .0200 (adopted) ..... 292

6230.0200; .0400; 6234.1700; .1800; 6240.0300; .0610; .1600 (adopted expedited emergency) ..... 316

6232.0700; .0800; .1200; .1250; .1600; .1750; .1800; .1950; .2100 .2450; .2500; .4700 (adopted expedited emergency) ..... 340

6232.0900; .4300 (adopted expedited emergency) ..... 113

6234.2200 s.8,11; 6240.0800; 6254.0400 (repealed)..... 292

6236.0700 (adopted expedited emergency) ..... 25

6236.0900 s.5; 6240.1800; .2100 s.4 (repealed) ..... 316

### Nursing Board

6301.0600; 6305.0100; .0300; .0500; .0600; 6310.2800; .2900; .3100; .3200; .3500; .3600; .3700; 6330.0350 (withdrawn) ..... 266

### Pollution Control Agency

7005.0100; 7007.0100; .0150; .0300; .0500; .0750; .0800; .1120; .1130; .1250; .1300; .1400; .1450; .1500; 7009.0080; .1040; 7011.0060; .0065; .0070; .0075; .0105; .0110; .0510; .0515; .0535; .0620; .0805; .0917; .1105; .1110; .1305; .1310; .1405; .1410; .1415; .1600; .1705; .2300; 7019.1000; 7035.2875 (proposed) ..... 232

7007.0750 s.6; .1251; 7011.0400; .0405; .0410; .2200; .2205; .2210; .2220 (proposed repealer) ..... 232

7011.0010; .0105; .0510; .0515; .0610; .0710; .0805; .1305; .1405; .1410; 7017.2001; .2005; .2015; .2018; .2020; .2025; .2030; .2035; .2045; .2050; .2060 (proposed) ..... 75

7045.0020; .0070; .0120; .0125; .0137; .0208; .0214; .0221; .0230; .0240; .0248; .0255; .0292; .0310; .0320; .0361; .0450; .0454; .0484; .0526; .0552; .0558; .0594; .0626; .0665; .0692; .0855; .0990; .1330 (adopted) ..... 5

## Minnesota Rules: Amendments and Additions

<p><b>7045.0020</b> s.21b; .0230 s.4; .0248 s.2; .0484 s.7 (repealed)..... 5</p> <p><b>7050.0180</b>; .0185; .0210; .0216; .0224; .0460; .0470; <b>7052.0005</b>; .0010; .0015; .0100; .0110; .0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0300; .0310; .0320; .0330; .0350; .0360; .0370; .0380 (proposed) ..... 154</p> <p><b>Public Safety Department</b></p> <p><b>7520.0100</b>; .0650; .1000; .1100 (adopted)..... 45</p> <p><b>7520.0640</b>; .0660; .0680 (repealed)..... 45</p> <p><b>Public Utilities Commission</b></p> <p><b>7812.0050</b>; .0100; .0150; .0200; .0300; .0350; .0400; .0500; .0550; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300 (adopted)... 46</p> <p><b>Gambling Control Board</b></p> <p><b>7861.0020</b>; .0030; .0040; .0050; .0120 (adopted)..... 291</p> <p><b>Office of Environmental Assistance</b></p> <p><b>9210.0800</b>; .0805; .0810; .0815; .0820; .0825; .0830; .0835; .0840; .0845; .0880; .0855 (adopted) ..... 22</p> <p><b>9205.0100</b>; .0110; .0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290; .0400; .0410; .0420; .0425; .0430; .0432; .0435; .0445; <b>9210.0400</b>; .0410; .0420; .0425; .0435; .0440; .0450; .0460; .0500; .0510; .0520; .0530; .0540; .0550; .0560; .0570; .0600; .0610; .0615; .0620; .0625; .0630; .0635; .0640; .0645; .0700; .0710; .0720; .0730; .0740; .0770; .1000; .1010; .1020; .1030; .1040; .1050; .1060 (repealed) ..... 22</p>	<p><b>Human Services Department</b></p> <p><b>9500.0650</b>; .0660; .0670; .0680; .0690; .0700; .0710; .1070 s.1; <b>9505.1100</b>; .1110; .1120; .1130; .1140; .1150; .1160; .1170; .1180; .1190; .1200; .1210; .1220; .1230; .1240; .1250; .1260; .1270; .1280; .1290; .1300; .1310; .1320; .1330; .1340; .1350; .1360; .1370; .1380; <b>9555.2100</b>; .2200; .2300; .3100; .3200; .3300; .4100; .4200; .4300; .4400; .4500; .4600; .4700; .4800; .4900; .5000; .5010; <b>9560.0750</b>; .0760; .0770; .0780; .0790; .0800; .0810; .0820; <b>9565.0100</b>; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900; .4000; .4100; .4200; .4300; <b>9566.0010</b>; <b>9570.4000</b>; .4100; .4200; .4300 (repealed)..... 340</p> <p><b>9575.0010</b>; .0350; .0670; .0680; .0690; .0740; .1500 (adopted)..... 45</p> <p><b>9575.0340</b>; .0360; .0380; .0690 s.2, 3; .1000; .1010; .1020; .1030; .1040; .1050; .1060; .1070; .1080; .1190 (repealed)..... 45</p>
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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 Human Services

### Adopted Permanent Rules Relating to Repealing Certain Department of Human Services Rules

The rules proposed and published at *State Register*, Volume 21, Number 52, pages 1852-1854, June 23, 1997 (21 SR 1852), are adopted as proposed.

## Expedited Emergency Rules

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

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules; 1997 Deer Season

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97B.111, 97B.301, 97B.305, 97B.311, and 97B.312.

Dated: 19 August 1997

Rodney W. Sando  
Commissioner of Natural Resources

By Eugene Gere  
Assistant Commissioner for Administration

#### **6232.0700 LEGAL DEER BY ARCHERY.**

Antlerless deer and legal bucks may be taken by archery, except that in 1997, archery hunters are not authorized to take antlerless deer in those permit areas not listed as having an antlerless quota for firearms deer hunters in part 6232.1800, subparts 4 and 5.

#### **6232.0800 ARCHERY SPECIAL HUNT AREAS AND PROCEDURES.**

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

Subp. 2. **Areas.** Special bow and arrow permits are valid in areas designated by the commissioner and published in the annual hunting regulations booklet.

The following archery special hunt areas are established for the 1997 season:

A. Crow-Hassan Park Reserve in Hennepin county is open November 14 through 16 for taking antlerless deer and legal bucks. No more than 135 permits shall be issued. Management permits are available and up to three intensive harvest permits may be used by permittees to take deer. Applications must be sent to Hennepin Parks Bow Hunt, 3800 County Road 24, Maple Plain, MN 55359.

B. Murphy-Hanrehan Park Reserve in Scott county is open November 7 through 9 for taking antlerless deer and legal bucks. No more than 180 permits shall be issued. Management permits are available and up to three intensive harvest permits may be used by permittees to take deer. Applications must be sent to Hennepin Parks Bow Hunt, 3800 County Road 24, Maple Plain, MN 55359.

C. Cleary Lake Regional Park in Scott county is open November 7 through 9 for taking antlerless deer and legal bucks. No more than 45 permits shall be issued. Management permits are available and up to three intensive harvest permits may be used by permittees to take deer. Applications must be sent to Hennepin Parks Bow Hunt, 3800 County Road 24, Maple Plain, MN 55359.

D. Portions of the city of New Ulm as shown on maps available from the city are open September 27 through December 31 for taking antlerless deer and legal bucks. No more than 50 permits shall be issued by the city of New Ulm. A regular archery license and an archery deer management permit must be purchased to qualify for the hunt. One intensive harvest permit may be used by permittees to take deer. Applications must be sent to New Ulm City Deer Hunt, City Manager's Office, 100 North Broadway, New Ulm, MN 56073. The application deadline is August 30.

#### **6232.1200 ARCHERY DEER MANAGEMENT PERMITS.**

The purchase of an archery deer management permit is authorized for any person who has purchased and presents a valid archery deer license from the current year. Archery deer management permits may be purchased from county auditors' offices, the license bureau, and other authorized agents. The archery deer management permit authorizes taking an antlerless deer in the following areas:

A. special hunt areas by permittees where deer management permits are valid and, in 1997, antlerless deer may be taken under an archery deer management permit in the Crow-Hassan Park Reserve, Murphy-Hanrehan Park Reserve, Cleary Lake Regional Park, and New Ulm City special archery hunt areas; and

B. designated antlerless permit areas, which consist of antlerless permit areas that the commissioner anticipates will be under-subscribed. In 1997, antlerless deer may be taken under an archery deer management permit in the following antlerless permit areas: 209, 210, 223, 225, 226, 227, 228, 236, 337, 338, 339, 341, 342, 343, 345, 346, 347, 348, 349, 401, 402, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 429, 431, 433, 435, 440, 452, 456, 459, 461, 462, 464, 465, 466, and 467.

