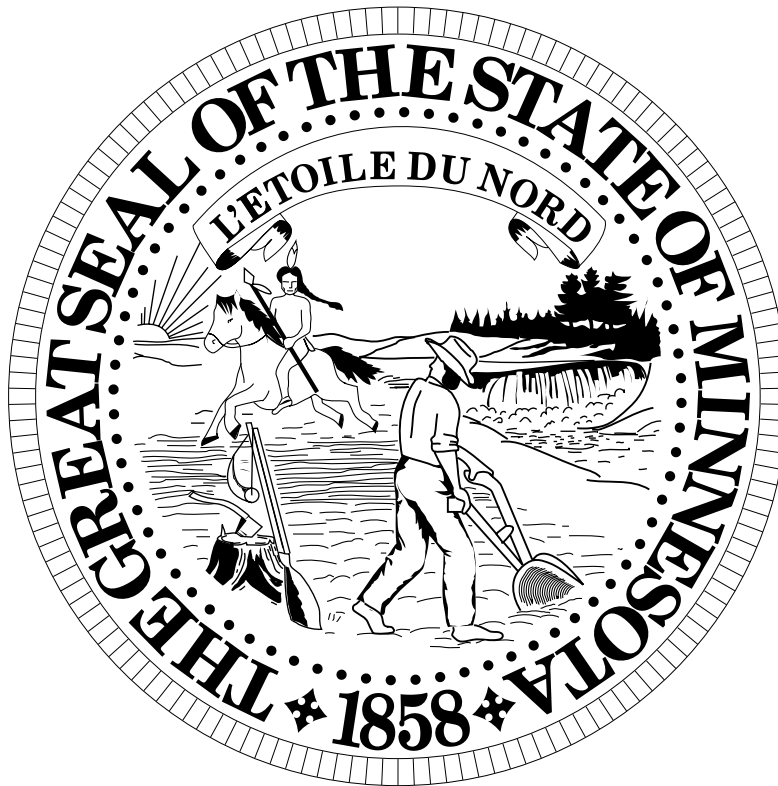


State of Minnesota

State Register

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State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules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

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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
#52	Monday 25 June	Noon Wednesday 13 June	Noon Tuesday 19 June
Vol 26 #1	Monday 2 July	Noon Wednesday 20 June	Noon Tuesday 26 June
#2	Monday 9 July	Noon Wednesday 27 June	NOON MONDAY 2 July
#3	Monday 16 July	Noon TUESDAY 3 JULY (FY02)	Noon Tuesday 10 July

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NOTICE: IN THE EVENT OF A STATE GOVERNMENT SHUTDOWN

In the event of a state government shutdown July 1, 2001, the *State Register* and the *Solicitations Announcements* will NOT be published. Issues of the *State Register* up to and including Volume 26, Issue #1, 2 July 2001 will be printed and posted on our website: www.comm.media.state.mn.us

Minnesota Rules: Amendments & Additions		
Volume 25, Issues #40-52.....	1960	
Adopted Rules		
Minnesota Housing Finance Agency		
Capital contributions to investors	1964	
Natural Resources		
Game and fish rules relating to perch	1964	
Errata		
Expedited Emergency Rules		
Natural Resources Department		
Game and fish rules; taking walleye on Lake Mille Lacs republished with corrections	1965	
Official Notices		
Agriculture Department		
Notice of rescheduled Minnesota Agriculture Response Compensation Board meeting.....	1966	
Notice of special local need registration.....	1966	
Minnesota Rural Finance Authority public hearings on Agriculture Development Revenue bonds issue on: – approx. 195 acres of bare farmland in Renville County on behalf of Eric Hendrickson	1996	
– a 1000-head hog finishing barn in Yellow Medicine County on behalf of Scott and Vicki Kack	1967	
– approx. 160 acres of bare farmland in Renville County on behalf of Brian R. Schmidt	1967	
Economic Security Department		
Comments sought at public hearings for energy assistance program	1968	
Human Services Department		
Public notice regarding payment rate and methodology changes, and services under the MA, GAMC, MinnesotaCare, and PDP programs.....	1968	
Minnesota State Law Library		
Notice of county law library filing fees	1973	
Natural Resources Department		
Comments sought on planned rules and rule amendments governing public water work permits	1973	
Pollution Control Agency		
Comments sought on plan to amend rules governing the determination of water quality condition as it relates to water quality standards	1975	
Notice of availability of final draft Minnesota River Basin Plan and request for comments	1976	
Teaching Board		
Announcement of adoption of additional examinations for teacher licensure.....	1977	
Transportation Department		
Appointment of State Aid Variance Committee.....	1980	
Petition for variance from State Aid requirements from: Ramsey County for bridge roadway width	1981	
Shoreview City for design speed	1982	
Minneapolis City for curb reation width.....	1982	
		Fillmore County for design speed, surfacing, and structural design strength
		1983
		Fillmore county for design speed, surfacing, and structural design strength
		1983
		Blue Earth County for design speed
		1984
		Steele county for design speed.....
		1984
		Water and Soil Resources Board
		Comments sought on planned rules and amendments governing wetland conservation act.....
		1985
		State Grants & Loans
		Corrections Department
		Notice of availability of grant funds for offender employment services.....
		1986
		Environmental Assistance Office
		Notice of accepting preliminary applications for solid waste processing facility grant funds.....
		1986
		Minnesota Historical Society
		Historic preservation grant application deadlines.....
		1987
		State Contracts
		Children, Families and Learning Department
		Proposals sought to conduct an economic impact analysis of child care in Minnesota.....
		1988
		Colleges and Universities, Minnesota State
		Proposals sought for market research for NetWORK customized training, education and development.....
		1988
		MnSAT seeks proposals for transponder space
		1989
		Health Department
		Proposals sought for populations of color fetal alcohol syndrome prevention campaign
		1990
		Investment Board
		Request for information from private money management firms
		1991
		Minnesota Historical Society
		Proposals sought for completing project documentation for the Split Rock Lighthouse historical site.....
		1991
		Transportation Department
		Information and opinions sought on proposed disadvantaged business enterprise (DBE) program annual goal
		1991
		Non-State Contracts & Grants
		Metropolitan Airports Commission
		Proposals sought for continuing reliever airport engineering consultant services
		1992
		Metropolitan Council
		Bids sought for RS6000 data server and external tape backup
		1992
		Proposals sought for professional/technical implementation partners.....
		1993
		Solid Waste Management Coordinating Board
		Bids sought for residential backyard composting bins
		1993
		University of Minnesota
		Bid Information Service (BIS) available for all potential vendors.....
		1993

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 1-52 Cumulative

July 3, 2000 - June 30, 2001

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

1535.0020;.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;.0490;.0500;.0510;.0520;.0530;.0540;.0550;.0560;.0570;.0580;.0590;.0600;.0610;.0620;.0630;.0640;.0650;.0660;.0680;.0690;.0760;.0770;.0780;.0790;.0800;.0810;.0820;.0830;.0840;.0860;.0860;.0870;.0880;.0890;.0900;.0910;.0920;.0930;.0940;.0950;.0960;.0970;.0980;.0990;.1000;.1010;.1020;.1030;.1040;.1050;.1060;.1070;.1080;.1090;.1100;.1110;.1120;.1130;.1140;.1150;.1160;.1170;.1180;.1190;.1200;.1210;.1220;.1230;.1240;.1250;.1260;.1270;.1280;.1290;.1300;.1310;.1320;.1330;.1340;.1350;.1360;.1370;.1380;.1390;.1400;.1410;.1420;.1430;.1440;.1450;.1460;.1470;.1480;.1490;.1500;.1510;.1520;.1530;.1540;.1550;.1560;.1570;.1580;.1590;.1600;.1610;.1620;.1630;.1640;.1650;.1660;.1670;.1680;.1690;.1700;.1710;.1720;.1730;.1740;.1750;.1760;.1770;.1780;.1790;.1800;.1810;.1820;.1830;.1840;.1850;.1860;.1870;.1880;

.1890;.1900;.1910;.1920;.1930;.1935;.1940;.1950;.1960;.1970;.1980;.1990;.2000;.2010;.2015;.2020;.2030;.2040;.2050;.2060;.2070;.2080;.2090;.2100;.2110;.2120;.2130;.2140;.2150;.2160;.2170;.2180;.2190;.2200;.2210;.2220;.2230;.2240;.2250;.2260;.2270;.2280;.2290;.2300;.2310;.2320;.2330;.2340;.2350;.2360;.2370;.2380;.2390;.2400;.2410;.2420;.2430;.2440;.2450;.2460;.2470;.2480;.2490;.2500;.2510;.2520;.2530;.2540;.2550;.2560;.2570;.2580;.2590;.2600;.2610;.2620;.2640;.2650;.2660;.2670;.2680;.2690;.2700;.2710;.2720;.2930;.2740;.2750;.2760;.2770;.2780;.2790;.2800;.2810;.2820;.2830;.2840;.2850;.2860;.2930;.2940;.2950;.2960;.2970;.2980;.2990;.3000;.3090;.3100;.3130;.3140;.3150;.3170;.3180;.3190;.3200;.3210;.3220;.3230;.3240;.3250;.3260;.3270;.3280;.3290;.3300;.3310;.3320;.3330 (proposed repealer)..... 1169

1535.0020;.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;.0490;.0500;.0510;.0520;.0530;.0540;.0550;.0560;.0570;.0580;.0590;.0600;.0610;.0620;.0630;.0640;.0650;.0660;.0680;.0690;.0760;.0770;.0780;.0790;.0800;.0810;.0820;.0830;.0840;.0860;.0860;.0870;.0880;.0890;.0900;.0910;.0920;.0930;.0940;.0950;.0960;.0970;.0980;.0990;.1000;.1010;.1020;.1030;.1040;.1050;.1060;.1070;.1080;.1090;.1100;.1110;.1120;.1130;.1140;.1150;.1160;.1170;.1180;.1190;.1200;.1210;.1220;.1230;.1240;.1250;.1260;.1270;.1280;.1290;.1300;.1310;.1320;.1330;.1340;.1350;.1360;.1370;.1380;.1390;.1400;.1410;.1420;.1430;.1440;.1450;.1460;.1470;.1480;.1490;.1500;.1510;.1520;.1530;.1540;.1550;.1560;.1570;.1580;.1590;.1600;.1610;.1620;.1630;.1640;.1650;.1660;.1670;.1680;.1690;.1700;.1710;.1720;.1730;.1740;.1750;.1760;.1770;.1780;.1790;.1800;.1810;.1820;.1830;.1840;.1850;.1860;.1870;.1880;.1890;.1900;.1910;.1920;.1930;.1935;.1940;.1950;.1960;.1970;.1980;.1990;.2000;.2010;.2015;.2020;.2030;.2040;.2050;.2060;.2070;.2080;.2090;.2100;.2110;.2120;.2130;

Minnesota Rules: Amendments and Additions

.2140; .2150; .2160; .2170; .2180; .2190; .2200; .2210; .2220;	
.2230; .2240; .2250; .2260; .2270; .2280; .2290; .2300; .2310;	
.2320; .2330; .2340; .2350; .2360; .2370; .2380; .2390; .2400;	
.2410; .2420; .2430; .2440; .2450; .2460; .2470; .2480; .2490;	
.2500; .2510; .2520; .2530; .2540; .2550; .2560; .2570; .2580;	
.2590; .2600; .2610; .2620; .2640; .2650; .2660; .2670; .2680;	
.2690; .2700; .2710; .2720; .2930; .2740; .2750; .2760; .2770;	
.2780; .2790; .2800; .2810; .2820; .2830; .2840; .2850; .2860;	
.2930; .2940; .2950; .2960; .2970; .2980; .2990; .3000; .3090;	
.3100; .3130; .3140; .3150; .3170; .3180; .3190; .3200; .3210;	
.3220; .3230; .3240; .3250; .3260; .3270; .3280; .3290; .3300;	
.3310; .3320; .3330 (repealed).....	1464
1535.0700; .0730 (proposed).....	1169
1535.0700; .0730 (adopted).....	1464
1545.0230 (proposed).....	1311
1545.0230 (adopted).....	1633
1545.3130; .3150 (proposed).....	801
1545.3130 s. 2; .3180; .3190; .3200; .3210; .3220; .3230; .3240;	
.3250; .3260; .3270; .3280; .3290; .3300; .3310; .3320; .3330;	
.3350 (proposed repealer).....	801
1545.3130; .3150 (adopted).....	1241
1545.3130 s. 2; .3180; .3190; .3200; .3210; .3220; .3230; .3240;	
.3250; .3260; .3270; .3280; .3290; .3300; .3310; .3320; .3330;	
.3350 (repealed).....	1241
1555.6740; .6800; .6845 (proposed).....	728
1555.6740; .6800; .6845 (adopted).....	1142
1562.0800 (adopted).....	30
Animal Health Board	
1705.1090; .1130; .1131; .1145; .1146; .1147; .1151; .1152; .1175;	
.1180; .1190; .1200; .1210; .1215 (proposed).....	871
1705.1090; .1130; .1131; .1145; .1146; .1147; .1151; .1152; .1175;	
.1180; .1190; .1200; .1210; (adopted).....	1378
Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design Board	
1800.1000; .1100; .1200 (proposed).....	1399
1800.1000; .1100; .1200 (adopted).....	1633
Arts Board	
1900.1010; .1510; .1710 (proposed).....	907
1900.1010; .1510; .1710 (errata on hearing, dates, times).....	933
1900.1010; .1510; .1710 (adopted).....	1653
Chiropractic Examiners Board	
2500.0100; .2500; .2510; .2520; .2525 (adopted).....	779
2500.0100 (proposed).....	1227
2500.0100 (proposed).....	1281
2500.0100 (adopted).....	1717
2500.0100 (adopted).....	1863
2500.0400 (proposed).....	1228
2500.0400 (adopted).....	1862
2500.0700; .0710; .0720; .0750; .1000 (proposed).....	1283
2500.0700; .0710; .0720; .0750; .1000 (adopted).....	1862
2500.0730; .0740 (proposed repealer).....	1283
2500.0800 (proposed).....	1285
2500.0800 (adopted).....	1718
2500.1110; .1900 (proposed).....	544
2500.1110; .1900 (adopted).....	1207
2500.1150; .2515 (proposed).....	109
2500.1200 (proposed).....	1287
2500.1200; s.5 (proposed repealer).....	1287
2500.1200 s.5 (repealed).....	1916
2500.1200; .1500; .1550 (proposed).....	1437
2500.1200 (adopted).....	1916
2500.1410 (proposed).....	1289
2500.1410 (adopted).....	1863
2500.1600 (proposed).....	1230
2500.1600 (adopted).....	1863
2500.2110 (proposed).....	1231
2500.2520 (proposed).....	1291
2500.2520 (adopted).....	1863
2500.2530 (proposed).....	110
Crime Victims Reparations Board	
3050.0100; .2800; .3200; .3400; .3500; .3600; .3700; .3900	
(proposed).....	968
3050.0100, s.2a; 7; .3400, s.1,A,C; .3600 (withdrawn proposed)...	1336
3050.0100; .2800; .3200; .3400; .3500; .3600; .3700; .3900	
(adopted).....	1718
Dietetics and Nutrition Practice Board	
3250.0045; .0050; .0150 (adopted).....	779
Children, Families and Learning Department	
3400.0010; .0020; .0030; .0035; .0040; .0060; .0080; .0090; .0100;	
.0110; .0120; .0130; .0140; .0150; .0170; .0180; .0183; .0185;	
.0187; .0200; .0210; .0220; .0230; .0235 (proposed).....	1172
3400.0030, s.2,3,6,7,9,10,11,13,14,15,16,17,19,21,22,23,29,30,31,	
32,34,36,41,42; .0040, s.2,6,16; .0050; .0060; .s.1,3; .0070; .0080,	
s.2,3,4,5,6,7; .0090, s.5,6,8,9; .0100, s.2; .0010, s.5,6; .0130,	
s.4,6,9,10; .0140, s.3,11,12,13,16,17,18,20; .0160; .0170, s.2;	
.0190 (proposed repealer).....	1172
3501.0320; .0330; .0370; .0400; .0420 (proposed).....	5
3501.0360; .0370 s.1, 2, 4; .0420 s.4; .0430 (proposed repealer) ...	5
3501.0320; .0330; .0370; .0400; .0420 (adopted).....	1402
3501.0360; .0370; .s.1,2,4; .0420, s.4; .0430 (repealed).....	1402
3525.0200; .0300; .0400; .0550; .0700; .0750; .0755; .0800; .1100;	
.1310; .1325; .1327; .1329; 1333; .1335; .1337; .1339; .1341;	
.1343; .1348; .1350; .1352; .1354; .1550; .2325; .2335; .2340; .2350;	
.2350; .2385; .2405; .2450; .2455; .2550; .2900; .3100; .3300;	
.3400; .3600; .3700; .3800; .3900; .4000; .4100; .4210; .4300;	
.4410; .4500; .4600; .4700; .4750; .4770 (proposed).....	1092
3525.0200 s.2; .1329, s.2; .1333 s.3; .1510; .2550 s.1; .2750; .2900	
s.1, 3; .3700 s. 2; .4200; .4400 (proposed repealer).....	1092
3525.0200; .0300; .0400; .0550; .0700; .0750; .0755; .0800; .1100;	
.1310; .1325; .1327; .1329; .1333; .1335; .1337; .1339; .1341; .1343;	
.1348; .1350; .1352; .1354; .1550; .2325; .2335; .2340; .2350; .2385;	
.2405; .2450; .2455; .2550; .2900; .2910; .2920; .2930; .3100; .3300;	
.3400; .3600; .3700; .3750; .3800; .3900; .4000; .4100; .4210; .4300;	
.4410; .4500; .4600; .4700; .4750; .4770 (proposed).....	1526
3525.0200 s.2; .1329 s.2; .1333 s.3; .1520; .2550 s.1; .2750; .2900	
s.1,3; .3700 s.2; .4200; .4400 (proposed repealer).....	1526
Trade and Economic Development Department	
4355.0500 (proposed).....	875
4355.0500 (adopted).....	1609
Health Department	
4600.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900;	
.1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1900;	
.2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800;	
.2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700;	
.3800; .4000; .4100; .4200; .4300; .4400; .4500; .4600; .4700;	
.4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600;	
.5700; .5800; .5900; .6000; .6100; .6200; .6300; .6400; .6500;	
.6600; .6700 (repealed).....	487
4600.0100 (errata).....	588
4601.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900;	
.1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800;	
.1900; .2000; .2100; .2200; .2300; .2400; .2500; .2525; .2550;	
.2600; (adopted).....	487

