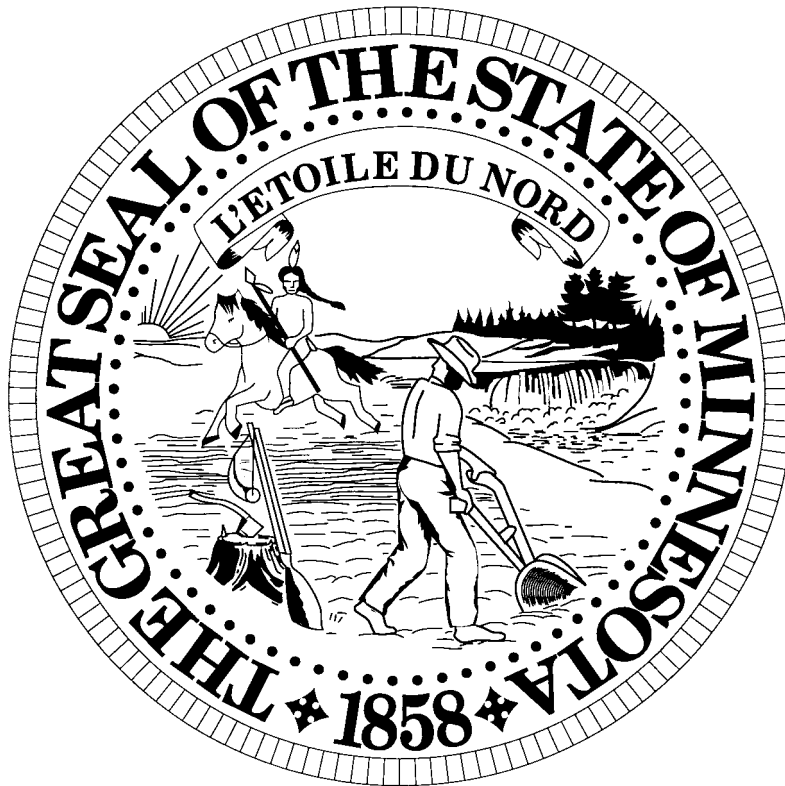


State of Minnesota

# State Register

Rules and Official Notices Edition



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

**Monday 9 February 2004**  
**Volume 28, Number 32**  
**Pages 977 - 1006**

# State Register

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Vol. 28 Issue Number	PUBLISH DATE	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	Deadline for Both Adopted and Proposed RULES
#32	Monday 9 February	Noon Tuesday 3 February	Noon Wednesday 28 January
#33	<b>TUESDAY 17 FEBRUARY</b>	Noon Tuesday 10 February	Noon Wednesday 4 February
#34	Monday 23 February	Noon Tuesday 17 February	Noon Wednesday 11 February
#35	Monday 1 March	Noon Tuesday 24 February	Noon Wednesday 18 February

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Publication Number: 326630 (ISSN 0146-7751)

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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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# Proposed Rules

## Comments on Planned Rules or Amendments

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

## Rules to be Adopted After a Hearing

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

## Rules to be Adopted Without a Hearing

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

## Department of Agriculture

### Commissioner's Office

#### Proposed Permanent Rules Relating to Farmer-Lender Mediation

#### NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING on Proposed Amendments to Rules Governing Farmer-Lender Mediation, *Minnesota Rules*, 1505.0002, 1505.0003, 1505.0005-1505.0012, 1505.0015, 1505.0017, 1505.0018, 1505.0022, 1505.0023, and 1505.0025

**Introduction.** The Department of Agriculture intends to adopt amendments to rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until March 10, 2004.

**Agency Contact Person.** Comments or questions on the amendments and written requests for a public hearing on the amendments must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 90 W Plato Blvd., St. Paul, MN 55107; **phone:** (651) 296-6906; **Fax:** (651) 297-5522; **Email:** [carol.milligan@state.mn.us](mailto:carol.milligan@state.mn.us). **TTY** users may call the Minnesota Relay at 800-627-3529.

**Subject of Rules and Statutory Authority.** The proposed amendments are about filing and processing procedures for farmer-lender mediation. The statutory authority to adopt the amendments is *Minnesota Statutes*, section 583.285. A copy of the proposed amendments are published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on March 10, 2004 to submit written comment in support of or in opposition to the proposed amendments and any part or subpart of the amendments. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed amendments addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed amendments must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the amendments. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on March 10, 2004. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed amendments to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed amendments.

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

# Proposed Rules

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**Modifications.** The proposed amendments may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed amendments unless the procedure under part 1400.2110 has been followed. If the proposed amendments affect you in any way, you are encouraged to participate in the rulemaking process.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed amendments.

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

Dated: 5 January 2004

Sharon Clark  
Deputy Commissioner

## 1502.0002 DEFINITIONS.

[For text of subpart 1, see M.R.]

Subp. 2. [See repealer].

Subp. 3. **Farmer-Lender Mediation Act.** “Farmer-Lender Mediation Act” means *Minnesota Statutes*, sections 583.20 to 583.32.

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

Subp. 5. **Mediation proceeding notice.** “Mediation proceeding notice” means the mediation proceeding notice sent by the ~~county extension agent~~ statewide program office under *Minnesota Statutes*, section 583.24, subdivision 4.

[For text of subps 6 and 7, see M.R].

Subp. 8. **Statewide program office.** “Statewide program office” means the Farmer-Lender Mediation Statewide Program Office of the University of Minnesota Extension Service.

## 1502.0003 ADMINISTRATION.

The director of Minnesota extension services shall administer the Farmer-Lender Mediation Act subject to the delegation power prescribed in *Minnesota Statutes*, sections 583.22, subdivision 5, and 583.23, subdivision 3. Under the delegation power in *Minnesota Statutes*, section 583.22, subdivision 5, the ~~county extension agent in the county in which the debtor resides~~ statewide program office is the director’s designee as provided in parts 1502.0001 to 1502.0026 and for purposes of service, filing, and other purposes specified by the director.

## 1502.0005 FORMS.

The director shall make forms for mediation under the Farmer-Lender Mediation Act available through ~~each county extension agent and county recorder~~ the statewide program office for use by debtors, creditors, and mediators.

## 1502.0006 SUBSTANTIVE RIGHTS.

The fact that the director or ~~county extension agent~~ director’s designee has in any way acted upon a request for mediation does not determine the substantive rights of the debtor or creditors under the Farmer-Lender Mediation Act or parts 1502.0001 to 1502.0026.

## 1502.0007 FILING AND WITHDRAWAL OF MEDIATION REQUEST.

A debtor must file a mediation request form with the ~~county extension agent~~ statewide program office within 14 days after receiving a mediation notice. A debtor may withdraw a mediation request at any time before 14 days after receiving a mediation notice. The debtor’s withdrawal must be in writing. Withdrawal of the mediation request constitutes a waiver of the debtor’s right to mediate the debt that initiated the service of the mediation notice under the Farmer-Lender Mediation Act unless the debtor refiles the mediation request within the 14 days permitted to file the original mediation request.

## 1502.0008 FAILURE TO REQUEST MEDIATION.

The creditor must serve the mediation notice on the ~~county extension agent~~ statewide program office within three days of service of the notice on the debtor. If a debtor fails to file a timely mediation request or withdraws a mediation request, the ~~county extension agent~~ statewide program office shall send a copy of the Extension Notice of Debtor(s) Failure to Request Mediation (Form 3) to the debtor and the creditor who served the mediation notice. The extension Notice of Debtor(s) Failure to Request Mediation (Form 3) must be sent within 20 days after service of the mediation notice on the debtor or within three days after the creditor’s filing with the ~~county extension agent~~ statewide program office proof of the date of service of the mediation notice, whichever is later.

## 1502.0009 CANCELLATION OF MEDIATION PROCEEDING.

Subpart 1. **Cure of default.** If the debtor cures the default of the debt specified in the mediation notice before the first mediation meeting, the ~~county extension agent statewide program office~~ shall cancel the mediation proceeding upon receipt of a written statement from the debtor and creditor indicating that the default has been cured.

