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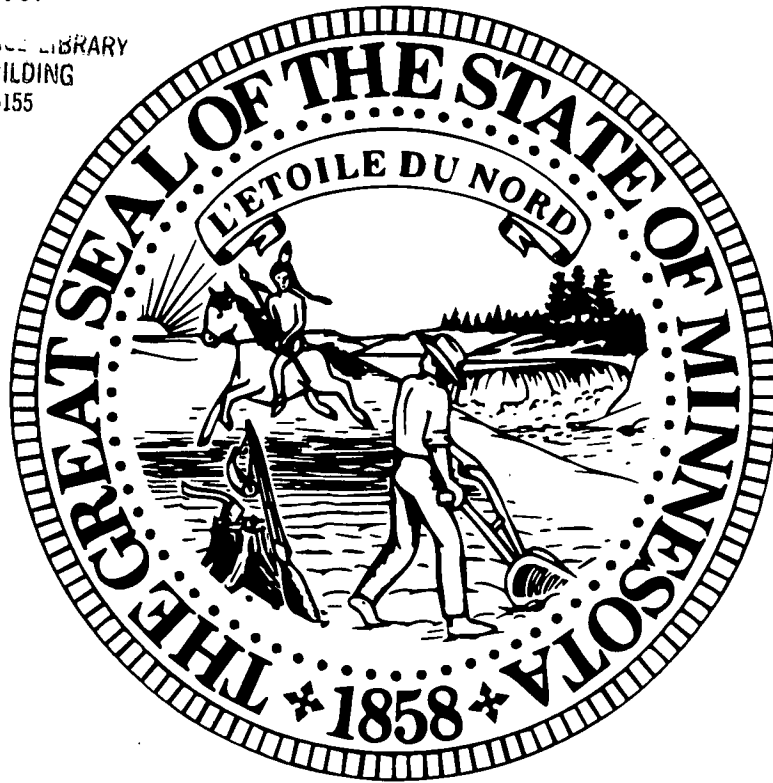
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State Register

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The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

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Vol. 21 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 39	Monday 24 March	Monday 10 March	Monday 17 March
# 40	Monday 31 March	Monday 17 March	Monday 24 March
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# 42	Monday 14 April	Monday 31 March	Monday 7 April

Arne H. Carlson, Governor 612/296-3391

Joanne E. Benson, Lt. Governor 612/296-3391

Department of Administration:

Elaine S. Hansen, Commissioner 612/296-1424

Kent Allin, Asst. Commissioner 612/297-4261

Hubert H. Humphrey III, Attorney General 612/297-4272

Judi Dutcher, State Auditor 612/297-3670

Communications Media Division

Kathi Lynch, Director 612/297-2553

Mary Mikes, Manager 612/297-3979

Joan Anderson Grove, Secretary of State 612/296-2079

Michael A. McGrath, State Treasurer 612/296-7091

Robin PanLener, Editor 612/297-7963

Gretchen Stark, Assistant Editor 612/296-0929

Jessie Hill, Subscriptions 612/297-8774

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FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

Contact: Senate Public Information Office (612) 296-0504
Room 231 State Capitol, St. Paul, MN 55155

Contact: House Information Office (612) 296-2146
Room 175 State Office Building, St. Paul, MN 55155

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Professional, Technical and Consulting contract awards are published monthly in an *Awards Report*.

Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.

Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. The current 1995 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

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

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Pollution Control Agency

Proposed Permanent Rules Relating to Low Level Radioactive Waste

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendments to Rules Governing Low-Level Radioactive Waste Generator Fees, *Minnesota Rules* Parts 7042.0010 - 7042.0060.

Introduction. The Minnesota Pollution Control Agency (MPCA) intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes* §§ 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules* parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

MPCA Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to:

Joseph L. Esker
Low-Level Waste Program Director
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155-4194
612/296-7275
FAX 612/297-8324
TTY users may call the MPCA at (612) 282-5332 or (800) 627-3864

Subject of Rules and Statutory Authority. The proposed rule amendments are regarding low-level radioactive waste generator fees. The statutory authority to adopt the rules is set forth in *Minnesota Statutes* § 116C.834. A copy of proposed rule is published immediately after this notice.