Minnesota Rules: Amendments and Additions

4615.0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200 s.1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300;	
4617.0002 s.6, 13, 20, 33; .0035; .0044; .0045; .0049; .0050; .0052; .0054; .0056; .0058 (proposed repealer).....	137
4615.0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200 s.1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300;	
4617.0002 s.6, 13, 20, 33; .0035; .0044; .0045; .0049; .0050; .0052; .0054; .0056; .0058 (repealed).....	805
4617.0002 (proposed).....	137
4617.0002 (adopted).....	805
4617.0002; .0065; .0066; .0067; .0068; .0070; .0084; .0100; .0121; .0176 (adopted).....	555
4617.0002 s.21a, 28c, 44c; .0059; .0068 s.8; .0069; .0086; .0120 (repealed).....	555
4620.3250; .3300; .3310; .3330; .3340; .3350; .3460; .3470; .3480 (proposed).....	763
4620.3250; .3300; .3310; .3330; .3340; .3350; .3460; .3470; .3480 (adopted).....	1894
4630.4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .5700; .5800; .5900; .6000; .6100; .6200; .6300; .6400; .6500; .6550 (proposed repealer).....	803
4630.4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .5700; .5800; .5900; .6000; .6100; .6200; .6300; .6400; .6500; .6550 (proposed repealer).....	1329
4650.0102; .0111; .0112; .0113; .0115; .0117; .0138 (proposed)	1827
4650.0102, s.12c (proposed repealer).....	1827
4670.1320; .2670; .2900; .2910; .2920; .2930; .3530; .4210; .4220; .4230 (adopted).....	142
4670.2940; .3100; .4240 (repealed).....	142
4690.3800 (proposed repealer).....	825
4690.3800 (repealed).....	1718
4717.7000 (proposed).....	803
4717.7000 (proposed).....	1329
4725.0100; .0475; .0650; .1820; .1833 (proposed).....	768
4725.0100; .0475; .0650; .1820; .1833 (adopted).....	1207
4763.0110; .0125; .0135; .0140; .0160; .0190; .0205; .0215; .0220; .0240; .0270; .0285; .0295; .0300; .0320 (adopted).....	487
4763.0120; .0130; .0140 s.2, 4; .0193 s.3; .0200; .0210; .0220 s.2; .0270 s.2; .0280; .0290; .0300 s.2 (repealed).....	487
Housing Finance Agency	
4900.0010 (proposed).....	59
4900.0010 (adopted).....	877
4900.0010 (proposed).....	877
4900.0010 (proposed).....	1560
4900.0010 (adopted).....	1962
Labor and Industry Department	
5200.1105; .1106 (proposed).....	772
5200.1105; .1106 (adopted).....	1942
5205.0030; 5207.0100; .1000 (proposed exempt).....	780
5205.0030; 5207.0100; .1000 (adopted exempt).....	1241
5208.1500 (adopted exempt).....	31
5219.0500; 5221.4020 (adopted exempt).....	728
5220.1900 (adopted).....	81
5221.0100; .0405; .0410; .0420; .0430; .0500; .0600; .0700; .4000; .4020; .4030; .4032; .4033; .4035; .4040; .4041; .4050; .4051; .4060; .4061; .4062; .4070 (proposed).....	212
5221.4030 s. 2a; .4033 s. 2a; .4034; .4040 s. 2a; .4050 s. 2a; .4060 s. 2a (proposed repealer).....	212
5221.4030 s.2 (errata).....	560
5221.0100; .0405; .0410; .0420; .0430; .0500; .0600; .0700; .4000; .4020; .4030; .4032; .4033; .4035; .4040; .4041; .4050; .4051; .4060; .4061; .4062; .4070 (adopted).....	1142
5221.4030 s. 2a; .4033 s. 2a; .4034; .4040 s. 2a; .4050 s. 2a; .4060 s. 2a (adopted repealer).....	1142
5225.0300; .2200; .6140; .6975; .6980; .8600; 5230.0050; .0100; .0115 (proposed).....	992
5230.0110 (proposed repealer).....	992
Medical Practice Board	
5600.2500 (adopted exempt).....	1720
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	
6100.1950 (adopted exempt).....	782
6115.0150; .0160; .0170; .0190; .0200; .0210; .0211; .0221; .0230; .0231; .0240; .0250; .0255; .0260; .0270; .0271; .0280 (adopted exempt).....	143
6115.0360 (proposed).....	1331
6115.0360 (adopted).....	1916
6115.0360 (errata).....	1963
6216.0350 (adopted expedited emergency).....	972
6216.0350 (adopted expedited emergency).....	1341
6216.0350 (errata).....	1403
6230.0400; .0600; .0700; .0800; .1100; 6232.0900; 6234.1700; .1800; 6240.0610; .1000; .1200; .1500; .1600; .1700; .1750 (adopted expedited emergency).....	557
6230.0400 s.29; .0600 s.7 (24 SR 275 - August 30, 1999) (repealed expedited emergency).....	557
6230.0400; 6232.1600; .1950; .2100 (adopted expedited emergency).....	911
6232.0300; .0400; .0500; .0600; .0700; .0800; .1200; .1250; .1600; .1800; .1900; .1950; .2050; .2100; .2450; .2500; (adopted expedited emergency).....	664
6232.2700; .2800; .2900; .3055; .3200 (expedited emergency).....	1677
6232.2700; .2900 (repealed expedited emergency).....	1677
6236.0300; .0700 (adopted expedited emergency).....	183
6236.0300; .0600; .0810; .1060 (adopted expedited emergency)...	1337
6240.0200; .0650; .0950; .1000; .1100; .1150; .1900 (adopted expedited emergency).....	729
6240.1000 s.2 (repealed expedited emergency).....	729
6262.0200 (proposed).....	831
6262.0200 (adopted).....	6262
6262.0500 s.1; 6264.0300 s32 (repealed expedited emergency)	1379
6262.0500; .0550; .0400 (adopted expedited emergency).....	1779
6262.0550 s.2,4; 6264.0400 s.4; (repealed expedited emergency)	1779
6264.0300; .0400 (adopted exempt).....	1379
6266.0700 (expedited emergency).....	000
6266.0700,s.2 (repealed).....	1404
Peace Officer Standards and Training Board	
6700.0300; .0400; .0900; .1000; .1101 (proposed).....	1333
6700.0900 s.12; .1120; .1130; .1700, s.2,5,6,7,8,9,10,11; .1900 (proposed repealer).....	1333
6700.0300; .0601; .0700 (adopted).....	1242
Pharmacy Board	
6800.0400; .1150; .1300; .1400; .3850 (adopted).....	81

Minnesota Rules: Amendments and Additions

Pollution Control Agency

7001.0020; .0050; .4215; .4230; 7150.0030 ; 7151.1100 ; .1200; .1300; .4100; .5100; .5200; .5600; .5700; .6100; .6200; .6400; .6600; .6700; .7100; .7200; .8200; .8400 (adopted).....	556
7001.0020; 7002.0270 ; .0280; 7020.0200 ; .0205; .0250; .0300; .0350; .0405; .0505; .0535; .1600; .2000; .2002; .2003; .2005; .2015; .2025; .2100; .2110; .2125; .2225 (adopted).....	834

Psychology Board

7200.6100; .6105; .6175 (proposed).....	1375
7200.6100; .6105; .6175 (adopted).....	1894
7200.6170 (proposed repealer).....	1375
7200.6170 (repealed).....	1894

Public Safety Department

7410.0400; .0450; .0500 (adopted).....	616
7410.0700 (proposed).....	931
7520.0650; .1000; .1100 (adopted).....	487

Public Utilities Commission

7811.0700; .1900; .2210; 7812.0700 ; .1900; .2210 (proposed).....	546
7811.0700; .2210; 7812.0700 ; .2210 (adopted).....	1677
7811.2200; 7812.2200 (proposed repealer).....	546

Racing Commission

7873.0185; .0190; 7877.0120 ; .0170; 7883.0100 ; .0130; .0140; .0150; 7890.0100 (proposed).....	1257
7873.0185; .0190; 7877.0120 ; .0170; 7883.0100 ; .0130; .0140; .0150; 7890.0100 (adopted).....	1609
7890.0100 s. 12 (proposed repealer).....	1257
7890.0100 s.12 (repealed).....	1609

Minnesota State Retirement System (MSRS)

7900.1600 (proposed repealer).....	1860
---	------

Revenue Department

8001.0100; .0200; .0400; 8003.0100 ; 8009.7300 s.1; 8014.0100 ; 8019.0200 ; .0300 s.1,2,3,4,6,7,8,9,10,11; .0405 s.12,14; 8021.0100 ; .0200; 8023.0500 ; 8030.0100 ; 8031.0100 s.1,2; .0300; 8035.0100 ; 8038.3000 ; 8043.0200 s.3; 8093.0500 s.4,5;	
8097.0300 (proposed repealer).....	1056
8002.0200 s. 1 (exempt repealed).....	806
8009.7400 ; 8019.0100 ; .0405; 8043.0100 ; .0200; 8050.0100 ; 8052.0300 ; .0400; 8160.0630 (proposed).....	1056
8123.0100 ; .0200 (proposed).....	698
8160.0500 (proposed).....	584
8160.0500 (adopted).....	971

Secretary of State

8200.0300; .1100; .1200; .2600; .2800; .2900; .2950; .3000; .3100; .3500; .3700; .5100; .5400; .5500; .5700; .6400; .9120; 8205.1010 ; .1020; .1030; .1040; .1050; .1060; .2000; .2010; .2110; .2120; 8210.0200 ; .0500; .0600; .0700; .2200; .3000; 8220.0050 ; .0150; .0250; .0350; .0450; .0650; .0700; .0750; .0800 .1050; .1350; .1450; .1550; .2050; 8230.0050 ; .0150; .0250; .0560; .0570; .0580; .0650; .1850; .3950; .4050; .4360; .4365; .4390; 8250.0200 ; .0300; .0365; .0370; .0385; .0390; .0395; .0397; .0398; .0500; .1000; .1800; 8255.0010 ; .0015 (adopted).....	616
8240.0100 ; .0200; .0300; .1050; .1100; .1200; .1300; .1350; .1400; .1500; .1600; .1655; .1750; .1800; .1900; .1950; .2000; .2100; .2200; .2300; .2400; .2500; .2700; .2800; .2850; .2900 (adopted).....	112
8240.1650 ; .1655 s.5; .1700 (repealed).....	112
8280.0500 ; .0510 (adopted exempt).....	114
8280.0010 ; .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; .0400; .0410; .0420; .0430; .0440; .0450; .0460; .0470; .0480 (proposed).....	1698

Water and Soil Resources Board

8420.0100 ; .0102; .0103; .0105; .0110; .0112; .0115; .0122; .0200; .0210; .0220; .0225; .0230; .0240; .0250; .0260; .0290; .0300; .0350; .0505; .0510; .0520; .0530; .0540; .0650; .0720; .0730; .0740; .0750; .1070 (adopted exempt).....	152
8420.0730 s.3 (repealed).....	152

Teaching Board

8700.1100 ; .1300; .1400; .1600; .1700; .1800; .1900; .1910; .2100; .2200; .2300; 8710.7000 ; .7100; .7200 (proposed).....	8
8700.1100 ; .1300; .1400; .1600; .1700; .1800; .1900; .1910; .2100; .0900; .1000; .1200; .2000; 8750.7000 ; .7100; .7200; .7300; .8000; .8100; .8200; .8300; .8400 (proposed repealer).....	8
8700.0900 ; .1000; .1200; .2000; 8750.7000 ; .7100; .7200; .7300; .8000; .8100; .8200; .8300; .8400 (repealed).....	588
8710.0300 ; .0400; .0500; .0550; .0600; .0700; .0800; .0850; .0900; .1000; .1050; .1250; .1400; .3300; .6000; .6100; .6200; .6300; .6400 (proposed).....	16
8710.0300 s.4; .0350; .1100; .1200; .1300; .6000 s.3; .6100 s.3; .6200 s. 3; .6300 s. 3; .6400 s. 4 (proposed repealer).....	16
8710.0300 ; .0400; .0500; .0550; .0600; .0700; .0800; .0850; .0900; .1000; .1050; .1250; .1400; .3300; .6000; .6100; .6200; .6300; .6400 (adopted).....	805
8710.0300 s.4; .0350; .1100; .1200; .1300; .6000 s.3; .6100 s.3; .6200 s. 3; .6300 s. 3; .6400 s. 4 (repealed).....	805
8710.0500 (proposed).....	139
8710.0500 (adopted).....	877
8710.0500 s.9 (proposed repealer).....	139
8710.0500 s.9 (repealed).....	877

Transportation Department

8820.9920 ; .9926; .9936; .9946; .9956; .9961; .9981; .9986; .9990; .9995 (proposed administrative variance).....	943
8835.0110 ; .0210; .0220; .0230; .0240; .0265; .0270; .0320; .0710; .0720; .0820; .0830; .0840; .0850; .0860; .0870; .0910; .1500; .1700; .1720; .1730; .1760; .1900 (adopted).....	61
8835.0110 s.2, 3, 4, 5, 8, 9, 11, 12, 13, 14; .0610; .0730; .0740; .1600; .1800; .2300; .2400; .2500; .2600; .2700; .5700; .5800 (repealed).....	61

Health Department and Pollution Control Agency

9400.0100 ; .0350; .0400; .0500; .0600; .0800; .1000; .1200; .1300; .1500 (proposed).....	1232
9400.0100 ; .0350; .0400; .0500; .0600; .0700; .0800; .1000; .1200; .1500 (adopted).....	1633
9400.1500 ; s.3 (proposed repealer).....	1232
9400.1500 s.3 (repealed).....	1633

Human Services Department

9500.1100 (adopted exempt).....	1021
9505.0323 ; .0325; .0326; .0327 (proposed).....	1012
9505.0390 (proposed).....	1238
9515.0200 ; .0310; .0450; .0500; .0600; .0700; 9525.2700 (proposed).....	826
9515.0200 ; .0310; .0450; .0500; .0600; .0700; 9525.2700 (adopted).....	1313
9515.0300 ; .0400; .0800 (proposed repealer).....	826
9515.0300 ; .0400; .0800 (repealed).....	1313
9560.0214 ; .0216; .0220; .0221; .0222; .0223; .0225; .0226; .0230; .0234 (adopted exempt).....	1772
9560.0234 s.2 (repealed exempt).....	1772
9575.0350 ; .0780; .0900; .0920; .0930; .1180; .1500 (adopted).....	556
9575.0900 s.2; .0910 s.1; .0940; .1250 (repealed).....	556

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.

Minnesota Housing Finance Agency

Adopted Permanent Rules Relating to Capital Contribution of Investors

The rules proposed and published at *State Register*, Volume 25, Number 24, pages 1120-1122, December 11, 2000 (25 SR 1120), and Volume 25, Number 38, pages 1559-1560, March 19, 2001 (25 SR 1559), are adopted as proposed.

