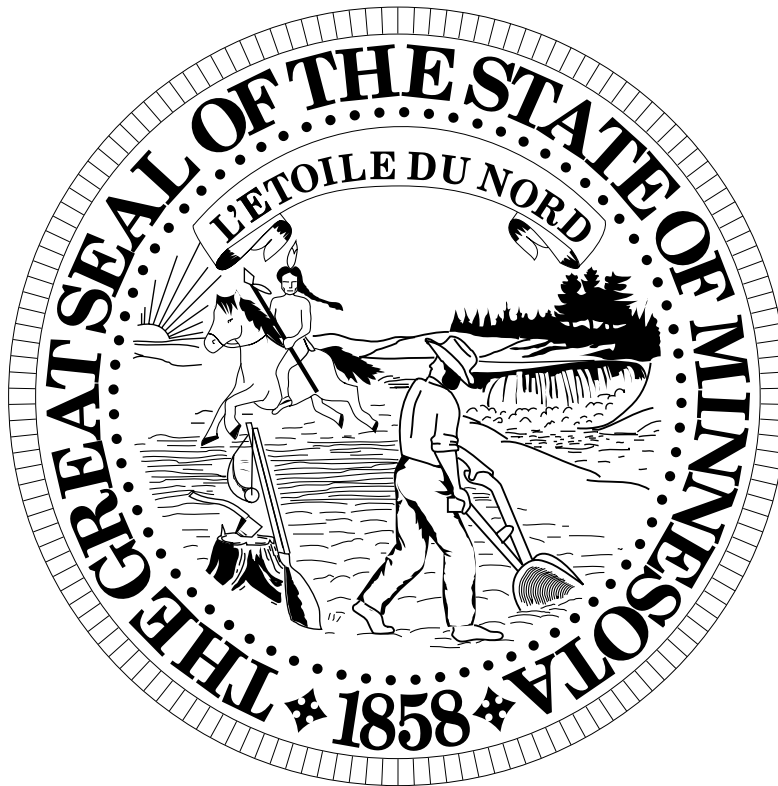


**State of Minnesota**

# **State Register**

**Rules and Official Notices Edition**



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

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# State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
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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
#4	Monday 24 July	Noon Wednesday 12 July	Noon Tuesday 18 July
#5	Monday 31 July	Noon Wednesday 19 July	Noon Tuesday 25 July
#6	Monday 7 August	Noon Wednesday 26 July	Noon Tuesday 1 August
#7	Monday 14 August	Noon Wednesday 2 August	Noon Tuesday 8 August

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## FOR LEGISLATIVE NEWS

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

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Room 175 State Office Building, St. Paul, MN 55155

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

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

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# Proposed Rules

## Comments on Planned Rules or Rule Amendments

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

## Rules to be Adopted After a Hearing

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

## Rules to be Adopted Without a Hearing

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

## Board of Chiropractic Examiners

### Proposed Permanent Rules Relating to the Graduate Preceptorship Program

#### NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

#### Proposed Rules Governing Graduate Preceptorship Program-Fee Clarification *Minnesota Rules*, 2500.1150.

**Introduction.** The Minnesota Board of Chiropractic Examiners 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. 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: Micki King at Minnesota Board of Chiropractic Examiners; 2829 University Avenue S.E. Suite 300, Minneapolis, MN 55414; **phone:** (612) 617-2226; and **fax:** (612) 617-2224; or **email:** at Micki.King@state.mn.us.

**Subject of Rules and Statutory Authority.** The proposed amendment to the current rule is about clarification of fees related to the Graduate Preceptorship Program. This amendment moves the fees associated with the Graduate Preceptorship program registration to the “fees” rule and further clarifies the fees associated with initial and renewal applications. The statutory authority to adopt the rule is *Minnesota Statutes*, section 148.08, Subd. 3. A copy of the proposed rule is published in the *State Register*.

**Comments.** You have until 4:30 p.m. on August 23, 2000 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 be 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 August 23, 2000. 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.

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

## Proposed Rules

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**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.

**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: 6 July 2000

Larry A. Spicer, DC  
MBCE Executive Director

### 2500.1150 FEES.

The fees charged by the board are fixed at the following rates:

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

I. graduate preceptor application or renewal, \$100 each;

J. incorporation renewal late charge, \$5 per month;

K. computer lists, \$100; and

L. computer printed labels, \$150.

### 2500.2515 ELIGIBILITY AND RESPONSIBILITIES OF PRECEPTOR.

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

Subp. 3. **Fees.** ~~If preceptor application is approved, a \$100 fee shall be assessed. An application for participation in the graduate preceptorship program shall be accompanied by a fee described in part 2500.1150. In the event the application is not approved, this fee shall be refunded.~~ In addition, the preceptor shall be assessed ~~a \$100~~ an annual renewal fee set forth in part 2500.1150 for continued participation in the preceptorship training program.

[For text of subps 4 and 5, see M.R.]

## Board of Chiropractic Examiners

### Proposed Permanent Rules Relating to Participation in the Graduate Preceptorship Program NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

#### Proposed Rules Governing Graduate Preceptorship Program, Termination, *Minnesota Rules*, 2500.2530.

**Introduction.** The Minnesota Board of Chiropractic Examiners 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. 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: Micki King at Minnesota Board of Chiropractic Examiners; 2829 University Avenue S.E. #300, Minneapolis, MN 55414-3220; **phone:** (612) 617-2222 and **fax:** (612) 617-2224; or **email:** at micki.king@state.mn.us.

**Subject of Rules and Statutory Authority.** The proposed rules are about the Graduate Preceptorship Program. This change to the rule clarifies when and under what conditions participation in the program terminates. The statutory authority to adopt the rule is *Minnesota Statutes*, section 148.08, Subd. 3. A copy of the proposed rules is published in the *State Register*.

**Comments.** You have until 4:30 p.m. on 8, September, 2000 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 23 August, 2000. 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 the 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.

**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.

Larry A. Spicier, DC  
Executive Director

#### **2500.2530 TERMINATION OF PRECEPTORSHIP PROGRAM.**

A preceptorship training program must terminate no later than 12 months after the intern's graduation from a board-approved chiropractic college inception. It must be terminated before that time if:

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

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

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

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

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

## Exempt Rules

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

## Emergency Expedited Rules

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

## Secretary of State

### Adopted Permanent Rules Relating to Election Official Training

The rules proposed and published at *State Register*, Volume 24, Number 37, pages 1278-1288, March 13, 2000 (24 SR 1278), are adopted with the following modifications:

#### 8240.0100 DEFINITIONS.

Subpart 1. **Scope.** Terms used in ~~parts 8240.0100 to 8240.2900~~ this chapter have the meanings given them.

#### 8240.0200 SCOPE.

Subpart 1. **Election judge training.** ~~Parts 8240.0100 to 8240.1100 and 8240.1300 to 8240.2500~~ establish the program for training election judges required by *Minnesota Statutes*, section 204B.25.

