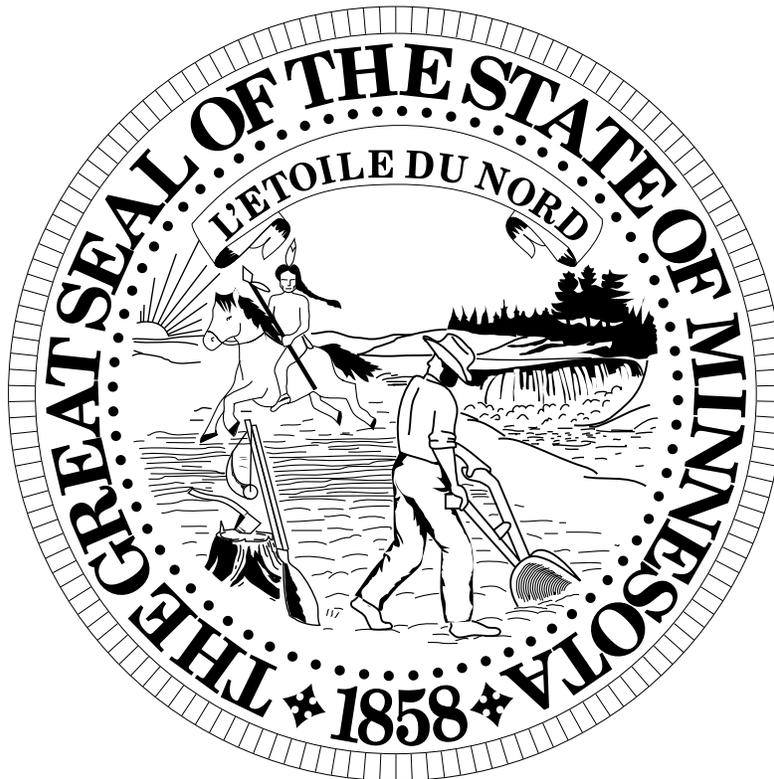


State of Minnesota

State Register

Rules and Official Notices Edition



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

Monday 29 January 2001
Volume 25, Number 31
Pages 1325-1352

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- proposed, adopted, exempt, expedited emergency and withdrawn rules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

Jesse Ventura, Governor (651) 296-3391	Mike Hatch, Attorney General (651) 297-4272	Mary Kiffmeyer, Secretary of State (651) 296-2079
Mae Schunk, Lt. Governor (651) 296-3391	Judi Dutcher, State Auditor (651) 297-3670	Carol Johnson, State Treasurer (651) 296-7091
Department of Administration: David F. Fisher, Commissioner (651) 296-1424 Kent Allin, Asst. Commissioner (651) 297-4261	Communications.Media Division: Mary Mikes, Director (651) 297-3979 Chris Schanus, Manager (651) 282-2974	Robin PanLener, Editor (651) 297-7963 Jane Schmidley, Assistant Editor (651) 296-4273 Jessie Rahmeyer, Subscriptions (651) 297-8774

Printing Schedule and Submission Deadlines

Vol. 25 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#31	Monday 29 January	Noon Wednesday 17 January	Noon Tuesday 23 January
#32	Monday 5 February	Noon Wednesday 24 January	Noon Tuesday 30 January
#33	Monday 12 February	Noon Wednesday 31 January	Noon Tuesday 6 February
#34	Tuesday 20 February	Noon Wednesday 7 February	Noon Tuesday 13 February

Copyright © 2001 Communications.Media Division, Department of Administration, State of Minnesota.
Publication Number: 326630 (ISSN 0146-7751)

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Solicitation Announcements*. See the *State Register* and the *Solicitation Announcements* on our website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- *Solicitation Announcements* (published every Tuesday and Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Solicitation Announcements* \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Solicitation Announcements* \$1.00. Shipping is \$3.00 per order.

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

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

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

Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155

Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146

State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155

Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043 Website: www.courts.state.mn.us
Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155

Minnesota Rules: Amendments & Additions		
Volume 25, Issues #27-31.....	1328	
Proposed Rules		
Health Department		
Migrant labor camps	1329	
Natural Resources Department		
Dam inspections.....	1331	
Peace Officer Standards and Training Board		
Training and licensing rate repeals	1333	
Withdrawn Rules		
Public Safety Department		
Withdrawal of proposed amendment to rules relating to crime victims reparations.....	1336	
Expedited Emergency Rules		
Natural Resources Department		
Adopted expedited emergency game and fish rules on spring wild turkey hunting.....	1337	
Adopted expedited emergency game and fish rules on designated infested waters	1341	
Official Notices		
Administration Department		
Notice of sale of public property in Sauk Centre, Minnesota.....	1342	
Commerce Department		
Minnesota Joint Underwriting Association notice of activation to insure specified classes of business and public hearing.....	1342	
Human Services Department		
Notice of availability of the Minnesota Health Care Programs provider participation list.....	1344	
Opinions sought on implementation of a statewide information, referral and assistance service.....	1344	
Investment Board		
Administrative committee meeting notice	1346	
Metropolitan Council		
Notice of public hearings on changing the Metro Mobility reservation window	1346	
Metro Airports Commission		
Notice of four public hearings concerning acquisition of property near the Minneapolis-St. Paul International Airport	1347	
Minnesota Housing Finance Agency		
Notice of hearing on bond issuance	1349	
Teachers Retirement Association		
Meeting notice	1349	
State Contracts		
Department of Administration		
Proposals sought from firms interested in energy efficiency improvement projects.....	1349	
Colleges and Universities, Minnesota State Normandale Community College		
Proposals sought for college master facilities plan.....	1350	
Transportation Department		
Proposals sought for contract for asbestos abatement and removal of other hazardous materials from selected buildings.....	1350	
Non-State Contracts & Grants		
Metropolitan Council		
Bids sought for roof replacement.....	1351	
University of Minnesota		
Bid Information Service (BIS) available for all potential vendors	1351	
Commodity, Service, and Construction contracts are published Tuesday and Friday in a bulletin, the <i>Solicitation Announcements</i> . Award results are available from the Materials Management Helpline (651) 296-2600. Web-site: www.mmd.admin.state.mn.us		
Individual copies and subscriptions or the <i>State Register</i> and <i>Solicitation Announcements</i> are available through Minnesota's Bookstore, (651) 297-3000, or (800) 657-3757.		

Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

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

Volume 25, Issues # 27-31

Agriculture Department

1545.0230 (proposed)	1311
1545.3130; .3150 (adopted)	1241
1545.3130 s. 2; .3180; .3190; .3200; .3210; .3220; .3230; .3240; .3250; .3260; .3270; .3280; .3290; .3300; .3310; .3320; .3330; .3350 (repealed)	1241

Chiropractic Examiners Board

2500.0100 (proposed)	1227
2500.0100 (proposed)	1281
2500.0400 (proposed)	1228
2500.0700; .0710; .0720; .0750; .1000 (proposed)	1283
2500.0730; .0740 (proposed repealer)	1283
2500.0800 (proposed)	1285
2500.1200 (proposed)	1287
2500.1200; s.5 (proposed repealer)	1287
2500.1410 (proposed)	1289
2500.1600 (proposed)	1230
2500.2110 (proposed)	1231
2500.2520 (proposed)	1291

Crime Victims Reparations Board

3050.0100, s.2a; 7; .3400, s.1,A,C; .3600 (withdrawn proposed)...	1336
---	------

Health Department

4630.4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .5700; .5800; .5900; .6000; .6100; .6200; .6300; .6400; .6500; .6550 (proposed repealer)	1329
4717.7000 (proposed)	1329

Labor and Industry Department

5205.0030; 5207.0100; .1000 (adopted exempt)	1241
--	------

Natural Resources Department

6115.0360 (proposed)	1331
6236.0300; .0600; .0810; .1060 (adopted expedited emergency)...	1337
6216.0350 (adopted expedited emergency)	1341

