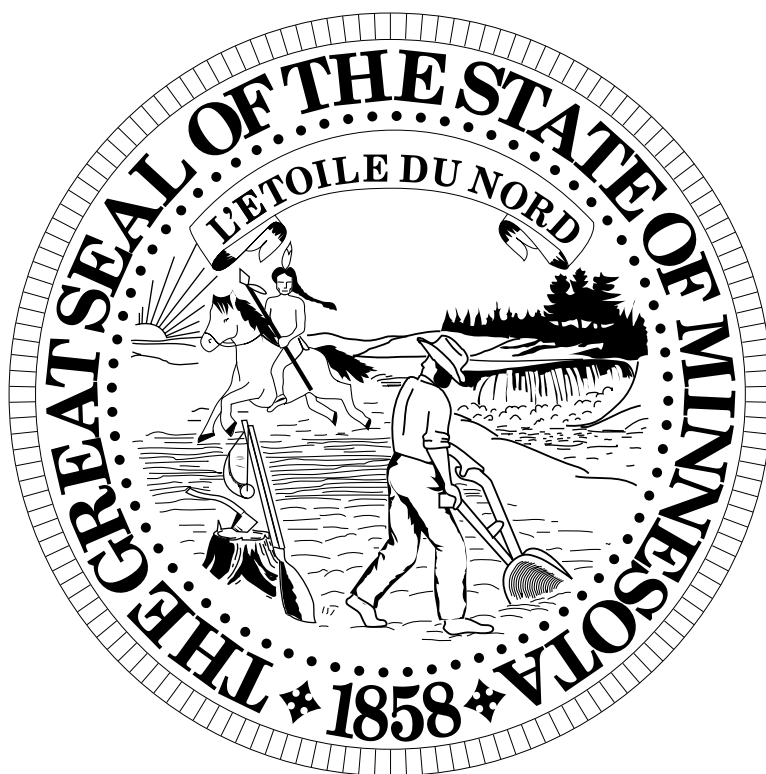


State of Minnesota

# 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, 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- proposed, adopted, exempt, expedited emergency and withdrawn rules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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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  
Room 231 State Capitol, St. Paul, MN 55155

Contact: House Information Office (651) 296-2146  
Room 175 State Office Building, St. Paul, MN 55155

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## 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 issue 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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## 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.

## Board of Chiropractic Examiners

### Adopted Permanent Rules Relating to Emeritus Status

The rules proposed and published at *State Register*, Volume 24, Number 17, pages 603-604, October 25, 1999 (24 SR 603), are adopted with the following modifications:

#### **2500.2130 CHANGE TO ACTIVE STATUS.**

Subpart 1. **Within three years.** A registrant who desires to change to active status, within three years from the date emeritus status was effective, may do so by doing the following, pending approval by the board based upon the information submitted:

# Exempt Rules

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

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

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

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

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

## Department of Children, Families, and Learning

### Expedited Exempt Permanent Rules Relating to Special Education

The rules proposed and published at *State Register*, Volume 24, Number 17, pages 608-623, October 25, 1999 (24 SR 608), are adopted with the following modifications:

#### **3525.0200 DEFINITIONS FOR SPECIAL EDUCATION.**

Subp. 7a. **Initial formal evaluation.** “Initial formal evaluation” means the first formal evaluation by the district that addresses the specific problems as outlined on the notice to ~~assess~~ evaluate in accordance with parts 3525.2650 and 3525.3500.

#### **3525.1310 STATE AID FOR SPECIAL EDUCATION PERSONNEL.**

Salaries for essential personnel who are teachers, related services, and support services staff members are reimbursable for the following activities:

- J. due process facilitation, not including attorney costs for suit preparation.

Ongoing services for at-risk students such as truancy, suicide prevention, child abuse, or protection are not reimbursable.

#### **3525.1325 AUTISM SPECTRUM DISORDERS (ASD).**

Subpart 1. **Definition.** “Autism spectrum disorders (ASD)” means a range of pervasive developmental disorders that adversely affect a pupil’s functioning and result in the need for special education instruction and related services. ASD is a ~~behaviorally defined~~ disability category characterized by an uneven developmental profile and a pattern of qualitative impairments in several areas of development: social interaction, communication, ~~and or~~ restricted repetitive and stereotyped patterns of behavior, interests, and activities, with onset in childhood. Characteristics can present themselves in a wide variety of combinations from mild to severe, as well as in the number of symptoms present, for example Autistic Disorder, Childhood Autism, Atypical Autism, Pervasive Developmental Disorder:Not Otherwise Specified, Asperger’s Disorder, or other related pervasive developmental disorders.

Subp. 3. **Criteria.** The multidisciplinary team shall determine that a pupil is eligible and in need of special education instruction and related services if the pupil demonstrates patterns of behavior consistent with those in item A and fulfills the requirements in item B.

A. ~~Educational evaluation information collected from multiple settings and sources must include documented evidence of specific patterns of behaviors in at least two of the three core features among ASD listed in subitem (1), (2), or (3)~~ An educational evaluation must address all three core features in subitems (1) to (3). For eligibility purposes, there must be documented evidence

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## Exempt Rules

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the student demonstrates the specific patterns of behavior described in at least two of these subitems, one of which must be subitem (1). The eligibility determination must be supported by information collected from multiple settings and sources.

Behavioral indicators of these core features must be atypical for the pupil's developmental level. Documentation of behavioral indicators must include the use of at least two of these methods: structured interviews with parents, autism checklists, communication and developmental rating scales, functional behavior assessments, application of diagnostic criteria from the current Diagnostic and Statistical Manual (DSM), informal and standardized evaluation instruments, or intellectual testing.

(1) Qualitative impairment ~~of~~ in social interaction, as documented by two or more behavioral indicators, such as: limited joint attention and limited use of facial expressions directed toward others; does not show or bring things to others to indicate an interest in the activity; demonstrates difficulties in relating to people, objects, and events; a gross impairment in ability to make and keep friends; significant vulnerability and safety issues due to social naivete; may appear to prefer isolated or solitary activities; misinterprets others' behaviors and social cues.

(2) Qualitative impairment in communication, as documented by ~~two~~ one or more behavioral indicators, such as: not using finger to point or request; using others' hand or body as a tool; showing lack of spontaneous imitations or lack of varied imaginative play; absence or delay of spoken language; limited understanding and use of nonverbal communication skills such as gestures, facial expressions, or voice tone; odd production of speech including intonation, volume, rhythm, or rate; repetitive or idiosyncratic language or inability to initiate or maintain a conversation when speech is present.

(3) Restricted, repetitive, or stereotyped patterns of behavior, interest, and activities, as documented by ~~two~~ one or more behavioral indicators, such as: insistence on following routines or rituals; demonstrating distress or resistance to changes in activity; repetitive hand or finger mannerism; lack of true imaginative play versus reenactment; overreaction or under-reaction to sensory stimuli; rigid or rule-bound thinking; an intense, focused preoccupation with a limited range of play, interests, or conversation topics.

B. The team shall verify that an ASD adversely affects a pupil's present level of performance and that the pupil is in need of special education instruction and related services. This verification is completed through the multidisciplinary team evaluation and summarized in the pupil's evaluation report. Documentation must be supported by data from each of the following components:

(1) The evaluation must ~~include~~ identify the pupil's present levels of performance and educational needs in each of the ~~three~~ core features identified by the team in item A, subitems (1), (2), and (3), that are specific to this disability category. ~~The evaluation must also identify the educational needs that are present in at least two of these three core features.~~ In addition, the evaluation process must give consideration to all other areas of educational concern consistent with the IEP process.

Subp. 5. **Implementation.** ~~Students~~ Pupils with various educational profiles and related clinical diagnoses may be included as eligible if they meet the criteria of ASD. However, a clinical or medical diagnosis is not required to be eligible for special education services. Due to the wide variation in characteristics and needs, pupils with different educational profiles or a specific clinical diagnosis must also be determined as eligible following the criteria in subpart 3. Following this eligibility determination process is essential to identify and document individual strengths and weaknesses and the pupil's unique educational needs so that an effective individual educational program may be planned and implemented.

### 3525.1327 DEAF-BLIND.

Subpart 1. **Definition and criteria.** "Deaf-blind" means medically verified visual loss coupled with medically verified hearing loss that, together, interfere with acquiring information or interacting in the environment. Both conditions need to be present simultaneously and must meet the criteria for both ~~blind,~~ visually impaired, and deaf and hard of hearing.

Subp. 2. **Pupils at risk.** Pupils at risk of being deaf-blind include pupils who:

A. are already identified as deaf or hard of hearing or ~~blind/visually~~ visually impaired but have not yet had medical or functional evaluation of the other sense (vision or hearing);

E. have an identified syndrome or condition such as ~~Charge~~ CHARGE Syndrome that includes hearing and vision loss in combination with multiple disabilities.

### 3525.1335 OTHER HEALTH IMPAIRED. [Withdrawn at .. SR ..]

### 3525.1343 SPEECH OR LANGUAGE IMPAIRMENTS.

Subp. 4. **Language disorder; definition and criteria.**

B. ~~The team shall determine that~~ A pupil has a language disorder and is eligible for speech or language special education services when:



**3525.2340 CASE LOADS.****Subp. 4. Case loads for school-age educational service alternatives.**

A. The maximum number of school-age pupils that may be assigned to a teacher:

(1) for pupils who receive direct instruction from a teacher 50 percent or more of the instructional day, but less than a full day:

(a) ~~deaf-blind~~ deaf-blind, autistic, or severely multiply impaired, three pupils;

(b) ~~deaf-blind~~ deaf-blind, autistic, or severely multiply impaired with one program support assistant, six pupils;

(2) for pupils who receive special education for a full day:

(a) ~~deaf-blind~~ deaf-blind, autistic, or severely multiply impaired with one program support assistant, four pupils;

(b) ~~deaf-blind~~ deaf-blind, autistic, or severely multiply impaired with two program support assistants, six pupils; and

**Subp. 5. Case loads for early childhood program alternatives. [Withdrawn at .. SR ....]****3525.3900 NOTICE OF A HEARING.**

Written notice of the time, date, and place of hearings shall be given to all parties by the hearing officer at least ten days in advance of the hearings; and the hearing shall be held at a time, date, and place determined by the hearing officer in the district responsible for assuring that an appropriate program is provided and that is reasonably convenient to the parents and child involved.

Upon receipt of the parent's written request for a hearing, the district shall serve the parent with a written notice of rights and procedures relative to the hearing that informs the parent:

F. That at the hearing the burden of proof is on the district to show that the proposed action is justified on the basis of the person's educational needs ~~or the person's~~, current educational performance, or presenting disabilities, taking into account the presumption that placement in a regular public school class with special education services is preferable to removal from the regular classroom.

G. That the hearing officer will make a written decision based only on evidence received and introduced into the record at the hearing not more than 45 days from the receipt of the request for the hearing and that the proposed action will be upheld only upon showing by the school district by a preponderance of the evidence. A proposed action that would result in the pupil being removed from a regular education program may be sustained only when, and to the extent the nature or severity of the disability is such that a regular education program would not be satisfactory and the pupil would be better served in an alternative program. Consideration of alternative educational programs must also be given.

I. That unless the district and parents agree otherwise, the pupil shall not be denied initial admission to school and the ~~student's~~ pupil's education program shall not be changed in conformance with *United State Code*, title 20, section 1415(j).

**3525.4200 HEARING RIGHTS OF RESPECTIVE PARTIES.**

At least five business days before the hearing, the parties or their representatives shall be given access to the providing and resident school districts' records and such other records pertaining to the child that are authorized by law to be disclosed, including but not limited to all tests, evaluations, assessments, reports, and other written information concerning the educational evaluation or ~~reassessment~~ re-evaluation, upon which the proposed action may be based.

At least five business days before the hearing, the parents shall receive from the school districts, who are parties of the hearing, a brief resume of additional material allegations referring to conduct, situations, or conditions which are discovered and found to be relevant to the issues to be contested at the hearing and which are not contained in the original notice or memorandum provided pursuant to parts 3525.3200 to 3525.3600 or 3525.3700, subpart 2. Any party to the hearing may prohibit the introduction of any evidence that has not been disclosed to that party at least five business days before the hearing. Within five days after the written request is received, any party shall receive from the other parties a list of witnesses who may be called to testify at the hearing. The list must be filed with the person conducting the hearing. The lists may be modified at any time but each party should be notified immediately if possible. The parties or their representatives have the right to compel the attendance of any employee of the school district, or any other person who may have evidence relating to the proposed action, and to confront; and ~~to~~ cross examine any witness. Any request must be made to the appropriate school district or to the person whose attendance is compelled at least five

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days in advance of the hearing. The written requests shall also be filed with the person conducting the hearing at the time of hearing.

If the person conducting the hearing determines at the conclusion of the hearing that there remain disputes of fact which, in the interest of fairness and the child's educational needs, require the testimony of additional witnesses, or if the hearing officer concludes that alternative educational programs and opportunities have not been sufficiently considered, the hearing officer may continue the hearing for not more than ten days, for the purpose of obtaining the attendance of witnesses or considering alternative programs and opportunities. The parties' right to cross examination and confrontation and other applicable rights and procedures shall continue and be given full force and effect.