The proposed amendments address: revision of the fee structure for low-level radioactive waste generator fees including the basis and amount of fees; creation of an alternative fee structure for years during which Minnesota generators do not have access to a disposal facility for all wastes generated; establishment of a procedure for fee adjustments under certain circumstances; the establishment of reporting and payment deadlines; and revision of definitions to match existing statute.

Comments. You have until 4:30 p.m. on April 23, 1997, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the MPCA contact person by 4:30 p.m. on April 23, 1997. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Request to Have MPCA Board Make Decision on Rule if No Hearing is Required. If a hearing is required, the MPCA Board will make the final decision on whether to adopt the rule. However, even if no hearing is required, you may submit a request to the MPCA Commissioner or a MPCA Board member to have the MPCA Board make the decision on whether to adopt the proposed rule. Your request must be in writing, must state to whom it is directed and must be received by the MPCA contact person by 4:30 p.m. on April 23, 1997. Under *Minnesota Statutes* § 116.02, where a hearing is not required the MPCA Board will only make the decision on the rule if the MPCA Commissioner grants your request or if a MPCA Board member makes a timely request that the decision be made by the MPCA Board.

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

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

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

Consideration of Economic Factors. *Minnesota Statutes* § 116.07, subd. 6, requires the MPCA to give due consideration to economic factors in exercising its powers. In proposing these rules, the MPCA has given due consideration to available information as to any economic impacts the proposed rules would have. These economic impacts are described in the Statement of Need and Reasonableness.

Impact on Farming Operations. *Minnesota Statutes* § 14.111, requires that if any agency adopts or repeals rules that affect farming operations, the agency must provide a copy of the proposed rule change to the Commissioner of Agriculture, no later than 30 days prior to publication of the proposed rule in the *State Register*. The adoption of Rules Governing Low-Level Radioactive Waste Generator Fees into *Minnesota Rules* do not concern farming operations. The requirements of *Minnesota Statutes* § 14.111 are not applicable.

Review by Commissioner of Transportation. *Minnesota Statutes* § 174.05, requires the MPCA to inform the Commissioner of Transportation of all rulemakings that concern transportation, and requires the Commissioner of Transportation to prepare a written review of the rules. The adoption of Rules Governing Low-Level Radioactive Waste Generator Fees into *Minnesota Rules* do not concern transportation. The requirements of *Minnesota Statutes* § 174.05 are not applicable.

Departmental Charges. The review and recommendation of the Commissioner of the Department of Finance concerning any departmental charges contained in the rules is attached to the Statement of Need and Reasonableness pursuant to *Minnesota Statutes* § 16A.1285, subd. 4 and 5.

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.

Proposed Rules

Adoption and Review of Rules. If no hearing is required and if the decision is not required to be made by the MPCA Board, the MPCA Commissioner may adopt the rule after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the MPCA contact person listed above.

Peder A. Larson
Commissioner

7042.0020 DEFINITIONS.

[For text of subs 1 and 2, see M.R.]

Subp. 2a. Annual appropriation. "Annual appropriation" means the legislative appropriation for the agency's low level radioactive waste program covering the fiscal year beginning on July 1 of the year following the end of the calendar year for which low level radioactive waste generator fees are being paid.

Subp. 2a: 2b. Commissioner. "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

[For text of subp 3, see M.R.]

Subp. 5. Disposal. "Disposal" means the isolation of low level radioactive waste from the biosphere in a permanent facility designed for that purpose has the meaning given in Minnesota Statutes, section 116C.831, article II, item f.

Subp. 6. Facility. "Facility" means a parcel of land or site, together with the structures, equipment, and improvements on or appurtenant to the land or site which is used or is being developed for the treatment, storage, or disposal of low level radioactive waste has the meaning given in Minnesota Statutes, section 116C.831, article II, item h.