Department of Natural Resources

Adopted Permanent Game and Fish Rules Relating to Perch

The rules proposed and published at *State Register*, Volume 25, Number 16, pages 831-833, October 16, 2000 (25 SR 831), are adopted with the following modifications:

6262.0200 FISHING REGULATIONS FOR INLAND WATERS.

Subpart 1. **General inland fishing regulations.** Fish may be taken in inland waters by angling during the time specified for each of the following species, however, certain waters of the state are subject to experimental regulations, special regulations, or are closed for the taking and possession of fish:

Species and Open Season	Daily and Possession Limits
O. Perch.	100 to November 30, 2000. 20 daily, 50 in possession, December 1, 2000, to November 30, 2001. 20 daily, 30 40 in possession, December 1, 2001, and thereafter.
Continuous.	

ERRATA

Corrections to agency errors in rules or in following the rulemaking processes, as well as incomplete notices, mislabeled rules, incorrect notices and citations will appear in this section. Whenever an error is corrected in this section, it's corresponding rule number(s) will also appear in the *State Register's* index to rulemaking activity, **Minnesota Rules: Amendments and Additions**.

Adopted Expedited Emergency Game and Fish Rules; Taking Walleye on Lake Mille Lacs was published in 25 SR 1948 without strikeouts and underlining of text. The complete and corrected notice is published below:

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Taking Walleye on Lake Mille Lacs

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.045, subdivision 2, and 97C.005.

Dated: 11 June 2001

Allen Garber
Commissioner of Natural Resources

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Mille Lacs Lake special management regulations.**

[For text of item A, see M.R. 25 SR 1779]

B. Notwithstanding item A, a person's possession limit may include one walleye over 28 inches in length. If walleye harvest and kill estimates for winter and open water fishing are exceeded, a person's possession limit may ~~not~~ include one walleye over ~~28~~ 30 inches in length.

[For text of items C to E, see M.R.]

[For text of item F, see M.R. 25 SR 1779]

[For text of subps 5 to 16, see M.R.]

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

Agronomy and Plant Protection Services Division

Notice of Rescheduled Minnesota Agricultural Response Compensation Board Meeting.

The July 18, 2001, Agricultural Chemical Response Compensation Board (ACRRA Board) meeting has been rescheduled to August 15, 2001. The next regularly scheduled meeting will be September 19, 2001. Meetings will be held at the Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota, first floor Conference Room 1 at **8:30 a.m.**

Please call the ACRRA Program, (651) 297-3490 or (651) 296-3349, should you require additional information.

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 June 13, 2001, a Special Local Need (SLN) registration for Stratego Fungicide, manufactured by Bayer Corporation, Kansas City, MO 64120. This registration allows an application of Stratego through the time of heading in wheat.

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

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

Comment deadline is July 25, 2001.

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 July 13, 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 195 acres of bare farmland, located 4 miles south of Sacred Heart on county road 9, then .5 miles east (Section 29), five miles south of Sacred Heart on county road 9, then 1.5 miles east on 780th Avenue (Sections 33 and 4), Sections 29, 33 and 4, Sacred Heart South Township, Renville County, Minnesota on behalf of Eric Hendrickson, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$200,000.00. 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: 6 June 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 July 13, 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 a 1000-head hog finishing barn, located 5 miles north of Minnesota on highway 3, then 2.75 miles east on gravel road, Section 32, Swede Prairie Township, Yellow Medicine County, Minnesota on behalf of Scott and Vicki Kack, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$150,000.00. 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: 6 June 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 July 13, 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 160 acres of bare farmland, located 4.5 miles south of Sacred Heart on county road 9, then 1 mile west on unmarked gravel road, Section 36, Hawk Creek Township, Renville County, Minnesota on behalf of Brian R. Schmidt, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$237,600.00. 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

Official Notices

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: 6 June 2001

Jim Boerboom
RFA Director

Department of Economic Security Energy Assistance Program

Public Hearings for Energy Assistance Program

The public is invited to comment on the proposed Minnesota State Plan for the Energy Assistance Program for Fiscal Year 2002 at two public hearings or through written comment. The first hearing will be held July 25, 2001, from 5:00 p.m., to 7:00 p.m., in the University Room of the Embassy Suites Hotel at 175 East 10th Street, St. Paul, MN 55101. The second hearing will be held August 1, 2001, from 1:30 p.m., to 4:30 p.m., in the Ladyslipper Room of the Centennial Building in the capitol complex at 658 Cedar Street, St. Paul. Written comment must be received at the address below by **4:30 p.m., on August 1, 2001.**

The FY 2001 Energy Assistance Plan describes how federal LIHEAP funds will be used to help low-income households pay home heating bills and conserve energy. Comments received at the public hearings and in writing during the comment period will be considered in the development of the state plan. A single copy of the proposed State Plan may be obtained by writing, calling or emailing:

John Harvanko, Director
Office of Energy Programs
390 N. Robert Street, Annex
St. Paul, MN 55101.
Phone: (651) 284-3275
Fax: (651) 284-3277
Email: john.harvanko@state.mn.us

Department of Human Services Health Care Administration

Public Notice Regarding Payment Rate and Methodology Changes, and Services under the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, the MinnesotaCare Program, and the Prescription Drug Program (PDP)

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of certain anticipated changes to the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, the Prescription Drug Program (PDP), and the MinnesotaCare Program that may be enacted by the 2001 Minnesota Legislature during the current Special Legislative session. This notice is published pursuant *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 non-institutional services. This notice is also published pursuant to 42 *United States Code* section 1396a(a)(13), which requires the Department to publish proposed and final nursing facility, inpatient hospital and Intermediate Care Facilities for Persons with Mental Retardation (ICF/MR) payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. The changes to the state MA Program are estimated to result in a net increase in MA Program expenditures of \$220 million for State Fiscal Year 2002.

The actual text of these proposed changes is currently under debate by the 2001 Minnesota Legislature. The Department will issue an updated *State Register* notice to the public, recipients, and providers of services once the Health and Human Services appropriations bill is enacted by the 2001 Minnesota Legislature.

After enactment, information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to MA, GAMC, PDP, and MinnesotaCare enrollees through written notice, and to health care providers through newsletters and updates to the *Minnesota Health Care Programs Provider Manual*. Eligibility changes to the MA, GAMC, PDP, and MinnesotaCare programs will be published in an updated *State Register* notice once the Health and Human Services appropriations bill is enacted by the legislature.

Proposed changes are being considered for the following areas:

I. MA, GAMC, MinnesotaCare, and Prescription Drug Program Services and Payment Rates

II. MA Home and Community-Based Waivers and Payment Rates

III. MA Long-Term Care Services and Payment Rates

I. MA, GAMC, MinnesotaCare, and Prescription Drug Program Services and Payment Rates

- Effective 7/1/01, MA will continue to cover telemedicine consultations. Language requiring coverage to end 7/1/01 is repealed.
- Effective 8/1/01, the MA hospital surcharge is not an allowable cost for inpatient hospital rate setting.
- Effective 7/1/01, payment for ambulance services is the greater of the Medicare rate or the MA rate on 7/1/00.
- Effective 7/1/01, payment for special transportation mileage remains \$1.30 per mile. Language mandating a \$1.30 per mile rate from 7/1/00-6/30/01 is repealed.
- Effective 1/1/01, federally qualified health centers and rural health centers may elect to be paid under a prospective payment system or an alternative cost-based system.
- Effective 7/1/01, inpatient hospital rates for sixteen DRGs will be set at the greater of a hospital's rate or the hospital's rate plus 12.5% of the difference to the seven county metropolitan average for hospitals located outside of that area. The 12.5% increases to 100% over eight years.
- Effective the later of 7/1/01, or when federal approval for intergovernmental transfers is obtained, inpatient hospital rates for sixteen DRGs will be set at the greater of a hospital's rate or 90 % of the seven county metropolitan average for hospitals located outside of that area.
- Effective the later of 7/15/01, or when federal approval is obtained, a system of intergovernmental transfers between DHS, Hennepin County and Ramsey County, and upon specific federal approval, the university will be implemented. The transfers to DHS and to the affiliated hospitals of the government entities will be based on federal maximum limits on MA payments.
- Effective 7/1/01, transfers to the medical education and research fund will include tobacco fund money plus \$600,000 and any matching federal share.
- Effective 1/1/01, payment for diagnostic and dental services to persons under 21 will be the lesser of charges or 70% of the median of 1999 charges. Payment to designated critical access dental providers may be increased up to 30%.
- Effective 7/1/01, for mental health targeted case management services provided by Indian Health Service facilities or facilities owned or operated by a tribe or tribal organization, MA and MinnesotaCare payments will may be made pursuant to *Minnesota Statutes*, section 256B.0625 or other relevant federally approved rate setting methodology.
- Effective 7/1/01, MA and MinnesotaCare payment for mental health targeted case management services may be made for the last 180 days prior to a person's discharge from a nursing facility, hospital or ICF/MR unless the person was not eligible for MA during that period. Current MA policy limits payment to the last 30 days prior to discharge.
- Effective 7/1/01, MA covers case management for vulnerable adults and persons with developmental disabilities. The rates will be based on a monthly rate methodology.
- Effective 7/1/01, MA covers targeted case management services to assist eligible persons to relocate from institutions to more integrated community settings. The funding reimburses county agencies for costs associated with providing targeted case management services for up to 180 days prior to a person's discharge from an institution.
- Effective 7/1/01, MA rates for outpatient mental health services, including therapy, day treatment and children home-based services will be rebased to 75.6% of the 50th percentile of 1999 charges. These rates are currently based on 1989 charges. The effect of this change will be an average rate increase of 8.8%, but the specific change for each service will vary depending on the relationship between current rates and 1999 charges.
- Effective 7/1/01, the MA rates for outpatient mental health services provided by an entity that operates: 1) a Medicare-certified comprehensive outpatient rehabilitation facility; and 2) a facility that was certified prior to

Official Notices

January 1, 1993, with at least 33% of the clients receiving rehabilitation services in the most recent calendar year are MA recipients, will be increased by 38%, when those services are provided within the comprehensive outpatient rehabilitation facility and provided to residents of nursing facilities owned by the entity.

- Effective 7/1/01, MA payments will be made to local agencies for face-to-face pre-admission screenings provided to persons with disabilities under age 65 for whom a nursing facility placement is being sought.
- Effective 7/1/01, MA may cover private duty nursing (PDN) services according to whether the PDN provides complex care (nursing care provided to recipients who are either ventilator dependent or for whom a physician has certified that were it not for PDN, the recipients would meet the criteria for inpatient hospital intensive care unit (ICU) level of care) or regular care.
- Effective 7/1/01, parents of minor children, spouses, and legal guardians who are registered or licensed practical nurses may receive payment for providing PDN services to their child, spouse or ward, if they meet the relative hardship waiver criteria.
- Effective 7/1/01, up to nine skilled nurse visits may be provided without prior authorization. Currently, MA covers up to five visits before prior authorization is required. Two skilled nurse visits may be provided per day with prior authorization, if the visits are medically necessary.
- Effective 7/1/01, MA covers medically necessary skilled nurse visits provided using telehomecare devices.
- Effective 7/1/01, physical and occupational therapy assistants may receive payment for providing therapy services in a recipient's home. Services provided by an occupational or physical therapy assistant that are provided under the direction of a occupational or physical therapist who is not on the premises will be reimbursed at 65% of the occupational or physical therapist rate. Services provided by a occupational or physical therapy assistant will be reimbursed at the same rate as services performed by a occupational or physical therapist when the services of the occupational or physical therapy assistant are provided under the direction of a occupational or physical therapist who is on the premises. The occupational or physical therapist and occupational or physical therapist assistant may not both bill for services provided to a recipient on the same day.
- Effective 7/1/01 and 7/1/02, provider reimbursement rates will be increased by three percent for the following programs: Home and Community-Based Waiver Services for Persons with Mental Retardation or Related Conditions (MR/RC Waiver) under *Minnesota Statutes*, section 256B.501; Elderly Waiver (EW) services under *Minnesota Statutes*, section 256B.0915; Community Alternatives for Disabled Individuals (CADI) waiver services under *Minnesota Statutes*, section 256B.49; Community Alternative Care (CAC) waiver services under *Minnesota Statutes*, section 256B.49; Traumatic Brain Injury Waiver (TBIW) services under *Minnesota Statutes*, section 256B.49; nursing services and home health services under *Minnesota Statutes*, section 256B.0625, subdivision 6a; personal care services and nursing supervision of personal care services under *Minnesota Statutes*, section 256B.0625, subdivision 19a; private-duty nursing services under *Minnesota Statutes*, section 256B.0625, subdivision 7; Day Training and Habilitation (DT&H) services for adults with mental retardation or related conditions under *Minnesota Statutes*, sections 252.40 to 252.46; Alternative Care (AC) services under *Minnesota Statutes*, section 256B.0913; adult residential program grants under *Minnesota Rules*, parts 9535.2000 to 9535.3000; adult and family community support grants under *Minnesota Rules*, parts 9535.1700 to 9535.1760; Semi-Independent Living Services (SILS) under *Minnesota Statutes*, section 252.275, including SILS funding under county social services grants formerly funded under *Minnesota Statutes*, chapter 256I; and community support services for deaf and hard-of-hearing adults with mental illness who use or wish to use sign language as their primary means of communication; living skills and training programs for persons with intractable epilepsy who need assistance in the transition to independent living; and the group residential housing (GRH) supplementary service rate under *Minnesota Statutes*, section 256I.05, subdivision 1a..

II. MA Home and Community-Based Waivers and Payment Rates

- Effective 7/1/01, or upon receipt of federal approval, a consumer-directed home care demonstration project will be implemented to evaluate a consumer-directed service delivery system. MA eligible recipients of home care services that choose to participate will have the opportunity to manage their own support services. The grant awards will be based on historical expenditures up to 90% of the average monthly MA costs.
- Effective 7/1/01, exceptions to the current waiver reimbursement limits will be available for recipients of Community Alternative Care (CAC), Community Alternatives for Disabled Individuals (CADI), and the Traumatic Brain Injury (TBI) waivers who have exceptional needs that require additional resources.
- Effective 7/1/01 for service rate limits under the Alternative Care and Elderly Waiver programs, the rate limit for each service except assisted living plus services and foster care services will be the greater of the Alternative Care

statewide maximum rate or the Elderly Waiver statewide maximum rate. Payment rate disparities between counties for the same service between programs will be eliminated to improve access to community based services for older Minnesotans.

III. MA Long Term Care Services and Payment Rates

Nursing Facilities

Pursuant to the Governor's biennial budget, the Department proposed changes to the nursing facility rate-setting system. The Minnesota Legislature considered the Department's proposed changes, gathered information, and held public hearings at which nursing facility residents, trade associations, providers, facility employee union representatives, and the general public were invited to attend. The legislature is currently considering the public's input as it debates the Health and Human Services appropriations bill. The legislature may enact the following rate changes:

- Effective 7/1/01, the amount given to counties for long-term care consultation services (previously called pre-admission screening) will be increased. The amount will be allocated by nursing facility beds in each county, and nursing facility payment rates will be adjusted accordingly.
- Effective after 6/30/02 but no later than 1/1/03, nursing facilities will determine resident reimbursement classifications based upon the federally mandated minimum data set assessment instrument. The new system must have a budget neutral financial impact on each facility at the time of implementation, relative to the current case-mix system.
- Effective 7/1/01, the threshold above which facilities reimbursed under *Minnesota Statutes*, section 256B.431 must apply for a moratorium exception is increased to one million dollars. New technology costs are allowed to be part of a moratorium exception project.
- Effective 7/1/01, nursing facilities that have undergone replacement or remodeling as part of a planned closure will have their beds licensed and certified as an exception to the moratorium process.
- Effective 7/1/01, a transfer will be permitted of up to 98 beds of a licensed bed facility located in Anoka County that is closing, to a licensed bed nonprofit nursing facility located in the city of Columbia Heights, or its affiliate. The transferred beds are to be placed on lay-away, and the lay-away adjustment provisions do not apply. The receiving nursing facility must receive statutory authority before removing the beds from lay-away. The beds may be only removed from lay-away at the receiving facility's current site, or at a newly constructed facility located in Anoka County.
- Effective 7/1/01, licensure and certification will be permitted of up to 120 beds to replace beds in a nursing facility in Anoka County. The new facility must be in Anoka County and located within four miles of the existing facility.
- Effective 7/1/01, a nursing facility in Wilken County will be allowed a total replacement project of up to 124 beds to replace its flood-damaged facility.
- Effective 7/1/01, a 240-bed nursing facility located in Duluth will be allowed to license an additional nine beds to provide residential services for the physically handicapped, under *Minnesota Rules*, parts 9570.2000 to 9570.3400.
- Effective 7/1/01, the negotiated payment rate limit language for contracts for services for ventilator-dependent persons is amended to delete the six month hospitalization requirement and eliminate the requirement that the person was assessed at case-mix classification K. The negotiated payment, for persons admitted before 7/1/01 (provided they do not already have a negotiated rate), must not exceed 200% of the facility's multiple bedroom payment rate for case mix classification K. For persons admitted on or after 7/1/01, the negotiated payment rate must not exceed 300%.
- Effective 7/1/01, the replacement-cost-new limits for all building projects completed on or after 7/1/01 will be increased.
- Effective 7/1/01 and 7/1/02, nursing facilities reimbursed pursuant to either Rule 50 or the Alternative Payment System (APS) or pursuant to performance based contracting will receive a three percent increase in operating payment rates. There are no restrictions on the use of these funds.
- Effective 7/1/01 and 7/1/02, nursing facilities reimbursed pursuant to either Rule 50 or the APS may apply to the Commissioner for a 3.0 percent increase in operating payment rates to be used for wage-related costs. Facilities must submit an application for this increase that contains a plan for distribution. The plan must be posted or otherwise available to a nursing facility's employees. Once the plan is approved, the rate adjustment will be added to the facility's payment rate for the period 7/1/01 and 7/1/02, or the effective date of a nursing facility's plan.
- Effective 7/1/01, a higher rate will be provided for the first 90 days after admission. For the first 30 paid days, the rate will be 120% of the facility's MA rate for each case mix class, and for the next 60 paid days the rate will be 110% of the facility's MA rate for each case mix class.

