

State of Minnesota

# State Register

Rules and Official Notices Edition



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Department of Administration – Communications Media Division

**Monday 19 July 1999**  
**Volume 24, Number 3**  
**Pages 119-136**

# 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, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

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|--|--|---|
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## Printing Schedule and Submission Deadlines

| Vol. 24<br>Issue<br>Number | PUBLISH<br>DATE | Deadline for both<br>Adopted and Proposed<br>RULES | Deadline for: Emergency Rules, Executive and<br>Commissioner's Orders, Revenue and Official Notices,<br>State Grants, Professional-Technical-Consulting<br>Contracts, Non-State Bids and Public Contracts |
|----------------------------|-----------------|--|---|
| #3                         | Monday 19 July  | Noon Wednesday 7 July                              | Noon Tuesday 13 July  |
| #4                         | Monday 26 July  | Noon Wednesday 14 July                             | Noon Tuesday 20 July  |
| #5                         | Monday 2 August | Noon Wednesday 21 July                             | Noon Tuesday 27 July  |
| #6                         | Monday 9 August | Noon Wednesday 28 July                             | Noon Tuesday 3 August   |

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**PUBLISHING NOTICES IN THE *State Register*:** Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 651-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$115.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

An "Affidavit of Publication" can be obtained at a cost of \$10.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

The *State Register* is published by Communications.Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning.

## FOR LEGISLATIVE NEWS

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

|  |  |
|--|--|
| Contact: Senate Public Information Office (651) 296-0504<br>Room 231 State Capitol, St. Paul, MN 55155 | Contact: House Information Office (651) 296-2146<br>Room 175 State Office Building, St. Paul, MN 55155 |
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# Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1997 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 (651) 297-3000, or toll-free 1-800-657-3757.

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# Proposed Rules

## Comments on Planned Rules or Rule Amendments

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

## Rules to be Adopted After a Hearing

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

## Rules to be Adopted Without a Hearing

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

## Department of Revenue

### Proposed Amendments to Proposed Rules Relating to Lawful Gambling Taxes; Annual Audits and Review

#### NOTICE OF HEARING

#### Proposed Permanent Rules Relating to Lawful Gambling, Annual Audits and Review; *Minnesota Rules*, parts 8122.0510, 8122.0550, and 8122.0600

**Public Hearing.** The Department of Revenue intends to adopt rules after a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-entitled rules in Rooms 4250/4825 of the Minnesota Department of Revenue building, 600 North Robert Street, Saint Paul, Minnesota 55146, starting at 9:30 a.m. on Thursday, August 26, 1999, and continuing until the hearing is completed. Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

**Administrative Law Judge.** The hearing will be conducted by Administrative Law Judge Kenneth A. Nickolai, who can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone 612-341-7640, and fax 612-349-2665. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

**Subject of Rules, Statutory Authority, and Agency Contact Person.** The subject of the hearing will be the proposed rules governing Lawful Gambling, Annual Audits and Review. *Minnesota Rules*, parts 8122.0510, 8122.0550, and 8122.0600. The proposed rules are authorized by *Minnesota Statutes*, section 270.06, clause (14), and by *Minnesota Statutes*, section 297E.06, subdivision 4(b). A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. The agency contact person is: Patrick J. Finnegan, Attorney; Minnesota Department of Revenue; Appeals, Legal Services & Criminal Investigation Division; Mail Station 2220, St. Paul, Minnesota 55146-2220; Phone # 651-296-1904; FAX # 651-296-8229. TTY users may call the Department of Revenue at 651-297-2196.

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

## Proposed Rules

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

**Public Comment.** You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings.

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

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified as a result of the rule hearing process. Modifications must be supported by data and views presented during the rule hearing process, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate.

