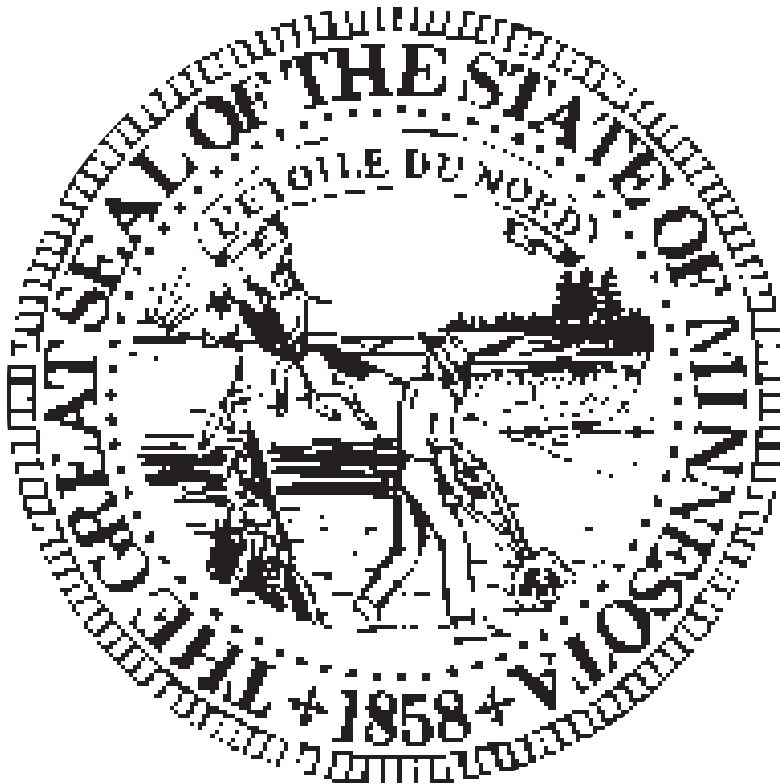


The Minnesota

# State Register

**Rules and Official Notices Edition**



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# 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<br>Issue<br>Number | PUBLISH<br>DATE    | Deadline for both<br>Adopted and Proposed<br>RULES | Deadline for: Emergency Rules, Executive and<br>Commissioner's Orders, Revenue and Official Notices,<br>State Grants, Professional-Technical-Consulting<br>Contracts, Non-State Bids and Public Contracts |
|----------------------------|--------------------|--|---|
| # 19                       | Monday 10 November | Monday 27 October                                  | Friday 31 October   |
| # 20                       | Monday 17 November | Friday 31 October                                  | Monday 10 November  |
| # 21                       | Monday 24 November | Monday 10 November                                 | Monday 17 November  |
| # 22                       | Monday 1 December  | Monday 17 November                                 | Friday 21 November  |

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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:

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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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## 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.

## Department of Public Safety

### Private Detective and Protective Agent Services Board

#### Adopted Permanent Rules Relating to Private Detectives and Protective Agents

The rules proposed and published at *State Register*, Volume 21, Number 40, pages 1400-1405, March 31, 1997 (21 SR 1400), are adopted with the following modifications:

#### 7506.0100 DEFINITIONS.

Subp. 3b. **Continuing education.** ~~“Continuing education” means mandatory board-certified training directly related to the field of private detective/investigator or protective agent, in which armed licensees and employees must:~~

~~A. complete an additional six hours annually of training in the weapons used in the course of employment, including annual certification on the firing range for those who carry a firearm;~~

~~B. complete an American Medical Association-certified first aid training course; and~~

~~C. provide the board annually with evidence of continuous certification in cardiopulmonary resuscitation (CPR) and first aid.~~

Subp. 3c. **In-house training.** ~~“In-house training” means training sponsored by a license holder for members or employees of the holder’s company.~~

#### 7506.2200 BOARD CERTIFICATION OF TRAINING PROGRAMS.

Subpart 1. **Contents of application.** A person, business, or school desiring board certification of a training program shall submit an application to the board at least ~~90~~ 60 days before commencing the training program. The application for board certification of a training program must be on a form provided or approved by the board and must include:

B. a description of the course work that the program will offer, with satisfactory proof that the program:

(1) will offer courses meeting the prescribed ~~training objectives approved by the board~~ minimum requirements as outlined in part 7506.2300, subpart 1, items A to G; and

Subp. 4. **Periodic review of certification.** Board certification is subject to periodic review by the board or the executive director. A renewal application or reaffirmation of original information is required every two years. Certified training programs must be open for audit or on-site inspection by the board or its staff, at the discretion of the board.

#### 7506.2300 MINIMUM REQUIREMENTS FOR BOARD-CERTIFIED TRAINING PROGRAMS.

Subpart 1. **Subject areas.** Consistent with the ~~training objectives approved by the board~~ minimum requirements in the following subject areas, the training for armed private detectives and armed protective agents must minimally include training in the areas listed in items A to G:

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

## Adopted Rules

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A. firearms training ~~for armed employees~~, including training in the legal limitations on the justifiable use of force and deadly force as specified in *Minnesota Statutes*, sections 609.06 and 609.065. No license holder, qualified representative, Minnesota manager, partner, or employee may carry or use a weapon while carrying out licensable duties without having successfully completed board-certified training;

B. training in the use of weapons other than firearms; ~~including at a minimum those weapons listed in~~ (see *Minnesota Statutes*, section 326.3361, subdivision 1, clause (2));

G. continuing training for license holders and employees.

Training for unarmed employees must minimally include training in the areas listed in items F and G.

~~Subp. 2. **Training objectives.** Periodically, the board may issue or amend specific learning objectives applicable to the content of the private detective and protective agent training as outlined in subpart 1. These revisions must be incorporated into any certified training program.~~

~~Subp. 3. **Records.** Certified training programs shall maintain the following records for a minimum of three years:~~

~~Subp. 4. **3. Minimum requirements.** Certified training programs must comply with subpart 1 and, upon request, furnish reasonable and necessary proof to the board to verify that compliance. All records listed in subpart 3 must be submitted to the board annually. Certified training programs shall file with the board all additional information that the board requires and cooperate with any board investigation relative to its certification status. Nothing in parts 7506.2100 to 7506.2900 precludes any certified training program from offering training that goes beyond the minimum requirements of subpart 1. To be certified, in-house training must:~~

~~A. make at least 25 percent of the space available to participants who are not members or employees of the company; and~~

~~B. advertise to persons outside the company to ensure a reasonable opportunity to attend the training; in addition to the regular certification requirements.~~