Subp. 7. Generator. "Generator" means any person who produces or possesses low level radioactive waste in the course of, or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, or other industrial or commercial activity, and who, to the extent required by law, is licensed by the United States Nuclear Regulatory Commission or is a state party to the compact, to produce or possess such waste. "Generator" does not include a person who provides a service by arranging for the collection, transportation, treatment, storage, or disposal of wastes. has the meaning given in Minnesota Statutes, section 116C.831, article II, item j.

Subp. 8. Low level radioactive waste or waste. "Low level radioactive waste" or "waste" means radioactive waste not classified as high level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in *United States Code*, title 42, section 2014(e)(2); has the meaning given in Minnesota Statutes, section 116C.831, article II, item m.

Subp. 9. Person. "Person" means any individual, corporation, business enterprise or other legal entity either public or private and any legal successor, representative, agent or agency of the individual, corporation, business enterprise, or legal entity. has the meaning given in Minnesota Statutes, section 116C.831, article II, item p.

Subp. 10. Storage. "Storage" means the temporary holding of low level radioactive waste for treatment or prior to treatment or disposal. has the meaning given in Minnesota Statutes, section 116C.831, article II, item t.

[For text of subp 11, see M.R.]

7042.0030 LOW LEVEL RADIOACTIVE WASTE GENERATOR FEES.

Subpart 1. [See repealer.]

Subp. 2. Basis and amount of fees. Except as provided in subpart 3, a generator of low level radioactive waste is subject to the following fees: described in items A and B.

A. A generator who ships 1,000 cubic feet or more of low level radioactive waste per year to a facility for disposal is subject to a fee of \$2.75 per cubic foot of low level radioactive waste shipped per year in a calendar year to one or more disposal facilities is categorized as a large quantity generator for that year. The operator of one or more nuclear power plants is also categorized as a large quantity generator. Collectively, each year large quantity generators are subject to fees equal to 90 percent of the low level radioactive waste program annual appropriation. The 90 percent shall be divided among large quantity generators based on their pro rata shares of the total waste volume shipped to a disposal facility by all large quantity generators.

B. A generator who ships at least ~~100~~ one cubic feet ~~foot~~ but less than 1,000 cubic feet of low level radioactive waste per in a calendar year to a facility for disposal one or more disposal facilities is categorized as a small quantity generator for that year. A small quantity generator is subject to a fee of \$100 \$500 per year.

Subp. 3. Alternative fee structure. If the commissioner finds that, during any part of a year, there is not at least one licensed commercial low level radioactive waste disposal facility accepting class A, class B, and class C waste, as defined at Code of Federal Regulations, title 10, section 61.55, from Minnesota generators, an alternative fee structure shall apply to all generators for that year. No later than January 31 of the first year after the alternative fee structure is in effect the commissioner shall send a notice to generators informing them of the institution of the alternative fee structure and the information requirements and deadline for requesting a fee adjustment under part 7042.0035. The alternative fee structure is as described in items A and B.

A. For the purposes of the alternative fee structure, a large quantity generator is any generator that was categorized as a large quantity generator in any one of the two years immediately prior to the commencement of the alternative fee structure, or any generator that ships more than 1,000 cubic feet of low level radioactive waste to one or more disposal facilities during the first year that the alternative fee structure applies. Generators that meet the conditions of this provision shall be categorized as large quantity generators during all of the years during which the alternative fee structure applies unless they qualify for a fee adjustment under part 7042.0035. If during any calendar year that the alternative fee structure is in place, a generator that is not categorized as a large quantity generator ships 1,000 cubic feet or more of low level radioactive waste to one or more disposal facilities, that generator shall be categorized as a large quantity generator for the year during which the waste was shipped. Large quantity generators are subject to fees equal to 90 percent of the low level radioactive waste program annual appropriation, divided by the total number of large quantity generators for that calendar year.