Subp. 5. **Minimum standards.** ~~Parts 8240.0100 to 8240.2900 are~~

A. This chapter is the minimum standard required of for training conducted under *Minnesota Statutes*, sections 204B.25 and 204B.27, subdivision 10.

B. When a part in this chapter establishes a specific length of time for a training course, the length of the course must be the shorter of the length specified or the length of time necessary to cover the content required for that course.

C. Nothing in this chapter restricts training authorities from implementing training programs more comprehensive than are required by ~~parts 8240.0100 to 8240.2900~~ this chapter.

#### 8240.0300 PROFICIENCY DEMONSTRATION.

~~To successfully complete a course required by this chapter, a person must take the entire course and demonstrate proficiency in a manner approved by the secretary of state. A person may consult the training materials provided during a training course while demonstrating proficiency for that course. A person who fails to demonstrate proficiency as required by this chapter may attempt to do so until the person demonstrates proficiency or until the deadline set by the training authority.~~ To successfully complete a course required by this chapter, a person must take the entire course and demonstrate proficiency to the person teaching the course. A person may demonstrate proficiency through completion of self-administered worksheets, hands-on demonstrations, or other methods approved by the secretary of state. A person may consult the training materials provided during a training course while demonstrating proficiency for that course. The secretary of state must not require the use of graded or pass/fail tests to determine proficiency.

#### 8240.1100 ~~TRAINING AUTHORITY CONFERENCE~~ "TRAIN THE TRAINER" SESSION.

Before each state primary election, each training authority shall attend training on adult education methods (i.e. "Train the Trainer" classes) ~~conducted or approved~~ by the secretary of state. If a county auditor delegates the duty to train election judges to a municipal election official and an election is to take place in that municipality before the next training conference held by the secretary of state, the county auditor shall train the municipal election official in administration of a training program.



“Train the trainer” classes given by an individual other than a county auditor or the secretary of state may fulfill the requirements of this part if the person taking the class submits a course description to the secretary of state and the secretary determines, based upon that course description, that the training covers adult education methods.

#### **8240.1655 QUALIFICATIONS FOR TRAINEE ELECTION JUDGES.**

Subp. 3. **Qualifications.** A trainee election judge must be a United States citizen, ~~a resident of the municipality in which the trainee election judge serves, and~~ must be at least 16 years of age, and must meet any residency requirement specified in Minnesota Statutes, section 204B.19, subdivision 6. Trainee election judges must provide certification from their school that they are enrolled in a Minnesota high school, have completed or are enrolled in a course on government at the time of service, and are performing at an academic level acceptable to the principal of the trainee’s high school.

#### **8240.2000 TRAINING MATERIALS.**

The secretary of state shall provide the county auditor with Minnesota Election ~~Judges Judge~~ Guides and training materials concerning changes in election laws, rules, forms, and procedures. The county auditor shall transmit these materials to training authorities in the county. The training authority shall provide election judges with copies of the Minnesota Election ~~Judges Judge~~ Guide to use at training sessions, with at least one copy for each head election judge. The municipal clerk or, for school district elections not held on the same day as another election, the school district clerk shall ensure that a Minnesota Election ~~Judges Judge~~ Guide is available at each polling place on election day for use by the election judges.

#### **8240.2200 ~~ELIMINATING~~ REMOVING ELECTION JUDGE FROM RECORD.**

An election judge may be ~~eliminated~~ removed from the training record who has not received election judge basic training during the preceding two years.

#### **8240.2400 TRAINING PLAN.**

Subpart 1. **Content.** Each training authority shall prepare a training plan.

The training plan must include the names of persons conducting training; number of sessions planned; projected attendance at each session; training materials to be used; training methods employed; and an outline of the content of each election judge training course.

Copies of all materials that will be distributed at the training sessions must be included with the training plan.

Subp. 2. **Inspection.** The training plan must be available for public inspection.

#### **8240.2700 MUNICIPAL CLERK TRAINING REQUIREMENT.**

Subp. 7. **Credit for election judge training authorities.** Time spent attending the adult education training methods course required by part 8240.1100 must not be counted toward fulfillment of a clerk’s initial certification requirement or biennial certification maintenance requirement. Time spent ~~giving teaching~~ the first session of each type of election judge training or attending any type of election judge training may be counted toward fulfillment of a clerk’s initial certification requirement or biennial certification maintenance requirement.

#### **8240.2800 SCHOOL DISTRICT CLERK TRAINING REQUIREMENT.**

Subp. 7. **Credit for election judge training.** Time spent attending any type of election judge training may be counted toward fulfillment of a clerk’s initial certification requirement or biennial certification maintenance requirement.

Subp. ~~7.~~ 8. **Record.** The home county auditor must keep a record of all school district clerks who receive election administration training. The record must contain the clerk’s name, the clerk’s school district, the name and date of any completed training course, the date certification was completed, the name and date of any completed post-certification courses, and the date the clerk’s certification expires. The auditor may remove a clerk’s name from the record if the clerk’s certification has been expired for at least two years.

Subp. ~~8.~~ 9. **Emergency training.** A school district clerk who has taken office less than six months before an election may administer that election after completing two hours of emergency training given by the home county auditor or secretary of state.

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

Subp. 9-10. **Certification for school district staff.** School district employees designated by the school district clerk may attend school district clerk election administration training courses. The home county auditor shall issue a certification of election administration to a school district designee who successfully completes a school district clerk election administration training course.

### **8240.2850 IMPLEMENTATION SCHEDULE FOR CERTIFICATION OF MUNICIPAL AND SCHOOL DISTRICT CLERKS.**

A municipal clerk who successfully completes at least ~~three~~ two hours of election administration training given by a county auditor or the secretary of state before September 1, 2000, is qualified to administer elections until December 31, 2001. A school district clerk who successfully completes at least ~~three~~ two hours of election administration training given by a county auditor or the secretary of state before the first school district election held after the adoption of parts 8240.2800 and 8240.2850 is qualified to administer elections until December 31, 2001. Municipal and school district clerks must successfully complete at least ~~two~~ three additional hours of training before December 31, 2001, to receive an initial election administration certification. The initial election administration certification received under this subpart is valid until December 31, 2003. To maintain the election administration certification, a municipal clerk must satisfy the biennial certification maintenance requirement in part 8240.2700, subpart 3, and a school district clerk must satisfy the biennial certification maintenance requirement in part 8240.2800, subpart 3.

### **8240.2900 COUNTY AUDITOR ELECTION ADMINISTRATION CERTIFICATION.**

Subp. 6. **Credit for election judge training authority.** Time spent attending the adult education training methods course required by part 8240.1100 must not be counted toward fulfillment of an auditor's initial certification requirement or annual certification maintenance requirement. Time spent ~~giving teaching~~ the first session of each type of election judge training or attending any type of election judge training may be counted toward fulfillment of an auditor's initial certification requirement or annual certification maintenance requirement.