~~The price charged per person for the participants outside the company must bear a reasonable relationship to the cost per person per course.~~

~~Subp. 5. **4. Firearms instructors.** Firearms instructors must be currently certified as a law enforcement or private security firearms instructor by the Federal Bureau of Investigation a governmental agency, the National Rifle Association, or other nationally recognized certifying organization approved by the board.~~

~~Subp. 6. **5. First aid.** First aid instructors must have completed certified training certified by the American Medical Association.~~

### **7506.2500 REVOCATION OR SUSPENSION OF CERTIFICATION STATUS.**

~~Subp. 3. **Grounds for revocation or suspension of certification.** The board may suspend or revoke the certification status of a training program for good cause and upon written notification. The notification must contain the reasons for suspension or revocation. These reasons may include:~~

~~A. using curricula that fails to comply with board-approved learning objectives the minimum requirements as outlined in part 7506.2300, subpart 1, items A to G;~~

### **7506.2700 CONTINUING EDUCATION REQUIREMENTS.**

~~Subpart 1. **License renewal.** Each private detective and protective agent~~ Every employee, as well as license holders, qualified representatives, Minnesota managers, or partners, shall complete six hours of training in board-certified continuing training programs annually. In addition, armed license holders and employees must complete an additional six hours of training in the weapons used in the course of their employment. At the time of license renewal, license holders shall submit to the board an affidavit listing all employees and attesting to the fact that they have met all training requirements. A private detective or protective agent license must not be renewed without written proof that all employees have met all training requirements.

~~Subp. 2. **Continuing education.** Continuing training must pertain to board-approved subject areas and learning objectives and to licensed private detective or protective agent work to the satisfaction of the board.~~ education for all license holders and employees means mandatory, board-certified training directly related to the field of private detective/investigator or protective agent. Armed license holders and employees must:

A. complete an additional six hours of training annually in the weapons used in the course of employment, including annual certification on the firing range for those who carry a firearm;

B. complete an approved first aid training course; and

C. provide the board with evidence of certification in cardiopulmonary resuscitation (CPR) and first aid.

## Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* §§ 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

## Minnesota State Retirement System

### Adopted Permanent Exempt Rules Relating to the Minnesota State Retirement System; Deferred Compensation Plan

#### 7905.0100 DEFINITIONS.

[For text of subs 1 to 6, see M.R.]

Subp. 7. **Deferred compensation account.** “Deferred compensation account” means the account established for the investment of deferred compensation. It includes the supplemental investment account and ~~the any~~ fixed and variable ~~annuity account product~~ approved by the board.

[For text of subs 8 to 22, see M.R.]

#### 7905.0300 PURPOSE OF PLAN.

The purpose of the plan is to allow employees to designate a portion of their compensation to be withheld each pay period by the employer and invested at the discretion of ~~and in a manner approved by the board of directors for the employer~~ the employee until separation from service, financial hardship, or death of the employee. Any compensation deferred by employees may be invested by the board of directors; ~~for the employer; but there is no requirement for the board of directors or employer to do so.~~ Participation in the plan shall not be construed to establish or create an employment contract between the employee and the employer.

#### 7905.0600 ADMINISTRATION OF PLAN.

The board of directors has the full power and authority to administer the plan and promulgate, adopt, amend, or revoke internal management procedures which are consistent with, and necessary, to implement and maintain; the plan.

#### 7905.1200 MAXIMUM DEFERRAL.

The total amount of deferred compensation during any taxable year shall not exceed the applicable limits established under section 457 of the *Internal Revenue Code*.

#### 7905.1600 DEFERRAL ADJUSTMENTS.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Maximum deduction.** The employer shall attempt to ensure compliance with the maximum deferral in part 7905.1200. If the amount deducted exceeds the maximum deferral in part 7905.1200, the amount of subsequent deductions for the remainder of the taxable year shall be adjusted to conform to the maximum deferral allowed for the year. If it is not possible to correct the total deduction by year end, the overage shall be refunded to the employer. A participant is responsible for any tax consequences to the participant that may arise as a result of the participant's deferrals under the plan that exceed the maximum amounts allowable.

**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.

## Exempt Rules

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### 7905.1700 DEFERRED COMPENSATION ACCOUNTS AND VALUATION.

Subpart 1. **Participants' accounts.** An investment account shall be established for each participant which shall be the basis for any distributions payable to the participants under parts 7905.2000 to 7905.2400. Each participant's account shall be credited with the amount of any compensation deferred and received, and shall be further credited or debited, as applicable, with any increase or decrease resulting from investments under part 7905.1900, credited or debited with any investment expenses, if applicable, debited for the amount of any distribution, and credited initially with the value, on December 19, 1983, of any bookkeeping account maintained under the prior plan. All amounts in a participant's account are held in trust for the exclusive benefit of the participant.

Subp. 2. **Financial responsibility of employer.** The funds and assets paid into the deferred compensation account may be invested in approved investments as provided by *Minnesota Statutes*, section 352.96, subdivision 2, until distributed according to parts 7905.2000 to 7905.2400.

The employer, board, or board of directors shall not be responsible for any loss due to the investment or failure of investment of funds and assets in the deferred compensation account, nor shall the employer, board, or board of directors be required to replace any loss which may result from the investments.

Subp. 3. **Account and fund valuation.** The supplemental investment account is to be valued by the board as of each accounting date according to *Minnesota Statutes*, section 11A.17. Any withdrawals or distributions shall be based upon the account's value as of the accounting date, except if withdrawn under part 7905.2300, subpart 3.

The fixed and variable annuity account is to be valued at current market value as of each accounting date on a reasonable and consistent basis and according to the terms of the contract as approved by the board under *Minnesota Statutes*, section 352.96.

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

### 7905.1800 ~~UNSECURED GENERAL CREDITOR PROTECTION OF ASSETS.~~

~~Title to and beneficial ownership of any assets, whether in cash or investment which the employer may earmark to pay or measure any deferred compensation under this chapter, shall at all times remain as a part of the general assets of the employer. The participant and the participant's beneficiary shall not have any property interest in any specific asset of the employer on account of the participant's election to defer any compensation under the plan. To the extent that any person acquires a right to receive payments from the employer under the terms of the plan, the right shall be no greater than the right of any unsecured general creditor of the employer. All amounts contributed to the plan and all earnings on those amounts will be held for the exclusive benefit of the plan participants and beneficiaries. These amounts are not subject to the claims of the employer's general creditors and are held in trust, in custodial accounts, qualifying annuity contracts, or other investment accounts authorized by federal law.~~

### 7905.1900 INVESTMENT OF FUNDS.

Subpart 1. **Investment allowed.** Any compensation deferred by employees may be invested by the director for the employer, ~~but there is no requirement to do so participant.~~

Subp. 2. **Investment options.** The participant may select an investment preference from among the options provided in the deferred compensation account.