B. For the purposes of the alternative fee structure, a small quantity generator is any generator that does not meet the conditions of item A and that was categorized as a small quantity generator in any one of the two years immediately prior to the commencement of the alternative fee structure, or any generator that ships at least one cubic foot of waste to one or more disposal facilities during the first year that the alternative fee structure applies. Except as provided in item A, generators that meet the conditions of this provision shall be categorized as small quantity generators during all of the years during which the alternative fee structure applies unless they qualify for a fee adjustment under part 7042.0035. A small quantity generator is subject to a fee of \$500 per year.

7042.0035 FEE ADJUSTMENTS.

Subpart 1. Alternative fee structure adjustments. If a generator demonstrates to the commissioner that its categorization under the alternative fee structure in part 7042.0030, subpart 3, is not representative of the amount of waste that would have been shipped to a disposal facility during a year that the alternative fee structure applies, the commissioner shall adjust the generator's fee for that year under the following conditions:

A. if the commissioner finds that the generator no longer generates low level radioactive waste that would be shipped to a waste disposal facility and does not intend in the future to generate low level radioactive waste that would be shipped to a waste disposal facility, the commissioner shall adjust the generator's fee to zero; or

B. if the commissioner finds that a generator is categorized as a large quantity generator solely because of waste generated as a result of a decommissioning project, or because of waste accumulated during the time period that the alternative fee structure was in place, the commissioner shall recategorize the generator as a small quantity generator, and the generator shall pay the fee applicable to a small quantity generator.

Subp. 2. Normal fee structure adjustment. If a generator, other than the operator of one or more nuclear power plants, demonstrates to the commissioner that its categorization as a large quantity generator under the fee structure in part 7042.0030, subpart 2, is not representative of the waste that would normally have been shipped to a waste disposal facility in that year because of waste accumulated during the time period that the alternative fee structure was in place, the commissioner shall recategorize the generator as a small quantity generator, and the generator shall pay the fee applicable to a small quantity generator.

Subp. 3. Deadline for request. Requests for adjustments must be made to the commissioner in writing no later than April 1 of the year in which the fee is due.

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.

Proposed Rules

7042.0040 PAYMENT OF FEES.

Subpart 1. **Payment deadline.** A generator must submit to the commissioner the fees and appropriate documentation of the volume of waste shipped to one or more disposal facilities during the previous year no later than September 30 April 1 of each year. Fees for wastes shipped in the previous calendar year are payable by September 30 of the next calendar year. The agency shall calculate each fee and send generators a notice of the fees due no later than July 1. Fees are payable by September 30. Checks shall be made payable to the state treasurer.

Subp. 2. [See repealer.]

REPEALER. *Minnesota Rules*, parts 7042.0030, subpart 1; and 7042.0040, subpart 2, are repealed.

EFFECTIVE DATE. The amendments to *Minnesota Rules*, chapter 7042, are effective with respect to fees payable in 1998, for wastes shipped to disposal facilities in calendar year 1997, and thereafter.

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rule-making proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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

Department of Administration

Communications Media Division

State Register

Minnesota Guidebook to State Agency Services

Notice of Availability of *State Register* by Subscription on Internet, and Publication of the *Minnesota Guidebook to State Agency Services* in print and CDROM versions

NOTICE IS HEREBY GIVEN that the *State Register* is now available by subscription on the Internet. Details have been placed in a special ad on the inside back cover of this issue of the *State Register*.

Also on the Internet, free of charge, is the *State Register* "Table of Contents" for the current issue, and back issues. The Internet web site is <http://www.comm.media.state.mn.us>

NOTICE IS FURTHER GIVEN of the publication of the *Minnesota Guidebook to State Agency Services* 1996-1999 in these printed formats: spiral-bound and looseleaf (\$29.95 + tax), as well as on CDROM with Folio™ search engine for quick retrieval (\$59.95 single user). The CDROM version is also available for small networks (2-10 users) for \$235.95; and large networks (11-unlimited) for \$999.95. Various combinations of the printed format in combination with the CDROM version are available. Call Minnesota's Bookstore to order, or for more details: (612) 297-3000; or toll-free at 800-657-3757.

