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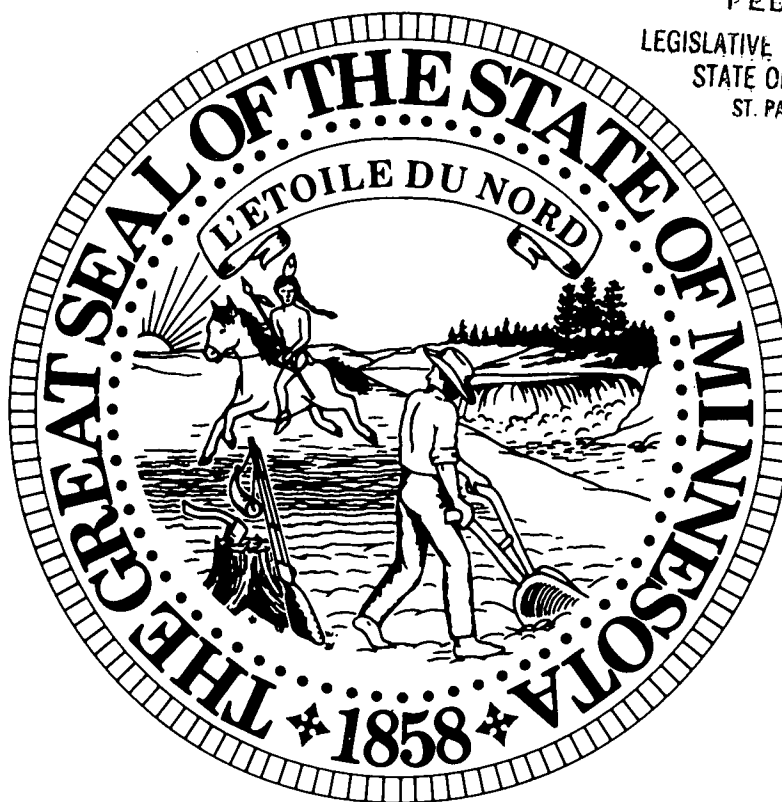
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Minnesota Rules: Amendments and Additions

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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 75 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. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or 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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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 *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 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

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The adoption of a rule becomes effective after the requirements of Minn. Stat. §§14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Pollution Control Agency

Hazardous Waste Division

Adopted Permanent Rules Relating to Hazardous Waste

The rules proposed and published at *State Register*, Volume 18, Number 4, pages 360-386, July 26, 1993 (18 SR 360), are adopted with the following modifications:

Rules as Adopted

7001.0150 TERMS AND CONDITIONS OF PERMITS.

Subp. 3. **General conditions.** Unless specifically exempted by statute or rule, each draft and final permit must include the following general conditions and the agency shall incorporate these conditions into all permits either expressly or by specific reference to this part:

P. Compliance with an RCRA permit during its term constitutes compliance, for purposes of enforcement, with subtitle C of RCRA except for those requirements not included in the permit which:

7001.0590 PART B INFORMATION REQUIREMENTS FOR SURFACE IMPOUNDMENTS.

Except as otherwise provided in part 7045.0532, subpart 1, if the applicant proposes to store, treat, or dispose of hazardous waste in surface impoundment facilities, the applicant shall submit detailed plans and specifications accompanied by an engineering report which collectively includes the following information in addition to the information required by part 7001.0560:

C. Detailed plans and an engineering report describing how the surface impoundment is designed, and is or will be constructed, operated, and maintained to meet the requirements of parts 7045.0461 and 7045.0532, subparts 3, 4a, and 4b, addressing the following items:

(1) The double liner and leak (leachate) detection, collection, and removal system, if the surface impoundment must meet the requirements of part 7045.0532, subpart 3, item C. If an exemption from the requirements for double liners and a leak detection, collection, and removal system or alternative design is sought as provided by part 7045.0532, subpart 3, item ~~H~~ or J or K, submit appropriate information.

7001.0600 PART B INFORMATION REQUIREMENTS FOR WASTE PILES.

Except as otherwise provided by part 7045.0534, subpart 1, if the applicant proposes to store or treat hazardous waste in waste piles, the applicant shall furnish the information required by items A to M in addition to the information required by part 7001.0560:

D. Detailed plans and an engineering report describing how the waste pile is designed and is or will be constructed, operated, and maintained to meet the requirements of parts 7045.0461 and 7045.0534, subparts 3, 4a, and 5a, addressing the following items:

(1)(a) The liner system, except for an existing portion of a waste pile, if the waste pile must meet the requirements of part 7045.0534, subpart 3, item A. If an exemption from the requirement for a liner is sought as provided by part 7045.0534, subpart 3, item ~~H~~ K, the applicant must submit detailed plans, and engineering and hydrogeological reports, as appropriate, describing alternate designs and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the groundwater or surface water at any future time.

(b) The double liner and leak (leachate) detection, collection, and removal system, if the waste pile must meet the requirements of part 7045.0534, subpart 3, item C. If an exemption from the requirements for double liners and a leak detection, collection, and removal system or alternative design is sought as provided by part 7045.0534, subpart 3, item D or ~~F~~ E, the applicant must submit appropriate information.

7001.0620 PART B INFORMATION REQUIREMENTS FOR LANDFILLS.

Except as otherwise provided by part 7045.0538, subpart 1, if the applicant proposes to dispose of hazardous waste in a landfill, the applicant shall furnish the information designated in items A to L in addition to the information required by part 7001.0560:

C. Detailed plans and an engineering report describing how the landfill is designed and is or will be constructed, operated, and maintained to meet the requirements of parts 7045.0461 and 7045.0538, subparts 3, 4a, and 5, addressing the following items:

(1)(a) The liner system, except for an existing portion of a landfill, if the landfill must meet the requirements of part 7045.0538, subpart 3, item A. If an exemption from the requirement for a liner is sought as provided by part 7045.0538, subpart 3, item ~~B~~ K, submit detailed plans, and engineering and hydrogeological reports, as appropriate, describing alternate designs and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the ground-water or surface water at any future time.

(b) The double liner and leak (leachate) detection, collection, and removal system, if the landfill must meet the requirements of part 7045.0538, subpart 3, item C. If an exemption from the requirements for double liners and a leak detection, collection, and removal system or alternative design is sought as provided by part 7045.0538, subpart 3, items ~~K~~ M and ~~M~~ N, submit appropriate information.

7045.0135 LISTS OF HAZARDOUS WASTES.

Subp. 2. **Hazardous wastes from nonspecific sources.** Hazardous wastes from nonspecific sources are listed with the generic hazardous waste number and hazard code in items A to BB.

Z. F037, petroleum refinery primary oil/water/solids separation sludge. Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from noncontact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in subpart 2a, including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units, and K051 wastes are not included in this listing: (T);

AA. F038, petroleum refinery secondary (emulsified) oil/water/solids separation sludge. Any sludge and/or float generated from the physical and/or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air flotation units, tanks and impoundments, and all sludges generated in dissolved air flotation units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from noncontact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges, and floats generated in one or more additional units as defined in subpart 2a, including sludges and floats generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units, and F037, K048, and K051 wastes are not included in this listing: (T); and

Subp. 2a. **Listing-specific definitions.**

B. (1) For the purposes of the F037 and F038 listings, aggressive biological treatment units are defined as units which employ one of the following four treatment methods: activated sludge; trickling filter; rotating biological ~~contractor~~ contactor for the continuous accelerated biological oxidation of wastewaters; or high-rate aeration. High-rate aeration is a system of surface impoundments or tanks, in which intense mechanical aeration is used to completely mix the wastes and enhance biological activity, the unit employs a minimum of six horsepower per million gallons of treatment volume, and either (a) the hydraulic retention time of the unit is no longer than five days; or (b) the hydraulic retention time is no longer than 30 days and the unit does not generate a sludge that is a hazardous waste by the toxicity characteristic.

7045.0461 CONSTRUCTION QUALITY ASSURANCE PROGRAM.

Subpart 1. **Construction quality assurance program.** A construction quality assurance program is required for all surface impoundment, waste pile, and landfill units that are required to comply with parts 7045.0532, subpart 3, items C and H; 7045.0534, subpart 3, items C and D; and 7045.0538, subpart 3, items C and K. The program must ensure that the constructed unit meets or

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

Adopted Rules

exceeds all design criteria and specifications in the permit. The program must be developed and implemented under the direction of a construction quality assurance officer who is a registered professional engineer.

The construction quality assurance program must address the following physical components, where applicable:

- (1) ~~A.~~ foundations;
- (2) ~~B.~~ dikes;
- (3) ~~C.~~ low-permeability soil liners;
- (4) ~~D.~~ geomembranes (flexible membrane liners);
- (5) ~~E.~~ leachate collection and removal systems and leak detection systems; and
- (6) ~~F.~~ final cover systems.

Subp. 2. **Written construction quality assurance plan.** The owner or operator of units subject to the construction quality assurance program under subpart 1 must develop and implement a written construction quality assurance plan. The plan must identify steps that will be used to monitor and document the quality of materials and the condition and manner of their installation. The construction quality assurance plan must include:

B. Identification of key personnel in the development and implementation of the construction quality assurance plan, and construction quality assurance officer ~~qualification~~ qualifications.

C. A description of inspection and sampling activities for all unit components identified in subpart 1, ~~item B~~; including observations and tests that will be used before, during, and after construction to ensure that the construction materials and the installed unit components meet the design specifications. The description must cover sampling size and locations, frequency of testing, data evaluation procedures, acceptance and rejection criteria for construction materials, plans for implementing corrective measures, and data or other information to be recorded and retained in the operating record under part 7045.0478.