Peace Officer Standards and Training Board

6700.0300; .0601; .0700 (adopted)	1242
6700.0300; .0400; .0900; .1000; .1101 (proposed)	1333
6700.0900 s.12; .1120; .1130; .1700, s.2,5,6,7,8,9,10,11; .1000 (proposed repealer)	1333

Racing Commission

7873.0185; .0190; 7877.0120; .0170; 7883.0100; .0130; .0140; .0150; 7890.0100 (proposed)	1257
7890.0100 s. 12 (proposed repealer)	1257

Health Department and Pollution Control Agency

9400.0100; .0350; .0400; .0500; .0600; .0800; .1000; .1200; .1300; .1500 (proposed)	1232
9400.1500, s.3 (proposed repealer)	1232

Human Services Department

9505.0390 (proposed)	1238
9515.0200; .0310; .0450; .0500; .0600; .0700; 9525.2700 (adopted)	1313
9515.0300; .0400; .0800 (repealed)	1313

Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Department of Health

Division of Environmental Health

Proposed Permanent Rules Relating to Migrant Labor Camps

NOTICE OF HEARING

Proposed Repeal of Rules Governing Migrant Labor Camps, *Minnesota Rules*, Parts 4630.4800 to 4630.6550 and amendment to part 4717.7000

Public Hearing. The Department of Health intends to repeal rules after a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-entitled rules at the Minnesota Department of Health Distance Learning Center, 3rd Floor, 130 E. 7th Street, St. Paul, Minnesota 55101, starting at 9:30 a.m., on Friday, March 2, 2001, and continuing until the hearing is completed. Satellite video-conference locations for participating in the hearing will be available in:

- **Olivia:** Renville County Courthouse, 3rd Level, 500 E. DePue, Olivia, Minnesota 56277.
- **Moorhead:** Clay County Family Services Center, 1st Floor, 715 11th Street N., Moorhead, Minnesota 56560.

All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Administrative Law Judge. The hearing will be conducted by Administrative Law Judge Steve M. Mihalchick, who can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 349-2544, **fax:** (612) 349-2665. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

Subject of Rules, Statutory Authority, and Agency Contact Person. The subject of the hearing will be the proposed rules governing migrant labor camps, *Minnesota Rules*, parts 4630.4800 to 4630.6550 and amendment to part 4717.7000. The proposed rules are authorized by *Minnesota Statutes*, section 144.12, subdivision 1, item (12). A copy of the proposed rules is published in the *State Register*. A free copy of the rules is also available upon request from the agency contact person listed above or on the department's web page, www.health.state.mn.us/migrants

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

Proposed Rules

The department's current rules regulate the permitting of migrant labor camps along with establishing requirements for siting, water supply, waste disposal, housing, heating, electricity, toilets, bathing, laundry, cooking and eating facilities, refuse disposal, insect and rodent control, and sleeping facilities. The department has reviewed these rules and found them to be out-of-date and in conflict with other state and federal laws.

The department adopted the Migrant Labor Camp Rules in 1968. At that time migrant housing was most often provided by the employer and located on or near the work site. This is not the case today. Migrant workers are living in apartments, motels, private and rental homes, manufactured housing, cabins, and a variety of other types of housing. Some of these housing units are provided by the employer, some are owned by the migrant workers, and others are supplied by third parties. The migrant labor camp rules do not adequately cover this broad spectrum of migrant housing.

A repeal of the rule is proposed based on a program evaluation by the department indicating that migrant labor housing issues would be better served by the wide range of rules and regulations that address housing. These existing laws include county planning and zoning ordinances, the State Building Code where adopted, manufactured home park regulations, lodging regulations, the State Plumbing Code, the Manufactured Home Building Code, the State Fire Code, and county public health nuisance ordinances. Most of these laws were promulgated after the migrant labor camp rules. These laws are in most cases more restrictive and offer better protection for migrant workers and their families than the department's migrant labor camp rules. The effective date for the repeal is proposed for January 1, 2002.

The agency contact person is: Lesli Kramer, R.S., at the Minnesota Department of Health, Southwestern District Office, 1400 East Lyon Street, Marshall, Minnesota 56258, **phone:** (507) 537-7198, **fax:** (507) 537-7194, and **email:** lesli.kramer@health.state.mn.us. **TTY** users may call the Department of Health at (651) 215-0707.

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

Notices Required by Law. As required by *Minnesota Statutes*, section 3.9223, the department has notified the Council on affairs of Chicano/Latino People of the proposed repeal. As required by *Minnesota Statutes*, section 14.111, the department has notified the Commissioner of Agriculture of the proposed repeal.

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

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

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

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

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

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure

Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **phone:** (651) 296-5148 or (800) 657-3889.

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

Dated: 17 January 2001

Julie Brunner
Commissioner

4717.7000 VARIANCE REQUEST.

Subpart 1. **Request.** A party may ask the commissioner of health to grant a variance from the following rules:

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

- G. ~~migrant labor camps, parts 4630.5000 to 4630.6500;~~
- H. roller towels, part 4635.0200;
- I. H. enclosed sports arenas, parts 4620.3900 to 4620.4800, except part 4620.4300;
- J. L. water conditioning contractors and installers, parts 4715.5000 to 4715.6000;
- K. J. public swimming pools, parts 4717.0100 to 4717.3900;
- L. K. general requirements for construction of surface water and groundwater under the direct influence of surface water treatment facilities, parts 4720.3920 to 4720.3965;
- M. L. water haulers, parts 4720.4000 to 4720.4600;
- N. M. wellhead protection, parts 4720.5200 to 4720.5570;
- O. N. wells and borings, parts 4725.0100 to 4725.7450;
- P. O. explorers and exploratory borings, parts 4727.0100 to 4727.1300;
- Q. P. explorers and exploratory borings, parts 4727.0100 to 4727.1300;
- R. Q. ionizing radiation, parts 4730.0100 to 4730.3610, except parts 4730.0400 and 4730.0600; and
- S. R. lead poisoning prevention, parts 4761.1000 to 4761.1200, except part 4761.1100.

[For text of subs 2 and 3, see M.R.]

REPEALER. Minnesota Rules, parts 4630.4800; 4630.4900; 4630.5000; 4630.5100; 4630.5200; 4630.5300; 4630.5400; 4630.5500; 4630.5600; 4630.5700; 4630.5800; 4630.5900; 4630.6000; 4630.6100; 4630.6200; 4630.6300; 4630.6400; 4630.6500; and 4630.6550, are repealed.

EFFECTIVE DATE. The amendment to Minnesota Rules, part 4717.7000, subpart 1, and the repealer are effective January 1, 2002.

Minnesota Department of Natural Resources

Division of Waters

Proposed Permanent Rules Relating to Dam Inspections

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Frequency of State Dam Inspections, *Minnesota Rules*, part 6115.0360

Introduction. The Department of Natural Resources intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative

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

Proposed Rules

Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Mel Sinn at Department of Natural Resources, Division of Waters, Box 32, 500 Lafayette Road, St. Paul, Minnesota 55155-4032, **phone:** (651) 296-4806, **email:** melsinn@state.dnr.mn.us. **TTY** users may call the Department of Natural Resources at (800) 657-3929 or (651) 296-5484 within the metro area.

Subject of Rules and Statutory Authority. The proposed rules are about the frequency of inspections of Class II (medium hazard) and Class III (low hazard) dams. The statutory authority to adopt the rules is *Minnesota Statutes*, section 103G.515. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. The proposed rules can also be viewed on Department of Natural Resources, Division of Waters website at www.dnr.state.mn.us/waters/ under "Recent Developments."

Comments. You have until 4:30 p.m., on Wednesday, February 28, 2001, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m., on February 28, 2001. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at the cost of reproduction from the agency. The statement of need and reasonableness can also be viewed on Department of Natural Resources, Division of Waters website at www.dnr.state.mn.us/waters/ under "Recent Developments."