Subp. 2. **Agreement reached before the first mediation meeting.** If the debtor and the creditor who served the mediation notice have reached an agreement before the first mediation meeting, the ~~county extension agent statewide program office~~ shall cancel the mediation proceeding upon receipt of a written statement from the creditor and debtor indicating that an agreement has been reached.

## 1502.0010 PROOF OF FILING MEDIATION REQUEST.

When a debtor files a mediation request with the ~~county extension agent statewide program office~~, the mediation request must be filed by certified mail using return receipt or by actual delivery of the mediation request with a signed receipt of the ~~county extension agent statewide program office~~.

## 1502.0011 CREDITOR CLAIM FORMS FOR DEBTS NOT SUBJECT TO MEDIATION.

Subpart 1. **Supporting documents.** A creditor owed a debt not subject to the Farmer-Lender Mediation Act under *Minnesota Statutes*, section 583.26, subdivision 4, paragraph (f), must return a claim form specifying why the debt is not subject to the Farmer-Lender Mediation Act to the ~~county extension agent statewide program office~~ and attach the documents indicated for the debts listed in items A to E.

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

Subp. 2. **Notification of debt not subject to mediation.** If a creditor returns a claim form with the documents required under subpart 1, items A to E, the ~~county extension agent statewide program office~~ shall determine from the documents whether the debt is subject to the Farmer-Lender Mediation Act. The ~~county extension agent statewide program office~~ shall notify the debtor, creditor, and mediator of the determination.

## 1502.0012 FINANCIAL ANALYST AND FARM ADVOCATE.

Within three business days of receiving a mediation request, the ~~county extension agent statewide program office~~ shall provide a financial analyst to meet with the debtor at the orientation session and as necessary to prepare the debtor's records before the initial mediation meeting. The ~~county extension agent statewide program office~~ shall provide the debtor with information on obtaining, without charge, a Department of Agriculture farm advocate to assist the debtor and the financial analyst. This information must include a list of farm advocates and an explanation of the farm advocates services, as provided by the Minnesota Farm Advocate Program. The ~~county extension agent statewide program office~~ shall provide the debtor with information on the availability of legal assistance to financially eligible debtors through the Minnesota Family Farm Law Project.

## 1502.0015 SELECTION OF MEDIATOR.

Subpart 1. **Procedure.** The initiating creditor and the debtor may strike one name from the mediator list by sending the ~~county extension agent statewide program office~~ a notice to that effect. The notice must be mailed within three days of the date the debtor or creditor received the mediation proceeding notice.

Subp. 2. **Replacement mediator.** If the appointed mediator withdraws from the case, the ~~county extension agent farmer-lender mediation coordinator of the statewide program office~~ shall appoint a replacement mediator not previously stricken from the mediator list by the debtor or the initiating creditor, or if an unstricken mediator is not available, the ~~county extension agent farmer-lender mediation coordinator of the statewide program office~~ shall appoint an available mediator, subject to the disapproval of either the debtor or creditor, upon a showing of conflict of interest.

Subp. 3. **Comediators.** At the discretion of the ~~county extension agent statewide program office~~, more than one mediator may be assigned to a mediation proceeding.

## 1502.0017 MEDIATION PROCESS.

Subpart 1. **Combined proceeding for more than one debtor.** The ~~county extension agent statewide program office~~ shall combine all mediation notices for more than one debtor into one mediation proceeding if the debtors are liable for the same debt or a portion of the same debt on a single piece of agricultural property.

Subp. 2. **Combined proceeding for more than one mediation notice.** The ~~county extension agent statewide program office~~ shall combine all mediation notices for the same debtor that are received before the initial mediation meeting into one mediation proceeding. It shall be at the ~~county extension agent's statewide program office's~~ discretion as to how to proceed if a mediation notice is served on a debtor between the time of the initial mediation meeting and the end of the mediation period.

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

Subp. 5. **Record.** Upon completion of mediation, the mediator shall forward all documents made or used in the course of or because of mediation to the ~~county extension agent statewide program office~~. The documents must be kept by the ~~county extension agent~~



# Proposed Rules

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~~extension agent statewide program office~~ in a secure place and are subject to the confidentiality provisions of *Minnesota Statutes*, section 13.02, subdivisions 9 and 12.

## 1502.0018 REMOVAL OF MEDIATOR.

Subpart 1. **Procedure.** The mediator may be removed at any time during the mediation period upon written request of the debtor or initiating creditor. This request must be sent to the ~~county extension agent~~ statewide program office who, upon receipt of the agreement, shall assign an available replacement mediator not previously stricken from the mediator list by the debtor or initiating creditor to participate in the mediation or if an unstricken mediator from the list is not available, the ~~county extension agent~~ statewide program office must assign an available mediator subject to the disapproval of either the debtor or creditor upon a showing of conflict of interest.

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

## 1502.0022 LACK OF GOOD FAITH AFFIDAVIT.

If the mediator determines that a debtor or a creditor is not participating in good faith, the mediator shall file an affidavit indicating the reasons for the finding with the ~~county extension agent~~ statewide program office, the debtor, and the creditors.

## 1502.0023 CREDITOR'S LACK OF GOOD FAITH.

If the mediator finds the creditor has not participated in mediation in good faith, the debtor may require court-supervised mediation by:

- A. filing the mediator's affidavit with the district court of the county of the debtor's residence with a request for court supervision of mediation;
- B. serving a copy of the request with each creditor; and
- C. sending a copy of the affidavit to the ~~county extension agent~~ statewide program office. The request must be filed with the court within ten days of receipt of the lack of good faith affidavit by the debtor or within 90 days after the debtor filed the mediation request with the ~~county extension agent~~ statewide program office, whichever is later.

## 1502.0025 COURT-SUPERVISED MEDIATION.

Subpart 1. **List of mediators.** If requested to do so by the court, the ~~county extension agent~~ statewide program office shall provide the court with a list of mediators to be used in the selection of the mediator for court-supervised mediation.

Subp. 2. **Suspension of remedies.** The remedies of all creditors are suspended during court-supervised mediation.

**REPEALER.** Minnesota Rules, part 1502.0002, subpart 2, is repealed.

## Public Utilities Commission

### Proposed Permanent Rules Relating to Notice of Proposed High-Voltage Transmission Lines

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

#### Proposed Rules Relating to Notice of Certificate of Need Applications for High-Voltage Transmission Lines, Minnesota Rules, part 7829.2550

**Introduction.** The Public Utilities Commission intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on March 10, 2004, a public hearing will be held in the Large Hearing Room at the offices of the Public Utilities Commission, 121 7th Place East, Suite 350, Saint Paul, Minnesota 55101-2147 starting at 9:30 a.m. on Wednesday, March 24, 2004. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after March 10, 2004 and before March 24, 2004.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Carol Casebolt at the Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, Saint Paul, Minnesota 55101-2147, (651) 296-6029. TTY users may call the state relay service at 1-800-627-3529.

**Subject of Rules and Statutory Authority.** The proposed rules would set new notice requirements for certificate of need applications for high-voltage transmission lines. The amendments would incorporate the notice requirements recently adopted for proposed high-voltage transmission lines in the Commission's rules governing biennial transmission projects reports, *Minnesota Rules* Chapter 7848, specifically *Minnesota Rules* 7848.1900. The statutory authority to adopt the rules is *Minnesota Statutes* §§ 216A.05; 216B.08; 14.06 (a); 216B.243. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.



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# Proposed Rules

**Comments.** You have until 4:30 p.m. on Wednesday, March 10, 2004, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, March 10, 2004. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for March 24, 2004 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 296-6029 after March 10, 2004 to find out whether the hearing will be held.

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

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period.

All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person and is also posted on the Commission's **website**, <http://www.puc.state.mn.us>. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **telephone** (651) 296-5148 or 1-800-657-3889.