Subp. 3. **Contents of program.**

A. The construction quality assurance program must include observations, inspections, tests, and measurements sufficient to ensure:

- (1) structural stability and integrity of all components of the unit identified in subpart 1, ~~item B~~;

7045.0532 SURFACE IMPOUNDMENTS.

Subp. 3. **Design and operating requirements.** Design and operating requirements are as follows:

H. ~~The commissioner may approve alternative design or operating practices to those specified in item C if the owner or operator demonstrates to the commissioner that such design and operating practices, together with location characteristics:~~

- (1) ~~will prevent the migration of any hazardous constituent into the groundwater or surface water at least as effectively as the liners and leachate collection and removal system specified in item C; and~~
- (2) ~~will allow detection of leaks of hazardous constituents through the top liner at least as effectively.~~ An owner or operator may petition for alternate design and operating practices under part 7045.0075, subpart 12.

J. ~~The commissioner shall approve alternative design or operating practices to those specified in item C if the owner or operator demonstrates to the commissioner that such design and operating practices, together with location characteristics:~~

- (1) ~~will prevent the migration of any hazardous constituent into the groundwater or surface water at least as effectively as the liners and leachate collection and removal system specified in item C; and~~
- (2) ~~will allow detection of leaks of hazardous constituents through the top liner at least as effectively.~~

K. The owner or operator of any replacement surface impoundment unit is exempt from item C if:

7045.0534 WASTE PILES.

Subp. 3. **Design and operating requirements.** Design and operating requirements are as follows:

D. The commissioner ~~may~~ shall approve alternative design or operating practices to those specified in item C if the owner or operator demonstrates to the commissioner that such design and operating practices, together with location characteristics:

7045.0538 LANDFILLS.

Subp. 3. **Design and operating requirements.** Design and operating requirements are as follows:

C. The owner or operator of each new landfill unit on which construction commences after January 29, 1992, each lateral expansion of a landfill unit on which construction commences after July 29, 1992, and each replacement of an existing landfill unit

that is to commence reuse after July 29, 1992, must install two or more liners and a leachate collection and removal system above and between such liners. "Construction commences" and "existing facility" are defined in part 7045.0020.

(3) The leachate collection and removal system between the liners, and immediately above the bottom composite liner in the case of multiple leachate collection and removal systems, is also a leak detection system. This leak detection system must be capable of detecting, collecting, and removing leaks of hazardous constituents at the earliest practicable time through all areas of the top liner likely to be exposed to waste or leachate during the active life and postclosure care period. The requirements for a leak detection system in this subitem are satisfied by installation of a system that is, at a minimum:

(b) constructed of granular drainage materials with a hydraulic conductivity of 1×10 to the negative 2nd centimeters per second or more and a thickness of 12 inches (30.5 centimeters) or more; or constructed of synthetic or geonet drainage materials with a transmissivity of 3×10 to the negative 5th meters squared per second or more;

K. ~~The commissioner may approve alternative design or operating practices to those specified in item C if the owner or operator demonstrates to the commissioner that such design and operating practices, together with location characteristics:~~

~~(1) will prevent the migration of any hazardous constituent into the groundwater or surface water at least as effectively as the liners and leachate collection and removal systems specified in item C; and~~

~~(2) will allow detection of leaks of hazardous constituents through the top liner at least as effectively. An owner or operator may petition for alternate design or operating practices under part 7045.0075, subpart 12.~~

M. The commissioner shall approve alternative design or operating practices to those specified in item C if the owner or operator demonstrates to the commissioner that such design and operating practices, together with location characteristics:

(1) will prevent the migration of any hazardous constituent into the groundwater or surface water at least as effectively as the liners and leachate collection and removal systems specified in item C; and

(2) will allow detection of leaks of hazardous constituents through the top liner at least as effectively.

N. The owner or operator of any replacement landfill unit is exempt from item C if:

Subp. 4a. Action leakage rate.

A. The commissioner shall approve an action leakage rate for ~~surface impoundment landfill~~ units subject to subpart 3, item C or K. The action leakage rate is the maximum design flow rate that the leak detection system can remove without the fluid head on the bottom liner exceeding one foot. The action leakage rate must include an adequate safety margin to allow for uncertainties in the design (e.g., slope, hydraulic conductivity, thickness of drainage material), construction, operation, and location of the leak detection system, waste and leachate characteristics, likelihood and amounts of other sources of liquids in the leak detection system, and proposed response actions (e.g., the action leakage rate must consider decreases in the flow capacity of the system over time resulting from siltation and clogging, rib layover and creep of synthetic components of the system, overburden pressures, etc.).

7045.0630 SURFACE IMPOUNDMENTS.

Subp. 1a. Design and operating requirements. Design and operating requirements are as follows:

A. The owner or operator of each new surface impoundment unit on which construction commences after January 29, 1992, each lateral expansion of a surface impoundment unit on which construction commences after July 29, 1992, and each replacement of an existing surface impoundment unit that is to commence reuse after July 29, 1992, must install two or more liners and a leachate collection and removal system between such liners, and operate the leachate collection and removal system, in accordance with part 7045.0532, subpart 3, item C, unless exempted under part 7045.0532, subpart 3, item ~~H~~; ~~I~~; ~~or~~ ~~J~~ or K. "Construction commences" and "existing facility" are defined in part 7045.0020.

7045.0632 WASTE PILES.

Subp. 4a. Design and operating requirements. The owner or operator of each new waste pile on which construction commences after January 29, 1992, each lateral expansion of a waste pile unit on which construction commences after July 29, 1992, and each such replacement of an existing waste pile unit that is to commence reuse after July 29, 1992, must install two or more liners and a leachate collection and removal system above and between such liners, and operate the leachate collection and removal systems, in accordance with part 7045.0534, subpart 3, item C, unless exempted under part 7045.0534, subpart 3, item ~~D~~; ~~E~~; or F;

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

Adopted Rules

and must comply with the procedures of part 7045.0630, subpart 1a, item B. "Construction commences" and "existing facility" are defined in part 7045.0020.

Subp. 4b. Action leakage rates.

B. The commissioner shall approve an action leakage rate for ~~surface impoundment waste pile~~ units subject to subpart 4a. The action leakage rate is the maximum design flow rate that the leak detection system can remove without the fluid head on the bottom liner exceeding one foot. The action leakage rate must include an adequate safety margin to allow for uncertainties in the design (e.g., slope, hydraulic conductivity, thickness of drainage material), construction, operation, and location of the leak detection system, waste and leachate characteristics, likelihood and amounts of other sources of liquids in the leak detection system, and proposed response actions (e.g., the action leakage rate must consider decreases in the flow capacity of the system over time resulting from siltation and clogging, rib layover and creep of synthetic components of the system, overburden pressures, etc.).

7045.0638 LANDFILLS.

Subp. 2. **Design and operating requirements.** Design and operating requirements are as follows:

A. The owner or operator of each new landfill unit on which construction commences after January 29, 1992, each lateral expansion of a landfill unit on which construction commences after July 29, 1992, and each replacement of an existing landfill unit that is to commence reuse after July 29, 1992, must install two or more liners and a leachate collection and removal system above and between such liners, and operate the leachate collection and removal systems, in accordance with part 7045.0538, subpart 3, item ~~K, L, or M~~ C, ~~unless exempted under part 7045.0538, subpart 3, item M or N.~~ "Construction commences" and "existing facility" are defined in part 7045.0020.

7045.1355 TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT.

Subpart 1. **Applicability.** *Code of Federal Regulations*, title 40, part 268.41, Table CCWE, identifies the restricted wastes and the concentrations of their associated constituents that may not be exceeded by the extract of a waste or waste treatment residual developed using the test method in *Code of Federal Regulations*, title 40, part 261, Appendix II, for the allowable land disposal of such wastes, with the exception of EPA Hazardous Waste Nos. D004, D008, ~~D034~~ K031, K084, K101, K102, P010, P011, P012, P036, and U136, and the concentrations of their associated constituents which may not be exceeded by the extract of a waste or waste treatment residual developed using the test method in *Code of Federal Regulations*, title 40, part 261, Appendix II, for the allowable land disposal of such wastes. *Code of Federal Regulations*, title 40, part 268, Appendix II, provides agency guidance on treatment methods that have been shown to achieve the Table CCWE levels for the respective wastes. This guidance is provided to assist generators and owners or operators in their selection of appropriate treatment methods. Compliance with these concentrations is required based on grab samples unless otherwise noted in *Code of Federal Regulations*, title 40, part 268.43, Table CCW.

Department of Revenue

Adopted Permanent Rules Relating to Income and Franchise Tax; Income Apportionment

The rules proposed and published at *State Register*, Volume 17, Number 51, pages 3356-3358, June 21, 1993 (17 SR 3356), are adopted with the following modifications:

Rules as Adopted

8020.0100 PETITION FOR APPLICATION OF OTHER THAN PRESCRIBED APPORTIONMENT FORMULA.

Subpart 1. **In general.** *Minnesota Statutes*, section 290.20, subdivision 1, permits a departure from the apportionment provisions of *Minnesota Statutes*, section 290.191. If the methods of apportionment required by that section do not fairly reflect all or any part of the taxable net income allocable to this state, the taxpayer may petition for the determination of net income by use of another method. The taxpayer must petition for use of another method of determining taxable net income allocable to this state ~~and receive approval of the method, in accordance with this part, before using any method that is not prescribed by Minnesota Statutes, section 290.191.~~ The petition must be filed at the time of or at a time prior to the time the return or amended return is filed. Acceptance of a return using a method of apportionment other than the method prescribed by Minnesota Statutes, section 290.191, is not approval of the petition and other method by the commissioner.

Department of Revenue**Adopted Permanent Rules Relating to Penalty for Repeated Failures to Pay Taxes**

The rules proposed and published at *State Register*, Volume 18, Number 15, pages 1048-1050, October 11, 1993 (18 SR 1048), are adopted as proposed.