**Adoption Procedure After The Hearing.** After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings, and can make these requests at the hearing or in writing to the agency contact person stated above.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

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

Publication date: July 19, 1999

Matthew G. Smith, Commissioner  
Minnesota Department of Revenue

**8122.0510 [See *State Register*, Volume 23, Number 14, pages 1673-1678.]**

**8122.0550 AUDIT.**

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

Subp. 2. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

Subp. 3. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

Subp. 4. **Supplemental schedules; reconciliations; physical inventory.** The annual audit must include the following supplemental schedules:

A. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

B. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

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

D. A physical inventory observation and cash count of all sites and locations must be taken as part of the annual audit engagement performed by the accountant process, regardless of when the audit engagement was scheduled. ~~The~~ A physical inventory must be taken within 30 days of the balance sheet date or engagement date, whichever is later, unless prior written approval of an alternate date is obtained from the Department of Revenue. A list of the games in inventory by manufacturer ID, part number, and serial number must be submitted ~~by the accountant~~ to the Department of Revenue within 30 days of the date the physical inventory was taken. The physical inventory and cash count must be performed by:

(1) the CPA or LPA engaged to conduct the annual audit; or

(2) two members, officers, or employees of the organization, appointed by the organization's board, who are not involved in the gambling activity of the organization. These members, officers, or employees must certify to the CPA or LPA the correctness of their physical inventory and cash count.

If the organization deposits all of its cash on hand including cash banks in the organization's gambling account and has fewer than ten games in its inventory at the fiscal year end, it does not have to comply with the physical inventory and cash count requirements of this subpart.

Subp. 5. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

Subp. 6. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

Subp. 7. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

Subp. 8. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

#### **8122.0600 REVIEW.**

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

Subp. 2. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

Subp. 3. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

Subp. 4. **Supplemental schedules.** The annual review must include the following supplemental schedules:

A. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

B. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

C. The list of games in ending inventory, identified by manufacturer ID, part number, and serial number, must include all pull-tab, tipboard, and paddlewheel games in play and unused as of the last day of the fiscal year reviewed. ~~A physical inventory observation and cash count of all sites and locations must be taken as part of the review engagement, and must be performed by the accountant, regardless of when the engagement was scheduled.~~

Subp. 5. [See *State Register*, Volume 23, Number 14, pages 1673-1678.]

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

An agency may choose to withdraw rules it has proposed, thus cancelling any time-sensitive schedule for public comment, hearing, or further movement toward the rules' adoption. These rules will be listed as withdrawn by their individual rules numbers in the *State Register's* index to rulemaking activity, **Minnesota Rules: Amendments and Additions**. An agency that chooses to withdraw proposed rules, may reintroduce those same rules at a later date.

## Board of Chiropractic Examiners

### Notice of Withdrawal of Proposed Amendments to *Minnesota Statute 148.08*, Relating to Experimental Procedures

**NOTICE IS HEREBY GIVEN** that the proposed amendments to *Minnesota Statute 148.08* as published on December 27, 1993 at 1576 *State Register* are withdrawn.

Dated: 1 July 1999

Larry Spicer  
Executive Director

## Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes 4.035*. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## Office of the Governor

### Emergency Executive Order #99-16: Declaring a State of Emergency in the State of Minnesota

**I, JESSE VENTURA, 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**, during the period from July 4, 1999, through July 6, 1999, severe thunderstorms accompanied by tornadoes, straight-line winds, hail, torrential rain and flash flooding devastated northcentral and northeastern Minnesota; and

**WHEREAS**, these events have inflicted widespread and considerable damage to the public infrastructure as well as to homes, farms and businesses; and

**WHEREAS**, as a result, there is a threat to public safety for citizens in the counties of Aitkin, Cass, Clay, Cook, Crow Wing, Itasca, Lake and St. Louis; and

**WHEREAS**, the resources of local, county, state and tribal government and private relief agencies have been exhausted in responding to the crisis;