# Proposed Rules

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

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

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

Burl W. Haar  
Executive Secretary

## **789.2550 NOTICE PLANS WHEN SEEKING CERTIFICATION OF HIGH-VOLTAGE TRANSMISSION LINES.**

**Subpart 1. Filings required, service requirements.** Three months before filing a certificate of need application for a high-voltage transmission line as defined by *Minnesota Statutes*, section 216B.2421, the applicant shall file a proposed plan for providing notice to all persons reasonably likely to be affected by the proposed line. Applicants shall serve their proposed plans on the following persons:

A. the department;

B. the Residential and Small Business Utilities Division of the Office of the Attorney General; and

C. all persons on the "General List of Persons Interested in Power Plants and Transmission Lines" maintained by the Environmental Quality Board under part 4400.1350, subpart 1, item A.

**Subp. 2. Procedural schedule, notice of procedural schedule.** Initial comments on proposed notice plans must be filed within 20 days of the date of filing. Reply comments must be filed within 20 days of the expiration of the initial comment period. Applicants shall include with the proposed notice plan a clear and conspicuous notice of these comment periods.

**Subp. 3. Types of notice.** Proposed notice plans must include notice to the following persons by the method specified:

A. direct mail notice, based on county tax assessment rolls, to landowners reasonably likely to be affected by the proposed transmission line;

B. direct mail notice to all mailing addresses within the area reasonably likely to be affected by the proposed transmission line;

C. direct mail notice to tribal governments and to the governments of towns, statutory cities, home rule charter cities, and counties whose jurisdictions are reasonably likely to be affected by the proposed transmission line; and

D. newspaper notice to members of the public in areas reasonably likely to be affected by the proposed transmission line.

**Subp. 4. Notice content.** Proposed notice plans must provide notice recipients with the following information:

A. a map showing the end points of the line and existing transmission facilities in the area;

B. a description of general right-of-way requirements for a line of the size and voltage proposed and a statement that the applicant intends to acquire property rights for the right-of-way that the proposed line will require;

C. a notice that the line cannot be constructed unless the commission certifies that it is needed;

D. the commission's mailing address, telephone number, and Web site;

E. if the applicant is a utility subject to chapter 7848, the address of the Web site on which the utility applicant will post or has posted its biennial transmission projects report required under that chapter;

F. a statement that the Environmental Quality Board will be preparing an environmental report on each high-voltage transmission line for which certification is requested;

G. a brief explanation of how to get on the mailing list for the Environmental Quality Board's proceeding; and

H. a statement that requests for certification of high-voltage transmission lines are governed by Minnesota law, including specifically chapters 4410 and 7849 and *Minnesota Statutes*, section 216B.243.

**Subp. 5. Supplementary notice.** The commission shall require supplementary notice to persons reasonably likely to be affected by system alternatives developed in the course of certification proceedings if it appears that those system alternatives are as likely to be certified as the proposed high-voltage transmission line.

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# Proposed Rules

Subp. 6. Notice time frames. The applicant shall implement the proposed notice plan within 30 days of its approval by the commission.

Subp. 7. Good faith sufficient. The commission shall not deny a request for certification of a high-voltage transmission line on grounds of defective notice if the applicant acted in good faith, in substantial compliance with the notice requirements of this part, and in substantial compliance with any commission orders issued under this part.

## Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statutes* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules; Taking of Turtles

#### Adopted Expedited Emergency Game and Fish Rules: Commercial Taking of Turtles

**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 the rule is *Minnesota Statutes*, section 97C.605.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that: commercial harvest starts on March 1, 2004, and this change will allow a portion of the turtle population to be harvested but leave a portion of the reproductive population in the wild so that replacement can occur.

Dated: January 13, 2004

Gene Merriam  
Commissioner of Natural Resources

#### 6256.0500 TAKING TURTLES.

[For text of subps 1 to 8, see M.R.]

Subp. 9. **Size limits.** A turtle seller, turtle seller's apprentice, or recreational turtle licensee or a person harvesting turtles under an angling license is restricted to taking and possessing sizes of turtles as specified in items A ~~and B~~ to C. The turtle size is determined by measuring the top shell length (carapace, not including the curvature) from above the neck to above the tail.

A. Spiny softshells (*A. spinifera*) must be greater than 12 inches in shell length.

B. Snapping turtles (*Chelydra serpentina*) must be greater than 12 inches in shell length.

C. Western painted turtles (*Chrysemys picta*) must be 5-1/2 inches or smaller in shell length, except persons acting under *Minnesota Statutes*, section 97C.605, subdivision 2c, clause (4), may take and possess western painted turtles of any length greater than four inches.

[For text of subp 10, see M.R.]

**EFFECTIVE DATE.** The amendments to *Minnesota Rules*, part 6256.0500, subpart 9, are effective March 1, 2004.

# Executive Orders

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

## Office of the Governor

### EMERGENCY EXECUTIVE ORDER # 04-01: Providing Relief From Regulations to Motor Carriers and Drivers Operating in Minnesota

I, **TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this emergency executive order:

**WHEREAS**, severe cold weather has seriously affected the supply of various petroleum products that are essential to the safety and well-being of Minnesotans; and

**WHEREAS**, because of the severe cold, drivers of delivery trucks are required to wait for longer periods of time, up to several hours, at terminals to load fuel, resulting in an inordinate loss of available driving time under current regulations;

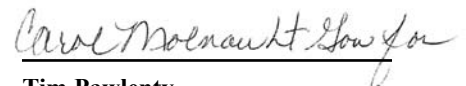
**WHEREAS**, this situation has resulted in distribution and delivery problems and has affected the availability of needed fuels.

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

1. A state of emergency exists that requires relief from regulations incorporated in *Minnesota Statutes* 2002, Section 221.0314, Subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles, while transporting heating and motor fuels.
2. Nothing herein shall be construed to relieve motor carriers and drivers transporting heating and motor fuels from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, or parts and accessories necessary for the safe operation of vehicles.
3. No motor carrier operating under the terms of this emergency order shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs rest shall be given at least eight consecutive hours off duty before the driver is required to return to service.
4. Upon the expiration of the effective date of this emergency order, or when a driver has been relieved of all duty and responsibility to provide direct assistance to the emergency effort, a driver that has had at least 24 consecutive hours off-duty shall be permitted to start his or her on-duty status hours of service record at zero.

Pursuant to *Minnesota Statutes* 2002, Section 4.035, subdivision 2, this executive order is effective immediately and shall remain in effect until 11:59 p.m. Central Standard Time February 14, 2004, unless superceded or extended under *Minnesota Statutes* 2002, Section 221.0269, Subdivision 2.

**IN TESTIMONY WHEREOF**, I have set my hand this 29th day of January 2004.



**Tim Pawlenty**  
Governor

Filed According to Law:



**Mary Kiffmeyer**  
Secretary of State

## Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* § 270.0604

## Department of Revenue

### Revenue Notice # 04-02: Individual Income Tax - Employer Payments to National Guard and Reservists on Active Duty

In the case where a National Guard member or Reservist who is domiciled in Minnesota is called to active duty in the United States Armed Forces and for income tax purposes becomes a non-resident of Minnesota at the time they are stationed outside of Minnesota pursuant to *Minnesota Statutes*, section 290.01, subdivision 7, the Department of Revenue will consider the wages paid by the service member's civilian employer for payroll periods starting after the member is stationed outside of Minnesota as compensation for services performed outside of Minnesota. These wages would therefore not be considered Minnesota assignable income under *Minnesota Statutes*, section 290.17, subdivision 2(a)(1) and would not be subject to Minnesota tax.

The above position does not apply to the payment of bonus, vacation or sick leave pay received after the taxpayer is stationed outside of Minnesota to the extent the bonus, vacation or sick leave pay was accrued for work performed in Minnesota.

Raymond R. Krause,  
Assistant Commissioner

## 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 Division

### Notice of Adoption of Water Quality Best Management Practices for All Agricultural Herbicides, with Specific Practices for the Herbicides Atrazine, Metolachlor and Metribuzin

NOTICE IS HEREBY GIVEN that the Minnesota Department of Agriculture (MDA) has adopted a set of core voluntary Best Management Practices (BMPs) to address general herbicide use and water resource protection. Additionally, the MDA has adopted voluntary herbicide-specific BMPs to address the presence of atrazine, metolachlor and metribuzin, or their breakdown products in Minnesota's groundwater or surface water from normal agricultural use. The core BMPs serve as a foundation for the herbicide-specific BMPs. The BMPs were developed by the MDA and the University of Minnesota Extension Service, in consultation with other interested parties.