## Exempt Rules

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

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

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

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

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

## Secretary of State

### **Adopted Exempt Rules Governing Satellite Offices Under Revised Article 9 of the Uniform Commercial Code**

#### **8280.0500 SATELLITE OFFICES.**

Subpart 1. Status and designation. Satellite offices are agents of the secretary of state, and all rules applicable to the secretary of state with respect to the Uniform Commercial Code apply to satellite offices. Satellite offices are designated by mutual agreement between the office of the secretary of state and a local county-based government office, normally the county recorder for that county. These mutual agreements are for an indefinite term and are subject to termination by the secretary of state or by the local county-based office upon 60-days notice.

**Subp. 2. Terminations.** The secretary of state shall use the following procedure to determine pursuant to *Laws 2000*, chapter 399, article 1, section 101, to be coded as *Minnesota Statutes*, section 336.9-530, subdivision 2, whether customer service has been severely impaired. However, at any point the secretary of state and the satellite office may attempt to resolve the dispute by mutual agreement:

A. The secretary of state may initiate a proceeding to terminate the satellite office because customer service has been severely impaired by notifying the chief executive of the satellite office in writing by certified mail of an intent to terminate, and describing the allegations upon which the intent to terminate is based.

B. Within 14 calendar days of the issuance of that notice, the satellite office shall provide a written response by certified mail addressing the allegations and describing the nature of the transactions in question and any and all facts relevant to the allegations.

C. If the secretary of state finds the response sufficient on its face to establish that customer service has not been severely impaired, the secretary of state shall, within seven calendar days of receipt of the response from the satellite office, cancel the proceeding to terminate the agent status of the satellite office.

D. If the secretary of state does not find the response sufficient on its face to establish that customer service has not been severely impaired, the secretary of state shall, within seven calendar days of receipt of the response from the satellite office, schedule a meeting with the chief executive of the satellite office to be held within ten calendar days after scheduling to discuss the allegations upon which the intent to terminate is based. A mediator from the Bureau of Mediation Services shall mediate the dispute.

E. If the secretary of state or her designated representative finds by a preponderance of the evidence that customer service has been severely impaired, the secretary of state or her designated representative must issue a finding terminating the satellite office status of the local county-based government office.

F. The satellite office status of the local county-based government office terminates at the end of the calendar month after the month in which the finding in item E was issued.

G. The secretary of state or her designated representative may choose to authorize another local county-based government office to become an agent of the secretary of state for purposes of operating a satellite office.

#### **8280.0510 IMAGE CONVERSION.**

The secretary of state shall arrange for the conversion of images of financing statements currently filed with the county recorder of each county to a centralized image base. Each county recorder shall scan or convert or provide for the scanning or conversion of each active financing statement and any amendments or other filings connected thereto in a manner meeting technical standards to be established by the secretary of state. The secretary of state shall pay each county recorder a flat fee of 50 cents for all of the documents filed for each financing statement, including amendments and other associated filings, except that the secretary of state shall pay county recorders a flat fee of 25 cents for documents which have already been converted into a digitized format.

**PERIOD OF EFFECTIVENESS.** Notwithstanding *Minnesota Statutes*, section 14.386, paragraph (b), parts 8280.0500 and 8280.0510 remain in effect until July 1, 2003.

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

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

## Office of the Governor

### Emergency Executive Order #00-05: Providing for Personnel and Equipment for the Prairie Island Nuclear Power Plant Drill and Exercise

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

**WHEREAS**, the Minnesota Department of Public Safety, Division of Emergency Management, has requested assistance in providing personnel and equipment to support the Prairie Island Nuclear Power Plant Drill and Exercise; and

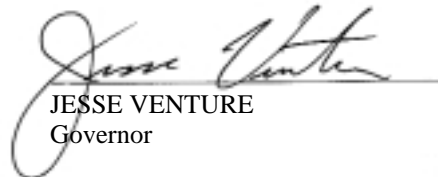
**WHEREAS**, adequate personnel and equipment are not available from the Department of Public Safety, other participating agencies, Goodhue and Dakota Counties of Minnesota, and other local authorities;

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

1. The Adjutant General of Minnesota order to active duty as needed during the period of July 18, 2000, to September 13, 2000, in the service of the State, such personnel and equipment of the military forces of the State as needed by the Department of Public Safety, Goodhue and Dakota Counties to successfully complete the Prairie Island Nuclear Power Plant Drill and Exercise.
2. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be paid by the Department of Public Safety, Division of Emergency Management, as provided by an interdepartmental agreement dated August 7, 1995.

Pursuant to *Minnesota Statutes* 1998, Section 4.035, subd. 2, this Order shall be effective July 18, 2000, through September 13, 2000.

**IN TESTIMONY WHEREOF**, I have set my hand this thirteenth day of July, 2000.



JESSE VENTURE  
Governor

Filed According to Law:



MARY KIFFMEYER  
Secretary of State

## Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible 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.

### Minnesota Housing Finance Agency

#### REQUEST FOR COMMENTS on Planned Amendment to Rules Governing the Definition of Capital Contribution of the Investors for the Redefined Equity Program, *Minnesota Rules*, Part 4900.0010, Subpart 7, Paragraph A(3)

**Subject of Rules.** The Minnesota Housing Finance Agency (the “Agency”) requests comments on its planned amendment to rules governing the definition of “Capital Contribution of the Investors” for the Redefined Equity Program (the “Program”). The Program, which the Agency instituted in 1986, provides financial incentives to owners of affordable rental housing that receives federal assistance through the project-based Section 8 program or the Section 236 program to continue participating in those federal housing programs, thus preserving the housing as decent and affordable for very low income persons and families. The Agency is considering a rule amendment that would allow for a greater number of owners to participate in the Program. The purpose of this amendment is to expand the scope of the Program by easing the restrictions on participation and by broadening the group of eligible owners to include owners of developments that do not receive federal assistance through the project-based Section 8 or Section 236 programs.

**Persons Affected.** The amendment to the rules would likely affect the developers and owners of and the investors in Agency-financed multifamily rental housing as well as persons and families of very low, low and moderate incomes.

**Statutory Authority.** *Minnesota Statutes* section 462A.06, subdivisions 4 and 11, authorize the Agency to adopt rules pursuant to *Minnesota Statutes*, Chapter 14, to carry out its programs. *Minnesota Statutes* section 462A.03, subdivision 13, which permits the Agency to determine the return to a limited dividend entity as a percentage of the capital contribution of the investors, also provides statutory authority for the amendment.

**Public Comment.** Interested persons or groups may submit comments or information on these planned amendments in writing until 4:30 p.m. on September 29, 2000. The Agency does not contemplate appointing an advisory committee to comment on the planned amendments.

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

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the amendment, and requests for more information on these planned amendment should be addressed to: Gayle Rusco, 400 Sibley Street, Suite 300, St. Paul, MN 55101, (651) 296-8093. TTY users may call the Agency at (651) 297-2361.