#### **6232.1250 TAKING DEER BY ARCHERY UNDER INTENSIVE HARVEST PERMITS.**

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

Subp. 2. **Restrictions.** Intensive harvest permits may be used to take antlerless deer only or antlerless deer and adult bucks in antlerless permit areas and special hunt areas prescribed by the commissioner.

Subp. 3. **1997 archery intensive harvest permit areas.** Intensive harvest permits may be used to take up to three antlerless deer by archery in the following areas in 1997: antlerless permit areas 228, 337, 343, 346, 347, 401, 409, 419, and 429; and the Crow-Hassan Park Reserve, Murphy-Hanrehan Park Reserve, and Cleary Lake Regional Park special archery hunt areas. Intensive harvest permits may be used to take one antlerless deer by archery in the New Ulm City special archery hunt area. Intensive harvest permits may be used to take up to three legal bucks or antlerless deer in the Twin Cities Army Ammunition Plant.

#### **6232.1600 SPECIAL HUNT PROCEDURES.**

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

Subp. 6. **1997 special firearms hunt areas.** The following special firearms hunt areas are authorized for the 1997 season:

A. Rice Lake National Wildlife Refuge in Aitkin county is open November 15 through 23 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued to Zone 1 licensees. This is special area 901.

B. Saint Croix State Park in Pine county is open November 15 through 16 for taking antlerless deer and legal bucks. No more than 550 permits shall be issued to Zone 1 licensees. This is special area 902.

C. Tettegouche State Park in Lake county is open November 8 through 23 for taking antlerless deer and legal bucks. No more than 75 permits shall be issued to Zone 1 licensees. This is special area 903.

D. Afton State Park in Washington county is open November 8 through 10 for taking antlerless deer and legal bucks. No

## Emergency Rules

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more than 40 permits shall be issued to Zone 2 licensees. Management permits are available and three intensive harvest permits may be used to take a third, fourth, and fifth deer. This is special area 904.

E. Lake Bronson State Park in Kittson county is open November 13 through 16 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to Zone 2 licensees. Management permits are available. This is special area 905.

F. William O'Brien State Park in Washington county is open November 8 through 11 for taking antlerless deer and legal bucks. No more than 50 permits shall be issued to Zone 2 licensees. Management permits are available and two intensive harvest permits may be used to take a third and fourth deer. This is special area 906.

G. Zippel Bay State Park in Lake of the Woods county is open November 8 through 16 for taking antlerless deer. No more than 55 permits shall be issued to Zone 2 licensees. Management permits are available and one intensive harvest permit may be used to take a third deer. This is special area 907.

H. Lake Rebecca Park Reserve in Hennepin county is open November 15 through 16 for taking antlerless deer and legal bucks. No more than 70 permits shall be issued to Zone 3A licensees. Management permits are available and three intensive harvest permits may be used to take a third, fourth, and fifth deer. This is special area 908.

I. Baker Park Reserve in Hennepin county is open November 29 through 30 for taking antlerless deer and legal bucks. No more than 75 permits shall be issued to Zone 3B licensees. Management permits are available and three intensive harvest permits may be used to take a third, fourth, and fifth deer. This is special area 909.

J. Beaver Creek Valley State Park in Houston county is open November 22 through 24 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued to Zone 3B licensees. Management permits are available. This is special area 910.

K. Carver Park Reserve in Hennepin county is open November 22 through 23 for taking antlerless deer and legal bucks. No more than 105 permits shall be issued to Zone 3B licensees. Management permits are available and up to three intensive harvest permits may be used to take a third, fourth, and fifth deer. This is special area 911.

L. Forestville State Park in Fillmore county is open November 22 through 24 for taking antlerless deer. No more than 100 permits shall be issued to Zone 3B licensees. Management permits are available and one intensive harvest permit may be used to take a third deer. This is special area 912.

M. Frontenac State Park in Goodhue county is open November 22 through 24 for taking antlerless deer and legal bucks. No more than 45 permits shall be issued to Zone 3B licensees. Management permits are available and one intensive harvest permit may be used to take a third deer. This is special area 913.

N. Miesville Ravine Park Reserve in Dakota county is open November 22 through 28 for taking antlerless deer and legal bucks. No more than 60 permits shall be issued to Zone 3B licensees. Management permits are available and up to three intensive harvest permits may be used to take a third, fourth, and fifth deer. This is special area 914.

O. Whitewater State Wildlife Management Area Game Refuge in Winona county is open November 22 through 28 for taking antlerless deer. No more than 100 permits shall be issued to Zone 3B licensees. This is special area 915.

P. Whitewater State Park in Winona county is open November 22 through 25 for taking antlerless deer. No more than 50 permits shall be issued to Zone 3B licensees. Management permits are available. This is special area 916.

Q. Nerstrand State Game Refuge in Rice county is open November 8 through 9 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued to Zone 4A licensees. This is special area 917.

R. Rice Lake State Park in Steele and Dodge counties is open November 8 through 9 for taking antlerless deer. No more than 20 permits shall be issued to Zone 4A licensees. Management permits are available. This is special area 918.

S. Rice Lake State Park in Steele and Dodge counties is open November 15 through 18 for taking antlerless deer. No more than 20 permits shall be issued to Zone 4B licensees. Management permits are available. This is special area 919.

T. Lake Louise State Park in Mower county is open November 15 through 18 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued to Zone 4B licensees. Management permits are available and one intensive harvest permit may be used to take a third deer. This is special area 920.

U. Maplewood State Park in Ottertail county is open November 15 through 18 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued to Zone 4B licensees. This is special area 921.

V. Nerstrand State Game Refuge in Rice county is open November 15 through 18 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued to Zone 4B licensees. This is special area 922.

### **6232.1750 ORCHARD SUBPERMIT AREA.**

Individuals licensed for the Zone 3A season are eligible to apply for a firearms management permit valid for taking an antlerless deer in the Orchard subpermit area, as described in the 1997 annual hunting and trapping regulations. Up to 125 permits shall be



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## Emergency Rules

distributed by a random drawing. Applicants must complete the permit application form issued with the applicant's license and mail it no later than September 4 to: Orchard Hunt, DNR Headquarters, 2300 Silver Creek Road N.E., Rochester, MN 55901.

### 6232.1800 ANTLERLESS PERMITS AND PREFERENCE DRAWINGS.

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

**Subp. 4. 1997 antlerless permit quotas - Zone 1.** Up to the following number of antlerless permits are available in permit areas in Zone 1 for the 1997 season:

- A. permit area 152: 40;
- B. permit area 154-156: 500;
- C. permit area 157-158: 1,100; and
- D. permit area 159: 1,000.

**Subp. 5. 1997 antlerless permit quotas - Zone 2.** Up to the following number of antlerless permits are available in permit areas in Zone 2 for the 1997 season:

- A. permit area 202: 150;
- B. permit area 204: 800;
- C. permit area 205: 500;
- D. permit area 206: 600;
- E. permit area 207: 300;
- F. permit area 208: 200;
- G. permit area 209: 1,100;
- H. permit area 210: 1,800;
- I. permit area 221: 1,000;
- J. permit area 222: 2,100;
- K. permit area 223: 2,000;
- L. permit area 224: 200;
- M. permit area 225: 2,500;
- N. permit area 226: 2,500;
- O. permit area 227: 5,300;
- P. permit area 228: 3,000;
- Q. permit area 235: 125;
- R. permit area 236: 3,500;
- S. permit area 244: 1,000;
- T. permit area 246: 1,500;
- U. permit area 247: 1,000;
- V. permit area 248: 300;
- W. permit area 249: 400;
- X. permit area 251: 200; and
- Y. permit area 287: 500.

**Subp. 6. 1997 antlerless permit quotas - Zone 3.** Up to the following number of antlerless permits are available in permit areas in Zone 3 for the 1997 season:

- A. permit area 337: 2,500;
- B. permit area 338: 1,000;
- C. permit area 339: 1,500;
- D. permit area 341: 3,000;

## Emergency Rules

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- E. permit area 342: 2,400;
- F. permit area 343: 2,800;
- G. permit area 344: 1,600;
- H. permit area 345: 1,400;
- I. permit area 346: 3,000;
- J. permit area 347: 2,000;
- K. permit area 348: 1,900; and
- L. permit area 349: 2,800.

