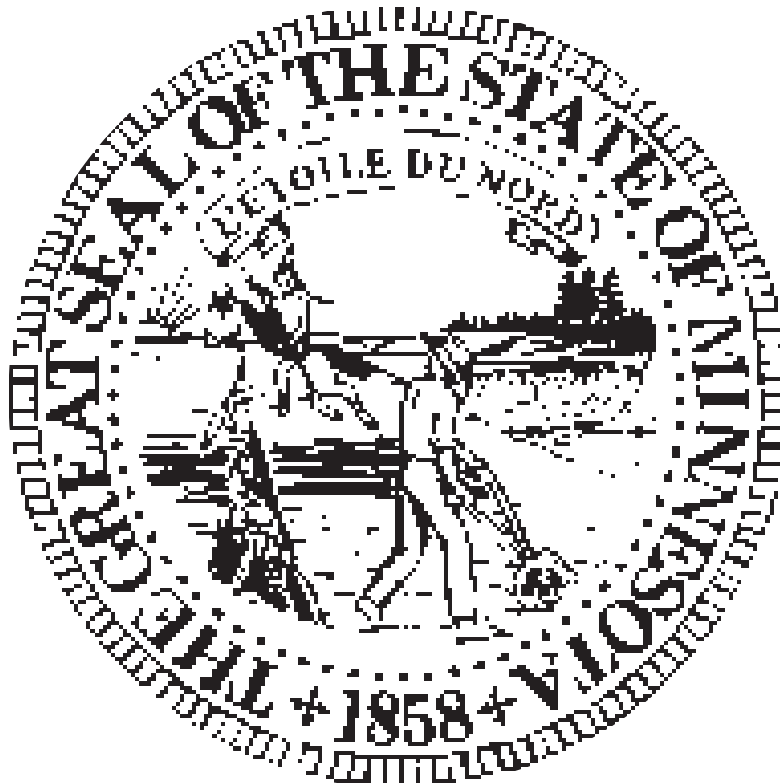


The Minnesota

State Register

Rules and Official Notices Edition



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

Monday 7 July 1997
Volume 22, Number 1
Pages 1-18

State Register

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

The *State Register* is the official publication of the State of Minnesota, 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.

Printing Schedule and Submission Deadlines

Vol. 22 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
# 1	Monday 7 July	Monday 23 June	Monday 30 June
# 2	Monday 14 July	Monday 30 June	Monday 7 July
# 3	Monday 21 July	Monday 7 July	Monday 14 July
# 4	Monday 28 July	Monday 14 July	Monday 21 July
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Arne H. Carlson, Governor 612/296-3391		Hubert H. Humphrey III, Attorney General 612/297-4272	Joan Anderson Grove, Secretary of State 612/296-2079
Joanne E. Benson, Lt. Governor 612/296-3391		Judi Dutcher, State Auditor 612/297-3670	Michael A. McGrath, State Treasurer 612/296-7091
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PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 612-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$84.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

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

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- **Single issues** are available for a limited time: *State Register* \$5.00, *Contracts Supplement* 50¢. Shipping is \$3.00 per order.
- **"Professional, Technical and Consulting Contracts Awards Reports,"** – published each month listing the previous month's awards of contracts and RFPs that appeared in the Monday edition of the "*State Register*." Appears monthly in hard copy format only. Single copies are \$15.00 per report, plus \$3.00 shipping if applicable. Order stock # 99-43. Six-month subscriptions cost \$75.00. Order stock #90-15.

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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Commodity, Service and Construction contracts are published in a
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Tuesday, Wednesday and Friday. Award results are available
from the Materials Management Helpline 612/296-2600.

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.

Volume 22, issue #1

Pollution Control Agency

7045.0020; .0070; .0120; .0125; .0137; .0208; .0214; .0221; .0230;	
.0240; .0248; .0255; .0292; .0310; .0320; .0361; .0450; .0454; .0484;	
.0526; .0552; .0558; .0594; .0626; .0665; .0692; .0855; .0990; .1330	
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Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Pollution Control Agency

Adopted Permanent Rules Relating to Hazardous Waste Licensing and Container Management

The rules proposed and published at *State Register*, Volume 21, Number 27, pages 901-916, December 30, 1996 (21 SR 901), are adopted with the following modifications:

7045.0125 MANAGEMENT OF WASTE BY USE, REUSE, RECYCLING, AND RECLAMATION.

Subp. 4. **Management of specific hazardous wastes.** Management of the following wastes when recycled, is not subject to regulation under parts 7045.0205 to 7045.0695 and 7045.1300 to 7045.1380:

N. recyclable fuel, if the following conditions are met:

(2) the recyclable fuel is delivered to a registered fuel recycling facility or managed as provided in part 7045.0208 within five calendar days of being accepted by the transporter. If the recyclable fuel is rejected after delivery to a recyclable fuel recycling facility, the time it is held at the facility before it is rejected shall not count as part of the allowed five calendar days;

(5) if, because of a need to conduct waste analysis, recyclable fuel cannot be placed into the recycling process within 24 hours of receipt, the owner or operator of the fuel recycling facility shall contact the commissioner to request an extension of the storage time. A request for an extension can be for a single event or to address an ongoing need for additional time. A request for an extension must be submitted in writing to the commissioner and must include:

(a) the amount and type of waste being accepted;

(b) the amount of time that will be necessary to conduct waste evaluation; and

(c) a description of how the waste will be managed during the storage period, including the measures that will be in place to prevent releases and how spills will be contained and cleaned up.

The commissioner's decision to approve holding the waste longer than 24 hours will be based on an evaluation of whether the owner or operator of the recycling facility can provide adequate protection of human health and the environment until the recyclable fuel is placed into the recycling process; and

O. ~~gasoline petroleum fuel~~ filters ~~contaminated with gasoline~~ if they are burned for energy recovery under subpart 3a, or recycled as scrap metal under item C, and are managed during accumulation and transportation according to the requirements of part 7045.0990, subparts 3 to 5.

7045.0208 HAZARDOUS WASTE MANAGEMENT.

Subpart 1. **Management by generator.** A generator must manage hazardous waste by using one of the methods described in items A to F, unless otherwise specifically exempted under this chapter.

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.

Revenue Notices

E. A generator may discharge hazardous waste to a publicly owned treatment works according to the notification requirements, prohibitions, limitations, and other management requirements imposed by the publicly owned treatment works operating authority, by federal statutes and regulations, or by state statutes and rules, providing:

(1) the wastes being discharged are compatible with all piping and appurtenances ~~owned or utilized by the generator and the publicly owned treatment works operating authority~~ which would receive the waste and conduct it to the publicly owned treatment works treatment plant; and

(2) no piping and appurtenances owned or utilized by the generator, and leading to the ~~publicly owned treatment works~~ public sewers, will release the discharged waste to the environment.

7045.0230 CONTENT OF INITIAL LICENSE APPLICATION.

Subpart 1. **Information required.** Except as provided in subpart 1a, an application must be on a form provided by the commissioner and must include the following information:

F. any additional information regarding the generator or the waste produced and managed by the generator which is necessary to a decision on the application and which has been requested by the commissioner.

7045.0248 LICENSE RENEWAL APPLICATION.

Subpart 1. **Applicability.** A licensed generator must submit a license renewal application to the commissioner on forms provided by the commissioner. A generator must submit the application by a date specified by the commissioner. The application must contain the following information for each hazardous waste produced during the preceding calendar year:

C. any additional information requested by the commissioner regarding the generator or the waste produced and managed by the generator and which is necessary to a decision on the application; and

7045.0552 FACILITIES GOVERNED BY INTERIM STATUS.

Subp. 3. **Exemptions.** The requirements of parts 7045.0552 to 7045.0648 do not apply to the following specific waste management units, facilities, or activities, although all other waste management activities of the owner or operator may be regulated:

B. a facility managing recyclable hazardous wastes subject to regulation under part 7045.0125, 7045.0665, 7045.0675, or 7045.0685; however, this exemption does not apply where part 7045.0125, 7045.0665, 7045.0675, or 7045.0685 makes the requirements of parts ~~7045.0522 to 7045.0642~~ 7045.0552 to 7045.0648 applicable by cross-reference;

7045.0790 DEFINITIONS.

Subp. 15. **Used oil collection center.** "Used oil collection center" means any site or facility ~~that is licensed by the commissioner or by a county government to manage used oil and~~ that accepts or aggregates, or both, and stores used oil collected from do-it-yourselfer used oil generators and/or used oil generators regulated under part 7045.0855 who bring used oil to the used oil collection center in shipments of no more than 55 gallons under the provisions of part 7045.0855.