Department of Revenue**Adopted Permanent Rules Relating to Sales and Use Tax; Aircraft Registration**

The rules proposed and published at *State Register*, Volume 17, Number 51, pages 3358-3360, June 21, 1993 (17 SR 3358), are adopted as proposed.

Department of Revenue**Adopted Permanent Rules Relating to Sales and Use Tax on Sales of Special Tooling**

The rules proposed and published at *State Register*, Volume 18, Number 4, pages 388-390, July 26, 1993 (18 SR 388), are adopted as proposed.

Department of Revenue**Appeals, Legal Services, and Criminal Investigation Division****Adopted Permanent Rules Relating to Sales and Use Tax; Sale by Transfer of Title**

The rules proposed and published at *State Register*, Volume 18, Number 4, pages 386-387, July 26, 1993 (18 SR 386), are adopted as proposed.

Official Notices

Pursuant to the provisions of Minnesota Statutes §14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Minnesota Comprehensive Health Association**Notice of Actuarial Committee Meeting**

NOTICE IS HEREBY GIVEN that a meeting of the Actuarial Committee of the Minnesota Comprehensive Health Association (MCHA), will convene at 1:00 p.m. on Tuesday, March 1, 1994 at Blue Cross Blue Shield of Minnesota, 3535 Blue Cross Road, Eagan, Minnesota, in the 6th floor dining room. For additional information please call Lynn Gruber at (612) 593-9609.

Minnesota Comprehensive Health Association**Notice of Actuarial Committee Meeting**

NOTICE IS HEREBY GIVEN that a meeting of the Actuarial Committee of the Minnesota Comprehensive Health Association (MCHA), will convene at 1:00 p.m. on Monday, March 7, 1994 at Blue Cross Blue Shield of Minnesota, 3535 Blue Cross Road, Eagan, Minnesota, in the 6th floor dining room. For additional information please call Lynn Gruber at (612) 593-9609.

Official Notices

Executive Council State Board of Investment Land Exchange Board Investment Advisory Council

Official Notice of Meetings of the Executive Council, State Board of Investment, Land Exchange Board, and the Investment Advisory Council

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, March 2, 1994 at 8:30 A.M. in Room 125, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Tuesday, March 1, 1994 at 2:00 P.M. in Suite 105, 55 Sherburne Avenue, St. Paul, MN.

Department of Human Services

Division of Licensing

Notice of Study on Interpretive Guidelines

Laws of Minnesota 1993, Chapter 338, section 10 directs the Commissioner of Human Services to study and report on the cost, feasibility, and means of implementing the publication and dissemination of written memoranda that provide interpretation, details, or supplementary information concerning the application of laws or rules administered by the Licensing Division of the Department of Human Services.

The Legislature identified two pilot projects which are to be conducted in conjunction with the study. One pilot project governs Day Care Centers licensed under *Minnesota Rules*, parts 9503.0005 to 9503.0175 (Rule 3). The other pilot project governs Developmental Disabilities Programs licensed under *Minnesota Rules*, parts 9525.0500 to 9525.0660; 9525.0215 to 9525.0355; 9525.1500 to 9525.1690; and 9525.2000 to 9525.2140 (Rules 18, 34, 38 and 42).

The results of the study and the pilot projects must be reported to the Legislature by February 1, 1995.

The Division of Licensing has begun this study and invites public comments on the study. Written comments may be sent to Jim Schmidt, Department of Human Services, Division of Licensing, 444 Lafayette Road, St. Paul, MN 55155-3842.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective February 22, 1994 prevailing wage rates were determined and certified for commercial construction projects in: **Anoka County:** AHLCD/DC & Hoover Elementary Door Renovation-Coon Rapids & Anoka, Roosevelt Middle, Coon Rapids Middle & Jackson Middle Door Renovation-Blaine, Champlin & Coon Rapids. **Clay County:** Comstock Memorial Union A/C Revisions-MSU Moorhead. **Dakota County:** Henry Sibley Sr. High Asbestos Abatement-Mendota Heights. **Hennepin County:** U of M Law Building Tile Replacement & Physics Building Roof Replacement, Agronomy Building Window Replacement-Minneapolis, Hennepin County Miscellaneous Fire Protection Work-Countywide. **Lyon County:** South West State Student Center Entry Tower Reroofing-Marshall. **Morrison County:** Building 20-A through 20-N Effluent Disinfection System Installed-Camp Ripley. **Olmsted County:** Rochester Public Library-Rochester. **Ramsey County:** Arden Hills Training Center Phase I Remodel-Arden Hills, 1994 Reroofing Mounds View Public Schools-Mounds View, Ames Elementary, Harding Sr. High, Como Park Elementary, Homecroft Elementary & Battle Creek Elementary Asbestos Abatement-St. Paul. **Steele County:** 1994 Tee Hangar Construction-Owatonna. **St. Louis County:** Recreation Heritage Park & Trail System-Embarrass.

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.
Commissioner

Public Employees Retirement Association (PERA)

Board of Trustees, Notice of Meeting

A meeting of the Legislative Committee of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Monday, February 28, 1994 at 10:30 a.m. in the PERA offices, 514 St. Peter Street - Suite 200, St. Paul, Minnesota.

Rural Finance Authority

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

NOTICE IS HEREBY GIVEN that a public hearing will be held on March 9, 1994, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 70 head of young stock cows located in Section 22, Township 110, R44; Lincoln County, Minnesota on behalf of Andrew & Laura Jensen, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$46,230. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 2 February 1994

LaVonne Nicolai
RFA Executive Director

Rural Finance Authority

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

NOTICE IS HEREBY GIVEN that a public hearing will be held on March 9, 1994, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 351 acres of farmland located in Section 15, Florida Township, Yellow Medicine County, Minnesota on behalf of Nathan Thorpe, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$120,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 2 February 1994

LaVonne Nicolai
RFA Executive Director

Rural Finance Authority

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

NOTICE IS HEREBY GIVEN that a public hearing will be held on March 9, 1994, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority

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(the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 160 acre dairy farm located in Section 30, Township 108, R21; Steele County, Minnesota on behalf of Thomas & Barbara Heaser, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$240,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 2 February 1994

LaVonne Nicolai
RFA Executive Director

Minnesota State Retirement System

Notice of a Special Meeting of the Board of Directors

A special meeting of the Board of Directors, Minnesota State Retirement System, has been scheduled for Friday, February 25, 1994, at 9:00 a.m. in the office of the System, 175 W. Lafayette Frontage Road, St. Paul, Minnesota. The purpose of this meeting will be to discuss the proposed Deferred Compensation Plan marketing/service agreement.

Board of Water and Soil Resources

Notice of a Regularly Scheduled Monthly Meeting

The Board of Water and Soil Resources will hold their regularly scheduled monthly meeting on February 23, 1994, in the University Room at Crown Sterling Suites, 175 East 10th Street, St. Paul, Minnesota. The meeting will convene at 9:00 a.m.

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant 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 notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Labor and Industry

Workplace Safety Consultation

Notice of Safety Grants and Loans for Employers in Minnesota 1993 Flood Disaster Area

The Department of Labor and Industry is soliciting applications from eligible employers for Safety Grants and Loans. Eligible employers are those employers which have workers' compensation insurance or which are self-insured and which have been the subject of an on-site safety survey conducted by Minnesota OSHA. Successful applicants will receive grants for loans to cover all or part of purchasing and installing safety equipment recommended by OSHA.

The purpose of this notice is to solicit eligible employers, which have been subjected to on-site OSHA inspections resulting in specifically recommended safety practices and equipment, to make applications for grants or loans to install the safety practices or equipment. For this funding round the safety grants and loans will be limited to eligible employers in the 1993 flood disaster area. This funding round for eligible employers in the Minnesota 1993 flood disaster area will be limited to \$10,000 per project. Eligible employers must submit an application on the form provided by the Department of Labor and Industry on or before November 1,

1993. The grants and loans to eligible employers are for projects designed to reduce the risk of injury to employees pursuant to the recommendations resulting from the on-site safety inspections of the employers by Minnesota OSHA.

Proposals will be reviewed by the Commissioner of the Department of Labor and Industry within 14 days of receipt and applicants will be notified as to whether their application is eligible or ineligible for consideration. The Commissioner then will evaluate each eligible proposal and determine which applicants best satisfy the following criteria:

- A. the proposed project is technically and economically feasible and is consistent with the recommendations resulting from the on-site safety survey of the employer;
- B. the applicant has the experience and knowledge to complete the proposed project and is committed to implementing the proposed project in a timely manner upon receipt of a grant award;
- C. the proposed project is consistent with the objective of reducing risk of injury to employees;
- D. the proposed project has the necessary financial commitment to cover all proposed project costs;
- E. the applicant has demonstrated that the proposed project has the support of all public entities that are involved in the proposed project; and
- F. the proposed project complies with federal, state, and local regulations.

Proposals which satisfy the foregoing criteria will be evaluated in order of need and desirability and, grants and loans will be made, on the basis of the following factors and in the descending order as listed:

- A. a project that impacts a site of employment which provides goods producing, manufacturing, or processing jobs for a significant proportion of the workers in the area;
- B. a project for operating a site where jobs have been lost or are in jeopardy because of problems relating to safety shortcomings addressed by the proposal; and
- C. other projects that meet the criteria specified elsewhere.