Subp. 7. 1997 antlerless permit quotas - Zone 4A. Up to the following number of antlerless permits are available in permit areas in Zone 4A for the 1997 season:

- A. permit area 401: 350;
- B. permit area 402: 800;
- C. permit area 403: 150;
- D. permit area 404: 450;
- E. permit area 405: 700;
- F. permit area 406: 900;
- G. permit area 407: 900;
- H. permit area 408: 1,000;
- I. permit area 409: 3,500;
- J. permit area 410: 5,000;
- K. permit area 411: 5,000;
- L. permit area 412: 2,700;
- M. permit area 413: 2,500;
- N. permit area 414: 2,300;
- O. permit area 415: 2,000;
- P. permit area 416: 1,200;
- Q. permit area 417: 2,400;
- R. permit area 418: 1,900;
- S. permit area 419: 1,500;
- T. permit area 420: 750;
- U. permit area 421: 1,000;
- V. permit area 422: 400;
- W. permit area 423: 550;
- X. permit area 424: 850;
- Y. permit area 425: 325;
- Z. permit area 426: 350;
- AA. permit area 427: 200;
- BB. permit area 428: 600;
- CC. permit area 429: 600;
- DD. permit area 431: 400;
- EE. permit area 433: 650;
- FF. permit area 435: 725;

GG. permit area 440: 600;  
HH. permit area 442: 350;  
II. permit area 443: 350;  
JJ. permit area 446: 330;  
KK. permit area 447: 175;  
LL. permit area 448: 135;  
MM. permit area 449: 225;  
NN. permit area 450: 250;  
OO. permit area 451: 250;  
PP. permit area 452: 250;  
QQ. permit area 453: 225;  
RR. permit area 454: 350;  
SS. permit area 455: 75;  
TT. permit area 456: 400;  
UU. permit area 457: 200;  
VV. permit area 458: 350;  
WW. permit area 459: 550;  
XX. permit area 461: 900;  
YY. permit area 462: 1,000;  
ZZ. permit area 463: 400;  
AAA. permit area 464: 425;  
BBB. permit area 465: 300;  
CCC. permit area 466: 750; and  
DDD. permit area 467: 350.

Subp. 8. **1997 antlerless permit quotas - Zone 4B.** Up to the following number of antlerless permits are available in permit areas in Zone 4B for the 1997 season:

A. permit area 401: 350;  
B. permit area 402: 800;  
C. permit area 403: 250;  
D. permit area 404: 500;  
E. permit area 405: 800;  
F. permit area 406: 900;  
G. permit area 407: 800;  
H. permit area 408: 1,000;  
I. permit area 409: 2,000;  
J. permit area 410: 2,500;  
K. permit area 411: 2,500;  
L. permit area 412: 1,100;  
M. permit area 413: 1,000;  
N. permit area 414: 1,200;  
O. permit area 415: 1,000;  
P. permit area 416: 1,000;

## Emergency Rules

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Q. permit area 417: 1,600;  
R. permit area 418: 1,000;  
S. permit area 419: 1,100;  
T. permit area 420: 650;  
U. permit area 421: 600;  
V. permit area 422: 250;  
W. permit area 423: 300;  
X. permit area 424: 800;  
Y. permit area 425: 325;  
Z. permit area 426: 350;  
AA. permit area 427: 200;  
BB. permit area 428: 500;  
CC. permit area 429: 500;  
DD. permit area 431: 450;  
EE. permit area 433: 650;  
FF. permit area 435: 725;  
GG. permit area 440: 400;  
HH. permit area 442: 550;  
II. permit area 443: 250;  
JJ. permit area 446: 330;  
KK. permit area 447: 175;  
LL. permit area 448: 135;  
MM. permit area 449: 225;  
NN. permit area 450: 250;  
OO. permit area 451: 250;  
PP. permit area 452: 250;  
QQ. permit area 453: 225;  
RR. permit area 454: 350;  
SS. permit area 455: 75;  
TT. permit area 456: 400;  
UU. permit area 457: 200;  
VV. permit area 458: 350;  
WW. permit area 459: 550;  
XX. permit area 461: 1,050;  
YY. permit area 462: 1,200;  
ZZ. permit area 463: 350;  
AAA. permit area 464: 425;  
BBB. permit area 465: 300;  
CCC. permit area 466: 750; and  
DDD. permit area 467: 500.

Subp. 9. **Antlerless permit quota reductions.** The antlerless permit quotas specified for permit areas 152, 154-156, 157-158, 159, 221, 222, 223, 224, 225, 226, 227, 235, 236, and 249 may be reduced by the commissioner at the time the computerized

drawing is conducted based on the order of the United States Eighth Circuit Court of Appeals in the Mille Lacs treaty case (Mille Lacs Band of Chippewa Indians v. State of Minnesota).

**6232.1950 TAKING DEER BY FIREARMS UNDER INTENSIVE HARVEST PERMITS.**

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

**Subp. 3. 1997 regular firearms intensive harvest permit areas.** Intensive harvest permits may be used during the firearms season by regular firearms and multizone buck licensees to take up to three antlerless deer in the following areas in 1997: antlerless permit area 228 during the Zone 2A season; antlerless permit area 337 during the Zone 3A season; and antlerless permit areas 401, 409, 419, and 429 during the Zone 4A and 4B seasons. Intensive harvest permits may also be used during the firearms season by regular firearms licensees to take up to three antlerless deer in antlerless permit areas 337, 343, 346, and 347 during the Zone 3B season. Intensive harvest permits may be used to take up to three antlerless deer by persons with special firearms permits for the Afton State Park, Lake Rebecca Park Reserve, Baker Park Reserve, Carver Park Reserve, and Miesville Ravine Park Reserve special firearms hunt areas. Intensive harvest permits may be used to take one additional antlerless deer by persons with special firearms permits for the Forestville State Park, Frontenac State Park, and Lake Louise State Park special firearms hunt areas. Intensive harvest permits may be used to take two additional antlerless deer by persons with special firearms permits for the William O'Brien State Park special firearms hunt area.

**Subp. 4. 1997 muzzleloader intensive harvest permit areas.** Intensive harvest permits may be used to take up to three antlerless deer during the muzzleloader season by firearms hunters selecting the muzzleloader option in the following areas in 1997: antlerless permit areas 228, 337, 343, 346, 347, 401, 409, 419, and 429. Intensive harvest permits may be used to take one antlerless deer by persons with special firearms permits for the Forestville State Park muzzleloader special permit area.

**6232.2100 MUZZLELOADER SEASON AND AREAS.**

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

**Subp. 3. Legal deer by muzzleloader.** Antlerless deer and legal bucks may be taken by muzzleloader during the muzzleloader season; except that in 1997, muzzleloader hunters may not take antlerless deer in those permit areas not listed as having an antlerless quota for firearms deer hunters in part 6232.1800, subparts 4 and 5.

**Subp. 4. 1997 muzzleloader special permit areas.** The following areas are open for muzzleloader hunting by permit during the 1997 season:

**A.** Forestville State Park in Fillmore county is open November 29 through December 14 for taking antlerless deer. No more than 100 permits shall be issued to muzzleloader licensees. Management permits are available and one intensive harvest permit may be used to take a third deer. This is special area 923.

**B.** Frontenac State park in Goodhue county is open November 29 through December 14 for taking antlerless deer and adult bucks. No more than 15 permits shall be issued to muzzleloader licensees. Management permits are available. This is special area 924.

**C.** Glacial Lakes State Park in Pope county is open December 10 through 14 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to muzzleloader licensees. Management permits are available. This is special area 925.

**D.** Jay Cooke State Park in Carlton county is open November 29 through December 7 for taking antlerless deer. No more than 75 permits shall be issued to muzzleloader licensees. Management permits are available. This is special area 926.

**E.** Rice Lake State Park in Steele and Dodge counties is open November 29 through December 2 for taking antlerless deer. No more than 20 permits shall be issued to muzzleloader licensees. Management permits are available. This is special area 927.

**F.** Sakatah State Park in LeSueur and Rice counties is open November 29 through December 1 for taking antlerless deer. No more than 20 permits shall be issued to muzzleloader licensees. This is special area 928.

**G.** Sibley State Park in Kandiyohi county is open November 29 through December 2 for taking antlerless deer. No more than 70 permits shall be issued to muzzleloader licensees. This is special permit area 929.

