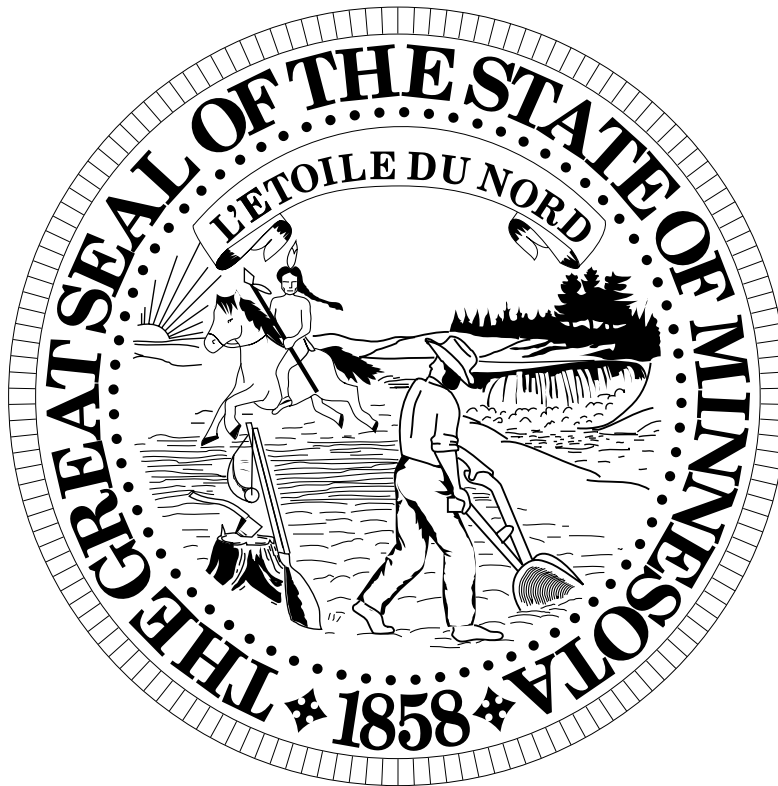


State of Minnesota

State Register

Rules and Official Notices Edition



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

SPECIAL EDITION

Tuesday 21 August 2001

Volume 26, Number 9

Pages 231-238

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- proposed, adopted, exempt, expedited emergency and withdrawn rules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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Printing Schedule and Submission Deadlines

Vol. 26 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
#9	Monday 27 August	Noon Wednesday 15 August	Noon Tuesday 21 August
#10	TUESDAY 4 September	Noon Wednesday 22 August	Noon Tuesday 28 August
#11	Monday 10 September	Noon Wednesday 29 August	Noon Tuesday 4 September
#12	Monday 17 September	Noon Wednesday 5 September	Noon Tuesday 11 September

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Publication Number: 326630 (ISSN 0146-7751)

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- **Single issues** are available for a limited time: *State Register* \$5.00, *Solicitation Announcements* \$1.00. Shipping is \$3.00 per order.

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$122.00 per page, billed in tenths of a page at \$12.20 (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

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

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Legislative Information

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

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

House Information Office (651) 296-2146

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

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

Minnesota State Court System

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

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Commodity, Service, and Construction contracts are published Tuesday and Friday in a bulletin, the *Solicitation Announcements*. Award results are available from the Materials Management Helpline (651) 296-2600. **Website:** www.mmd.admin.state.mn.us

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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.

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Executive Orders

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

Executive Department

Office of the Governor

Executive Order # 01-10: Providing for Assistance to Patients and Residents in State Regional Treatment Centers, Veterans Homes, and Community-Based Residences of the State of Minnesota

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

WHEREAS, due to circumstances of current negotiations, and the potential for a strike by the American Federation of State, County and Municipal Employees ("AFSCME") and the Minnesota Association of Professional Employees ("MAPE") certain state regional treatment centers, veterans homes, and community-based residences face a critical shortage of direct care personnel to ensure the health and safety of the vulnerable citizens in the care of the State of Minnesota; and

WHEREAS, the above-referenced direct care personnel provide essential life, safety and healthcare to the persons served by the above referenced facilities; and

WHEREAS, the absence of direct care personnel presents an immediate threat to the health, welfare and safety of the persons served by the referenced facilities; and

WHEREAS, the Commissioner of the Minnesota Department of Human Services and the Chairman of the Minnesota Veterans Home Board have requested assistance from the Minnesota Commissioners of Administration and Employee Relations in obtaining personnel to provide essential life, safety and health care to the persons served by the above referenced facilities in the event of a strike; and

WHEREAS, the Minnesota Commissioners of Administration and Employee Relations have requested assistance from the Governor to ensure provision of essential care and services to the persons served by the above referenced facilities in the event of a strike; and

WHEREAS, temporary assignment of State of Minnesota employees and the deployment of personnel from the Minnesota National Guard will be needed to avoid a breakdown in the essential care of patients in the above referenced facilities in the event of a strike; and

WHEREAS, the training of personnel to carry out this function must be undertaken in due course to ensure proper health care, safety and welfare for the patients in the above referenced facilities in the event of a strike.

NOW, THEREFORE, I hereby order that:


1. The Minnesota Department of Human Services and the Minnesota Veterans Home Board immediately prepare and submit for approval by the Minnesota Commissioners of Administration and Employee Relations a strike response plan indicating their essential service and personnel needs for the care and treatment of patients and residents of the above referenced facilities of the State of Minnesota, and immediately implement appropriate training programs for personnel temporarily assigned or deployed pursuant to this Order, for the purpose of assuring an appropriate level of care and treatment of such individuals.
2. State agencies and State employees will cooperate and assist the Minnesota Departments of Administration and Employee Relations in the implementation of the State of Minnesota Strike Contingency Plan and agency strike contingency plans approved by the Minnesota Commissioners of Administration and Employee Relations.
3. The Adjutant General of Minnesota order to state active duty, on or after September 6, 2001 such elements of the military forces of the State, as required, for the purpose of receiving the necessary advance training pursuant to the strike contingency plans implemented by the Minnesota Department of Human Services and the Minnesota Veteran's Home Board to provide for the safety and the essential direct care and treatment of such individuals in the custodial care of the State of Minnesota and the above referenced institutions.

Executive Orders

4. The Adjutant General is authorized to purchase, lease, or contract goods or services necessary to accomplish the mission.
5. The cost of subsistence, transportation, fuel, pay and allowances of said military personnel shall be defrayed from the general fund of the State, as provided for generally and in particular in *Minnesota Statutes 2000*, Sections 192.49, subd. 1; 192.52, and 192.54.

Pursuant to *Minnesota Statutes 2000*, section 4.035, subd. 2, this Order is effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes 2000* section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this twentieth day of August, 2001.



JESSE VENTURA
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State

State Contracts

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

Department of Administration

State Designer Selection Board

To Minnesota Registered Design Professionals: Request for Proposals for the Department of Transportation, Consolidated Operations Support Facility (Project 01-05)

Pursuant to SDSB *Minnesota Rule* 3200.0400, below is an update of the schedule that appeared in the *State Register* on Monday, August 20, 2001.

There will be a project informational meeting for all consultants submitting RFP's. The meeting will be held at MnDOT Training Center, 1900 West County Road I, New Brighton, MN 55162 on Monday, August 27, 2001, at 10:00 a.m. For additional information, contact Ronald Lagerquist at (651) 297-4742.



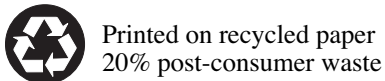
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