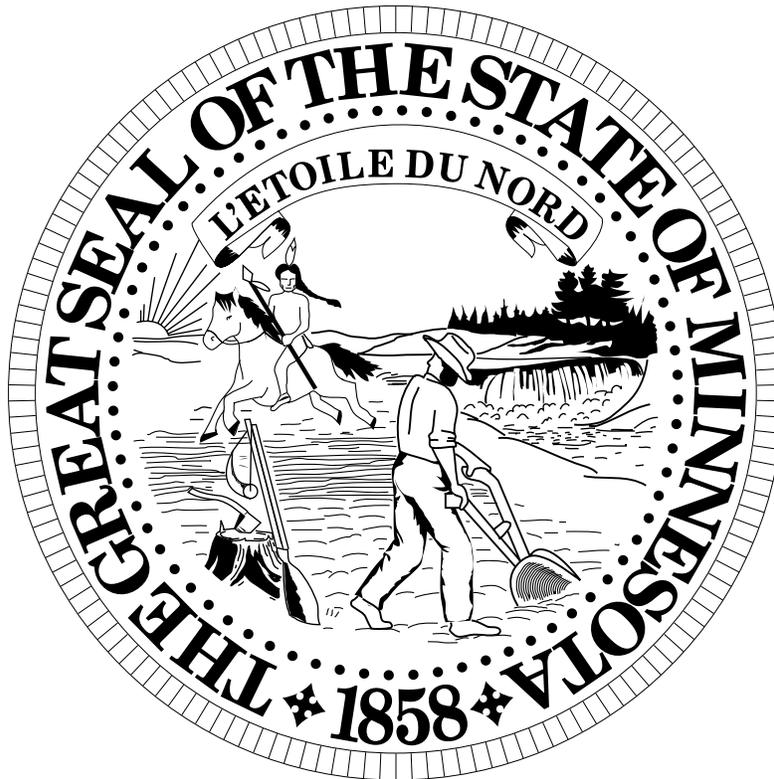


State of Minnesota

State Register

Rules and Official Notices Edition



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

Monday 14 May 2001
Volume 25, Number 46
Pages 1805-1822

State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules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

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

Printing Schedule and Submission Deadlines

Vol. 25 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#46	Monday 14 May	Noon Wednesday 2 May	Noon Tuesday 8 May
#47	Monday 21 May	Noon Wednesday 9 May	Noon Tuesday 15 May
#48	Tuesday 29 May	Noon Wednesday 16 May	Noon Tuesday 22 May
#49	Monday 4 June	Noon Wednesday 23 May	Noon Tuesday 29 May

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

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

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

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

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

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

Legislative Information

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

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

House Information Office (651) 296-2146

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

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

Minnesota State Court System

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

Minnesota Rules: Amendments & Additions		State Contracts	
Volume 25, Issue #40-46	1808	Colleges and Universities, Minnesota State Hennepin Technical College	
Executive Orders		Proposals sought for banking services	1817
Office of the Governor		Commerce Department	
Emergency Executive Order #01-06: Providing for assistance to the Freeborne County sheriff	1809	Proposals sought for financial examinations of insurance companies	1818
Official Notices		Human Services Department	
Agriculture Department		Proposals sought for services of a consultant registered nurse	1818
Minnesota Rural Finance Authority public hearing on Agriculture Development Revenue bonds issued on:		Minnesota Historical Society	
- approx. 154 acres of bare farmland in Fillmore County on behalf of Keith Tieskotter	1810	Proposals sought for Split Rock Lighthouse historic site visitor center re-roofing project	1818
- an 80 acre farm with buildings in Ottertail County on behalf of Arthur W. and Sharon K. Schultz	1810	Transportation Department	
Notice of special local need registration	1811	Proposals sought for equipment disposal	1818
Children, Families and Learning Department		Proposals sought for a statewide T-Contract program for traffic engineering work	1819
Notice of a public hearing on Minnesota's draft Community Food and Nutrition 2002-2—3 Consolidated Plan	1811	Non-State Contracts & Grants	
Health Department		Metropolitan Council	
Opinions sought on planned amendment to rules governing the Special Supplement Nutrition Program for Women, Infants, and Children (WIC Program)	1811	Bids sought for sales, posting, and maintenance of exterior bus advertising	1820
Notice of public meeting regarding the federal FY2002 maternal and child health services block grant funding	1812	Bids sought for procurement FST suction header channel and angle material	1820
Revenue Department		Bids sought for procurement of (76) medium speed submersible mixers with mast assembly, hoist and accessories	1821
Presumed legal cigarette prices	1813	Proposals sought for purchase of uninterrupted power systems	1821
Transportation Department		University of Minnesota	
Opinions sought on draft State Transportation Improvement Program (STEP)	1814	Bid Information Service (BIS) available for all potential vendors	1821
State Grants & Loans		Commodity, Service, and Construction contracts are published Tuesday and Friday in a bulletin, the <i>Solicitation Announcements</i> . Award results are available from the Materials Management Helpline (651) 296-2600. Website: www.mmd.admin.state.mn.us	
Labor and Industry Department		Individual copies and subscriptions or the <i>State Register</i> and <i>Solicitation Announcements</i> are available through Minnesota's Bookstore, (651) 297-3000, or (800) 657-3757.	
Notice of availability of Labor Education Advancement Program (LEAP) grants	1815		
Public Safety Department			
Funds available for multi-jurisdictional narcotics task forces	1817		