**6232.2450 MUZZLELOADER DEER MANAGEMENT PERMITS.**

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

**Subp. 2. Open areas.** Firearms deer management permits issued to persons with firearms deer licenses validated for the muzzleloader option may be used to tag antlerless deer in designated special permit areas and in designated antlerless permit areas that the commissioner anticipates will be undersubscribed.

In 1997, firearms deer management permits issued to persons with firearms deer licenses punched for the muzzleloader option may be used to tag antlerless deer in the following areas:

## Emergency Rules

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A. by persons with special firearms permits for the Forestville State Park, Frontenac State Park, Glacial Lakes State Park, Jay Cooke State Park, and Rice Lake State Park muzzleloader special permit areas; and

B. in the following antlerless permit areas: 209, 210, 223, 225, 226, 227, 228, 236, 337, 338, 339, 341, 342, 343, 345, 346, 347, 348, 349, 401, 402, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 429, 431, 433, 435, 440, 452, 456, 459, 461, 462, 464, 465, 466, and 467.

### **6232.2500 DISABLED HUNT.**

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

Subp. 2. **Open areas.** Disability permittees may hunt in open areas and seasons as designated by the commissioner and published in the annual hunting regulations booklet.

In 1997, the following areas will be open for hunting by disabled hunters:

A. The Carlos Avery Wildlife Management Area Sanctuary in Anoka county is open for taking antlerless deer and legal bucks using legal firearms or bow and arrow October 18 through 26. The Minnesota Deer Hunters Association and Capable Partners are the sponsoring nonprofit organizations.

B. The Camp Ripley Military Reservation in Morrison county is open for taking antlerless deer and legal bucks using legal firearms or bow and arrow October 8 through 9. The Saint Cloud Veterans Affairs Medical Center is the sponsoring organization.

C. Rosemoen Island in the Lac qui Parle Wildlife Management Area Sanctuary in Chippewa county is open for taking antlerless deer and legal bucks using legal firearms or bow and arrow September 13 through 21. Management permits are available. The Minnesota Deer Hunters Association and Capable Partners are the sponsoring nonprofit organizations.

D. Rydell National Wildlife Refuge in Polk county is open for taking antlerless deer and legal bucks using legal firearms or bow and arrow October 17 through 19. The Options Resource Center for Independent Living is the sponsoring nonprofit organization.

E. Permit area 244-245 is open for taking antlerless deer and legal bucks using legal bow and arrow October 2 through 5. The United Federation for Disabled Archers is the sponsoring nonprofit organization.

### **6232.4700 DEER AND BEAR REGISTRATION BLOCKS.**

[For text of subps 1 to 58, see M.R.]

Subp. 59. **Registration Block 205.** Deer And Bear Registration Block 205 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 310 with the north boundary of the state; thence along the north boundary of the state (49th parallel of North Latitude) to the east boundary of the state (on Lake of the Woods); thence along the east boundary of the state to STH 72; thence along STH 72 to STH 11; thence along STH 11 to County State Aid Highway (CSAH) 1, Lake of the Woods County; thence along CSAH 1 to CSAH 3, Lake of the Woods County; thence along CSAH 3 to CSAH 2, Lake of the Woods County; thence along CSAH 2 to STH 11; thence along STH 11 to the southeast corner of Section 36, Township 162 North, Range 35 West; thence due west to County State Aid Highway (CSAH) 2, Roseau County; thence along CSAH 2 to STH 89; thence along STH 89 to STH 310; thence along STH 310 to the point of beginning.

[For text of subps 60 to 64, see M.R.]

Subp. 65. **Registration Block 211.** Deer And Bear Registration Block 211 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 72 and STH 11; thence along STH 72 to County State Aid Highway (CSAH) 77, Lake of the Woods County; thence along CSAH 77 to the Rapid River Forest Road; thence along the Rapid River Forest Road to the South Branch of the Rapid River; thence along the north shore of the river to the Faunce Butterfield Forest Road; thence along the Faunce Butterfield Forest Road to Dick's Parkway Forest Road; thence along Dick's Parkway Forest Road to the Winner Forest Road; thence along the Winner Forest Road to CSAH 18, Roseau County; thence along CSAH 18 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 2, Roseau County; thence along CSAH 2 to the southeast corner of Section 36, Township 162 North, Range 36 West; thence due east to an intersection with STH 11; thence along STH 11 to CSAH 2, Lake of the Woods County; thence along CSAH 2 to CSAH 3, Lake of the Woods County; thence along CSAH 3 to CSAH 1, Lake of the Woods County; thence along CSAH 1 to STH 11; thence along STH 11 to the point of beginning.

[For text of subps 66 to 75, see M.R.]

Subp. 75a. **Registration Block 228.** Deer and Bear Registration Block 228 consists of that portion of the state lying within the following described boundary:

Beginning at a point on the east boundary of the state due east of the intersection of State Trunk Highway (STH) 95 and STH 96;

thence due west to this intersection; thence along STH 96 to County State Aid Highway (CSAH) 15, Washington County; thence along CSAH 15 to CSAH 8 68, Washington County; thence along CSAH 8 68 to CSAH 9, Washington County; thence along CSAH 9 to CSAH 7, Washington County; thence along CSAH 7 to CSAH 8A, Washington County; thence along CSAH 8A to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 8, Washington County; thence along CSAH 8 to CSAH 14, Anoka County; thence along CSAH 14 to CSAH 17, Anoka County; thence along CSAH 17 to CSAH 18, Anoka County; thence along CSAH 18 to CSAH 58, Anoka County; thence along CSAH 58 to CSAH 9, Anoka County; thence along CSAH 9 to CSAH 22, Anoka County; thence along CSAH 22 to CSAH 12, Sherburne County; thence along CSAH 12 to U.S. Highway 169; thence along U.S. Highway 169 to the east bank of the Mississippi River; thence along the east bank of the Mississippi River to the east boundary of the state; thence along the east boundary of the state to the point of beginning.

[For text of subp 76, see M.R.]

Subp. 77. **Registration Block 236.** Deer And Bear Registration Block 236 consists of that portion of the state lying within the following described boundary, except that portion of the state known as the Carlos Avery State Wildlife Management Area:

Beginning at the intersection of Interstate Highway 35 (I-35) and State Trunk Highway (STH) 95; thence along STH 95 to the east boundary of the state; thence along the east boundary of the state to a point due east of the intersection of STH 95 and STH 96; thence due west to this intersection; thence along STH 96 to County State Aid Highway (CSAH) 15, Washington County; thence along CSAH 15 to CSAH 8 68, Washington County; thence along CSAH 8 68 to CSAH 9, Washington County; thence along CSAH 9 to CSAH 7, Washington County; thence along CSAH 7 to CSAH 8A, Washington County; thence along CSAH 8A to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 8, Washington County; thence along CSAH 8 to CSAH 14, Anoka County; thence along CSAH 14 to CSAH 17, Anoka County; thence along CSAH 17 to the western boundary of the Carlos Avery State Wildlife Management Area; thence along the north and west boundary of the Carlos Avery State Wildlife Management Area to I-35; thence along I-35 to the point of beginning.

[For text of subps 78 to 157, see M.R.]

**EFFECTIVE PERIOD.** The emergency amendments to *Minnesota Rules*, parts 6232.0700, 6232.0800, 6232.1200, 6232.1250, 6232.1600, 6232.1750, 6232.1800, 6232.1950, 6232.2100, 6232.2450, and 6232.2500, expire December 31, 1997. The emergency amendments to *Minnesota Rules*, part 6232.4700, expire 18 months after adoption. After the emergency amendments expire, the permanent rules as they read prior to the amendments again take effect, except as they may be amended by permanent rule.

# Executive Orders

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## Office of the Governor

### Emergency Executive Order #97-19: Providing for Personnel and Equipment for the Monticello Nuclear Power Plant Drill and Exercise

I, JOANNE E. BENSON, LIEUTENANT 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**, the Minnesota Department of Public Safety, Division of Emergency Management, has requested assistance in providing personnel and equipment to support the Monticello Nuclear Power Plant drill and exercise; and

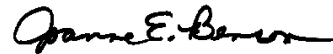
**WHEREAS**, adequate personnel and equipment are not available from the Department of Public Safety, other participating agencies, Sherburne and Wright counties of Minnesota, and other local authorities;

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

1. The Adjutant General of Minnesota order to active duty on August 27, 1997; October 8, 1997; and November 19, 1997, in the service of the State, such personnel and equipment of the military forces of the State needed by the Department of Public Safety and Sherburne and Wright counties to successfully complete the Monticello Nuclear Power Plant drill and exercise.
2. The cost of subsistence, transportation, fuel, pay, and allowances of said individuals shall be paid by the Department of Public Safety, Division of Emergency Management, as provided by an interdepartmental agreement dated August 7, 1995.