For complete information regarding the request for proposals and to obtain RFP forms, contact James Collins, Director, Workplace Safety Consultation at (612) 296-5433, Department of Labor and Industry, OSHA Consultation, 443 Lafayette Road, St. Paul, MN 55155. **Completed proposals are due in the office of the Department of Labor and Industry on or before close of business March 21, 1994.**

Department of Trade and Economic Development

Business and Community Development Division

Final Statement on Distribution of Small Cities Community Block Grant Funds

Federal fiscal year 1994 Community Development Block Grant (CDBG) funds, made available to the State for distribution to nonentitlement areas will be distributed in accordance with administrative rules adopted in Chapter 4300. The State of Minnesota will administer an allocation of \$24,969,000. A draft Final Statement was published in the *State Register* on January 3, 1994, and a public hearing to receive comments was conducted on January 13, 1994. The text of the Final Statement follows:

Chapter 4300 Community Block Grants

- Subp. 1. Scope.** As used in this chapter, the following terms have the meanings given them.
- Subp. 2. Application year.** "Application year" means the state fiscal year beginning July 1 and ending June 30.
- Subp. 2a. Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Trade and Economic Development.
- Subp. 2b. Community development application.** "Community development application" means the official consolidated application form as developed by the Department of Trade and Economic Development to be used to apply for funding assistance from various community assistance programs administered by the Business and Community Development Division.
- Subp. 3. Community development need.** "Community development need" means a demonstrated deficiency in housing stock, public facilities, economic opportunities, or other services which are necessary for developing or maintaining viable communities.
- Subp. 4. Competitive grant.** "Competitive grant" means a grant application that is evaluated and ranked in comparison to other applications in the same grant category and includes housing, public facilities and comprehensive applications.

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- Subp. 5. Comprehensive program.** "Comprehensive program" means a combination of at least two interrelated projects which are designed to address community development needs which by their nature require a coordination of housing, public facilities, or economic development activities. A comprehensive program must be designed to benefit a defined geographic area, otherwise known as a program area.
- Subp. 5a. Division.** "Division" means the Business and Community Development Division in the Department of Trade and Economic Development to which the program is assigned.
- Subp. 6. Economic development project.** "Economic development project" means one or more activities designed to create new employment, maintain existing employment, increase the local tax base, or otherwise increase economic activity in a community.
- Subp. 7. Eligible activities.** "Eligible activities" means those activities so designated in *United States Code*, title 42, section 5305 (1981) and as described in *Code of Federal Regulations*, title 24, sections 570.200-570.207 (1981).
- Subp. 8. General purpose local government.** "General purpose local government" means townships as described in *Minnesota Statutes*, chapter 365; cities as described in *Minnesota Statutes*, chapters 410 and 412; and counties.
- Subp. 9. Grant.** "Grant" means an agreement between the state and an eligible recipient through which the state provides funds to carry out specified programs, services, or activities.
- Subp. 10. Grant closeout.** "Grant closeout" means the process by which the division determines that all applicable administrative actions and all required work have been completed by the grant recipient and the department.
- Subp. 11. Grant year.** "Grant year" means any period of time during which the United States Department of Housing and Urban Development makes funds from any federal fiscal year available to the state for distribution to local governments under *United States Code*, title 42, sections 5301-5316 (1981), and includes the period of time during which the division solicits applications and makes grant awards.
- Subp. 11a. Housing and community development needs assessment.** "Housing and community development needs assessment" means an analysis of priority community needs as required by Section 104 of the Housing and Community Development Act of 1974, *United States Code*, title 42, section 5304(b)(3).
- Subp. 12. Infrastructure.** "Infrastructure" means the basic physical systems, structures, and facilities, such as roads, bridges, water, and sewer, which are necessary to support a community.
- Subp. 13. Low and moderate income.** "Low and moderate income" means income which does not exceed 80 percent of the median income for the area, Subp. 14. Metropolitan city. "Metropolitan city" means a city over 50,000 population or a central city of a standard metropolitan statistical area that receives entitlement grants under *United States Code*, title 42, section 5306 (1981) directly from the United States Department of Housing and Urban Development.
- Subp. 15. Nonentitlement area.** "Nonentitlement area" means an area that is not a metropolitan city or part of an urban county.
- Subp. 16.** [Repealed, 14 SR 1098].
- Subp. 17. Per capita assessed valuation.** "Per capita assessed valuation" means the adjusted assessed valuation divided by population.
- Subp. 18. Population.** "Population" means the number of persons who are residents in a county, city, or township as established by the last federal census, by a census taken pursuant to *Minnesota Statutes* 275.53, subd. 2, by a population estimate made by the Metropolitan Council, or by the population estimate of the state demographer made under *Minnesota Statutes* 116K.04, subd. 4, clause (10), whichever is most recent as to the stated date of count or estimate, up to and including the most recent July 1.
- Subp. 19. Poverty persons.** "Poverty persons" means individuals or families whose incomes are below the poverty level as determined by the most current data available from the United States Department of Commerce, taking into account variations in cost of living for the area affected.
- Subp. 20. Program.** "Program" means the community development block grant program for nonentitlement areas.
- Subp. 21. Program area.** "Program area" means a defined geographic area within which an applicant has determined that there exists a need for community development activities. A program area may be a neighborhood in a community or an entire community.
- Subp. 22. Program income.** "Program income" means gross income earned by the grant recipient from grant-supported activities, excluding interest earned on advances.
- Subp. 23. Project.** "Project" means one or more activities designed to meet a specific community development need.
- Subp. 24.** [Repealed, 14 SR 1098].

- Subp. 25. Slums and blight.** "Slums and blight" means areas or neighborhoods which are characterized by conditions used to describe deteriorated areas in *Minnesota Statutes* 462.421 or which are characterized by the conditions used to describe redevelopment districts in *Minnesota Statutes* 273.73, subd. 10.
- Subp. 26. Single-purpose project.** "Single-purpose project" means one or more activities designed to meet a specific housing or public facilities community development need within a defined program area.
- Subp. 27. Urban county.** "Urban county" means a county which is located in a metropolitan area and is entitled to receive grants under *United States Code*, title 42, section 5306 (1981), directly from the United States Department of Housing and Urban Development.

Minnesota Statutes sections 116J.401; 116J.403; 116J.873

8 SR 1263; *Laws 1987* chapter 312 article 1; 14 SR 1098

NOTE: *Minnesota Statutes* s 275.53, was repealed by L 1981, First Special Session, chapter 1, article 5, section 13.

4300.0200. Purpose

This chapter gives procedures for evaluating applications for grants and awarding them to eligible applicants by the Department of Trade and Economic Development under *United States Code*, title 42, sections 5301-5316 (1981), and regulations adopted in *Code of Federal Regulations*, title 24, part 570, and under *Minnesota Statutes*, section 116J.873.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; *Laws of Minnesota 1987* c 312 art 1; 14 SR 1098

4300.0300. Objective of the Program

The primary objective of this program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low and moderate income. Activities funded under this program shall not benefit moderate-income persons to the exclusion of low-income persons. All funded activities must be designed to:

- A. Benefit low- and moderate-income persons;
- B. Prevent or eliminate slums and blight; or
- C. Alleviate urgent community development needs caused by existing conditions which pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet those needs.

Minnesota Statutes s 116J.401; 116J.403

8 SR 1263; *Laws of Minnesota 1987* c 312 art 1

14300.0400. Application of Federal Law

If it is determined that any provisions of parts 4300.0100 to 4300.3200 are inconsistent with federal law, federal law controls to the extent necessary to eliminate the conflict.

Minnesota Statutes s 116J.401; 116J.403

Laws of Minnesota 1987 c 312 art 1

GRANT APPLICATION, EVALUATION, AND DETERMINATION

4300.1100. Types of Competitive Grants Available

- Subp. 1. Single-purpose grants.** The division shall approve grant applications for funding for single-purpose projects. The division shall place single-purpose grant applications in one of the following categories for purposes of evaluation:
- A. Housing projects which include one or more activities designed to increase the supply or quality of dwellings suited to the occupancy of individuals and families; or
 - B. Public facilities projects which include one or more activities designed to acquire, construct, reconstruct, or install buildings or infrastructure which serve a neighborhood area or community.
- Subp. 2. Comprehensive grants.** The division shall approve comprehensive grants for two or more projects which constitute a comprehensive program as described in part 4300.0100.

Subp. 3. [Repealed 11 SR 2416].

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; 11 SR 2416; *Laws of Minnesota 1987* c 312 art 1; 14 SR 1098

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4300.1101. Economic Development Grants, Noncompetitive

The division shall approve grants for economic development projects for funding throughout the application year, or until the funds reserved have been exhausted.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; *Laws of Minnesota 1987* c 312 art 1; 14 SR 1098

4300.1200. Application Process and Requirements

- Subp. 1. Community development application manual.** The division shall make the community development application manual, additional instructional materials, and forms available on a year-round basis. The manual and additional materials and forms shall instruct applicants in the preparation of applications and describe the method by which the division will evaluate and rank applications.
- Subp. 2. Eligibility requirements.** Any unit of general purpose local government, including cities, counties, and townships located in a nonentitlement area or electing exclusion from an urban county under *United States Code*, title 42, section 5302 (1981), may apply for a grant. An eligible applicant may apply on behalf of other eligible applicants. Applications submitted on behalf of other applicants must be approved by the governing body of all local governments party to the application. An eligible applicant may receive only one competitive grant per grant year and no eligible applicant shall be included in more than one competitive application.
- An eligible applicant may receive one economic development grant in addition to a competitive grant each application year.
- Subp. 3. Disqualification of applicants.** Applications from otherwise eligible applicants shall be disqualified where for previously awarded grants under these parts or awarded by the Department of Housing and Urban Development under *United States Code*, title 42, section 5306 (1981), it is determined by the division that any of the following conditions exist:
- A. There are outstanding audit findings on previous community development grants and the grantee has not objected on a reasonable basis to the findings or demonstrated a willingness to resolve the findings;
 - B. Previously approved projects have passed scheduled dates for grant closeout and the grantee's ability to complete the project in an expeditious manner is in question; or
 - C. The applicant has not made scheduled progress on previously approved projects and the grantee's ability to complete the project in an expeditious manner is in question.
- Subp. 4. Contents of community development application.** The contents of a community development application must be consistent with the informational requirements of this chapter and must be on a form prescribed by the division. A complete community development application shall include, but not be limited to:
- A. Needs narrative, summarizing the needs for the proposed projects;
 - B. Project summary, summarizing the activities to be completed and the scope of the project;
 - C. Activities and budget, detailing the estimates associated with each proposed activity;
 - D. Assurances, necessary to comply with the federal or state requirements as a prerequisite to receiving state or federal funding;
 - E. Resolution, from the submission of the local government applicant approving the application and authorizing execution of the grant agreement according to the requirements of the Business and Community Development Division if funds are made available;
 - F. Supporting materials, attachments that are designed to verify or support information in items A to E.
- The division may request additional information from the applicant if it is necessary to clarify and evaluate the application.
- Subp. 5. Time limit for submitting applications.** While competitive applications may be submitted at any time during the year, a formal yearly closing date for receipt of applications shall be established. Complete competitive applications shall be evaluated following the closing date for competitive applications. The notice must be published in the *State Register* at least 120 days before the closing date. Economic development project applications may be submitted at any time during the application year.
- Subp. 6. Regional review.** The applicant must submit a complete copy of the application to the Regional Development Commission, where such a commission exists, or the Metropolitan Council, where it has jurisdiction, for review and comment in accordance with *Minnesota Statutes* 462.391, subd. 3, or *Minnesota Statutes* 473.171, respectively.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; 11 SR 2416; *Laws of Minnesota 1987* c 312 art 1; 14 SR 1098