Minnesota Comprehensive Health Association

Notice of Meeting of the Writing Carrier RFP/Contract Ad Hoc Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Writing Carrier RFP/Contract Committee will be held at 8:00 a.m. on Thursday, March 27, 1997. The meeting will be at the Minnesota Comprehensive Health Association executive office, 5775 Wayzata Boulevard, St. Louis Park, in suite 910. For additional information, please call Lynn Gruber at (612) 593-9609.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective March 24, 1997 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Brown: Library Lighting Retrofit-New Ulm.

Carver: Norwood Central Elementary School Leak Repair Phase II-Norwood/Young America.

Cook: Aircraft Maintenance Hanger-Grand Marais.

Crow Wing: Crow Wing County Buildings Lighting Retrofit-Brainerd.

Dakota: Cliff Road Water Plant Alert Generation-Eagan.

Freeborn: High School 1967 Building Asbestos Removal-Albert Lea; Alden Conger Public Schools K-12 Addition and Remodeling-Alden.

Hennepin: Fulton Elementary School Masonry Restoration and Window Replacement-Minneapolis; Barton School Asbestos Abatement Phase 2-Minneapolis; University of Minnesota Como Yard Roof Replacement-Minneapolis; Technology Upgrade Fridley Public Schools-Fridley.

Kandiyohi: Ridgewater College Willmar Campus Shop HVAC and Code Improvements-Willmar.

Mower: 1997 Small Gym/Kitchen/Shops Asbestos Removal-Leroy.

Ramsey: Franklin Elementary School and Johnson Senior High School Ceiling Replacement and Restoration-Saint Paul; Asbestos Abatement Phalen Lake Elementary School Summer 1997-Saint Paul.

St. Louis: Stadium Apartments Reroofing U of M Duluth-Duluth.

Travers: Wheaton Library-Wheaton.

Winona: Morey Residence Hall Toilet/Shower Remodeling Winona State-Winona.

Copies of the certified wage rate 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.

Gary W. Bastian,
Commissioner

Minnesota Bureau of Mediation Services

Request for Comments on Planned Amendment to Rules Governing Public Employment Labor Relations, *Minnesota Rules*, Chapter 5510

Subject of Rules. The Minnesota Bureau of Mediation Services requests comment on its planned amendment to rules governing Public Employment Labor Relations. The Department is considering rule amendments which will be limited to editorial and procedural amendments intended to update and clarify existing rules.

Persons Affected. The amendment to the rules would likely affect public employers, public employees, public employer advocates, employee organizations, employer associations, and arbitrators.

Statutory Authority. *Minnesota Statutes*, section 179A.04, subd. 3(6), authorizes the Department to adopt rules relating to the administration of *Minnesota Statutes* 179A. and the conduct of hearings and elections.

Public Comment. Interest persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on May 28, 1997. The Department does not contemplate appointing an advisory committee to comment on the planned rules.

Rules Drafts. The Department has prepared a draft of the planned rules amendments.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, and requests for more information on these planned rules should be addressed to: Carol S. Clifford, Bureau of Mediation Services, 1380 Energy Lane, Suite Two, St. Paul, MN 55108, (612) 649-5423. TTY users may call the Department at (612) 297-5353 or 1-800-627-3529.

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

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

Dated: 24 March 1997

Lance Teachworth, Commissioner
Bureau of Mediation Services

Department of Public Safety

Minnesota Auto Theft Prevention Program

Notice of Meeting of the Board of Directors

The Department of Public Safety, Minnesota Auto Theft Prevention Program (MATPP), will be holding its Board of Directors meetings on the following scheduled dates: March 27, 1997 and April 10, 1997. Meetings will begin at 9:00 a.m. at the MATPP office located at 1110 Centre Pointe Curve, Mendota Hts., MN. (Hwy 110 and Lexington Ave. - GNB Bldg.). Meetings are open to the public, and you may contact 612/405-6155 for more information.