Pursuant to *Minnesota Statutes* 1996, sections 4.035, subd. 2, this Order shall be effective August 27, 1997, through November 18, 1997.

**IN TESTIMONY WHEREOF**, I have set my hand this twenty-second day of August, 1997.



Joanne E. Benson  
Lieutenant Governor

Filed According to Law:

Joan Anderson Growe  
Secretary of State

# Revenue

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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 #97-10: MinnesotaCare - Social Work

#### MinnesotaCare Tax - General Background

The MinnesotaCare tax is imposed on gross receipts received for patient services furnished by a health care provider or by an employer of health care providers. As defined in *Minnesota Statutes* § 295.50, subd. 4, a health care provider is a person whose health care occupation is regulated or required to be regulated through licensing, registration, or certification by the Minnesota Department of Health, and who furnishes health care goods or patient services directly to a patient or consumer. Health care providers also include any person who provides goods and services that qualify for reimbursement under the medical assistance program as provided in *Minnesota Statutes* Ch. 256B. Patient services are defined in *Minnesota Statutes* § 295.50, subd. 9b, to include health care goods and services provided to a patient or consumer such as medical, medical social, surgical, nursing, drugs, laboratory, diagnostic or therapeutic services, and other services covered by medical assistance. This revenue notice clarifies and supplements Revenue Notices # 94-03 and # 94-14 as they apply to patient services provided by social workers.



**Social Work Services**

There are various types of services provided by social workers that are subject to the MinnesotaCare tax. These patient services include:

- psychosocial services (including medical social services) that are provided in connection with the diagnosis, treatment, or prevention of a mental condition. They include evaluation and assessment of psychosocial functioning; assistance in correcting problems related to the social environment (e.g., educational problems, occupational problems, housing problems, economic problems, problems with access to health care services, and problems related to interaction with the legal system); facilitating organizational change to meet social needs; case management; information and referral; and advocacy, teaching, or research.
- diagnostic services that use diagnostic tools, such as the Minnesota Multiphasic Personality Inventory (MMPI), that provide evidence which allows the social worker to ascertain whether an individual has a mental disorder, impairment, behavior or condition which leads to a diagnosis of conditions such as those listed in Axis I, II, or III of the most recent version of the Diagnostic and Statistical Manual of Mental Disorders (DSM).
- therapeutic services provided in response to diagnosis of a mental condition listed in Axis I, II, or III of the DSM (e.g., psychotherapy as defined in *Minnesota Statutes* § 148B.18, subd. 9).

In addition, there are four levels of licensed social workers which are each treated differently under the MinnesotaCare tax system due to the differences in services provided under each license. All services provided by social workers employed by another health care provider (such as a physician's clinic providing patient services) are taxable to the employer.

- 1) **Licensed Social Worker (LSW)**: LSWs are not required to register for the MinnesotaCare tax since their services do not meet the MinnesotaCare definition of patient services.
- 2) **Licensed Graduate Social Worker (LGSW)** and
- 3) **Licensed Independent Social Worker (LISW)**: LGSWs and LISWs are subject to the MinnesotaCare tax only if they provide patient services. Any services (including psychosocial or medical social services) provided in conjunction with the diagnosis, treatment, or prevention of mental or emotional disorders are subject to the MinnesotaCare tax.
- 4) **Licensed Independent Clinical Social Worker (LICSW)**: LICSWs are required to pay the MinnesotaCare tax if they provide patient services. Any services (such as psychosocial or medical social services) provided in conjunction with the diagnosis, treatment, or prevention of mental or emotional disorders are subject to the MinnesotaCare tax.

**Examples of social work services that are subject to the MinnesotaCare tax:**

- Testing used for the purpose of measuring mental and emotional characteristics of applicants for jobs involving public safety (e.g., "fitness for duty" testing of law enforcement personnel).
- Psychological examinations that are considered medical examinations under the Americans with Disabilities Act (ADA) that may be properly conducted by an employer only after a conditional offer of employment has been extended.
- Return to duty fitness evaluations where mental health issues are involved.
- Reviewing mental health information for third parties.
- Clinical psychotherapeutic services provided by a social worker employed by a shelter for the homeless.

**Examples of social work services that are *not* subject to the MinnesotaCare tax:**

- Psychosocial services provided to resolve situations concerning environmental factors (e.g., housing, employment, or education) that are not provided in combination with the diagnosis, treatment, or prevention of a mental condition listed in the DSM. For example, information, referral, and outreach services provided independently of psychotherapy that are part of a community services program are not subject to the tax.
- Vocational counseling and evaluations of an individual's capacity to successfully perform a job when the testing does not involve diagnosis of mental conditions listed in the DSM.
- Services for job rehabilitation or educational training that do not involve treatment of mental conditions listed in the DSM.
- Testimony under oath for legal proceedings including testifying in court as an expert witness. Payments received for depositions or cancellations of depositions are also not subject to tax.
- Seminars or education for the general public (e.g., community education classroom instruction) would not be subject to the tax.

Dated: 2 September 1997

Jennifer L. Eng  
Assistant Commissioner for Tax Policy

### Department of Revenue

#### Revenue Notice #97-11: MinnesotaCare - Dietetic and Nutrition Care Services

##### MinnesotaCare Tax - General Background

The MinnesotaCare tax is imposed on gross receipts received for patient services furnished by a health care provider or by an employer of health care providers. As defined in *Minnesota Statutes* § 295.50, subd. 4, a health care provider is a person whose health care occupation is regulated or required to be regulated through licensing, registration, or certification by the Minnesota Department of Health, and who furnishes health care goods or patient services directly to a patient or consumer. Health care providers also include persons who provide goods and services that qualify for reimbursement under the medical assistance program as provided in *Minnesota Statutes* Ch. 256B. Patient services are defined in *Minnesota Statutes* § 295.50, subd. 9b to include health care goods and services provided to a patient or consumer such as medical, surgical, nursing services, drugs, laboratory, diagnostic or therapeutic services, and other services covered by medical assistance. This revenue notice clarifies and supplements Revenue Notices # 94-03 and # 94-14 as they apply to patient services provided by dietetic and nutrition care providers.

##### Dietetic and Nutrition Care Services

Dietitians, nutritionists, and registered dietetic technicians are required to be licensed or registered by the Minnesota Department of Health; therefore, they are subject to the MinnesotaCare tax when providing dietetic and nutrition care patient services independently or upon a referral by a physician. Dietetic and nutrition care services provided at an entity which employs health care providers, including a physician's office, a clinic, or a hospital are subject to the MinnesotaCare tax. Additionally, all dietetic and nutrition care services performed by other health care providers (e.g., physicians, nurses, physician assistants, chiropractors, dentists, psychotherapists, etc.) are subject to the MinnesotaCare tax. Dietetic and nutrition care services include, but are not limited to, the assessment of nutritional needs; the providing of nutritional counseling; and the development, implementation, evaluation and maintenance of nutrition care services.

Weight loss services, such as the prescription of diet medicines/pills or physical examinations performed by a health care provider (e.g., doctors, nurses, etc.) are subject to the MinnesotaCare tax. However, services of companies that provide only prepackaged (preplanned packages with no individualization per customer) weight loss programs, provide no medical exam, and that do not employ any licensed dietitians, nutritionists, or other health care providers as customer service representatives are not taxable.

##### Examples of nutrition care services and providers that are subject to the MinnesotaCare tax:

- Nutrition care services provided by a self-employed licensed dietitian or nutritionist.
- Nutrition care services provided by a dietitian who is employed by a hospital. The hospital is responsible for the payment of the tax.
- Nutrition care services, including prescription of diet medications or physical examinations, performed by a health care provider (e.g., doctor, nurse, chiropractor, physician's assistant, nurse practitioner). These services are also taxable where a doctor or nurse provides such services while renting space from a weight loss company.
- Services provided by a licensed acupuncturist for weight control.
- Nutritional counseling for weight control services (e.g., psychonutritional services for eating disorders) provided by a psychotherapist.
- Weight control services under the supervision of a physician or nurse.
- Vitamins, minerals, herbal capsules, enzymes, or other food supplements that are provided as part of patient services.