### 3525.4600 EFFECTIVE DATE OF ACTION AND APPEALS.

The decision of the hearing officer is binding on all parties unless appealed to the ~~hearing review officer~~ commissioner by the parent or the district, except as provided in *Code of Federal Regulations*, title 34, section 300.514(c). The hearing officer's decision issued under part 3525.4400, subpart 2, 3, or 4, may be appealed by the parent or the district to the ~~hearing review officer~~ commissioner within 30 days of receipt of that written decision in the following manner: ~~the appeal decision shall be based on a review of the local decision and the entire record;~~ notices of appeal shall be on the appeal form or otherwise in writing and shall be sent by mail to all parties to the hearing when the appeal is filed. The notice of appeal must identify the specific parts of the hearing decision being appealed.

### 3525.4750 EXPEDITED HEARINGS, WHO MAY REQUEST.

Subpart 1. **Parent request for a hearing.** A parent of a pupil with a disability may request an expedited due process hearing if the pupil's parent disagrees:

C. with any decision regarding a change of the pupil's placement under *Code of Federal Regulations*, title 34, sections 300.520 to 300.528, that is based upon a district contention that the move is for disciplinary or safety reasons.

### 3525.4770 EXPEDITED HEARINGS, TIMELINES.

Subpart 1. **When parents request hearing.** When requesting an expedited hearing the parents shall provide the district with:

D. a proposed resolution of the problem to the extent known and available to the parents at the time.

The district may not deny or delay a parent's right to an expedited hearing for failure to provide the notice required here.

Immediately upon receipt of the request for an expedited hearing by the district superintendent, or upon initiating an expedited hearing, the district shall serve the parents with a written notice of right and procedures relative to the hearing, including the availability of free or low-cost legal and other relevant legal services.

Subp. 3. **Hearing officer appointment.** The district shall send a copy of the hearing request to the commissioner by facsimile by the end of the business day following receipt of the parent's notice to the district superintendent or initiation of an expedited hearing. Upon receipt of the notice, the commissioner shall appoint a hearing officer from the roster maintained by the department for that purpose. The parties may agree to a hearing officer other than the one appointed by the commissioner in which case the district shall send, by facsimile, notice of the hearing officer requested. If the agreed upon hearing officer is from the roster maintained by the department, the department shall appoint the hearing officer, if available, and assign a hearing case number. If the hearing officer is unavailable, the department shall inform both parties of that fact and the parties may mutually agree to another hearing officer by the end of the following business day. If the parties are unable to reach agreement, either party may inform the department of that fact and request the immediate appointment of the next available hearing officer. If the agreed upon hearing officer is not from the department's roster, the department shall inform the parties of the case number so that it can maintain a record of all hearing proceedings.

Subp. 4. **Strikes.** In an expedited hearing, a party may not strike the appointment of a hearing officer as of right, but a party may remove a hearing officer on an affirmative showing of prejudice under *Minnesota Statutes*, section 125A.09. A hearing officer must meet the qualifications under *Minnesota Statutes*, section 125A.09, subdivision 11.

Subp. 5. **Disclosure of data.** At least ~~two~~ three business days prior to an expedited hearing, or longer, if ordered by the hearing officer, each party shall disclose to all other parties all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing. A hearing officer may bar any party who fails to comply with this subpart from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

Subp. 6. **Prehearing conference.** Within two days of appointment, the hearing officer shall hold a prehearing conference, which may be by telephone. At that conference, or later, the hearing officer may take any appropriate action a court may take under Rule 16 of *Minnesota Rules of Civil Procedure* including, but not limited to, scheduling, jurisdiction, and listing witnesses, including expert witnesses. Specific pleadings including statements of objection under *Minnesota Statutes*, section 125A.09, subdivision 6, clause (5), and the statement of material allegations under part 3525.4200 shall be required; however the timelines for their

exchange shall be established by the hearing officer. Issues not pled with specificity in an expedited due process hearing are not waived in subsequent proceedings. The exchange of witness lists, evidence, and any other information deemed necessary by the hearing officer shall be exchanged based on the timeline ordered by the hearing officer as required to allow the hearing officer to render a written decision within ~~15~~ 20 business days of the request for the hearing. At the prehearing conference, and subsequently, the hearing officer may order either party to submit educational records, ~~assessments~~ evaluations, and any other information to the hearing officer for prehearing review.

Subp. 7. **Appeal.** The final decision of a hearing officer in an expedited hearing may be appealed to a hearing review officer in the same manner as set forth in *United States Code*, title 20, section 1415, and *Minnesota Rules* except that the appeal must be made within five business days ~~of receipt~~ of the hearing officer's final decision. The hearing review officer's decision must be issued within ten business days of appointment and receipt of the hearing records. A time extension of up to five days may be granted for good cause shown on the record.

Subp. 8. **Decision.** A written decision for an expedited hearing shall be rendered by the hearing officer in ~~15~~ 20 business days. An extension of up to five days may be granted by the hearing officer for good cause shown on the record. The decision is effective upon issuance consistent with *Code of Federal Regulations*, title 34, section 300.514.

## Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners' orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Minnesota Pollution Control Agency

### Findings of Fact, Conclusions, and Order in the Matter of the Petition to Create the Delft Sanitary Sewer District

The Township of Carson petitioned the Minnesota Pollution Control Agency (MPCA) requesting approval of the formation of the Delft Sanitary Sewer District. The Chair of the Carson Township Board of Supervisors was authorized to sign the petition pursuant to a resolution.

The MPCA published the Notice of Intent to Approve Creation of the Delft Sanitary Sewer District in the *State Register* on Monday, April 3, 2000. The MPCA also notified all property owners in the affected area by mail of the notification published in the *State Register*.

The MPCA, after having considered the petition, having published notice of the intent to approve the creation of the sanitary district in the *State Register*, having notified the affected landowners of the intent to create the district, having reviewed the comments received during the comment period, having not received twenty-five (25) or more hearing requests requisite for a contested case hearing, and being fully advised in this matter, hereby makes the following:

#### FINDINGS OF FACT

1. The area of the proposed sanitary district is located in Carson Township in Cottonwood County, Minnesota.
2. The area proposed for formation of the sanitary district is legally described as:

The Southeast Quarter of the Northwest Quarter, the Southwest Quarter of the Northeast Quarter, the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southeast Quarter of Section 18, of Township 106 North, of Range 35 West of the Fifth Principal Meridian in Cottonwood County, Minnesota.

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## Commissioner's Orders

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A map displaying the boundaries of the proposed district is available at the MPCA.

3. On March 16, 1999, a public meeting was held at the Bingham Lake Senior Citizen Center to consider the proposed creation of a sanitary district. The minutes of the public meeting indicated that the required issues were discussed as specified in *Minnesota Statutes* § 115.20 subd. 1(b). Notice of the public meeting was published at least once each week for two weeks in the *Cottonwood County Citizen*, a qualified newspaper published in the area. The Notice was published on March 3, 1999, and March 10, 1999, in the *Cottonwood County Citizen*. The meeting notice was posted at the Carson Township Hall, the Carson Township Clerk's Office, the United Prairie Bank in Mount Lake, Minnesota and the Community First Bank in Windom, Minnesota at least two weeks prior to the public meeting.
4. On September 8, 1998, the Board of Supervisors of the Township of Carson adopted a resolution authorizing the signing of the petition for establishment of the Delft Sanitary Sewer District by the Chair of the Township of Carson. The resolution was published in the *Cottonwood County Citizen* on December 23, 1998, and December 30, 1998 and became effective forty (40) days after the date of publication.
5. On December 10, 1999, a petition was filed with the MPCA requesting approval for the formation of the Delft Sanitary Sewer District. The Chair of the Township of Carson signed the petition for creation of the district as authorized by the resolution. The petition requesting approval for formation of the sanitary district has met all the requirements of *Minnesota Statutes* § 115.20 subd. 1(a).
6. The proposed sanitary district will not be within twenty-five (25) miles of the boundary of a city of the first class.
7. On April 3, 2000, the MPCA published the Notice of Intent to Approve Creation of the Delft Sanitary Sewer District in the *State Register* at 24 SR 1423 and mailed the notice to each of the property owners in the area of the proposed district using addresses provided by the county auditor. The public notice period lasted for 30 days and ended on May 2, 2000.
8. By May 2, 2000, the end of the public notice period, the MPCA had received no letters requesting a contested case hearing on the matter. *Minnesota Statutes* § 115.20 subd. 4(b) requires the MPCA to hold a contested case hearing if twenty-five (25) or more written requests are received by the end of the public notice period. The MPCA received no letters and one (1) call requesting more information.
9. There is a need throughout the proposed district for an adequate and efficient means of treating and disposing of domestic sewage. According to the Cottonwood County Environmental Office, the community of Delft has a number of individual sewage treatment systems that are not in compliance with *Minnesota Rules*. In most cases there is not enough room on each lot to provide for adequate treatment of sewage through the use of an on-site system. Most parcels have shallow wells, which prohibit on-site systems from being installed. Saturated soil on most properties occurs at three feet; at-grade systems would therefore be required. However, the construction of at-grade systems would not be possible due to small lot sizes.
10. The Cottonwood County Environmental Office has reported that the majority of the individual septic systems in Delft eventually empty into Swan Lake, which is part of the Minnesota Swan Lake Wildlife Management Area (WMA). The raw sewage being piped to the WMA has an adverse effect on ground water, surface water, and wildlife.
11. Creation of the Delft Sanitary Sewer District will serve the purpose of promoting the public health and welfare by providing an adequate and efficient system and means of collecting, conveying, pumping, treating, and disposing of domestic sewage within the district. The district will reduce or eliminate the use of on-site septic systems, and thereby abate pollution of surface water and ground water.
12. The creation and maintenance of the sanitary district will be administratively feasible, and will further the public health, safety, and welfare. The district will be administered by a five-member governing board who are voters within the sanitary district and who will be elected by the members of the Carson Township Board. When formed, the Delft Sanitary Sewer District will adopt sewer use ordinances and a sewer service charge system to adequately and equitably fund the wastewater treatment operation throughout the district.

## CONCLUSIONS

1. The Commissioner of the MPCA has subject matter jurisdiction over the petition and proposed establishment of the district pursuant to *Minnesota Statutes* §§ 115.18 to 115.37 (1999).
2. The petitioners have substantially complied with all the procedural requirements of *Minnesota Statutes* § 115.20, as well as other substantive and procedural requirements of law and rule. This matter, therefore, is properly before the Commissioner.
3. The conditions described in *Minnesota Statutes* § 115.19 for creation of a sanitary district do exist within the area identified in the legal description.
4. Any of the foregoing Findings of Fact that might properly be termed Conclusions and Conclusions that might properly be termed Findings are hereby adopted as such.

**NOW THEREFORE**, the Commissioner hereby makes the following:

## **ORDER**

**It is ORDERED that** the Delft Sanitary Sewer District is hereby created to include a portion of the Township of Carson as described in the legal description attached to the petition filed with the MPCA.

Dated this 31st day of May, 2000.

Lisa J. Thorvig  
Deputy Commissioner

## **Minnesota Pollution Control Agency**

### **Findings of Fact, Conclusions, and Order in the Matter of the Petition to Create the Tofte-Schroeder Sanitary Sewer District**

The Townships of Tofte and Schroeder petitioned the Minnesota Pollution Control Agency (MPCA) requesting the formation of the Tofte-Schroeder Sanitary Sewer District. The Chairs of the Board of Supervisors of Tofte and Schroeder Townships were authorized to sign the petition pursuant to resolutions passed by their respective bodies of government.

The MPCA published the Notice of Intent to Approve Creation of the Tofte-Schroeder Sanitary Sewer District in the *State Register* on Monday, April 3, 2000. The MPCA also notified all property owners in the affected area by mail of the notification published in the *State Register*.

The MPCA, after having considered the petition, having published notice of the intent to approve the creation of the sanitary district in the *State Register*, having notified the affected landowners of the intent to create the district, having reviewed the comment letters received during the comment period, having not received twenty-five (25) or more hearing requests requisite for a hearing, and being fully advised in this matter, hereby makes the following:

#### **FINDINGS OF FACT**

1. The area of the proposed sanitary district is located in Cook County, Minnesota, and includes portions of the Townships of Tofte and Schroeder. The territory of the proposed sanitary district is located approximately ninety miles north of Duluth, Minnesota, along the North Shore of Lake Superior. The territory is bound on the southeast by Lake Superior and extends approximately eight miles along Trunk Highway 61 from the south line of Section 10 at the southwest end to Onion River at the northeast end.
2. The area proposed for formation of the sanitary district is legally described as:  
Sections 12, 13, 14, 21, 22, 28, 29, 31, and 32, the South Half of Section 15, and the East Half of the Southeast Quarter of Section 16, Township 59 North, Range 4 West; and  
The South Half of the South Half of Section 36, Township 59 North, Range 5 West; and  
Sections 1, 2, 3, 4, 10, 11, and 12, Township 58 North, Range 5 West, Fourth Principal Meridian, Cook County, Minnesota.

A map displaying the boundaries of the proposed district is available at the MPCA.

On June 30, 1999, a public meeting was held at the Birch Grove Center to consider the proposed creation of a sanitary district. The minutes of the public meeting indicated that the required issues were discussed as specified in *Minnesota Statutes* § 115.20 subd. 1(b). Notice of the public meeting was published at least once each week for two weeks in the *Cook County News-Herald*, a qualified newspaper published in the area. The Notice was published on June 21, 1999, and June 28, 1999, in the *Cook County News-Herald*. The meeting Notice was posted at the official posting locations of the Townships of Tofte and Schroeder for two consecutive weeks.