Revenue Notices

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

Department of Revenue

Revenue Notice # 97-08: Revocation of Revenue Notice # 96-04

The Department of Revenue's policy with regard to rebates or concessions, as reflected in the previously published Revenue Notice # 96-04, classified cigarette manufacturers as "wholesalers" as defined in *Minnesota Statutes* § 325D.32, subd. 4(1996). The 1997 legislature amended *Minnesota Statutes* § 325D.33, subd. 3 ("Rebates and concessions"), to read that, for purposes of that subdivision, "the term 'wholesaler' does not include a manufacturer or a manufacturer's representative." (See: *Laws of Minnesota 1997*, Chapter 231, art. 16, sec. 12)

Based on this law change, Revenue Notice # 96-04, entitled "Unfair Cigarette Sales Act - Unlawful for Wholesaler to give Rebates, Concessions or Discounts," is hereby revoked.

Dated: 7 July 1997

Jennifer L. Engh
Assistant Commissioner for Tax Policy

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

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and mat-

Minnesota Department of Health

Request for Comments on Planned Amendment to Rules Governing Fees for Licensure of Individual Morticians, Funeral Directors, and Mortuary Science Trainee (Intern) Licenses and Funeral Establishment Permits, *Minnesota Rules*, part 4610.2800

Subject of Rules. The Minnesota Department of Health requests comments on its planned amendment to rules governing mortuary science fees. The Department is considering rule amendments that increase the fee amounts to recover the current negative balance that exists and would provide the revenues needed to meet the expenses of the next several years. The last fee increase was August 1, 1987. The proposed increases have been adjusted to more accurately reflect actual time spent by the Mortuary Science Section with the individual activity.

Persons Affected. The amendment to the rules would affect the individuals and funeral establishments currently being licensed. The increase should have minimal impact given the modest amount of the proposed fees and the length of time since the last increase.

Statutory Authority. The present *Minnesota Rules*, part 4610.2800, governs mortuary science fees. Part 4610.2800 was adopted under the authority of *Minnesota Statutes*, sections 144.12, 144.122, 149.04, and 149.05, implementing provisions of *Minnesota Statutes*, chapter 149. All of chapter 149 was repealed by 1997 *Minnesota Laws*, chapter 215, section 47, effective August 1, 1997. Many rule parts in *Minnesota Rules*, chapter 4610, were repealed by 1997 *Minnesota Laws*, chapter 215, section 46. However, 1997 *Minnesota Laws*, chapter 215, section 46, states in pertinent part: "Notwithstanding *Minnesota Statutes*, section 14.05, *Minnesota Rules*, parts 4610.0420, 4610.0500, 4610.0600, 4610.0650, and 4610.2800, are not repealed." 1997 *Minnesota Laws*, chapter 215, enacted *Minnesota Statutes*, chapter 149A, to replace chapter 149. The new rulemaking authority to amend part 4610.2800 is in *Minnesota Statutes*, section 149A.03.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the Department intends to adopt or withdraw the rules. 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: David Benke, 121 East Seventh Place, P.O. Box 64975, St. Paul, MN 55164-0975, or by calling (612)282-3828. TTY users may call the Department at (612)623-5522.

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: 16 June 1997

Anne Barry, Commissioner
Department of Health

Official Notices

Department of Human Services

Notice of Covered Transplant Services for Minnesota Health Care Programs Recipients

Effective for services provided on or after April 1, 1997, the Department of Human Services (DHS) will cover the following transplant services for recipients of Minnesota Health Care Programs (MHCP).

- AUTOLOGOUS STEM CELL TRANSPLANT FOR THE DIAGNOSIS OF MULTIPLE MYELOMA
- ALLOGENEIC STEM CELL TRANSPLANT FOR THE DIAGNOSIS OF MULTIPLE MYELOMA

Allogeneic stem cell transplants are covered conditionally for the diagnosis of Multiple Myeloma. The procedure must be performed in an investigational setting under research protocol.

The transplant facility must; 1) be approved by DHS as meeting American Society of Hematology and Clinical Oncology criteria to perform stem cell transplants; 2) be a participating provider of services in the Medicare program; 3) be located in the state of Minnesota; 4) submit a written authorization request to Care Delivery Management, Inc. (CDMI) for each transplant; and 5) meet all other program requirements as described in the MHCP manual.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective July 07, 1997 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Aitkin: Long Lake Conservation Center-Palisade.

Beltrami: Hobson Student Union - Loading Dock Remodel BSU-Bemidji.

Dakota: Video Security System-So. St. Paul High School-South St. Paul.

Goodhue: Converting High Pressure Boilers to Low Pressure-Red Wing.

Hennepin: Asbestos Abatement-Hall Elementary School-Minneapolis.