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

Dated: 16 January 2001

Allen Garber, Commissioner
Department of Natural Resources

6115.0360 INSPECTIONS.

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

Subp. 3. **Timing.** Subject to the availability of staff and funds:

A. The commissioner shall make initial inspections of all Class I, II, and III dams as soon as reasonably possible based on the degree of hazard involved.

B. After the initial detailed inspections, the commissioner shall make periodic inspections of dams based on the following schedule: Class I dams, at least one time every year; Class II dams, at least one time every ~~two~~ four years; and Class III dams, at

least one time every ~~four~~ eight years. The commissioner shall utilize the services of governmental agencies to the maximum extent feasible to provide for periodic inspections.

[For text of subp 4, see M.R.]

Peace Officer Standards and Training Board

Proposed Permanent Rules Relating to Training and Licensing Rule Repeals

DUAL NOTICE: NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING UNLESS 25 OR MORE PERSONS REQUEST A HEARING, AND NOTICE OF HEARING IF 25 OR MORE REQUESTS FOR HEARING ARE RECEIVED

Proposed Repeal of Obsolete Rules governing Peace Officer Standards and Training, *Minnesota Rules*, Chapter 6700, Parts 6700.0300, 6700.0400, 6700.0900, 6700.1000, 6700.1101, 6700.1120, 6700.1130, 6700.1700, 6700.1900

Introduction. The Minnesota Board of Peace Officer Standards and Training intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m., on February 28, 2001, a public hearing will be held in the Board Room at the POST Board Offices, 1600 University Avenue, Suite 200, St. Paul, Minnesota 55104, starting at 10:00 a.m., on Wednesday, March 15, 2001. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 28, 2001 and before March 15, 2001.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Nancy Haas at the Board of Peace Officer Standards and Training, 1600 University Avenue, Suite 200, St. Paul, Minnesota, 55104, (651) 643-3064, (651) 643-3072, and nancy.haas@state.mn.us. **TTY** users may call the Department of Public Safety at (651) 282-6555.

Subject of Rules and Statutory Authority. The proposed rules repeal obsolete and unnecessary references in POST Board rules that have no substantive affect on practice or enforcement of current POST Board rules. *Minnesota Statutes*, section 626.843 authorizes the Minnesota Board of Peace Officer Standards and Training to adopt rules with respect to the regulation and implementation of law enforcement by peace officers and part time peace officers in the State of Minnesota. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m., on February 28, 2001, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on February 28, 2001. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

Proposed Rules

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

Cancellation of Hearing. The hearing scheduled for March 15, 2001, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651)643-3064 after February 28, 2001, to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Richard C. Luis is assigned to conduct the hearing. Judge Luis can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 349-2542, **fax:** (612) 349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

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

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

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

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

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

Dated: 16 January 2001

Neil W. Melton
Executive Director

6700.0300 PROFESSIONAL PEACE OFFICER EDUCATION.

Subpart 1. **Subject areas.** The professional peace officer education must minimally include instruction in the learning objectives approved by the board and based on the following subject areas:

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

I. cultural awareness and response to crime victims.

~~By December 31, 1993, all programs certified by the board to deliver professional peace officer education shall submit to the board an amended application describing the manner in which the certified program will deliver the integrated curriculum described in this subpart as part of a postsecondary degree or certificate program. The certification of any program is void if an amended application is not submitted by this date.~~

The organization of the curriculum and the location of delivery of curriculum components is the responsibility of the certified school's governing body.

[For text of subs 2 to 10, see M.R.]

6700.0400 CERTIFICATION OF SCHOOLS.

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

Subp. 3. **Certification.** The board's duties with respect to certification include the following:

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

B. Before a certified school offers any course from the professional peace officer education program at another site not included in its original application, the certified school must seek written approval from the board. The board shall consider those criteria in subpart 1 in determining whether the proposal will be approved. ~~This part applies retroactively and certified schools presently shall have 90 days from July 11, 1989, to seek approval from the board.~~

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

[For text of subs 4 to 6, see M.R.]

6700.0900 CONTINUING EDUCATION.

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

Subp. 3. **Criteria for course approval.** For the purpose of this part, "course sponsor" means any agency, organization, or person who provides continuing education courses and seeks board approval of these courses.

A. Before being eligible to receive board approval, the course sponsor shall make application for course approval. Application for approval must be submitted on forms provided by the board ~~and must be received 30 days before commencement of the continuing education course.~~

[For text of items B to I, see M.R.]

[For text of subs 4 to 10, see M.R.]

Subp. 12. [See repealer.]

[For text of subs 13 to 17, see M.R.]

6700.1000 LICENSE RENEWAL.

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

Subp. 3. **Certificate of renewal.** The executive director shall issue a certificate of renewal, which is valid for three years, to each applicant who has submitted the appropriate fee on or before June 30 of the year when the license becomes due for renewal and also completed the required hours of continuing education. The appropriate fees are \$90 for renewal of a peace officer license and \$45 for renewal of a part-time peace officer license. The required hours of continuing education are:

A. no hours for ~~any~~ part-time peace officer ~~or for a~~ officers and peace officer officers who ~~has~~ have been licensed for less than six months;

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

Proposed Rules

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

[For text of subs 4 to 11, see M.R.]

6700.1101 PART-TIME PEACE OFFICERS.

Subpart 1. **Scope and purpose.** In view of the legislature's stated policy on part-time peace officers in *Minnesota Statutes*, section 626.8461, and the board's respect for the varied services of these supplemental and supervised part-time employees, the board deems that it is most appropriate for the chief law enforcement officer to be responsible for the training and continuing education of the part-time peace officers working in the chief law enforcement officer's agency. ~~Although the board mandates continuing education for peace officers, the board feels that it is incumbent upon each chief law enforcement officer to assess and meet the training needs of these part-time peace officers inasmuch as such assessment and training realistically can be best accomplished at the local level. This rule shall apply only to part-time peace officers appointed on or after August 1, 1985.~~

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

REPEALER. *Minnesota Rules*, parts 6700.0900, subpart 12; 6700.1120; 6700.1130; 6700.1700, subparts 2, 5, 6, 7, 8, 9, 10, and 11; and 6700.1900, are repealed.

Withdrawn Rules

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

Department of Public Safety Crime Victims Reparations Board

Notice of Withdrawal of Proposed Rules

Withdrawal of Proposed Amendment to Rules Relating to Crime Victims Reparations, *Minnesota Rules*, Chapter 3050, part 3050.0100, subpart 2a and subpart 7, part 3050.3400, subpart 1, items A and C, and part 3050.3600.

NOTICE IS HEREBY GIVEN that the Crime Victims Reparations Board is withdrawing *Minnesota Rules*, part 3050.0100, subpart 2a and subpart 7, part 3050.3400, subpart 1, items A and C, and part 3050.3600 which were included in the proposed amendments to *Minnesota Rules*, Chapter 3050, that were proposed and published in the November 13, 2000 *State Register* Vol. 25 pages 968 to 971 (25 SR 968).

Dated: 23 January 2001

Marie Bibus
Executive Director
Crime Victims Reparations Board

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to 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. Specific *Minnesota Statutes* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Spring Wild Turkey Hunting

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.435, 97B.711, and 97B.723.

Dated: 14 January 2001

Allen Garber
Commissioner of Natural Resources

6236.0300 TURKEY HUNT DRAWING.

Subpart 1. **License application drawings.** Drawings will be conducted by the department to determine persons who will be eligible to purchase licenses for each season. The drawings will be subject to the quotas established by the commissioner. Preference in the respective drawings is given to applicants based upon the number of times they have correctly applied for a license for that hunt but have been unsuccessful. A person selected by the drawings is eligible to purchase a license to hunt turkey. Upon issuance of a turkey license for the spring or fall season, all accumulated preference for that season is lost, except as provided in subpart 6.