Minnesota Rules: Amendments and Additions

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

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

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

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

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

Volume 25, Issue #40-46

Office of Administrative Hearings

1400.2000; .2010; .2020; .2030; .2040; .2050; .2060; .2070; .2080; .2085; .2110; .2210 .2220; .2240; .2300; .2310; .2400; .2410; .2450; .2510; .2520; .2530; .2540; 2550; .2570; .5010; .5100; .5300; .5400; .5500; .5550; .5600; .5700; .5800; .5900; .6200; .6400; .6500; .6600; .6700; .6950; .7100; .7400; .7700; .7800; .8401; .8505; .8510; .8530; .8540; .8545; .8550; .8560; .8580; .8590; .8600; .8601; .8603; .8604; .8605; .8606; .8607; .8608; .8609; .8610; .8611; .8612 (proposed).....	1743
1400.2010 s.5; .5200; .5600 s.4; .8401 s. 1,2,6; 8510 s.2; 8520 (proposed repealer).....	1743

Agriculture Department

1510.0281 s.5: .0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600 (proposed repealer).....	1697
1545.0230 (adopted).....	1633

State Arts Board

1900.1010; .1510; .1710 (adopted).....	1653
--	------

Chiropractic Examiners Board

2500.0100 (adopted).....	1717
2500.0800 (adopted).....	1718

Public Safety

3050.0100; .2800; .3200; .3400; .3500; .3600; .3700; .3900 (adopted).....	1718
---	------

Trade and Economic Development Department

4355.0500 (adopted).....	1609
--------------------------	------

Health Department

4690.3800 (repealed).....	1718
---------------------------	------

Medical Practice Board

5600.2500 (adopted exempt).....	1720
---------------------------------	------

Physical Therapy Board

5601.0100; .0200; .0300; .0700; .0800; .0900; .1400; .1500; .1600; .1700; .1800; .2100; .2200; .2600; .2700; .2800 (adopted exempt).....	1725
--	------

5601.0300; .0700; .1700; .2900; .3000 (adopted exempt).....	1721
5601.0600; .2800; .3105; .3110; .3115; .3120; .3125; .3130; .3135; .3140; .3145; .3150; .3155; .3160; .3165 (adopted exempt).....	1722

Natural Resources Department

6232.2700; .2800; .2900; .3055; .3200 (expedited emergency).....	1677
6232.2700; .2900 (repealed expedited emergency).....	1677
6262.0500; .0550; .0400 (adopted expedited emergency).....	1779
6262.0500; s.2,4: 6264.0400 s.4; (repealed expedited emergency)	1779

Public Utilities Commission

7811.0700; .2210; .0700; .2210 (adopted).....	1677
---	------

Racing Commission

7873.0185; .0190; 7877.0120; .0170; 7883.0100; .0130; .0140; .0150; 7890.0100 (adopted).....	1609
7890.0100 s.12 (repealed).....	1609

Secretary of State

8280.0010; .0015; .0020; .0030; .0040;.0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190; .0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290; .0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380; .0390; .0400; .0410; .0420; .0430; .0440; .0450; .0460; .0470; .0480 (proposed).....	1698
--	------