4300.1300. Evaluation of Applications

All applications shall be evaluated by the division. A fixed amount of points shall be established as the maximum score attainable by any application. Points shall be made available within each class of rating criteria according to parts 4300.1400 to 4300.1900. Economic development project applications must meet threshold criteria in order to be evaluated.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; *Laws of Minnesota 1987 c 312 art 1*; 14 SR 1384

4300.1400. Comparison of all Competitive Applications, Demographic Points

Subp. 1. [Repealed, 14 SR 1384].

Subp. 2. Evaluation of community need. Up to 30 demographic points shall be awarded based on evaluation of community need, which shall include:

- A. The number of poverty persons in the area under the applicant's jurisdiction;
- B. The percentage of persons resident in the area under the applicant's jurisdiction who are poverty persons; and
- C. The per capita assessed valuation of the area under the jurisdiction of the applicant, such that points are awarded in inverse relationship to applicants' per capita assessed valuation.

Subp. 3. [Repealed, 14 SR 1384].

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; *Laws of Minnesota 1987 c 312 art 1*; 14 SR 1098; 14 SR 1384

4300.1500. Comparison of Competitive Applications Within Categories

After completing the general competition described in 4300.1400, the division shall place each application in the appropriate grant category in accordance with part 4300.1100. The categories are housing projects, public facilities projects, and comprehensive programs. Two hundred and ten of the total 240 points available for each application shall be awarded based on a comparison of the applications within each of the categories as further described in parts 4300.1600 to 4300.1900.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; *Laws of Minnesota 1987 c 312 art 1*; 14 SR 1384

4300.1600. Evaluation of Housing Projects

Subp. 1. Project need. Up to 90 of the points available in the housing category competition shall be awarded by the division based on evaluation of the need for improvements or additions to the housing stock serving low- and moderate-income persons as evidenced by:

- A. Housing units that are occupied by low- and moderate-income persons and are either substandard or pose a threat to the health or safety of the occupants;
- B. An inadequate supply of affordable housing for low- or moderate-income persons; or
- C. Other documented conditions which give evidence of the need for improvements or additions to the housing stock serving low- and moderate-income persons.

Subp. 2. Project impact. Up to 90 of the points available in the housing category competition shall be awarded by the division based on evaluation of the extent to which the proposed activities will eliminate deficiencies in the housing stock serving low- and moderate-income persons.

Subp. 3. Project cost-effectiveness. Up to 30 of the points available in the housing category competition shall be awarded by the division based on:

- A. Evaluation of the extent to which the proposed activities will make cost-effective use of grant funds including coordination with, and use of, funds from other public and private sources; and
- B. Evidence that the cost of the proposed activities per benefitting household is reasonable.

Minnesota Statutes s.116J.401; 116J.403; 116J.873

Laws of Minnesota 1987 c 312 art 1; 14 SR 1384

4300.1700. Evaluation of Public Facilities Projects

Subp. 1. Project need. Up to 90 of the points available in the public facilities category competition shall be awarded by the division based on evaluation of the extent to which the proposed activities are necessary to improve provision of public services to low- and moderate-income persons or to eliminate an urgent threat to public health or safety.

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- Subp. 2. Project impact.** Up to 90 of the points available in the public facilities category competition shall be awarded by the division based on evaluation of the extent to which the proposed activities will reduce or eliminate the need identified under Subp. 1, and, in the case of activities designed to improve the provision of public services to low- and moderate-income persons, an evaluation of the extent to which the proposed activities directly benefit low- and moderate-income persons.
- Subp. 3. Project cost-effectiveness.** Up to 30 of the points available in the public facilities category competition shall be awarded by the division based on evaluation of the extent to which the proposed activities will make cost-effective use of grant funds, including consideration of:
- A. The extent to which the requested grant funds are necessary to finance all or a portion of the costs;
 - B. Evidence that the cost of the proposed activities per benefitting household or person is reasonable; and
 - C. The extent to which the project benefits existing, rather than future, population, except in cases where the proposed activities are necessary due to expected development or growth which is beyond the applicant's control.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

Laws of Minnesota 1987 c 312 art 1; 14 SR 1384.

4300.1800. [Repealed, 8 SR 1263].

4300.1900. Evaluation of Comprehensive Program Projects

- Subp. 1. Program need.** Up to 90 of the points available in the comprehensive program category competition shall be awarded by the division based on evaluation of need for the proposed comprehensive program, including consideration of:
- A. The number of low- and moderate-income persons in the program area;
 - B. The percentage of residents in the program area which are of low- or moderate-income; and
 - C. The need for the proposed comprehensive program as evidenced by at least two of the following: the need for improvements or additions to the housing stock serving low- and moderate-income persons, the need for new or improved public facilities in the program area, or employment problems in the program area.
- Subp. 2. Program impact.** Up to 90 of the points available in the comprehensive program category competition shall be awarded by the division based on evaluation of the extent to which the proposed comprehensive program will eliminate or reduce the need identified under Subp. 1, and the extent to which the proposed program will improve the long-term physical or economic condition of the program area and its residents.
- Subp. 3. Program cost-effectiveness.** Up to 30 of the points available in the comprehensive program category competition shall be based on evaluation of the extent to which the proposed comprehensive program will make cost-effective use of grant funds, including consideration of coordination with, and use of, funds from other public and private sources.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

Laws of Minnesota 1987 c 312 art 1; 14 SR 1384

4300.1901. Evaluation of Economic Development Projects

- Subp. 1. In general.** Evaluation of economic development applications consists of eligibility threshold screening and project review.
- Applications must meet the eligibility thresholds in order to be referred for project review. Applications that fail to meet eligibility thresholds may be revised and resubmitted.
- Subp. 2. Federal and state eligibility thresholds.** Applicants shall provide a description of the ways that activities address one of the federal objectives described in Part 4300.0300. Each activity proposed for funding must be eligible under current federal regulations.
- Applicants shall describe how they will meet two of the three following thresholds based on state economic development objectives:
- A. Creation or retention of permanent private sector jobs;
 - B. Stimulation or leverage of private investment; or
 - C. Increase in local tax base.
- Subp. 3. Project review.** Applications that meet eligibility thresholds will be awarded points by the division based on evaluation of the two rating categories: project design and financial feasibility. Applications must attain at least 400 of the 600 available points for economic development to be recommended for funding.

Applications must score at least half of the points available in each of the two rating categories.

Four hundred points will be awarded based on an evaluation of project quality including an assessment of need, impact, and the capacity of the applicant to complete the project in a timely manner. Consideration of need for an economic development project must be based on deficiencies in employment opportunities and circumstances contributing to economic vulnerability and distress. Consideration of impact must be based on the extent to which the project reduces or eliminates the need. Consideration of capacity must be based on demonstration of administrative capability, realistic implementation schedules, and the ability to conform to state and federal requirements.

Two hundred points will be awarded based on an evaluation of the effective use of program funds to induce economic development. Consideration of financial feasibility must include investment analysis, commitment of other funds, and other factors relating to the type of program assistance requested.

Subp. 4. Funding recommendations. Applications that attain at least 400 points will be recommended to the commissioner for funding. Applications not recommended for funding may be revised and resubmitted.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; *Laws of Minnesota 1987* c 312 art 1; 14 SR 1384

4300.2000. Determination of Grant Awards

Subp. 1. Funds available for grants. The amount of funds available for grants shall be equal to the total allocation of federal funds made available to the state under *United States Code*, title 42, section 5306, after subtracting an amount for costs available to the division for administration of the program, as allowed by that law, plus any money made available by the state legislature. The division is not liable for any grants under this chapter until funds are received from the United States Department of Housing and Urban Development.

Subp. 2. Division of funds. Of the federal funds available for grants in each grant year, 30 percent shall be reserved by the division to fund single-purpose grants, 15 percent shall be reserved for economic development grants, and 55 percent shall be reserved by the division to fund comprehensive grants. However the division may modify the proportions of funds available for single-purpose and comprehensive grants if, after review of all applications, it determines that there is a shortage of fundable applications in either category.

At least 30 percent of the funds made available for single-purpose grants shall be awarded for applications in each of the two categories: housing and public facilities. However, no application with a rating below the median score for its category shall be funded by the division solely for the purpose of meeting this requirement.

If there are unawarded economic development funds available at the end of the application year, two-thirds of the remaining funds will be available for competitive single-purpose projects and one-third will be available for economic development projects during the next application year.