The BMPs were first published for comment in the Monday, November 3, 2003 *Minnesota State Register* (Volume 28, Issue 18).

For information on the authorities under which the MDA developed and adopted the voluntary BMPs, and to view or obtain copies of the BMPs and related information on the development of final draft water quality BMPs for the herbicides acetochlor and alachlor, refer to the MDA's Pesticide BMP webpage at <http://www.mda.state.mn.us/appd/bmps/bmps.htm>. For information on water resource monitoring results that support the development and adoption of BMPs, refer to the MDA's Monitoring and Assessment webpage at <http://www.mda.state.mn.us/appd/ace/maace.htm>.

The BMPs are final as adopted, though may be modified in the future to respond to changes in water resource concerns from herbicides.

Interested parties or groups may direct inquiries about the BMPs to the State Department of Agriculture at the following address:

Gregg Regimbal  
Minnesota Department of Agriculture  
90 West Plato Boulevard, St. Paul, MN 55107-2094  
**Telephone:** (651) 297-4871  
**Fax:** (651) 297-2271  
**Electronic Mail:** [gregg.regimbal@state.mn.us](mailto:gregg.regimbal@state.mn.us)

# Official Notices

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## Minnesota Gambling Control Board

### Comments Sought on Planned New Rules Governing Linked Bingo and Variances, and Amendments to Existing Rules

<i>Minnesota Rules</i> 7861.0010	DEFINITIONS
<i>Minnesota Rules</i> 7861.0020	LICENSED ORGANIZATION\
<i>Minnesota Rules</i> 7861.0030	GAMBLING MANAGER
<i>Minnesota Rules</i> 7861.0040	PREMISES PERMIT
<i>Minnesota Rules</i> 7861.0050	ILLEGAL GAMBLING
<i>Minnesota Rules</i> 7861.0060	CONDUCT OF LAWFUL GAMBLING
<i>Minnesota Rules</i> 7861.0070	BINGO
<i>Minnesota Rules</i> 7861.0080	PULL-TABS
<i>Minnesota Rules</i> 7861.0090	TIPBOARDS
<i>Minnesota Rules</i> 7861.0100	PADDLEWHEELS
<i>Minnesota Rules</i> 7861.0110	RAFFLES
<i>Minnesota Rules</i> 7861.0120	ORGANIZATION OPERATIONS, ACCOUNTS & REPORTS
<i>Minnesota Rules</i> 7861.0130	EXCLUDED BINGO AND RAFFLES
<i>Minnesota Rules</i> 7861.0140	EXEMPTED LAWFUL GAMBLING
<i>Minnesota Rules</i> 7861.0150	TECHNICAL ASSISTANCE REQUIREMENTS
<i>Minnesota Rules</i> 7862.0010	BINGO HALL LICENSES
<i>Minnesota Rules</i> 7863.0010	DISTRIBUTOR LICENSES
<i>Minnesota Rules</i> 7863.0020	DISTRIBUTOR OPERATIONS, ACCOUNTS & REPORTS
<i>Minnesota Rules</i> 7864.0010	LICENSED MANUFACTURERS
<i>Minnesota Rules</i> 7864.0030	MANUFACTURER OPERATIONS, ACCOUNTS AND RECORDS
<i>Minnesota Rules</i> 7865.0010	COMPLIANCE REVIEW GROUP
<i>Minnesota Rules</i> 7865.0020	SUSPENSIONS OR REVOCATIONS
<i>Minnesota Rules</i> 7865.0025	REIMBURSEMENT
<i>Minnesota Rules</i> 7865.0030	FINES
<i>Minnesota Rules</i> 7865.0040	STAYS
<i>Minnesota Rules</i> 78_____	LINKED BINGO GAME PROVIDER LICENSES
<i>Minnesota Rules</i> 78_____	LINKED BINGO GAME PROVIDER OPERATIONS, ACCOUNTS AND REPORTS
<i>Minnesota Rules</i> 78_____	VARIANCES

**Subject:** The Minnesota Gambling Control Board requests comments on planned amendments to its existing rules. In addition, the Board is requesting comments on new rules governing the conduct of linked bingo in Minnesota and the issuance of Linked Bingo Game Provider licenses. The Board is also proposing to include, within its existing rules, rules that would allow for the play of progressive tipboard games in Minnesota. There is also a proposed new rule to incorporate a variance policy for the Board to consider variance requests to Board rules. The proposed rule amendments also include rules for licensed distributor salespersons. The proposed rule amendments and the proposed rules are comprehensive in nature, with housekeeping and technical changes occurring in all chapters. Some of the major focus is directed at the following areas:

- Deleting obsolete or redundant rules;
- Deleting rules that are duplicative of statute;
- Proposing new rules in response to legislative grants of rulemaking authority for tipboards with multiple seals and progressive prizes, linked bingo, variances, and distributor salesperson licenses;
- Changing the manner in which licensed organization's internal controls are structured as they related to lawful gambling;
- Refining the duties of gambling managers and assistant gambling managers;
- Revising standards for the manufacture of gambling equipment;
- Revising rules governing the conduct of lawful gambling in Minnesota.

**Statutory Authority:** *Minnesota Statutes* 349.151, subdivision 4(a)(5) authorizes the Board to make rules authorized by Chapter 349. *Minnesota Statutes* 349.1711, subdivision 4, authorizes the Board to adopt rules governing tipboard games with multiple seals and cumulative or carryover prizes. *Minnesota Statutes* 349.12, subdivision 19(2) authorizes the Board to prescribe licensing qualifications for Gambling Managers by rule. *Minnesota Statutes* 349.17, subdivision 8(3)(c) authorizes the Board to adopt rules governing the conduct of linked bingo, and to establish the license qualifications for linked bingo game providers. *Minnesota Statutes*, Chapter 14.055 allows persons or entities to petition agencies for variances to rules.

**Public Comment:** Interested persons or groups may submit comments, suggestions, or information on these planned rules in writing or orally until further notice is published in the *State Register* that the Board intends to adopt rules. The Board has worked with a public advisory committee comprised of industry representatives who regularly met with Board staff to advise and comment on the contents of proposed rules drafts. Persons who will be affected by the proposed rules, and anyone who wishes to be advised of actions taken during the rulemaking promulgation, should contact the agency contact person.

**Rule Drafts:** The Board has prepared a draft of the proposed rules. The proposed rules draft can be viewed by going to the Board's **web site** at [gcb.state.mn.us](http://gcb.state.mn.us). Contact the agency contact person to request that your name be placed on a mailing list to receive copies of the rule drafts as they become available.

**Agency Contact Person:** Written or oral comments, questions, requests to receive drafts of the rules, or requests for more information on these planned rules should be directed to:

Sharon Beighley  
Minnesota Gambling Control Board  
1711 W County Rd B #300S  
Roseville MN 55113  
**Phone:** (651) 639-4035  
**Fax:** (651) 639-4032  
**Email:** [sharon.beighley@gcb.state.mn.us](mailto:sharon.beighley@gcb.state.mn.us)

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

**NOTE:** Comments received in response to this Notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge when a proceeding to adopt the rule is started. The Board is required to submit to the Judge only those written comments received in response to the rules after they are proposed.