State Grants and Loans

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

Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Children, Families and Learning

Notice of Grant Availability for the Instructional Transformation Through Technology Grant Program — Curriculum Component

The Department of Children, Families and Learning announces the availability of grants for the Instructional Transformation Through Technology Grant Program—Curriculum Component as described in *Laws of Minnesota, 1995*, Chapter 3, Article 12, Section 8. The Department is seeking applications from school districts wishing to develop and demonstrate a model middle school and/or high school multidisciplinary curriculum and concomitant pedagogy that supports student attainment of state graduation standards addressing inquiry. As a part of the proposed curriculum, students should be engaged in authentic, compelling, and complex tasks requiring access, manipulation, analysis, and display of public information from state government database sources. Information technologies must be used in the tasks. It is anticipated that two grants of up to \$50,000 each will be awarded.

The Request for Proposal and application information will be available on March 31, 1997. The information can be requested from Theresa Mish, Division of Information Technologies, at (612)296-6312. Applications are due on May 5, 1997, by 4:00 p.m. Questions regarding this program should be directed to Theresa Mish at (612)296-6312 or Mike Damyanovich at (612)282-5453.

Emergency Medical Services Regulatory Board

Notice of Availability of Funds for Statewide Educational and Information Services in Pediatric Emergency Medical Services

Eligible Applicants: Organizations which provide educational and information services and have access to expertise and resources in the public health and/or public safety communities. The selected organization will work with the Emergency Medical Services Regulatory Board to provide these services for the regional EMS programs, ambulance services, training programs, and other interested organizations and individuals.

Amount of Funding: A total of \$30,000 is available through a grant from Emergency Medical Services for Children, Maternal and Child Health Bureau, U.S. Department of Health and Human Services.

Grant Period: May 1, 1997 through December 31, 1997.

Request for Proposal: Interested parties may request a copy of the Request for Proposal, which contains additional information about the required content and format of proposals. Proposals will be due not later than 4:00 p.m., Monday, April 14, 1997. Grants are expected to be awarded before April 28, 1997.

Description of Grant Program: The grantee will maintain a collection of training and other materials related to pediatric prevention and emergency medical services, will establish information and referral services for EMS providers and the public, and will coordinate the Pediatric Emergency Care Course through the regional EMS programs. The established information center will provide information on course scheduling and delivery for all levels of pediatric emergency medical education. It will coordinate classes for the Pediatric Emergency Care Course, including maintaining instructor lists and scheduling classes. Educational materials and information developed through the Emergency Medical Services Regulatory Board will be available through the information center. This notice does not obligate the Board to fund proposed projects; the right is reserved to modify or cancel the solicitation if it is deemed in the best interest of the State to do so.

Contact: The contact address for this grant program, including the Request for Proposal, is:

Melody Nagy
Emergency Medical Services Regulatory Board
2829 University Ave. S.E., Suite 310
Minneapolis, MN 55414-3222
(612) 627-6000 or (800) 747-2011

Department of Human Services

Chemical Dependency Division

Request for Proposals for Employment Development and Financial Health Projects for Chemically Dependent Women

The Chemical Dependency Program Division (CDPD) of the Minnesota Department of Human Services is requesting proposals for Employment Development and Financial Health Capacity Building Projects for Chemically Dependent Women. A total of \$53,740 from the Federal Substance Abuse Prevention and Treatment Block Grant is available to fund one or more projects. The funded program will help Chemically Dependent Women in Chemical Dependency Treatment or Aftercare Programs with economic self-sufficiency, job readiness, employment opportunities, vocational rehabilitation, financial rehabilitation, and financial independence. Funded programs will begin on or about October 1, 1997, unless otherwise noted in the RFP, and continue for a minimum of one year contingent upon funds being available. Copies of the full Request for Proposal and grant application forms are available upon request from:

State of Minnesota
Department of Human Services
Chemical Dependency Program Division
444 Lafayette Road, 5th Floor
St. Paul, Minnesota 55155-3823
(612) 296-3991

Proposals must be received no later than 4:30 p.m. May 5, 1997. Mailed proposals must be postmarked no later than May 3, 1997.