[For text of subp. 2, see 25 SR 183]

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

[For text of subp. 5, see 25 SR 183]

Subp. 6. **Undersubscribed wild turkey permit areas.** ~~A second preference drawing may be held for undersubscribed time periods. All unsuccessful applicants for the wild turkey permit area that includes the undersubscribed time period will be eligible for the second drawing.~~ In permit areas and time periods with fewer applicants than available licenses, the remaining available licenses may be issued to unsuccessful applicants for other permit areas or time periods on a first-come, first-served basis. Individuals who purchase these remaining available licenses will retain their accumulated preference.

6236.0600 SPRING TURKEY SEASON.

Subpart 1. **Open dates.** The spring turkey season opens the Wednesday nearest April 15 and consists of ~~seven~~ eight consecutive five-day periods.

[For text of subps 2 and 3, see M.R.]

Subp. 4. **Open areas.**

A. Wild turkey permit areas are open for the spring turkey season as prescribed by the commissioner.

B. Wild turkey permit areas numbered 223; 225; 227; 228; 235; 236; 244; 337; 338; 339; 341; 342; 343; 344; 345; 346; 347; 348; 349; 411; 412; 415; 416; 417; 418; 419; 422; 425; 426; 427; 428; 429; 431; 433; 440; 442; 443; 448; 450; 454; 457; 459; 461; 462; 463; 464; 465; and 466 are open during the 2001 spring turkey season.

[For text of subp 5, see M.R.]

6236.0810 WILD TURKEY PERMIT AREA DESCRIPTIONS.

Wild turkey permit areas are comprised of partial, single, or grouped deer and bear registration blocks, as established in part 6232.4700, and are described as follows:

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

[For text of item B, see 24 SR 1129]

C. Wild turkey permit areas in Zone 3:

(1) wild turkey permit area ~~337-338~~ 337 consists of registration ~~blocks~~ block ~~337 and 338;~~

(2) wild turkey permit area 338 consists of registration block 338;

Expedited Emergency Rules

- (3) wild turkey permit area 339 consists of registration block 339;
- (4) wild turkey permit area ~~341-342~~ 341 consists of registration ~~blocks~~ block 341 ~~and 342~~;
- (5) wild turkey permit area 342 consists of registration block 342;
- ~~(3)~~ (6) wild turkey permit area ~~343-347~~ 343 consists of registration ~~blocks~~ block 343 ~~and 347~~;
- ~~(4)~~ (7) wild turkey permit area 344 ~~consist~~ consists of registration block 344;
- ~~(5)~~ (8) wild turkey permit area ~~345-348~~ 345 consists of registration ~~blocks~~ block 345 ~~and 348~~;
- ~~(6)~~ (9) wild turkey permit area 346 consists of registration block 346; ~~and~~
- (10) wild turkey permit area 347 consists of registration block 347;
- (11) wild turkey permit area 348 consists of registration block 348; ~~and~~
- ~~(7)~~ (12) wild turkey permit area 349 consists of registration block 349;

D. Wild turkey permit areas in Zone 4:

[For text of subitems (1) to (6), see M.R.]

[For text of subitem (7), see 24 SR 1129]

- (8) wild turkey permit area 412 consists of those portions of registration block 412 described as follows:

Beginning at the intersection of interstate 94 (I-94) and state trunk highway (STH) 29; thence along STH 29 in a southerly direction to the intersection of STH 28 in Pope county; thence along STH 28 in a westerly direction to the intersection of ~~county state-aid highway (CSAH) 3~~ U.S. highway 59; thence along ~~CSAH 3~~ U.S. highway 59 in a northerly direction to the intersection of ~~CSAH 26~~ STH 210; thence along ~~CSAH 26~~ STH 210 in an easterly direction to the intersection of ~~CSAH 4~~ county state-aid highway (CSAH) 73; thence along CSAH 4 73 in a ~~northerly~~ southerly direction to the intersection with I-94 in ~~Douglas Grant~~ county; thence along I-94 in a southeasterly direction to the point of beginning;

[For text of subitems (9) and (10), see 24 SR 1129]

- (11) wild turkey permit area 415 consists of those portions of registration block 415; described as follows:

Beginning at the intersection of interstate highway 94 (I-94) and U.S. highway 71; thence along U.S. highway 71 in a northerly direction to county state-aid highway (CSAH) 27; thence along CSAH 27 in an easterly direction to the Mississippi river; thence along the Mississippi river in a southerly direction to state trunk highway (STH) 23; thence along STH 23 to the intersection of I-94; thence along I-94 in a westerly direction to the point of beginning;

[For text of subitems (12) to (20), see 24 SR 1129]

- (21) wild turkey permit area 425 consists of registration block 435 and those portions of registration block 425; described as follows:

Beginning at the intersection of U.S. highway 212 and county state-aid highway (CSAH) 23; thence along CSAH 23 in a northerly direction to the Renville county line; thence in an easterly direction along the Renville county line to the intersection of township road 10; thence in a southerly direction along township road 10 to the intersection of U.S. highway 212; thence in a westerly direction along U.S. highway 212 to the point of beginning;

[For text of subitems (22) to (27), see 24 SR 1129]

- ~~(28)~~ wild turkey permit area ~~435~~ consists of registration block ~~435~~;
- ~~(29)~~ wild turkey permit area 440 consists of registration block 440;
- ~~(30)~~ (29) wild turkey permit area 442 consists of registration block 442;
- ~~(31)~~ (30) wild turkey permit area 443 consists of registration block 443;
- ~~(32)~~ (31) wild turkey permit area 448-449-451 consists of registration blocks 448, 449, and 451;
- ~~(33)~~ (32) wild turkey permit area 450 consists of registration block 450;
- ~~(34)~~ (33) wild turkey permit area 452 consists of registration block 452;
- ~~(35)~~ (34) wild turkey permit area 453 consists of registration block 453;
- ~~(36)~~ (35) wild turkey permit area 454-455-456-458 consists of registration blocks 455, 456, 458 and those portions of registration block 454 described as follows:

Expedited Emergency Rules

Beginning at the intersection of U.S. highway 71 and U.S. highway 14; thence along U.S. highway 71 in a southerly direction to state trunk highway (STH) 62; thence along STH 62 to county state-aid highway (CSAH) 5; thence northerly along CSAH 5 to CSAH 13; thence westerly along CSAH 13 to CSAH 7; thence northerly along CSAH 7 to CSAH 45; thence westerly along CSAH 45 to CSAH 5 in Redwood county; thence northerly along CSAH 5 to U.S. highway 14; thence easterly along U.S. highway 14 to the point of beginning;

- ~~(37)~~ (36) wild turkey permit area 457 consists of registration block 457;
- ~~(38)~~ (37) wild turkey permit area 459 consists of registration block 459;
- ~~(39)~~ (38) wild turkey permit area 461 consists of registration block 461;
- (39) wild turkey permit area 462 consists of registration block 462;
- (40) wild turkey permit area 463 consists of registration block 463;
- (41) wild turkey permit area 464-465 consists of registration ~~blocks~~ block 464 and 465; and
- (42) wild turkey permit area 465 consists of registration block 465; and
- (43) wild turkey permit area 466-467 consists of registration blocks 466 and 467.

E. ~~Wild turkey permit area 339-462 consists of registration blocks 339 and 462 in Zones 3 and 4.~~

F. Wild turkey permit area 244-410 consists of registration block 244 and those portions of registration block 410 described as follows:

Beginning at the intersection of state trunk highway (STH) 34 and U.S. highway 10; thence along STH 34 in a southwesterly direction to county state-aid highway (CSAH) 9; thence along CSAH 9 in a northerly direction in Ottertail county to CSAH 5 in Becker county; thence along CSAH 5 in a northerly direction to the intersection of U.S. highway 10; thence along U.S. highway 10 in an easterly direction to the point of beginning.