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

Dated: 31 July 2000

Katherine G. Hadley, Commissioner  
Minnesota Housing Finance Agency

### Department of Human Services

#### Finance and Management Operations - Reimbursement Division

#### Public Notices of the Disproportionate Population Adjustment for State Regional Treatment Centers and the Payment Rates for the State Regional Treatment Centers

**NOTICE IS HEREBY GIVEN** to recipients, providers of services under the Medical Assistance (MA) Program, and to the public, of changes concerning the disproportionate population adjustment (DPA) and the payment rates for Regional Treatment Centers under the MA Program. This notice is published pursuant to the *Code of Federal Regulations*, Title 42, section 447.205, which requires public notice of any significant proposed change in the methods and standards for setting payment rates for services.

## Official Notices

This notice is also published pursuant to 42 *United States Code* section 1396a(a)(13), which requires the Department to publish payment rates for institutional providers, the methodologies underlying the establishment of such rates, and the justification of such rates.

In conjunction with the current state fiscal year's budget for Regional Treatment Centers, as appropriated by the legislature, payment rates are determined in accordance with *Minnesota Statutes*, section 246.50, subdivision 5.

The following DPA factors are effective for admissions occurring from July 1, 2000 through June 30, 2001. The inpatient payment rate of each Regional Treatment Center is increased by the indicated percentage.

### DPA Adjustment

Facility	Percentage
Anoka-Metro	24.3100%
Brainerd	18.2500%
Eveleth	28.6000%
Fergus Falls	13.5000%
St. Peter	26.8100%
Willmar	23.4500%

The following payment rates are effective from July 1, 2000 through June 30, 2001.

### Payment Rates

Facility	Adult Mental Illness	Mental Retardation	Traumatic Brain Injury	Psychopathic Personality	Nursing Facility
Anoka	\$405				
Brainerd	\$469		\$856		\$405
Fergus Falls	\$633				
Eveleth	\$384				
St. Peter	\$435				
Willmar	\$537				
Cambridge		\$778			
Moose Lake				\$268	
Ah Gwah Ching					\$323

Questions and comments may be directed to:

Larry Houff  
Department of Human Services  
State Operated Services Division  
444 Lafayette Road North  
St. Paul, MN 55155-3824  
(651) 634-2209

## Metropolitan Radio Board

### Public Hearing on Proposed 2001 Budget

The Metropolitan Radio Board will hold a public hearing on its proposed 2001 budget. The budget provides funds for the Board's share of capital, leasing and construction management costs for a region-wide 800 megahertz digital two-way public safety radio system for the metropolitan area.

**The hearing will be held Friday, Aug. 4, 2000, 9 a.m., at the Metropolitan Counties Government Center (formerly the Mosquito Control District Offices), 2099 University Avenue, St. Paul.** All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling (651) 602-1622 or (651) 291-0904 (TTY). Persons with disabilities may contact the Board at the same numbers to request reasonable accommodations for the public hearing.

**Comments, which must be received by 4 p.m., August 2, 2000, may also be submitted as follows:**

- Send written comments to: Bill Dean, Metropolitan Radio Board, Mears Park Centre, 230 E. 5th St., St. Paul, MN 55101
- Fax comments to Bill Dean at (651) 602-1863

- Record comments on the Metropolitan Council's Public Comment Telephone Line at (651) 602-1500
- E-mail comments to [bill.dean@metc.state.mn.us](mailto:bill.dean@metc.state.mn.us)
- Send TTY comments to (651) 291-0904

Copies of the public hearing draft of the proposed 2001 budget are available through the Metropolitan Council Data Center. Call (651) 602-1140 or (651) 291-0904 (TTY) to request a copy.

## Metropolitan Council

### Public Hearing: I-MN-320 Improvements Facility Plan

Harrison Community Center Multipurpose Room

503 Irving Ave., No., Minneapolis, MN 55405

Thursday, August 24, 2000 at 7:00 p.m.

The Metropolitan Council will hold a public hearing on the I-MN-302 Improvements Facility Plan, MCES Project No. 800400. The public hearing is on what the new alignment of metropolitan wastewater interceptor sewer facilities to be constructed to replace existing deteriorated interceptor sewer facilities.

Metropolitan Council Environmental Services (MCES) has prepared a draft facility plan for a replacement sewer about 3,750-feet long interceptor sewer, 48-inch to 54-inch diameter gravity sewer and associated maintenance structures and work. About 1,600 feet will be microtunneled and the balance will be via conventional "cut & cover" methods. An alternative would be for all but about 460-feet to be open cut method of construction. The new interceptor would run from Currie Avenue & Irving Avenue North, up Cedar Lake Road North, then Girard Terrace to Olson Highway, and terminate by reconnecting to I-MN-320 at Dupont Avenue North & Olson Highway. The construction is scheduled to begin about May 2001 and be completed by about May 2002.

Copies of the Draft Facility Plan are available for review at:

Minneapolis Central Library  
300 Nicollet Mall, Minneapolis, MN

Minneapolis Summer Branch Library  
611 Emerson Ave., N., Minneapolis, MN

Metropolitan Council Environmental Services  
Office of Customer Relations and Environmental Education  
230 East Fifth Street, St. Paul, MN

All interested persons are encouraged to attend the hearing and provide comments.

Comments, which must be received by Pauline Langsdorf prior to September 5, 2000, may also be submitted as follows:

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

### Minnesota Partnership for Action Against Tobacco

#### Board Vacancy Announcement (Community Organizing)

The Minnesota Partnership for Action Against Tobacco (MPAAT) is seeking qualified candidates to submit applications to serve on its twenty-one member board of directors.

##### Organization

MPAAT is a unique organization in the United States. Born out of Minnesota's tobacco trial, it is an independent non-profit organization entrusted with two hundred two million dollars over a twenty-five year period to help reduce the harm tobacco causes Minnesotans. MPAAT will offer grant programs beginning in *July 2000* in the areas of tobacco intervention and research.

##### Accountability

MPAAT is a private, non-profit, 501(c)(3) corporation with a unique public health mission. Its board of directors, ten of whom are either appointed by elected officials or are themselves local government employees, governs MPAAT. Because of its origin in the tobacco litigation, the organization remains under the jurisdiction of the Ramsey County District Court, reports periodically to both the court and the legislature, and is subject to audit by the Legislative Auditor.

##### Board Member: Terms and Qualifications

Under the terms prescribed by the Ramsey District Court, the appointee will serve on the board until the term expires on September 29, 2003. Board service is completely voluntary. The full MPAAT board of directors will choose candidates.

##### Applicants must:

- By education, training or experiences, have demonstrated special skills in *community organizing*.
- Have demonstrated history of activities directed at, or expertise related to, reducing human and economic consequences of tobacco use.
- Have had no affiliation with the tobacco industry or related trade associations within the last ten years.
- Candidates from Greater Minnesota preferred.

\*Interested candidates should submit a resume and brief statement of interest and qualifications to: **Christine Rice, Chair Nominating Committee, MPAAT, 590 Park Street, Suite 400, St. Paul, MN 55103, no later than September 1, 2000.**

### Minnesota Partnership for Action Against Tobacco

#### Board Vacancy Announcement (Representing a Health Care Provider or Health Care Payor)

The Minnesota Partnership for Action Against Tobacco (MPAAT) is seeking qualified candidates to submit applications to fill two vacancies, to serve on its twenty-one member board of directors.