Lake of the Woods: Pool and Multipurpose Room Addition - Lake of the Woods School District-Baudette.

Lyon: Tuckpointing and Wall Repair - Commons Buildings-SWSU-Marshall.

Meeker: Additions to Dassel/Cokato High and Middle Schools-Cokato.

Polk: New K-12 Win-E-Mac School-Erskine.

Ramsey: Roof Removal-Install and Insulate Built-Up Roof-White Bear Lake; Burner Replacement St. Paul Public Schools-St. Paul; Exterior Renovations - Capital Centre-St. Paul; Remodeling Room G-10 - Administration Building-St. Paul.

Rice: Heath Creek Rest Area - MN/DOT-Forest Township.

Scott: New Market Rest Area-MN/DOT-New Market Township; Burner Replacement-MCF-Shakopee.

Sherburne: Asbestos Removal in Gymnasium-MCF-St. Cloud.

Stearns: Sauk Centre Library Addition-Sauk Centre.

Washington: Building Removals-MN/DOT-Oak Park Heights.

Winona: Step Restoration-Somsen Hall-WSU-Winona.

Wright: 1999 Monticello High School Site Work-Monticello.

Yellow Medicine: Canby Water Treatment Plant-Canby.

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

Metropolitan Council

Adoption of Final 1998-2000 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area

The Transportation Advisory Board of the Metropolitan Council has adopted and forwarded the 1998-2000 Transportation Improvement Program to the Council after holding a public hearing and responding to comments in accordance with state and federal requirements. The TIP includes highway, transit, bikeway, pedestrian enhancements, and air quality projects that are proposed for the federal funding in the seven-county metropolitan area in the next three years. The program is prepared annually in accordance with federal requirements and must contain all projects that are to be implemented with federal funding assistance.

The Metropolitan Council's Transportation Committee will consider the Final TIP at its July 28, 1997 meeting at 4:00 p.m. The Metropolitan Council anticipates it will approve the Final TIP at its August 14, 1997 meeting at 4:00 p.m. **Both meetings will be held at the Metropolitan Council Offices, Mears Park Centre, 230 East Fifth Street, downtown St. Paul.**

Transportation Committee

Monday, July 28, 1997

4 p.m.

Council Chambers

Metropolitan Council

Thursday, August 14, 1997

4 p.m.

Council Chambers

The TIP is prepared jointly by the Metropolitan Council and the Minnesota Department of Transportation. Projects contained in the TIP reflect the region's priorities and help implement the region's transportation plan. Projects will be analyzed to determine impact on regional air quality.

Free copies of the Final 1998-2000 Transportation Improvement Program are available at the Council's Regional Data Center. Call 602-1140 or 291-0904 (TTY) to request a copy. Other materials describing the Council's transportation efforts are also available. Questions about the meetings or transportation issues may be directed to: Carl Ohm, Metropolitan Council, 230 East Fifth St., St. Paul, MN 55101; phone: 602-1719.

Metropolitan Council

Public Hearing on Proposed 1998 Metropolitan Council Environmental Services Budget

On **Thursday, July 24, 1997**, the Metropolitan Council will hold a public hearing on the proposed 1998 budget for the Council's Environmental Services Division. This hearing will be held as part of the **4 p.m.** Metropolitan Council meeting in the Council Chambers, Mears Park Centre, 230 E. Fifth St., St. Paul.

All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Katie Elliott at 602-1016 or 229-3760 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities. Written comments, which must be received by 4 p.m., August 7, 1997, should be sent to Lois Spear, Controller, Metropolitan Council Environmental Services, 230 E. Fifth St., St. Paul, MN 55101. Copies of the public hearing draft of the proposed 1998 Environmental Services budget may be obtained from the Council's Regional Data Center by calling 602-1140 or 291-0904 (TTY).

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, will be holding its Board of Directors meeting on July 10, 1997. Meeting will begin at 9:00 a.m. at the MATPP office located at 1110 Centre Pointe Curve, Suite 405, Mendota Hts, MN. (Hwy 110 and Lexington Ave. - GNB Technologies Bldg.). Meetings are open to the public. For more information you may call (612) 405-6155.

Official Notices

Public Utilities Commission

Request for Comments on Planned Rules Governing Uniform Statewide Standards for Users of Public Rights-of-Way

Subject of Rules. The Minnesota Public Utilities Commission requests comments on its planned rules governing uniform statewide standards for users of public rights-of-way. The Commission is considering rules that establish standards governing: 1) the terms and conditions of right-of-way construction, excavation, maintenance, and repair; and 2) the terms and conditions under which telecommunications facilities and equipment are placed in the public right-of-way.