Dated: January 20, 2004

## Department of Labor and Industry

### Labor Standards Unit

#### Notice of Correction to Commercial Prevailing Wage Rates

A correction has been made to the Commercial Prevailing Wage Rates certified 12/29/03, for **Labor Codes 101 Laborer, Common (Gen Labor Work), 102 Laborer, Skilled-Asst Crft Jrnymn, 104 Flagperson, 107 Pipelayer (Water, Sewer & Gas), and 109 Undergrnd & Open Ditch Labor (8') in Martin County.**

Copies with the correction of the certified wage rates for this County may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our **web site** at [www.doli.state.mn.us](http://www.doli.state.mn.us). Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brenner  
Commissioner



# Official Notices

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## Metropolitan Airports Commission

### Notice of Second Public Hearing and Comment Period on Amendments to the Minneapolis-St. Paul International Airport Zoning Ordinance

The Joint Airport Zoning Board for Minneapolis-St. Paul International Airport (Airport) is considering amendments to the *Minneapolis-St. Paul International Airport (Wold-Chamberlain Field) Zoning Ordinance* originally adopted by the Board in 1984. The 1984 Ordinance limits the height of structures and vegetation and prohibits certain land uses in an area extending approximately 2 miles from the outer boundaries of the Airport. Amendments to the 1984 Ordinance must be considered due to the construction of new Runway 17-35, the planned 1,000-foot extension to the northeast of existing Runway 4-22 and other changes at the Airport since 1984. Maps which are part of the proposed amendments show the precise boundaries for application of the 1984 Ordinance and the proposed amendments. The proposed amendments do **NOT** affect additions to existing residences, residential redevelopment or future residential development in established residential neighborhoods around or near the Airport.

THE PUBLIC COMMENT PERIOD ON THE AMENDMENTS WILL CLOSE AT 5:00 P.M. ON WEDNESDAY, FEBRUARY 25, 2004. During this period, written comments will be accepted and must be addressed to:

Ms. Jenn Unruh  
Secretary to the Joint Airport Zoning Board  
Metropolitan Airports Commission  
6040 28th Avenue South  
Minneapolis, MN 55450

A PUBLIC HEARING WILL BE HELD BEGINNING AT 7:00 P.M. ON WEDNESDAY, FEBRUARY 18, 2004, AT THE METROPOLITAN AIRPORTS COMMISSION'S GENERAL OFFICE BUILDING, 6040 28TH AVENUE SOUTH, MINNEAPOLIS, MINNESOTA.

Copies of the proposed amendments and the 1984 Ordinance are available for review at the following locations: the Metropolitan Airports Commission's Main Office, 6040 28th Avenue South, Minneapolis, Minnesota; and the city halls of the cities of Bloomington, Eagan, Mendota Heights, Minneapolis, Richfield, St. Paul, and the Post Office in Mendota. Copies are also available for review at the following **websites**: [www.mspairport.com](http://www.mspairport.com), [www.ci.bloomington.mn.us](http://www.ci.bloomington.mn.us), [www.cityofeagan.com](http://www.cityofeagan.com), [www.ci.minneapolis.mn.us](http://www.ci.minneapolis.mn.us), and [www.ci.richfield.mn.us](http://www.ci.richfield.mn.us).

For further information please call Jenn Unruh at (612) 726-8189.

## Metropolitan Council

### Public Hearing on an Affordable and Life-Cycle Housing Goals Agreement with the City of Maple Plain to Initiate Participation in the Livable Communities Housing Incentives Account Program in 2004

The Metropolitan Council will hold a public hearing on an affordable and life-cycle housing goals agreement with the City of Maple Plain for initiating participation in the Metropolitan Livable Communities Housing Incentives Account Program in 2004.

The public hearing will be held at 4:00 p.m., Monday, March 15, 2004 as part of the Community Development Committee meeting in Room 1A at Mears Park Centre, 230 East Fifth St., St. Paul. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling (651) 602-1418 or (651) 291-0904 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities.

The procedure for the hearing will be as follows:

- Persons will be called to speak in the order in which they have signed in. Those preregistered by phone will be called on first.
- Individuals will be asked to limit their remarks to 5 minutes.
- Designated representatives of groups or organizations will be asked to limit their comments to 10 minutes.
- The chair of the hearing may limit the testimony of any person.

You may also submit comments for the official record in one of the following ways:

- **Mail:** Guy Peterson, Metropolitan Council, 230 East 5th Street, St. Paul, MN 55101
- **Fax:** Guy Peterson at (651) 602-1442
- Public Comment Line: (651) 602-1500

- **Email:** [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- **TTY:** (651) 291-0904

Comments must be received by 5 p.m., Monday, March 29, 2004. A complete report of these housing goals may not be available until February 24, 2004. Call the Council's Data Center at (651) 602-1140 or (651) 291-0904 (TTY).

## Department of Natural Resources

### Division of Lands and Minerals

#### Public Hearing on Sale of State Lands

**NOTICE IS HEREBY GIVEN**, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, at the Rochester area DNR office, 2300 Silver Creek Road, N.E., Rochester, Minnesota, on February 24, 2004 at 11:00 a. m.

The purpose of the hearing is for public input regarding the sale of state lands situated in the County of Olmsted, and described as:

The Southwest Quarter of the Northwest Quarter of Section 6, Township 106 North, Range 13 West, containing 37.47 acres; and

That part of the Southwest Quarter of the Northeast Quarter of Section 31, Township 107 North, Range 13 West, lying West of the right-of-way of Silver Creek Road NE, containing 7.06 acres.

*Minnesota Statutes*, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcels are designated as part of the Gordy Yeager Wildlife Management Area.

It is proposed that these two parcels of land be offered for sale by the Department of Natural Resources at public auction in the winter of 2004. The parcels are no longer needed for resource management purposes. If, after public hearing, the disposal of the lands is in the public interest, the Commissioner of Natural Resources may vacate the parcels from Wildlife Management Area designation.

Questions regarding this proposal can be directed to Vicki Hubred at (651) 296-1068.

Dated January 27, 2004

Gene Merriam  
Commissioner of Natural Resources

By James E. Lawler, Assistant Director  
Division of Lands and Minerals

## Public Employees Retirement Association (PERA)

### Notice of Meeting of the Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, February 12, 2004, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, Saint Paul, Minnesota.

## 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.

## Minnesota Department of Corrections

### Notice of Availability of Funds for Grants to Restorative Justice Programs

The Minnesota Department of Corrections, Community Services Division, Grants and Subsidies Unit, announces the availability of funds for grants to restorative justice programs providing local services as defined in *Minnesota Statutes* §611A.775. The goal of this Request For Proposals is to promote programs that have demonstrated successful results and that are building long-term sustainability by developing diverse, stable funding from public, local, and private funding sources.

## State Grants & Loans

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A total of \$207,000 per year is available to fund multiple grants ranging from \$10,000 to \$40,000 per year. All grants will be for the twenty-four (24) month period from July 1, 2004, through June 30, 2006. Non-profit 501 (c) (3) organizations, local units of government, and American Indian tribal governments are eligible to apply for these funds. Successful applicants may be eligible for an additional two years of funding.

**The deadline for submission of completed proposals is 4:30 p.m. March 22, 2004.**

To request a copy of a complete Request for Proposals, contact:

Lynda Davis  
Minnesota Department of Corrections  
Community Services Division  
Grants and Subsidies Unit  
1450 Energy Park Drive, Suite 200  
St. Paul, Minnesota 55108-5219  
**Telephone** (651) 643-2533, **TTY** (651) 643-3589  
**E-mail:** [lynda.davis@state.mn.us](mailto:lynda.davis@state.mn.us)

## Legislative Coordinating Commission

### Grant Available for Developing and Managing a Web Site for Charter Schools

The Legislative Coordinating Commission (LCC) is soliciting proposals from qualified individuals and organizations to develop and manage a Web site that provides information about Minnesota's charter schools, their activities, and include links to charter schools' Web sites nationally.

All proposals must satisfy the criteria outlined in the full text of the Request For Proposals (RFP). The proposals must not exceed \$15,000.

To obtain the full text of the RFP, please visit our **Web site** at: [www.lcc.leg.mn](http://www.lcc.leg.mn)

If you do not have Internet access or prefer the information be mailed or faxed, you may contact:

Sandy Keene  
Legislative Coordinating Commission  
Room 51 State Office Building  
St. Paul, Minnesota 55155  
(651) 296-9002 (Voice)  
[sandy.keene@commissions.lg.state.mn.us](mailto:sandy.keene@commissions.lg.state.mn.us)

**Proposals must be received in our office by February 23, 2004, at 4:00 p.m. Late applications may not be considered.** All expenses incurred in responding to this notice shall be borne by the responder.