Health Department

9400.0100; .0350; .0400; .0500; .0600; .0700; .0800; .1000; .1200; .1500 (adopted).....	1633
9400.1500 s.3 (repealed).....	1633

Human Services Department

9560.0214; .0216; .0220; .0221; .0222; .0223; .0225; .0226; .0230; .0234 (adopted exempt).....	1772
9560.0234 s.2 (repealed exempt).....	1772

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 01-06 Providing for Assistance to the Freeborn County Sheriff

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 Executive Order:

WHEREAS, during the evening of May 1, 2001, a tornado touched down near the southeastern city of Glenville, and

WHEREAS, the tornado, accompanied by heavy rain, hail and lightening, downed power lines, caused a gas leak and resulted in substantial damage to homes, farms and businesses; and

WHEREAS, the city and county do not have adequate local resources for providing security, traffic control and power generation; and

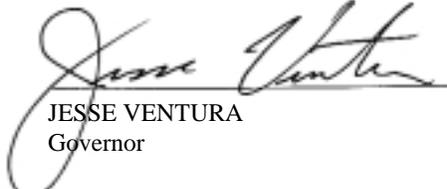
WHEREAS, the Freeborn County sheriff requests assistance in providing security, traffic control and power generation;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about May 1, 2001, in the service of the State, such personnel and equipment of the military forces of the State as required, and for such period of time as necessary to assist with security, traffic control, and power generation in the tornado-damaged area.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes* 2000, Sections 192.49, subd. 1; 192.51 and 192.52.

Pursuant to *Minnesota Statutes* 2000, Section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required or the flooding conditions no longer pose a threat to life and property.

IN TESTIMONY WHEREOF, I have set my hand this fourth day of May, 2001.



JESSE VENTURA
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State

Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 8, 2001, at 9:00 a.m., in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, St. Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 154 acres of bare farmland, located 2 miles north of Harmony on state highway 52, west on gravel road for 1.5 miles, north on gravel road for 1.25 miles, driveway on west side, Sections 28, 29, 32 and 33, Preston Township, Fillmore County, Minnesota on behalf of Keith Tieskotter, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$208,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 2 May 2001

Jim Boerboom
RFA Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 8, 2001, at 9:00 a.m., in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, St. Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of an 80 acre farm with buildings, located from the city of Dent, west on state highway 108 for 10 miles, south 1.5 miles on 300th Ave., west .5 mile on 390th St., property on south side of street, Section 8, Star Lake Township, Ottertail County, Minnesota on behalf of Arthur W. and Sharon K. Schultz, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$92,500.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 2 May 2001

Jim Boerboom
RFA Director

Department of Agriculture

Agronomy and Plant Protection Division

Notice of Special Local Need Registration

Pursuant to *Minnesota Statutes* 18B.27 and Parts 1505.0880-1505.0930, the Minnesota Department of Agriculture issued, on May 2, 2001, Special Local Need (SLN) registrations for Treflan HFP, manufactured by Dow AgroSciences, Indianapolis, IN 46268, Select 2 EC, manufactured by Valent U.S.A. Corporation, Walnut Creek, CA 94596, and MCPA Amine 4, manufactured by Albaugh, Inc., Ankeny, IA 50021.

These registrations would allow the use of the listed herbicides for control of weeds in niger being grown for bird seed.

A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

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

Comment deadline is **June 13, 2001**.

Department of Children, Families and Learning

Office of Economic Opportunity

Minnesota's Draft Community Services Block Grant and Community Food and Nutrition 2002-2003 Consolidated Plan Available for Public Inspection and Comment

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 7, 2001 in conjunction with the development and submittal of Minnesota's Community Services Block Grant and Community Food and Nutrition 2002-2003 Consolidated Plan by the Department of Children, Families and Learning/Office of Economic Opportunity. To receive notice of the specific time and location of the hearing, contact Connie Greer at **email:** connie.greer@state.mn.us or by calling toll free (877) 396-6383, extension 2-8569. The purpose of this hearing is to provide the public an opportunity to comment on the proposed use and distribution of funds to be provided through the allotment to the State of Minnesota under 42 *United States Code* 9901, Title II, Section 675B. These funds are used by local agencies, Tribal Governments and the Department of Children, Families and Learning to combat the causes and effects of poverty. A draft of the report is available for public inspection and comment and can be accessed by visiting the department's **web site:** <http://cfl.state.mn.us/OEO/> or by contacting Pat DeChaine at **phone:** (651) 582-8568. Comments should be submitted to the attention of Connie Greer at CFL, 1500 West Highway 36, Roseville, Minnesota 55113 or by email no later than June 30, 2001.