3. On August 12, 1999, the Board of Supervisors of the Township of Tofte adopted a resolution authorizing the signing of the petition by the Chair of the Township of Tofte. The resolution was published in the *Cook County News-Herald* on October 18, October 25, November 1, November 8, November 15, and November 22, 1999, and became effective forty (40) days after the initial date of publication.

## Commissioner's Orders

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4. On July 21, 1999, the Board of Supervisors of the Township of Schroeder adopted a resolution authorizing the signing of the petition by the Chair of the Township of Schroeder. The resolution was published in the *Cook County News-Herald* on October 18, October 25, November 1, November 8, November 15, and November 22, 1999, and became effective forty (40) days after the initial date of publication.
5. On February 7, 2000, a petition was filed with the MPCA requesting approval for the formation of the Tofte-Schroeder Sanitary Sewer District. The Chair of the Township of Tofte and the Chair of the Township of Schroeder signed the petition for creation of the district as authorized by the resolutions. The petition requesting approval for formation of the sanitary district has met all the requirements of *Minnesota Statutes* § 115.20, subd. 1(a).
6. The proposed sanitary district will not be within twenty-five (25) miles of the boundary of a city of the first class.
7. On April 3, 2000, the MPCA published the Notice of Intent to Approve Creation of the Tofte-Schroeder Sanitary Sewer District in the *State Register* at 24 SR 1424 and mailed the notice to each of the property owners in the area of the proposed district using addresses provided by the county auditor. The public notice period lasted for 30 days and ended on May 2, 2000.
8. By May 2, 2000, the end of the public notice period, the MPCA had received three (3) requests for a contested case hearing on the matter. *Minnesota Statutes* § 115.20 subd. 4(b) requires the MPCA to hold a contested case hearing if twenty-five (25) or more written requests are received by the end of the public notice period. The MPCA also received four (4) letters expressing opposition to the creation of the district, two (2) letters in support of the proposed creation, two (2) telephone calls expressing opposition, and twenty-four (24) calls requesting more information.
9. There is a need throughout the proposed district for an adequate and efficient means of treating and disposing of domestic sewage. The proposed territory of the district is located in an environmentally sensitive area along the North Shore of Lake Superior, where increasing regulations on discharge to Lake Superior are making it difficult for on-site sewage systems to remain in compliance with County, State, and Federal regulations. The geology of the area, which consists of relatively impermeable soils and shallow bedrock along with restricted lot sizes and increasing development, make on-site systems infeasible and uneconomical. Many of the on-site systems currently in use are failing or not in compliance with current regulations. Current land trends indicate that the territory of the proposed sanitary district will continue to develop at a significant pace.
10. Creation of the Tofte-Schroeder Sanitary Sewer District will serve the purpose of promoting the public health and welfare by providing an adequate and efficient system and means of collecting, conveying, pumping, treating, and disposing of domestic sewage within the district. The district will reduce or eliminate the use of on-site septic systems, and thereby abate pollution of surface water, ground water, and Lake Superior.
11. The creation and maintenance of the sanitary district will be administratively feasible, and will further the public health, safety, and welfare. The district will be administered by a five-member governing board who are voters within the sanitary district and who will be elected by the members of the related governing bodies. When formed, the Tofte-Schroeder Sanitary Sewer District will adopt sewer use ordinances and a sewer service charge system to adequately and equitably fund the wastewater treatment operation throughout the district.
12. Pursuant to *Minnesota Statutes* § 115.23 subd. 4, the Township of Tofte has been designated as the central related governing body for the purpose of joint meetings of the Township of Tofte and the Township of Schroeder.

## CONCLUSIONS

1. The Commissioner of the MPCA has subject matter jurisdiction over the petition and proposed establishment of the district pursuant to *Minnesota Statutes* §§ 115.18 to 115.37 (1999).
2. The petitioners have substantially complied with all the procedural requirements of *Minnesota Statutes* § 115.20, as well as other substantive and procedural requirements of law and rule. This matter, therefore, is properly before the Commissioner.
3. The conditions described in *Minnesota Statutes* § 115.19 for creation of a sanitary district do exist within the area identified in the legal description.
4. Any of the foregoing Findings of Fact that might properly be termed Conclusions and Conclusions that might properly be termed Findings are hereby adopted as such.

**NOW THEREFORE**, the Commissioner hereby makes the following:

**ORDER**

**It is ORDERED that** the Tofte-Schroeder Sanitary Sewer District is hereby created to include portions of the Townships of Tofte and Schroeder as described in the legal description attached to the petition filed with the MPCA. For joint meeting purposes, the Township of Tofte shall be designated as the central related governing body.

Dated this 31st day of May, 2000.

Lisa J. Thorvig  
Deputy Commissioner

## 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 matters of public interest.*

## Department of Administration State Designer Selection Board (SDSB)

### Meeting of the Board

Pursuant to SDSB *Minnesota Rules* 3200.0400, below is an announcement for a State Designer Selection Board meeting:

- **June 15, 2000, 8:30 a.m.**
  1. **Shortlisting:** Project 00-9 Department of Military Affairs to Select a Consultant to Provide HVAC and Electrical Commissioning Services for the New National Guard Training & Community Center in Mankato
  2. **Shortlisting:** Project 00-11 Department of Human Services, St. Peter Regional Treatment Center for an Upgrade to the Shantz and Pexton Buildings.

The meeting will be held at the Administration Building, Room 116 B, 50 Sherburne Avenue, St. Paul, Minnesota. For additional information, contact Lisa Blue at 651-297-5526.

## Department of Agriculture Agronomy and Plant Protection Division

### Notice of Special Local Need Registration

Pursuant to *Minnesota Statutes* 18B.27 and Parts 1505.0880-1505.0930, the Minnesota Department of Agriculture issued on May 31, 2000, a Special Local Need (SLN) registration for AAtrex 4L herbicide, manufactured by Novartis Crop Protection, Inc., Greensboro, NC 27419-8300. This registration allows the use of AAtrex for the establishment or renovation of certain grass species on Conservation Reserve Program land. A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

Objections may be submitted to: John C. Sierk, Minnesota Department of Agriculture, Agronomy and Plant Protection Division, 90 West Plato Boulevard, St. Paul, MN 55107. Comment deadline is July 12, 2000.

## Official Notices

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### Department of Agriculture Agronomy and Plant Protection Division

#### Notice of Special Local Need Registration

Pursuant to *Minnesota Statutes* 18B.27 and Parts 1505.0880-1505.0930, the Minnesota Department of Agriculture issued on May 31, 2000, a Special Local Need (SLN) registration for Axiom herbicide, manufactured by Bayer Corporation, Kansas City, MO 64120. This registration allows the early postemergence application of Axiom for weed control in corn. A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

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

Comment deadline is July 12, 2000.

### Department of Children, Families and Learning Office of Community Services

#### Updated Child Care Fund Sliding Fee Copayment Schedule

Pursuant to *Minnesota Statutes* section 119B, and *Minnesota Rules*, part 3400.0100, Subp. 5 (Family Copayment Schedule), the Department of Children, Families and Learning hereby gives notice of the updated Sliding Fee Copayment Schedule. This revised schedule is based on the FY 2001 state median income as published in the March 9, 2000 *Federal Register*. The schedule published is for family sizes of two through five and is effective July 1, 2000 until further notice. Please contact the Child Care Assistance Program for the schedule for larger families. This revised fee schedule replaces the schedule published June 11, 1999.

Any questions about the new schedule should be directed to:

Child Care Assistance Program  
Department of Children, Families and Learning  
Office of Community Services  
1500 Highway 36 West  
Roseville, MN 55113  
651-582-8562

#### Child Care Assistance Program SFY2001 Copayment Schedule

##### Two Person Household

State Median Income      \$    45,655  
Poverty Threshold        \$    11,250

##### Three Person Household

State Median Income      \$    56,398  
Poverty Threshold        \$    14,150

<u>Gross Income Range</u>			<u>Monthly Copayment</u>		<u>Gross Income Range</u>			<u>Monthly Copayment</u>			
\$	8,438	\$	11,250	\$	5	\$	10,613	\$	14,150	\$	5
	11,251		15,983		29		14,151		19,744		36
	15,984		19,179		43		19,745		23,692		53
	19,180		19,635		61		23,693		24,256		76
	19,636		20,092		67		24,257		24,820		83
	20,093		20,548		73		24,821		25,384		90



20,549	21,005	79	25,385	25,948	97
21,006	21,461	85	25,949	26,512	105
21,462	21,918	91	26,513	27,076	113
21,919	22,375	98	27,077	27,640	121
22,376	22,831	105	27,641	28,204	129
22,832	23,059	110	28,205	28,486	136
23,060	23,288	116	28,487	28,768	144
23,289	23,516	122	28,769	29,050	151
23,517	23,744	129	29,051	29,332	159
23,745	23,972	135	29,333	29,614	167
23,973	24,201	141	29,615	29,896	174
24,202	24,429	148	29,897	30,178	182
24,430	24,657	154	30,179	30,460	190
24,658	24,886	161	30,461	30,742	199
24,887	25,114	167	30,743	31,024	207
25,115	25,342	175	31,025	31,306	217
25,343	25,570	183	31,307	31,588	226
25,571	25,799	191	31,589	31,870	236
25,800	26,027	200	31,871	32,151	246
26,028	26,255	208	32,152	32,433	257
26,256	26,483	216	32,434	32,715	267
26,484	26,712	225	32,716	32,997	278
26,713	26,940	233	32,998	33,279	288
26,941	27,168	242	33,280	33,561	299
27,169	27,397	251	33,562	33,843	310
27,398	27,625	260	33,844	34,125	321
27,626	27,853	269	34,126	34,407	333
27,854	28,081	278	34,408	34,689	344
28,082	28,310	288	34,690	34,971	356
28,311	28,538	297	34,972	35,253	367
28,539	28,766	307	35,254	35,535	379
28,767	28,994	317	35,536	35,817	391
28,995	29,223	326	35,818	36,099	403
29,224	29,451	336	36,100	36,381	415
29,452	29,679	346	36,382	36,663	428
29,680	29,908	356	36,664	36,945	440
29,909	30,136	367	36,946	37,227	453
30,137	30,364	377	37,228	37,509	466
30,365	30,592	387	37,510	37,791	479
30,593	30,821	398	37,792	38,073	492
30,822	31,049	409	38,074	38,355	505
31,050	31,277	420	38,356	38,637	518
31,278	31,506	431	38,638	38,919	532
31,507	31,734	442	38,920	39,201	546
31,735	31,962	453	39,202	39,483	559
31,963	32,190	464	39,484	39,765	573
32,191	32,419	475	39,766	40,047	587
32,420	32,647	487	40,048	40,329	602
32,648	32,875	499	40,330	40,611	616
32,876	33,103	510	40,612	40,893	630
33,104	33,332	522	40,894	41,175	645
33,333	33,560	534	41,176	41,457	660
33,561	33,788	546	41,458	41,739	675
33,789	34,017	558	41,740	42,021	690
34,018	34,245	571	42,022	42,303	705
34,246	INELIGIBLE		42,304	INELIGIBLE	

Child Care Assistance Program SFY2001 Copayment Schedule

Four Person Household

State Median Income \$ 67,140  
 Poverty Threshold \$ 17,050

Five Person Household

State Median Income \$ 77,882  
 Poverty Threshold \$ 19,950

Four Person Household			Five Person Household		
<u>Gross Income Range</u>		<u>Monthly Copayment</u>	<u>Gross Income Range</u>		<u>Monthly Copayment</u>
\$ 12,788	\$ 17,050	\$ 5	\$ 14,963	\$ 19,950	\$ 5
17,051	23,505	43	19,951	27,265	50
23,506	28,205	63	27,266	32,717	74
28,206	28,876	90	32,718	33,496	105
28,877	29,547	98	33,497	34,275	114
29,548	30,219	107	34,276	35,054	124
30,220	30,890	116	35,055	35,833	134
30,891	31,562	125	35,834	36,611	145
31,563	32,233	134	36,612	37,390	156
32,234	32,904	144	37,391	38,169	167
32,905	33,576	154	38,170	38,948	179
33,577	33,911	162	38,949	39,337	188
33,912	34,247	171	39,338	39,727	199
34,248	34,583	180	39,728	40,116	209
34,584	34,919	189	40,117	40,505	219
34,920	35,254	198	40,506	40,895	230
35,255	35,590	208	40,896	41,284	241
35,591	35,926	217	41,285	41,674	252
35,927	36,261	227	41,675	42,063	263
36,262	36,597	236	42,064	42,452	274
36,598	36,933	246	42,453	42,842	286
36,934	37,268	258	42,843	43,231	299
37,269	37,604	269	43,232	43,621	313
37,605	37,940	281	43,622	44,010	326
37,941	38,276	293	44,011	44,400	340
38,277	38,611	306	44,401	44,789	355
38,612	38,947	318	44,790	45,178	369
38,948	39,283	331	45,179	45,568	384
39,284	39,618	343	45,569	45,957	398
39,619	39,954	356	45,958	46,347	413
39,955	40,290	369	46,348	46,736	428
40,291	40,625	383	46,737	47,125	444
40,626	40,961	396	47,126	47,515	459
40,962	41,297	410	47,516	47,904	475
41,298	41,633	423	47,905	48,294	491
41,634	41,968	437	48,295	48,683	507
41,969	42,304	451	48,684	49,072	523
42,305	42,640	465	49,073	49,462	540
42,641	42,975	480	49,463	49,851	557
42,976	43,311	494	49,852	50,241	574
43,312	43,647	509	50,242	50,630	591
43,648	43,982	524	50,631	51,019	608
43,983	44,318	539	51,020	51,409	625
44,319	44,654	554	51,410	51,798	643
44,655	44,990	570	51,799	52,188	661

44,991	45,325	585	52,189	52,577	679
45,326	45,661	601	52,578	52,967	697
45,662	45,997	617	52,968	53,356	716
45,998	46,332	633	53,357	53,745	735
46,333	46,668	649	53,746	54,135	753
46,669	47,004	666	54,136	54,524	772
47,005	47,339	682	54,525	54,914	792
47,340	47,675	699	54,915	55,303	811
47,676	48,011	716	55,304	55,692	831
48,012	48,347	733	55,693	56,082	851
48,348	48,682	751	56,083	56,471	871
48,683	49,018	768	56,472	56,861	891
49,019	49,354	786	56,862	57,250	911
49,355	49,689	803	57,251	57,639	932
49,690	50,025	821	57,640	58,029	953
50,026	50,361	839	58,030	58,418	974
50,362	INELIGIBLE		58,419	INELIGIBLE	

## Minnesota Comprehensive Health Association

### Notice of Meeting of Executive Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) **Executive Committee** will be held on Wednesday, June 14, 2000, at MCHA's executive office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN, at 1:00 p.m.