The supplemental investment account shall provide the options available under *Minnesota Statutes*, chapter 11A.

The fixed or variable annuity account shall provide the options of a fixed annuity or a variable annuity as provided in the contract approved by the board under *Minnesota Statutes*, section 352.96.

A participant may select a combination of ~~these five the~~ investment account preferences by specifying on the application the amount to be deferred under each investment preference. The amount to be deferred cannot be less than \$10 per pay period per product provider.

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

### 7905.2100 METHODS OF DISTRIBUTION.

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

Subp. 2. **Supplemental investment account.** A participant in the supplemental investment account will have deferred compensation distributed over a period of 60 months, unless the participant elects to have distribution made in one of the following methods:

[For text of items A and B, see M.R.]

C. for distribution beginning before the death of the participant, in monthly installments over a period of months specified by the participant; provided, however, that the amounts payable to the participant will be paid at times that are not later than the time determined under section 401(a)(9)(G) of the *Internal Revenue Code* relating to incidental death benefits as prescribed by the federal tax regulations. Any amount not distributed to the participant during the participant's lifetime will continue to the beneficiary at least as rapidly as was made to the participant before death.



The monthly installment payment from the supplemental investment account shall be specified by the participant as long as it conforms to the minimum distribution requirements as specified in the *Internal Revenue Code*, or shall be determined by dividing the number of shares held by the months to be paid according to the withdrawal period selected. If the computation results in a monthly payment of less than \$100, the number of shares that equal approximately \$100 shall be determined and shall be redeemed and distributed to the employee or beneficiary each month until the deferred compensation is depleted in its entirety. ~~If the deferred compensation has been invested in shares of more than one investment account, shares will be redeemed in whole units proportionately to the extent possible. Money market and fixed interest account investment payments shall also include payment of annual interest on the invested balance.~~ If the value of the participant's account is \$1,000 or less, distribution shall be made in a lump sum.

If an acceptable application for a lump sum withdrawal and the information necessary to process the withdrawal is received in the office of the system prior to the end of any month, the lump sum payment should be processed within the first ten working days of the following month. If not processed within ten working days, the participant will be paid interest at the rate set by the commissioner of revenue in accordance with *Minnesota Statutes*, section 270.75, subdivision 5. Interest will be calculated from the day after the tenth working day to the date payment is processed.

Subp. 3. **Fixed or variable annuity account.** A participant in the fixed or variable annuity account will have deferred compensation distributed in the form of an annuity or systematic withdrawal payments unless, before distribution, the participant elects a lump sum distribution. The annuity or systematic withdrawal payments shall be based on one of the following methods, as selected by the participant:

- A. the life of the participant;
- B. the joint lifetime of the participant and spouse; or

C. a period certain in which the amounts payable to the participant will be paid at times not later than the time determined under section 401(a)(9)(G) of the *Internal Revenue Code* relating to incidental death benefits as prescribed by the federal tax regulations. Any amount not distributed to the participant during the participant's lifetime will continue to the beneficiary at least as rapidly as was made to the participant before death.

If no election is made, the participant's deferred compensation will be paid on the basis of a five-year period certain annuity.

Notwithstanding any other rule to the contrary, if a fixed or variable annuity account is equal to or less than \$1,000, the account shall be distributed in a lump sum within 60 days following the close of the taxable year during which the distribution event occurs.

Once payments have begun on an annuity or systematic withdrawal basis, any future payments to a beneficiary will depend on the terms of the annuity or systematic withdrawal payments agreed to by the participant and the employer. If a participant dies before the end of a period certain, any remaining distributions will be paid to the beneficiary determined under part 7905.2500. If annuity payments have begun on a joint and last survivor basis, any payments due after the death of the participant will be due only to the other person on which the annuity payments have been based and not any other beneficiary.

~~If, in fact, an annuity contract is purchased, the owner and named beneficiary shall be the employer. Any rights of participants or beneficiaries are derived solely from the plan.~~

#### **7905.2200 DATE OF DISTRIBUTION.**

Subpart 1. **Election in general.** A participant may irrevocably elect, on a form approved by the director to defer payment of some or all of the amounts to a fixed or determinable future time, subject to subparts 2 to ~~6~~ 7.

Subp. 2. **Electing distribution date.** A participant may designate a distribution date in accordance with section 457 of the *Internal Revenue Code*.

A participant who has elected to defer benefits under subpart 1 may, subsequent to the initial election, and prior to the commencement of benefits, elect to further defer payment of benefits to a later date as allowed by the plan. A participant is only permitted to make one such election.

Subp. 3. **Death of participant.** If a participant dies before the distribution date or date of separation from service, the death will be treated as an event of distribution. If the beneficiary is the participant's surviving spouse, the beneficiary shall have the right to elect the method and time of distribution as if the beneficiary was the participant. The distribution to the surviving spouse cannot exceed the life expectancy of the surviving spouse. If the beneficiary is other than the surviving spouse, payments to the beneficiary must be distributed ~~over a period not to exceed 180 months from the date of death~~ according to the *Internal Revenue Code* minimum distribution requirements.

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

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| <p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p> |
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## Exempt Rules

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Subp. 5. **When distribution begins.** Distribution may not begin before separation from service or death, except for unforeseeable emergency distributions as provided in part 7905.2300 or as listed in subpart 7.

[For text of subp 6, see M.R.]

Subp. 7. **Distribution election.** If, prior to separation from service, the value of a participant's benefits under the plan does not exceed \$3,500, the participant may elect at any time to receive the value in a lump sum if:

A. the participant has not deferred any compensation under the plan during the two-year period ending on the date of distribution; and

B. the participant has not previously received a distribution under this subpart.

### **7905.2300 UNFORESEEABLE EMERGENCY.**

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

Subp. 2. **Showing of an emergency.** Any participant desiring a distribution by reason of an unforeseeable emergency must demonstrate that the circumstances being experienced were not under the participant's control and constitute a real emergency that is likely to cause the participant great financial hardship and qualifies under section 457 of the *Internal Revenue Code*. The ~~employer or director acting for the employer~~ shall have the authority to require medical or other evidence as may be needed to determine the necessity for the participant's withdrawal request.

Subp. 3. **Amount and method of distribution.** The distribution shall be limited to an amount sufficient only to meet the emergency and shall not exceed the amount of the deferred compensation account.