Subp. 3. Funding list. Within each grant category, a list of applications shall be prepared in rank order of the scores received after evaluation pursuant to Parts 4300.1300 to 4300.1900. Based on these lists, and subject to the availability of funds within each category, applications with the highest rank shall be recommended to the commissioner for funding. In the case of a tie between any two applications within any category, the application with the higher demographic points shall receive the higher ranking on the list.

Subp. 4. Approval by commissioner. The list of applications recommended for funding, including recommended grant awards, shall be submitted by the division to the commissioner for approval. A decision by the commissioner not to approve any application recommended for funding must be made in writing to the applicant, giving reasons for disapproval.

Subp. 5. Reduction in amount requested. The division may recommend an application for funding in an amount less than requested if, in the opinion of the division, the amount requested is more than is necessary to meet the applicant's need. If the amount of the grant is reduced, the reasons for the reduction shall be given to the applicant.

Subp. 6. Grant ceilings. No competitive single-purpose grant may be approved for an amount over \$600,000. No comprehensive grant may be approved for an amount over \$1,400,000. No economic development grant may be approved for an amount over \$500,000.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

8 SR 1263; 11 SR 2416; *Laws of Minnesota 1987* c 312 art 1; 14 SR 1384

CONTRACTS AND RECORDS

4300.3100. Grant Agreements

Subp. 1. Grant contract required. A grant contract shall be offered to each applicant whose application is approved for

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funding. The contract must be signed by a person authorized to commit the applicant to legally binding agreements and to execute the contract.

Subp. 2. Contents of grant contract. The grant contract must include:

- A. A work program which indicates completion dates for major parts of the project and a projected budget supporting the work program;
- B. A description of the manner in which payments will be made to grant recipients; and
- C. Assurances that the grant recipient will comply with all applicable state and federal laws, including at least the federal laws or regulations for which the state is made responsible for enforcement in *Code of Federal Regulations*, title 24, sections 570.495 and 570.496.

Subp. 3. Use of program income. Program income from sources such as reimbursements to and interest from a grant recipient's loan program, proceeds from disposition of real property, and proceeds from special assessments must be used for eligible activities. The division shall reduce future grant payments by the amount of any unobligated program income that an applicant has and shall take whatever additional action is necessary to recover any remaining amounts owed. In accordance with *Code of Federal Regulations*, title 24, section 570.494(b)(4), interest earned by grant recipients on grant funds before disbursement is not program income, and it must be returned to the United States treasury.

Subp. 4. Grant account required. Grant recipients must establish and maintain separate accounts for grant funds.

Subp. 5. Restrictions on use of funds. No grant funds shall be used to finance activities not included in the grant agreement. If it is determined that an improper use of funds has occurred, the division will take whatever action is necessary to recover improperly spent funds.

Subp. 6. Suspension of payments. The division shall suspend payments of funds to grant recipients that are not in compliance with applicable state and federal laws, rules, and regulations. Grant recipients must return funds which are improperly expended.

Subp. 7. Amendments to the agreement. Amendments to the grant agreement must be in writing.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

11 SR 1042; 11 SR 2416; *Laws of Minnesota 1987* c 312 art 1; 14 SR 1384

4300.3200. Recordkeeping and Monitoring

Subp. 1. Financial records. Grant recipients shall maintain financial records which identify the source and application of funds for grant-supported activities. These records must contain information about grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, income, and other information required by the division under the responsibilities it assumes under *Code of Federal Regulations*, title 24, section 570.497(b). Financial records, supporting documents, statistical records, and all other reports pertinent to a grant must be retained by the grant recipient for three years from the date of submitting the final financial report. No such records or documents may be disposed of while audits, claims, or litigations involving the records are in progress.

Subp. 2. Audits. Grant recipients must arrange for and pay for an acceptable independent audit prepared in compliance with OMB Circular A-128, which was published in the *Federal Register*, volume 50, number 188, page 39083, on September 27, 1985, and the Single Audit Act of 1984, Public Law Number 98-502, codified as *United States Code*, title 31, sections 7501-7507. Costs incurred pursuant to this requirement are eligible under this program.

Subp. 3. Financial status reports. Grant recipients shall file financial status reports at the close of each reporting period as designated by the division and shall file a final financial report before grant closeout. Financial status reports must be on forms prescribed by the division. The division may not require these reports more often than quarterly.

Subp. 4. Performance report. Grant recipients shall also file performance reports at the close of each reporting period as designated by the division and shall file a final performance report before grant closeout. Performance reports shall be on forms prescribed by the division. The division may not require these reports more often than quarterly.

Subp. 5. Access to records. Representatives of the department, either the state auditor or legislative auditor as is appropriate, and federal auditors shall have access to all books, records, accounts, reports, files, and other papers, things, or property belonging to grant recipients which are related to the administration of grants and necessary for audits and monitoring compliance with parts 4300.0100 to 4300.3200.

Minnesota Statutes s 116J.401; 116J.403; 116J.873

11 SR 2416; *Laws of Minnesota 1987* c 312 art 1; 14 SR 1384

Proposed Distribution of Funds

The amount of Federal CDBG funds for FY 1994 for use by the Small Cities Development Program is expected to be approximately \$24,969,000. To paraphrase and summarize the administrative rules for this program, two percent plus \$100,000 of the available funds will be used by DTED for administration of the grant program. The remainder will be distributed as follows: 15 percent will be reserved for economic development grants; 30 percent will be reserved for single-purpose housing or public facilities grants; and 55 percent will be reserved for comprehensive grants. A more detailed description of this process has been identified previously in the Final Statement as *Minnesota Rules* 4300.1100 through 4300.2000.

Proposed Use of Funds for Activities That Will Benefit Persons of Low-and Moderate-Income

The purpose of the Small Cities Development Program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low and moderate income. Activities funded under this program shall not benefit moderate income persons to the exclusion of low-income persons. All funded activities must be designed to:

- a) Benefit low- and moderate-income persons;
- b) Prevent or eliminate slums and blight; or
- c) Alleviate urgent community development needs caused by existing conditions which pose a serious and immediate threat to the health or welfare of the community, where other financial resources are not available to meet those needs.

Under the Housing and Community Development Act of 1974, as amended, at least 70 percent of the funds must be used for activities that principally benefit low and moderate income persons. The Department of Trade and Economic Development, Business and Community Development Division, estimates that up to 80 percent of the funds will be used to benefit persons of low and moderate income.

Recaptured and Reallocated Funds

If FY '86 through FY '94 grant funds are returned to the Minnesota Department of Trade and Economic Development, Business and Community Development Division, following audit resolution or project closeout, reuse of the funds will be conducted using one of two methods.

1. Fifteen percent could be used for funding economic development projects any time during the year following the recapture of funds. Eighty-five percent of the funds will be reserved for emergency, urgent need projects; or
2. All recaptured funds could be reserved for funding emergency, urgent need projects.

With either option, a balance of recaptured FY '86 through FY '94 funds will be carried forward only until the point at which competitive grant awards are made. Any balance of recaptured or reallocated funds that exists at the time grants are awarded for the annual competitive grant cycle will be used to finance new competitive or economic development projects. Further, fifteen percent of the recaptured funds will be used for economic development projects. Eighty-five percent of the recaptured funds will be used to finance competitive projects.

Following is the criteria under which emergency urgent-need projects could be funded:

- a. Applications for emergency urgent need could be submitted at any time during the year.
- b. The problem poses a serious and immediate threat to the health or welfare of the community.
- c. The problem is of recent origin or has recently become urgent. To qualify for emergency, urgent-need funds, recent is defined to mean that a problem has to become urgent no earlier than 60 days before the last competitive application deadline.
- d. The applicant can document inability to finance the project on its own and other resources to sufficiently finance the project are not available.
- e. The project would have to score well enough in the rating system to have received a grant, had an application been submitted during the last competitive cycle.

The recaptured and reallocated fund distribution methodology identified above is the same methodology which appeared in the previous Final Statement.

Distribution of Program Income

Any program income which is derived from the use of federal CDBG funds may be retained and used by the recipient communities in accordance with section 570.489.(e). The state will require advance approval of grantee use of program income. Normally, state approval of grantees' reuse of program income will routinely occur when the grantee pledges to use the program income to continue the same activity from which the program income was derived. While most "activity" definitions are clearly stated in

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section 105(a) of the "Housing and Community Development Act, additional clarification is necessary in regard to rehabilitation. For the purposes of collecting and disbursing program income, rehabilitation will be divided into separate subactivities. In other words, separate revolving funds will be allowed for the following rehabilitation subactivities: Commercial, Owner-Occupied single family residential,

Owner-Occupied multi-family residential, Rental single family residential, Rental multi-family residential.

Description of the Use of Funds in the 1993 Small Cities Community Development Block Grant Program

For the 1993 grant program, \$22,516,000 in federal fiscal year 1993 funds was available for grants to eligible applicants for the Small Cities Development Program. Under the administrative rules for the SCDP, economic development applications are accepted on a year-round basis and competitive single-purpose and comprehensive applications had an application deadline of September 1, 1992. The rules for the program establish the availability of 15 percent of the funds for economic development, 30 percent of the funds for single-purpose projects, and 55 percent of the funds for comprehensive programs. The rules also provide for the alteration of these percentages when a shortage of fundable applications occur in any specific category.

Upon completion of the competitive review and ranking process, 31 awards were made on February 1, 1993. The Department of Trade and Economic Development concludes that funds were awarded in accordance with the State's administrative rules for the program.

A formal Performance/Evaluation Report (PER) which provides a detailed description of the use of FY '84 through FY '93 funds is available from this office for public inspection. A copy of the PER is also available at the Minneapolis/St. Paul HUD office.