## State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD website at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

## Administration Department

### Communications Media Division

#### *State Register*

NO printed (hard) copies to the *State Register* will be available after Vol. 28, #52. Only subscriptions via E-mail are available, beginning with Volume 29, #1 - July 6, 2004. Have the *State Register* E-MAILED to you the afternoon it is published, on Friday. Be a step ahead of others.

With an E-mail subscription, you will receive TWO EXTRAS free-of-charge:

#1 - CONTRACTS & GRANTS - contracts, grants and loans, and non-state contracts.

#2 - INDEX - growing with each issue of current volume for information you need.

LINKS are provided in these for fast reference.

Service, speed, accuracy, and on-time delivery with the *State Register* ON-LINE. Subscriptions are \$180 for an entire year (less than \$3.50 per issue), \$80 LESS than the cover price. FAX your credit card information: (651) 297-8260; or send in your check or credit card information to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Or, order today by calling (651) 297-8774 and charge your credit card. E-mail: [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us) for more information.

## Department of Administration

### Request for Proposals for Original Equipment Manufacturers of Personal Computers

The Department of Administration, Materials Management Division (MMD) is requesting proposals on behalf of the State of Minnesota, the Western States Contracting Alliance (WSCA), and the National Association of State Procurement Officials (NASPO) from original equipment manufacturers of:

- personal computers (desktop workstations, laptops and mobile);
- small servers;
- storage solutions hardware for small LANS;
- individual or small shared printers; and
- limited peripherals to support desktop computing.

Since the original contract was issued on May 26, 1999 (by the State of New Mexico), participating states and entities have spent approximately \$3,977,650,767 on the contracts that will be replaced by the ones awarded as a result of this request for proposals.

Responses will be due not later than 2:30 p.m., CST, March 18, 2004.

If you would like a copy of the Request for Proposals, please go to:

<http://www.mmd.admin.state.mn.us/process/admin/page1List.asp>

and follow the instructions to obtain a copy. This Request for Proposals requires potential responders to register with the Materials Management Division by 2:30 p.m., CST, February 20, 2004. Instructions on registering are found in Section II of the Request for Proposals.

Contractors must provide warranty and maintenance services on ALL equipment that is offered and purchased through the resulting contracts. Delivery, support, warranty and maintenance, may be provided by the contract awardees using sub-contractors. The contract awardee is still responsible for the timeliness and quality of all services provided by individual sub-contractors. Sub-contractor participation will be governed by individual participating state procurement officials, who have the sole discretion to determine if they will accept services from a sub-contractor. Contractors may offer, but participating states and entities do not have to accept, limited professional services related **ONLY** to the equipment and configuration of the equipment purchased through the resulting contracts.

This RFP is divided into several tracks (groups of units and configurations considered related to each other). The definition of tracks is not subject to negotiations with potential responders. Responders may respond to any or all tracks. The State of Minnesota and WSCA intend this procurement to result in LIMITED multiple source awards for each track.

“Educational” offerings, including special purpose educational software and hardware configurations included as part of the original purchase are included in this RFP. The specific rules and restrictions of these “educational” offerings must be detailed in the response.

This request for proposals **IS NOT** for a one-stop, meet-any-and-all requirements contract, nor is it for the purchase of software or peripherals **NOT** included as part of an original equipment purchase under a resulting contract. At the option of the WSCA Directors and the state procurement official of any participating state, factory warranted upgrades for equipment previously purchased from the contracts resulting from this RFP (or the previous WSCA PC contract) may be included as part of the resulting contracts. Additionally, it **IS NOT** a reseller contract; it is the intent of this request for proposals to contract with original equipment manufacturers. Each state represented by WSCA or NASPO that chooses to participate in this contract independently has the option of contracting for a one-stop shop contract, contracts with resellers or any other kind of PC or computer goods or services.

Potential responders should be aware of several limitations and boundaries intended by the WSCA Directors in supporting the issuing of this RFP.

## State Contracts

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- The resulting contracts are **NOT** for the offer and purchase of major, large hardware or hardware and software offerings. In general, individual units/configurations should not exceed \$25,000 each. This **IS NOT** a restriction on how many units/configurations can be purchased, but on the value of each individual unit/configuration. Individual participating states may set higher limits in a participating addendum, with the prior approval of the WSCA Directors.
- Contract awardees should assume that the pricing accepted reflects individual or small quantity purchases. If a participating state, or a group of participating states or entities within a state(s), may choose to focus purchases on a “state configuration,” this configuration may be defined and then competed further within the pool of contract awardees for specific pricing. These strategic competitions must be coordinated through the MMD Contract Manager, but will be actually administered by state(s) involved.

## Capitol Area Architectural and Planning Board

### Notice of Request for Qualifications from Design Professionals to Design the New Minnesota Workers Memorial Garden

The Capitol Area Architectural and Planning Board (CAAPB) is seeking design professionals or teams of individuals, including at least one Minnesota licensed design professional, to design the new Minnesota Workers Memorial Garden on the State Capitol Mall.

Once all responses to the RFQ have been reviewed, the CAAPB and members of the advisory group for the project, including design professionals and representatives from the various disciplines and trades, will select between three to six teams, who will be invited to interview. Selection of the final team is scheduled to occur on March 8, 2004.

Design fees will be determined based on a percentage of final construction budget. The construction budget for the memorial is \$400,000, and is scheduled to start spring of 2005, dependent upon success in securing state and private funds.

Interested parties must submit:

- A letter of interest.
- Identification and background of all team members.
- A description of relevant qualifications and experience.
- A collection of no more than twelve slides representing past work.
- A list of three professional references.

All responses must be received by 12:00 p.m. (Noon) (CST), Thursday, February 19, 2004.

Contact person:

Paul Mandell, Project Manager  
Capitol Area Architectural and Planning Board  
204 Administration Building  
50 Sherburne Avenue  
Saint Paul, MN 55155  
**Phone:** (651) 296-6719  
**Fax:** (651) 296-6718

Dated: 3 February, 2004

Nancy Stark, Executive Secretary  
Capitol Area Architectural and Planning Board

## Colleges and Universities, Minnesota State (MnSCU)

### Winona State University

#### Request for Sealed Proposals for Their Laptop Program

**NOTICE IS HEREBY GIVEN** that Winona State University will receive sealed proposals for their Laptop Program. Proposals will include requests for laptops, equipment, software, services and financing.

Proposal specifications will be available February 9, 2004 from the Winona State University Purchasing Department, PO Box 5838, 205 Somsen Hall, Winona, MN 55987 or by calling (507) 457-5067 or (507) 457-5419 or by **email** to [sschmitt@winona.edu](mailto:sschmitt@winona.edu).

There will be a vendor question and answer meeting on February 13, 2004 at 1:00 PM in Room 111, Somsen Hall on the Winona State University Campus.

Sealed proposals must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 PM March 9, 2004.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

## Minnesota Higher Education Services Office

### Notice of Availability of Contract for Collection Agency Services

The Minnesota Higher Education Services Office (MHESO) is requesting proposals to serve as a collection agency for collection of defaulted student loans.

Work is proposed to start after May 1, 2004.

A complete Request for Proposal will be available by mail from this office through February 18, 2004. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After February 18, 2004, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Marilyn Kosir  
Student Loan Manager  
MHESO  
1450 Energy Park Drive Suite 350  
St. Paul, MN 55108-5227  
**Fax:** (651) 642-0570

Proposals submitted in response to the Request for Proposal in this advertisement must be received at the address above no later than 4:00 p.m. central time, March 15, 2004. **Late proposals will not be considered.** Faxed or e-mailed proposals will **NOT** be considered.

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

## Minnesota Historical Society

### Notice of Request for Bids for Construction and Restoration Services

The Minnesota Historical Society is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies to complete the restoration of the Gate House Roof Replacement at the James J. Hill House Historic Site in St. Paul, Minnesota. The restoration will consist of selective demolition, rough carpentry, exterior architectural woodwork, cedar shingle roofing, copper roofing, copper flashing and sheet metal, joint sealants, historic wood window restoration, glazing restoration, painting, and all other related work.