The allowed distribution shall be payable by a method determined by ~~the employer or the director acting for the employer~~ and begin as soon as possible after notice to the participant of approval. An approved unforeseeable emergency payment from the supplemental investment account may be based on the values determined on the prior month's accounting date only in the case of an extreme financial emergency at the discretion of the director, and only if the application is received by the 20th of the month.

### **7905.2400 DESIGNATION OF BENEFICIARY.**

A participant may designate a beneficiary or beneficiaries to receive payment of the participant's deferred compensation in the event of the participant's death. If the designated beneficiary predeceases the employee and a new beneficiary has not been named or the designated beneficiary dies before receiving payment, a lump sum payment shall be made to the surviving spouse or, if none, to the participant's estate. The beneficiary designation shall be in writing and must be filed with the director or company approved by the board under *Minnesota Statutes*, section 352.96, subdivision 2, as the case may be, before the death of the participant. If no designation of beneficiary is filed with the director, the beneficiary shall be the surviving spouse, or if none, a lump sum payment shall be made to the participant's estate.

### **7905.2600 NONASSIGNABILITY OF CONTRACT.**

The contract entered into between the employer and a participant through the plan and the benefits, proceeds, or payments under the plan cannot be sold, assigned, pledged, commuted, transferred, or otherwise conveyed by an employee, participant, or beneficiary. An attempt to assign or transfer shall not be recognized and shall impose no liability on the employer.

Except as otherwise required by law, deferred compensation money withheld under the plan shall not be subject to attachment, garnishment, or execution, or to transfer by operation of law in the event of bankruptcy or insolvency of the participant ~~or otherwise, the employer, or the state.~~

### **7905.2900 AMENDMENT OF PLAN.**

The board of directors ~~acting for the employer~~ shall have the authority to propose amendments to the plan consistent with *Minnesota Statutes*, section 352.96.

### **7905.3000 PRIOR PLAN.**

The plan constitutes a continuation of the Minnesota deferred compensation plan approved by the attorney general and filed with the secretary of state and the commissioner of administration, November 24, 1975. All participants and any compensation deferred under the prior plan are, after January 1, 1981, governed by the terms of the plan subject to items A to ~~D~~ C.

A. All deferrals elected under the prior plan shall continue without further action as long as they do not exceed the limits in part 7905.1200.

B. Any investment requests made under the prior plan shall continue to apply to any deferrals made under the plan according to part 7905.1900.

C. Any election of the method of distribution of benefits made under the prior plan shall be void, and a participant or beneficiary may elect the form of distribution according to parts 7905.2100 and 7905.2200.

~~D. The revised plan is effective September 1, 1994.~~

## Department of Labor and Industry

### Occupational Safety and Health Division

#### Proposed Revisions to the Occupational Safety and Health Standards and Request for Comments

##### Correction:

The Monday, November 3 issue of the *State Register*, Vol. 22, Number 18, pg. 687, contained an error in the Proposal Notice for the Department of Labor and Industry, Proposed Exempt Rules Relating to Occupational Safety and Health; Adoption of Federal Standards by Reference, Technical Changes. In paragraph number three of the notice, it was stated that 100 or more persons must submit written requests for a public hearing. The number should be 25.

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## Official Notices

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

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

## Minnesota Comprehensive Health Association

### Notice of Meeting of Executive Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Executive Committee will be held on Tuesday, November 18, 1997, at Allina Health System, conference room #300, 5601 Smetana Drive, Minnetonka, MN, at 9:00 a.m.

For additional information, please call Lynn Gruber at (612) 593-9609.

## Minnesota Comprehensive Health Association

### Notice of Meeting of the Legislative and Public Policy Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Legislative Committee will be held at 2:00 p.m. on Wednesday, November 19, 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 Correction to Prevailing Wage Rates

Highway and Heavy Prevailing Wage Rates Certified 10/13/97 have been adjusted for specific classes of labor due to errors in calculation for the following Region:

**Region 10:** (Laborer Classes for Codes 101, 102, 104, and 107)

Copies of the corrected certification may be obtained by contacting the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or calling (612) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and 50 cents for each additional page. Make check or money order payable to the State of Minnesota.

Gary W. Bastian  
Commissioner

## Official Notices

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### Board of Medical Practice

#### Request for Comments on Planned Amendment of Fee Rules Governing Respiratory Care Practitioner Fees, *Minnesota Rules*, 5600.2500

**Subject of Rules.** The Minnesota Board of Medical Practice, hereinafter "Board," requests comments on its planned amendment to fee rules governing Respiratory Care Practitioners. The Board is authorized by *Minnesota Statute*, Chapter 147C (1997), to regulate respiratory care practitioners and the Board will seek to increase application, renewal, and late fees. Under *Minnesota Statute*, 147C.40 (1997), the Board is required to establish inactive status, temporary permit and temporary registration fees.

**Persons Affected.** The amendment of the rules would likely affect respiratory care practitioners registered by the Board and their employers.

**Statutory Authority.** *Minnesota Statute*, 147C.40 (1997), authorizes and requires the Board to adopt fee rules governing the administration of respiratory care practitioners.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing or orally, until 4:30 p.m. on January, 12, 1998. The Board does contemplate using the Board's Respiratory Care Practitioner Advisory Council as an advisory committee to comment on the planned rules.

**Rules Drafts.** The Board has not yet prepared a draft of the planned fee rule amendments.

**Agency Contact Person.** Written or oral 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: William Marczewski, Suite 400, 2829 University Avenue SE, Minneapolis, MN 55414-3246, (612) 617-2152. TTY users may call the Board 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: 27 October 1997

Robert Leach, Executive Director  
Minnesota Board of Medical Practice

## Metropolitan Council

### Public Hearing on 1998 Work Program and Budget, 1998-2002 Capital Improvement Program and 1998 Capital Budget

The Metropolitan Council will hold public hearing on the Council's proposed 1998 capital budget. These hearings will be as follows:

- **Metropolitan Council 1998 Work Program and Budget Hearing**  
6 p.m., Thursday, December 4, 1997  
Metropolitan Council Chambers  
Mears Park Centre  
230 E. Fifth Street  
St. Paul, MN
- **Metropolitan Council 1998-2002 Capital Improvement Program and 1998 Capital Budget Hearing**  
6:30 p.m., Thursday, December 4, 1997  
Metropolitan Council Chambers  
Mears Park Centre  
230 E. Fifth Street  
St. Paul, MN

All interested persons are encouraged to attend the hearings and offer comments. People may register in advance to speak by calling 602-1390 or 291-0904 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities.