6236.1060 TURKEY HUNT QUOTAS.

Quotas on hunter numbers are established annually by the commissioner for each wild turkey permit area and time period. Information on the quotas may be obtained in the application and annual hunting regulations and as follows:

2001 SPRING WILD TURKEY PERMIT AREA QUOTAS Quotas by Time Period

<u>Wild Turkey Permit Area Number</u>	<u>A April 18-22</u>	<u>B April 23-27</u>	<u>C April 28 May 2</u>	<u>D May 3-7</u>	<u>E May 8-12</u>	<u>F May 13-17</u>	<u>G May 18-22</u>	<u>H May 23-27</u>
<u>223</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>
<u>225</u>	<u>75</u>	<u>75</u>	<u>75</u>	<u>75</u>	<u>75</u>	<u>75</u>	<u>75</u>	<u>75</u>
<u>227</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>
<u>228</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>
<u>235</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>
<u>236</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>
<u>244</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
<u>337</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>
<u>338</u>	<u>65</u>	<u>65</u>	<u>65</u>	<u>65</u>	<u>65</u>	<u>65</u>	<u>65</u>	<u>65</u>
<u>339</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>60</u>
<u>341</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>
<u>342</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>
<u>343</u>	<u>145</u>	<u>145</u>	<u>145</u>	<u>145</u>	<u>145</u>	<u>145</u>	<u>145</u>	<u>145</u>
<u>344</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
<u>345</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>	<u>175</u>
<u>346</u>	<u>275</u>	<u>275</u>	<u>275</u>	<u>275</u>	<u>275</u>	<u>275</u>	<u>275</u>	<u>275</u>
<u>347</u>	<u>150</u>	<u>150</u>	<u>150</u>	<u>150</u>	<u>150</u>	<u>150</u>	<u>150</u>	<u>150</u>

Expedited Emergency Rules

<u>348</u>	<u>175</u>							
<u>349</u>	<u>350</u>							
<u>411</u>	<u>10</u>							
<u>412</u>	<u>15</u>							
<u>415</u>	<u>20</u>							
<u>416</u>	<u>5</u>							
<u>417</u>	<u>15</u>							
<u>418</u>	<u>25</u>							
<u>419</u>	<u>15</u>							
<u>422</u>	<u>10</u>							
<u>425</u>	<u>50</u>							
<u>426</u>	<u>5</u>							
<u>427</u>	<u>5</u>							
<u>428</u>	<u>5</u>							
<u>429</u>	<u>10</u>							
<u>431</u>	<u>5</u>							
<u>433</u>	<u>5</u>							
<u>440</u>	<u>50</u>							
<u>442</u>	<u>150</u>							
<u>443</u>	<u>60</u>							
<u>448</u>	<u>7</u>							
<u>450</u>	<u>5</u>							
<u>454</u>	<u>5</u>							
<u>457</u>	<u>5</u>							
<u>459</u>	<u>10</u>							
<u>461</u>	<u>65</u>							
<u>462</u>	<u>60</u>							
<u>463</u>	<u>20</u>							
<u>464</u>	<u>20</u>							
<u>465</u>	<u>20</u>							
<u>466</u>	<u>50</u>							
<u>TOTAL</u>	<u>2,867</u>							

Grand total = 22,936

EFFECTIVE PERIOD. The emergency amendments to *Minnesota Rules*, parts 6236.0300 and 6236.0600 expire December 31, 2001. The emergency amendments to *Minnesota Rules*, part 6236.0810 expire August 6, 2001. After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule. *Minnesota Rules*, part 6236.1060, expires December 31, 2001.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Relating to Designated Infested Waters

NOTICE IS HEREBY GIVEN that the above entitled rule has been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of this rule is *Minnesota Statutes*, section 84D.12, subdivision 3.

Dated: 17 January 2001

Allen Garber
Commissioner of Natural Resources

6216.0350 DESIGNATED INFESTED WATERS.

[For text of subpart 1, see 25 SR 972]

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

Subp. 6. **Listing of waters infested with zebra mussels.** The following water bodies are designated by the commissioner as infested with zebra mussels (*Dreissena* spp.). Activities at these waters are subject to parts 6216.0100 to 6216.0600, *Minnesota Statutes*, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
A. Olmsted County	
(1) Lake Zumbro	55-0400
B. Washington County	
St. Croix River, downstream of the St. Croix Boomsite Recreation Area, managed by Minnesota Department of Transportation, at river mile 25.4	
C. Multiple counties	
(1) Lake Superior	16-0001
(2) Mississippi River, downstream of St. Anthony Falls	
(3) St. Louis River, downstream of the Fond du Lac dam	
(4) Zumbro River, downstream of Lake Zumbro	

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 Real Estate Management Division

Notice of Sale of Public Property

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid a 25-building campus with 245 acres located in and adjacent to Sauk Centre, Minnesota.

For more information including bid terms and conditions visit the web site at www.mainserver.state.mn.us/rem/ or contact:

Wayne Waslaski
Minnesota Department of Administration
Real Estate Management Division
50 Sherburne Avenue, Room 309
St. Paul, MN 55155
Phone: (651) 296-2278
Email: Wayne.Waslaski@state.mn.us

Bids are due no later than 1:30 p.m., CST on Friday, April 20, 2001. Late bids will be rejected. The State reserves the right to reject any and all bids and waive the formalities therein. The State reserves the right to withdraw the subject property from sale up to and including the day of the sale. Any announcements made at the bid opening will take precedence over any material published about this event.

Department of Commerce

Minnesota Joint Underwriting Association Notice of Activation to Insure Specified Classes of Business and Public Hearing

NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes*, section 62I.21, the Minnesota Joint Underwriting Association (MJUA) and the Market Assistance Plan (MAP) are activated to provide assistance to the following classes of business unable to obtain insurance from private insurers:

- property insurance for taconite mining and processing

The MJUA and MAP are activated to provide assistance to the above classes of business for a period of 180 days following publication of this notice. A public hearing will be held, for the purpose of determining whether activation should continue beyond 180 days, at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota, 55401-2138, on Tuesday, April 17, 2001, at 9:30 a.m. and continuing until all interested persons and groups have had an opportunity to be heard. The hearing shall be governed by *Minnesota Statute* Sections 14.57-14.69 and by *Minnesota Rules* Parts 1400.1500-1400.8400, (1985). Questions regarding the procedure may be directed to Administrative Law Judge George A. Beck, Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, MN 55401-2138, **phone:** (612) 341-7601. The authority for this proceeding is found in Chapter 62I of *Minnesota Statutes*, specifically sections 62I.21 and 62I.22. (A copy of those sections follows this notice.)

Prior to the hearing a pre-hearing conference will be held at 1:30 p.m., on Monday, April 2, 2001, at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138.

Minnesota Statutes, Chapter 62I, which governs the Minnesota Joint Underwriting Association provides for temporary activation for 180 days by the Commissioner of Commerce. To extend the Minnesota Joint Underwriting Association's authority beyond the 180 day period a hearing must be held. Those classes of business for which the Minnesota Joint Underwriting Association was temporarily activated, by this notice and by previously published notices, must prove, at the hearing, that they meet the statutory requirements for coverage by the Minnesota Joint Underwriting Association.

Among those requirements are:

- (1) That members of those classes are unable to obtain insurance through ordinary means;
- (2) That the insurance being sought is required by statute, ordinance, or otherwise required by law, or is necessary to earn a livelihood or conduct a business; and
- (3) That the classes of business serve a public purpose.

The classes of business specified in this notice and previously published notices must be shown to meet the statutory requirements of the Minnesota Joint Underwriting Association's authority to provide coverage to them will end after 180 days from the date the notice of activation was published in the *State Register*.

Activation of a class of business does not guarantee coverage to any class member. Coverage of individual class members is determined by the Minnesota Joint Underwriting Association on a case by case basis once the class has been activated. The MJUA's address is: Pioneer Post Office Box 1760, St. Paul, Minnesota 55101. Their phone number is (651) 222-0484.