Construction documents for this project will be available from Miller Dunwiddie Architects, 123 North Third Street, Suite 104, Minneapolis, MN 55401-1657, at **phone:** (612) 337-0000 or **fax:** (612) 337-0031. A refundable plan deposit of \$50.00 will be required for one set of these documents.

The Request for Bids is available by calling or writing Mary Green Toussaint, Contracting & Purchasing Assistant, Minnesota Historical Society, 345 Kellogg Blvd. W., St. Paul, MN 55102. **Telephone:** (651) 297-7007 or **e-mail** [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org).

There will be a **MANDATORY** pre-bid meeting for all interested parties on Thursday, February 26, 2004 at 2:00 p.m. at the site, which is located at 240 Summit Avenue, Saint Paul, MN 55102.

Bids must be received no later than 2:00 p.m., Local Time, Tuesday, March 9, 2004. No late bids will be accepted.

Dated: February 9, 2004



# State Contracts

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## Department of Natural Resources

### Notice of Availability of Contract for Blanding's Turtle Research

The Minnesota Department of Natural Resources, Division of Ecological Services, is requesting proposals for the purpose of investigating the status and ecology of the Blanding's turtle (*Emydoidea blandingii*) in southwestern Minnesota and to formulate recommendations for conservation of this species in southwestern Minnesota.

Work is proposed to start March 1, 2004, and will be completed by December 31, 2005.

Desired qualifications include possession of M.S. or PhD. Degree (PhD preferred) in ecology, or wildlife biology, or closely related field, professional field research experience in the biology and ecology of Blanding's turtles; demonstrated experience in standardized data compilation, analysis and reporting; demonstrated experience using GIS, GPS and radiotelemetry; and professional field research experience as principle investigator managing a project with field staff.

The full Request for Proposal can be obtained from:

Lisa A. Gelvin-Innvaer, Nongame Wildlife Spec  
Minnesota Department of Natural Resources  
261 Highway 15 South  
New Ulm MN 56073  
**Phone** (507) 359-6033  
**FAX** (507) 359-6018  
[lisa.gelvin-innvaer@dnr.state.mn.us](mailto:lisa.gelvin-innvaer@dnr.state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4 p.m. on February 27, 2004. **Late proposals will not be considered.** Fax or e-mailed 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.

## Department of Transportation

### Engineering Services Division

### Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's **web site** at <http://www.dot.state.mn.us/consult>

Send completed application material to:

Robin Valento  
Pre-Qualification Administrator  
Minnesota Department of Transportation  
Consultant Services  
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680  
St. Paul, MN 55155



**Note: DUE DATE:**

**APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.**

## **Department of Transportation**

### **Engineering Services Division**

### **Notice Concerning Professional/Technical Contract Opportunities**

**NOTICE TO ALL:** The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult).

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

## **Department of Transportation**

### **District Operations Division, Metro District**

### **Request for Letters of Interest for a Design-Build Contract on T.H. 212**

The Minnesota Department of Transportation - Metro District is soliciting Letters of Interest (LOI) from companies interested in providing Design-Build services for the design and construction of Trunk Highway (T.H.) 212. The project is located in Hennepin and Carver County within the city limits of Eden Prairie, Chanhassen, Chaska and Carver, Minnesota. The project limits extend from the intersection of existing T.H. 312 and Eden Prairie Road (County State Aid Highway 4) to .75 miles west of the intersection of existing T.H. 212 and Carver County Road 147. The total length of the project is 11.75 miles.

The project will consist of the realignment of existing T.H. 212 and creating a controlled access freeway from existing T.H. 312 termination to 0.75 miles west of the intersection of Carver County Road 147. Six interchanges and seven overpasses will be constructed over new T.H. 212.

One Design-Builder will be selected for the entire project. The selection process will have two steps. A Request for Qualifications (RFQ) is anticipated to be issued by April 2, 2004. Responses to the RFQ will be evaluated to establish a list of design-build firms that will be invited to submit proposals in response to the Request for Proposals (RFP), which Mn/DOT intends to issue by June 18, 2004. The technical proposals are anticipated to be due in November, 2004, and the letting date is anticipated to be in February, 2005.

The "Best-Value" selection process will be used to evaluate the ability of the Design-Builder to manage, design, construct and control this project to provide a quality product, on or ahead of schedule, for a reasonable lump sum price within the Department's project budget. The Department anticipates using an industry review process with the short-listed design-build firms to solicit comments to the draft RFP before issuing the final RFP.

The Department is seeking Design-Builders that are committed to quality, have proven experience in design and construction, will bring innovative design-build approaches to ensure timely completion, and are willing to partner with the Department for the mutual success of the project.

Companies interested in providing design-build services or participating as a member of a design-build organization should send a LOU in writing by March 5, 2004 to:

Jon Chiglo, P.E.  
T.H. 212 Design-Build Project Manager  
1500 W. County Rd. B-2  
Roseville, MN 55113  
**FAX:** (651) 582-1166  
**e-mail:** [Jon.chiglo@dot.state.mn.us](mailto:Jon.chiglo@dot.state.mn.us)

The LOI must state the name, phone number and fax number of the person who the Department may contact at your company to provide further information about the project.

Interested parties are invited to send a representative to a project information workshop at Waters Edge Building, 1500 West County Rd. B-2, Roseville on February 23 at 9:00 AM. If attending this February 23 meeting, please contact Carol Slipy at (651) 582-1165 to be placed on attendance list for admittance to the meeting.

While submission of an LOI and attendance at the project information workshop are not prerequisites for participating in the procurement process, interested firms and parties are strongly encouraged to submit and attend.

# State Contracts

The Department reserves the sole right, without incurring any liability, to change any aspect of the proposed procurement described above, including the right to not proceed with the procurement and/or the right to proceed in a different manner or on a different timeline than as described above.

## 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 editor for further details.

## Metropolitan Council

### Notice of Invitation for Bids (IFB) for Uniform Rental Program

#### Reference Number 04P012

The Metropolitan Council is requesting bids for furnishing, laundering, maintenance and delivery of work uniforms for MCES Electrical staff.

***Issue Invitation for Bids***

**February 09, 2004**

***Bids Due***

**February 26, 2004**

***Award Contract***

**March 2004**

All firms interested in submitting bids for this contract and desiring to receive an IFB package are invited to make a request by e-mail, fax, mail or phone to:

Sunny Jo Emerson  
Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1499  
**Fax:** (651) 602-1083  
**E-mail:** [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@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.

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Engineering Services for Northwest Interceptor Improvements (Revised)

#### Contract 03P116

The Metropolitan Council is requesting proposals from professional engineering firms to assist the Council with updating the Regional Wastewater System Plan for the Northwest Metro Area.

System Plan analysis will include determining the needed improvements to the Council's northwest area interceptors and downstream interceptors in order to serve long-term regional growth. Also, additional analysis is required to assist the Council with determining the long-term extent of the Metropolitan Wastewater Treatment Plant Service Area and recommending additional wastewater treatment plants for the long-term future.

This project was originally advertised in December, with proposals due on January 15, 2004. An addendum has been issued modifying the scope of work and extending the due date. All firms who requested the original RFP package will be sent a copy of the Addendum and need not respond to this ad.

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# Non-State Contracts & Grants

The anticipated schedule for this project is as follows:

<b>Proposals Due:</b>	<b>February 25, 2004</b>
<b>Award Contract:</b>	<b>March 2004</b>

All firms interested in being considered for this project and desiring to receive an RFP package are invited to submit a written request for the RFP to:

Sunny Jo Emerson, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1499  
**Fax:** (651) 602-1083  
**E-mail:** [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@metc.state.mn.us)

**NOTE:** The RFP is **NOT** available in electronic form.

## Metropolitan Council

### Notice of Request for Proposals for Facility Manual Production

#### RFP Number 04P001

**NOTICE IS HEREBY GIVEN** that the Metropolitan Council is soliciting proposals to prepare Facility Manuals, also called O/M manuals, for seven of the Council's sewage pumping stations and the Riverview Siphon.