Persons Affected. The rules would likely affect local government units, telecommunications service providers, and other users of the public rights-of-way.

Statutory Authority. *Minnesota Statutes*, Section 237.163, subd. 8 requires the Commission to adopt rules establishing uniform statewide standards

for the purposes of achieving substantial statewide uniformity in construction standards where appropriate, providing competitive neutrality among telecommunications right-of-way users, and permitting efficient use of technology.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on August 6, 1997. The Commission contemplates appointing an advisory committee to comment on the planned rules.

Rules Drafts. The Commission has not yet prepared a draft of the planned rules.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be addressed to: Ginny Zeller, Staff Attorney, Minnesota Public Utilities Commission, 121 Seventh Place East, Suite 350, St. Paul, MN 55101- 2147. TTY users may call the Commission at (612) 297-1200.

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.

Edward Garvey, Chair
Minnesota Public Utilities Commission

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies in multi-member state agencies will be published once a month on the Secretary of State's World Wide Web site at www.sos.state.mn.us, as provided in *Minnesota Statutes* 15.0597, subdivision 4. A copy of the monthly listing of vacancies and application form may be obtained from the Office of the Secretary of State, Election Division, 180 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1299; (612)297-5845, or in person at Room 174 of the State Office Building.

In accordance with the Minnesota Open Appointments Law, the Secretary of State acts as an administrator in publishing vacancies, receiving applications, and recording appointments. Applications will be reviewed and appointments made by the Appointing Authorities for these various agencies. Completed applications are to be submitted to the Secretary of State. The deadline date for applications will be indicated in the monthly listing of vacancies and on the Secretary of State's Web Site. Appointing Authorities for these agencies may also choose to review applications received by the Secretary of State after that date. Applications are kept on file for a one year period.

The Annual Compilation is available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the fiscal year. The Annual Compilation information is also available on the Secretary of State's Web Site.

To order copies of the Annual Compilation please call the Minnesota Bookstore at (612)297-3000 or 1-800-657-3757.

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 a Nonprofit Organization to Plan, Develop and Finance Early Childhood Education and Child Care Sites

The Department of Children, Families and Learning is announcing the availability of \$1 million over a two year period in state and federal funds to a nonprofit organization to plan, develop and finance early childhood education and child care sites. This project was authorized by the state legislature. The purpose of the grant is to encourage private investment in child care and early childhood education sites, to promote availability of quality, affordable child care throughout Minnesota, and to provide for cooperation between private nonprofit child care organizations, family child care, child care center providers and the department.

The nonprofit corporation must have demonstrated the ability to analyze financing projects, have knowledge of other sources of public and private financing for child care and early childhood education sites, and have a relationship with child care resource and referral programs.

The nonprofit organization that receives a grant shall use funds to: establish a revolving loan fund to make loans to existing, expanding, and new licensed and legal unlicensed child care and early childhood education sites; establish a fund to guarantee private loans to improve or construct a child care or early childhood education site; establish a fund to provide forgivable loans or grants to match all or part of a loan; and to establish a fund as a reserve against bad debt.

The nonprofit corporation will establish the terms and conditions for loans and loan guarantees including, but not limited to, interest rates, repayment agreements, private match requirements, and conditions for loan forgiveness. Up to five percent of the grant may be used by the nonprofit corporation to administer the loan program including costs associated with setting up an information system to administer child care and early childhood education facility loans.

Applications are due by 4:00 p.m. Monday, August 4, 1997. To receive a complete Request for Proposals that provides details on how to apply, please contact the Child Care Division, Department of Children, Families and Learning, 550 Cedar Street, St. Paul, Minnesota 55101- 2273, telephone (612) 297-2359.

Department of Children, Families and Learning

Notice of Grant Availability for Prevention and Intervention Funding

Approximately \$12 million in state and federal funds is available to public and private nonprofit Minnesota organizations for the following types of programs: community-focused crime prevention; youth-focused crime prevention, including youth mentoring; after-school enrichment; male responsibility and fathering; teen courts; violence prevention councils; MN Education Now and Babies Later; adolescent parenting; intervention services to victims of child abuse; law enforcement education partnerships.

Applications are due by 4:00 p.m. on Friday, August 15, 1997. To receive a complete Application Booklet that provides details on how to apply and forms, please contact: Prevention and Intervention Funding, Dept. of Children, Families and Learning, 550 Cedar Street, St. Paul, MN 55101-2273, telephone (800) 934-7113 or (612) 297-1419.