The Department strongly suggests that any persons affected by this hearing or otherwise interested in the proceedings familiarize themselves with the requirements of Chapter 62I and the contested case procedures prior to the hearing, that they take such other steps as are appropriate to protect their interest and that any questions they may have as to how to proceed or how to participate at the hearing be directed to the Administrative Law Judge prior to the hearing.

All interested or affected persons will have an opportunity to participate at the hearing. Questioning of agency representatives or witnesses, and of interested persons making oral statements will be allowed in the manner set forth in the Rules pertaining to contested cases (*Minnesota Rules* parts 1400.1500-1400.8400).

Anyone wishing to oppose activation beyond the 180 days for any particular class, must file a petition to intervene with the administrative law judge at least 10 days before the hearing date. If no notice to intervene is filed for a class, then the class is activated beyond the 180 day period without further action.

Minnesota Statutes chapter 10A requires each lobbyist to register with the State of Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statute* Section 10A.01, subdivision 11 as an individual:

- (a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or
- (b) Who spends more than \$250, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, **phone:** (612) 296-5148.

Dated: 22 January 2001

62I.21 ACTIVATION OF MARKET ASSISTANCE PLAN AND JOINT UNDERWRITING ASSOCIATION.

Upon submission of an application for placement of general liability insurance coverage under section 62I.13 in a class of business for which the market assistance plan and the joint underwriting association are not then activated, where the applicant has been refused coverage within the meaning of section 62I.13, subdivision 2, the commissioner may by notice in the *State Register* activate the market assistance plan and the joint underwriting association on Minnesota risks for the class of business. The plan and association are activated for a period of 180 days from publication of the notice. At the same time the notice is published the commissioner shall prepare a written petition requesting that a hearing be held to determine whether activation of the market assistance plan and joint underwriting association is necessary beyond the 180-day period. The hearing must be held in accordance with section 62I.22. The commissioner by order shall deactivate a market assistance program and the joint underwriting association at any time the commissioner finds that the market assistance program and the joint underwriting association are not necessary.

62I.22 HEARING

Subdivision 1. **Administrative Law Judge.** The commissioner shall forward a copy of the petition to activate the market assistance plan and the joint underwriting association with respect to a class of business to the chief administrative law judge. The chief administrative law judge shall, within three business days of receipt of the copy of the petition, set a hearing date, assign an administrative law judge to hear the matter, and notify the commissioner of the hearing date and the administrative law judge assigned to hear the matter. The hearing date must be no less than 60 days nor more than 90 days from the date of receipt of the petition by the chief administrative law judge.

Official Notices

Subdivision 2. **Notice.** The commissioner of commerce shall publish notice of the hearing in the *State Register* at least 30 days before the hearing date. The notice should be that used for rulemaking under chapter 14. Approval by the administrative law judge of the notice prior to publication is not required. The notice must contain a statement that anyone wishing to oppose activation beyond 180 days for any particular class, must file a petition to intervene with the administrative law judge at least ten days before the hearing date. If no notice to intervene is filed for a class, then the class is activated beyond the 180-day period without further action.

Subdivision 3. **Contested case: report.** The hearing and all matters after the hearing are a contested case under chapter 14. Within 45 days from the commencement of the hearing and within 15 days of the completion of the hearing the administrative law judge shall submit a report to the commissioner of commerce. The parties, or the administrative law judge, if the parties cannot agree, shall adjust all time requirements under the contested case procedure to conform with the 45-day requirement.

Subdivision 4. **Decision.** The commissioner shall make a decision within ten days of the receipt of the administrative law judge's report.

Subdivision 5. **Waiver of modification.** If all parties to the proceeding agree, any of the requirements of this section may be waived or modified.

Subdivision 6. **Case presentation.** The Department of Commerce, upon request by small businesses as defined by section 14.115, subdivision 1, shall assist small businesses in any specific class requesting continuation of coverage beyond the 180-day period, in coordinating the class and presenting the case in the contested hearing.

Department of Human Services

Notice of availability of the Minnesota Health Care Programs provider participation list [Also known as DHS Rule 101 provider compliance list]

NOTICE IS HEREBY GIVEN that the Minnesota Health Care Programs provider participation list for January 1, 2001 is now available. The provider participation list is a compilation of fee-for-service health care providers who are in compliance with DHS Rule 101. The list of providers is separated by provider type, each section is in alphabetical order by provider name, and there is no additional information on the list other than the provider's name. This list is distributed on a quarterly basis to the Department of Employee Relations, the Department of Labor and Industry, and the Department of Commerce. To obtain the list, contact Kelly Crawford, Rule 101 specialist, at (651) 296-0766 or toll-free at (800) 657-3991. You may fax your request to (651) 296-5690 or mail to the Customer Services Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3856.

Michael O'Keefe, Commissioner
Department of Human Services

Department of Human Services

Request for Information pertaining to the implementation of a statewide Information, Referral and Assistance Service for Minnesotans with Disabilities and their Families

Background

The State of Minnesota, Department of Human Services (DHS), intends to implement an Information, Referral and Assistance (IR&A) Service for Minnesotans with disabilities or chronic health problems in 2002. The disabilities and chronic health problems that will be the primary focus of this service include, but are not limited to, mental illness, mental retardation and related conditions, HIV/AIDS, substance abuse and physical disabilities including brain injury. This state-level or regionally-based telephone system will complement Minnesota's *Senior Linkage Line* for elders and may include advocacy and counseling regarding both benefits and services.

Purpose of this Request for Information

DHS envisions a system of support and services that ensures that all Minnesotans with disabilities or chronic health problems live healthy lives, as independently as possible, in their own homes and communities. To accomplish this goal, it proposes to create a

single statewide telephone point of entry for timely and understandable health and human services information and assistance. The proposed Information, Referral and Assistance service is intended to provide people with disabilities or chronic health problems, and their families, easy access to information about services, programs and community supports that will help them make informed choices.

This Request for Information (RFI) is directed to current and potential vendors of Information, Referral and Assistance Systems, including both private entities and public agencies at both the state and local levels, who would be interested in contracting with DHS to collaborate in the design, implementation and operation of this capacity in Minnesota. Specifically, the department is seeking information and opinion about current capacity, emerging technology and administrative options for an advanced telephone network **and** automated database capacity for IR&A services. It is also seeking information that will help assess the feasibility of supplementing the telephone system with an Internet-based, interactive capacity to search for services, supports and providers.

This request for technical information and opinion is being made prior to any decision by the department regarding whether it ultimately intends to partner with a vendor to deliver these services, or whether it will outsource the service completely. That decision will be made at a later date and specified in a future Request for Proposals (RFP). Respondents are asked to specify which of the two scenarios best corresponds to the capacity and solutions provided by their organization. Likewise, no budget has yet been established for this project pending final decisions pertaining to infrastructure and the role of DHS in ongoing operations.

Questions for all Respondents

1. Tell us about your organization and your experience as a provider of IR&A services in the areas of health, human services and housing. Include a description of any plans for future development and/or services.
2. Is your organization certified as a provider of Information, Referral and Assistance Services anywhere in the United States?
3. Briefly describe the administrative structure and technical components of a telephone network your organization may recommend to the Minnesota Department of Human Services for its IR&A system for persons with disabilities. Describe any components of the system related to advocacy or counseling. Please comment on the advantages and disadvantages of the system, making reference to how it would function at a regional level and at the state level? Discuss the personnel requirements of the system including qualifications and training of those personnel.
4. Describe your organization's knowledge of programs and services for persons with disabilities or chronic health problems, both publicly funded and privately funded. What are your organization's training needs regarding publicly funded programs? Privately funded programs?
5. How would your proposed system comply with the Americans with Disabilities Act? How would it accommodate the needs of culturally diverse customers? How would it protect the confidentiality of the persons using the system?
6. Briefly describe any IR&A database, software and corresponding search capability that your organization has developed or plans to develop. What is your plan for future enhancements of the database and software? What are the hardware requirements for the database and software? Describe any current or planned Internet capacity for the IR&A database and service/provider search capacity. Discuss the applicability of the database and related software to the state of Minnesota.