Official Notices

- Effective 7/1/01, operating rate increases will be given based on a nursing facility's operating rate in effect on June 30, 2001, and a percent of the median operating rates in effect on June 30, 2001, of facilities in geographic group three. Part of the difference between the facility's rate and the percent of the median rate will be allowed for each care level that is below the percent of the median rate. (Each case-mix care level is computed separately.) Beginning 7/1/02 and 7/1/03, an additional portion of the difference will be allowed so that by 7/1/03, all facilities that were below the median of geographic group three will be paid at least that amount. To receive the increases provided, facilities must submit an application to the Commissioner each year, providing information on the use of the funds.
- Effective 7/1/01, an increase will be provided for nursing facilities determined to be the lowest rate facilities in state development region 11 (metropolitan area). If case mix rates fall below the median for each case mix level in this region, an increase will be given to bring a facility up to the median for each case mix level.
- Effective 7/1/01, an increase will be provided for nursing facilities located outside of metropolitan area (state development region 11). If case mix rates fall below specified amounts, an increase will be given to bring the facility rates up to those amounts.
- Effective the day following final enactment, nursing facilities reimbursed under *Minnesota Statutes*, section 256B.431 are excluded from current restrictions on billing for therapy services.
- Effective 7/1/01, adjustments for raw food costs that are related to providing special diets based on religious beliefs will be excluded when calculating arrays, medians, or other statistical measure of nursing facility payment rates to be used to determine future rate increases.
- Effective 7/1/01 and 7/1/02, the property payment rate for nursing facilities reimbursed under *Minnesota Statutes*, section 256B.434 will be increased for inflation.
- Effective 7/1/01, an increase for nursing facility rates will be provided for any increase in health department licensing fees taking effect on or after 7/1/01.
- Effective 7/1/01, three nursing facilities reimbursed under *Minnesota Statutes*, section 256B.434 will receive specified rate increases.
- By 7/15/01, the Commissioner is directed to announce a program for closure or partial closure of up to 5,140 beds in nursing facilities. A planned closure rate of \$2,080 for each closed bed will be provided. A rate adjustment of up to 50% for 60 days or less may be used to pay resident relocation costs or other costs related to the closure or downsizing, in which case the planned closure rate adjustment is delayed to offset these expenditures. Allows the Department to allocate up to \$400 per closing bed to reimburse counties for their resident relocation costs.
- Effective 7/1/01, for the next biennium, when approving nursing home moratorium exception projects, the Commissioner of Health is to give priority to a proposal to build a replacement facility in the city of Anoka or within ten miles of the city of Anoka.
- Effective 7/1/01, the Commissioner must begin to develop a system to replace the current nursing facility reimbursement system. This section describes what factors to consider and prohibits implementing performance-based contracting until 7/1/03.
- Effective 7/1/01, the Commissioner must conduct a time motion study to determine whether costs in the case mix system are adequately reimbursed.
- Effective 7/1/01 through 6/30/03, the Commissioner is directed to establish and implement a pilot project to contract with up to six nursing facilities that serve ten or more people with multiple sclerosis. The Commissioner will negotiate a payment rate, not to exceed 150% of the person's case mix rate. This negotiated rate cannot affect rates charged to privately paying residents.
- Effective 7/1/01, a \$.25 operating payment rate increase will be provided to nursing facilities to be used for employee scholarship costs and training in English as a second language.
- Effective 7/1/01, allows the Commissioner of Health to approve moratorium exception projects under *Minnesota Statutes*, section 144A.073 up to the specified appropriation.
- Effective 7/1/01, for a 47-bed nursing facility operated by the Red Lake Band of Chippewa Indians MA payment rates must be calculated according to allowable reimbursement costs under the MA Program as specified in *Minnesota Statutes*, section 246.50, and are subject to the facility-specific Medicare upper limits. The Commissioner must make available rate adjustments for the biennium beginning 7/1/01 on the same basis as the adjustments provided to nursing facilities under *Minnesota Statutes*, section 256B.431. The Commissioner must use the facility's final 2000 and 2001 Medicare cost reports to calculate the adjustments. This rate increase becomes part of the facility's base rate for future rate years.

If these items are enacted the Department anticipates adding them to the MA State plan. Individual nursing facility payment rates will be available by contacting the Audits Division, Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3836 or by calling, **phone:** (651) 296-9916.

ICFs/MR

The Governor's biennial budget did not propose changes to the ICF/MR rate-setting system. The Minnesota Legislature gathered information and held public hearings at which ICF/MR residents, trade associations, providers, ICF/MR union representatives, and the general public were invited to attend. The legislature is currently considering the public's input as it debates the Health and Human Services appropriation bill. The legislature may enact the following rate changes:

- Effective 7/1/01 and 7/1/02, ICFs/MR will receive a three percent rate increase to the total operating payment rate.
- Effective 7/1/01, the Commissioner may determine rates for an ICF/MR that is under receivership through a review of actual costs and resident days in the period the facility is under receivership under *Minnesota Statutes*, section 245.13.
- Effective 7/1/01, the Commissioner may fund the entire state share of MA reimbursement for residential and day habilitation services for residents of an ICF/MR in Northfield.

If these items are enacted, the Department anticipates adding them to its MA State plan. Facility-specific ICF/MR rates will be available by contacting Barbara Nelson, Minnesota Department of Human Services, 444 Lafayette Rd. N., St. Paul, MN 55155 or at (651) 582-1069.

Minnesota State Law Library

Notice of County Law Library Filing Fees

Pursuant to *Minnesota Statutes* 134A.09 and 134A.10, the following law library fees are in effect as of July 1, 2001. Civil fees include probate matters except as noted. Criminal conviction includes felonies, gross misdemeanors, and misdemeanors except as noted.

<u>COUNTY</u>	<u>CIVIL</u>	<u>CONCILIATION</u>	<u>CRIMINAL CONVICTION</u>	<u>PETTY MISDEMEANORS</u>
Lac Qui Parie	\$10	\$10	\$10	\$10
Chippewa	\$10	\$10	\$10	\$10
Yellow Medicine	\$10	\$10	\$10	\$10
Norman	\$10	\$10	\$10	\$10
Anoka	\$10	\$10	\$10	\$ 7

Department of Natural Resources

Division of Waters

Request for Comments on Planned Rules and Rule Amendments Governing Public Water Work Permits *Minnesota Rules*, Chapter 6115

Subject of Rule. The Minnesota Department of Natural Resources requests comments on its planned rules and rule amendments governing the public waters work permit program. The proposed rules would:

- 1) Make permanent the exempt rules adopted by the department that became effective on July 31, 2000 and that expire on July 31, 2002. These changes were published in the *State Register*, Volume 25, on Monday, July 31, 2000, and are located on pages 143 -152;
- 2) Make changes in the permit requirements to add provisions to address the sequencing concepts of project avoidance, minimization and compensation comparable to language found in the Wetland Conservation Act program rules (*Minnesota Rules*, Chapter 8420.0520 and 8420.0540);

Official Notices

- 3) Make changes in the permit requirements to add provisions to determine when compensation for a major change in the public waters resource is necessary;
- 4) Make changes in the permit requirements to redefine significant fish and wildlife habitat as habitat containing species endangered, threatened or of special concern listed pursuant to *Minnesota Statutes*, section 84.0895 and *Minnesota Rules*, chapter 6134;
- 5) Make changes in the permit requirements addressing maintenance and repair of existing public ditch systems by a public drainage authority pursuant to *Minnesota Statutes*, chapter 103E to make it consistent with the language found in *Minnesota Statutes*, section 103G.2241, subdivision 2 and *Minnesota Rules*, part 8420.0122, subpart 2;
- 6) Make changes in the permit requirements to provide procedures that allow plans developed and adopted on a local basis that are approved by the commissioner to form the basis for public water work permit decisions within the area identified in the approved plan;
- 7) Make changes in the permit requirements to exempt additional docks, marinas and harbors from public water work permit requirements if the docks, marinas and harbors that are developed are in compliance with city or county zoning ordinances, and to clarify inland and off-shore harbor development criteria;
- 8) Make changes in the permit requirements to add a new section to the rules to address natural resource restoration projects;
- 9) Make changes in the permit review procedures to establish new procedures for developing written agreements between the local government unit administering provisions of the Wetland Conservation Act and the commissioner where the local government unit waives the requirement for a wetland replacement plan for projects where a public waters work permit is required and the commissioner includes the provisions of *Minnesota Statutes*, sections 103A.201, 103B.3355 and 103G.222 to 103G.2372 and the rules adopted to these same sections in the public waters work permit;
- 10) Make changes to implement language contained in *Minnesota Laws*, Chapter 146 that gives the commissioner the authority to record or file restoration or replacement orders in the office of the county recorder or registrar of deeds, and to waive the requirement for a public waters work permit for projects affecting wetland areas of public waters affected by a public transportation project to the local government unit administering the Wetland Conservation Act; and
- 11) Make additional changes in the permit rules to improve consistency of water and wetland regulatory processes.

Persons Affected. The rules may affect landowners owning land abutting public waters or public water wetlands, state agencies, local units of government and federal agencies required to obtain or willingly applying for a public waters work permit. Individuals or businesses, such as consultants, engineering firms, land surveyors, builders, and contractors, that provide goods or services to landowners, state agencies, local units of government and specific federal agencies may also be affected.

Advisory Committee. The department does not contemplate appointing an advisory committee to comment on the planned rules. Direct communication with interested and affected parties, public news releases, and posting on the DNR web site will be used to provide input for the proposed rules, along with significant input from a stakeholder group consisting of interest groups, agencies and local governments who were involved in developing the legislation and 2000 rule amendments. The department contemplates working with the Board of Water and Soil Resources as they undertake a similar process to revise the Wetland Conservation Act Rules contained in Chapter 8420. The interested and affected parties for both processes are likely to be very similar. (See their separate Request For Comments notice in the *State Register*.)

Statutory Authority. The adoption of the rules is authorized by *Minnesota Statutes*: section 103G.315, subdivision 15. The rules being proposed for adoption include rules authorized by the *Laws of Minnesota 2000*, chapter 382, section 20 which authorized the Minnesota Department of Natural Resources to adopt temporary rules exempt from the rulemaking provisions of *Minnesota Statutes*, chapter 14. The exempt rules adopted under this authorization are effective until July 31, 2002 unless they are superseded by permanent rules.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing, by email, or orally until **4:30 p.m. on August 31, 2001**. The department has not yet prepared a draft of the planned rules, beyond the existing exempt rules. Written or oral comments, questions, requests to receive a draft of the permanent rules when it has been prepared, and requests for more information on these planned rules should be addressed to the agency contact person:

Bruce H. Gerbig
Department of Natural Resources
500 Lafayette Road, Box 32
St. Paul, Minnesota 55155-4032
Phone: (651) 296-0515 or 1-888-MINNDNR
Email: bruce.gerbig@dnr.state.mn.us
DNR Website: www.dnr.state.mn.us

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.

Note: Comments submitted in response to this notice will be considered in drafting rules, but comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 12 June 2001

Allen Garber, Commissioner
Department of Natural Resources

Pollution Control Agency Environmental Outcomes Division

Request for Comments on Plan to Amend Rules Governing the Determination of Water Quality Condition as It Relates to Water Quality Standards, *Minnesota Rules 7050.0150*

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is seeking opinions, information and comments from sources outside the MPCA to assist in the preparation of proposed amendments to state water quality standards found in *Minnesota Rules* ch. 7050. The amendments being considered are limited in scope, and are intended to clarify the information used to evaluate the water quality of lakes, rivers and streams when applying narrative water quality standards. The amendment of the water quality rule is authorized by *Minnesota Statutes* § 115.03, subd. 1.

Minnesota Rules ch. 7050 includes general narrative standards applicable to all waters of the state, numerical water quality standards for the protection of specific beneficial uses such as drinking, swimming and fishing; effluent limits for dischargers, and a use classification system for all waters of the state. A numerical water quality standard is a safe concentration of a pollutant associated with a specific beneficial use, that, if not exceeded, the beneficial use will be protected. For example, the cyanide standard for the protection of fish and other aquatic life is 5.2 parts per billion, and the cyanide standard for the protection of drinking water is 200 parts per billion. A narrative water quality standard is a statement that prohibits unacceptable conditions in or on the water, such as floating solids, scums, visible oil film, or nuisance algae blooms.

The MPCA is considering adding to *Minnesota Rules* ch. 7050 sets of factors it uses to decide if a particular lake, river or stream segment is meeting narrative water quality standards. The MPCA also plans to prepare a detailed methodology and protocol as guidance to use in implementing the new rule language. This detailed methodology, while not intended to be part of the rule itself, will be made available for public review. The MPCA is interested in getting public input and comments on these plans.

List of Surface Waters That Do Not Meet Water Quality Standards

The federal Clean Water Act requires the MPCA to list the lakes, rivers and streams in Minnesota that are not meeting one or more water quality standard. For each water body put on the list, the MPCA is required to investigate the source(s) of the pollution, both point and nonpoint, and develop and implement a plan to reduce the pollutant loading to bring the water body back into compliance with water quality standards. This process is called a Total Maximum Daily Load (TMDL) analysis. A water body must be added to the list if either a numerical or narrative standard is exceeded. The determination that a numerical standard has been exceeded is fairly straightforward. If the pollutant concentrations measured over a period of years exceed the standard with a stated frequency, the standard is exceeded and that water body is added to the list. The determination that a narrative standard is exceeded is not as straightforward. Sufficient data must be assembled that show a pattern of exceedances of the stated unacceptable conditions over time. The MPCA has used exceedances of both numeric and narrative standards as the basis for putting water bodies on the impaired waters list.

Petition to the MPCA to Add Listing Factors

The MPCA received on November 13, 2000, a petition from four parties asking the MPCA to add factors to *Minnesota Rules* ch. 7050 that spell out the types of information the MPCA uses to decide if a water body is not meeting a narrative standard, and if that water body should be added to the impaired waters list. The petitioners, the Coalition of Greater Minnesota Cities, the League of Minnesota Cities, the Minnesota Association of Small Cities and the Minnesota Farm Bureau, maintain that the current rule is vague, ambiguous, and lacks detail on the information the MPCA uses to decide that a narrative standard has been exceeded. The petitioners suggest that the rule could be made clearer by adding "listing factors" to the rule. The MPCA, in a letter dated January 17, 2001, responded by saying that it agreed with the main point of the petition, that listing factors should be added to *Minnesota Rules* ch. 7050.

Official Notices

MPCA's Tentative Plans for Rulemaking

The MPCA is planning to propose amendments to *Minnesota Rules* ch. 7050 that will add listing factors pertaining specifically to the application of narrative standards protecting surface waters from:

1. excess nutrient loading to lakes and rivers causing over-abundant algae growth and potential loss of aesthetic and recreational uses,
2. degradation of the aquatic community such as fish and fish-food organisms including destruction of habitat, and
3. contamination of fish tissue such that restrictions on fish consumption are recommended.