Planning and design for improvements to five pumping stations and one siphon is currently underway or scheduled to begin in the 2004/2005 time frame. These same facilities are scheduled to become operational within 3 to 5 years. It is the Council's intention to have a Facility Manual available prior to facility start-up to MCES personnel that documents the design parameters and the proper operation and maintenance of facility systems and equipment. Each lift station will involve sewage pumping and piping, HVAC, lighting, process controls, flow measurement, odor control and corrosion control.

The *tentative* schedule for this process is:

<b>RFP Issue Date</b>	<b>February 4, 2004</b>
<b>Proposals Due</b>	<b>March 3, 2004</b>
<b>Consultant Selection</b>	<b>March, 2004</b>
<b>Contract Award</b>	<b>April, 2004</b>
<b>Term of Contract Ends</b>	<b>May, 2009</b>

The Metropolitan Council owns, operates and provides wastewater treatment services to the seven-county Twin Cities Metro Region.

All firms interested in this project should submit a written request for a copy of the RFP through:

Harriet Simmons, Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 E. Fifth Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1086  
**Fax:** (651) 602-1138  
**E-mail:** [harriet.simmons@METC.state.mn.us](mailto:harriet.simmons@METC.state.mn.us)

Please provide the name of *one* contact person; complete company name; address/city/state/ zip along with phone/fax/cell phone and pager numbers as well as e-mail information if you wish to be placed on the Solicitation List. *All other inquiries* regarding this procurement shall be directed by e-mail to Hugh McConnell at: [hugh.mcconnell@metc.state.mn.us](mailto:hugh.mcconnell@metc.state.mn.us). Any other contact with Council employees on this matter throughout the entire solicitation process risks vendor disqualification.

# Non-State Contracts & Grants

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## Metropolitan Council

### Notice of Request for Proposals (RFP) for Engineering and Architectural Services for the Interceptor System Standby Power Improvements

**Project Number 803500, Contract Number 04P005**

The Metropolitan Council is requesting proposals for Engineering and Architectural services for the Interceptor System Standby Power Improvements generator replacement.

A tentative schedule for the project is as follows:

<i>Issue Request for Proposals:</i>	<b>February 2004</b>
<i>Receive Proposals:</i>	<b>March 10, 2004</b>
<i>Award of contract:</i>	<b>April 2004</b>

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

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council Environmental Services  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
**PHONE:** (651) 602-1585  
**FAX:** (651) 602-1138  
**e-mail:** [amanda.houston@metc.state.mn.us](mailto:amanda.houston@metc.state.mn.us)

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Architectural/Engineering Services for Interceptor Rehabilitation Projects

**Contract Number 04P015**

The Metropolitan Council is soliciting proposals for architectural/engineering services for Interceptor Rehabilitation Projects to support the Council's Environmental Services Division in completing smaller projects on an as-needed basis.

The Council intends to execute architectural/engineering services contracts with four Proposers that are able to provide these services. Each contract will have a maximum value of \$200,000 and a term of three years. The contracts will be structured to allow the Council to request specific professional services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, specified cost for the services, and a designated Council Project Manager.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	<b>February 18, 2004</b>
<i>Proposal Due Date</i>	<b>March 18, 2004</b>
<i>Selection of Firms</i>	<b>April 2004</b>
<i>Execution of Contracts</i>	<b>April 2004</b>

All firms interested in providing these services should request a copy of the Request for Proposals. Send or fax requests to:

Amanda Houston, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101  
**PHONE:** (651) 602-1585  
**FAX:** (651) 602-1138  
**e-mail:** [amanda.houston@metc.state.mn.us](mailto:amanda.houston@metc.state.mn.us)

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Architectural/ Engineering Services for Small WWTP Projects of Various Types

#### Contract Number 04P018

The Metropolitan Council is soliciting proposals for architectural/electrical engineering services for Small WWTP Projects of Various Types to support the Council's Environmental Services Division in completing smaller projects on an as-needed basis.

The Council intends to execute two architectural/electrical engineering services contracts with two Proposers that are able to provide these services (one for Metropolitan WWTP; one for Regional WWTP's). These contracts will have a maximum value of \$200,000 and a term of three years. The contracts will be structured to allow the Council to request specific professional services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, specified cost for the services, and a designated Council Project Manager.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	<b>February 18, 2004</b>
<i>Proposal Due Date</i>	<b>March 18, 2004</b>
<i>Selection of Firms</i>	<b>April 2004</b>
<i>Execution of Contracts</i>	<b>April 2004</b>

All firms interested in providing this service should request a copy of the Request for Proposals. Send or fax requests to:

Amanda Houston, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101  
**PHONE:** (651) 602-1585  
**FAX:** (651) 602-1138  
**e-mail:** [amanda.houston@metc.state.mn.us](mailto:amanda.houston@metc.state.mn.us)

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Electrical Engineering Services for Power Distributions Systems

#### Contract Number 04P017

The Metropolitan Council is soliciting proposals for electrical engineering services for Power Distributions Systems, primarily at the Metro Plant, and to support the Council's Environmental Services Division in completing smaller projects on an as-needed basis.

The Council intends to execute an electrical engineering services contract with one Proposer that is able to provide these services. This contract will have a maximum value of \$200,000 and a term of three years. The contract will be structured to allow the Council to request specific professional services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, specified cost for the services, and a designated Council Project Manager.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	<b>February 18, 2004</b>
<i>Proposal Due Date</i>	<b>March 18, 2004</b>
<i>Selection of Firm</i>	<b>April 2004</b>
<i>Execution of Contract</i>	<b>April 2004</b>

All firms interested in providing this service should request a copy of the Request for Proposals. Send or fax requests to:

Amanda Houston, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre

# Non-State Contracts & Grants

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230 East Fifth Street  
St. Paul, MN 55101  
**PHONE:** (651) 602-1585  
**FAX:** (651) 602-1138  
**e-mail:** [amanda.houston@metc.state.mn.us](mailto:amanda.houston@metc.state.mn.us)

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Independent Technical Review, Value Engineering, and Risk Analysis of Selected MCES Capital Projects

#### Contract Number 04P019

The Metropolitan Council is soliciting proposals for Independent Technical Review, Value Engineering, and Risk Analysis of Selected MCES Capital Projects to support the Council's Environmental Services Division in ensuring cost-effective capital project delivery.

The Council intends to execute one technical review services contract with one Proposer that is able to provide these services. This contract will have a maximum value of \$200,000 and a term of three years. The contract will be structured to allow the Council to request specific professional services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, specified cost for the services, and a designated Council Project Manager.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	<b>February 18, 2004</b>
<i>Proposal Due Date</i>	<b>March 18, 2004</b>
<i>Selection of Firm</i>	<b>April 2004</b>
<i>Execution of Contract</i>	<b>April 2004</b>

All firms interested in providing this service should request a copy of the Request for Proposals. Send or fax requests to:

Amanda Houston, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101  
**PHONE:** (651) 602-1585  
**FAX:** (651) 602-1138  
**e-mail:** [amanda.houston@metc.state.mn.us](mailto:amanda.houston@metc.state.mn.us)

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Mechanical and Electrical Engineering Services for Various Lift Stations

#### Contract Number 04P016

The Metropolitan Council is soliciting proposals for mechanical and electrical engineering services for Various Lift Station Projects to support the Council's Environmental Services Division in completing smaller projects on an as-needed basis.

The Council intends to execute a mechanical and electrical engineering services contract with one Proposer that is able to provide these services. This contract will have a maximum value of \$200,000 and a term of three years. The contract will be structured to allow the Council to request specific professional services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, specified cost for the services, and a designated Council Project Manager.

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## Non-State Contracts & Grants

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	<b>February 18, 2004</b>
<i>Proposal Due Date</i>	<b>March 18, 2004</b>
<i>Selection of Firm</i>	<b>April 2004</b>
<i>Execution of Contract</i>	<b>April 2004</b>

All firms interested in providing this service should request a copy of the Request for Proposals. Send or fax requests to:

Amanda Houston, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
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230 East Fifth Street  
St. Paul, MN 55101  
**PHONE:** (651) 602-1585  
**FAX:** (651) 602-1138  
**e-mail:** [amanda.houston@metc.state.mn.us](mailto:amanda.houston@metc.state.mn.us)

## University of Minnesota

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

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

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