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

## Minnesota Comprehensive Health Association

### Notice of Meeting of Member Appeal Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) **Member Appeal Committee** will be held on Wednesday, June 14, 2000, at MCHA's executive office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN, at 11:00 a.m.

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

## Hennepin County Board of Commissioners

### Public Service Committee

### Notice of Public Hearing on the Update of the Hennepin County Transportation System Plan

**NOTICE IS HEREBY GIVEN** that the Public Service Committee of the Hennepin County Board of Commissioners will hold a public hearing in the County Board Room, 24th floor of the Hennepin County Government Center, 300 South Sixth Street, Minneapolis, Minnesota, 55487, on Tuesday, June 27, 2000 at 2:00 p.m.

The purpose of the public hearing is to seek testimony on the update of the Hennepin County Transportation Systems Plan (HCTSP).

Anyone wishing to offer testimony either in written or oral form should do so at the public hearing or by letter directed to the Hennepin County Board of Commissioners by Tuesday, June 27, 2000. Any questions regarding the HCTSP can be directed to James N. Grube, Director, Hennepin County Transportation Department, at (763) 745-7507.

By order of the Hennepin County Board of Commissioners.

## Department of Human Services

### Family and Children's Services Division

#### Public Comments Sought on Proposed State Application for Federal Fiscal Year 2000

**NOTICE IS HEREBY GIVEN** that the Family and Children's Services Division seeks public comment on its proposed Federal Fiscal Year 2000 State Application for Independent Living Funds to address the requirements of Public Law 106-169, the Chaffee Foster Care Independence Act of 1999. Public Law 106-169 provides states with increased funding and greater flexibility in carrying out programs designed to help youth make the transition from foster care to self-sufficiency. Copies of the application may be obtained by telephoning our office at (651) 215-1832. Copies of the application will also be available for review at the Information Desk at the Department of Human Services Building, 444 Lafayette Road, St. Paul, Minnesota.

Comments may be made in writing, by e-mail, or by telephone, through July 5, 2000 at 4:30 PM and should be forwarded to:

Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3832  
Attn: Claire Hill, Program Consultant  
Telephone: (651) 296-4471  
E-mail: [claire.d.hill@state.mn.us](mailto:claire.d.hill@state.mn.us)

## Department of Human Services

### Division of Community Supports for Minnesotans with Disabilities

#### Solicitation of Interest to Serve as a Member of ICF/MR Statewide Advisory Committee

The Division of Community Supports for Minnesotans with Disabilities is seeking individuals to assist the commissioner by serving on the ICF/MR Statewide Advisory Committee pursuant to *Minnesota Statutes* 252.282. The Advisory Committee shall review and recommend requests for facility rate adjustments to address closures, downsizing, relocation, or access needs within the county and shall forward recommendations and documentation to the commissioner.

If you are interested in being considered for this Statewide Advisory Committee, please contact Pam Erkel at 651-582-1908, by E-mail to [pam.erkel@state.mn.us](mailto:pam.erkel@state.mn.us) or write to Ms. Erkel at Community Supports for Minnesotans with Disabilities Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3857. Requests to participate should be postmarked by June 26, 2000.

## Department of Labor and Industry

### Labor Standards Unit

#### Notice of Addition to Highway/Heavy Prevailing Wage Rates

An additional rate for **Labor code 403** has been added to the Highway/Heavy Prevailing Wage Rates certified 10/25/99, for **Region 04**.

Copies of the corrected certifications may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or by calling (651) 296-6452. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Gretchen B. Maglich  
Commissioner

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

### Notice of Meeting

The Ombudsman for MH/MR Advisory Committee will hold a general meeting from 9:00 a.m. to 1:00 p.m. on Thursday, June 15, 2000. The meeting will be held in Suite 420 of the Metro Square Building on 7th & Robert St., St. Paul.

## Minnesota Partnership for Action Against Tobacco

### Board Opening Announcement – for Candidate from Accredited Teaching and/or Research Institutions and Foundations

#### Board Opening

The Minnesota Partnership for Action Against Tobacco (MPAAT) is seeking qualified candidates to submit applications to serve on its 21-member board of directors. **The candidate must be employed by, or representative of an accredited teaching and/or research institutions and foundations.**

#### Organization

MPAAT is a unique organization in the United States. Born out of Minnesota's Tobacco trail, it is an independent non-profit 501(c)3 organization entrusted with \$202 million over a 25-year period to help reduce the harm tobacco causes Minnesotans. MPAAT's goal is to reduce tobacco use in Minnesota to less than 10 percent by the year 2023. To achieve this goal, MPAAT will serve primarily as a catalyst to reduce tobacco use by granting its monies to organizations specializing in tobacco cessation and research. The remaining portion of MPAAT will allocate resources to statewide media efforts dedicated to tobacco industry counter-marketing.

#### Accountability

MPAAT operates under the jurisdiction and supervision of the District Court of Ramsey County, and is subject to audit by Minnesota's Legislative Auditor, and oversight by the Attorney General.

#### Board Member: Terms and Qualifications

Under the terms prescribed by the Ramsey District Court, the appointee will serve on the board until the term expires on September 28, 2003. Board service is completely voluntary. Candidates will be chosen by the full MPAAT Board of Directors.

#### Applicants must:

- Be employed by, or representing an accredited teaching and/or research institutions and foundations.
- Have a demonstrated history of activities directed at, or expertise related to, reducing the human and economic consequences of tobacco use.
- Have had no affiliation with the tobacco industry or related trade associations within the last ten years.
- Take no part in any vote or decision on any matter concerning an organization with which the director is affiliated, and
- Not be present during discussion of any matter concerning an organization with which the director is affiliated.

Interested candidates should submit a resume and brief statement of interest and qualifications to: MPAAT, 590 Park Street, Suite 400, St. Paul, MN 55103, postmarked no later than June 19, 2000.

## Minnesota Partnership for Action Against Tobacco

### Board Opening Announcement for Candidate from a Non-Profit Organization Engaged in Reducing Diseases or Health Conditions Associated with Tobacco

#### Board Opening

The Minnesota Partnership for Action Against Tobacco (MPAAT) is seeking qualified candidates to submit applications to serve on its 21-member board of directors. **The candidate must be employed by, or be a representative of a non-profit organization, a substantial purpose of which is to ameliorate the effects of and reduce the incidence of particular diseases or health conditions associated with tobacco.**

#### Organization

MPAAT is a unique organization in the United States. Born out of Minnesota's tobacco trial, it is an independent non-profit 501(c)3 organization entrusted with \$202 million over a 25-year period to help reduce the harm tobacco causes Minnesotans. MPAAT's goal is to reduce tobacco use in Minnesota to less than 10 percent by the year 2023. To achieve this goal, MPAAT will serve primarily as a catalyst to reduce tobacco use by granting its monies to organizations specializing in tobacco cessation and research. The remaining portion of MPAAT will allocate resources to statewide media efforts dedicated to tobacco industry counter-marketing.

#### Accountability

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#### Board Member: Terms and Qualifications

Under the terms prescribed by the Ramsey District Court, the appointee will serve on the board until the term expires on September 28, 2003. Board service is completely voluntary. Candidates will be chosen by the full MPAAT Board of Directors.

#### Applicants must:

- Be employed by, or be a representative of a non-profit organization, a substantial purpose of which is to ameliorate the effects of and reduce the incidence of particular diseases or health conditions associated with tobacco.
- Have a demonstrated history of activities, directed at, or expertise related to, reducing the human and economic consequences of tobacco use.
- Have had no affiliation with the tobacco industry or related trade associations within the last ten years.
- Take no part in any vote or decision on any matter concerning an organization with which the director is affiliated, and
- Not be present during discussion of any matter concerning an organization with which the director is affiliated.

Interested candidates should submit a resume and brief statement of interest and qualifications to: MPAAT, 590 Park Street, Suite 400, St. Paul, MN 55103, postmarked no later than June 19, 2000.

## Department of Natural Resources

### Division of Lands and Minerals

#### Notice of Intent to Hold State Metallic Minerals Lease Sale

**NOTICE IS HEREBY GIVEN** that plans are being developed to hold the state's twenty-fourth sale of metallic minerals exploration and mining leases. The sale is tentatively scheduled for October 2000. The lease sale plans are being announced at this time in order to give mining companies, public interest groups and all other interested parties additional time to review the areas under consideration.

The purpose of Minnesota's metallic minerals rules (*Minnesota Rules*, parts 6125.0100 - .0700) is to promote and regulate the exploration for, mining and removal of metallic minerals on state-owned and state-administered lands. These rules, and the leases issued under these rules, authorize exploration and development of these minerals and impose certain requirements on the lessee.

The requirements include: the payment of rentals that increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports, and the addressing of environmental considerations. In addition, the state lessee must comply with all applicable regulatory laws.

The areas under consideration for the lease sale cover portions of Carlton, Cook, Lake, and Saint Louis Counties. Some of the lands being considered have been offered in previous metallic minerals lease sales, but based upon the interest shown by industry, new geologic data, and exploration techniques developed during the past few years, it is felt that within these lands there is significant potential for the discovery of mineral resources. Certain new lands of interest are also being considered for the lease sale.

The exact time and place of the lease sale will be announced by legal notice at least thirty (30) days prior to the sale. Mining unit books, listing the state lands to be offered at the lease sale, will be available for inspection or purchase at that time.

A map showing the general areas under consideration may be obtained from the Division of Lands and Minerals, Box 45, 500 Lafayette Road, Saint Paul, MN 55155-4045, telephone 651-296-4807.

Dated: 30 May 2000

Allen Garber  
Commissioner of Natural Resources  
By William C. Brice  
Director, Division of Lands and Minerals

## Department of Natural Resources

### Public Notice of 30 Day Public Review and Comment Period for Off-Highway Vehicle System Plans for East Central Minnesota

Draft Off-Highway Vehicle (OHV) System Plans for east central Minnesota are available for public review and comment. The OHV plans describe the Department of Natural Resources' (DNR's) proposals for management of OHV recreation on State Forest lands. OHVs include All Terrain Vehicles, Off Highway Motorcycles (motorized trail or dirt bikes), and Off Road Vehicles (4WD trucks) but not snowmobiles. The OHV System Plan for Pine and Southern Carlton Counties amends the current master plans for the Willard Munger and Gandy Dancer trails by allowing OHV use on portions of these trails.

The four plans covering all or portions of eight counties were developed over the past two years by planning teams comprised of DNR staff and citizens. Each OHV System Plan consists of a descriptive document and associated maps. The plan documents and maps are available on the DNR website. To access the plans and maps follow either the *State Forests* or *Trails* links from the DNR home page ([www.dnr.state.mn.us](http://www.dnr.state.mn.us)). Printed copies of descriptive documents are also available from the contact person listed below.

The public review process includes a 30 day review and comment period and public information meetings in each of the four planning areas. Written comments on the plans can be submitted from June 20, 2000 to July 21, 2000. Public information and comment meetings will be held at the following times and locations:

**OHV System Plan for Aitkin County**

June 20, 2000 from 6 to 9 PM  
Mille Lacs Electric Cooperative, Hwys. 169/210 East, Aitkin, MN.

**OHV System Plan for Crow Wing, Southern Cass, and Wadena Counties**

June 22, 2000 from 6 to 9 PM  
Central Lakes College Room E-354, 501 W. College Dr., Brainerd, MN.

**OHV System Plan for Pine and Southern Carlton Counties**

June 27, 2000 from 6 to 9 PM  
Emergency Response Center, Kenwood Ave., Moose Lake, MN.