Minnesota Department of Health

Division of Family Health

Request for Comments on Planned Amendment to Rules Governing the Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program), *Minnesota Rules*, 4617.0002, 4617.0065 through 4617.0068, 4617.0070, 4617.0075, 4617.0084, 4617.0088, 4617.0090, 4617.0100, 4617.0121, and 4617.0176

Subject of Rules. The Minnesota Department of Health requests comments on its planned amendment to rules governing WIC vendors. This planned amendment to the rules is primarily in response to recent changes in the federal regulations governing WIC vendors, which are required to be implemented by February 27, 2002. The Department is considering rule amendments that will

Official Notices

potentially address the following subjects: definitions; vendor application process; change of ownership, name, or business site; vendor eligibility requirements; vendor operating requirements; vendor stamps; content and duration of vendor agreements; vendor sanctions; maximum prices of vouchers; rejection of vouchers and reimbursement by vendors; appeals by vendors and local agencies; transition period; and approval process for WIC foods other than infant formula. Some of the issues to be considered are: whether vendor agreements should be effective for 3 years instead of 2 years; whether all vendor reauthorization applications should be processed at the same time; what is the best way to meet the training requirements of the new federal regulations; what types of price limitations and minimum stock requirements should be established in order to comply with the new federal regulations; whether less serious violations should result in vendor termination rather than disqualification; whether to reduce the number of notices given to vendors for certain egregious violations and to vendors that have previously been disqualified; whether to require vendors to offer receipts to WIC customers; whether the rule regarding the food approval process should be repealed or amended; and how new federal definitions affect the state rules.

Persons Affected. The amendment to the rules would likely affect WIC vendors and applicants to become WIC vendors. Other persons who may be indirectly affected by the amendment to the rules are WIC participants and potential participants.

Statutory Authority. *Minnesota Statutes*, section 144.894(k), requires the Department to adopt all rules necessary to carry out the provisions of sections 145.891 to 145.897 (the Maternal and Child Nutrition Act of 1975). *Minnesota Statutes*, section 144.11, authorizes the Department to promulgate reasonable rules necessary to carry into effect the provisions of section 144.10.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department does not contemplate appointing a special advisory committee to comment on the planned rules, but will seek comment on the planned rules from the existing WIC Vendor Advisory Committee. The Department hopes that the WIC Vendor Advisory Committee will complete its review of the planned rules by August 2001.

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

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be directed to: Wendy Willson Legge at the Minnesota Department of Health, Executive Office, 85 East Seventh Place, P.O. Box 64882, St. Paul, Minnesota 55164-0882, **phone:** (651) 281-9925, **fax:** (651) 215-8951, **email:** wendy.legge@health.state.mn.us. **TTY:** (612) 676-5522.

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

Note: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 7 May 2001

Julie Brunner, Deputy Commissioner
Department of Health

Department of Health

Bureau of Family and Community Health

Notice of Public Meeting Regarding the Minnesota Department of Health Application to the Federal Department of Health and Human Services for Federal Fiscal Year 2002 Maternal and Child Health Services Block Grant Funding

The Minnesota Department of Health will sponsor a public meeting to obtain comments on its application for continuation of Federal Maternal and Child Health Services Block Grant funding for the federal fiscal year starting October 1, 2001 and ending September 30, 2002. The draft application will be available for inspection upon request beginning May 15, 2001.

Discussion of the application will be conducted as part of the regularly scheduled meeting of the state Maternal and Child Health Advisory Task Force held Friday, June 1, 2001 at 2:00 p.m., at the Snelling Office Park, 1645 Energy Park Drive, St. Paul,

Minnesota. The application discussion will be held in the Red River Room. Any person or group may submit either written or oral comments at the meeting.

Any person needing special accommodations for a disability should so indicate at the time of registration. Persons planning to attend and/or present comments are requested to register by May 30, 2001.