Instructions to Respondents

All responses to this Request for Information are public according to *Minnesota Statutes* section 13.03 unless the data provided qualifies for a specific classification under chapter 13. For example, if the criteria for trade secret or security data is met, the data will be held as nonpublic data as required by the classification. If you submit data you believe is qualified for a specific classification, it must clearly be identified as such. If you have any concern about whether data you submit will be considered public, do not submit it but rather generally describe the information in response to this request.

Participation in the RFI process is not a prerequisite to submitting a proposal in response to any RFP that may be issued by the department upon completion of this process. Vendors are responsible for all costs associated with the preparation and presentation of materials in response to this RFI. Vendors must not communicate with any DHS staff concerning this RFI except as provided for in this document. Any questions, concerns or communications regarding this RFI should be addressed to :

Jim Franczyk, Ph.D.
Minnesota Department of Human Services
Continuing Care for Persons with Disabilities
444 Lafayette Road
St. Paul, Minnesota 55155-3824
Phone: (651) 582-1912
Fax: (651) 582-1808
Email: Jim.Franczyk@state.mn.us

Official Notices

When the RFI process is completed, the DHS will schedule interviews with each vendor that responded in a timely manner. Those interviews will be conducted in DHS's office of Continuing Care for Persons with Disabilities located at 2284 Highcrest Road in Roseville, Minnesota in mid-April, 2001. Vendors participating in the interview process must submit written materials for DHS's consideration at least one week prior to their interview. Vendors are free to conduct demonstrations of their products as part of the interview process, and those who wish to do so will be given additional time during the interviews. Vendors may provide presentations via video conferencing or through a combination of modem and demonstration. Vendors and agencies who wish to submit written materials but who do not desire to participate in the interview process are free to do so, provided all written materials are received by DHS no later than April 2, 2001.

Although DHS intends to use the information it obtains from this RFI to develop an RFP for this project, which is tentatively scheduled for implementation in 2002, DHS does not guarantee that any RFP or procurement will be forthcoming, or that any vendor responding to the RFI will be awarded a contract to perform work on the project. DHS reserves the right to waive minor irregularities in vendor responses to this RFI at its sole discretion.

The deadline for submitting a response to this RFI is **April 2, 2001 at 4:30 p.m. (CST)**. Responses should be directed to Mr. Franczyk at the mailing address listed above or may be faxed or hand delivered. Electronic mail responses will also be accepted. However, DHS will not accept responsibility for attachments to electronic mail that cannot be opened readily.

State Board of Investment

Meeting Notice

Administrative Committee

The State Board of Investment Administrative Committee will meet on Thursday, February 8, 2001 in the SBI Conference Room, Capitol Professional Office Building, Suite 10, (Main Floor), 590 Park Street, St. Paul, MN from 9:30 a.m., to 11:00 a.m.

Metropolitan Council

Notice of Public Hearings on Changing the Metro Mobility Reservation Window

The Metropolitan Council proposes to change the maximum Metro Mobility reservation window from four days to 48 hours. Two public hearings will be held on March 1, 2001 to receive input from riders and other consumers. The first hearing will be from **12:30 to 2:00 p.m., at the Metro Transit Heywood Office building, 560 Sixth Avenue N., in Minneapolis in the Chambers**. The second hearing will be **7:00 to 8:30 p.m., at the Metropolitan Council, 230 E. Fifth Street in downtown St. Paul in the Chambers**.

Currently, callers can schedule rides up to four days in advance with reservations taken between 6:00 a.m., and 5:00 p.m., seven days a week. A common complaint by consumers is that it is difficult to get through on the reservation phone lines during the first hour of the day, since the majority of people call first thing in the morning on the first day possible to schedule their trips. Changing to a 48-hour maximum reservation window would flatten the peak phone demand since callers would be scheduling rides throughout the day, no more than 48 hours before their desired trip times.

For example, if a rider wanted a pick-up time of 9:00 a.m., the request could not be made earlier than 9:00 a.m., two days prior to the day of the trip. Metro Mobility staff anticipates that changing to a true 48-hour advance reservation window would offer consumers a number of benefits, including: reducing the time callers must spend attempting to phone in their reservations, allowing more efficient scheduling and routing of trips, and reducing the number of trips riders must call in to cancel when their travel needs changes, since they are scheduling their trips closer to their actual travel dates.

The Metropolitan Council Transportation Accessibility Advisory Committee endorses the proposed change, pending input from the public hearings.

All interested persons are encouraged to attend the hearings and offer comments. The discussion at the public hearings is limited to the Metro Mobility reservation window.

People may register in advance to speak by calling Metro Mobility Customer Services at (651) 602-1111 or **TTY: (651) 221-9886**. Participants may also wait and sign up to speak at the hearings. Sign language interpreter services will be provided at the hearings. Upon request, reasonable accommodations to persons with disabilities will be provided if requested by February 9.

Comments may also be submitted in other formats:

- Written comments should be directed to Dave Jacobson, Metro Mobility Services Center, 230 E. 5th Street, St. Paul, MN 55101.
- Fax comments to Jacobson at (651) 602-1660.
- Send TTY comments to Jacobson's attention at (651) 221-9886.
- Or send comments to the Metropolitan Council's Email: data.center@metc.state.mn.us

Comments on the proposed change to the reservation window will be accepted until March 10, 2001.

Metropolitan Airports Commission

Notice of Public Hearing Concerning Acquisition of Property Near the Minneapolis – St. Paul International Airport Hennepin County, Minnesota

NOTICE IS HEREBY GIVEN that the Metropolitan Airports Commission, a public corporation organized under the laws of the State of Minnesota, will hold a public hearing pursuant to *Minnesota Statutes* § 473.641 to consider the acquisition by the Metropolitan Airports Commission of certain property located proximate to the Minneapolis St. Paul International Airport, more specifically:

Certain parcels located within the Fort Snelling United States Army Reserve Center of which lay within the Federal Runway Safety Area and Object Free Area for Runway 22.

The public hearing will commence at 1:00 p.m. on the 13th day of February 2001 in Room 3040 of the Lindbergh Terminal Building at the Minneapolis-St. Paul International Airport.

The hearing will afford interested persons, groups and agencies an opportunity for public consideration of the economic, social, and environmental effects of the proposed acquisition. Any person wishing to submit information relating to this matter may appear at the public hearing and make an oral statement or present written material. Persons intending to make oral presentations are requested to notify the Commission by February 13, 2001 in writing or by telephone to Ms. Jenn Unruh, Metropolitan Airports Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450; **phone:** (612) 726-8100. Written statements and other exhibits relating to this matter will be incorporated into the transcript of the hearing, provided such statements or exhibits are submitted at the hearing or are presented to the Metropolitan Airports Commission prior to the close of business on Friday, February 16, 2001.

Dated: 23 January 2001

Jeffrey W. Hamiel, Executive Director

Metropolitan Airports Commission

Notice of Public Hearing Concerning Acquisition of Property Near the Minneapolis – St. Paul International Airport Hennepin County, Minnesota

NOTICE IS HEREBY GIVEN that the Metropolitan Airports Commission, a public corporation organized under the laws of the State of Minnesota, will hold a public hearing pursuant to *Minnesota Statutes* § 473.641 to consider the acquisition by the Metropolitan Airports Commission of certain property located proximate to the Minneapolis St. Paul International Airport, more specifically:

Certain parcels located just west of the Air Force Reserve complex near the Southeast corner of the intersection of Minnesota Highway 62 and 34th Avenue South.

The public hearing will commence at 1:00 p.m. on the 13th day of February 2001 in Room 3040 of the Lindbergh Terminal Building at the Minneapolis-St. Paul International Airport.