Comments may also be submitted as follows:

- Send written comments to: Richard Johnson, Associate Regional Administrator, Metropolitan Council, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101.
- Fax comments to Mr. Johnson at 602-1358.
- Record comments on the Council's Public Comment Line: 602-1500.
- Send comments electronically to: data.center@metc.state.mn.us

**Comments must be received by Noon, December 18, 1997.**

Free copies of the public hearing draft of the Council's proposed 1998 work program and budget, 1998-2002 capital improvement program and 1998 capital budget may be obtained from the Council's Data Center by calling 602-1140 or 291-0904 (TTY).

- These hearings are in addition to a December 1, 1997 Truth-in-Taxation hearing scheduled for the Metropolitan Council and Metropolitan Mosquito Control Commission.

## Minnesota Historical Society

### Notice of State Review Board Regular Meeting

A meeting of the State Review Board of the Minnesota Historical Society to consider nominations to the National Register of Historic Places will be held on Thursday, November 20, 1997, in the Minnesota Historical Society History Center, Cargill Commons, MacMillan Education Wing, St. Paul, Minnesota. The State Review Board will meet at 7:00 p.m. for an informational presentation on program activities made by the Preservation Office staff. The meeting will be called to order and consideration of the meeting's agenda will begin at 7:30 p.m. A sign language interpreter is available with one weeks notice, and auxiliary aids are available with two weeks notice. Call 612/296-5434, or TTY 800-627-3529. For further information contact the State Historic Preservation Office, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, (612) 296-5434.

## Pollution Control Agency

### Water Quality/Point Source

### Public Notice for the National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) Permit Program on a Draft NPDES and SDS General Permit to Discharge Treated Wastewater from a Stabilization Pond Facility

The MPCA proposes to issue a general permit covering stabilization pond facilities that discharge treated wastewater to surface waters of the state and meet the applicability criteria outlined in the draft permit. The general permit has a duration of approximately five years.

This permit regulates the surface water discharge resulting from wastewater stabilization ponds being operated in the state. A general permit will only be issued in cases where:

- a) the discharge consists of treated wastewater being discharged from wastewater stabilization ponds to surface waters of the state;
- b) the discharge is less than 1.0 MGD;
- c) the discharge is not to an outstanding resource value water (ORVW) or designated trout waters;
- d) the discharge of treated wastewater will not have a significant impact on water quality;
- e) the discharge does not contain a contaminant not specifically limited in the permit; and
- f) the discharge will not violate water quality standards contained in *Minnesota Rules* ch. 7050, or air emissions of toxic pollutants contained in *Minnesota Statute* 116.081, subd. 4.A.

## Official Notices

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This general permit establishes effluent limitations, monitoring requirements, and other conditions on facilities which discharge treated stabilization pond effluent. The Commissioner's determination that the general permit should be issued is tentative. Interested persons are invited to submit written comments on the proposed permit action. The public comment period commences November 10, 1997 and terminates December 12, 1997. Comments should be submitted in writing to: Kelly Garvey, Point Source Compliance Section, Water Quality Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194. Any comments received during the comment period will be considered in the final determinations for the general permit.

If you would like to receive a copy of the draft general permit, fact sheet, or public notice please contact Gen Swenson at (612) 296-7379.

## Public Employees Retirement Association (PERA)

### Notice of Meetings of Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, November 13, 1997 at 9:30 a.m. in the offices of the association, 514 Saint Peter Street, Suite 200, Saint Paul, Minnesota.

A meeting of the Legislative Committee of the Board of Trustees will be held on Wednesday, November 12, 1997 at 1:30 p.m. in the offices of the association.

## U.S. Department of Agriculture

### Natural Resources Conservation Service

### Revision and Combining of Conservation Practice Standards 425 (Waste Storage Pond) and 313 (Waste Storage Structure) into 313 (Waste Storage Facility)

**NOTICE IS HEREBY GIVEN** that the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture (USDA) is revising the contents of its Minnesota Conservation Practice Standards for Waste Storage Pond and Waste Storage Structure and is combining them into a new practice standard titled "Waste Storage Facility."

The NRCS is now seeking comments on the proposed revisions. The revisions may be modified according to the comments submitted.

Please direct comments, questions, or requests for copies of the proposed revisions to:

Scott Swanberg  
USDA-Natural Resources Conservation Service  
375 Jackson Street, Suite 600  
St. Paul, Minnesota 55101-1854  
Telephone: 612/602-7877, FAX 612/602-7914

Comments will be accepted until December 10, 1997.

Scott Swanberg  
Civil Engineer

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.

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## Amateur Sports Commission

### Notice of Request for Proposals for Mighty Kids Youth Sports Grant Program RFP

#### 1. Background

The state of Minnesota, acting through its agency, the Minnesota Amateur Sports Commission (MASC), is seeking interested applicants for a youth sports and recreation grant program. The 1997 Minnesota Legislature has appropriated \$800,000 for a grant program to be administered by the MASC. The grant program will promote before school, after school, and summer recreational youth sport activities. Grant recipients must have at least one local partner who is a political subdivision of the state of Minnesota. All grant applications will be reviewed by the MASC and awards will be made by the MASC Board of Directors.

#### 2. Purpose

The purpose of this grant is to assist Minnesota communities in the start-up of programming or the expansion of existing youth sports, recreational, and other leisure activities. Programs should provide youth sport activities for the entire community and emphasize access for under-served, low-income, or at-risk youth. Grants are not intended to fund Minnesota State High School League sports or activities. Proposals must contain a plan to ensure equal access for youth of each gender.

#### 3. Objectives

This funding is provided to increase the involvement of at-risk youth in before-school, after-school, and summer programming through partnerships that effectively utilize and build on existing community resources. Each applicant should address barriers to participation by youth, such as transportation issues and program fees. Programs should focus on one or more of the following goals:

- A. Increasing the number of youth participating in programming;
- B. Increasing the athletic skills of youth participating in programming;
- C. Direct or indirect impact on academic achievement and school attendance;
- D. Direct or indirect impact on social skills of youth participating in programming;
- E. Direct or indirect impact on juvenile crime rate in local community;
- F. Encourage communities and organizations to work in partnership to develop effective youth sports programming.

#### 4. Eligibility

The applicant must be a political subdivision of the State of Minnesota. State agencies, counties, cities, school boards, or a combination of any of the above may apply. Non-profit groups may apply via the appropriate political subdivision.