To register or obtain further information **phone:** (651) 215-8960.

Department of Revenue

Presumed Legal Cigarette Prices

The presumed prices for wholesalers and retailers, as provided for by *Minnesota Statutes*, chapter 325D, are shown in this schedule. The computations are based on manufacturers' list prices available as of April 26, 2001. All cigarettes in a wholesaler's or retailer's inventory must be priced to reflect the new presumed prices within seven (7) calendar days after the manufacturer's price change is reflected on a purchase invoice. A wholesaler or retailer may sell for less if they can show that their actual costs of doing business are lower than the presumed minimum.

	Presumed Minimum Wholesale Price Per Carton	Presumed Minimum Retail Price Per Carton	Presumed Minimum Retail Price Per Pack
Major Brands (Kings, Regulars, 100's, 120's)	\$32.12	\$34.69	\$3.47
Examples of major brands: Marlboro, Winston, Merits, Virginia Slims, Kools, Capri, Kent, Newport, Carlton			
Marlboro 25's (Kings)	\$32.12	\$34.69	\$4.34
Old Gold, Richland 20's, Best Value, Basics, Misty's, Raleigh Extra, Doral, Riviera, Magna, Sterling, Cambridge, Am Light, Montclair, Bristol, Alpine, Bucks, Stars & Bars, Quality Lights, Class A, Black and Yellow (Kings, Regulars 100's, 120's)	\$29.30	\$31.64	\$3.16
Ligget Pyramid (Kings, Regulars, 100's,)	\$27.84	\$30.07	\$3.01
GPC's, Viceroy's	\$21.62	\$23.35	\$2.34

Department of Transportation

Program Support Group

Office of Investment Management

Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 2002-2003-2004 (July 1, 2001 to June 30, 2004)

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a proposed State Transportation Improvement Program (STIP) for state fiscal years 2002-2003-2004 (July 1, 2001 to June 30, 2004). The program of transportation projects annually utilizes about \$530 million federal funds, \$275 million of state trunk highway funds, and funds from local and other sources. Projects include local road and bridge projects utilizing federal funds; transit capital investments; state highway road and bridge projects; enhancement projects; congestion mitigation and air quality projects; scenic byway projects; and other projects intending to utilize federal highway funds, federal transit funds, or state trunk highway funds. The proposed *State Transportation Improvement Program* is available for review at Department of Transportation District Offices:

District 1 - Duluth, 1123 Mesaba Avenue, Duluth, MN 55811;

District 2 - Bemidji, Box 490, 3919 Highway 2 West, Bemidji, MN 56619;

District 3 - Brainerd, 1991 Industrial Park Road, Baxter, MN 56425;

District 4 - Detroit Lakes, 1000 Hwy. 10 West, Detroit Lakes, MN 56501;

District 6 - Rochester, P.O. Box 6177, 2900 48th Street N. W., Rochester, MN 55903-6177;

District 7 - Mankato, P.O. Box 4039, 501 South Victory Drive, Mankato, MN 56001;

District 8 - Willmar, P.O. Box 768, 2505 Transportation Road, Willmar, MN 56201;

Metro Division - Waters Edge Building, 1500 W. Co. Rd. B2, Roseville, MN 55113-3105;

Or the Office of Investment Management, Mail Stop 440, 395 John Ireland Boulevard, Third Floor South, St. Paul, MN 55155.

You have 30 days to submit comments. Comments must be received by **4:30 p.m., on June 14, 2001**. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed.

Please direct all correspondence to:

Shawn Chambers
Office of Investment Management
Minnesota Department of Transportation
Mail Stop 440
395 John Ireland Boulevard
St. Paul, MN 55155
Phone: (651) 296-1605
Fax: (651) 296-3019

State Grants & Loans

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

Department of Labor and Industry

Notice of Availability of Labor Education Advancement Program (LEAP) Grants

The Commissioner of the Minnesota Department of Labor and Industry announces the availability of funds for the operation of Labor Education Advancement Programs (L.E.A.P.) in the State of Minnesota under *Minnesota Statutes* § 178.11 and *Minnesota Rules* Chapter 5227. Funds will be available each year of the State's fiscal years beginning July 1, 2001, (FY2002) and July 1, 2002, (FY2003).