Notice of Availability of Grants for Innovative Criminal Justice Programs

The Office of Drug Policy and Violence Prevention announces the availability of \$1,000,000 to fund partnerships between the criminal justice system and communities so that identified problems are addressed in an innovative manner resulting in improved community safety. Eligible applicants are cities, counties or tribal governments as lead agencies with community representatives as partners. Up to \$25,000 is available for one year planning projects or \$50,000 to \$300,000 over two years is available for implementation projects. Hard cash match of 25% is required. It is anticipated projects will start January 1, 1998.

Applications are due by 4:00 p.m. on Friday, August 29, 1997. To receive the complete Request for Concept Papers that provides details on how to apply, please contact: Office of Drug Policy and Violence Prevention, Dept. of Children, Families and Learning, 550 Cedar Street, Suite 409, St. Paul, MN 55101-2273, telephone (612) 297-7311.

State Grants and Loans

Notice of Availability of Grants for Violence Prevention through the Development of Plays, Workshops, and Educational Resources

The Office of Drug Policy and Violence Prevention announces the availability of \$150,000 to fund statewide programs to create and develop theatrical plays, workshops and education resources based on peer education models that promote increased awareness and prevention of sexual abuse, interpersonal violence, emotional violence, and sexual harassment. Programs must use a combination of theater professionals and prevention specialists in the delivery of the service and use a peer education model that uses researched and proven content in training youth to perform in the plays and workshops. Programs must provide the source material, the training program, develop the educational materials, and provide technical assistance. Grants are for the period September 15, 1997 through June 30, 1999.

Applications are due by 4:00 p.m. on Friday, August 22, 1997. To request the complete Request for Proposals, please contact: Office of Drug Policy and Violence Prevention, Dept. of Children, Families and Learning, 550 Cedar Street, Suite 409, St. Paul, MN 55101-2273, telephone (612) 297-7311.

Department of Human Services

Deaf and Hard of Hearing Services Division

Grant Contract Available for Psychological and Social Assessments for Deaf, Hard of Hearing and Deafblind Children in Greater Minnesota

The State of Minnesota, Department of Human Services Deaf and Hard of Hearing Services Division is soliciting proposals from qualified organizations or individuals interested in providing individual psychological and social assessments, to deaf and hard of hearing and deafblind children and their family members. The goal of this project is to assure that deaf, hard of hearing and deafblind children (ages 0-21) and their families in Greater Minnesota have access to a team of qualified professionals trained in assessing deaf, hard of hearing and deafblind children in the areas of psychological and social assessments. Providers must be fluent in American Sign Language and demonstrate skills and abilities to provide consultation and training related to deafness and hearing loss. Applicants must demonstrate the ability to become significantly self supporting after the initial two years of state funding. The provider must have the ability to bill for medical insurance, medical assistance and other third party reimbursement to generate revenues. Services provided through this program must be provided in cooperation with the Department of Children, Families and Learning: Minnesota Resource Center Serving Deaf and Hard of Hearing; the St. Paul Ramsey Health and Wellness Program Serving Deaf and Hard of Hearing People; and Greater Minnesota Community Mental Health Centers.

Scope of the Project:

All Proposals must highlight measurable outcomes related to any or all of the following including: 1.) the development of a regional assessment team model 2.) collaborative plan coordinating services with the above named organizations, 3.) plan for outreach to and coordination of services with potential Great Minnesota referral sources with particular focus on education organizations; 4.) An evaluation and data collection plan that includes: a.) documentation of regional accessibility to qualified assessments, b.) documentation of number of assessments provided, c.) demographics of children and families served, services provided, d.) numbers and locations of consultations and training provided and, e.) documentation of client and referral source satisfaction regarding service accessibility and effectiveness. The State of Minnesota 1997 legislature allocated \$300,000 to fund this activity, \$150,000 per year for 1998 and 1999. The funded program(s) would begin on October 1, 1997 and would continue, based on funding and satisfactory performance, until June 30, 1999. For a copy of the full text of the Request For Proposal, including the application packet, contact:

Kathleen Jefferson, Program Planner
Department of Human Services
Deaf and Hard of Hearing Services Division
444 Lafayette Road
St. Paul, Minnesota 55155-3814
612/297-7696 (Voice)
612/297-1506 (TTY)

All proposals must be received not later than 4:30 p.m. Wednesday, August 6, 1997 as indicated by a notation made by the Receptionist, Metro Square Annex, 2nd Floor, 130 East Seventh Street, Saint Paul, Minnesota 55155-3814.