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

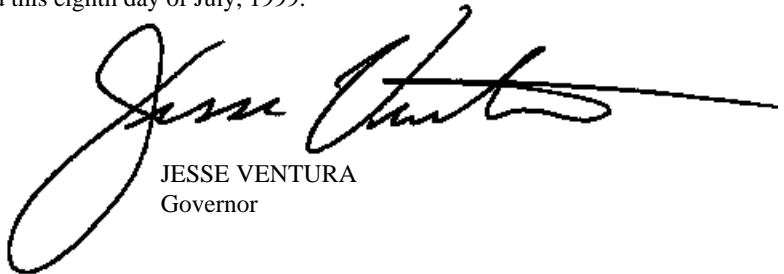
A State of Emergency exists in the State of Minnesota and do:

- Direct the Division of Emergency Management to activate the State Emergency Operations Plan, and, in conjunction with the Federal Emergency Management Agency and other state and federal agencies, to determine the need for supplementary disaster aid and to coordinate the provision of any such assistance as necessary under existing state and federal authority;
- Direct all state agencies to provide assistance that is necessary to help local units of government respond to and recover from this emergency.
- Direct the Minnesota National Guard to provide search and rescue assistance to the county sheriffs in Lake and Cook counties as necessary when requested by the sheriffs and the Division of Emergency Management.



Pursuant to *Minnesota Statutes* 1998, section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1998, section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this eighth day of July, 1999.



JESSE VENTURA  
Governor



Filed According to Law:  
MARY KIFFMEYER  
Secretary of State

## Official Notices

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

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

## Department of Agriculture

### Minnesota Rural Finance Authority

#### Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for Approximately 4 Acres of Farmland with Buildings in Lemond Township, Steele County

**NOTICE IS HEREBY GIVEN** that a public hearing will be held on August 6, 1999, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 4 acres of farmland with buildings located in Section 23, Lemond Township, Steele County, Minnesota on behalf of Todd and Raquel Hansen, a married couple (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$240,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 7 July 1999

Jim Boerboom  
RFA Director

## Official Notices

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### Department of Agriculture

#### Rural Finance Authority

#### Notice of Change in Meeting Place

The location of the August meeting of the Rural Finance Authority Board has been changed. This meeting will start at 1:00 P.M., August 4, 1999, at the Country Inn and Suites, Highways 14 and 22, Mankato, MN.

Jim Boerboom  
RFA Director

### Auto Theft Prevention Board

#### Meetings of the Board in July and August, 1999

Auto Theft Prevention Board announces the Board meeting dates of: Thursday, July 22, 1999 at 9:00 AM, and Thursday, August 19, 1999 at 9:00 AM. The Board meetings are located at the Auto Theft Prevention Office, 1110 Centre Point Curve, Suite 405, Mendota Heights, Minnesota.

The Board also announces a vacancy on the Auto Theft Prevention Board beginning approximately August 1, 1999. This Board appointment is designated as filling the Board position that represents the Department of Public Safety. To qualify for this vacancy, a person must be an employee of the Department of Public Safety. Interested persons may contact Denny Roske at the Auto Theft Prevention Board office at 651-405-6153 for additional information and a copy of the open appointments application for Service on State Agency form.

### Department of Health

#### Division of Environmental Health

#### Request for Comments on Planned Amendment to Rules Relating to the Minnesota Clean Indoor Air Act, *Minnesota Rules*, Parts 4620.0050 to 4620.1450

**Subject of Rules.** The Minnesota Department of Health requests comments on its planned amendment to rules relating to the Minnesota Clean Indoor Air Act. The department will amend its rules to conform to the statutory changes made to the Act during the 1999 legislative session (*1999 Laws of Minnesota*, chapter 245, article 2, sections 24-26). The statutory changes restrict or prohibit smoking in factories, warehouses, and those places of work where the close proximity of workers or the inadequacy of ventilation causes smoke pollution detrimental to the health and comfort of nonsmoking employees.

In addition to the above statutory changes, all parts of the Minnesota Clean Indoor Air Act are under consideration for amendment. The department is considering rule amendments addressing factories, warehouses and similar places of work, common areas, restaurants, health care facilities, acceptable non-smoking areas, and smoking permitted areas.