The additions to *Minnesota Rules*, ch. 7050 the MPCA is considering are "interpretative" changes only. That is, the additions are intended to clarify how existing standards in the rule are implemented. The MPCA is not planning to make any substantive changes to any water quality standards, either numerical or narrative, nor is it planning to add any new standards, in this rulemaking. The proposed changes will make the existing standards neither more stringent nor more lenient.

Public Input

The public is encouraged to visit the MPCA's TMDL web page <http://www.pca.state.mn.us/water/tmdl.html> to follow progress on the proposed rulemaking. As mentioned previously, the MPCA plans to prepare a guidance document that will describe in detail the information needed, minimum data requirements, and the protocol the MPCA follows to make decisions on whether a water body is meeting both numerical and narrative water quality standards. This document and a preliminary draft of the proposed rule language will be available for public review by the fall of 2001.

The MPCA requests information, opinions and comments on the MPCA's plans to add factors to the rule to make it more clear how narrative water quality standards are applied, as outlined in this notice. Any interested person or group may submit ideas, comments or opinions. Comments can be submitted in writing or orally. Oral statements will be received during regular business hours. Written or oral comments, or requests for more information, should be directed to:

Howard Markus
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155-4194
Phone: (651) 296-7295
MN Toll Free: (800) 657-3864
Fax: (651) 297-7709
Email: howard.markus@pca.state.mn.us

Comments and suggestions should be received by the MPCA no later than **July 23, 2001**. All written comments received will become part of the rulemaking record.

Pollution Control Agency

South District

Notice of Availability of Final Draft Minnesota River Basin Plan and Request for Comment

The Minnesota Pollution Control Agency is requesting comment on the final draft "Minnesota River Basin Water Quality Plan." The plan addresses issues, goals, and strategies of the MPCA in the Minnesota River Basin. The MPCA will consider the comments received in finalizing the plan. During the last public comment period, over 30 individuals, agencies, and organizations provided comments. Following this public comment period, final edits will be made and the plan will be printed.

Please direct questions to the following staff:

Mark Jacobs
MPCA Marshall
1420 E. College Drive, Suite 900
Marshall, MN 56258
Phone: (507) 537-7146

Norman Senjem
MPCA Rochester
18 Wood Lake Drive SE
Rochester, MN 55904
Phone: (507) 280-3592

Larry Gunderson
MPCA St. Paul
520 Lafayette Road
St. Paul, MN 55155
Phone: (651) 297-3825

Copies of the draft plan will be available on the Internet at <http://www.pca.state.mn.us/water/basins/mnriver/>

Please forward any comments on the draft plan to Larry Gunderson at the address above.

Comments must be received by **July 20, 2001**. The Minnesota River Basin Plan is scheduled to be finalized and released in summer, 2001.

Minnesota Board of Teaching

Announcement of Adoption of Additional Examinations for Teacher Licensure

As required by *Minnesota Rules*, Part 8710.0500, subpart 4, the Minnesota Board of Teaching hereby notifies citizens of Minnesota that the following examinations have been adopted as requirements for first time applicants teacher licensure in Minnesota, effective September 1, 2001.

The tests announced herein are in addition to the already-required examinations of skills in reading, writing, and mathematics under *Minnesota Rules* 8710,0500, subpart 1, item A.

All new classroom teacher licensee in Minnesota must complete one pedagogy test as listed below and the content test (if any) required for the licensure field or fields to be issued.

Minnesota licensed classroom teachers *adding* a new licensure field on or after September 1, 2001, must take the content test specified, but are not required to take a pedagogy test.

For purposes of this requirement, the term "classroom teacher license" does not include licenses as a Teachers of Parent and Family Education, School Counselor, School Social Worker, School Psychologist, Educational Speech-Language Pathologists, Teacher Coordinators of Work-Based Learning, or Teachers of Adult Basic Education.

Pursuant to *Minnesota Rules*, Part 8710,0500, subpart 3B, applications postmarked before August 31, 2002, must evidence completion of the required examinations, but there shall be no minimum passing score enforced. The "Projected Passing Scores" listed below are the scores the Board anticipates enforcing for applications postmarked *on or after September 1, 2002*.

Applicants on or after September 1, 2001, applying for "old" licenses under *Laws of Minnesota 2001*, Chapter 1, must complete an appropriate pedagogy examination plus the content examination (s) required for related licensure fields.

Applicants prepared outside Minnesota shall be granted temporary licenses under the provisions of *Minnesota Rules* 8710.0500, subpart 11.

All examinations listed below are from the Praxis II series of examinations by the Educational Testing Service (ETS). For information regarding these examinations, applicants should contact their teacher preparation institution or the Minnesota Board of Teaching (651) 582-8833].

Pedagogy Examinations

On or after September 1, 2001, each applicant for *first-time* Minnesota classroom teacher licensure must successfully complete one of the following examinations. The grade range of the examination must be within the grade range(s) for which the applicant is seeking licensure:

Examination	Projected Passing Score (September 1, 2002 and after)
<i>0522 Principles of Learning and Teaching: Grades K-6</i>	152
<i>0523 Principles of Learning and Teaching: Grades 5-9</i>	144
<i>0524 Principles of Learning and Teaching: Grades 7-12</i>	153

Content Examinations

On or after September 1, 2001, first time applicants for the following licensure fields, whether as first time Minnesota licensees or to add the field(s) to existing Minnesota teacher licensure, must successfully complete the following examinations:

Official Notices

8710.3000 TEACHERS OF EARLY CHILDHOOD EDUCATION.

Examination

**Projected Passing Score
(September 1, 2002 and after)**

0020 Early Childhood Education

540

8710.3200 TEACHERS OF ELEMENTARY EDUCATION WITH A SPECIALTY.

Examination

**Projected Passing Score
(September 1, 2002 and after)**

0014 Elementary Education: Content Knowledge

140

(Test not required for specialty areas themselves)

8710.4050 TEACHERS OF AGRICULTURE.

Examination

**Projected Passing Score
(September 1, 2002 and after)**

Agriculture: Content Knowledge

To Be Determined

8710.4100 TEACHERS OF AMERICAN INDIAN LANGUAGE, HISTORY, AND CULTURE.

No Content Examination Required.

8710.4150 TEACHERS OF BILINGUAL/BICULTURAL EDUCATION.

No Content Examination Required

8710.4200 TEACHERS OF BUSINESS.

Examination

**Projected Passing Score
(September 1, 2002 and after)**

Business Education: Content Knowledge

To Be Determined

8710.4250 TEACHERS OF COMMUNICATION ARTS AND LITERATURE.

Examination

**Projected Passing Score
(September 1, 2002 and after)**

0041 English Language, Literature, & Composition: Content Knowledge 148

8710.4300 TEACHERS OF DANCE AND THEATRE ARTS.

For Dance Concentration:

No Content Examination Required

For Theatre Concentration:

Examination

**Projected Passing Score
(September 1, 2002 and after)**

Theatre: Content Knowledge

To Be Determined

8710.4350 TEACHERS OF DRIVER AND TRAFFIC SAFETY.

Examination

**Projected Passing Score
(September 1, 2002 and after)**

Driver Education: Content Knowledge

To Be Determined

8710.4400 TEACHERS OF ENGLISH AS A SECOND LANGUAGE.

Examination

**Projected Passing Score
(September 1, 2002 and after)**

0360 Teaching English as a Second Language: Content Knowledge

540

8710.4450 TEACHERS OF FAMILY AND CONSUMER SCIENCES.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0120 Home Economics Education: Content Knowledge

600

8710.4500 TEACHERS OF HEALTH.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0550 Health: Content Knowledge

500

8710.4550 LIBRARY MEDIA SPECIALISTS.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0310 Library Media Specialist

540

8710.4600 TEACHERS OF MATHEMATICS.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0061 Mathematics: Content Knowledge

131

8710.4650 TEACHERS OF VOCAL MUSIC AND OF INSTRUMENTAL MUSIC.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0113 Music: Content Knowledge

140

8710.4700 TEACHERS OF PHYSICAL EDUCATION.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0091 Physical Education: Content Knowledge

141

8710.4750 TEACHERS OF SCIENCE.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0435 General Science: Content Knowledge

143

8710.4800 TEACHERS OF SOCIAL STUDIES.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0081 Social Studies: Content Knowledge

149

8710.4850 TEACHERS OF TECHNOLOGY.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
Technical Education: Content Knowledge

To Be Determined

8710.4900 TEACHERS OF VISUAL ARTS.
Examination
**Projected Passing Score
(September 1, 2002 and after)**
0133 Art: Content Knowledge

160

8710.4950 TEACHERS OF WORLD LANGUAGES AND CULTURES.

For Spanish:

Examination
**Passing Score
(September 1, 2002 and after)**
0192 Spanish: Productive Language Skills

162

Official Notices

For French:

Examination

**Projected Passing Score
(September 1, 2002 and after)**

0171 French: Productive Language Skills

158

For German:

Examination

**Projected Passing Score
(September 1, 2002 and after)**

0182 German: Productive Language Skills

170

For Other World Languages:

No Examination Required

ALL SPECIAL EDUCATION FIELDS, INCLUDING:

8710.5100 TEACHERS OF SPECIAL EDUCATION: BLIND OR VISUALLY IMPAIRED.

8710.5200 TEACHERS OF SPECIAL EDUCATION: DEAF OR HARD OF HEARING.

8710.5250 TEACHERS OF SPECIAL EDUCATION: ORAL/AURAL DEAF EDUCATION.

8710.5300 TEACHERS OF SPECIAL EDUCATION: DEVELOPMENTAL ADAPTED PHYSICAL EDUCATION.

8710.5400 TEACHERS OF SPECIAL EDUCATION: DEVELOPMENTAL DISABILITIES.

8710.5500 TEACHERS OF SPECIAL EDUCATION: EARLY CHILDHOOD. 8710.5600 TEACHERS OF SPECIAL EDUCATION: EMOTIONAL BEHAVIORAL DISORDERS.

8710.5700 TEACHERS OF SPECIAL EDUCATION: LEARNING DISABILITIES. 8710.5800 TEACHERS OF SPECIAL EDUCATION: PHYSICAL AND HEALTH DISABILITIES.

Examination

**Projected Passing Score
(September 1, 2002 and after)**

0353 Education of Exceptional Students: Core Content Knowledge

140

Department of Transportation

State Aid for Local Transportation Division

Appointment of a State Aid Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Thursday, June 28, 2001 at 10:00 a.m. in Conference Room 9, Mn/DOT Arden Hills Training and Conference Center, 1900 West County Road I, Shoreview, Minnesota, 55126.

This notice is given pursuant to *Minnesota Statute* 47k.705.

The purpose of this open meeting is to investigate and determine recommendations for variance requests from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3300 adopted pursuant to *Minnesota Statutes* Chapters 161 and 162.

The agenda will be limited to the following:

1. **Petition of the Ramsey County Board** for a variance from *Minnesota Rules* 8820.9920 as they apply to a bridge replacement project on Arcade Street over the Keller Channel, located between County Road B-2 and Keller Parkway in the City of Maplewood, Minnesota, so as to allow replacement of Bridge No. 90413 with a bridge roadway width of 32', in lieu of the minimum 36' width.
2. **Petition of the Shoreview City Council** for a variance from *Minnesota Rules* 8820.9936 as they apply to the proposed reconstruction of Municipal State Aid Street No. 260 (Hodgson Connection) located at the intersection with Ramsey County State Aid Highway No. 49, so as to allow a 22 mph horizontal curve, in lieu of the minimum 30 mph required design speed.
3. **Petition of the Minneapolis City Council** for a variance from *Minnesota Rules* 8820.9936 as they apply to a completed construction project located on Municipal State Aid Street No. 201 (Sheridan Avenue), so as to allow a minimum curb reaction width on southbound Sheridan Avenue of 0.7 meters (2.3 feet), in lieu of the required 1.2 meter (4 feet) curb reaction width from reconstructed Upton Avenue South (approximately 150 feet north of the north curb line of West 43rd

Street) to the northerly Project limits (approximately 315 feet north of the north curb line of West 43rd Street) in the City of Minneapolis, Minnesota.

4. **Petition of the Fillmore County Board** for a variance from *Minnesota Rules* 8820.9920 as they apply to a proposed bridge replacement and approach construction project on County State Aid Highway No. 23, replacing Bridge No. 88905 over Gribben Creek, located approximately 1.7 miles south of the junction with Trunk Highway No. 16 in Fillmore County, Minnesota, so as to allow a horizontal design speed of 30 mph, in lieu of the 40 mph minimum requirement; and to allow an aggregate surfaced roadway, in lieu of the requirement for a paved surface meeting the structural design strength requirements of a 9 ton roadway.
5. **Petition of the Fillmore County Board** for a variance from *Minnesota Rules* 8820.9920 as they apply to a proposed reconstruction project on County State Aid Highway No. 6, from the south junction at County State Aid Highway No. 11 to a point approximately 0.3 miles easterly, so as to allow a horizontal design speed of 25 mph, in lieu of the 40 mph minimum requirement; and to allow an aggregate surfaced roadway, in lieu of the requirement for a paved surface meeting the structural design strength requirements of a 9 ton roadway.

The Cities and Counties listed are requested to adhere to the following time schedule when appearing before the Variance Committee:

10:00 a.m.	Ramsey County (Arcade Street Bridge)
10:20 a.m.	City of Shoreview (Hodgson Connection)
10:40 a.m.	City of Minneapolis
11:15 a.m.	Fillmore County (CSAH 23 and CSAH 6 requests)

Dated: 18 June 2001.

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

Department of Transportation

State Aid For Local Transportation Group

Petition of the Ramsey County Board for a variance from minimum State Aid standards regarding BRIDGE ROADWAY WIDTH

NOTICE IS HEREBY GIVEN that the Ramsey County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to the proposed Arcade Street bridge replacement project, located between County Road B-2 and Keller Parkway in the City of Maplewood, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9920, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, as they apply to the proposed replacement project on Arcade Street, replacing Bridge No. 90413 over Keller Channel in Maplewood, Minnesota, so as to allow a 32' bridge width, in lieu of the minimum 36' requirement.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Mail Stop 100 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 18 June 2001

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

Department of Transportation

State Aid for Local Transportation Group

Petition of the Shoreview City Council for a variance from minimum State Aid standards regarding DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Shoreview City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to a proposed reconstruction project on Hodgson Connection (Municipal State Aid Street No. 260) at the intersection with County State Aid Highway No. 49 in Ramsey County, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9936, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow a 22 mph horizontal curve, in lieu of the required 30 mph design speed on Hodgson Connection, located at the intersection with County State Aid Highway No. 49 in Ramsey County, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Mail Stop 100 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 18 June 2001

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

Department of Transportation

State Aid for Local Transportation Group

Petition of the Minneapolis City Council for a variance from minimum State Aid standards regarding CURB REACTION WIDTH

NOTICE IS HEREBY GIVEN that the Minneapolis City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to the completed construction on Municipal State Aid Street No. 201 (Sheridan Avenue), in the City of Minneapolis, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9936, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 0.7 meter curb reaction width, in lieu of the required 1.2 meter curb reaction width on south-bound Sheridan Avenue, between reconstructed Upton Avenue South (approximately 150 feet north of the north curb line of West 43rd Street) and the northerly Project limits (approximately 315 feet north of the north curb line of West 43rd Street) in the City of Minneapolis, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Mail Stop 100 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 18 June 2001

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

Department of Transportation

State Aid for Local Transportation Group

Petition of the Fillmore County Board for a variance from minimum State Aid standards regarding DESIGN SPEED, SURFACING AND STRUCTURAL DESIGN STRENGTH.