**OHV System Plan for Kanabec and Mille Lacs Counties**

June 29, 2000 from 6 to 9 PM  
Kanabec History Center, 805 Forest Ave. W, Mora, MN.

For further information, to request copies of the plans, or to submit comments contact: Jack Olson, MN Department of Natural Resources, 1601 Minnesota Dr., Brainerd, MN 56401

Phone: 218-828-2701

Fax: 218-828-2437

E-mail: [jack.olson@dnr.state.mn.us](mailto:jack.olson@dnr.state.mn.us)

## Minnesota Sentencing Guidelines Commission

### Notice of Public Hearing to Consider Modifications to the Sentencing Guidelines

THE MINNESOTA SENTENCING GUIDELINES COMMISSION WILL HOLD A PUBLIC HEARING on Thursday, July 13, 2000, at 4:00 PM in Room 500 South, State Office Building, St. Paul, Minnesota. The public hearing is to consider proposed modifications to the sentencing guidelines and commentary regarding the ranking for new and amended crimes, other action to address legislation passed during the 2000 legislative session, and other technical modifications.

Additional copies of the proposed modifications are available, free of charge, by contacting the Minnesota Sentencing Guidelines Commission at University National Bank Building, 200 University Avenue West, Suite 205, St. Paul, MN 55103, or by calling Voice: (651) 296-0144. Deaf/Hard of Hearing/Speech Impaired Only TTY users may call this agency through the MN Relay Service: 1 (800) 627-3529; ask for (651) 296-0144. If you need special accommodations to attend, please contact the Minnesota Sentencing Guidelines Commission as soon as possible. This notice is available in alternative formats upon request.

All interested persons are encouraged to attend the hearing and offer comments. Persons wishing to speak may register in advance by contacting the Commission staff at the above address/telephone number.

The Commission will hold the record open for five days after the public hearing to accept additional written comment on the proposed modifications. On July 20, 2000, the Commission will meet at 3:00 PM at the Minnesota Department of Corrections, Orville Pung Conference Room One, 1450 Energy Park Drive, Suite 200, St. Paul, MN 55108 to formally adopt or reject the proposed modifications. If adopted, the modifications will become effective as noted in each of the sections.

I. **Proposed Modifications to Rank the Severity of New or Amended Crimes Passed by the 2000 Legislature - Effective August 1, 2000**

A. **The Commission proposes to rank the following crimes in Section V. OFFENSE SEVERITY REFERENCE TABLE as follows:**

**Severity Level IV**

Malicious Punishment of A Child (2nd or subsequent violation) - 609.377, subd. 3

**Severity Level III**

Insurance Tax - 297I.90, subd. 1 & 2

Possession or Sale of Stolen or Counterfeit Check - 609.528, subd. 3 (4)

**Severity Level II**

Possession or Sale of Stolen or Counterfeit Check - 609.528, subd. 3 (3)

B. **The Commission proposes to add the following offense to the *Theft Offense List*. Offenses with monetary values of \$2,500 or less are ranked at Severity Level II and offenses with monetary values over \$2,500 are ranked at Severity Level III.**

Non-payment for Improvement (Proceeds of Payments; Acts Constituting Theft) - 514.02, subd. 1

C. **The Commission proposes to add the following crimes to the *Unranked Offense List* in Section II.A.03. of the Commentary after considering the changes made by the 2000 Legislature:**

Anydrous ammonia (tamper/theft/transport) - 18D.331, subd. 5

Lawful gambling fraud - 609.763

Gambling acts (cheating, certain devices prohibited; counterfeit chips; manufacture, sale, modification of devices; instruction) - 609.76, subd. 3, 4, 5, 6 & 7

D. **The Commission proposes to add the following crime to the *Misdemeanor and Gross Misdemeanor Offense List* after considering the changes made by the 2000 Legislature:**

Violation of an Order for Protection or Domestic Abuse No Contact Order 518B.01; subd. 14 & 22

E. **The Commission considered the changes made by the 2000 Legislature to the following crimes and proposes to continue the existing severity level rankings in Section V. Offense Severity Reference Table and the existing policies regarding inclusion on the Misdemeanor and Gross Misdemeanor Offense List, unless otherwise noted above:**

1. Offenses Requiring no technical changes to statutory citations:

Assault in the Fifth Degree; Domestic Assault; Escape; Fleeing a Peace Officer; Harassment/Stalking; Letter, telegram or Package/Opening/Harassment; Attempt/Conspiracy to commit Murder in the First Degree; Solicitation,



Inducement and Promotion of Prostitution; Solicitation of Children to Engage in Sexual Conduct; Violation of Harassment Restraining Order.

2. Offenses requiring technical changes only in statutory citations:

Assault in the Fourth Degree; Malicious Punishment of a Child (bodily harm, substantial bodily harm and great bodily harm); Sports Bookmaking.

3. Offenses affected by changes to the statute of limitations — no changes to statutory citation:

Any crime resulting in the death of the victim, Kidnapping, and Criminal Sexual Conduct in the First through Third Degree.

**F. The Commission considered the changes made by the 2000 Legislature to the following crimes and proposes to continue to list them on the unranked offense list in section II.A.03 of the commentary:**

Motor Vehicle Excise Tax; Racketeering; Registration of Predatory Offenders

**II. Other Proposed Modifications - Effective August 1, 2000**

**A. The Commission proposes to add the following language to the Sentencing Guidelines and Commentary to address legislative amendments to *Minnesota Statute* § 609.342, subd. 2 creating a presumptive sentence of at least 144 months for Criminal Sexual Conduct in the First Degree. The Commission has also created a subcommittee to examine the implications of this new policy on the proportionality of sentences already in place for other sex offenses and other person crimes.**

**1. Modifications to II.C. Presumptive Sentence:**

**C. Presumptive Sentence:** The offense of conviction determines . . . .

Pursuant to *Minnesota Statutes* § 609.342, subdivision 2, the presumptive sentence for a conviction of Criminal Sexual Conduct in the First Degree is an executed sentence of at least 144 months. Sentencing a person in a manner other than that described in *Minnesota Statutes* § 609.342, subdivision 2 is a departure. The presumptive duration for an attempt or conspiracy to commit Criminal Sexual Conduct in the First Degree is one-half of the time listed in the appropriate cell of the Sentencing Guidelines Grid, or any mandatory minimum, whichever is longer.

. . . .

**II.C.08.** When an offender has been convicted of *Minnesota Statutes* § 609.342, the presumptive duration is that found in the appropriate cell of the Sentencing Guidelines Grid, any applicable mandatory minimum sentence, or the minimum presumptive sentence pursuant to *Minnesota Statutes* § 609.342, subdivision 2, whichever is longer. According to *Minnesota Statutes* § 609.342, subd. 2, the presumptive sentence for a conviction of Criminal Sexual Conduct in the First Degree is an executed sentence of at least 144 months. The presumptive duration for an attempt or conspiracy to commit Criminal Sexual Conduct in the First Degree is one-half of the time listed in the appropriate cell of the Sentencing Guidelines Grid, or any mandatory minimum, whichever is longer.

**2. Modification to II.G. Convictions for Attempts, Conspiracies, and Other Sentence Modifiers:**

**G. Convictions for Attempts, Conspiracies, and Other Sentence Modifiers:** For persons convicted of attempted offenses or conspiracies . . . .

For persons convicted of an attempt or conspiracy to commit Criminal Sexual Conduct in the First Degree (*Minnesota Statutes* § 609.342), the presumptive duration is one-half of that found in the appropriate cell of the Sentencing Guidelines Grid or any mandatory minimum, whichever is longer.

**3. Modifications to the Offense Severity Reference Table**

**Severity Level VIII**

Criminal Sexual Conduct 1 (sexual penetration) - 609.342 (See II.C. Presumptive Sentence and II.G. Convictions for Attempts, Conspiracies, and Other Sentence Modifiers).

**Severity Level VII**

Criminal Sexual Conduct 1 (sexual contact — victim under 13) - 609.342 (See II.C. Presumptive Sentence and II.G. Convictions for Attempts, Conspiracies, and Other Sentence Modifiers).

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### 4. Addition of a Footnote to Severity Level VIII on the Sentencing Guidelines Grid:

<sup>2</sup> Pursuant to *Minnesota Statutes* § 609.342, subd. 2, the presumptive sentence for Criminal Sexual Conduct in the First Degree is a minimum of 144 months (see **II.C. Presumptive Sentence and II.G. Convictions for Attempts, Conspiracies, and Other Sentence Modifiers**).

### B. The Commission proposes adding the following aggravating factor addressing crimes motivated by bias to the non-exclusive list of factors in Section II.D.2.b. and the following changes to the associated commentary:

#### II.D.2.b. Aggravating Factors:

....

(9) The offender intentionally selects the victim or the property against which the offense is committed, in whole or in part, because of the victim's, the property owner's or another's actual or perceived race, color, religion, sex, sexual orientation, disability, age or national origin.

....

**II.D.206.** The aggravating factor involving bias motivation under section II.D.2.b.(9) cannot be used when a person has been convicted under a statute that elevated the crime to a felony offense because of bias motivation, e.g., *Minnesota Statutes* §§ 609.2231, subd. 4 (fourth-degree assault), 609.595, subd. 1a(a) (criminal damage to property); 609.749, subd. 3(1) (harassment/stalking). The Commission intends that a penalty for a bias-motivated offense be subject to enhancement only once.

Additionally, in determining when domestic violence, sexual assault and sexual abuse cases are motivated by a victim's sex and may be appropriately enhanced, proof must be shown of at least one factor, such as: Offender makes abusive or derogatory references based on gender; offender states hatred for a gender as a class; crime involves excessive violence, including mutilation; or victims are multiple and all of the same gender.

### C. The Commission proposes to make the following change to II.F. Concurrent/Consecutive Sentences so as to be consistent with changes made to *Minnesota Statutes* § 609.035, subd. 6 by the 2000 Legislature. These statutory changes make Criminal Sexual Conduct 1-4 with force or violence crimes for which an offender can be prosecuted and punished in addition to any other crime committed by the defendant as part of the same conduct. It also provides that a judge can impose consecutive sentences in such situations without departing from the sentencing guidelines.

#### Permissive Consecutive Sentences

Except when consecutive sentences are presumptive, consecutive sentences are permissive (may be given without departure) only in the following cases:

....

5. A current felony conviction for Fleeing a Peace Officer in a Motor Vehicle as defined in *Minnesota Statutes* § 609.487; or Criminal Sexual Conduct in the First through Fourth Degrees with force or violence as defined in *Minnesota Statutes* § 609.342 through 609.345.

### D. The Commission proposes to make the following change to II.F. Concurrent/Consecutive Sentences to address the issue of offenses committed while on escape status from an executed sentence:

#### Permissive Consecutive Sentences

Except when consecutive sentences are presumptive, consecutive sentences are permissive (may be given without departure) only in the following cases:

....

5. A current felony conviction for a crime committed while on felony escape from lawful custody, as defined in *Minnesota Statutes* § 609.485, from an executed felony sentence may be sentenced consecutively to the sentence for the escape.

6. A current felony conviction for Fleeing a Peace Officer in a Motor Vehicle . . .

Consecutive sentences are always permissive under the above criteria numbers 5 and 6.

....

**II.F.04.** . . . .

Sentences for offenses committed while on escape status from an executed sentence which have presumptive dispositions of commitment to the Commissioner of Corrections are presumptive consecutive to the sentence being served by the offender at the time of the escape. In addition, it is permissive to sentence any offense committed while on escape status from an executed sentence consecutive to the escape.

- E. **The 2000 Legislature re-codified the DWI statutes. The Commission proposes to change the statutory references to these offenses in the custody status section (II.B.2) and the misdemeanor/gross misdemeanor point section (II.B.3) of the guidelines to conform to the new statutory citations and language.**

- F. **The Commission proposes to make the following amendments to the guidelines to clarify current policy:**

1. **Additional language in II.B.1 Criminal History to clarify the order of sentencing when there are multiple offenses:**

The offender's criminal history index score is computed in the following manner:

1. Subject to the conditions listed below, the offender is assigned a particular weight for every extended jurisdiction juvenile conviction and for every felony conviction for which a felony sentence was stayed or imposed before the current sentencing or for which a stay of imposition of sentence was given before the current sentencing. Multiple offenses are sentenced in the order in which they occurred. For purposes of this section, prior extended jurisdiction juvenile convictions are treated the same as prior felony sentence....