The hearing will afford interested persons, groups and agencies an opportunity for public consideration of the economic, social, and environmental effects of the proposed acquisition. Any person wishing to submit information relating to this matter may appear at the public hearing and make an oral statement or present written material. Persons intending to make oral presentations are requested to notify the Commission by February 13, 2001 in writing or by telephone to Ms. Jenn Unruh, Metropolitan Airports Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450; **phone:** (612) 726-8100. Written statements and other

Official Notices

exhibits relating to this matter will be incorporated into the transcript of the hearing, provided such statements or exhibits are submitted at the hearing or are presented to the Metropolitan Airports Commission prior to the close of business on Friday, February 16, 2001.

Dated: 23 January 2001

Jeffrey W. Hamiel, Executive Director

Metropolitan Airports Commission

Notice of Public Hearing Concerning Acquisition of Property Near the Minneapolis – St. Paul International Airport Hennepin County, Minnesota

NOTICE IS HEREBY GIVEN that the Metropolitan Airports Commission, a public corporation organized under the laws of the State of Minnesota, will hold a public hearing pursuant to *Minnesota Statutes* § 473.641 to consider the acquisition by the Metropolitan Airports Commission of certain property located proximate to the Minneapolis St. Paul International Airport, more specifically:

Veterans Affairs Administration property in Sections 31 and 32, Township 28 North, Range 23 West, lying within an existing drainage/ravine area, all in Hennepin County.

The public hearing will commence at 1:00 p.m. on the 13th day of February 2001 in Room 3040 of the Lindbergh Terminal Building at the Minneapolis-St. Paul International Airport.

The hearing will afford interested persons, groups and agencies an opportunity for public consideration of the economic, social, and environmental effects of the proposed acquisition. Any person wishing to submit information relating to this matter may appear at the public hearing and make an oral statement or present written material. Persons intending to make oral presentations are requested to notify the Commission by February 13, 2001 in writing or by telephone to Ms. Jenn Unruh, Metropolitan Airports Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450; **phone:** (612) 726-8100. Written statements and other exhibits relating to this matter will be incorporated into the transcript of the hearing, provided such statements or exhibits are submitted at the hearing or are presented to the Metropolitan Airports Commission prior to the close of business on Friday, February 16, 2001.

Dated: 23 January 2001

Jeffrey W. Hamiel, Executive Director

Metropolitan Airports Commission

Notice of Public Hearing Concerning Acquisition of Property Near the Airlake Airport Dakota County, Minnesota

NOTICE IS HEREBY GIVEN that the Metropolitan Airports Commission, a public corporation organized under the laws of the State of Minnesota, will hold a public hearing pursuant to *Minnesota Statutes* § 473.641 to consider the acquisition by the Metropolitan Airports Commission of certain property located proximate West of the Airlake Airport located in Lakeville, Minnesota, more specifically:

The Watkins Pattern Company at 8420 W. 220th St., Lakeville, MN 55044.

The public hearing will commence at 1:00 p.m. on the 13th day of February 2001 in Room 3040 of the Lindbergh Terminal Building at the Minneapolis-St. Paul International Airport.

The hearing will afford interested persons, groups and agencies an opportunity for public consideration of the economic, social, and environmental effects of the proposed acquisition. Any person wishing to submit information relating to this matter may appear at the public hearing and make an oral statement or present written material. Persons intending to make oral presentations are requested to notify the Commission by February 12, 2001 in writing or by telephone to Ms. Jenn Unruh, Metropolitan Airports Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450; **phone:** (612) 726-8100. Written statements and other exhibits relating to this matter will be incorporated into the transcript of the hearing, provided such statements or exhibits are submitted at the hearing or are presented to the Metropolitan Airports Commission prior to the close of business on Friday, February 16, 2001.

Dated: 23 January 2001

Jeffrey W. Hamiel, Executive Director

Minnesota Housing Finance Agency

Notice of Hearing on Bond Issuance

The Minnesota Housing Finance Agency will hold a public hearing at 10:00 a.m., on Thursday, February 15, 2001, at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purpose of taking public testimony regarding the issuance of its Rental Housing Bonds in a maximum principal amount not to exceed \$6,000,000. The Bonds may be issued in one or more series and will be issued to fund one or more mortgage loans to pay for all or a portion of the costs of acquisition, rehabilitation and construction of the development hereinafter described, including facilities related and subordinate thereto, for residential rental housing as defined in the Agency's Rental Housing Bond Resolution. The development proposed to be assisted is:

Initial Owner Or Operator	Facility	Address
A limited partnership, the managing general partner of which will be Neil Esterkin	118 unit apartment complex (currently known as McKnight Terrace (Apartments))	3149 McKnight Road White Bear Lake, Minnesota

Additional information may be obtained from the Minnesota Housing Finance Agency, Attn: Sharon Bjostad. Parties wishing to comment on the issuance of the Bonds may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing.

Katherine Hadley
Commissioner
Minnesota Housing Finance Agency

Teachers Retirement Association

Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Thursday, February 15, 2001 at 9:30 a.m., in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

State 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

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 a firm to provide energy efficient improvements in a State facility. 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.

State Contracts

Respondents who wish to be considered for this project are required to attend a site visit scheduled for 10:00 a.m., February 28, 2001. Respondents must request a copy of "Request For Proposal", and submit a proposal for the facility on or before **2:00 p.m., March 14, 2001** to:

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

The facility considered for energy efficiency improvements is:

Anoka-Hennepin Technical College, Anoka, Minnesota

Minnesota State Colleges and Universities

Normandale Community College

Notice of Request for Proposal Summary - College Master Facilities Plan

Normandale Community College is seeking the services of a consulting team to develop a new comprehensive campus master facilities plan. Normandale was built in 1968 on a 100 acre campus in Bloomington, Minnesota. The College currently has seven interconnected buildings that total over 425,000 square feet. There have been four master plans developed since the college's inception. The latest plan was developed in 1988 is available for review. Planning and construction are currently underway to build a new 38,000 square foot science building adjacent to the existent science building. Completion of the new building is scheduled for 2003.

Normandale Community College is part of the Minnesota State Colleges and Universities System (MnSCU.) A new master plan is needed to support future capital requests to the Legislature. The plan should define current and future space needs, reflecting short and long-term demographics and enrollment projections, existing physical plant capacity and infrastructure.

Proposals are due by 4:00 p.m. on March 6, 2001. Call or write for the full RFP which will be sent free of charge to interested vendors. Contact:

Bernardine Bryant
Vice President - Administrative Services
Normandale Community College
9700 France Avenue South - Room L2781
Bloomington, MN 55431
Phone: (952) 487-8159
Fax: (952) 487-8263
Email: *b.bryant@nr.cc.mn.us*

Department of Transportation

Program Delivery Group

Metro Division, Hiawatha Project Office

Notice of Availability of Contract for Asbestos Abatement and Removal of Other Hazardous Materials from Selected Buildings

The Minnesota Department of Transportation (Mn/DOT) is requesting proposals for the purpose of asbestos abatement, and removal of all other hazardous materials from one (1) commercial structure and nine (9) residential structures and appurtenant structures which will be removed or remodeled as part of the Hiawatha Light Rail Project.

Work is proposed to start after March 19, 2001.

A Request for Proposals will be available by mail from this office through February 2, 2001. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After February 2, 2001, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from the Agreement Administrator:

Paul F. Keranen
Environmental Project Manager
Hiawatha -LRT Project Office
Suite 300, Ceresota Building
155 5th Avenue South
Minneapolis, Mn. 55401

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **February 9, 2001. Late proposals will not be considered.** No time extensions will be granted.

This request does not obligate Mn/DOT to complete the work contemplated in this notice. Mn/DOT reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Non-State 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 Council

Roof Replacement at MOW Building

The Metropolitan Council is soliciting sealed bids for Roof Replacement at the MOW Building. A Pre-Bid Conference will be held at the MOW Building, 707 16th Avenue South, Minneapolis, MN 55454 at 10:00 a.m., on February 6, 2001. Bids are due at 2:00 p.m., on February 13, 2001.

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
St. Paul, MN 55114
(612) 349-5070

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 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.