##### Examples of nutrition care services and providers that are *not* subject to the MinnesotaCare tax:

- Research centers that employ licensed dietitians or nutritionists but do not provide patient services.
- Educational services to the general public. For example, community education classroom instructions would not be subject to the tax.
- Services provided by employees of school districts or food service companies (including licensed dietitians and nutritionists) who do not provide patient services.
- Services provided by a weight loss company that does not employ licensed, registered, or certified health care providers. For example, weight loss retail centers using unlicensed consultants to provide only marketing and distribution information on prepackaged food and dietary supplements are not taxable.
- Services provided by a separate entity that is owned by a health care provider (e.g., dietitian, nutritionist, chiropractor, physician, etc.), but is unrelated to the health care provider's practice and does not employ any health care providers. For

example, if a chiropractor owns a weight loss company, but does not provide patient services nor employs any health care providers at the company, such weight loss services would not be taxable. However, a weight loss clinic that is part of a hospital would be subject to the tax for patient services provided.

- Vitamins, minerals, herbal capsules, enzymes, or other food supplements sold to customers separately from patient services.

Dated: 2 September 1997

Jennifer L. Engh  
Assistant Commissioner for Tax Policy

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**Official Notices**

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

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

## Department of Agriculture

### Rural Finance Authority

#### Notice of Meeting Cancellation, Meeting via Conference Call

The September 3, 1997 meeting of the Rural Finance Authority Board has been canceled. The next meeting of the Rural Finance Authority Board is scheduled for 1:00 P.M. at 90 West Plato Blvd., Room 145 on October 1, 1997. Some of the Members may participate in this meeting by electronic means. In accordance with *Minnesota Statutes* Sec. 471.705 (1997), the Agency, to the extent practicable, will allow a person to monitor the meeting electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection.

Jim Boerboom  
RFA Director

## Minnesota Emergency Medical Services Regulatory Board

### Notice of Completed Application In the Matter of the License      Application of the Rush City Ambulance Service, Rush City, Minnesota

**PLEASE TAKE NOTICE** that the Emergency Medical Services Regulatory Board (hereinafter "EMSRB") has received a completed application from the **Rush City Ambulance Service, Rush City, Minnesota**, for change in type of service from basic ambulance to advanced ambulance service.

**NOTICE IS HEREBY GIVEN** that, pursuant to *Minnesota Statutes* sec. 144E.11, subd. 3 (1997), each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB within 30 days or by October 2, 1997, 4:30 p.m.

Written recommendations or comments opposing the application should be sent to: Keith Wages, Executive Director, EMSRB, 2829 University Avenue, SE, Suite 310, Minneapolis, MN 55414-3222.

If fewer than six comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to *Minnesota Statutes* sec. 144E.11, subd. 4 (1997). If six or more comments in opposition to the application are received during the comment period or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public

## Official Notices

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and/or the EMSRB within 30 days, pursuant to *Minnesota Statutes* sec. 144E.11, subd. 5(a), (b) (1997). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a hearing, a contested case hearing will be scheduled and notice of the hearing given pursuant to *Minnesota Statutes* sec. 144E.11, subd. 5(c), (e) (1997).

Dated: 25 August 1997

R. Keith Wages, Executive Director

## Minnesota Historical Society

### State Review Board Regular Meeting

A meeting of the State Review Board of the Minnesota Historical Society to consider nominations to the National Register of Historic Places will be held on Thursday, September 18, 1997, in the Minnesota Historical Society History Center, Cargill Commons, MacMillan Education Wing, St. Paul, Minnesota. The State Review Board will meet at 7:00 p.m. for an informational presentation on program activities made by the Preservation Office staff. The meeting will be called to order and consideration of the meeting's agenda will begin at 7:30 p.m. A sign language interpreter is available with one weeks notice, and auxiliary aids are available with two weeks notice. Call 612/296-5434, or TTY 800-627-3529. For further information contact the State Historic Preservation Office, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, (612) 296-5434.

## Housing Finance Agency

### Request for Comments on Planned Amendment to Rules Governing the Rural and Urban Homesteading Program, *Minnesota Rules*, Sections 4900.24 - 4900.L6

**Subject of Rules.** The Minnesota Housing Finance Agency requests comments on its planned amendment to rules governing the Rural and Urban Homesteading Program. The Agency is considering rule amendments that: 1) amend the name of the program to the Urban and Rural Homesteading Program; and 2) amend the rules to modify the eligibility requirements for the program to make the delivery of the program more effective. The proposed rules increase the median income eligibility standard for the program, and ease the requirements for exceeding the maximum acquisition costs.

**Persons Affected.** The amendment to the rules would likely affect eligible organizations and eligible homebuyers.

**Statutory Authority.** *Minnesota Statutes*, section 462A.06, Subdivision 4, authorizes the Agency to adopt and amend rules for its programs.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on October 31, 1997.

**Rules Drafts.** The Agency has prepared a draft of the planned rules amendments.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules, and requests for more information on these planned rules should be addressed to: Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, MN 55101 Attn: Reed Erickson, telephone number (612) 296-8843. TDD users may call the Agency at (612) 296-7608.

**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.

Dated: 2 September 1997

Katherine G. Hadley, Commissioner  
Minnesota Housing Finance Agency

## **Department of Labor and Industry**

### **Labor Standards Division**

#### **Notice of Prevailing Wage Certifications for Commercial Construction Projects**

Effective September 2, 1997 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

**Anoka:** Asbestos Removal - Anoka Ramsey Community College-Anoka; Activity Building - Rum River North County Park-St. Francis.

**Blue Earth:** Amboy Middle School - Maple River Independent School District-Amboy; Asbestos Removal/Heath Services Area & Armstrong Hall Phase 7 - Mankato State University-Mankato.

**Cass:** Lighting Retrofit - Bena Schools-Bena.

**Chisago:** Water System Improvements-Rush City.

**Hennepin:** 1997/1998 Reroofing Franklin Middle School-Minneapolis.

**Itasca:** Roof Replacement - Greenway High School-Coleraine.

**St. Louis:** Pole Building - Mesabi Range Community & Technical College-Eveleth; Floor Replacement - Loon Lake Community Center-White Township; Roof Removal & Replacement - Vermillion College-Ely.

**Scott:** Special Education Facility - MRVSEC-Jordan.

**Sherburne:** C-Annex Asbestos Removal Project - MCF-St. Cloud; Reception Center - MCF-St. Cloud.

**Stearns:** Water Treatment Facility-Sauk Centre.

**Washington:** Installation of Master Generator - MCF-Stillwater.

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

Gary W. Bastian,  
Commissioner

## **Metropolitan Airports Commission**

### **Notice of Adoption of Ordinance No. 82**

Please take notice that on the 25th day of August, 1997, at a regularly scheduled meeting, the Metropolitan Airports Commission adopted Ordinance No. 82.

#### **Ordinance No. 82:**

An Ordinance to promote and conserve public safety, health, peace, convenience and welfare, by regulating the Vehicles, Drivers and Owners thereof within the Safety Perimeter of Minneapolis-St. Paul International Airport, which includes the Air Operations Area, all of which is property owned by or under the supervision and control of the Metropolitan Airports Commission; and prescribing the penalties for violation thereof and repealing Ordinance 74.

Copies of Ordinance No. 82 as adopted will be on file with the Secretary of State and may be obtained from the Metropolitan Airports Commission offices.

Jeffrey W. Hamiel  
Executive Director  
Metropolitan Airports Commission  
6040 - 28th Avenue South  
Minneapolis, MN 55450

## Official Notices

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### Teachers Retirement Association

#### Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Friday, September 19, 1997, at 9:00 a.m. in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

### Board of Teaching

#### Request for Comments on Planned Amendment to Rules Governing Teacher Licensure, *Minnesota Rules*, parts 8700.0300, 8700.0500, 8700.7800

**Subject of Rules.** The Minnesota Board of Teaching (Board) requests comments on its planned amendment to rules governing teacher licensure. The Board is considering amendments to and renumbering of rules governing substitute teachers; issuance, renewal, and validity of all licenses; and teachers not prepared in Minnesota. These planned rule amendments will make rules consistent with current practice and authorize correction of licenses issued in error.

**Persons Affected.** The amendment to the rules would likely affect the following:

- (1) currently licensed teachers, and
- (2) future applicants for teacher licensure.

**Statutory Authority.** *Minnesota Statute*, Section 125.185, subd. 4, authorizes the Board to adopt licensure rules.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on November 3, 1997. The Board does not contemplate appointing an advisory committee to comment on the planned rules.