Department of Human Services

Telephone Assistance Program

Notice of Availability for Service Contracts to Assist Persons Without Telephones Who Meet Income Guidelines to Receive Voice Messaging Service

The Department of Human Services seeks qualified providers for two pilot projects to provide voice messaging services for individuals who do not have telephones and whose income is at or below 150 percent of current federal poverty guidelines. A qualified provider must be:

- a non-profit organization
- a community based organization
- a voice messaging provider
- able to determine program eligibility
- able to provide service in the metropolitan area and/or greater Minnesota

The Department will pay contracted providers up to \$2.00 per month per active voice messaging account. Total payments for the pilot projects shall not exceed \$50,000. Proposals must be submitted by 4:00 p.m. August 4, 1997.

For a detailed copy of the Request for Proposal contact:

Bruce H. Bentson, Administrator
Telephone Assistance Program
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3834
Phone 612-282-6047

Department of Human Services

Deaf and Hard of Hearing Services Division

Grant Contract Available for Training or Providing Assistance Dogs for Persons With Disabilities

The State of Minnesota, Department of Human Services Deaf and Hard of Hearing Services Division is soliciting proposals from qualified Minnesota nonprofit organizations interested in training or providing assistance dogs for persons with disabilities. The funded program(s) are anticipated to begin on October 1, 1997, and be completed by June 30, 1998. A total of \$50,000 is available for this project. Funding has been appropriated for Fiscal Year 1998, only.

All proposals must highlight *measurable outcomes* and *performance indicators* related to the following:

1. Develop and implement a training component for providing specialized training to a target number of service dogs to be placed with persons with disabilities.
2. Develop and implement a placement component for matching trained dogs with a target number of eligible persons with disabilities.
3. Identify eligibility parameters for consumers requesting assistance dogs.
4. Identify budget-based performance indicators correlating results with funding.
5. Develop and submit an evaluation tool measuring quarterly and end-of-the year outcomes.

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

For a full copy of the text of the Request for Proposals, including the application packet, contact:

Professional, Technical & Consulting Contracts

Amy McQuaid, Program Planner
Department of Human Services
Deaf and Hard of Hearing Services Division
444 Lafayette Road
St. Paul, Minnesota 55155-3814
612/296-8978 (voice)
612/297-1506 (TTY)

Proposals must be received by Monday, July 28, 1997 at 3:30 p.m. No late applications will be accepted. Anticipated award date for the contract(s) will be August 8, 1997.

Department of Public Safety

Minnesota Auto Theft Prevention Program

Grant Availability for Reduction of Motor Vehicle Theft

The Minnesota Auto Theft Prevention Program Board announces the availability of grant money to be used in the reduction of motor vehicle theft by funding programs which aid in the identification of critical issues, education and awareness and investigation and prosecution. Applications will be accepted from State, County, Local Police, Governmental Agencies, Prosecutors, Judiciary, Businesses, and Community and Neighborhood Organizations. The moneys granted must be dedicated to the area of auto theft. This is the second round of auto theft grants. These grant proposals will be due by December 31, 1997. Grant proposal forms and information may be obtained by contacting Dennis Roske at the Auto Theft Prevention Office at (612/405-6153 or 405-6155).

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].

Department of Administration

Division of State Building Construction

Notice of Requests for Professional Services of Architects, Engineers, Landscape Architects, Professional Testers and Programmers and Designers

1) Contracts Available for Architects, Engineers, and Landscape Architects

The Department of Administration (Admin) intends to retain the services of qualified professionally registered architects, engineers, and landscape architects to design, prepare construction drawings and monitor construction of a number of projects during the year commencing July 1, 1997. These projects will be varied in nature and scope and will involve new construction, remodeling projects and facility studies. The total cost of construction or remodeling projects will be less than \$750,000.00 and the fees associated with facility studies will be less than \$60,000.00. Particular emphasis will be placed on the background and experience of the firm on similar projects as well as the firm's geographic proximity to the project.

Firms wishing to be considered for these projects are asked to submit a short brochure or resume consisting of no more than 10 pages giving qualifications and experience of the firm. Qualified applicants will be contacted as the need arises and may be requested to appear in St. Paul for an interview.

In submitting their brochures or resumes, firms shall indicate the areas shown below in which they possess qualifications.