##### Organization

MPAAT is a unique organization in the United States. Born out of Minnesota's tobacco trial, it is an independent non-profit organization entrusted with two hundred two million dollars over a twenty-five year period to help reduce the harm tobacco causes Minnesotans. MPAAT will offer grant programs beginning in *July 2000* in the areas of tobacco intervention and research.

##### Accountability

MPAAT is a private, non-profit, 501(c)(3) corporation with a unique public health mission. Its board of directors, ten of whom are either appointed by elected officials or are themselves local government employees, governs MPAAT. Because of its origin in the tobacco litigation, the organization remains under the jurisdiction of the Ramsey County District Court, reports periodically to both the court and the legislature, and is subject to audit by the Legislative Auditor.



**Board Member: Terms and Qualifications**

Under the terms prescribed by the Ramsey District Court, the appointee will serve on the board until the term expires on September 29, 2003. Board service is completely voluntary. The full MPAAT board of directors will choose candidates.

**Applicants must:**

- Be employed by, or represent a *health care provider or health care payor*.
- Have demonstrated history of activities directed at, or expertise related to, reducing human and economic consequences of tobacco use.
- Have had no affiliation with the tobacco industry or related trade associations within the last ten years.

\*Interested candidates should submit a resume and brief statement of interest and qualifications to: **Christine Rice, Chair Nominating Committee, MPAAT, 590 Park Street, Suite 400, St. Paul, MN 55103, postmarked no later than September 1, 2000.**

**Minnesota Partnership for Action Against Tobacco****Board Vacancy Announcement (Representing an Organization for Reducing the Human, Social, and Economic Consequences of Tobacco Use)**

The Minnesota Partnership for Action Against Tobacco (MPAAT) is seeking qualified candidates to submit applications to serve on its twenty-one member board of directors.

**Organization**

MPAAT is a unique organization in the United States. Born out of Minnesota's tobacco trial, it is an independent non-profit organization entrusted with two hundred two million dollars over a twenty-five year period to help reduce the harm tobacco causes Minnesotans. MPAAT will offer grant programs beginning in *July 2000* in the areas of tobacco intervention and research.

**Accountability**

MPAAT is a private, non-profit, 501(c)(3) corporation with a unique public health mission. Its board of directors, ten of whom are either appointed by elected officials or are themselves local government employees, governs MPAAT. Because of its origin in the tobacco litigation, the organization remains under the jurisdiction of the Ramsey County District Court, reports periodically to both the court and the legislature, and is subject to audit by the Legislative Auditor.

**Board Member: Terms and Qualifications**

Under the terms prescribed by the Ramsey District Court, the appointee will serve on the board until the term expires on September 29, 2003. Board service is completely voluntary. The full MPAAT board of directors will choose candidates.

**Applicants must:**

- Be employed by, or representing an organization which have as their *primary organizational purpose reducing the human, social and economic consequences of tobacco use*.
- Have demonstrated history of activities directed at, or expertise related to, reducing human and economic consequences of tobacco use.
- Have had no affiliation with the tobacco industry or related trade associations within the last ten years.

\*Interested candidates should submit a resume and brief statement of interest and qualifications to: **Christine Rice, Chair Nominating Committee, MPAAT, 590 Park Street, Suite 400, St. Paul, MN 55103, no later than September 1, 2000.**

### Minnesota State Retirement System

#### Board of Directors, Regular Meeting

The Board of Directors of the Minnesota State Retirement System will be meeting on Friday, July 28, 2000, at 9:00 a.m. in the office of the System, 175 W. Lafayette Frontage Road, Suite 300, St. Paul, Minnesota 55107.

### Minnesota Pollution Control Agency

#### North District

#### Notice of Intent to Approve the Creation of the Knife River-Larsmont Sanitary District in Accordance with *Minnesota Statutes* §§ 115.18 to 115.20

Lake County has petitioned the Minnesota Pollution Control Agency (MPCA) to approve the creation of a sanitary district to be known as the Knife River-Larsmont Sanitary District. The purpose of the sanitary district is to promote the public health and welfare by providing the residents within its boundaries an adequate and efficient system and means of collecting, conveying, pumping, treating and disposing of domestic sewage.

The territory of the proposed district is within that portion of Lake County, Minnesota lying in Township 52 North, Range 11 West of the Fourth Principal Meridian. The territory of the proposed sanitary district is legally described as:

- that part of Sections 31, 30, 29, 20, 21, 16, 15 and 10 lying between the Southeasterly right of way of Minnesota State Highway 61 and the Lake Superior shoreline; and
- that part of the Westerly One-Half (W1/2) of Sections 11 and 2 lying between the Southeasterly right of way of Minnesota State Highway 61 and the Lake Superior shoreline; and
- that part of the Easterly One-Half (E1/2) of Section 2 lying between the Southeasterly right of way of Minnesota State Highway 61 and the Northwesterly right of way of Lake County Highway 61.

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

The public has 30 days to submit written comments on the petition. If a person objects to the petition, that person may submit a written request for a hearing that meets the requirements of *Minnesota Rules* 7000.1800 and 7000.1900. The written comments or a written request for a hearing must be submitted to the MPCA by 4:30 p.m. on August 24, 2000. If 25 or more timely requests for hearing are received, the MPCA will schedule a hearing prior to making a determination on the petition.

Following the end of the comment period and, if held, the contested case hearing, the MPCA Commissioner will decide whether to approve the petition for creation of the district unless, as provided by *Minnesota Statutes* § 116.02, the MPCA Citizens' Board makes this decision. You have the right to submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board make the decision on approval of the petition for creation of the Knife River - Larsmont Sanitary District. Your petition must be in writing and must be received by MPCA staff during the public comment period. The MPCA Citizens' Board will only make the decision on approval of the petition for creation of the sanitary district if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.

A copy of the petition, resolutions, map of the area within the proposed sanitary district with the legal description, and other documents relevant to the petition can be requested from the MPCA. Comments, questions, and requests for a hearing regarding the creation of the sanitary district and requests for information must be submitted in writing to:

John Thomas  
Regular Facilities Unit  
Duluth Sub-district  
Minnesota Pollution Control Agency  
525 Lake Avenue South, Suite 400  
Duluth, MN 55802

**telephone:** (218) 723-4928  
**toll-free:** 1-800-657-3864  
**TTY:** (651) 282-5332  
**fax:** (218) 723-4727

This notice, the petition, and other documents relevant to the petition can be made available in other formats, including Braille, large print, audio tape, and other languages upon request.

Dated: 7 July 2000

Karen A. Studders  
Commissioner

## State Grants & Loans

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

## Metropolitan Council

### Notice of Request for Projects Under the MetroEnvironment Partnership Grant Program

**Purpose:** The MetroEnvironment Partnership Grant Program was established to provide grants to address nonpoint source pollution to Metropolitan Area lakes, streams, and rivers. Projects must be directed toward the abatement, control or prevention of nonpoint source pollution. Applicants are encouraged to work cooperatively with other local government and non-government organizations to develop joint, multi-purpose projects. This is the second year of this five year grant program.