#### 5. Grant Amounts

Grant awards will range in size from approximately \$500 to \$20,000. Matching funds from non-state sources will be required for all grant awards greater than \$2,500. Grant requests between \$2,501 and \$5,000 will be required to provide additional funds from non-state sources of at least one half of the grant amount. Grant requests between \$5,001 and \$20,000 will be required to provide a dollar for dollar match from non-state sources. Matching funds may consist of the actual dollar amount or the current market value of in-kind capital contributions. In kind contributions must be for budgeted items essential to the fulfillment of the program.

| <i>Grant Request</i>      | <i>Match Requirement</i> |
|---------------------------|--------------------------|
| <i>\$500 - \$2,500</i>    | <i>No Match</i>          |
| <i>\$2,501 - \$5,000</i>  | <i>.5:1 Match</i>        |
| <i>\$5,001 - \$20,000</i> | <i>1:1 Match</i>         |

## State Grants & Loans

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### 6. Grant Use

Grant awards may be used for developing a new youth sports program or expanding an existing program. Funds may be used for any of the following:

- A. Supervision or Coaching
- B. Instructional or Marketing Materials
- C. Membership or Participation Fees
- D. Sport or Recreational Equipment
- E. Facility Rental
- F. Facility Upgrade
- G. Transportation

### 7. Agency Contact

Prospective applicants who have questions regarding this RFP may call or write:

Chris Heineman  
Minnesota Amateur Sports Commission  
1700 - 105th Avenue NE  
Blaine, MN 55449-4500  
Phone: (612) 785-3679 Fax: (612) 785-5699

Other department personnel are not allowed to discuss the Request For Proposal with anyone, including responders, before the proposal submission deadline.

### 8. Deadline

All proposals must be received by the MASC at the address listed above no later than Wednesday, December 31, 1997. Responders must submit (3) copies of their proposal for agency review. Proposals will be reviewed by the MASC and grant awards will be announced on January 26, 1998. Grant funds will be available to award recipients upon completion of a State of Minnesota Grant Agreement.

### 9. Content

Applications must contain the following elements, as per MASC agency application instructions (Complete items A through H). Applications should total 10 or fewer pages and be stapled in the upper left-hand corner. No tapes, videos, brochures, pamphlets, annual reports, or letters of support should be sent. If any information other than the application is sent, it will be discarded. The MASC reserves the right to amend or adopt additional criteria at any point throughout the application process.

- A. Application Cover Sheet - Fill in all of the blanks. The local government unit is the legal applicant responsible for program administration. The primary contact person is the individual who will have direct responsibility for the day-to-day activities of the program and to whom inquiries can be directed. In the summary area, briefly describe the purpose of the program, services, duration, location, and population you intend to serve. This summary may be used in news releases and other written materials describing grant recipients.
- B. Resolution of Local Applicant - Follow sample provided. The local government applicant is required to execute a resolution which authorizes filing of the application and execution of final agreements with the Minnesota Amateur Sports Commission (MASC). All portions must be followed exactly as shown in the sample. Please submit three original signed copies of the executed resolution with your proposal.
- C. Agreements and Arrangements - Include a copy of any legal agreements or arrangements with other organizations or governmental agencies involved with the program. Example: a joint powers agreement between a governmental entity and a non-profit for facility use, transportation issues, or operational responsibilities. Please submit three original signed copies with your proposal.
- D. Community / Organization Overview - In one page or less, provide background information about your community and organization. Describe the communities resources and needs as they relate to the proposed program.
- E. Program Overview - In one page or less, describe the program you propose to implement and demonstrate the need for this program. Describe the services you provide (or intend to provide) and the population you will serve. Identify the sites where programs will take place and the reason for choosing those sites.
- F. Program Objectives - In one page or less, identify and rank the key objectives you hope to accomplish as you implement this program. For each objective, list the key strategies necessary to make the objective happen.



- G. Program Responsibilities - In one page or less, describe how the program will be staffed. Will you be using volunteers or paid staff? If you are using volunteers, how will you recruit and support them? Also identify by name or staff title the individual(s) responsible for each aspect of the proposed program.
- H. Program Budget - Complete a detailed line item budget showing how the requested Mighty Kids grant funds will support the proposed program. Please provide a full description of each item you include and an overview of the total estimated budget for the first year of the proposed program.
1. Salary and Fringe: For staff supported by this grant request. List each position, salary, and percentage of time committed to proposed program.
  2. Equipment: List non-expendable items to be purchased. Equipment should have a useful life of at least two years.
  3. Supplies: Include office and program supplies, training materials, curriculum, and expendable equipment such as books and software.
  4. Facility Rental: Include hourly rate and/or the total cost of facility use for the duration of the first year of program.
  5. Facility Upgrade: If a facility upgrade is necessary for your program to be successful, please list the upgrades needed and the approximate cost of each phase.
  6. Transportation: If transportation is necessary for your program to be successful, please list the approximate cost for the first year of program.
  7. Match Requirement: If you are applying for a grant amount which requires matching dollars, detail the amount and describe where those matching funds will come from. The local government applicant is required to provide either documentation of funds raised or to demonstrate how it intends to raise the local financial commitment.

# Mighty Kids

## Youth Sports Programming

This form is to be used as the cover sheet for your grant application. Please submit three copies of the complete application to: Mighty Kids Youth Sports Grant Program, Minnesota Amateur Sports Commission, 1700 - 105th Avenue N.E, Blaine, MN 55449-4500.

|  |            |   |                       |
|--|------------|---|-----------------------|
| <b>Local Governmental Unit:</b> Use the legal name and full address for the organization. This is the agency with whom the grant agreement will be executed. |            | Contact Mailing Address: (if different) |                       |
|  |            |   |                       |
| Local Governmental Unit Contact  |            | Primary Contact Person (if different)   |                       |
|  |            |   |                       |
| Telephone number   | Fax number | Telephone number                        | Fax number            |
|  |            |   |                       |
| Program Service Area (list counties, cities, school districts)   |            | MN Tax ID #                             | Federal Employee ID # |
|  |            |   |                       |

|                              |           |
|------------------------------|-----------|
| <b>Grant Funds Requested</b> | <b>\$</b> |
|------------------------------|-----------|

Project Summary - 50 words or less in the space below

**MIGHTY KIDS**  
**RESOLUTION OF LOCAL APPLICANT**  
**(Sample)**

Required form of resolution of application authorizing filing of application and execution of agreement to promote youth sports and recreation programs under the provision of the State General Fund.

WHEREAS, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides funds to assist political subdivisions of the state of Minnesota for the development of youth sports and recreation programs, and

WHEREAS, the \_\_\_\_\_ (school district/city/county/state agency) desires to \_\_\_\_\_ (description of recreational program).