**Rules Drafts.** The Board has not yet prepared a draft of the planned rule amendments.

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

Judith A. Wain, Executive Director  
Minnesota Board of Teaching  
608 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
Office (612) 296-2415  
FAX (612) 282-2403  
TTY (612) 297-2094

**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: 21 August 1997

Judith A. Wain, Executive Director  
Board of Teaching

## **Department of Transportation**

### **Petition of the City of West St. Paul for a Variance from State Aid Administration Requirements for AFTER THE FACT PLAN APPROVAL**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of West St. Paul has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.2800, so as to allow approval of plans for construction after award of contract, in lieu of the required approval of plans by the State Aid Engineer prior to award of contract on a construction plan for Marie Avenue (Municipal State Aid Street No. 122), between South Robert Street and Oakdale Avenue in the City of West St. Paul.

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

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

Dated: 20 August 1997

Patrick B. Murphy  
Division Director  
State Aid for Local Transportation

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## **State Grants and 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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## **Minnesota Amateur Sports Commission**

### **Request for Proposals (RFP) from Communities Interested in Developing Ice Arenas**

#### **1. Background**

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

#### **2. Purpose**

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

#### **3. Goals**

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

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

# State Grants and Loans

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## 4. Tasks

Respondents are asked to complete the following tasks:

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

## 5. Agency Contacts

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

Chris Heineman  
Facilities Development Coordinator  
Minnesota Amateur Sports Commission  
1700 - 105th Avenue NE  
Blaine, MN 55449-4500  
Phone: 612-785-3679/Fax: 612-785-5699

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

## 6. Deadline

All proposals must be received by the MASC, or postmarked, no later than Friday, October 31, 1997 at 4:00 p.m.

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

## 7. Grant Amount

The 1997 Legislature has appropriated \$5.0 million to the MASC for the Mighty Duck grant program: \$4.0 million for new arena applicants and \$1.0 million for renovation applicants. Of this amount, and following awards made on June 23, 1997, \$900,000 remains for new arena applicants and \$79,000 remains for renovation applicants. Respondents will find it necessary to augment the state grant matching contributions in order to develop an ice arena or arenas.

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

## 8. Project Completion

For 1997 grant award recipients, the project will be completed by January 1, 1998, or within (16) sixteen months of when the contract officially begins.

## 9. Content

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

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

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

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



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

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

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

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

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

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

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

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

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

### **Site Planning Checklist**

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

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

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

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

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

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

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

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

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

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

## State Grants and Loans

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

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

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

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

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

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

Submit a letter and *not* the comprehensive plan.

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

Submit a letter and *not* the comprehensive plan.

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

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

Submit three copies of local match plan.

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

Submit three copies of economic impact analysis.

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

Submit three copies of the budgets.

### **Resolution of Local Application (sample).**

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

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## State Grants and Loans

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

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

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

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

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

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

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

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

### **CERTIFICATION**

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

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

### **Minnesota Amateur Sports Commission Facility Bonding Application.**

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

B. Primary contact person for the project:

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

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

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

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

D. Type of Application: (check one)

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

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

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

1. Resolution of Local Applicant
2. Geographic Location Map
3. Site Plan and Checklist
4. Environmental Intrusions Statement
5. Agreements and Arrangements
6. Operation and Maintenance
7. Letter of County Concurrence
8. Comprehensive Plan (social benefit)

# State Grants and Loans

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- 9. Local Financial Commitment
- 10. Economic Impact Analysis
- 11. Budget (or cost breakdown) - capital and operating

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

G. Execution:

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

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

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

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

### **Endorsement**

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

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

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

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

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

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

### **10. Evaluation Criteria**

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

#### ***New Arenas***

1. Demonstrated Ability of Applicant to Perform
  - Proof of committed resources necessary to develop and construct a new ice arena (including the proposed state grant)
  - An established site plan and preliminary architectural plans.
  - Owner and Operating Agreements established.
  - Proof that the land for site is committed or secured.
  - An established time table for construction to meet MASC project deadlines.
  - Proof of operating plan for financial viability.
2. Demonstration of Partnerships
  - Documentation that respondent has formed public and private partnerships to develop and operate a new ice arena(s) that may include cities, counties, school districts and private groups.
3. Demonstrated Need for New Ice Arenas
  - Demonstrate that an adequate participation base exists or can be developed within one hour drive from arena.

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

1. Resolution of local applicant.
2. Site plan (i.e. map of arena) and outline of improvements or expansion.
3. Local financial commitment.
4. Budget of renovation project.
  - Allowable renovation projects preferred by the MASC include but are not limited to:
    - \* additional locker room, especially for female users
    - \* energy conservation measures and air quality improvement

- \* code, health and safety issues
- \* ice plant repair and replacement
- \* ice resurfacer replacement
- Ability to match state grant on at least a 1:1 ratio.
- Definition: *existing arena* - any current arena with artificial ice that has conducted ice sport activity before January 1, 1997 shall be considered an existing arena for the purpose of this grant proposal.

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

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

### **11. Legislative Requirements**

Respondent should note the specific statutory requirements.

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

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

### **12. State Contract Rules**

Normal state contract rules will apply to this project.

## **Minnesota Housing Finance Agency**

### **Notice of Fund Availability for Tenant Service Coordination Demonstration Project**

The Minnesota Housing Finance Agency (MHFA) announces the availability of funds through the Multifamily Endowment Fund to provide tenant service coordination. This demonstration project will strive to build a more supportive community for low and moderate income apartment residents. The goals of the demonstration project include: neighbor building, resident stability, self-advocacy and determination, and long term residency. Additionally, the creation of tenant service coordination is intended to demonstrate that resident services have a potential commercial value to property owners and managers. Funds will be made available for both family and senior multifamily housing developments.

**Amount of Funds:** \$620,000 annually

**Location:** Statewide

**Form of Award:** Funds will be awarded as a zero percent (0%), 5-10 year deferred or subordinated loan/grant on an open pipeline basis until funds are committed.

**Eligible Applicants:** Owners of multifamily properties financed by Minnesota Housing Finance Agency first mortgages, or a consortium of owners, one of which has MHFA financing, attempting to stabilize a community or communities identified by the consortium.

**Eligible Activities:** Concept based applications will be accepted that assists owners/managers link residents to the supportive tenant services necessary to change lives and build strong communities.

**Objectives:** In senior housing the objective is to support community building by targeting funds to help communities shape their own futures and enhance their ability to link elderly or disabled residents with supportive services necessary to remain independent and in their own homes.

## State Grants and Loans

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In family housing the objective is to provide tenant service coordination that will benefit residents and owner/managers alike by promoting a proactive atmosphere in which problem solving results in active communication between residents and the management team, for the betterment of all.

**Eligibility Requirements:** Proposals will be considered that include baseline evaluation and a comprehensive evaluative tool by which outcomes may be measured.

**Reporting:** Baseline measurements and annual tenant satisfaction survey. Quarterly progress reports. Attendance at a semi-annual information sharing session of owners/managers/tenant service coordinators and Agency staff.

**Application Process:** To request an application form and procedural guide, contact:

**Minnesota Housing Finance Agency**  
400 Sibley Street, Suite 300  
Saint Paul, MN 55101  
(612) 296-9836  
toll free: 1-800-657-3701

**Application Submission:** Applications will be accepted and reviewed on an ongoing basis until total funding is committed. The Multifamily Endowment Committee will make recommendations for funding to the MHFA Board as needed.

This Notice of Fund Availability (NOFA) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this NOFA at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability or familial status.

## Department of Human Services

### Family and Children's Services Division

### Request for Proposals for Chronic Neglect Projects from County and Private Social Service Agencies

The Minnesota Department of Human Services is soliciting proposals from qualified parties to provide diagnostic and treatment demonstration projects for families experiencing chronic neglect. The projects are intended to empower families that are experiencing chronic neglect with the goal of eliminating dependency on the public welfare system. These goals will be accomplished by helping participants to improve self esteem, parenting skills, social skills, financial management skills, etc.

The Chronic Neglect Project is funded with State and Federal Child Abuse Prevention and Treatment Act (CAPTA) funds to develop and expand treatment services to families who chronically neglect their children, to prevent further incidents of maltreatment. The total amount of the funding available for the demonstration projects is \$290,000, through September 30, 1999.