**Eligible Project Sponsors:** Public entities including state, federal, county, and city government; soil and water conservation districts; watershed management organizations; public schools; nonprofit organizations, or trade and professional organizations are eligible. The project must be located in whole or in part within the seven-county metropolitan area. The sponsor of a project located only partly in the metro area must be a state agency, or a governmental entity with jurisdiction into the metro area.

**Proposal Submission Dates:** Completed grant applications must be received by 4 p.m., Friday, October 6, 2000, at the offices of the Metropolitan Council.

**Grant Matching Funds:** A match of 25 percent cash or in-kind funds is required for the grants.

**To Receive an Application:** Call the Metropolitan Council Data Center at (612) 602-1140 or TTY (612) 291-0904. Applications are also available on the Council's **web site** at [www.metrocouncil.org](http://www.metrocouncil.org).

**For More Information:** Call Jack Frost, (651) 602-1078, Joe Mulcahy, (651) 602-1104, or TTY (651) 291-0904.

## Minnesota Office of Environmental Assistance

### Notice of Request for Proposals

The Minnesota Office of Environmental Assistance (OEA) is a state agency that works to protect Minnesota's Environment and assure a sustainable economy through waste prevention and resource conservation.

Our Mission is supported by the following environmental outcomes that describe what the OEA is trying to accomplish with all of its activities including this grant round:

- Minnesotans prevent waste and pollution and conserve resources.
- Minnesota's waste is recycled and managed in an environmentally sound manner.
- Minnesota communities are sustainable.
- Minnesotans make educated decisions and actions regarding the environment.

The OEA uses state funds to provide seed money for new programs and projects, to support and showcase local efforts, to transfer technology and results to others in Minnesota and to challenge and support innovation. All grant projects must include results, in the form of data and information that clearly demonstrate progress toward achieving one or more of the four environmental outcomes. The OEA uses the information from funded grants to illustrate progress toward meeting the environmental outcomes to external parties, such as taxpayers and the legislature.

The maximum grant award is \$75,000. A one-to-one match is required.

Building from the four broad environmental outcomes listed above, OEA has identified in its current strategic plan five specific program priorities. The priorities include assisting businesses to become environmental stewards, developing education that brings about behavioral change and reducing waste. This RFP lists funding priorities that we consider will help us achieve our strategic priorities.

This notice is issued by the Director of the OEA under authority provided in *Minnesota Statutes* § 115A.0716 which allows the director to administer its Environmental Assistance Grant and Loan Program.

The purpose of this notice is to solicit pre-proposals for projects for Fiscal Year 2001 Open Grant Round.

## State Grants & Loans

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### PRIORITY TOPIC AREAS FOR FISCAL YEAR 2001 OPEN GRANT ROUND

Preference will be given to project proposals that address the priorities listed below. All projects must demonstrate measurable progress towards achieving one or more of the OEA environmental outcomes. OEA is interested in projects that promote a sustainable approach, and take into account the benefits to the environment, the community and the economy. Project proposals that do not address the priorities outlined below but can clearly demonstrate progress towards achieving one or more of the four environmental outcomes will still be considered but are less likely to be awarded.

#### A. Education for behavioral change

Environmental education capacity-building is enhanced in communities throughout the state. Communities become more sustainable through a mix of educational efforts and implementation strategies.

1. The GreenPrint (the state plan for environmental education) is implemented. (Note: The GreenPrint is available to view on [www.seek.state.mn.us](http://www.seek.state.mn.us) or please call (800) 657-3843 for a printed copy).
2. Sharing Environmental Education Knowledge (SEEK) network usage is increased significantly.
3. Local economies are strengthened, the quality of life in communities is improved and the environment is protected through pollution prevention and resource conservation.

#### B. Waste reduction

Overall waste generated in Minnesota is reduced by 10 percent, from 1998 volumes.

1. The amount and/ or the toxicity of waste generated by consumers, business, or a specific community is reduced.
2. There is increased knowledge of waste reduction throughout the state.

#### C. Procurement

Government, communities and businesses procure more resource efficient, recycled content, and less toxic products.

1. Sustainable/green building practices are used by architects, builders and communities.
2. There is increased government, community and business procurement of resource efficient, recycled content and less toxic products.

#### D. Businesses as environmental stewards

Businesses and institutions consider and address the human health and environmental impacts of their services, processes and products.

1. Businesses and institutions decrease their use and generation of Toxic Release Inventory and hazardous chemicals.
2. Manufacturers incorporate environmental considerations in product design and manufacture.
3. Manufacturers and retailers take more responsibility for the environmental impact(s) associated with the products they develop, manufacture or sell; in doing this, work with government, communities or citizen-based groups to ensure pollution prevention and the reuse, recycling and/or proper disposal of those products.

The OEA has approximately \$1.4 million for grants during this funding round and/or any supplemental grant rounds. In an effort to be more responsive to our customers and to allow for speedier funding decisions, the OEA welcomes pre-proposal submission at any time throughout the year. Funding decisions and grant awards will be made three times: October 2000, January 2001 and April 2001. The OEA has prepared a Request for Proposal (RFP) that provides pre-proposal application forms and detailed information on pre-proposal evaluation, guidelines for funding, review procedures, and other relevant information. Interested persons may obtain a copy of the RFP by contacting:

Sally Peterson  
Minnesota Office of Environmental Assistance  
520 Lafayette Road, 2nd Floor  
St. Paul, MN 55155-4100  
(651) 215-0286 or (800) 657-3843 (toll free in Minnesota)  
**email:** [sally.peterson@moea.state.mn.us](mailto:sally.peterson@moea.state.mn.us) or visit OEA's **web site:** <http://www.moea.state.mn.us>

# Minnesota Office of Environmental Assistance

## Notice of Supplemental Request for Proposals

The Minnesota Office of Environmental Assistance (OEA) is a state agency that works to protect Minnesota's Environment and assure a sustainable economy through waste prevention and resource conservation.

Our Mission is supported by the following environmental outcomes that describe what the OEA is trying to accomplish with all of its activities including this grant round:

- Minnesotans prevent waste and pollution and conserve resources.
- Minnesota's waste is recycled and managed in an environmentally sound manner.
- Minnesota communities are sustainable.
- Minnesotans make educated decisions and actions regarding the environment.

The OEA uses state funds to provide seed money for new programs and projects, to support and showcase local efforts, to transfer technology and results to others in Minnesota and to challenge and support innovation. All grant projects must include results, in the form of data and information that clearly demonstrate progress toward achieving one or more of the four environmental outcomes. The OEA uses the information from funded grants to illustrate progress toward meeting the environmental outcomes to external parties, such as taxpayers and the legislature.

The maximum grant award is \$250,000. A one-to-one match is required.

This notice is issued by the Director of the OEA under authority provided in *Minnesota Statutes* § 115A.0716 which allows the director to administer its Environmental Assistance Grant and Loan Program.

The purpose of this notice is to solicit pre-proposals for projects for Fiscal Year 2001 Market Development and Product Stewardship Targeted Grant Round.