Minnesota Planning

Environmental Quality Board

Notice of Request for Proposals for Sustainable Development Planning Concepts and Guidelines—Community Pilot

As part of the Minnesota Sustainable Development Initiative, the Environmental Quality Board is now accepting proposals from towns, cities, counties, or public/private coalitions of local governments, businesses and civic organizations interested in receiving up to \$15,000 to serve as a "sustainable community pilot." Three or four pilots will be selected.

The goal of the pilots is to test the usefulness and transferability of sustainable development planning concepts and guidelines. Successful applicants will commit to creating a comprehensive community plan and implementation strategy for sustainable development. At a minimum, the final community plan and action strategies must:

- Be the result of a broad public participation process involving the full range of interests represented in the community;
- Identify and describe the community's environmental, economic, social and cultural conditions and trends;
- Include a community vision for the future and environmental, economic, social and cultural goals and indicators to measure progress;
- Address how it will prevent and reduce non-point source pollution.

For further information, please contact Rolf Nordstrom at 297-5228. Applications must be submitted no later than May 31, 1997.

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, and final submission date of completed contract proposal.

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

Minnesota State Colleges and Universities (MnSCU)

North Hennepin Community College

Request for Proposal for Child Care Services at North Hennepin Community College

Introduction: North Hennepin Community College, Brooklyn Park, is soliciting bids for the management of its Child Care Center, beginning August 4, 1997.

Proposal Due Date: Vendor proposals are due no later than 4:00 a.m. April 30, 1997. Proposals must be submitted to Kitty Hennemann, Director of Student Life, North Hennepin Community College, 7411 85 Ave. N., Brooklyn Park, MN 55445. Specifications can be obtained by calling 424-0803.

Site Inspection and Briefing: North Hennepin Community College will host a briefing session and site inspection April 9, 1997, from 5:00 p.m. - 7:00 p.m. for interested bidders. Call Kitty Hennemann at 424-0803 to schedule an appointment.

Proposal Issue Date: March 24, 1997.

Minnesota Department of Corrections

Notice of Request for Proposals for Post-release Services for African American Releasees Who Are Under the Authority of the Commissioner of Corrections

The Minnesota Department of Corrections, Community Services Division, announces the availability of funds for programs to provide postrelease services for African American releasees who are under authority of the Commissioner of Corrections.

Public human service agencies, community corrections agencies, for profit organizations, or non-profit organizations are eligible to apply for these funds. The contract program will provide funding of \$75,000 in state fiscal year 1998 (7/1/97- 6/30/98). The amount of any contract may vary depending on number of clients and services provided. A contract may be awarded for a selected area of the state.

There is no assurance of continued funding for following fiscal years.

The deadline for proposal submission is May 2, 1997, 4:30 p.m. To receive a copy of the request for proposal which describes in detail how to apply for this funding, contact Nancy Montemurro, Minnesota Department of Corrections, Community Services Division, 1450 Energy Park Drive, Suite 200, St. Paul, Minnesota 55108-5219. Telephone (612) 642-0235 TTY (612) 643-3589.

Non-State Public Bids, Contracts & Grants

Department of Natural Resources

Request for Proposals for the Production of Broadcast Quality Audio-Visual Materials Regarding the 1837 Mille Lacs Treaty

The Minnesota Department of Natural Resources, Bureau of Information and Education is seeking proposals from marketing communications, advertising, public relations or other qualified organizations or individuals to write, produce and deliver broadcast quality audio-visual materials that will help to increase public awareness and understanding of the effects of the recent court decision in the 1837 Treaty case.

Details are contained in a Request for Proposals which may be obtained by contacting:

Marcy Dowse, Administrator
DNR - Bureau of Information and Education
Box 46 500 Lafayette Road
St. Paul, MN 55155
612/297-4192 (Voice)
612/296-0907 (FAX)
e-mail: marcy.dowse@dnr.state.mn.us

Non-State Public Bids, Contracts & Grants

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.