The commissioner shall award grants to community-based organizations serving women and people of color on a competitive request-for-proposal basis. Interested organizations shall apply for the grants on the form referred to in Section V. As part of the proposal process, applicants must provide a statement of need for the grant, a description of the targeted population and apprenticeship opportunities, a description of activities to be funded by the grant, evidence supporting the ability to deliver services, information related to coordinating grant activities with other employment and training programs, identification of matching funds, a budget, and performance objectives. Each submitted proposal shall be evaluated for completeness and effectiveness of the proposed grant activity and those items listed in Chapter 5227 of *Minnesota Rules*.

Program and Proposal Information.

I. PURPOSE

The purpose of this grant will be to provide funds to community organizations that will achieve the following objectives.

II. OBJECTIVE

The objective of the L.E.A.P. grant is to encourage, promote and increase the participation of people of color and women in apprenticeable trades and related occupations. Apprenticeable trades and occupations are approved by, and registered with the Department of Labor and Industry, Division of Voluntary Apprenticeship. To be considered apprenticeable the trade or occupation must contain at least 2,000 hours of hands-on training, not infringe on other trade programs, provide a reasonable wage, provide high level skill training, provide related educational instruction to supplement the hands-on training and lead to employment. Related occupations are those which provide training for individuals for future placement in apprenticeship trades or occupations.

III. PROCESS

The Commissioner will accept proposals for the operation of a L.E.A.P. grant for state fiscal year beginning July 1, 2001. Funds will be available for a one year grant and will be subject to renewal for a second year, without further application, upon submission of three required quarterly reports and a final cumulative report which measures the accomplishment of goals and objectives for the first grant year. At that time the grantee must also provide cumulative placement projections for the second fiscal year.

IV. ELIGIBLE GRANT PROPOSALS

Proposals will be accepted from community-based organizations serving the targeted population on a competitive request-for-proposals basis.

V. LEAP GRANT PROPOSAL FORM

Organizations applying for a LEAP grant must call the Department of Labor and Industry, Division of Apprenticeship, **phone:** (651) 296-2371, or (800) 657-3607, and request a copy of the LEAP Grant Proposal form. Only complete LEAP Grant Proposals, with supportive addenda, will be accepted.

VI. PROPOSAL CONTENTS

At a minimum, a proposal must contain the following information, in addition to the items listed above:

A. Program Administration/Management

1. Administrative Structure (including personnel)
2. Program narrative outlining the organization's mission, goals, objective, and performance indicators

State Grants & Loans

3. List of Advisory Council or Advisory Committee members who provide guidance in placement of clients in registered apprenticeship programs

B. Budget

1. Amount requested
2. Line item breakdown of operating costs
3. List sources of non-state matching funds/dollar for dollar match
4. Budget Narrative

C. Demographic Data

1. Identification of geographic area served
2. Rate of unemployment in service area
3. Comparative data on the ratio of unemployment between minorities and non-minorities in the service area
4. Percent of racial minorities in area served
5. Source of demographic data

D. Evidence of ability to deliver services, which may be demonstrated by one or more of the following

1. Previous experience operating a L.E.A.P. program and documented results (must provide details of L.E.A.P. operation including actual numbers of clients placed into registered apprenticeship programs and related occupations, names of applicants placed, where applicants were placed, retention rates and completion rates)
2. Previous experience providing job training and job placement service to economically disadvantaged individuals, diverse ethnic and racial minority groups, females and places of employment.
3. Provide documentation of existing working relationships with employers and labor organizations
4. Means of measuring outcomes (effectiveness of program)

E. Statement of assurance including

1. The department or state may conduct post-grant audits
2. The applying organization has an effective equal employment policy
3. Evidence of Workers' Compensation coverage required by Minnesota law
4. Performance and financial reports shall be submitted on due dates

VII. PROPOSAL DEADLINE

Interested parties must submit a completed grant proposal form, with addenda, no later than **4:30 p.m., June 8, 2001**. Proposals shall be submitted to:

Commissioner Gretchen Maglich
Minnesota Department of Labor and Industry
3rd Floor Commissioners Office
443 Lafayette Road
St. Paul, MN 55155