## II. Targeted Grant Priorities - Market Development for Recyclable Materials and Product Stewardship

Building from the four broad environmental outcomes listed above, OEA has identified in its current strategic plan five specific program priorities. One of the priorities is solid waste systems maintenance and development, with a focus on providing assistance to secondary material manufacturers. The RFP lists funding priorities that we consider will help us achieve our strategic priorities.

Product stewardship means that all parties who have a role in designing, producing, selling or using a product must take responsibility for the full environmental impact of that product throughout its life.

Product stewardship grants MUST increase product stewardship activities and enhance business involvement in implementing stewardship principles. Particular attention will be focused on grant proposals that include activities related to any of the three state-identified priority products: paint, carpet and electronics with CRTs.

Market development grants MUST enhance and improve the collection of recyclable material and/or develop or enhance markets for recycled materials or non-hazardous industrial waste in the state.

### 1. Funding priority: Innovative Collection and Recycling Systems

Grant proposals developed under this priority should focus on the development of an innovative collection and recycling system for materials in the state. The Minnesota collection system was developed over the last 10 years. There is potential to increase recycling efficiency by redeveloping systems for recyclable material collection and processing at lower costs while maintaining market value and utility of secondary materials.

### 2. Funding priority: Expand Existing Production Process

Grant proposals developed under this priority should expand existing production processes that add-value to or use recycled material as a manufacturing feedstock. The intent of this priority is to provide a source of capital to businesses to expand their capacity to make recycled-content products or add value to recyclable material. Application may be made for capital equipment for existing businesses. Preference will be given to innovative projects.

### 3. Funding priority: New Product Development

Grant proposals developed under this priority should focus on research, development and testing of new products using recycled material or non-hazardous industrial waste as a feedstock. The intent of this priority is to assist companies to develop new products that are made of recycled-content material.

## State Grants & Loans

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### 4. Funding priority: Existing Product Development

Grant proposals developed under this priority should focus on research, development and testing of the use of recycled material in existing products that are currently produced using virgin materials. The intent of this priority is to provide an incentive to research and test recycled material for use in existing products. There are numerous opportunities to use recycled material in products that are currently undeveloped due to quality, performance and compatibility concerns.

The OEA has approximately \$1.4 million for grants during this funding round and the open grant round. The OEA is now accepting pre-proposal submissions for projects that enhance and improve the collection of recyclable material and the markets for recycled materials or non-hazardous industrial waste in the state. Pre-proposals must be e-mailed and/or postmarked by October 16, 2000. Funding decisions and grant awards will be made in February 2001.

The OEA has prepared a Request for Proposal (RFP) that provides pre-proposal application forms and detailed information on pre-proposal evaluation, guidelines for funding, review procedures, and other relevant information. Interested persons may obtain a copy of the RFP by contacting:

Sally Peterson  
Minnesota Office of Environmental Assistance  
520 Lafayette Road, 2nd Floor  
St. Paul, MN 55155-4100  
(651) 215-0286 or (800) 657-3843 (toll free in Minnesota)  
**email:** [sally.peterson@moea.state.mn.us](mailto:sally.peterson@moea.state.mn.us) or visit OEA's **web site:** <http://www.moea.state.mn.us>

## Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

## Department of Administration

### STAR Program (A System of Technology to Achieve Results)

#### Notice of Availability - A Contract for Legal Protection and Advocacy Services for People With Disabilities in Acquiring Assistive Technology, \$45,000

STAR is offering a contract for protection and advocacy services for people with disabilities in acquiring assistive technology. This contract is available on a competitive basis. STAR is accepting proposals from Minnesota based organizations who wish to provide legal assistance to unserved, underserved, or under-represented people with disabilities. This includes minorities, persons with low incomes, and persons with limited English proficiency. Applicants should have demonstrated ability to carry out the following priorities:

- A. Legal advocacy for people of all ages; Guidance in the assistive technology acquisition appeals process
- B. Provision of legal services for consumers of assistive technology from negotiation, to trial and appeal; Ability to provide assistance to other advocates throughout the state; Outreach to minority communities
- C. Helping people obtain funding for assistive technology; Collaborate with other local and statewide legal and community groups; Increase peoples capacity to advocate for themselves by providing training, materials, and technical assistance to consumers, parents and advocates; Increase knowledge among medical personnel so they can advocate for consumers of assistive technology.

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## Professional, Technical & Consulting Contracts

One contract worth \$45,000 may be made. Interested parties could include, but are not limited to, legal aid societies, law schools or law firms. The successful applicant must be able to provide services throughout the state of Minnesota. Proposals must be received by Friday, August 25, 2000, 4:00 PM in the format specified in the application package. These funds may not be used to supplant activities or services mandated by other federal or state legislation. In compliance with *Minnesota Statutes* 16C.08, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee, along with other responses to this request for proposal. Materials detailing the process will be available Friday, July 28, 2000, and can be obtained by contacting STAR at (651) 296-2771, (651) 296-9478 TTY, (800) 657-3862, (800) 657-3895 TTY. Questions should be directed to Tom Shaffer, the Program and Development Specialist at (651) 296-9718.

### Department of Health

#### Family Health Division

#### Minnesota Children with Special Health Needs Section

#### Notice of Intent to Request Proposals for Minnesota Diabetes in Youth Program

**NOTICE IS HEREBY GIVEN** that the Minnesota Children with Special Health Needs [MCSHN] requests proposals for the health care management of children with diabetes from organizations which engage in the provision of both health care and education related to the clinical management of diabetes in children. The Minnesota Diabetes in Youth Program's [MDYP] goal is to implement diabetes education philosophy and practices throughout seven regional sites in the state. A major part of the MDYP services involves twice-yearly diabetes clinics at seven regional sites to be staffed by personnel with diabetes expertise. The staff, at a minimum level, is to consist of a family counselor, dietitian, certified diabetes nurse educator, and a diabetes nurse specialist. This staff is to be overseen by a pediatric endocrinologist who will serve as the medical director for the outreach project. Such clinical and educational services are to be held in seven regions of the state for children and youth with diabetes along with their families and community health professionals.

The contractor's duties shall include the development and implementation of developmentally appropriate and state-of-the-art pediatric diabetes management; assembling a team to include a pediatric endocrinologist, family counselor/psychologist, diabetes nurse specialist, and diabetes nutrition specialist; providing on-site clinical and educational services; scheduling the clinical services, and arranging for the assembled team to provide such services; provide clinical assessment, teaching tools, and materials; providing a medical report of the clinic encounter to the primary care physician and others at the family's direction; maintaining a registry of children with diabetes referred to the clinics; conducting evaluation of the program; and maintaining a data base on each child attending clinic related to key clinical indicators; and, preparing a summary report.

**Duration:** September 18, 2000 to August 21, 2001

**Amount:** The total obligation of the state for all compensation and reimbursements to contractor shall not exceed ninety thousand dollars in the contract period.

**Applications:** The complete Request for Proposals packet, including the more detailed request for proposals and the criteria for review of applications is available upon request from Nancy Vanderburg at (651) 281-9993 or the address below.