**Persons affected.** The amendment to rules would likely affect owners and operators of public places and work places, and the general public. Examples of public places and work places that may be affected by the amendment to the rules include industrial workplaces, office buildings, restaurants, retail stores, health care facilities, educational facilities, nursing homes and boarding care facilities, and rental apartment buildings.

**Statutory Authority.** *Minnesota Statutes*, section 144.417, subdivision 1, provides that the state commissioner of health shall adopt rules necessary and reasonable to implement the provisions of the Minnesota Clean Indoor Air Act.

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

**Advisory Committee.** The department will establish an advisory committee that is expected to include representatives of regulated or affected businesses and facilities, retail associations, the hospitality industry, public health, local agencies that enforce state rules, advocacy groups, the general public, and the tobacco industry to comment on the planned rules. If you are interested in being a member of the advisory committee, please contact the department contact person. Other interested parties may attend advisory committee meetings or receive minutes of the meetings. The advisory committee will be appointed in September 1999, and will meet for the first time in October 1999.

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

**Department Contact Person.** Written comments, questions, and requests for more information on these planned rules should be directed to:

Mr. Georg Fischer  
Minnesota Department of Health  
Division of Environmental Health  
121 East Seventh Place, Suite 360  
P.O. Box 64975  
St. Paul, Minnesota 55164-0975  
ph. 651-215-0932  
FAX 651-215-0975  
e-mail: [georg.fischer@health.state.mn.us](mailto:georg.fischer@health.state.mn.us)  
TTY 651-215-0707

**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 department 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 department is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 13 July 1999

Patricia A. Bloomgren, Director  
Division of Environmental Health

## Department of Human Services

### Notice of Availability of the Minnesota Health Care Programs Provider Participation List [Also Known as DHS Rule 101 Provider Compliance List]

**NOTICE IS HEREBY GIVEN** that the Minnesota Health Care Programs provider participation list for July 1, 1999 is now available. The provider participation list is a compilation of fee-for-service health care providers who are in compliance with DHS Rule 101. The list of providers is separated by provider type, each section is in alphabetical order by provider name, and there is no additional information on the list other than the provider's name. This list is distributed on a quarterly basis to the Department of Employee Relations, the Department of Labor and Industry, and the Department of Commerce. To obtain the list, contact Paul McCann, Rule 101 specialist, at 651-282-5328 or toll-free at 800-657-3974. You may fax your request to 651-296-5690 or mail to the Customer Services Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3856.

Michael O'Keefe, Commissioner  
Department of Human Services

## Minnesota Comprehensive Health Association

### Notice of Meeting of the Enrollee Appeal Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Enrollee Appeal Committee will be held on **Tuesday, July 27, 1999**, at Minnesota Comprehensive Health Association Executive Office, Suite 910, 5775 Wayzata Blvd., St. Louis Park, at **1:00 PM**.

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

## Official Notices

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### Minnesota Comprehensive Health Association

#### Notice of Meeting of the Actuarial Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Actuarial Committee will be held on **Wednesday, July 28, 1999**, at Blue Cross Blue Shield of MN, 3400 Yankee Drive, Eagen, Conference room "B", at **1:00 PM**.

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

### Metropolitan Council

#### Public Hearing on the Draft Facility Plan for the Secondary Treatment Improvements Project - Phase II at the Metropolitan Wastewater Treatment Plant Project No. 970650

The Metropolitan Council will hold a public hearing on the Draft Facility Plan for the Secondary Treatment Improvements Project — Phase II at the Metropolitan Wastewater Treatment Plant. This project will provide improvements to the plant's secondary treatment system as necessary to achieve additional phosphorus removal capabilities. The Metropolitan Wastewater Treatment Plant is located on Childs Road, along the east bank of the Mississippi River in St. Paul. The plant treats an average of 225 million gallons of wastewater per day.