Assessment of the Relationship of 1993 Funds to State and Federal Objectives

As in previous years, for the 1993 grant program, the Minnesota Department of Trade and Economic Development, Business and Community Development Division, adopted the national objectives for the Community Development Block Grant program. Under these objectives, all funded activities must be designed to:

- a) Benefit low- and moderate-income persons;
- b) Prevent or eliminate slums or blight; or
- c) Alleviate urgent community development needs caused by existing conditions, which pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet those needs.

Based on the FY '93 award, at least 70% must be awarded for activities designed to benefit persons of low and moderate income. To date, DTED has awarded over 70 percent of our total FY '93 grant award for activities which benefit low- and moderate-income persons. The remainder of the funds currently awarded for grants has been awarded for activities designed to prevent or eliminate slums and blight or alleviate an urgent community development need.

The funds budgeted for planning and administration include both the funds retained by the Minnesota Department of Trade and Economic Development for administration of the program and funds awarded to units of general local government for planning and administration of their grants. No more than 20 percent of the block grant can be used for planning and administration.

To date, for the 1993 grant program, the Minnesota Department of Trade and Economic Development, Business and Community Development Division, and the 1993 grant recipients budgeted approximately \$1.10 million for planning and administration. These funds amount to five percent of the block grant, well below the 20.0 percent limit.

This figure is consistent with previous years' administrative amounts.

In addition to meeting one of the federal objectives listed above, economic development set aside grants must meet at least two of the following state objectives:

- a) Creation or retention of permanent private sector jobs, with a minimum threshold of one job created or retained for each \$20,000 of grant funds;
- b) Leverage of private investment, with a minimum threshold of one dollar private funds for each grant dollar requested; and
- c) Increase the local tax base, with a minimum threshold of an estimated 50 percent increase in the value of the parcel involved.

All unawarded FY '93 economic development set aside funds are available to finance flood related housing rehabilitation, public facility or economic development projects consistent with state rules.

All economic development set aside grants awarded to date have met the state job creation/retention objective and the private investment objective. In addition, jobs will be held by, and/or available to low- and moderate-income persons.

Based upon analysis of the 1993 Small Cities Development Program, The Minnesota Department of Trade and Economic Development, Community Development Division, concludes that the 1993 grant program fully met state and national objectives for award of funds.

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612)296-2600 or [TDD (612)297-5353 and ask for 296-2600].

Department of Corrections

Request for Proposals for Physician's Services at Minnesota Correctional Facility - Red Wing

This request for proposal does not obligate the State to complete the project and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

A. Scope of Project

To provide medical services for adult and juvenile residents residing at the Minnesota Correctional Facility - Red Wing, Minnesota (MCF-RW).

B. Goals and Objectives

This individual will consult with, examine, and instruct residents in maintaining medical and other health issues. This individual will also provide direction, instruction, and orders to employees at the institution providing the necessary items and means to meet the medical needs of the residents.

C. Project Tasks

1. Provide services as needed to examine the juvenile and adult residents at the Minnesota Correctional Facility - Red Wing, Minnesota. Medical services to include but necessarily limited to:
 - a) Physical examination to newly admitted residents
 - b) Readmittance health check-up for residents returned from the community to MCF-RW
 - c) Examination and treatment of residents through self-referral or referral by the facility nurse
 - d) Participate in health education of employees and residents as necessary
 - e) Facilitate and coordinate referrals to specialists in the community and at St. Paul Ramsey Hospital.
2. Attend quarterly meetings with the Chief Executive Officer at MCF-RW to discuss any medical concerns or problems. Other meetings as needed will be arranged.
3. Attend quarterly meetings with Department of Corrections Central Office personnel regarding Department-wide medical concerns and/or problems.

Responder may propose additional tasks or activities if they will substantially improve the results of the project.

D. Department Contacts

Perspective responders who have any questions regarding this request for proposal may call or write:

Gerald T. O'Rourke, Superintendent
MCF-Red Wing
1079 Highway 292
Red Wing, Minnesota 55066
Telephone: (612) 388-7154

Please note that other department personnel are not allowed to discuss the project with responders before the submittal or proposed deadline.

Professional, Technical & Consulting Contracts

E. Submission of Proposal

All proposals must be sent to and received by:

Gerald T. O'Rourke, Superintendent
MCF-Red Wing
1079 Highway 292
Red Wing, Minnesota 55066
Telephone: (612) 388-7154

No later than 4:00 p.m. on March 31, 1994.

Late proposals will not be accepted. Submit one (1) copy of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed in ink by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

F. Project Costs

The Department has estimated that the cost of this project should not exceed \$30,000.00.

Department of Health

Health Care Delivery Systems Division

Notice of Request for Proposals for Contractual Services

The Minnesota Department of Health requests proposals from qualified health economists to provide consulting services to assist in the evaluation of applications seeking antitrust exemption. Notice for these services was first published in the *State Register* on January 3, 1994.

Project Scope

The purpose of the proposed consultant services is to obtain advisory services of persons with expertise in health economics and medical markets. The consulting services will be used when additional expertise is needed to review applications seeking approval for an antitrust exemption. These services will ensure that the Minnesota Department of Health has access to the appropriate knowledge and expertise on an as needed basis when evaluating and analyzing data submitted by parties seeking antitrust exemptions for their proposed anticompetitive arrangements.

Project Costs

The Minnesota Department of Health has estimated that the cost of this project should not exceed \$25,000. The actual cost of the project will be determined at the time that a contractor is retained for a specific engagement.

Those interested in receiving the Request for Proposals (RFP) should contact:

Jeff Reed, Health Economics Program
Minnesota Department of Health
121 East Seventh Place
Suite 400
St. Paul, MN 55164-0975
Tel: (612) 282-6323

Proposals will be accepted until 4:30 pm, March 11, 1994 at the above address.

Housing Finance Agency

Request for Proposals for Housing Development Finance Training Services

The Minnesota Housing Finance Agency (Agency) will have available a Request for Proposals for Housing Development Finance Training Services on February 22, 1994. The services to be provided by a qualified housing development finance training firm include, but are not limited to providing training for the following: developing skills in financing affordable owner-occupied single-family housing; developing analysis and financial skills to finance the development and preservation of multi-family rental housing; and developing problem solving and negotiation skills necessary to successfully complete complex housing developments especially those that use local, state, and federal dollars. Proposals are to be submitted to Minnesota Housing Finance Agency, Marcia Kolb, Production Supervisor, Multi-Family Division, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101-1998, (612) 296-9822, no later than 4:00 p.m., March 15, 1994.

Moorhead State University

Notice of Request for Proposals for Management Consulting Services to Manufacturing Businesses in West Central and Northwest Minnesota

The Small Business Development Center located at Moorhead State University (MSU SBDC) is interested in soliciting a Request for Proposal (RFP) from companies interested in providing in-depth management advisory consulting services to manufacturing businesses located in West Central and NW Minnesota.

Proposals will be accepted only from companies who meet the following minimum qualifications: 1) The respondent organization must have demonstrated ability to provide management advisory services to manufacturing businesses located in West Central and Northwest Minnesota. 2) Respondent organization must have a minimum of two years of actual business experience in providing management advising services. 3) The respondent organization must have the ability to provide administrative support, computer services, database searches, and backup personnel support for client projects. 4) The respondent organization must have the ability to contribute both technical and financial resources for specific client projects. The services provided as a result of this RFP will be funded in part by the MSU SBDC and in part by the respondent organization. Based on current estimates, it is expected approximately \$45,000 of advisory services will be required, with MSU SBDC funding no more than \$30,000. 5) Respondent organization must demonstrate current and future financial viability. Payments for MSU SBDC portion of consulting will be made only upon completion of individual management advisory service engagements.

Interested parties are required to submit proposals to Dr. Len Sliwoski, Moorhead State University SBDC Office, Box 303 MSU, Moorhead, MN. 56563. Proposals must be received no later than March 14, 1994.

Southwest State University

Request for Consultant in the Area of Small Business Loan Packaging

The Small Business Development Center at Southwest State University is seeking proposals from qualified individuals to provide technical assistance to small businesses. This position will assist clients in preparing data/loan packages for commercial loans as well as a variety of additional area financing options.

A copy of the position description is available from Jack Hawk or Liz Struve, Small Business Development Center, Southwest State University, Marshall, MN 56258. Telephone: (507) 537-7386. The deadline for receipt of the proposal is March 15, 1994.

Department of Trade and Economic Development

Business and Community Development Division

Notice of Request for Professional Services to Produce Newsletters on Business Development and Community Development

NOTICE IS HEREBY GIVEN that the Department of Trade and Economic Development is seeking professional services to produce 16 newsletters for the Department's Business and Community Development Division during the period 4-1-94 through 3-31-95. Eight newsletters will be produced for audiences interested in business development and eight newsletters will be for audiences interested in community development. Careful attention must be paid to conveying information about BCD programs and news in terms that are meaningful and useful to diverse audience members, examples: local, regional and state economic development representatives, local and state public officials, MN Businesses, MN Utilities, and Communities.

Each Newsletter must be provided in camera-ready format at roughly three week intervals. Newsletter copy must be sufficient to produce (4) pages, self mailer at the size of 8.5 x 11". Graphics and halftones will occasionally be required. All newsletters will be printed by Print Communications (Print Comm) Division of the Administration Department.

Professional, Technical & Consulting Contracts

Contractor responsibilities will include:

- proposing articles
- writing, editing and proofing articles (with incremental supervision)
- design and layout; and
- working with printers

Contractors qualification/experience should include: Previous experience in the writing and execution of newsletters for any/all audiences relating to DTED is preferable.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Business and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and Individuals submitting proposals as prime contractors shall receive the equivalent of 4% preference in the evaluation of their proposal.