NOTICE IS HEREBY GIVEN that the Fillmore County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to a proposed bridge replacement and approach construction project on County State Aid Highway No. 23, replacing Bridge No. 88905 over Gribben Creek, located approximately 1.7 miles south of the junction of Trunk Highway No. 16 in Fillmore County, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9920, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 30 mph horizontal design speed, in lieu of the 40 mph minimum design speed; and to permit an aggregate surfaced roadway, in lieu of the requirements for a paved surface roadway meeting the structural design strength requirements of a 9 ton roadway on the roadway approach and bridge construction project on County State Aid Highway No. 23, over Gribben Creek, in Fillmore County, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Mail Stop 100 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 18 June 2001

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

Department of Transportation

State Aid for Local Transportation Group

Petition of the Fillmore County Board for a variance from minimum State Aid standards regarding DESIGN SPEED, SURFACING AND STRUCTURAL DESIGN STRENGTH

NOTICE IS HEREBY GIVEN that the Fillmore County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to a proposed reconstruction project located on County State Aid Highway No. 6, between the south junction at County State Aid Highway No. 11 and a point approximately 0.3 miles easterly in Fillmore County, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9920, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 25 mph horizontal design speed, in lieu of the 40 mph minimum design speed; and to permit an aggregate surfaced roadway, in lieu of the requirements for a paved surface roadway meeting the structural design strength requirements of a 9 ton roadway on County State Aid Highway No. 6, between the south junction at County State Aid Highway No. 11 and a point approximately 0.3 miles easterly in Fillmore County, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Mail Stop 100 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 18 June 2001

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

**Department of Transportation
State Aid for Local Transportation Group**

**Petition of the Blue Earth County Board for a variance from minimum State Aid standards
regarding DESIGN SPEED**

NOTICE IS HEREBY GIVEN that the Blue Earth County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to the proposed bridge replacement and roadway approach construction project on Agate Road in Cambria Township, located across Morgan Creek in Blue Earth County, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9920, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 25 mph design speed, in lieu of the required 30 mph design speed as they apply to the proposed construction project replacing Bridge No. L-5687 on Agate Road, located across Morgan Creek in Cambria Township, Blue Earth County, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Mail Stop 100 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 18 June 2001

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

**Department of Transportation
State Aid for Local Transportation Group**

**Petition of the Steele County Board for a variance from minimum State Aid standards
regarding DESIGN SPEED**

NOTICE IS HEREBY GIVEN that the Steele County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to the proposed construction projects on Steele County State Aid Highway Nos. 12 and 23, located approximately between the East and West Limits of the I-35 Interchange construction project, near Medford, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9936, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit a 25 mph horizontal design speed, in lieu of the required 30 mph design speed on County State Aid Highway Nos. 12 and 23, located approximately between the East and West limits of the I-35 Interchange construction project near Medford, Minnesota in Steele County.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Mail Stop 100 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 18 June 2001

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

Board of Water and Soil Resources

Request for Comments on Planned Rules and Rule Amendments Governing the Wetland Conservation Act. *Minnesota Rules, Chapter 8420*

Subject of Rule. The Minnesota Board of Water and Soil Resources (BWSR) requests comments on its planned rules and rule amendments governing the Wetland Conservation Act (WCA). The proposed rules would:

1. Make permanent the exempt rules adopted by the BWSR that became effective on July 31, 2000 and that expire on July 31, 2002. These changes were published in the *State Register*, Volume 25, Pages 152-182, on Monday, July 31, 2000.
2. Make changes in the WCA requirements to further reduce regulatory duplication, including potential general permits for or assumption of the Federal Section 404 (*Clean Water Act*) program.
3. Make changes in the WCA requirements to add provisions to accommodate waivers from Department of Natural Resources Public Waters program.
4. Make changes in the WCA requirements that allow Comprehensive Wetland Protection and Management Plans developed and adopted by a local government and approved by the board to be better integrated with other land use planning and zoning programs within the area identified in the approved plan.
5. Make changes to implement language contained in *Minnesota Laws 2001*, Chapter 146.
6. Make miscellaneous changes to: address changes in implementation of related federal and state programs; incorporate suggested modifications by local governments, enforcement officials, agency staff, and private interests involved in implementing the WCA rules.
7. Make additional changes in the rules to improve consistency of water and wetland regulatory processes.

Persons Affected. The rules may affect private and public landowners owning wetlands or upland abutting wetlands. Individuals or businesses, such as consultants, engineering firms, land surveyors, builders, and contractors, that provide goods or services to landowners. Federal and state agencies and local units of government may also be affected.

Advisory Committee. The BWSR does not contemplate appointing a formal advisory committee to comment on the planned rules. However, the rule development process will include significant input from: i) a stakeholder group consisting of interest groups, agencies and local governments who were involved in developing the legislation and previous rules; ii) local government and agency staff involved in day-to-day implementation of the WCA; iii) a subcommittee of the board representing local governments, state agencies and citizens. Direct communications with interested and affected parties, public news releases and posting on the BWSR web site will be used to provide input for the proposed rules. The BWSR contemplates working with the Department of Natural Resources (DNR) as they undertake a similar process to revise the Public Waters Rules contained in Chapter 6115. (See separate Request for Comments notice in the State Register.)

Statutory Authority. The adoption of the rules is authorized by *Minnesota Statutes*: sections 103B.3355, 103G.2242 and 103B.101. The rules being proposed for adoption include rules authorized by the *Laws of Minnesota 2000*, chapter 382, section 20 which authorized the BWSR to adopt temporary rules exempt from the rulemaking provisions of *Minnesota Statutes*, Chapter 14. The exempt rules adopted under this authorization are effective until July 31, 2002 unless they are superseded by permanent rules.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing, by email or orally until 4:30 p.m. on August 31, 2001. The BWSR has not yet prepared a draft of the proposed rules, beyond the existing exempt rules. Written or oral comments, questions, requests to receive a draft of the permanent rules when it has been prepared, and requests for more information on these planned rules should be addressed to the agency contact person:

John Jaschke
Board of Water and Soil Resources
1 West Water Street, Suite 200
St. Paul, MN 55107
Phone: (651) 297-3432
Email: john.jaschke@bwsr.state.mn.us

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.

Note: Comments submitted in response to this notice will be considered in drafting rules, but comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 5 June 2001

Ronald D. Harnack, Executive Director
Minnesota Board of Water and Soil Resources

State Grants & Loans

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

Department of Corrections

Education Unit

Notice of Availability of Funds

The Minnesota Department of Corrections, Adult Facilities Division, Education Unit, announces the availability of state grant funds for a two-year pilot project for the following category:

Offender Employment Services: One grant of \$30,000 per year (\$60,000 total) is available for the purpose of conducting a pilot project to provide employment services to offenders released from one or more Minnesota correctional facilities. Services must include recruitment, assessment, job readiness, job placement and follow-up services.

This grant will be for the twenty-one (21) month period from October 1, 2001, through June 30, 2003.

Employment organizations, including for-profit businesses, governmental employment services and non-profit employment programs or agencies are eligible to apply.

Applicants must have a physical presence in the Twin Cities area that is accessible by public transportation.

All applications are due Friday, August 3, 2001.

To request a copy of the Request for Proposals, which describe in detail how to apply for funding, contact:

Marcie Sorensen, Director of Education
Minnesota Department of Corrections
Adult Facilities Division, Education Unit
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
Phone: (651) 642-0244
TTY: (651) 603-0150
Email: marcie.sorensen@co.doc.state.mn.us

This RFP is also available on the DOC website at [www.doc.state.mn.us/What's New](http://www.doc.state.mn.us/What's%20New)

Office of Environmental Assistance (OEA)

Notice of Accepting Preliminary Applications for Solid Waste Processing Facilities Grant Funds

The Solid Waste Management Processing Facilities Capital Assistance Program (CAP) was established by the Minnesota Legislature to provide financial and technical assistance to local governments to encourage the proper management of solid waste. The objective of the CAP program is to minimize land disposal of municipal solid waste (MSW) through solid waste processing and resource recovery.

This notice is issued by the OEA Director under authority provided in *Minnesota Rules* Parts 9210.0100 to 9210.0180. The purposes of this notice are to solicit applications for projects that meet the CAP Program objectives and to outline the application process.

Eligible applicants are Minnesota cities, counties, solid waste management districts, and sanitary districts. The applicant, or its county, must have an OEA approved County Solid Waste Management Plan.

Eligible projects are facilities that include resource recovery. The project, inclusive of land, building, and equipment, must be owned by the Applicant. Examples of eligible facilities are waste-to-energy facilities, municipal solid waste composting facilities, organics composting facilities, recycling facilities, projects to improve control of or reduce air emissions, and transfer stations that will serve waste processing facilities.

The amount of funding available is subject to bonding during the year 2002 Legislative Session. The deadline for preliminary application submittals is August 31, 2001.

Depending on the project type, a project may receive funding of 25 to 50% of the eligible capital cost, up to a maximum of \$2 million. Multi-county projects with an intercounty cooperative agreement may receive 25 to 50% of the eligible capital costs, or up to \$2 million times the number of participating counties, whichever is less. A project to construct a new mixed municipal solid waste transfer station serving an existing resource recovery facility that also has an enforceable commitment of at least 10 years, or of sufficient length to retire bonds sold for the facility, may receive grant assistance up to 75% of the capital cost of the project. Transfer stations receiving 75% grant assistance must substantially increase the geographical area served by the resource recovery facility.

Copies of the CAP Procedures Manual and Application Forms, including the statutes and rules applicable to the program, are available by contacting:

Mary L. James
Office of Environmental Assistance
520 Lafayette Road No., Second Floor
St. Paul, Minnesota 55155-4100
Phone: (651) 215-0194, or (800) 657-3843 (toll-free in Minnesota)

OEA staff is available to meet with interested applicants to discuss the CAP program, the grant process, and proposed projects prior to submissions of preliminary grant applications. Preliminary applications should be mailed or hand delivered to the OEA. Faxed submittals will not be accepted as an authorized applicant signature is required on the preliminary application submittal. All submissions should be unbound, single-sided, page numbered, and on 8 1/2" by 11" paper.

Preliminary applications meeting the requirements of *Minnesota Statutes* 115A.51, 115A.54, and *Minnesota Rules* Parts 9210.0100 to 9210.0180 must be received by the OEA at the above address by 4:30 p.m., CST, **Friday, August 31, 2001.**

Minnesota State Historical Society

Historic Preservation Grant Application Deadlines

The Minnesota Historical Society announces a fall grants cycle for a state grants program to assist historic preservation projects of a capital nature. These funds were allocated to the Minnesota Historical Society in the 2000 Legislative Session.

State Capital Grants-in-Aid County and Local Preservation Project Grants: The primary recipients are public entities as defined in state law, including county and local jurisdictions, or projects sponsored by an eligible governmental unit. To be funded, projects must serve a public purpose and the property must be in public ownership. Grant recipients must match state funds on at least an equal basis. At least \$200,000 will be awarded during the fall grants cycle.

Deadlines for the fall grants cycle are:

August 3, 2001:	Pre-application due.
September 7, 2001:	Application due.
October 11, 2001:	Grants Review Committee meets.

To request grant information materials and application forms, or for more information, call, **phone:** (651) 296-5478, **email:** the Grants Office - mandy.skypala@mnhs.org, or write to the Grants Office, Minnesota Historical Society, 345 West Kellogg Blvd., St. Paul, MN 55102-1906. Application materials can also be downloaded from the Minnesota Historical Society's **website:** www.mnhs.org

State Contracts

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

Department of Children Families and Learning

Office of Community Services

Notice of Request for Proposal to Conduct an Economic Impact Analysis of Child Care in Minnesota

The Department of Children, Families and Learning is soliciting proposals from qualified parties to conduct an economic impact analysis of child care in Minnesota.

The Department of Children, Families and Learning has received federal funding for child care development activities. The Department will award one contract to an individual, organization or a collaboration representing several individuals/organizations with expertise in conducting economic impact of child care analyses and extensive knowledge of child care at the state and national level.

The goal of this project is to conduct an expert economic impact analysis of child care in two or three Minnesota counties.

The Department has estimated that the costs of this analysis should not exceed \$317,000.

The anticipated analysis period will be October 1, 2001 through June 30, 2003.

For a copy of the complete Request for Proposal, please contact:

Julie Nash
Office of Community Services
Department of Children, Families and Learning
1500 Highway 36 West
Roseville, Minnesota 55113-4567
Phone: (651) 582-8562
Fax: (651) 582-8496
Email: child.care@state.mn.us

Completed proposals are due no later than 3:00 p.m. on July 31, 2001. Late proposals will not be considered.

In compliance with *Minnesota Statutes* 16C.07, 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.

Minnesota State Colleges and Universities

NetWORK for Customized Training, Education and Development

Request for proposals for NetWORK Market Research

Minnesota State Colleges and Universities is seeking proposals from qualified marketing firms to conduct market research for the statewide NetWORK for customized training, education and development. NetWORK operations are located in 60 cities throughout the state, serving the incumbent workforce via customized training for firms and organizations and continuing career education for the public. The research to be done encompasses both collecting internal system data about current customers and information about potential customers. Once information has been collected, a second phase of the project would be focused upon identifying target markets and conducting specific research for these markets.

The purpose of the project is to determine present and potential target markets for colleges and universities in the NetWORK for customized training, education and development, and to determine the most effective marketing methods to reach these market segments. Identified results of the project include:

Phase I: 1. Data on current customers; 2. Data on potential customers; 3. Comprehensive analysis of data.

Phase II: Data on customer decision making based on the following questions:

- How is the decision made to purchase training services? Who is the decision maker?
- How do the decision makers get information about available training?
- What is the awareness level among decision makers of MnSCU customized training services?
- What is the perception of MnSCU customized training services among decision makers?
- What are the real and perceived barriers for decision makers in contracting with colleges or universities for customized training services?
- What are the key messages that would change perceptions or persuade the decision makers to consider MnSCU customized training services?

The deadline for receipt of proposals is **3 p.m., Thursday, July 10, 2001**. Proposals will be opened at 3 p.m. in conference room 622 World Trade Center, 30 E. 7th Street, St. Paul. Copies of the complete Request for Proposal are available from:

Richard Tvedten
System Director, Customized Training/Continuing Career Education
Minnesota State Colleges & Universities
500 World Trade Ctr, 30 E. 7th Street
St. Paul, MN 55101

Stephanie McConnell
Project Manager
Minnesota State Colleges & Universities
500 World Trade Ctr, 30 E 7th Street
St Paul, MN 55101
Phone: (651) 282-5514

Minnesota State Colleges and Universities and Minnesota Satellite and Technology (MnSAT)

Notice of Request for Proposal (RFP): Transponder Space

NOTICE IS HEREBY GIVEN that MnSAT requests proposals to provide transponder services commencing August 15, 2001 and ending June 30, 2003. The objective of this procurement is to enable MnSAT to continue serving its customers with broadcast services.

The current dollar value of the compensation for the provision of the requested transponder services is not currently known. This request for proposal does not obligate MnSAT to spend any specific dollar amount.

Paper copies of the Request for Proposal are available free of charge to interested vendors from:

Dr. Penelope L. Dickhudt
Minnesota Satellite & Technology
500 World Trade Center (5th Floor)
30 East 7th Street
St. Paul, MN 55101
Phone: (651) 297-4811

Please note: Other MnSAT personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

Proposal Due Date:

Vendor proposals should be submitted in writing no later than **2:00 p.m., Tuesday, July 10, 2001**. Proposals received after this time will not be considered.

Department of Health

Center for Health Promotion

Notice of Availability of Contract for Populations of Color Fetal Alcohol Syndrome Prevention Campaign

The Minnesota Department of Health is requesting proposals for an advertising agency with experience in social and multicultural marketing to coordinate the research, development, production, and distribution of culturally specific media products that will raise the awareness of alcohol related birth effects (related to drinking during pregnancy) among Minnesota populations of color and American Indians. The selected agency will assume the lead in developing public information products which may include print and electronic media such as posters, billboards, brochures, community newsletters, audio and/or video tools, and radio and television spots. The focus population(s) for this effort include American Indian, as well as urban and rural African American, Hispanic, and SE Asian: (1) women of childbearing age (15-45) and (2) partners, family, and friends. Through culturally specific messages and approaches Minnesota residents will be informed about the possible dangers of drinking during pregnancy and positive actions to take. Priority communities for media campaign materials development will be determined by MDH.

In addition, the selected contractor will coordinate the media planning and statewide placement of existing television and radio ads that are targeted to the general Minnesota public including:

- 1) women of childbearing age (15-45 years old) and 2) partners, family and friends.

Project Budget

MDH has estimated that the cost of this project should not exceed a total of \$425,000 as follows:

- MDH anticipates that \$325,000 of the budget will be allocated to community research, development, and testing of culturally appropriate creative concepts and messages. These messages and concepts will be used to produce print and electronic media such as posters, billboards, brochures, audio and video programs, and radio and television spots by June 30, 2002.
- MDH anticipates that \$100,000 of the budget will be allocated to existing general media (television and radio ads) planning and placement in appropriate media markets from October 2001 through June 30, 2002.

Work is proposed to start after September 15, 2001.

A complete Request for Proposals will be available by mail from this office through July 16, 2001. A written request (by direct mail or fax) is required to receive the Request for Proposal. After July 16, 2001, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Sheila Marshall
Minnesota Department of Health
Center for Health Promotion
85 East Seventh Place, Suite 400
St. Paul, MN 55101
Phone: (651) 281-9850
Fax: (651) 215-8959

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **4:00 p.m., Central Daylight Savings Time, July 25, 2001**, as indicated by a notation made by the Receptionist, 3rd Floor, 85 East Seventh Place, Suite 300, St. Paul, MN 55101

Late proposals will not be considered.