The public hearing will be held:

Wednesday, August 18, 1999  
7:00 p.m.  
Metropolitan Council Environmental Services  
Industrial Waste and Pollution Prevention Offices  
Metro 94 Business Center  
425 Etna Street, Suite 32  
St. Paul, Minnesota

Copies of the Draft Facility Plan will be available for review no later than July 21, 1999, at the following locations.

- Metropolitan Council Regional Data Center, 230 East Fifth Street, St. Paul
- Metropolitan Council Environmental Services, Office of Customer Relations and Environmental Education, 230 East Fifth Street, St. Paul
- St. Paul Public Library, 90 West Fourth Street, St. Paul
- St. Paul Public Library, Sun Ray Branch, 2105 Wilson Avenue, St. Paul

All interested persons are encouraged to attend the hearing on August 18, 1999, and provide comments.

Comments, which must be received by 5:00 p.m. on August 30, may also be submitted as follows:

- Send written comments to Tim O'Donnell at Metropolitan Council Environmental Services, 230 East Fifth Street, St. Paul, MN 55101
- Fax comments to Tim O'Donnell at 651-602-1003
- Record comments on Metropolitan Council's Public Comment Line at 651-602-1500
- E-mail comments to [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- Send TTY comments to 651-291-0904

Upon request, Metropolitan Council will provide reasonable accommodations to people with disabilities. Requests must be received prior to August 6, 1999.

Additional information can be obtained from Metropolitan Council Environmental Services, Office of Customer Relations and Environmental Education, at 651-602-1269.

## State Grants & Loans

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

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

### Department of Corrections Community Services Division

#### Notice of Availability of Funds for Model Programs for Adult Female Offenders

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Corrections, Planning for Female Offenders Unit, announces the availability of \$54,000 for Model Programs for Adult Female Offenders grant. The grant period will be for the 21-month period from October 1, 1999 to June 30, 2001. Successful applicants may be eligible to apply for continued funding after the initial grant period.

It is anticipated that the maximum award per grant will be approximately \$18,000 for the term of the grant. It is also anticipated that 3 grants will be awarded. This funding is authorized under *Minnesota Statute 241.70*.

Private, for-profit, non-profit 501(c)(3) organizations, public human service agencies, community corrections agencies, other governmental agencies, American Indian tribal governments, are eligible to apply for these funds. Since the Department of Corrections is the appointing authority, Department of Corrections entities may not apply for these grant funds. They are, however, encouraged to develop partnerships with other local entities to apply for these grant funds.

A request for proposals is available that contains detailed requirements and instructions for applying for this funding. The deadline for the submission of the completed proposals is 4:00 p.m., August 30, 1999. To receive a copy of the request for proposals, contact:

Kathryn Bique, Grants Specialist, Senior  
Minnesota Department of Corrections  
Grants and Subsidy Unit  
1450 Energy Park Drive, Suite 200  
St. Paul, MN 55108-5219  
Phone: 651-642-0264  
TTY: 651-643-3589

### Department of Human Services

#### The Minnesota Department of Human Services is Accepting Applications to Award Crisis Nursery Grants, *Minnesota Statutes, 256F.11*

The Minnesota Department of Human Services, Family and Children's Services Division, is soliciting applications from potential crisis nursery programs. Applications are being sought for development of crisis nursery services to unserved rural geographic communities. Applicants are encouraged to collaborate with other agencies in the area to be served. Priority will be given to applicants that have completed a community needs assessment and developed a community base of support or received a crisis nursery technical assistance grant for fiscal year 1999 and successfully completed the priorities of that grant.

An application for grant packet can be obtained from Dorothy Haugen, Minnesota Department of Human Services, Family and Children's Services Division, 444 Lafayette Road, St. Paul, Minnesota, 55155-3832. Or you may call Ms. Haugen at 651-215-1832.

Applications must be received no later than 4:00 p.m. August 9, 1999.