2. **Clarification in the Commentary in II.B.101 regarding the inclusion of stays of imposition in the calculation of the felony criminal history.**

*II.B.101. The basic rule for computing the number of prior felony points in the criminal history score is that the offender is assigned a particular weight for every felony conviction for which a felony sentence was stayed or imposed before the current sentencing or for which a stay of imposition of sentence was given for a felony level offense, no matter what period of probation is pronounced, before the current sentencing. . . .*

3. **The Commission proposes to make the following changes to the comment in II.A.05 to clarify that judges should, consistent with the Minnesota Supreme Court decision in *State v. Kennard*, specify on the record the reason why a specific severity level was assigned to an unranked offense. The Commission is also proposing to modify this commentary language to clarify that one of the reasons offenses are sometimes placed on the unranked offense list is that the offense can cover a wide range of severity.**

*II.A.05. The other offenses were excluded because prosecutions are rarely, if ever, initiated under them or because the underlying conduct included in the offense covers such a wide range of severity. When persons are convicted of offenses excluded from the Offense Severity Reference Table, judges should exercise their discretion by assigning an offense a severity level which they believe to be appropriate. Judges should specify on the record the reasons a particular severity level was assigned. Factors which a judge may consider when assigning a severity level to an unranked offense include but are not limited to: 1) the gravity of the specific conduct underlying the unranked offense; 2) the severity level assigned to any ranked offense whose elements are similar to those of the unranked offense; 3) the conduct of and severity level assigned to other offenders for the same unranked offense; and 4) the severity level assigned to other offenders engaged in similar conduct. If a significant number of future convictions are obtained under one or more of the excluded offenses, the Commission will determine an appropriate severity level, and will add the offense to the Offense Severity Reference Table.*

4. **Modifications to the Unranked Offense List to clarify that both Possession of Pictorial Representations of Minors and Use of Minors in Sexual Performance are on the list:**

~~Prohibiting promotion of minors to engage in obscene works 617.246;617.247~~

Possession of Pictorial Representations of Minors - 617.247

Use of Minors in Sexual Performance Prohibited - 617.246

### III. Technical Modifications and Corrections

- A. **Correct "point" to "points" in II.B.1:**

- a. The weight assigned to each prior felony sentence is determined according to its severity level, as follows: . . .  
Severity Level VI - VII = 1 1/2 points;

- B. **Correction to example cited for concurrent and consecutive sentencing in II.F.03. so that the durations listed in the example reflect durations currently in effect.**

*II.F.03. . . .*

## Official Notices

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*If sentenced concurrently, the presumptive duration would be ~~32~~27 months, the term of imprisonment would be ~~21~~13 18 months and because the sentence runs concurrently with the first offense, the total time to be served would be ~~21~~13 18 months. If the new offense were sentenced consecutively, the presumptive duration would be 15 months, the term of imprisonment would be 10 months and adding the 10 months to the four months left to serve on the first offense would equal 14 months or ~~7~~13 4 months less than the time to be served under concurrent sentencing. . . .*

### IV. Proposed Modifications - Effective August 1, 2001, after the 2001 Legislature has Reviewed the Adopted Modifications

#### A. Proposed Changes to the Offense Severity Reference Table:

##### Severity Level IV

Malicious Punishment of A Child (bodily harm) 609.377, subd 4

##### Severity Level I

Malicious Punishment of A Child (bodily harm) 609.377

#### B. The Commission proposes to place on the unranked offense list the following crimes which were inadvertently unranked:

Issuing a Receipt for Goods One Does Not Have - 227.50

Sale of Membership Camping Contracts - 82A.03; 82A.13; 82A.25

#### C. The Commission proposes to add Theft of Registered Bicycles (168C.09) to the Theft Offense List. Theft crimes are ranked at Severity Level II if the value is \$2,500 or less and at Severity Level III if the value is over \$2,500. This offense was inadvertently left unranked.

#### D. The Commission proposes the following change to Section II.B of the Guidelines to allow for a custody status point to be given to a person if they commit a new offense within the initial length of stay pronounced by the sentencing judge for the prior offense.

##### 2. ~~The offender is assigned one point~~ One point is assigned if the offender:

- a. ~~he or she~~ was on probation, parole, supervised release, conditional release, or confined in a jail, workhouse, or prison following ~~conviction of a felony, or gross misdemeanor or an extended jurisdiction juvenile conviction;~~ or
- b. ~~was~~ released pending sentencing at the time the felony was committed for which he or she is being sentenced; or
- c. ~~committed the current offense within the period of the initial length of stay pronounced by the sentencing judge for a prior felony, gross misdemeanor or an extended jurisdiction juvenile conviction.~~

....

***II.B.201.** The basic rule assigns offenders one point if they were under some form of criminal justice custody following conviction of a felony or gross misdemeanor when the offense was committed for which they are now being sentenced. Criminal justice custodial status includes: 1) probation (supervised or unsupervised), parole, supervised release, conditional release, or confinement in a jail, workhouse, or prison, or work release, following ~~conviction of a felony, or gross misdemeanor, or an extended jurisdiction juvenile conviction;~~ 2) ~~or~~ release pending sentencing following the entry of a plea of guilty to a felony or gross misdemeanor, or a verdict of guilty by a jury or a finding of guilty by the court of a felony or gross misdemeanor; or 3) if the current offense occurred within the period of the initial length of stay pronounced by the sentencing judge for a felony, gross misdemeanor, or extended jurisdiction juvenile conviction. The Commission believes that the potential for a custody status point should remain for the entire period of the initial length of stay pronounced by the sentencing judge. An offender who is discharged early but subsequently is convicted of a new felony within the period of the initial length of stay should still receive the consequence of a custody status point.*

# 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 Human Services

### Aging and Adult Services Division

#### Notice of Request for Proposals (RFP) for the Homesharing Program

##### Purpose

The Minnesota Department of Human Services (DHS) is soliciting proposals (RFPs) from eligible sponsors for the purpose of establishing and/or operating Homesharing Programs throughout the state of Minnesota.

##### Amount of Funds

For the period July 1, 2000 through June 30, 2001 there is a total of \$400,000 available for new and expansion homeshare grants. Of this \$400,000, approximately \$200,000 has been awarded to seven existing DHS Homeshare grantees, and \$200,000 will be available on October 1, 2000 for new and expansion grants. Under current statute, a total of \$175,000 will be available for all homeshare grants on July 1, 2001.

- 1. There are two types of grants available:** a.) New Homesharing Service Provider Grant (New HSP); and b.) Expansion Homesharing Provider Grants (Expansion HSP).
- 2. Homesharing Service Provider Grant (HSP).** These grant programs match low and moderate income homeowners with homeseekers who contribute rent or services in exchange for sharing the home. Either the homeowner or the homeseeker must be group eligible (elderly - age 55 or over, physically handicapped, a person with a developmental disability who is able to live independently, or the head of a single parent household with dependent children) and financially eligible. This income and/or service should help homeowners stay in their homes longer than they would have without the tenants. The homeshare arrangement will usually provide an affordable rent for the homeseeker. No two homesharing situations are alike; each is tailored to meet the need and desires of the people involved. Applicants are expected to work with all of these groups. Homeshare is not foster care, it is not a group home or a treatment program, it serves independent adults. Since a match depends on the mutual consent of a homeowner and a homeseeker, homeshare is not a service situation for persons who lack good coping skills, who have serious behavior problems, or who need constant direction. These are state grant-contracts. There are currently seven grantees.

It is the intent of this program to assist in the development of homesharing programs in both urban and rural sections of the state with as wide a distribution as possible.

#### ELIGIBLE SPONSORS AND PROPOSALS

- 1. Applicants and their proposals must meet these criteria.**
  - a. Eligible grant applicants** include non-profit organizations, housing authorities, units of local government that operate or propose to operate homesharing programs for adults within the State of Minnesota. The applicant must be the entity that will directly provide the homeshare service.
  - b. Service Area.** New and expansion grant applicants may designate any area of the state as a primary homeshare service area except areas that are already served by existing DHS Homeshare grantees which are: Stearns, Benton, Sherburne, Wright, Kanabec, Mille Lacs, Isanti, Washington, Dakota, Winona, Fillmore, Mower, Freeborn, Blue Earth, or Nicollet counties. A single county is the smallest designated area that will be allowed. In new and expansion HSP grant applications all counties in the designated service area must be geographically contiguous to each other.
- 2. New HSP Grants.** Applicants who are not currently HSP grantees (do not have a DHS Homeshare grant on July 1, 2000) are new applicants and may apply for New HSP grants. Existing grantees who have a DHS homeshare grant on July 1, 2000, but who wish to expand into a service area that is *not* geographically contiguous to their current primary service area must apply for *New* HSP grants for this type of service area. New HSP grants must include a homeshare office in the primary homeshare service area designated in the new HSP grant application.
- 3. Expansion HSP Grants.** Existing grantees are those who have a DHS homeshare grant on July 1, 2000. Existing grantees who wish to expand into an area that *is* geographically contiguous to the grantee's existing primary homeshare service area

## State Grants & Loans

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may apply for *Expansion* HSP grants. Existing primary area of homeshare service is defined in the grantees current homeshare contract with DHS.

### Availability of Funds

Applicants may submit an application for a budget adequate to carry out their proposal. Grant awards will be for 9 months beginning on October 1, 2000 and ending on June 30, 2001. Productivity, the cost per match, past performance operating DHS grants, and ability to operate a homeshare program will be some of the factors in evaluating the reasonableness of the amount being requested and the merits of the application-proposal.

The State has the option of extending the contract for up to two additional 12 month periods contingent upon the availability of funds, satisfactory performance, and contracting requirements.

### Application Process

All Application-Proposals **must be received by 3:00 PM on July 24, 2000 at the fourth floor offices of the Aging and Adult Services Division.** Completed proposals must be submitted to Ron Abato at the address listed below. Proposals received after the above deadline will not be eligible for consideration. **Completed application proposals must be sent to:**

Ron Abato, Homesharing Program  
Aging and Adult Services Division  
Minnesota Department of Human Services  
444 Lafayette Road, St. Paul  
Minnesota 55155-3843

**TO REQUEST AN RFP-APPLICATION,** please call the Aging and Adult Services Division Receptionists at (651) 296-2544. In order to receive an RFP-Application, the person requesting will have to provide the following information: name, address, and phone number of the requesting organization, and the name, address, and phone number of a contact person, in case the Department needs to contact you about your request.

**If you have questions about this notice, the Homeshare Program, or after you review your application materials,** please call Ron Abato at (651) 296-3769. Address all other inquiries to the phone number listed above.

**This request for notice does not obligate the State to complete this project, and the State reserves the right to cancel this offer, if it is considered to be in its best interest. The State is not responsible for any costs associated with the planning or preparation of applications related to this notice.**

# 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 \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 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. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

## Department of Administration

### State Designer Selection Board

To Minnesota Registered Design Professionals:

### Request for Proposals for MnSCU Rochester Community and Technical College for the Design and Construction of a Horticulture Technology Center Addition (Project 00-12)

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, June 26, 2000, to:

Lisa Blue, Executive Secretary  
State Designer Selection Board  
Department of Administration  
c/o Materials Management Division  
50 Sherburne Avenue, Room 112  
St. Paul, Minnesota 55155-3000  
651-297-5526

### PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

**NOTE TO RESPONDERS: Changes may have been made in the content and format requirements. Proposals that do not conform to the following content, order and format requirements as outlined in items 1 through 5 below may be disqualified.**

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8-1/2" x 11" sheets**, soft bound. No more than 20 printed faces should be included (see the following for clarification):
  - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
  - b. Blank dividers (with printed tab headings only) will not be counted as faces.
  - c. Front and back covers of proposals will not be counted as faces.
  - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
  - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

### 3. BRIEF PROPOSAL SUMMARY:

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

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geo-

## Professional, Technical & Consulting Contracts

science for each and every discipline called for in Section 8.b. The name of each person so mentioned must also include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer, identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
<b>TOTAL</b>			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).

#### 4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

#### 5. Ten (10) copies of the proposal should be submitted.

#### 6. Design firms wishing to have their proposals returned after the Board's review shall follow one of the following procedures:

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



**7. BOARD SELECTION CRITERIA:**

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- d. Capacity to accomplish the work and services within the required constraints;
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

**8. PROJECT 00-12**

MnSCU/Rochester Community & Technical College  
851 30th Avenue SE  
Rochester, MN 55904

**a. PROJECT DESCRIPTION:**

Minnesota State Colleges and Universities (MnSCU) intends to retain architectural and engineering consulting services for the design and construction of the Horticulture Technology Center Addition to the existing campus facility.

The scope of this project, based upon the approved predesign prepared by RSP Architects Ltd., includes expansion of the existing Heintz Center Building with an addition of approximately 16,000 gross square feet and remodeling of approximately 7,500 gross square feet. The new facility will provide spaces for the Horticulture Technology Program to include the following: about 4,000 gsf of year-round teaching greenhouse space with fully automated state-of-the-art crop production technology, about 2,400 gsf of headhouse space, two laboratory/classrooms of 1,500 gsf each, Horticulture instructional support areas, mechanical and electrical support equipment rooms, offices and storage spaces. The remodeling will reconfigure existing spaces for classrooms, student support services and related needs.

The existing building is a one and two story contiguous structure. The original building was constructed in 1967/68 and a major addition was constructed in 1986/87. The structure consists of a brick veneer exterior with concrete block back-up walls, structural steel frame, steel bar joists and metal deck roof, an insulated built-up roof membrane and punched opening aluminum frame windows.

**b. REQUIRED CONSULTANT SERVICES:**

The selected design team shall provide a comprehensive scope of services including Schematic Design (SD), Design Development (DD), and Construction Documents (CD). Bidding and Construction Administration (CA). The design team shall prepare all SD, DD, and CD documents using computer aided design and drafting technology in an electronic data exchange file format acceptable to MnSCU (AutoCad R14).

The design team shall demonstrate experience in the design and construction of institutional collegiate classrooms, greenhouses, specialty lab facilities, lab support, storage, and similar spaces that are part of the program requirements.