This Request for Proposals does not obligate the State to complete the project; the State reserves the right to cancel the solicitation if it is considered to be in its best interest. All proposals must be submitted to the Department of Human Services by 4:00 p.m. on Friday, September 26, 1997. For a copy of a detailed explanation of this Request for Proposals, please contact:

Ruth Clinard  
Department of Human Services  
Family and Children's Services Division  
444 Lafayette Road  
St. Paul, MN 55155-3844  
(612) 297-3834

## **Department of Human Services**

### **Family and Children's Services Division**

#### **Request for Proposals - Child Welfare Reform Pilots**

The Minnesota Department of Human Services is soliciting proposals from qualified agencies to develop pilot programs that reform the delivery of child welfare services and focus on early intervention to those cases not currently served and/or alternative methods of assessing and investigating child maltreatment reports. Respondents may consider requesting waivers to existing state rules in order to implement desired reform initiatives provided the provisions of *Minnesota Statutes*, Section 626.556 dealing with the rights of individuals who are subjects of reports or investigations, including notice and appeal rights and data privacy rights are maintained. Regardless of design or proposed methodology, applicants must address the safety and protection of the children served by the pilot reform projects.

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

The Department will consider funding requests for up to \$100,000 per year for two years and anticipates funding eight pilot programs. The total cost of all funded project will be approximately \$800,000 per year. All proposals must be submitted by 4:00 p.m. on Friday, September 26, 1997.

For a copy and a more detailed explanation of this request for proposals, please contact:

Steve Vonderharr  
Department of Human Services  
Family and Children's Services Division  
444 Lafayette Road  
St. Paul, MN 55155-3832  
(612) 296-5324

## **Department of Public Safety**

### **Minnesota Auto Theft Prevention Program**

#### **Grant Availability for Aid in Identification of Critical Issues, Education and Awareness, and Investigation and Prosecution of Motor Vehicle Theft**

The Minnesota Auto Theft Prevention Program Board announces the availability of grant money to be used in the reduction of motor vehicle theft by funding programs which aid in the identification of critical issues, education and awareness and investigation and prosecution. Applications will be accepted from State, County, Local Police, Governmental Agencies, Prosecutors, Judiciary, Businesses, and Community and Neighborhood Organizations. The moneys granted must be dedicated to the area of auto theft. This is the second round of auto theft grants. These grant proposals will be due by December 31, 1997. Grant proposal forms and information may be obtained by contacting Dennis Roske at the Auto Theft Prevention Office at (612/405-6153 or 405-6155).

# Professional, Technical & Consulting Contracts

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

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

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## Department of Administration

### Materials Management Division

#### Request for Proposal (RFP) for the Electronic Transfer of State of Minnesota Tax Information

The State of Minnesota, Department of Revenue (DOR), acting through its Department of Administration, is seeking proposals from qualified vendors to provide the necessary services to process the electronic transfer of state of Minnesota tax information. For purposes of the RFP, a transaction is a completed, accepted and acknowledged transfer of data to the DOR or its representative. The department currently processes 750,000 transactions per year through its electronic transfer process. It is anticipated that from July, 1998 through July, 2000, the volume of payments is expected to rise to over one million transactions per year. The DOR will require several payment methods for incoming data collection services. These include a phone based touch tone and an operator assisted process, personal computer based transaction software and emerging card technologies. The department may also require data collection services for up to three hundred thousand tax filings per year using the same methodologies. The DOR has critical fiscal and service level constraints in which high volumes of data must be collected and formatted for banking and department systems.

One original and five (5) copies of the RFP response are to be submitted no later than 3:00 P.M. on October 20, 1997. Vendors requesting a copy should submit a written request to: Pat Anderson, State of Minnesota, Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155. Written requests may also be faxed to her at 612.297.3996.

## Department of Children, Families and Learning

### Office of Community Services

#### Notice of Request for Proposal to Provide a Study of the at Home Infant Child Care Program

The Department of Children, Families and Learning is soliciting proposals from qualified vendors to develop guidelines for the At Home Infant Child Care Program. The At Home Infant Child Care Program, which will be established on July 1, 1998, provides assistance under the basic sliding fee program for an eligible family while the parent provides full time child care for the family's infant child.

The Department of Children, Families and Learning has received state administrative funds to develop this program. The project will involve extensive research to determine any necessary legislative changes, development of a state rule and guidelines for implementation at the county level.

The Department has estimated that the cost of this project should not exceed \$50,000. The project period will be November 1997 through June 1998.

For complete information on the Request for Proposal, please contact the Department of Children, Families and Learning, 550 Cedar Street, St. Paul, Minnesota 55101-2273, telephone (612) 297-2359, fax (612) 296-5890.

**Completed proposals are due by 4:00 p.m. on October 1, 1997.**

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



## **Minnesota Higher Education Services Office**

### **Request for Proposals for Graphic Designers**

The Higher Education Services Office is requesting proposals from qualified professionals to provide graphic design services for Fiscal Years 1998 and 1999. Proposals must be submitted no later than **September 30, 1997**.

The Request for Proposals (RFP) does not obligate the Higher Education Services Office to complete this project, and the Higher Education Services Office reserves the right to cancel the solicitation if it is considered to be in its best interest.

The total cost of this proposal is not to exceed \$59,900 in total for Fiscal Years 1998 and 1999.

Copies of the RFP are available from:

Communications  
Minnesota Higher Education Services Office  
400 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
612/296-9684

## **Minnesota Higher Education Services Office**

### **Request for Proposals for Prepress Services**

The Higher Education Services Office is requesting proposals from qualified professionals to provide prepress services for Fiscal Years 1998 and 1999. Proposals must be submitted no later than **September 30, 1997**.

The Request for Proposals (RFP) does not obligate the Higher Education Services Office to complete this project, and the Higher Education Services Office reserves the right to cancel the solicitation if it is considered to be in its best interest.

The total cost of this proposal is not to exceed \$30,400 in total for Fiscal Years 1998 and 1999.

Copies of the complete RFP are available from:

Communications  
Minnesota Higher Education Services Office  
400 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
612/296-9684

# Non-State Public Bids, Contracts & Grants

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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

### Invitation to Bid on Compaq Deskpro 6000 Computers

Sealed bids will be received in the office of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, for Compaq Deskpro 6000 PC's, until 2:00 P.M. on Wednesday, September 17, 1997, at which time and place bids will be publicly opened and read.

Copies of the specifications may be obtained from the office of the Metropolitan Council or by calling 612-602-1032 or via Fax request at 612-602-1083. All bids to be considered must be submitted on Council approved bid forms.

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

The Metropolitan Council reserves the right to accept or reject any and all bids, or any part of any bid, and to waive any minor irregularities and deviations from requirements outlined in the technical specifications.

## Metropolitan Council

### Request for Proposal for a Bar Code Data Collection System

Proposals will be accepted at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, until 4:00 P.M., on Wednesday, September 17, 1997, for a bar code data collection system. This system will include all software, hardware and installation required for implementation of this program and must interface with existing TxBase Inventory Management Software.

All potential responders are encouraged to attend a pre-proposal information meeting to be held at the Metro Transit Overhaul Base, 515 North Cleveland Avenue, St. Paul, Minnesota, 55114, on September 9, 1997, at 10:00 A.M. For more information, and to make reservations, call 612-602-1032.

Information packets are available and can be obtained by calling 612-602-1032 or via fax request at 612-602-1083.

A contract(s) will be awarded based upon, but not necessarily limited to, factors of price, past experience with the Metropolitan Council and agreement to the Council's terms and conditions.

The Metropolitan Council reserves the right to reject any and all proposals, or any part of any proposal, to waive minor defects or technicalities or to advertise for new offers as it deems in its best interest.

## Metropolitan Council

### Request for Proposal for a Document/Check Printing System, Hardware/Software

Proposals will be accepted at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, until 4:00 P.M., on Thursday, September 18, 1997 for a document/check printing system. This system must interface with existing financial systems and will include all software, hardware and installation required for implementation of this program.

Information packets are available and can be obtained by calling 612-602-1032 or via fax request at 612-602-1083.

Perspective suppliers are encouraged to attend a Pre-Proposal Information meeting to be held at the Metropolitan Council, 230 East 5th Street, St. Paul, Minnesota, 55101, on September 10, 1997, at 10:00 A.M. For more information, and to make reservations, please call 612-602-1032.

A contract will be awarded to the company that meets the specifications and is in compliance with all terms and conditions outlined in the information packet. The award will be based upon, but not necessarily limited to, factors of price, past experience with the Metropolitan Council and agreement to the Council's terms and conditions.

The Metropolitan Council reserves the right to reject any and all proposals, or any part of any proposal, to waive minor defects or technicalities or to advertise for new offers as it deems in its best interest.