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

State Board of Investment

Request for Information from Private Money Management Firms

The Minnesota State Board of Investment (MSBI) retains private money management firms to manage a portion of the pension assets and other accounts under its control. Firms interested in managing domestic stock, international stock, domestic bond or global bond portfolios for the MSBI are asked to write to the following address for additional information:

External Manager Program
Minnesota State Board of Investment
Capitol Professional Office Building
Suite 200 590 Park Street
St. Paul, MN 55103
Phone: (651) 296-3328
Fax: (651) 296-9572
Email: *mim.sbi@state.mn.us*

Please refer to this notice in your written request.

Minnesota Historical Society

Request for Proposals for Completing Project Documentation for the Split Rock Lighthouse Historic Site in Two Harbors, Minnesota through State Aid

The Minnesota Historical Society (Society) is seeking proposals from qualified consultants with experience in preparing and processing the appropriate project documentation through the Minnesota Department of Transportation's State Aid Division to access Federal Highway Administration funds.

The Society anticipates using \$500,000 of funds "earmarked" in TEA-21 for a project at the Split Rock Lighthouse Historic Site located in Split Rock Lighthouse State Park north of Two Harbors, Minnesota. In order for these projects to be eligible for Federal funds, the social, economic and environmental impacts of the projects must be assessed in accordance with State and Federal laws and regulations including, but not limited to, the National Environmental Policy Act (NEPA) and The Code of Federal Regulations for processing transportation projects. The consultant will work with the Society to gather information, prepare the appropriate project documentation in accordance with the Mn/DOT State Aid Division guidelines, coordinate to completion the social, economic and environmental studies necessary, submit the document for State and Federal approval, and track the project document until it is approved.

The Request for Proposal 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*

A mandatory pre-proposal meeting will be held at 2:00 p.m., Monday, July 16, 2001 at the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

Proposals must be submitted in accordance with the instructions that will be part of the Request for Proposals. Proposals must be received by Chris M. Bonnell, Contracting Officer, or an authorized agent, at the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 by **Tuesday, July 24, 2001 at 2:00 p.m., Central Time**. Late proposals will not be accepted.

Department of Transportation

Office of EEO Contract Compliance

Notice of Intent to Solicit Outside Information and Opinion on Proposed Disadvantaged Business Enterprise (DBE) Program Annual Goal Federal Fiscal Year 2001

NOTICE IS HEREBY GIVEN that the Minnesota Department of Transportation's (Mn/DOT) Office of EEO Contract Management proposes to set its annual goal for DBE participation on all U.S. Department of Transportation (DOT) assisted contracts at 13.5%.

State Contracts

In accordance with DOT regulations 49 CFR Part 26, Mn/DOT has established a Disadvantaged Business Enterprise (DBE) Program, which mandates setting DBE program annual goals.

This annual goal represents the percentage of all DOT funds that Mn/DOT expends during FY 2001 with DBEs for construction contracts, materials, supplies and equipment and professional services for the period of October 1, 2001 through September 30, 2002. Mn/DOT will advertise annually for public comment on its DBE Program and on proposed DBE participation.

The DBE annual goal and its rationale are available for public inspection during normal business hours, from 8:00 a.m. to 4:30 p.m. at the Office of EEO Contract Management, located on the first floor of the Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota. The goals and rationale are available for 30 days from the date of publication of this notice. Written comments will be accepted for 45 days from the date of this publication. All comments must be sent to the mailing address, E-mail address or by facsimile to the fax number listed below.

Mn/DOT's goal of 13.5% for FY 2001 may be adjusted in response to comments received during the forty-five (45) day comments period.

Address all written comments to:

Michael Garza, Director
Office of EEO Contract Management
Minnesota Department of Transportation
395 John Ireland Blvd., M.S. 170
St. Paul, MN 55155
Email: michael.garza@dot.state.mn.us
Fax: (651) 297-2158

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 Airports Commission

Notice of Request for Continuing Reliever Airport Engineering Consultant Services

The Metropolitan Airports Commission (MAC) is soliciting qualifications for Continuing Reliever Airport Engineering Consultant Services for the East Reliever Airports which includes the Downtown St. Paul Airport, Lake Elmo Airport, and Airlake Airport in Lakeville. Submittals for this opportunity are due to MAC on July 13, 2001. For a copy of the RFQ, contact Bridget Rief, P.E., Airside Project Manager, 6040 - 28th Avenue South, Minneapolis, MN 55450, (612) 725-8371.

Metropolitan Council

Bids Sought for RS6000 Data Server and External Tape Backup

Sealed Bids for Computer related equipment consisting of, RS6000 data server and external tape backup will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, MN 55101, on **Tuesday, July 17, 2001, 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 by calling Sunny Jo Emerson at, **phone:** (651) 602-1499 or **fax:** (651) 602-1083.

The Metropolitan Council shall consider all bids received and intends to award a purchase order to the responsive and responsible bidder submitting the lowest cost to the Council, by the due date and time, provided, however, that 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 proceed to do the work otherwise.

Metropolitan Council

Notice of Request for Proposals (RFP) for Professional/Technical Implementation Partners Metropolitan Contract Number 01P067

The Metropolitan Council is seeking proposals to assist in the installation and implementation of PeopleSoft Human Resources Information System (HRIS) throughout the organization. The project scope for this system includes Applicant Tracking, Workflow, Human Resources, Benefits Administration, Payroll, and Employee Portal. The Council implemented the PeopleSoft Financial system in 1999, and intends to execute a licensing agreement with PeopleSoft for their HRIS software product prior to the start of work described in this RFP.

A tentative schedule for the project is shown below:

<i>Issue Request for Proposals</i>	June 25, 2001
<i>Proposals Due</i>	July 26, 2001
<i>Start of Implementation Project</i>	September 2001
<i>Completion of Implementation Project</i>	December 2002

All firms interested in being considered for this project and desiring to receive an RFP package are invited to contact:

Amanda Petersen
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.petersen@METC.state.mn.us

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.

Solid Waste Management Coordinating Board

Notice of Request for Bids for Residential Backyard Composting Bins

The Solid Waste Management Coordinating Board (SWMCB) is seeking bids from qualified vendors for up to 10,000 residential backyard composting bins. Delivery date will be September and October 2001 at up to 8 locations in the Minnesota Counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Washington.

The Request for bids is available by calling or writing Linda Gondringer, Solid Waste Management Coordinating Board, Richardson, Richter and Associates, Inc., 477 Selby Avenue, St. Paul, Minnesota 55102. **Phone:** (651) 222-7227, **email:** lgondringer@richardsonrichter.com

Bids must be received not later than **noon, Central Standard Time, Monday, July 9, 2001**. No late bids will be accepted.

Complete specifications and details concerning submission requirements are included in the Request for Bids.

University of Minnesota

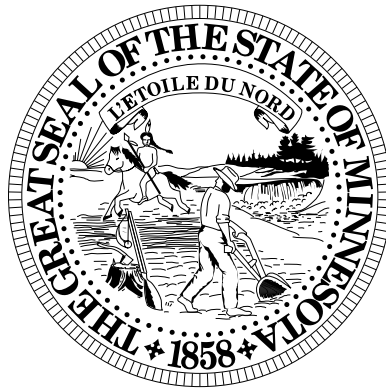
Notice of Bid Information Service (BIS) Available for All Potential Vendors

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.

State Register Index

Volume 25, Numbers 1 - 52



3 July 2000 – 25 June 2001

INDEX TABLE OF CONTENTS	
• Agency Rule Index	1995
(alpha by agency and subject)	
Comment Sought	
Opinion Sought	
Proposed	
Adopted	
Exempt	
Expedited Emergency	
Withdrawn	
Vetoed	
Errata	
• Executive Orders (numerical)	1999
• Commissioner's Orders	1999
(alpha by agency, then numerical)	
• Revenue Notices (numerical)	2000
• Appointments	2000
• Grants	2000

**Volume 25 - Subject Matter Index -- issues
1-52 cumulative**

ADMINISTRATION DEPARTMENT

Minnesota state building code comments sought on
planned amendment 62

Primal cuts terms on ground or chopped meat products
comments sought on planned amendment 677

ADMINISTRATIVE HEARINGS OFFICE

Rulemaking proceedings; contested case hearings; and revenue
recapture act hearings
comments sought on planned amendment 648

Rulemaking proceedings; contested case hearings; and revenue
recapture act hearings
proposed 1743

AGRICULTURE DEPARTMENT

Cheese and cheese products
proposed 1162

Cheese and cheese products
adopted 1464

Dairy industries and milk, milk products, and standards
comments sought on planned amendment 1294

Grain storage license fees adopted 30

Meat labeling
proposed 1311

Meat labeling
adopted 1633

Milk and milk product and cheese and cheese product standards
comments sought on planned appeal of obsolete
amendments 560

Seed potatoes
proposed 728

Seed potatoes
adopted 1142

Seed potato grades and tolerances
comments sought on planned amendment 1864

Seed law, and Christmas tree standards
comments sought on planned amendment 937

Seed testing fees and Christmas trees
proposed 1697

Smoked fish
proposed 801

Smoked fish
adopted 1241

ANIMAL HEALTH BOARD

Rabies
proposed 871

Rabies
adopted 1378

**ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE AND INTERIOR DESIGN BOARD**

Architect licensing
comments sought on planned amendment 807

Architect licensing
proposed 1399

Architect licensing
adopted 1862

BUREAU OF MEDIATION SERVICES

Delivery of documents to the Bureau of Mediation Services
comments sought on planned amendment 1562

CHILDREN, FAMILIES AND LEARNING DEPARTMENT

Child care assistance program
comments sought on planned amendment 852

Child care assistance program
proposed 1172

Profiles of Learning
proposed 5

Profiles of Learning
adopted 1402

Special education
proposed 1092

Special education errata 1143

Special education
proposed 1526

CHIROPRACTOR EXAMINERS BOARD

Alternative forms of continuing education
proposed 1431

Approval of examination from another state or jurisdiction
proposed 1285

Biennial requirements and scheduling for continuing
education
proposed 1287

Biennial requirements and scheduling for continuing
education
adopted 1916

Continuing education
comments sought on planned amendment 703

Continuing education sponsors eligibility
proposed 1289

Continuing education sponsor eligibility
adopted 1863

Definition of direct patient care
proposed 1227

Definition of direct patient care
adopted 1863

Examination from another state or jurisdiction
proposed 1285

Examination from another state or jurisdiction
adopted 1718

Examination requirements
proposed 1283

Examination requirements
adopted 1862

Expired licenses
proposed 544

Expired licenses
adopted 1207

Graduate preceptorship program
proposed 109

Graduate preceptorship program
adopted 779

Graduate preceptorship program
adopted 1142

State Register Index

Graduate preceptorship program proposed	1291	Manual for completion of the Health Care Financing Administration (HCFA) 1500 paper health insurance claim form	
Graduate preceptorship program adopted	1863	comments sought on planned amendments	187
License status inactive retired comments sought on planned repeal of amendment	915	Maternal and child health proposed	137
Participation in graduate preceptorship program proposed	110	Maternal and child health adopted	805
Participation in graduate preceptorship program adopted	1142	Merit system adopted	487
Prohibited advertising proposed	1228	Migrant labor camps proposed	803
Prohibited advertising adopted	1862	Migrant labor camps proposed	1329
Rendering opinions proposed	1281	Special Supplement Nutrition Program for Women, Infants, and Children (WIC Program) comments sought on planned amendment	1811
Rendering opinions. adopted	1717	Vital statistics adopted	487
Reinstatement of voluntarily retired license proposed	1231	Vital statistics errata adopted	588
Sponsorship of continuing education sponsor eligibility proposed	1289	Water treatment adopted	1633
Unapproved continuing education programs proposed	1230	Wells and borings proposed	768
Unapproved continuing education program adopted	1863	Wells and borings adopted	1207
COMMERCE DEPARTMENT		WIC adopted	555
Petroleum tank release compensation fund comments sought on planned amendment	916	HEALTH DEPARTMENT	
DIETETICS AND NUTRITION PRACTICE BOARD		POLLUTION CONTROL AGENCY	
Licensing and fees adopted	779	Water treatment certification proposed	1232
EMERGENCY MEDICAL SERVICES REGULATORY BOARD		HIGHER EDUCATION SERVICES OFFICE	
Ambulance services proposed	825	Calculation procedures and qualifying income comments sought on planned amendment	1066
Ambulance services adopted	1718	Student educational loan fund program. comments sought on planned amendment	1896
ENVIRONMENTAL PLANNING BOARD		HOUSING FINANCE AGENCY	
Applications for a site permit for a large wind energy conversion system comments sought on planned amendment	1382	Capital contribution of investors	1559
GAMBLING CONTROL BOARD		Definition of persons and families of low and moderate income proposed rule	59
Definitions and gambling managers comments sought on planned amendment	33	Definition of capitol contribution of the investors for the redefined equity program comments sought on planned amendment	117
Rules governing comments sought on planned amendment	1467	Definition of persons and families of low and moderate income adopted	877
HEALTH DEPARTMENT		Minnesota Urban and Rural Homesteading Program comments sought on planned amendment	1948
Asbestos workers proposed	763	HUMAN SERVICES DEPARTMENT	
Asbestos workers, certified work experience requirements withdrawn	1728	Diagnostic related groups exempt	1021
Asbestos workers adopted	1894	Electroconvulsive therapy proposed	826
Hospitals and surgical centers proposed	1827	Electroconvulsive therapy adopted	1313
Loan forgiveness adopted	142		

Family community support services under medical assistance			
proposed	1012		
Merit system			
adopted	556		
Protective services for children			
exempt	1772		
Specialized maintenance therapy under the Medical Assistance and General Assistance Medical Assistance programs			
proposed	1238		
HUMAN SERVICES DEPARTMENT			
HEALTH DEPARTMENT			
PUBLIC SAFETY DEPARTMENT			
Minnesota Merit System governing affirmative action plans, salary adjustments and increases, establishment of Registers, Temporary Appointment, and The Compensation Plan			
comments sought on planned amendment	1067		
LABOR AND INDUSTRY DEPARTMENT			
Employment; fees for rehabilitation services			
proposed	81		
Labor and Industry: fees for boilers; fees for high-pressure pipefitting			
adopted	990		
Occupational Safety and Health; standard industrial classification list for AWAIR			
exempt	31		
Occupational safety and health; high visibility personal protective equipment proposed exempt.....	780		
Occupational safety and health; high visibility personal protective equipment adopted	1241		
Prevailing wages; trucking			
proposed	772		
Prevailing wages: trucking			
adopted	1942		
Partial disability			
comments sought on planned amendment	1867		
Workers' compensation medical fee schedule			
proposed	212		
Workers' compensation medical fee schedule errata	560		
Workers' compensation; independent medical examination fees; conversion factor			
exempt	730		
Workers' Compensation: Medical Fee Schedule			
adopted	1142		
Workers' compensation treatment parameters and fees for mechanical traction			
comments sought on planned amendment	1866		
MEDICAL PRACTICE BOARD			
Fees			
exempt	1720		
MINNESOTA BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPING ARCHITECTURE, GEOSCIENCE, AND INTERIOR DESIGN			
Architect Licensing			
proposed	1399		
		MINNESOTA HOUSING FINANCE AGENCY	
		Capital contribution of investors	
		proposed	1120
		Capitol contribution of investors	
		proposed	1559
		Capital contributions to investors	
		adopted	1964
		MINNESOTA STATE RETIREMENT SYSTEM (MSRS)	
		Repealing receipt of benefit payments to to acknowledgment requirements	
		proposed	1860
		NATURAL RESOURCES DEPARTMENT (DNR)	
		Bear hunting	
		adopted expedited emergency	1655
		Clear Lake Game Refuge and deer hunting	
		expedited emergency	911
		Dam inspections	
		proposed	1331
		Dam inspections	
		adopted	1916
		Designated experimental waters	
		exempt	1379
		Designated infested waters	
		adopted expedited emergency	972
		Designated infested waters	
		adopted expedited emergency	1341
		Designated infested waters	
		errata.....	1403
		Identification documents	
		expedited emergency	664
		Limits on taking fish	811
		Perch	
		proposed	831
		Perch	
		adopted	1964
		Public waters work permits	
		exempt	143
		Public water work permits	
		comments sought on planned amendment	1973
		Public use of recreational areas	
		exempt	782
		Spring wild turkey hunting	
		expedited emergency	1337
		State game refuges; controlled	
		hunting zones; Camp Ripley archery hunt; fisher and pine marten limits; youth waterfowl hunting day; goose hunting	
		expedited emergency	557
		Taking of fish on Minnesota-Canada Boundary Waters	
		adopted expedited emergency	1404
		Taking walleye on Lake Mille Lacs	
		adopted expedited emergency	1948
		Taking walleye on Lake Mille Lacs	
		errata.....	1965
		Turkey hunting	
		adopted expedited emergency	183