The new and remodeled spaces of the Project shall be integrated with the existing facility. All design, drawings and specifications shall adhere to: a) MnSCU design standards, b) all applicable building, life safety and energy codes, c) ADA regulations, and d) program requirements. Building spaces shall be designed for: efficient space utilization, flexibility, high indoor air quality, complete fire suppression systems and a contemporary telecommunications environment.

The design team shall provide all architectural and landscape architecture services, including interiors and furniture, fixtures and equipment design, cost estimating, project scheduling, and all engineering services including civil, struc-

## Professional, Technical & Consulting Contracts

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tural, mechanical, fire protection, electrical, and telecommunications systems design. MnSCU may retain other specialty consultants to assist in the Project work.

**NOTE:** A roof design consultant designated by MnSCU will be assigned to and become an integral part of the consultant's design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

**c. SERVICES PROVIDED BY OTHERS:**

Site property survey and geotechnical investigations and recommendations.

Asbestos survey, design and abatement at the existing building if required.

**d. SPECIAL CONSIDERATIONS:**

The design team shall demonstrate experience with remodeling projects and shall include the verification of existing conditions and systems in their scope of services.

The design team shall evaluate existing adjacent building structural, mechanical and electrical systems to determine capabilities and capacities to support the proposed new addition building spaces.

**d. PROJECT BUDGET/FEES:**

The total costs for this Project shall not exceed \$4,500,000. This cost includes: all professional fees and reimbursables, site investigations and surveys, building and site construction, project management, construction inspection and testing, furniture, fixtures and equipment, contingencies and inflation factors.

**f. PROJECT SCHEDULE:**

The following preliminary schedule is suggested:

**Design Phase:** Begin August 2000, complete no later than December 2000.

**Construction Phase:** Receive bids in January 2001, complete construction by December 2001.

**g. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):**

An informational meeting is tentatively scheduled for Thursday, June 22, 2000, at 1:00 P.M. in Room HA122 at the University Center Rochester, Heintz Center, located at 1926 College View Road SE, Rochester, MN 55904. All firms planning to attend this meeting should contact Judy Kingsbury at 507-285-7216 or e-mail at [judy.kingsbury@roch.edu](mailto:judy.kingsbury@roch.edu) to sign up for the meeting.

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

**Project Information Meeting and/or Site Visit:** June 22, 2000

**Project Proposals Due:** June 26, 2000, by 12 p.m. (Noon)

**Project Shortlist:** July 11, 2000

**Project Interviews and Award:** July 25, 2000

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

Questions concerning the project should be referred to:

Vern Bushlack: University Center Rochester; phone 507-280-3150; e-mail: [vern.bushlack@roch.edu](mailto:vern.bushlack@roch.edu); mail address: University Center Rochester, 851 30th Avenue Southeast, Rochester, MN 55904, or

Barry Schaub: Minnesota State Colleges and Universities; phone 651-649-5935; e-mail: [barry.schaub@so.mnscu.edu](mailto:barry.schaub@so.mnscu.edu); mail address: MnSCU, ETC Building Suite 300, 1450 Energy Park Drive, St. Paul, MN 55108-5227.

**9. CONTRACT REQUIREMENTS:**

- a. The amended Minnesota Human Rights Act** (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contract-

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## Professional, Technical & Consulting Contracts

ing State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. **Costs incurred in responding to this RFP** shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. **Laws of Minnesota 1997**, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. **Laws of Minnesota 1997, Chapter 202**, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. **This RFP 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.

## Department of Administration State Designer Selection Board

To Minnesota Registered Design Professionals:

### Request for Proposals for MnSCU Alexandria Technical College (Project 00-13) For the Design of a New Classroom Building

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, June 26, 2000, to:

Lisa Blue, Executive Secretary  
State Designer Selection Board  
Department of Administration  
c/o Materials Management Division  
50 Sherburne Avenue, Room 112  
St. Paul, Minnesota 55155-3000  
651-297-5526

#### **PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.**

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

**NOTE TO RESPONDERS: Changes may have been made in the content and format requirement. Proposals that do not conform to the following content, order and format requirements as outlined in items 1 through 5 below may be disqualified.**

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8-1/2" x 11" sheets**, soft bound. No more than 20 printed faces should be included (see the following for clarification):
  - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.

## Professional, Technical & Consulting Contracts

- b. Blank dividers (with printed tab headings only) will not be counted as faces.
- c. Front and back covers of proposals will not be counted as faces.
- d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
- e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

### 3. BRIEF PROPOSAL SUMMARY:

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

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer, identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

<b>PROJECT</b>	<b>(A) GROSS FEES</b>	<b>(B) SUBDESIGNERS PORTION</b>	<b>(C) NET TOTAL PROJECT FEE</b>
<b>TOTAL</b>			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

### 4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.

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## Professional, Technical & Consulting Contracts

- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

**5. Thirteen (13) copies of the proposal should be submitted.**

**6. Design firms wishing to have their proposals returned** after the Board's review shall follow one of the following procedures:

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

**7. BOARD SELECTION CRITERIA:**

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- d. Capacity to accomplish the work and services within the required constraints;
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

**8. PROJECT 00-13**

Minnesota State Colleges and Universities (MnSCU)  
Alexandria Technical College  
1601 Jefferson Street  
Alexandria, MN 56308

**a. PROJECT DESCRIPTION:**

Minnesota State Colleges and Universities (MnSCU) intends to retain architectural and engineering consulting services for the design of a new classroom building at Alexandria Technical College.

The building will be two stories totaling approximately 56,960 gross square feet, connected to an existing building. This building will consist of 26 classrooms, 10 offices, and a 250-seat auditorium, clerical space, and mechanical space. The classrooms will be used for high tech computer classes that will implement state of the art electronics. Each office will house two instructors.

**b. REQUIRED CONSULTANT SERVICES:**

The selected design team shall provide a comprehensive scope of services including Schematic Design (SD), Design Development (DD), and Construction Documents (CD). Prepare all SD, DD, and CD documents using a CADD technology in an electronic data exchange file format acceptable to MnSCU. All drawings and specifications must conform to MnSCU design standards. **Bidding and construction administration services will be requested if and when construction is approved by the 2002 Legislature.**

The design team will provide all architectural services, including interior design, cost estimating, and project scheduling, and all engineering services including civil, structural, mechanical, fire protection, electrical, electronic communication and audio/visual design.

## Professional, Technical & Consulting Contracts

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**NOTE:** A roof design consultant designated by MnSCU will be assigned to and become an integral part of the consultant's design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

**c. SERVICES PROVIDED BY OTHERS:**

Site surveys and geotechnical investigations and recommendations.

Asbestos abatement at the connection to the existing building if required.

**d. SPECIAL CONSIDERATIONS:**

Evaluate existing adjacent building mechanical and electrical systems to determine capabilities and capacities to support the proposed new building spaces. The design team shall also assist in the preparation of project information to support the appropriation submittal to the MnSCU Board and the 2002 Minnesota Legislature for construction funding.

**e. PROJECT BUDGET/FEEES:**

Estimated project cost is \$9,370,000.00. This cost includes reimbursables, professional fees, construction, furniture, fixtures, equipment, contingencies and inflation factors. The State has funded \$500,000 for project design, fees, survey and investigations. The construction appropriation funds are anticipated in 2002.

**f. PROJECT SCHEDULE:**

**Design Phase:** Begin August 2000, complete no later than September 2001.

**Construction Phase:** Advertise for bids June 2002, complete construction by December 2003.

*(Note: This is contingent upon Legislative approval.)*

The following preliminary schedule durations are suggested for design:

Schematic Design: 3 Months

Design Development: 3 Months

Construction Documents: 5 Months

Reviews: 4 Months

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Total Project Duration: 15 Months

**g. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):**

An informational meeting is scheduled for Friday, June 16, 2000, at 1:00 p.m. at Alexandria Technical College, Room 203, 1601 Jefferson Street, Alexandria, MN. All firms interested in this meeting should contact Jolene Stumpf at 320-762-4486 or e-mail at [JoleneS@alx.tec.mn.us](mailto:JoleneS@alx.tec.mn.us) to sign up for the meeting.

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

**Project Information Meeting and/or Site Visit:** June 16, 2000

**Project Proposals Due:** June 26, 2000, by 12 p.m. (Noon)

**Project Shortlist:** July 11, 2000

**Project Interviews and Award:** July 25, 2000

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

Questions concerning the project should be referred to:

Jim Morgan: Minnesota State Colleges and Universities; phone 651-649-5934; fax 651-649-5779; e-mail [james.morgan@so.mnscu.edu](mailto:james.morgan@so.mnscu.edu); mail address MnSCU, ETC Building Suite 300, 1450 Energy Park Drive, St. Paul, MN 55108-5227; or

John Phillips: Alexandria Technical College; phone 320-762-4469; fax 320-762-4430; e-mail [johnp@alx.tec.mn.us](mailto:johnp@alx.tec.mn.us), mail address Alexandria Technical College, 1601 Jefferson Street, Alexandria, MN 56308.

**9. CONTRACT REQUIREMENTS:**

- a. The amended Minnesota Human Rights Act (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category

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## Professional, Technical & Consulting Contracts

applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. **Costs incurred in responding to this RFP shall be borne by the responder.** In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. **This RFP 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.

## Department of Administration

### Plant Management Division

### Energy Management Services

#### Request for Proposal to Firms Interested in: Energy Efficiency Improvement Projects

The Department of Administration, Plant Management Division, Energy Management Services has been requested to select firms to provide energy efficiency improvements in two State facilities. The State is authorized under *Minnesota Statute* 16C.14 to enter into energy shared-savings agreements to purchase by installment equipment or services to improve the energy efficiency of a state facility. The term of these energy shared-savings is limited to a maximum of 10 years.

Firms who wish to be considered for these projects should request a copy of "Request For Proposal" and submit a separate proposal for each facility on or before 2:00 PM, July 5, 2000 to:

Rajan C. Thomas, P.E.  
Principal Engineer  
Energy Management Services  
Plant Management Division  
117 University Avenue, Room 301  
St. Paul, MN 55155  
Tel: (651) 297-2867  
Fax: (651) 297-5158  
E-mail: [rajan.thomas@state.mn.us](mailto:rajan.thomas@state.mn.us)

The facilities considered for energy efficiency improvements are:

1. **Northwest Technical College**, East Grand Forks, Minnesota
2. **Fergus Falls Community College**, Fergus Falls, Minnesota.

## Professional, Technical & Consulting Contracts

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### Department of Administration

#### Risk Management Division

#### Notice of Availability of a Request for Proposals for Commercial Insurance (Package) Coverage for State Services for the Blind, a Division of the Department of Economic Security.

**NOTICE IS HEREBY GIVEN** that the Department of Administration announces the availability of a Request for Proposals for Commercial Insurance (Package) coverage for blind vendors engaged in the operation of vending machines.

A free of charge copy of the Request for Proposals can be requested through the mail by contacting Chuck Hamilton at State Services for the Blind by phone (651-642-0512, 1-800-383-8155), by fax (651-642-0788), or by e-mail ([chamilto@ssb.state.mn.us](mailto:chamilto@ssb.state.mn.us)). If preferred, a copy of the Request for Proposals can be picked up at the Department of Economic Security, State Services for the Blind, 2200 University Avenue West, Suite 240, St. Paul, MN 55114.

The deadline for delivery of proposals is 2:00 p.m. (central daylight time), Monday, July 10, 2000.

### Minnesota Department of Agriculture

#### Laboratory Services Division

#### Notice of Request for Proposal for Consultation on Laboratory Information Management System Implementation

**Description:** The Minnesota Department of Agriculture (MDA) is seeking proposals from vendors for a project management consultant to assist in the selection, purchase and implementation of a Laboratory Information Management Systems (L.I.M.S.) for the Laboratory Services Division. The lab performs tests for agronomic, food, environmental, microbiological, seed and plant pathology samples. The consultant must have experience in coordinating the varied aspects of the project for LIMS selection, defining process workflows, documenting business rules and developing an implementation strategy to improve the automation of current processes, including but not limited to interfacing laboratory instrumentation, data entry, storage and management. The consultant must have a history of working well with a highly professional team of analysts, supervisors and division managers.

**Eligible Applicants:** Eligible applicants are vendors with significant experience in evaluation, selection and implementation of Laboratory Information Management Systems. Experience with a wide range of laboratory disciplines in a governmental organization is desirable. The objective for the proposals is to evaluate product functionality for the Laboratory Services Division. There is no contractual obligation on the part of the Laboratory Services Division to any of the responding parties.

For a copy of the complete Request for Proposal and vendor requirements, contact:

Neil Palosaari, Minnesota Department of Agriculture, Laboratory Services Division,  
90 West Plato Boulevard, Saint Paul, MN 55107  
Phone: (651) 296-6250  
FAX: (651) 297-8787  
E-mail: [Neil.Palosaari@state.mn.us](mailto:Neil.Palosaari@state.mn.us)

This is the only person designated to answer questions regarding this request for proposal. Instructions for responding to the RFP are included in the document.

Final date for submitting proposals is 12:00 Noon, on June 26, 2000. No proposals received after that time will be considered. The term of the contract is one (1) year. The Minnesota Department of Agriculture will retain an option to extend the contract for up to one (1) additional year. No actual work or payment is guaranteed pursuant to the contract.