**Deadline:** Three copies of the completed proposal must be submitted by **4:00 p.m. September 6, 2000** to:

Nancy Vanderburg, Public Health Policy Planner  
Minnesota Department of Health  
85 E. Seventh Place PO Box 64882  
St. Paul, MN 55164-0882

## Professional, Technical & Consulting Contracts

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### Department of Human Services Health Care Operations Division

#### Request for Information (RFI) About and Demonstrations of Translation Software

The Minnesota Department of Human Services, through its Health Care Operations (HCO) division, is seeking information from vendors (and other interested parties) to help HCO determine features and benefits it should obtain when it purchases translation software to enable it to comply with the technical requirements emanating from the final Administrative Simplification Rules of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Although many required features of the software are already known (for example, it must operate in a distributed client/server architecture and support ANSI X12, EDIFACT and HL7 transaction sets), HCO is interested in any input vendors are willing to offer in order to help it develop a Request for Proposals (RFP) to purchase the software and accompanying programming and support services. HCO is particularly interested in observing vendor demonstrations of translator software that might work in its operating environment.

Vendors or other parties interested in providing information or scheduling demonstrations should contact Greg Anderson, supervisor, HCO electronic data interchange unit, via **e-mail:** Greg.Anderson@state.mn.us or **telephone** at (651) 296-9939. This RFI will be open until August 14, 2000. Vendors are not required to respond to the RFI in order to respond to the anticipated RFP. Vendors will be responsible for all costs and expenses incurred in responding to this RFI. Vendors may not rely upon any representations or comments made during the RFI process - a contract award may only be made under a subsequent purchasing process.

### Minnesota Historical Society

#### Request for Proposals for Audience Research and Feasibility Study for the William G. LeDuc House Historic Site – Hastings, Minnesota

The Minnesota Historical Society is seeking proposals from qualified consultants to conduct audience research and market feasibility research that will assist the Society in its comprehensive planning for the future operations of the William G. LeDuc House Historic Site. The LeDuc site is an undeveloped historic site owned by the Minnesota Historical Society.

The Request for Proposals is available by calling or writing Chris M. Bonnell, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN, 55102. **Telephone:** (651) 297-5863 **e-mail:** chris.bonnell@mnhs.org

There will be a pre-proposal meeting for all interested parties on Tuesday, August 15, 2000 at 1:00 p.m., Local Time.

All proposals must be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN, 55102 or an authorized agent no later than 2:00 p.m., Local Time, Tuesday, August 22, 2000. A proposal opening will be conducted at that time. Late proposals will not be considered.

### Minnesota Historical Society

#### Notice of Request for Qualifications for Owner's Representative/Construction Management Services Historic Forestville, Forestville State Park

The Minnesota Historical Society is soliciting qualification statements from qualified firms and individuals to provide Owner's Representative/Construction Management Services for the construction of a new Visitor and Staff Services Building at Historic Forestville in Forestville State Park, Fillmore County, Minnesota. Construction documents have been prepared and the estimated construction costs are projected to be approximately \$375,000.

The Request for Qualifications is available by writing or calling Chris M. Bonnell, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102. **Telephone:** (651) 297-5863 or **e-mail:** chris.bonnell@mnhs.org.

Qualification statements must be received no later than 2:00 P.M., Local Time, Friday, September 1, 2000, and shall be submitted in the format provided for in the Request for Qualifications. Late qualification statements will not be accepted.

There will be a Mandatory Pre-Qualification Meeting at 10:30 A.M. on Monday, August 28, 2000. The meeting will be held at the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota.



## Minnesota Department of Transportation

### Program Support Group

#### Request for Proposal (RFP) for WordPerfect Conversion

The State of Minnesota through its Department of Transportation (STATE) requests proposals to convert large and small documents in the Office of Technical Support from WordPerfect Version 5.1 for DOS, and Versions 6/7/8 for Windows into Microsoft Office Word 2000, and into the latest version of Adobe Acrobat.

The successful Responder will perform the following and provide procedural Instruction Sheets for converting the following files and documents:

- Tables
- Graphics (Computer Aided Drawing (CADD) exported as a file format)
- Table of Contents
- Headers and Footers with Page and Section Numbers
- Equations
- Organization of the documents with links
- Printers and printer configuration requirements
- Provide informal training and techniques used in the conversion process and maintenance of the documents to various key office personnel

**All work and training will be performed on site at STATE, Department of Transportation Building, 395 John Ireland Boulevard, Saint Paul, Minnesota.**

To receive a complete copy of the RFP, Responders will be required to submit a written request by mail or fax to the address listed below through July 24, 2000. After July 24, 2000, Responders will be required to pickup the RFP in person from our office from:

Calvin C. Robinson  
Consultant Agreements Administrator  
Minnesota Department of Transportation  
Seventh Floor North, Mail Stop 680  
395 John Ireland Boulevard  
St. Paul, Minnesota 55115-1899  
**fax:** (651) 282-5127

**The proposals must be received by August 14, 2000, by 2:00 PM, Local Time.**

Late submittals will not be considered. No time extensions will be granted.

**Please note that the STATE's Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota, has a newly implemented Security System. All visitors to the building, including couriers must check in at the First Floor Information desk. Please consider this in your delivery and response time.**

This request does not obligate STATE to award a contract or complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation at any time. All expenses incurred in responding to this RFP will be borne by the Responder.

This document is available in alternative formats for persons with disabilities by calling the Consultant Agreements Administrator, or for persons who are hearing impaired by calling the Minnesota Relay Service at (800) 627-3529.

## Non-State Public Bids, Contracts & Grants

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

## Metropolitan Council

### Notice of Request for Proposals for Conversion of Metro HRA File Room, Contract Number C-99-105

The Metropolitan Council is requesting proposals for Consultant Services to convert the Metro HRA file room, including replacement of file cabinet system, purging and reordering existing files, replacement file folders and implementation of new file tabbing system.

A tentative schedule for the project is as follows:

Issues Request for Proposals	August 1, 2000
Receive Proposals	August 29, 2000
Contract Go Ahead	September 12, 2000
Complete Project	November 30, 2000

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

Jan Bevins, Purchasing Agent, Contract and Procurement Unit  
Metropolitan Council Environmental Service  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101

Inquiries should be directed to Gordon Backlund at (651) 602-1801.

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

## Metropolitan Council

### Bids Sought for Electrical Work – High and Low Voltage

Sealed bids for high and low voltage electrical work, to be used on an as-needed basis, will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, on Tuesday, August 15, 2000, at 2:00 p.m., at which time and place they will be publicly read.

Copies of specifications and bid instructions may be obtained from the offices of the Metropolitan Council or **phone:** (651) 602-1499 or via **fax:** request at (651) 602-1083.

The Metropolitan Council shall consider all bids received and intends to award a service contract to the responsive and responsible bidder(s) submitting the lowest total cost to the Council, by the due date and time. The Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions in any bid, to obtain new bids, or to proceed to do the work otherwise.

## **University of Minnesota**

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

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

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



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