Professional, Technical & Consulting Contracts

- | | |
|------------------------------------|-------------------------------------|
| 1) Research and Planning | 11) Landscape and Site Planning |
| 2) Educational | 12) Interiors |
| 3) Health and Medical | 13) Water and Waste Facilities |
| 4) Correctional | 14) Energy Supply and Distribution |
| 5) Restoration | 15) Pollution Control |
| 6) Office and Administration | 16) Acoustics |
| 7) Recreational | 17) Hazardous Substance Disposition |
| 8) Service and Industrial | 18) Mechanical Engineering |
| 9) Arts, including Performing Arts | 19) Electrical Engineering |
| 10) Exhibition and Display | 20) Civil Engineering |

In some cases, Admin may enter into annual contracts for investigative studies. These contracts will be prepared on the basis of the needs of Admin.

The names of firms responding will be provided to other agencies of the State and political subdivisions thereof having a need for the services described herein.

Names of qualified firms will be retained on file with Admin until June 30, 1998.

Designers for projects with estimated costs or fees in excess of those shown above will be selected by the State Designer Selection Board. Projects referred to the Board will be advertised in the *State Register*.

Submit letter of interest and brochure by July 28, 1997 to: Division of State Building Construction, 50 Sherburne, Room G-10, St. Paul, MN 55155-3000, Attn: Lawrence Pepin. Questions will be answered by calling 612.296.4650

Department of Transportation

Engineering Services Division

Notice of Availability of Contract for Highway Related Technical Activity

Responses to this advertisement become public information under the Freedom of Information Act.

Note: Your proposal will not be considered if you have not met the affirmative action requirement at the time of the proposal submittal.

The Minnesota Department of Transportation (Mn/DOT) is soliciting the expressions of interest for Preliminary Design for the portion of TH 63 between TH 52 and a point 0.8 km south of 48th Street South in Rochester, Minnesota.

The project involves preliminary design, surveying, mapping, and other engineering related tasks. These tasks include all work leading up to and including the development of construction limits and an Approved Study Report for the proposed interchanges at 40th and 48th Streets South in Rochester, and modifications needed at Junction TH 52 and TH 63 to accommodate future traffic volumes.

It is anticipated that the contract period will begin October 1, 1997 and continue through October 1, 1999.

The expression of interest shall not exceed four (4) standard pages and shall contain the following information:

1. The key personnel to work on the project.
2. The % of time key personnel are available to work on the Mn/DOT Project.
3. The Consultant's background and experience completing similar projects.

Eight (8) copies of Expression of Interest shall be sent to:

Alex Chernyaev, P.E.
Agreements Administrator
Mail Stop 680, 7th Floor
395 John Ireland Boulevard
St. Paul, MN 55155

The Expression of Interest must be received at the above address no later than 2:00 P.M. Friday, July 25, 1997.

The short list of consultants selected to provide the technical proposal is anticipated to be completed by August 8, 1997.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

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

Metro Mobility Service Center

Notice of Public Sale of Para-Transit Buses—Metro Mobility Fleet Vehicles

The Metro Mobility Service Center, a division of the Metropolitan Council, St. Paul, Minnesota, will accept sealed bids on their fleet of para-transit buses that will be retired on July 1, 1997.

A bidder's packet containing vehicle information such as make, model, mileage, vehicle number and bidder's instructions, is available by calling 612-602-1032 or by writing to the Purchasing Department, Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101. Fax requests will also be accepted at 612-602-1083.

Sealed bids are due at the above address no later than 4:00 P.M., August 1, 1997. A cashier's check in the full amount of the offering must be included with the bid.

The vehicles are available for viewing at Hoglund Bus Company in Monticello, Minnesota, from July 24 through July 26, 1997, between 9:00 A.M. and 3:00 P.M.

The Metropolitan Council reserves the right to reject any and all bids.

Minnesota Historical Society

Notice of Request for Proposals for Historical Research: The Ft. Snelling Community in 1838

The Minnesota Historical Society is seeking proposals from qualified research historians to research and prepare a report on the cultural and environmental history of Historic Fort Snelling in St. Paul, Minnesota. The report must be submitted in final form no later than May 30, 1998.

The goals of the Society for this project include an emphasis of people over buildings and other material culture during the research phase. This new research should allow interpreters to give life to individual people rather than to present generic examples of the non-officers.

The Requests for Proposals 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.

Proposals must be received not later than 2:00 p.m., July 21, 1997.

Details concerning submission requirements are included in the Request for Proposals.