This Request for Proposal does not obligate the State to complete the proposed project and the State reserves the right to cancel the solicitation if it is considered to be in the State's best interest. All expenses incurred in responding to this notice shall be borne by the responder.



## Minnesota State Colleges and Universities (MnSCU)

### Request for Proposals for Executive Search Firm

**NOTICE IS HEREBY GIVEN** that proposals are being solicited to select an executive search consultant to assist the Minnesota State Colleges and Universities System in the search for qualified candidates for a President of Southwest State University.

Applicants must have evidence of successful experience in working with search committees on searches for higher education chief executives and evidence of success in providing clients with diverse pools of candidates for searches in higher education. For further information or to request a copy of the full Request for Proposal, please contact:

Linda Skallman, Associate Vice Chancellor  
Minnesota State Colleges & Universities/Personnel  
500 World Trade Center, 30 East Seventh Street  
St. Paul, MN 55101  
Telephone: 651-297-8263  
FAX: 651-297-3145

Proposals are due by July 6, 2000, no later than 5:00 p.m.

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

## Minnesota Department of Health

### Environmental Health Division

### Notice of Request for Proposals for Conference Planning and Coordination for a National Risk Communication Conference

The Minnesota Department of Health is soliciting proposals from qualified parties to provide conference planning, coordination, and implementation services for a national conference on communicating health risks from environmental hazards. The focus of the conference will be communicating health risk information—fish consumption advisories in particular—to populations that are highly exposed to environmental contaminants and hard-to-reach due to socio-economic, language, or cultural barriers. Key tasks are to arrange travel for at least 100 invited guests and prepare a proceedings document that includes recommendations from the conference. The conference must accommodate at least 400 participants and is expected to last two to three days.

Successful respondents will provide overall coordination and management for the conference including but not limited to advertising, registration, scheduling, speaker arrangements, facility reservation and service coordination, evaluation, and on-site management. Post-conference tasks will include preparation and distribution of a proceedings document that includes recommended techniques for effectively communicating fish advisories and other environmental risks.

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 has estimated that the portion of this contract that covers the travel and per diem costs for 100 invited participants will not exceed \$100,000.00 and the portion of this contract that covers production and distribution of the proceedings document will not exceed \$50,000.00.

All proposals must be submitted no later than July 10, 2000, at 4:30 p.m. Central Daylight Time. Late proposals will not be considered.

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

Rick Kipp  
Minnesota Department of Health,  
121 East Seventh Street, Suite 220  
P.O. Box 64975  
St. Paul, MN 55165-0975  
Telephone: 651-215-0898      FAX: 651-215-0975

## Professional, Technical & Consulting Contracts

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### Minnesota Higher Education Services Office

#### Request for Proposals for Development of Videotapes in Different Languages

The Higher Education Services Office is requesting proposals from qualified professionals to develop a series of four videotapes for parents on awareness and planning for college and the role of the Get Ready! precollege early intervention program. These four, separate videotapes will be in Spanish, Hmong, Somali, and English. Proposals must be submitted no later than **July 12, 2000**.

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 \$80,000 for the series of four videotapes.

Copies of the complete RFP are available from:

Communications  
Minnesota Higher Education Services Office  
1450 Energy Park Drive, Suite 350  
St. Paul, MN 55108-5227  
651-642-0554

### Department of Human Services

#### Notice of Availability of Request for Proposal to Provide Statewide Electronic Benefits Transfer (EBT) Delivery System for Food Stamps and Optional Cash Benefits

##### SCOPE OF PROJECT

The Department of Human Services (DHS) is seeking a professional and technical Vendor to propose, implement, operate, and maintain an Electronic Benefits Transfer (EBT) System. This project encompasses a conversion of an existing statewide system. A successful response will propose a detailed plan Food Stamp benefits delivery; a decision to continue issuance of cash benefits through this system will be made primarily on cost factors.

A complete copy of the RFP may be obtained by contacting Paul Stembler, Procurement Officer, at the address below. Questions regarding this RFP may be addressed in writing only to

Paul Stembler  
Business Manager  
Department of Administration  
50 Sherburne Avenue  
St. Paul, MN 55155  
(FAX) 651.297.3996  
(E-mail) [Paul.Stembler@state.mn.us](mailto:Paul.Stembler@state.mn.us)

DHS will entertain questions regarding this RFP until July 28, 2000. Written questions must be submitted to Paul Stembler by 4:00 PM (Central Standard Time) on that date.

All proposals must be received no later than 2:00 PM (Central Time) on Tuesday, September 5, 2000, in the manner specified in the RFP document.

### Board of Medical Practice

#### Call for Consultants to Provide Independent Opinion on Care Provided by Persons Regulated by the Board of Medical Practice

The Minnesota Board of Medical Practice regularly retains consultants to provide an independent opinion regarding the care rendered by practitioners who are the subject of complaint investigations.

The work consists of reviewing patient records and other information pertaining to the matter reported to the Board. The consultant is expected to provide the Board a written report of their review within four to six weeks of receipt of the materials.

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## Professional, Technical & Consulting Contracts

The written report consists of:

- A summary of the care provided
- A statement of the expected or standard of care
- An opinion as to whether the care provided had met the minimum standard of care

The consultants may expect to attend one meeting of the Board's Complaint Review Committee, where the practitioner under investigation is present. The consultant may also be requested to testify at an administrative disciplinary hearing on behalf of the Complaint Review Committee.

The Board is currently expanding its consultant resource list. If you are interested in acting as a consultant for the Board, please send a letter with your name, area(s) of practice and expertise, current curriculum vitae, address, telephone number, and hourly rate to:

Board of Medical Practice  
Attn: Mary Leinberger  
2829 University Avenue SE, Suite 400  
Minneapolis, MN 55414-3246

In compliance with *Minnesota Statutes* §16C.08, the availability of this contracting opportunity is being offered to state employees. State employees who are able and available to perform the aforementioned contract requirements should submit their request for consideration by June 30, 2000.

The Board will review each applicant qualifications and contact those individuals whose consultant services the board requires.

## Public Employees Retirement Association

### Notice of Request for Proposal (RFP) for Professional Services to Provide Notification of Death

The Public Employees Retirement Association of Minnesota (PERA) requests proposals from qualified vendors to assist in identifying association members who are receiving monthly benefits, but may be deceased. Qualified vendors, using a computer file of PERA active recipients, will be required to search their database and report to PERA any report of a recipient's death (by Social Security Number).

Established by the Minnesota Legislature in 1931, PERA administers three defined benefit plans. PERA's membership includes over 50,000 retirees, survivors and dependents; 33,000 inactive members; and 160,000 active members. The notification of death will be used by PERA to assist in the determination of continuation or termination of benefits.

To receive a complete copy of the RFP, please mail or fax your request to:

Sandy Stolt, Administrative Secretary  
Public Employees Retirement Association  
Suite 200-Skyway Level  
514 Saint Peter Street  
St. Paul, MN 55102-1090  
(651) 297-2547 (fax)

Proposals must be received no later than 4:00 p.m. on July 13, 2000. Late proposals will not be considered.

## Office of the Revisor of Statutes

### Notice of Request for Computer Services

The office of the revisor of statutes intends to contract for the following computer services for the period ending June 30, 2001. The term of the agreement may be extended to June 30, 2002, if needed to complete core elements of the project or conversion to new programs.

The services desired are the continued development of UNIX-based data processing programs for drafting, editing, engrossing and publishing laws and administrative rules. The programs must be designed to work in coordination with existing mainframe

## Professional, Technical & Consulting Contracts

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based programs until the existing programs are fully replaced. Understanding of the drafting process at the Minnesota Legislature is required. Where experienced contractors have at least equal qualifications, they will be given preference in order to maintain program consistency and stability.

Responses must be received by June 26, 2000.

Direct inquiries and responses to:

Michele Timmons  
Office of the Revisor of Statutes  
700 State Office Building  
100 Constitution Avenue  
St. Paul, MN 55155  
(651) 296-2778  
TTY relay services phone number 1-800-627-3529  
E-mail at: [michele.timmons@revisor.leg.state.mn.us](mailto:michele.timmons@revisor.leg.state.mn.us)

## Office of the Secretary of State

### Request for Proposal for Business Services System

The Office of the Secretary of State (OSS) is seeking to acquire and implement a business services, uniform commercial code, central notification, and tax liens system. This system must have web, imaging, fax, and e-commerce functionality. Substantial work has already been done on this system. Approved functional design documentation has already been completed. A significant amount of detail design on key application functionality is also done. A contractor will review the existing functional design, develop detail design, develop the application, convert data, test and implement the system. OSS requires this system to be implemented on July 2, 2001. For a copy of the Business Services System Request for Proposal, please contact:

Sue Swanson  
State Office Building  
100 Constitution Ave.  
St. Paul, MN. 55155  
Voice: 651-297-8250  
FAX: 651-296-0127  
Email: [susan.k.swanson@state.mn.us](mailto:susan.k.swanson@state.mn.us)

# 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 *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

## Metropolitan Airports Commission

### Notice of Call for Bids for Road Salt; and Airfield Sand, Road Sand, and Aggregates

Sealed bids will be received by the Metropolitan Airports Commission at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until 1:30 p.m., Local Time, WEDNESDAY, JULY 5, 2000, for the procurement of:

**1. ROAD SALT**

**2. AIRFIELD SAND, ROAD SAND, AGGREGATES**

At that time and place the bids will be publicly opened and the names and address of those responding read aloud. If mailed the Commission's mailing address is 6040 28th Avenue South, Minneapolis, MN 55450-2799, and **bids to be considered must be received by the Commission by the date and hour set for opening of bids.**

Bids shall be according to the specifications. The Commission reserves the right to reject any or all bids or portions thereof, and to waive any minor irregularities or informalities therein. Copies of the Specifications may be obtained at the office of the Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450, phone: 612-726-8146.

Dated: 5 June 2000

METROPOLITAN AIRPORTS COMMISSION  
JoAnn Brown/Buyer-Administrator

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Design Engineering Services for 1-MN-320 Improvements – Project Number 800400 – Contract Number 00P0065

The Metropolitan Council is requesting engineering services proposals for:

Design engineering services for the preparation of contract documents for its Environmental Services' 1-MN-320 Improvements. The project includes design of 3,730 feet of 48-inch to 54-inch diameter gravity sewer and associated maintenance structures and work. About 1,400 feet will be microtunneled and the balance will be via conventional "cut & cover" methods. The new interceptor would run from Currie Avenue & Irving Avenue North, up Cedar Lake Road North, then Girard Terrace to Olson Highway, and terminate by reconnecting to 1-MN-320 at Dupont Avenue North & Olson Highway.

Issue Request for Proposals	June 14, 2000
Pre-Proposal Conference	June 20, 2000
Addendum to Distribute Draft Facility Plan	July 11, 2000
Receive Proposals	July 25, 2000
Interviews	August 14, 2000
Evaluate and Rank Proposals	August 15, 2000
Contract negotiated, executed, NTP	October 13, 2000

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

## Non-State Public Bids, Contracts & Grants

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Jan Bevins, Contracts Administrator, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
FAX: 651-602-1138 Email: [jan.bevins@metc.state.mn.us](mailto:jan.bevins@metc.state.mn.us)

Inquiries regarding technical aspects of the project should be directed to Rex Huttes at (651) 602-4522.

*Minnesota Statutes*, Sections 473.144 and 363.0973, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Urban Small Sites BMP Manual-Metropolitan Council Contract Number 00P0059

The Metropolitan Council is requesting engineering consulting services proposals for Urban Small Sites BMP Manual. The project schedule is shown below.

Receive letters of interest	June 2000
Issue Request for Proposals	July 2000
Receive Proposals	August 1, 2000
Evaluate and Rank Proposals	August 9, 2000
Metropolitan Council authorization	August 31, 2000
Contract negotiated, executed, NTP	September 2000

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Jan Bevins, Purchasing Agent, Contracts and Procurement Unit  
Metropolitan Council Environmental Services  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
FAX: 651-602-1138 Email: [jan.bevins@metc.state.mn.us](mailto:jan.bevins@metc.state.mn.us)

Inquiries regarding technical aspects of the project should be directed to Gary Oberts at (651) 602-1079.

*Minnesota Statutes*, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposals or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

## 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.

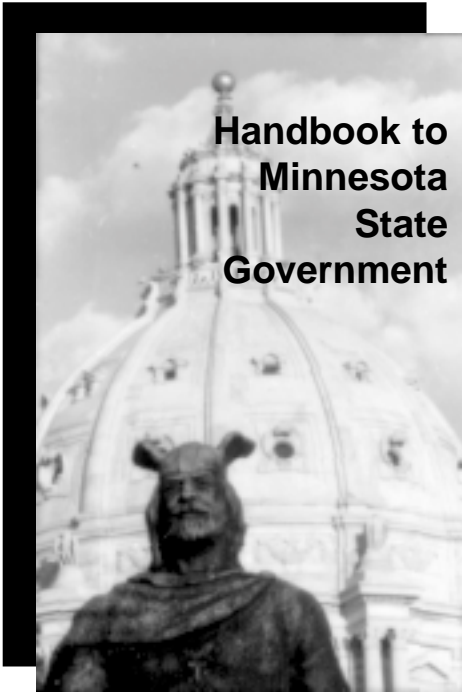


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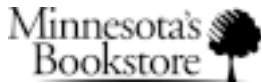
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