## Minnesota Center for Crime Victim Services

### The Minnesota Center for Crime Victim Services Announces the Availability of Grant Funds

**1. Neighborhood-based General Crime Victim Services:** One grant of \$75,000 is available for a general crime pilot project to provide neighborhood-based services to victims and witnesses of crime during the period between the occurrence of the crime and the filing of formal charges against the alleged perpetrator. Private non-profit organizations are eligible to apply. The successful grant recipient must demonstrate their ability to target services towards victims from populations that currently underreport crime victimization, including recent immigrants or refugees, communities of color, and victims of bias-motivated crime. Services must be provided in locations and at times typically convenient to prospective clients. The types of services offered must be geared towards addressing the lack of trust and understanding that prospective clients have of the criminal justice system, and include legal advice and advocacy services. Services must be offered in a least two locations. The grant is available for the 24-month period from July 1, 1999 through June 30, 2001. Applications are due August 17, 1999.

**2. Emergency Grant Funds for Victims:** \$29,000 is available for up to 20 grants for the 12-month period from July 1, 1999, through June 30, 2000. Emergency funds to eligible crime victims are for necessary property losses, installation of home security devices, transportation, crime scene cleanup and living expenses, to be distributed within forty-eight hours or two working days from the date of a crime victim's application. County Prosecutors, City Prosecutors and Victim Assistance Programs are eligible to apply. Successful grant recipients must distribute these funds in a non-discriminatory manner to victims who are not engaged in criminal activity at the time of their victimization. These funds may only be distributed to victims of crime that occurred within the State of Minnesota. Applications are due August 31, 1999. For more information call: Jason Aronen at 651-282-6265, 1-888-622-8799.

To receive a request for proposals for #1 above, that provides complete information and describes how to apply, contact:

Minnesota Center for Crime Victim Services  
245 East Sixth Street, Suite 705  
St. Paul, Minnesota 55101  
651-282-6256 or 1-888-622-8799 outside the Twin Cities metropolitan area  
TTY: 651-205-4827

## Department of Revenue

### Notice of Request for Proposals for Grants to Provide Taxpayer Assistance Services to Low Income and Disadvantaged Minnesota Residents

#### Background:

The Minnesota Department of Revenue is soliciting proposals from one or more non-profit organizations, qualifying under §501(c)(3) of the *Internal Revenue Code* of 1986, to receive grants to coordinate, facilitate, encourage, and aid in the provision of taxpayer assistance services. The application deadline is August 15, 1999.

Taxpayer Assistance services means accounting and tax preparation services provided by volunteers to low income and disadvantaged Minnesota residents to help them file federal and state income tax returns, Minnesota property tax refund claims, Minnesota rebate claims, and to provide personal representation before the Department of Revenue and the Internal Revenue Service. Preference will be given to organizations that will use the funding to attract and train new and existing volunteers to provide Taxpayer Assistance.

#### Funded Activities:

1. Recruitment of volunteers to provide taxpayer assistance
2. Provide taxpayer assistance to low income and disadvantaged individuals. For purposes of this grant application, disadvantaged includes:
  - a. low income: based on Federal VITA guidelines,
  - b. non - english speaking individuals,
  - c. seniors - 65 years and older,
  - d. disabled individuals - defined as individuals determined to be disabled under Social Security Administration guidelines

An appropriation is given to the Commissioner of Revenue to make grants totaling \$50,000 per fiscal year for 2000 and 2001, to nonprofit organization(s) to fund the above activities. Applicants must reapply for consideration in the next RFP grant cycle. Funds may not be used to capitalize the organization unless the capitalization falls within the above funded activities. Grant recipients are required to provide a quarterly update of progress toward outlined goals.