NOW, THEREFORE BE IT RESOLVED BY THE \_\_\_\_\_ (school board, city council, county board, state board) of the \_\_\_\_\_ (school district, city, county, state agency):

1. Estimates that the total cost of developing said program shall be \$\_\_\_\_\_ and \_\_\_\_\_ (school district, city, county, state agency) is requesting \$\_\_\_\_\_ from the State General Fund.
  
2. That the \_\_\_\_\_ (authorized representative) and/or \_\_\_\_\_ (school district, city, county, state agency) is authorized and directed to execute said application and serve as the official liaison with the Minnesota Amateur Sports Commission.

**CERTIFICATION**

I hereby certify that the foregoing resolution is a true and correct copy of the resolution presented to and adopted by the \_\_\_\_\_ at a duly authorized meeting thereof held on the \_\_\_ day of \_\_\_\_\_, 19\_\_\_, as shown by the minutes of said meeting in my possession.

\_\_\_\_\_ (signature/title of authorized official)

# Professional, Technical & Consulting Contracts

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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].

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## Department of Economic Security

### Notice of Availability of a Request for Proposal for Project Management & Coordination Services for the Minnesota Department of Economic Security's Minnesota Workforce Center System Technology Projects

#### Introduction

The Minnesota Department of Economic Security (MDES) is seeking the services of a qualified firm to provide project management, coordination and oversight services. Services will focus on a number of initiatives underway that will support the Minnesota Workforce Center System. The expected cost will not exceed \$150,000 or a full hourly rate of \$95 per hour.

This request for proposals (RFP) does not obligate MDES to select a firm and MDES reserves the right to cancel this solicitation if it is considered to be in its best interest.

#### Background Information

The Minnesota Department of Economic Security is working with local service providers and other state agencies to implement the Minnesota Workforce Center System. Several systems are in various stages of development or implementation and need to be coordinated so that customers of the Workforce Center System receive maximum benefit. The systems primarily involved are SkillsNet (Resumix), American's Talent Bank, Job Service systems, America's Labor Market Information Systems (ALMIS) Common Intake Form, the Department of Human Services MAXIS benefits payment system.

#### Qualifications

Qualification of responding firms should include knowledge of enterprise analysis (e.g., object modeling, process modeling), group facilitation and consensus building, incremental development concepts (i.e., projects that are small, manageable, logically sequenced and architecturally integrated), and project planning, management and oversight. The firm selected will have experience in these areas, state government and the programs and systems used by the Workforce Center System.

#### Services Required

It is expected that this project will not exceed 1500 hours which will be conducted between December 1, 1997 and June 30, 1999. The purpose of the engagement is to coordinate development and implementation of numerous systems so that maximum benefit is provided to customers of Workforce Centers. Working with all involved parties to define those benefits will be part of the engagement. The scope of this engagement includes working with Minnesota Workforce Centers, systems project staff at MDES, staff of the ALMIS Common Intake Project, staff from the Minnesota Department of Human Services responsible for the MAXIS system, staff from the Minnesota Office of Technology, and released developers. It is expected the chosen firm will spend not less than 40 or more than 80 hours per month providing these services. Progress will be reviewed monthly and MDES reserves the right to cancel the contract with thirty days written notice if it is in its own best interest.

#### Authorized Contact

All correspondence related to this RFP must be directed to:

Mr. Ken Niemi, Chief Information Officer  
Minnesota Department of Economic Security  
390 North Robert Street  
St. Paul, MN 55101  
Telephone: 612/297-4680  
Fax: 612/282-5150  
E-mail: ken.niemi@state.mn.us

Please note that other department employees are not allowed to discuss this project except as part of a formal meeting arranged by Mr. Niemi.

#### Deadline for Submission of Proposals

Your proposal must be received by the authorized contact no later than 4:00 p.m. (CST), November 21, 1997. Late proposals will not be accepted.

## Department of Economic Security

### Notice of the Availability of a Request for Proposal for Video Service

The Minnesota Department of Economic Security is soliciting proposals from qualified vendors to design, develop and produce a series of video and audio products. The products must provide customers and partners of the Workforce Center System with information about the system and its services, benefits, history, national scope, and future. Each video or audio product will target a different audience or, in some cases, provide messages to three primary audiences: job seekers, employers and stakeholders/partners.

The key product in this proposal will be an original 8-10 minute video which will provide viewers with the history, philosophy, successes and future of Workforce Centers.

Other products will be developed from the original video and targeting various audiences:

- A 2-3 minute video will be developed that addresses the concerns and needs of job seekers;
- A 2-3 minute video will be developed to introduce Workforce Centers to employers;
- A 2-3 minute video showcasing Minnesota's success on the national level;
- A series of short (10-, 30- and/or 60-second) public service announcements and/or advertisements for radio and television. Three print ads will also be created using the same theme to provide a comprehensive media campaign. All video products will have a master and a closed-captioned copy. These products will all have the same theme and be produced from the original videos and will have the ability to be customized locally. All products must be Beta format, broadcast quality and digitally edited.

Prospective responders who have any questions regarding this request for proposal or wish to have a copy of a current video, may call or write:

Rick Schara  
Minnesota Department of Economic Security  
Workforce Center System Marketing  
390 North Robert  
St. Paul, Minnesota 55101  
(612) 296-3842

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

All proposals must be sent to and received by:

Rick Schara  
Minnesota Department of Economic Security  
Workforce Center System Marketing  
390 North Robert  
St. Paul, Minnesota 55101  
(612) 296-3842

Not later than 4:00 p.m. on Friday, December 19, 1997.

The department has estimated that the cost of this project should not exceed \$45,000.

The project will be completed by May 30, 1998, or within 5 months from the date the contract officially begins.

## Professional, Technical & Consulting Contracts

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### Department of Health

#### Maternal and Child Health Division

#### Minnesota Children with Special Health Needs Section

#### Request for Proposals for Diabetes in Youth Continuing Education

**Purpose:**

Minnesota Children with Special Health Needs [MCSHN] requests proposals for the health care management of children with diabetes from organizations which engage in the provision of both health care and education related to the clinical management of diabetes in children. Such continuing education program is to be held in two regions of the state for physicians and other health professionals and families of children and youth with diabetes.

The contractor's duties shall include the establishing of objectives for a continuing education program focused on management issues related to diabetes in children; assembling a team to include a pediatric endocrinologist, family counselor/psychologist, diabetes nurse specialist, and diabetes nutrition specialist; developing continuing education programs for health professionals and families around the issues of management of diabetes in children; scheduling the program, and arranging for the assembled team to provide such program; publicizing availability of the program; providing the continuing education program; conducting evaluation of the program; and, preparing a summary report.