Metropolitan Council

Notice of Availability of Funds to Clean Up Contaminated Land for Subsequent Commercial/Industrial Re-Development, Job Retention and Job Growth

Purpose: The Metropolitan Livable Communities Act (*Minnesota Statutes* Chapter 473.25) created a Tax Base Revitalization Account to make grants to clean up contaminated land for subsequent commercial/industrial re-development, job retention and job growth. Applications will be prioritized to the extent that they address the following: increase local tax base; create net gain in regional jobs; demonstrate market demand for proposed site; preserve and/or increase living wage jobs; promote compact development; provide living wage jobs; demonstrate public/private partnerships; and make more efficient use of current infrastructure capacity. This program is being coordinated with complementary programs at the Minnesota Pollution Control Agency (MPCA) and Minnesota Department of Trade and Economic Development (DTEd).

Eligible Applicants: Statutory or home rule charter cities that are cities that are participating in the Metropolitan Livable Communities Housing Incentive Program are eligible to apply; as are metropolitan counties (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington) and development authorities (e.g., Housing and Redevelopment Authority, Economic Development Authority or Port Authority) for projects in eligible communities.

Submission Date: An original and two (2) copies of each application are due at the Metropolitan Council, Attn: Wayne Nelson 230 E. Fifth St., St. Paul, MN 55101, by 5 p.m., May 15, 1997.

Amount Available: Approximately \$3.25 million will be available for grants awarded this cycle. Grants will be awarded on a competitive basis. If applications for grants exceed the available funds for this cycle, no more than one-half of the funds may be granted to projects in a single city, and no more than three-quarters of the funds may be granted to projects located in cities of the first class.

For More Information: For a copy of the grant application guide and format, contact Wayne Nelson, Metropolitan Council staff, at 291-6406 or 291-0904 (TTY).

Non-State Public Bids, Contracts & Grants

Metropolitan Council

Request for Proposals for Risk Assessment and Evaluation Assistance on the Procurement of Solids Processing for Blue Lake and Seneca Wastewater Treatment Plants

The Metropolitan Council, Environmental Services Division (MCES) of St. Paul, Minnesota is requesting proposals for RISK ASSESSMENT and EVALUATION ASSISTANCE on the PROCUREMENT of SOLIDS PROCESSING for BLUE LAKE and SENECA WASTEWATER TREATMENT PLANTS

Background information on the scope of the project can be obtained by contacting the Metropolitan Council Purchasing Department at (612) 229-2032 or by fax at (612) 229-2083, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101-1633.

Proposals will be accepted until 4:00 P.M., TUESDAY, APRIL 15, 1997.

The Metropolitan Council reserves the right to reject all or any proposals and to waive any minor irregularities and deviations from the requirements outlined in the request for proposal.

BY ORDER OF THE METROPOLITAN COUNCIL

Helen A. Boyer, Division Director
Environmental Services Division

Minnesota Historical Society

Notice of Request for Bids for Trail and Observation Deck Construction at the Lac Qui Parle Historic Site Chippewa County, Minnesota

The Minnesota Historical Society is seeking bids from qualified firms and individuals to provide all materials, equipment, labor and supplies necessary to complete, in all respects, Trail and Observation Deck Construction, at the Lac Qui Parle Historic Site in Chippewa County, MN.

Substantial date of completion for this project is June 30, 1997.

The Request for Bids is available by calling or writing Deane M. Roe, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Bids must be received not later than 2:00 P.M. Central Time April 10, 1997.

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

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<http://www.comm.media.state.mn.us>

From the home page, select "Minnesota's Bookstore" from the left panel menu; then select "State Register". Once on the "State Register" page, click on "Sample Issues" and explore.

An access code will be assigned to Internet subscribers for use beginning with the April 7 issue. The subscription rate for the State Register via Internet will be \$175.00/year and can be prorated for those wishing to switch from mail delivery.

Interested? Give us a call or send us an e-mail message. Call 612/297-3000 or 1-800/657-3757, Mon- Fri 8am-5pm OR send us an e-mail at: mnbook.list@state.mn.us