Dated: 1 May 2001

Department of Public Safety

Notice of Availability of Funds for Multi-Jurisdictional Narcotics Task Forces

The Office of Drug Policy and Violence Prevention announces the availability of approximately \$3.0 million in federal and state funding for multi-jurisdictional narcotics task forces during the calendar year 2002. Local units of government, county sheriff's offices, and police departments may apply. Priority consideration will be given to current grantees that are successfully operating existing projects. The deadline for application submission is **4:00 p.m., Monday, July 2, 2001**. To receive an application contact:

Jennifer Leholm, Grants Coordinator
Office of Drug Policy and Violence Prevention
Minnesota Department of Public Safety
444 Cedar Street, Suite 100
St. Paul, MN 55101-5100
Phone: (651) 284-3327
Email: Jennifer.Leholm@state.mn.us

State Contracts

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

Hennepin Technical College

Request for Proposals for Banking Services

NOTICE IS HEREBY GIVEN that Hennepin Technical College is seeking proposals for banking services to include daily processing of deposits and disbursements, interest bearing accounts, online reporting, furnishing ATM machines and other related financial services.

An information meeting will be held for companies interested in submitting a proposal on May 15, 2001, at 2:00 p.m., in room B-110 at Hennepin Technical College, 9000 Brooklyn Blvd., Brooklyn Park, MN.

Deadline for receipt for proposals is **3:00 p.m., on Wednesday, May 23, 2001**. Late bids will not be considered. Copies of the complete Request for Proposals are available from:

Larry McAtee, Purchasing Manager
Hennepin Technical College
1820 North Xenium Lane
Plymouth, MN 55441
Phone: (763) 550-7143
Email: lmcatee@int287.k12.mn.us

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

State Contracts

Department of Commerce

Proposals Sought for Financial Examinations of Insurance Companies

The Department of Commerce is seeking professionals to perform financial examinations of insurance companies domiciled in Minnesota pursuant to *Minnesota Statutes* Section 60A.031, and in accordance with NAIC Financial Condition Examination Procedures Manual. For information please contact Jaki Gardner, Manager – Insurance Solvency, Examinations Division, 85 East 7th Place, Suite 500, St. Paul, MN 55101-2198, **phone:** (651) 297-7030. Responders are required to have CFE or AFE designations. CPA designation a plus, but not required.

Department of Human Services

Willmar Regional Treatment Center

Proposals Sought for Services of a Consultant Registered Nurse

We hereby give notice that the Willmar Regional Treatment Center is seeking the services of a Consultant Registered Nurse from July 1, 2001 - June 30, 2003. These services are to provide consultation and training to staff and to clients with developmental disabilities at the Redwood Falls Group Home in Redwood Falls, MN. The consultant will provide services approximately fifty hours monthly.

Questions or requests for a copy of the RFP can be addressed to: Stephen C. Grams, Business Manager, Willmar Regional Treatment Center, 1550 Hwy. 71 NE, Willmar, MN 56201. **Phone:** (320) 231-5396.

Written Responses and Proposal must be Received by 2:00 p.m., June 4, 2001.

Minnesota Historical Society

Request for Bids for Split Rock Lighthouse Historic Site Visitor Center Re-Roofing Project

The Minnesota Historical Society is seeking bids from qualified professionals for re-roofing of an approximately 1,700 square foot flat roof over a wood deck including tear-off and replacement of the existing roof membrane, insulation, and perimeter metal flashing and scuppers.

Attendance is strongly recommended at a pre-bid meeting held at the Split Rock Lighthouse Historic site, at **1:00 p.m., local time, Wednesday, May 23, 2001.**

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

Proposals must be received no later than **2:00 p.m., local time, June 4, 2001**, and be submitted in the format provided for in the Request for Bids. **Late proposals will not be accepted.**

Department of Transportation

Proposals Sought for Equipment Disposal

Mn/DOT is conducting a sealed bid sale for the disposal of 42 Ford L8000/LT9000 snowplow trucks. These trucks include plow, wing and sander. Bid closing date is **May 24th at 2:30 p.m.** Bid sheet and more information can be obtained by contacting Bob Ellingsworth, **phone:** (612) 725-2339 or **email:** www.dot.state.mn.us/equipment

Department of Transportation
Program Support Group
Office of Consultant Services

Proposals sought for a statewide T-Contract program for Traffic Engineering work

The Minnesota Department of Transportation (Mn/DOT) is soliciting proposals for a statewide T-Contract program for Traffic Engineering wherein multiple consultants will be under contract to perform work under five major categories: lighting; signal design; signal operations; signing, striping and work zones; and special studies. Work will be issued through work order contracts.