**Duration:**

January 2, 1998 to June 30, 1998.

**Amount:**

The total obligation of the state for all compensation and reimbursements to contractor shall not exceed nineteen thousand and two hundred seventy six dollars in the contract year.

**Applications:**

The complete Request for Proposals packet, including the more detailed request for proposals and the criteria for review of applications is available upon request from Nancy Vandenburg at the address and phone number below.

**Deadline:**

Three copies of the completed proposal must be submitted by **4:00 p.m. Friday, December 19, 1997** to:

Nancy Vandenburg, Nurse Consultant  
Minnesota Department of Health  
Minnesota Children with Special Health Needs  
717 Delaware Street SE P.O. Box 9441  
Minneapolis, Minnesota 55440  
612/623-5156

### Department of Health

#### Health Technology Advisory Committee

#### Notice of Extension of Proposal Date

The Health Technology Advisory Committee (HTAC) published a Request for Proposal for Health Technology Evaluation Services in the September 29, 1997 *State Register*. HTAC has extended the due date for receipt of proposal to 4:00 PM Wednesday, November 12, 1997.

Please contact Nancy Cusick at 612-282-6374 with questions.

## Iron Range Resources and Rehabilitation Board

### Request for Proposals for Programming Assistant for Folklife Programs

The Iron Range Resources and Rehabilitation Board (IRRRB), a state agency responsible for diversifying the economy of north-eastern Minnesota, is requesting proposals from experienced firms or individuals to assist in the development of Ironworld Discovery Center as a center for the preservation of the Heritage of Northeastern Minnesota. It is the goal of this project to provide both in-house daily programming and special events emphasizing the rich heritage of Northeastern Minnesota, and to develop educational programs which encourage and nurture the folk arts and music of the area.

The dates of service are anticipated to be December 15, 1997 through September 30, 1998. This contract may be renewed for up to four additional one year terms.

To receive a full request for proposal write or call:

Marlene Pospeck/Jill Varichak  
Ironworld Discovery Center  
Highway 169, P.O. Box 190  
Chisholm, MN 55719  
Phone: (218) 245-3321

Completed proposals are due by 3:00 P.M. Wednesday, December 3, 1997.

## Environmental Protection —

### Videos & Training Material

#### Transport Packaging: Reducing <sup>New!</sup> Waste & Saving Money — Video

Video shows how business can eliminate waste and increase profits with reusable and source-reduced transport packaging. Includes *Reusable Transport Packaging Directory*. (color, 12 minutes, 1997) Stock No. 4-22 \$9.50

#### Source Reduction: How to Implement <sup>New!</sup> a Source Reduction Program — Video

Video and resource manual *Source Reduction* Now demonstrates how to set up a source reduction program in a commercial, industrial or institutional organization. (color, 12 minutes, 1997) Stock No. 4-21 \$9.50



#### Motor Vehicle Salvage Facility Environmental Compliance Manual & Video

Durable manual and color video *Salvage Yards & the Environment: The Next Generation*, AND 3 work-site posters. Convenient tabs guide you through general operating procedures, draining, dismantling & storage practices, waste handling, storage and disposal practices, PLUS a quick reference table for handling hazardous waste. 220pp. with VHS. (PCA, 1994) Stock No. 10-9 \$35.00

#### Hazardous Waste: Identification & Evaluation — Video

Find out how to determine if a waste is hazardous, and what basic steps to take to evaluate wastes. Fact sheets on F-listed wastes are included with video. (color, 9.5 minutes, 1995) Stock No. 4-7 \$16.00

#### Blue Ribbon Task Force Report

Findings and recommendations of task force examining the funding of Minnesota's water quality programs. 76pp. (PCA, 1995) Stock No. 10-5 \$19.95

#### Common Automotive Wastes — Video

Video covers eight sections on hazardous wastes most commonly found in vehicle maintenance and collision-repair operations (antifreeze, lead acid batteries, sludges and residues, parts washer solvents & cleaners, towels, wipes and sorbents, used oil and paint-related wastes). Includes management options for each plus a 'Used Oil' fact sheet. (color, 17.6 minutes, 1995) Stock No. 4-8 \$10.00

#### Hazardous Waste Storage — Video

Learn how to choose the right container, close and mark it correctly, plus proper care when moving it off-site. Also includes handy storage poster and fact sheet on labeling and storing hazardous waste correctly. (color, 12.5 minutes, 1994) Stock No. 4-6 \$10.00

#### MPCA Point-Source Final Report <sup>New!</sup>

Phase 2 of *Blue Ribbon Task Force Report* features Improvement Initiative. 142pp. (PCA, 1996) Stock No. 10-1 \$10.95

# Non-State Public Bids, Contracts & Grants

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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.

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## Metropolitan Council

### Notice of Request for Bids for Backflow Preventers Inspection/Testing and Rebuild

Sealed bids will be received in the Office of the Metropolitan Council Environmental Services (MCES), Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, Tuesday, November 25, 1997 until 2:00 P.M., at which time and place bids will be publicly opened and read aloud.

Copies of the scope of work may be obtained from the office of the MCES at the above address or by calling (612) 602-1499 or via Fax request at (612) 602-1083. All bids to be considered must be submitted on Council approved bid forms.

Potential bidders are strongly encouraged to attend a pre-bid information meeting and project walk through to be held at Metro Plant, 2400 Childs Rd., St. Paul, MN 55106 on November 17, 1997, at 10:00 AM. Call (612) 602-1499 for more information and to make reservations.

The award will be based upon, but not necessarily limited to, factors of price, agreement to the Metropolitan Council's terms and condition, and past experience with the Metropolitan Council.

The Metropolitan Council reserves the right to accept or reject any and all bids, or any part of any bid, and to waive any minor irregularities and deviations from requirements outlined in the technical specifications.

## Minnesota Historical Society

### Notice of Request for Bids for Printing Services

The Minnesota Historical Society is seeking bids from qualified presses to provide printing services for individual Historic Site cards for twenty sites. Total quantity will be 551,000 cards. Ink: 4 color process/black. Stock: 8 pt. Matte recycled card.

The Request for Bids is available by calling or writing, Contracting Office, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, Minnesota 55102. Telephone 612-297-7007. Complete specifications, bid format, and details concerning submission requirements are included.

Bids must be received no later than 2:00 PM Central Time, November 25, 1997 in St. Paul by the Contracting Office.