State Register Index

Waterfowl hunting regulations		Identification documents	
expedited emergency	731	adopted	616
Waters closed or restricted for taking fish and designated management waters		Merit system	
expedited emergency	1779	adopted	487
PEACE OFFICER STANDARDS AND TRAINING BOARD		Reduced fee Minnesota identification cards	
POST Board rule amendments		proposed	931
adopted	1242	Reduced fee Minnesota identification cards	
Training and licensing rate repeals		adopted	1439
proposed	1333	Uniform Fire Code	
PHARMACY BOARD		comments sought on planned amendment	941
Fees		PUBLIC UTILITIES COMMISSION	
proposed	81	Competitive local telecommunication providers	
Pharmacy practice, including lunch breaks, electronic processing, controlled substance rescheduling, expiration dates, returns of medications, telepharmacy, OBBA 90 expansion, reciprocity examinations, internship requirements, lighting standards, and hospital emergency room dispensing comments sought on planned amendment	1587	proposed	546
PHYSICAL THERAPY BOARD		RACING COMMISSION	
Physical therapy		Horse racing	
comments sought on planned amendment	1127	proposed	1257
Incorporation of statutory changes relating to fees		Horse racing	
exempt	1721	adopted	1609
Incorporation of statutory changes relating to hearings		Pari-mutuel rules; class C licenses; horse races; horse medication; prohibited acts; and other rule amendments proposed by industry groups comments sought on planned amendment	790
exempt	1722	REVENUE DEPARTMENT	
Incorporation of statutory changes relating to change of name and other matters		Computation of gross income for individuals who are part-year residents or nonresidents of Minnesota	
exempt	1725	adopted exempt.....	806
POLLUTION CONTROL AGENCY		Corporate franchise tax	
Animal feedlots and storage, transportation, and utilization of animal manure		proposed	1056
adopted	834	Deed tax	
Determination of water quality condition as it relates to water quality standards		proposed	698
comments sought on planned amendment	1975	Individual income tax; innocent spouse relief and liability of divorced spouses	
Storage tanks		proposed	584
adopted	556	Individual income tax; innocent spouse relief and liability of divorced spouses	
PSYCHOLOGY BOARD		adopted	971
Fees		Individual income tax and individual estimated tax provisions	
proposed	1375	comments sought on planned amendment	812
Fees		Recapture act	
adopted	1894	comments sought on planned amendment	920
PUBLIC SAFETY DEPARTMENT		SECRETARY OF STATE	
Applications for reduced fee state identification cards		Elections	
comments sought on planned amendment	562	adopted	616
Crime Victims Reparations Board		Election official training	
comments on planned amendments to rules.....	35	adopted	112
Crime victims reparations		Revised Article 9 of the Uniform Commercial Code	
proposed	968	proposed	1698
Crime victims reparations		Satellite offices under revised Article 9 of the Uniform Commercial Code adopted exempt	114
adopted	1718	STATE ARTS BOARD	
Crime victims reparations		Grants and other forms of assistance to the arts	
withdrawn.....	1336	proposed	907
Fire protection systems		Grants and other forms of assistance to the arts	
comments sought on planned amendment	1149	errata	933
		Grants and other forms of assistance to the arts	
		adopted	1563

TEACHING BOARD

Additional teacher licensure fields
 comments sought on planned amendment 1268
 Continuing or professional teacher license
 issuance and renewal
 proposed 8
 Continuing or professional teacher license issuance
 and renewal
 adopted 588
 Teacher licensing proposed 16
 Teacher licensing
 adopted 805
 Teacher license examinations
 proposed rule 139
 Teacher license examinations
 adopted 877
 Teachers of family and consumer sciences licensure field
 comments sought on planned amendment 1267

TRADE AND ECONOMIC DEVELOPMENT DEPARTMENT

Urban initiative program
 comments sought on planned amendment 17
 Urban challenge grants
 proposed 875
 Urban challenge grants
 adopted 1609

TRANSPORTATION DEPARTMENT

Public transit
 adopted rule 61

WATER AND SOIL RESOURCES BOARD

Wetlands
 exempt 15
 Wetland conservation act
 comments sought on planned amendment 1985

Executive Orders

Office of the Governor

Emergency Executive Order #00-03: Declaring a state of emergency in the state of Minnesota 31
 Emergency Executive Order #00-04: Declaring a state of emergency in the state of Minnesota 32
 Emergency Executive Order # 00-05: Providing for personnel and equipment for the Prairie Island Nuclear
 Power Plant Drill and Exercise 116
 Emergency Executive Order #00-06: Declaring a state of emergency in the State of Minnesota 488
 Emergency Executive Order #00-07: Providing for assistance to the Yellow Medicine County sheriff 489
 Emergency Executive Order #00-08: Providing for assistance to the Mahnomon County sheriff 676
 Emergency Executive Order #00-09: Providing for assistance to the Department of Natural Resources, local
 governments and the Minnesota Interagency Fire Center 913
 Executive Order #00-10: Governor's Citizen Advisory Commission on Redistricting 1145
 Emergency Executive Order #00-11: Providing for emergency relief from regulations to motor carriers and
 drivers operating in Minnesota 1208
 Executive Order #01-01: Providing for the establishment of the Governor's State Capitol 2005 Commission 1610
 Emergency Executive Order #01-02: Providing for personnel and equipment for the Monticello nuclear power
 plant drill and exercise 1634
 Emergency Executive Order #01-03: Providing for assistance to the state of Minnesota 1656
 Emergency Executive Order #01-04: Providing for assistance to the state of Minnesota 1728
 Emergency Executive Order #01-05: Providing assistance to the Minnesota Department of Natural Resources 1782
 Emergency Executive Order #01-06: Providing for assistance to the Freeborne County sheriff 1808
 Emergency Executive Order 01-07: Declaring a state of emergency in the state of Minnesota 1836

Commissioner's Orders

Natural Resources Department

Commissioner's Scientific and Natural Area Order No. 165: Cottonwood River Prairie Scientific and Natural Area;
 superseding Scientific and Natural Area Order No. 149 733
 Commissioner's Scientific and Natural Area Order #167: Clear Lake Scientific and Natural Area 934
 Commissioner's Scientific and Natural Area Order No.161: Oronoco Prairie Scientific and Natural Area 1293
 Commissioner's Scientific and Natural Area Order No. 166: Kawishiwi Pines Scientific and Natural Area 1293

Pollution Control Agency

Findings of fact, conclusions and order regarding the petition for annexation of specified area adjacent to the Villard
 Ares Lakes Sanitary District 490
 Findings of fact, conclusions, and order in the matter of the petition to create the Knife River-Larsmont Sanitary District 1464

Transportation Department

Amended Order #84902 and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed 878

State Register Index

Order No. 85225: Amended order and notice of street and highway routes designated and permitted to carry gross weights	1406
Order No. 85246: Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed.....	1502

Revenue Notices

Department of Revenue

Revenue Notice #00-08: Sales and Use Tax - Ready-mixed concrete and trucks	185
Revenue Notice #00-09: Individual income tax - taxation of qualified state tuition programs	493
Revenue Notice #00-10: Sales and Use Tax: Nexus Standards	935

Appointments

Commerce Department

Appointment of Commissioner James Bernstein	490
---	-----

Department of Veterans Affairs

Appointment of Commissioner Jeffrey Olson	1146
---	------

State Grants

ADMINISTRATION DEPARTMENT

STAR Program requests proposals for assistive technology employment grants	495
STAR Program grants available to organizations providing assistive technology services and devices for people with disabilities.....	518
Proposals sought Governor's Council on Development Disabilities for an outreach and leadership development program	1663
Proposals sought Governor's Council on Development Disabilities for an outreach and leadership development program	1663

AGRICULTURE DEPARTMENT

Authority to make market development grants	188
Authority to make value-added cooperative grants.....	188
Agriculture Finance Division announces its authority to make agro-forestry grants.....	856
Request for proposals for the 2001 AgBMP and Countywide ISTS loan program allocation	883

AMATEUR SPORTS COMMISSION

CHILDREN, FAMILIES AND LEARNING DEPARTMENT

Grants to design, furnish, equip, renovate, replace or construct parks and recreation facilities, school facilities and soccer fields and athletic facilities	86
---	----

CHILDREN, FAMILIES AND LEARNING DEPARTMENT

Request for proposals for a grant contract for adult basic education statewide supplemental services	64
Proposals sought for a grant contract for adult basic education statewide supplemental services.....	1922
Request for proposals for early childhood facilities in Minnesota	592
Minnesota Academic Excellence Foundation grant opportunity for organizational partner to implement an urban outreach initiative	705
Request for proposals for contracts for:	
• adult basic education innovative grant program	707
• intensive English as a second language grant program	707
• English as a second language cooperative language instruction grant program	708

Request for proposals for a grant contract to assist immigrant families with literacy and vocational skills for immigrants ages 12-24	791
Request for proposals for a grant contract for English language and civics education grant program	813
Proposals sought for administration of the Minnesota School-age Care Training Network	996
Notice of grant availability for Technology Literacy Challenge Fund.....	1152
Applications sought for AmeriCorps education awards	1269
Proposals sought for child care resources and referral services in Region 8	1612
Proposals sought for english language and civics education grant program	1868
Proposals sought for intensive english as a second language grant program	1869
Notice of availability of grants for prevention and intervention funding	1897

CORRECTIONS DEPARTMENT

Availability of funds for capacity building grant program for communities of color	708
Notice of availability of grant funds for offender employment services	1986
Community and juvenile services grants available	1296
Grants available for sex offender-specific programming for juveniles and adults	1359
Funds available for juvenile and adult female offender programs	1641

ECONOMIC SECURITY DEPARTMENT

Funds available for extended employment programs	87
Funds available for extended employment programs in Minnesota	563
Minnesota Job Skills Partnership grant proposal deadlines for training programs designed for specific businesses	650
Funding available for coordinated employment services	1568

ENVIRONMENTAL ASSISTANCE OFFICE

Notice of accepting preliminary applications for solid waste processing facility grant funds	1986
--	------

FINANCE DEPARTMENT

Notice of available tax exempt bonding authority	1297
--	------

GOVERNMENT INNOVATION AND COOPERATION BOARD

Funding available for pilot projects that develop and implement alternative models for managing natural resources at the local level 738

GOVERNOR'S COUNCIL ON DEVELOPMENT DISABILITIES

Notice of cosponsorship funds for leadership training council 1152

HEALTH DEPARTMENT

Proposals sought for indoor random activities 1840

Request for proposals for grants for youth access to tobacco enforcement projects 592

Grant opportunity to develop community, network or strategic plans for preserving or enhancing access to health services 951

Request for letters of interest to apply for the Target Market Organization Project 1470

Notice of availability of grant funds and instructions for applicants 1471

Proposals sought by Tobacco Endowments for target market organization project 1663

Proposals sought by Tobacco Endowments for target market organization project 1663

HIGHER EDUCATION SERVICES OFFICE

Request for proposal for grant funding under the federal Higher Education Eisenhower Professional Development Program 739

HOUSING FINANCE AGENCY

Funds available to purchase, store, maintain, and make available x-ray fluorescent (XRF) analyzers 1664

Proposals sought for consolidated for single family, multifamily, and housing tax credit programs 1869

Proposals sought for housing tax credit program 1878

Grant funds available to support tenant organizing and education activities that preserve federally assisted low-income housing at risk of being lost as affordable housing 564

Request for proposals for administrators for the homeownership education counseling and training fund (HECAT)..... 813

Grants available for family homeless prevention and assistance program 1359

Notice of funds available and contingent request for proposal for bridges rental assistance program 1386

HUMAN SERVICES DEPARTMENT

Request for proposals for alternative payment system for nursing facility services under the Medical Assistance Program 37

Request for proposals for nontraditional career assistance and training programs 87

Request for proposals to provide services to hard-to-employ families in the Minnesota Family Investment Program (MFIP) and to working participants in need of job retention and wage advancement services 189

Request for proposals for innovative service delivery models for Minnesota health care programs recipients in Cass, Crow Wing, Morrison, Todd and Wadena Counties 497

Request for proposals for social services to school-age refugee children and elderly refugees 1922

Availability of funds for housing with services for older persons..... 593

Request for proposals from eligible health plan contractors to serve people with physical disabilities in an integrated health care delivery system called Minnesota Disability Health Options 593

Request for proposals for Minnesota Senior Health Options 678

Request for proposals from prepaid health plans for Minnesota Health Care Programs recipients in Lake of the Woods County 679

Request for proposals from qualified proposers for Minnesota health care programs recipients in Brown, Dodge, Freeborn, Goodhue, Kanabec, Mower, Sibley, Steele, Wabasha and Waseca Counties 856

Funding available for various adolescent programs 884

CORRECTION to the Minnesota Health Care Programs request for proposals issued October 16, 2000..... 977

Proposals sought to implement the Minnesota Indian Family Preservation Act..... 997

Request for proposal for grantees to provide outpatient gambling treatment services..... 1079

Proposals sought for colleges and/or training programs to host the 20th annual Minnesota Indian Institute on Alcohol and Other Drug Studies 1154

Proposals sought for Minnesota Health Care Programs Outreach Project..... 1269

Proposals sought for alternative payment for nursing facility services..... 1270

Proposals sought to provide services to deafblind children and their families, deafblind adults and training for intervenors and support service providers 1445

Proposals sought to provide greater Minnesota interpreter referral services 1445

Proposals sought for comprehensive HIV Case Management and care advocacy for people living with HIV/AIDS 1489

Proposals sought to develop and manage a regional foster care and adoption recruitment initiative..... 1489

Proposal sought to provide adoption services to families adopting children under Minnesota state guardianship 1508

Proposals sought for chemical health support services 1508

LABOR AND INDUSTRY DEPARTMENT

Safety grants for employers available through the department's safety hazard abatement matching grant program 739

Notice of availability of Labor Education Advancement Program (LEAP) grants 1814

MEDIATION SERVICES BUREAU

Applications accepted for funding under the Minnesota Area Labor-Management Committee program for calendar year 2000 grants..... 594

METROPOLITAN COUNCIL

Proposals sought for MetroEnvironmental Partnership Grant..... 123

State Register Index

MINNESOTA AMATEUR SPORTS COMMISSION (MASC)		Funds available for the following:	
Proposals sought for youth enrichment grants to design, furnish, equip, renovate, replace or construct parks and recreation facilities, school facilities and soccer fields and athletic facilities	1593	Criminal strike force officer replacement	1297
MINNESOTA CENTER FOR CRIME VICTIM SERVICES (MCCVS)		Expanding local capacity to combat gangs	1298
Notice of availability of funds for crime victim services for FY01/02	1216	Funding from the Bureau of Justice Assistance	1298
Funds available for Violence Against Women Act (VAWA) formula grants.....	1385	Proposals sought for development of community projects to support enforcing underage drinking laws program.....	1594
MINNESOTA HISTORICAL SOCIETY		Funds available for multi-jurisdictional narcotics task forces.....	1817
Application deadlines for state historic preservation grants	89	TRADE AND ECONOMIC DEVELOPMENT DEPARTMENT	
Historic preservation grant application deadlines	1153	Minnesota Job Skills Partnership grant proposal deadlines	1665
MINNESOTA JOB SKILLS PARTNERSHIP		Request for proposals for the Labor Force Assessment Grant Program	679
Grant proposal deadlines for training programs designed for specific businesses	739	Request for proposals for the Technology Catalyst Grant Program	682
NATURAL RESOURCES DEPARTMENT		Proposals sought from potential regional and specialized small business development centers.....	1360
Request for proposals for the 2001 AgBMP and Countywide ISTS loan program allocation.....	921	Minnesota Job Skills Partnership grant proposal deadlines.....	1665
OFFICE OF ENVIRONMENTAL ASSISTANCE		TRANSPORTATION DEPARTMENT	
Proposals sought for open grants.....	123	Candidate projects sought for funding through the Transportation Revolving Loan Fund (TRLF).....	190
Proposals sought for targeted grants	125	Port development assistance program applications available	1246
POLLUTION CONTROL AGENCY		Proposals sought for statewide right-of-way assistance, T-contract program.....	1593
Applications accepted for resource investigation and project implementation grants and loans through the state clean water partnership program and the federal clean water act section 319 grant program	519	VETERANS AFFAIRS DEPARTMENT	
PUBLIC SAFETY DEPARTMENT		Grant funds available and application requests accepted for placement on the funding list for the Minnesota county veterans service officer operational improvement grant program	498
Grants available for justice training partnerships from the Office of Drug Policy and Violence Prevention	566	WATER AND SOIL RESOURCES BOARD	
Notice of substance abuse courts planning and implementation grants	1897	Applications sought for 2002 Challenge Grant Program	1154
Request for proposal for public safety training facilities	884		

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