Sealed written proposals *only* must be mailed and received by:

Lynn Kenagy
Department of Trade and Economic Development
Communications and Marketing Office
500 Metro Square
121 7th Place East
St. Paul, MN 55101-2146
Telephone: (612) 296-5783

Date: no later than Friday, March 8, 1994

Time: 4:30 p.m. (Central Standard Time)

Office of Waste Management

Public Notice of Availability of Request for Proposals

The Minnesota Office of Waste Management (OWM) is seeking proposals for a research project to be completed in early 1994. The project involves research and analyses of data on recycling end-markets that serve Minnesota. The information developed through this project will contribute to the OWM's upcoming *Report on 1993 SCORE Programs*, due to the Minnesota Legislature on July 1, 1994. **The Assessment of Recycling Capacity for End-markets Serving Minnesota** is intended to give the OWM and its clients information about progress made in developing recycling markets to date, and to help identify areas for priority attention. The assessment will include end-markets and value-added processors for those recyclable materials specified in the Request for Proposals. The OWM estimates the cost of this project to be no more than \$40,000.

Individuals and organizations that wish to be considered for this project should contact the OWM for a Request for Proposals. The OWM will be accepting proposals through Friday, March 11, 1994. For a copy of the Request for Proposals, contact:

Tom Osdoba
Minnesota Office of Waste Management
1350 Energy Lane, Suite 201
St. Paul, MN 55108
612-649-5773 or (toll-free in Minnesota) 800-657-3843.

By Order of:
John R. Chell, Director
Minnesota Office of Waste Management

Non-State Public Bids and Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Bassett Creek Watershed Management Organization

Request for Interest Proposals for Professional Services for the Bassett Creek Watershed Management Organization

Pursuant to MSA 103B.227, Subd. 5, the Bassett Creek Watershed Management Organization hereby solicits interest proposals for legal, engineering, and technical consultant services for the fiscal years 1994 and 1995. The annual budget for all services for the organization for the year 1994 is \$290,600.

Written proposals setting forth the experience of the individuals who would be interested in performing legal, engineering, or technical services for the Watershed Management Organization should be sent to:

W. Peter Enck, Chairman
9000 47 1/2 Avenue North
New Hope, MN 55428
(NO CALLS)

Please set forth in your written proposal the experience of the individual who proposes to perform services for the Commission and the resumes of support staff who would assist the individual in providing the contractual services. The Commission will review said proposals and reserves to itself the right to take such action as it deems in the best interests of the Watershed Management Organization. All interest proposals shall be submitted on or before March 31, 1994.

Shingle Creek Watershed Management Organization

Request for Interest Proposals for Professional Services for the Shingle Creek Watershed Management Organization

Pursuant to MSA 103B.227, Subd. 5, the Shingle Creek Watershed Management Organization hereby solicits interest proposals for legal, engineering, and technical consultant services for the fiscal years 1994 and 1995. The annual budget for all services for the organization for the year 1994 is \$141,400.

Written proposals setting forth the experience of the individuals who would be interested in performing legal, engineering, or technical services for the Watershed Management Organization should be sent to:

Fred Moore, Chairman
Shingle Creek Watershed Management Organization
3001 Harbor Lane, Suite 150
Minneapolis, MN 55447
(NO CALLS)

Please set forth in your written proposal the experience of the individual who proposes to perform services for the Commission and the resumes of support staff who would assist the individual in providing the contractual services. The Commission will review said proposals and reserves to itself the right to take such action as it deems in the best interests of the Watershed Management Organization. All interest proposals shall be submitted on or before March 31, 1994.

Non-State Public Bids and Contracts

West Mississippi Watershed Management Organization

Request for Interest Proposals for Professional Services for the West Mississippi Watershed Management Organization

Pursuant to MSA 103B.227, Subd. 5, the West Mississippi Watershed Management Organization hereby solicits interest proposals for legal, engineering, and technical consultant services for the fiscal years 1994 and 1995. The annual budget for all services for the organization for the year 1994 is \$63,500.

Written proposals setting forth the experience of the individuals who would be interested in performing legal, engineering, or technical services for the Watershed Management Organization should be sent to:

Gerry Butcher, Chairman
 West Mississippi Watershed Management Organization
 3001 Harbor Lane, Suite 150
 Minneapolis, MN 55447
 (NO CALLS)

Please set forth in your written proposal the experience of the individual who proposes to perform services for the Commission and the resumes of support staff who would assist the individual in providing the contractual services. The Commission will review said proposals and reserves to itself the right to take such action as it deems in the best interests of the Watershed Management Organization. All interest proposals shall be submitted on or before March 31, 1994.

Gambling in Minnesota

Lawful Gambling Statutes 1992		Gaming News Subscription	
Chapter 349. 65 pp.	2-5 SR \$ 6.95	Yearly subscription.	90-8SR \$40.00
Lawful Gambling Rules 1993		Gambling Organizations Directory	
Chapter 7861 thru 7865. 80pp.	3-3 SR \$ 6.95	Lists name and address of licensed gambling organizations in Minnesota	99-2SR \$29.95
Gambling Manager's Handbook 1992		Regulatory Accounting Manual	
Requirements of gambling activities	10-19SR \$16.95	Procedures guide includes tax forms	10-40SR \$14.95
High Stakes: Gambling in Minnesota 1992		Accounting Manual Worksheets	
Overview to gambling in Minnesota	10-46SR \$ 8.95	View-through Binder 8 1/2 x 11	10-25 SR \$ 5.95
Gambling in Minnesota 1993		Tab Dividers 10 per package	
Supplement to High Stakes Gambling	10-26s1SR \$ 5.95		10-19 SR \$16.95

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Minnesota's Bookstore offers several subscription services of activities, awards, decisions and special bulletins of various Minnesota agencies. Use the handy order form on the back of the State Register to order.

Career Opportunity Bulletin -- one year	90-3	\$ 30.00	Workers Compensation Decisions,	90-12	\$400.00
Career Opportunity Bulletin -- six months	90-4	\$ 24.00	unpublished subs run Jan-Dec 1993; can be prorated		
Gaming News -- one year	90-8	\$ 40.00	State Register -- one year (via mail)	90-1	\$150.00
Human Services Informational and Instructional Bulletin			Contracts Supplement (one year)		
	90-6	\$120.00	-- via First Class Mail	90-5	\$125.00
Minnesota Statutes set + supplement	18-2	\$165.00	-- via FAX	90-7-fax	\$140.00
Minnesota Rules 1991 set + supplement	18-100	\$200.00	-- via ONLINE Service	90-7-online	\$140.00
Tax Court/Property Decisions	90-11	\$350.00	Trial Subscription (13 weeks) of both State Register and Contracts Supplement	90-2	\$ 60.00
Workers Compensation Decisions Vol. 48	90-13	\$195.00			

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call 612/296-0931, or toll-free nationwide; 1-800-657-3757. Prepayment is required. Please include daytime phone. Prices are subject to change. FAX: 612-296-2265.



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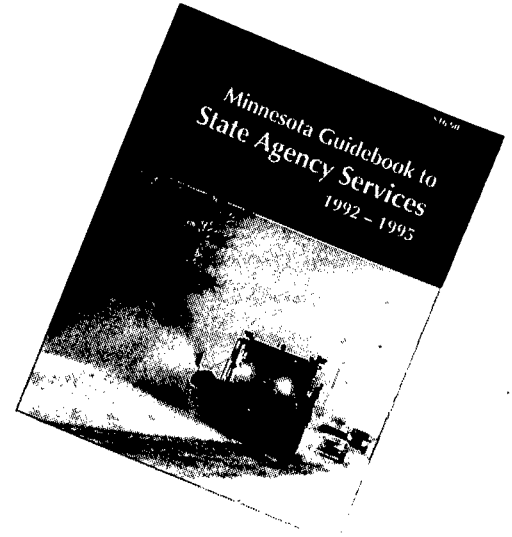
Business & Professional Directories -----

Minnesota Guidebook to State Agency Services 1992-95

An obvious "headliner" on any list for the business reference desk. The perfect "owner's manual" to Minnesota state government is a great reference tool for:

- * applying for grants, bidding on contracts
- * addresses, phone numbers and key contact people for each agency
- * license requirements and fees
- * gaining access to government services
- * participating in state policy making and service delivery
- * understanding the structure of Minnesota government with detailed descriptions of state agencies, their functions and services.

A MUST for the Minnesota business person. 710 pp. **Stock No. 1-11 SR** ~~REDUCED PRICE -- \$16.00~~ **NOW \$9.95**



Minnesota Manufacturer's Directory 1994

Lists companies alphabetically, by community, and by type of product manufactured. Includes name, address, phone number, sales volume, market products, area sales, marketing and purchasing. Also FAX numbers, data processing managers and chief engineers, when available. 742 pp. **Stock No. 40-2 SR \$95.00**

Airport Directory 1993

List of airports throughout the state. Approaches, rivers, all detailed markings, and much more. 178 pp. (pocket-size) **Stock No. 1-8 SR \$5.95**

Healing Arts (Physician's) Directory 1991

Names and addresses in alphabetical order for licensed physicians, chiropractors, osteopaths, optometrists, podiatrists and registered physical therapists. 426 pp. **Stock No. 1-1 SR \$19.95**

Law Enforcement Directory 1993

Directory of state law enforcement agencies, sheriffs and police departments 51pp. **Stock No. 1-6 SR \$7.00**

Directory of Chemical Dependency Programs '92-93

Comprehensive listing of chemical dependency treatment programs in Minnesota. Information on services provided, funding and staff, and a map are also included. 282 pp. **Stock No. 1-12 SR \$17.00**

State Agency Telephone Directory

Orders are now being taken for the 1994 Directory. This directory lists all State of Minnesota government agencies. Features a greatly expanded FAX section with over 250 numbers, alphabetical employee listings, a classified section, organized by department, and "yellow pages" listing state offices in Greater Minnesota. 264pp. **Stock No. 1-87 SR \$12.95**

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