**Proposal content:**

Applicants must:

1. Provide copy of articles of incorporation documenting §501(c)(3) status.
2. Describe and provide documentation of current taxpayer assistance services, including information about service population.
3. Describe experience with recruitment and training of volunteers to provide taxpayer assistance.
4. Describe how you will utilize funding to develop and expand activities in the provision of Taxpayer Assistance services to low income and disadvantaged Minnesota residents. Attach appropriate documentation.
5. Describe how you will utilize funding to attract and train new and existing volunteers to provide Taxpayer Assistance.
6. Describe how you will expand service availability to out-state Minnesota, non english speaking, and disabled communities.
7. Submit budget that specifically outlines how grant money will be spent.
8. Indicate link of budget item to activities in proposal.
9. Submit proposed timeline of implementation

**Evaluation of proposals:**

Proposals will be evaluated on several factors:

1. Organizations must be non-profit, qualifying under §501(c) (3) of the *Internal Revenue Code* of 1986.
2. Assistance must be for low income and disadvantaged Minnesota residents as defined in this grant.
3. Assistance provided by volunteers.
4. Clarity of operational plan
5. Outreach to people currently not filing but qualifying for refunds.
6. Expansion of service availability to out-state Minnesota, non english speaking, and disabled communities.
7. Return filing assistance available at a minimum January through August.

Proposals will be value rated based on how well the applicant addresses the above criteria.

**Submission of proposals:**

Copies of proposal should be sent to:

Wende O'Brien  
P.O. Box 7335  
St. Paul, Minnesota 55107-7335  
651-296-0992

Other department personnel are not allowed to discuss the request for proposal with anyone, including responders, before the proposal submission deadline. All proposals must be received no later than 4:30 p.m., August 15, 1999, and indicated by a notation and verified by the project manager. Late proposals will not be accepted. Decisions will be made by August 31, 1999. All applicants will be notified in writing of determination. Determination ratings will be provided upon written request.

## Professional, Technical & Consulting Contracts

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

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 297-5353 and ask for 296-2600].

## Teachers Retirement Association

### Request for Proposal for an Integrated Information System

The Teachers Retirement Association (TRA) is requesting proposals for the development of a comprehensive information system that integrates multiple technologies including data management, imaging, work process tracking, automated workflow, fax, Interactive Voice Response (IVR) and Internet connectivity.

The focus of the requested services will be to:

- develop the enterprise model and project infrastructure
- develop and implement a prototype
- develop a Project Implementation Plan
- develop and implement the requested system and related software in phases
- install and implement hardware and system support software.

Vendors qualified to respond to this Request for Proposal (RFP) must have:

- been the prime contractor on two major development projects in the last five years
- a public retirement template, package, or custom development method
- key staff with public retirement system experience
- acceptable evidence of compliance with Minnesota Workers Compensation, Affirmative Action, and Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion.

Complete Requests for Proposals can be obtained from:

Jack Pula, Project Manager  
Teachers Retirement Association  
Suite 500, Gallery Building  
17 West Exchange Street  
Saint Paul, MN 55102  
Phone: 651-296-6842 FAX: 651-297-5999  
Email: [jack.pula@state.mn.us](mailto:jack.pula@state.mn.us)

Completed proposals are due by 4:30 p.m. CDT, September 22, 1999.



## Non-State Public Bids, Contracts & Grants

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

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

### City of Saint Paul/Ramsey County

#### Saint Paul Water Utility

#### The Saint Paul Water Utility is Soliciting Proposals from Qualified Firms to Perform Engineering and Testing Services Over a 3 Year Period as Part of the Water Tower Maintenance Program

Proposals must be submitted on or before 2:00 p.m. on Wednesday, August 4, 1999 in Room 280 City Hall/Court House, 15 W Kellogg Blvd., Saint Paul, MN 55102. Proposal forms and specifications are available in the Division of Contract and Analysis Services, Room 280 City Hall/Court House.

Project Manager: John Starr, 651-485-0943

Buyer: Duane Kroll, 651-266-8905

### University of Minnesota

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

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at [bidinfo.umn.edu](http://bidinfo.umn.edu) or call the BIS Coordinator at 612-625-5534.

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



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