This T-Contract program will run for two years with an option for three 1-year extensions and has a total value of \$10,000,000.00. The maximum value of any single work order contract will be \$250,000.00.

Work is proposed to start after July 1, 2001.

The Request for Proposal will be available by mail from this office through May 21, 2001. **A written request (direct mail or FAX) or an e-mail request is required to receive the Request for Proposal.** After May 21, 2001, the Request for Proposal must be picked up in person.

This document is available in alternative formats for persons with disabilities by calling the Agreement Administrator, Mark Hagen, at **phone:** (651) 297-1197, or for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

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

Mark Hagen
Consultant Services Unit - 7th Floor North
Minnesota Department of Transportation
395 John Ireland Boulevard, MailStop 680
St. Paul, MN 55155
Fax: (651) 282-5127
Email: *mark.hagen@dot.state.mn.us*

Proposals submitted in response to this Request for Proposals must be received at the above address no later than **2:00 p.m., CDT on June 4, 2001. Late proposals will not be considered. No time extensions will be granted.**

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

Non-State Contracts & Grants

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

Metropolitan Council

Notice of Request for Proposals (RFP) for Sale, Posting and Maintenance of Exterior Bus Advertising Contract Number 01P050/Project Number 44401

The Metropolitan Council is requesting proposals for the sale, posting and maintenance of exterior bus advertising.

<i>Issue Request for Proposals</i>	May 4, 2001
<i>Receive Proposals</i>	June 1, 2001
<i>Metropolitan Council authorization</i>	July 11, 2001
<i>Contract Negotiated, executed, NTP</i>	July 16, 2001

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

Amanda Petersen, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council Environmental Services
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.petersen@metc.state.mn.us

Inquiries regarding technical aspects of the project should be directed to Gordon Backlund, **phone:** (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 modification 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

Invitation for Bid for Procurement FST Suction Header Channel and Angle Material

NOTICE IS HEREBY GIVEN that on May 31, 2001 at 2:00 p.m., the Metropolitan Council Environmental Services' Wastewater Division will receive and publicly open sealed bids at their office located at 230 East 5th Street, St. Paul, Minnesota 55101. Sealed bids will be for the procurement of Channel and Angle Material for FST Suction Header Support.

Bidding documents may be obtained from the offices of the Metropolitan Council by calling Bea Villegas at **phone:** (651) 602-1032, **fax:** (651) 602-1083.

The Metropolitan Council shall consider all bids received and intends to award a contract to the responsive and responsible bidder submitting the lowest total cost per bid to the Council. However, the Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions of any bid, to obtain new bids, or to proceed to do the work otherwise.

Dated: 2 May 2001

By Order of the Metropolitan Council
William G. Moore, General Manager/Division Director
Metropolitan Council Environmental Services

Metropolitan Council

Invitation for Bid for Procurement of (76) Medium Speed Submersible Mixers with Mast Assembly, Hoist and Accessories

NOTICE IS HEREBY GIVEN that on May 30, 2001 at 2:00 p.m., the Metropolitan Council Environmental Services' Wastewater Division will receive and publicly open sealed bids at their office located at 230 East 5th Street, St. Paul, Minnesota 55101. Sealed bids will be for the procurement of (76) medium speed submersible mixers with mast assembly, hoists and accessories.

Bidding documents may be obtained from the offices of the Metropolitan Council by calling Bea Villegas at **phone:** (651) 602-1032, **fax:** (651) 602-1083.

The Metropolitan Council shall consider all bids received and intends to award a contract to the responsive and responsible bidder submitting the lowest total cost per bid to the Council. However, the Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions of any bid, to obtain new bids, or to proceed to do the work otherwise.

Dated: 8 May 2001

By Order of the Metropolitan Council
William G. Moore, General Manager/Division Director
Metropolitan Council Environmental Services

Metropolitan Council

Purchase of Uninterrupted Power System

The Metropolitan Council is soliciting sealed bids for the purchase of an Uninterrupted Power System for its F. T. Heywood Office. Bids are due at **2:00 p.m., on May 31, 2001.**

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

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070

University of Minnesota

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

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

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

