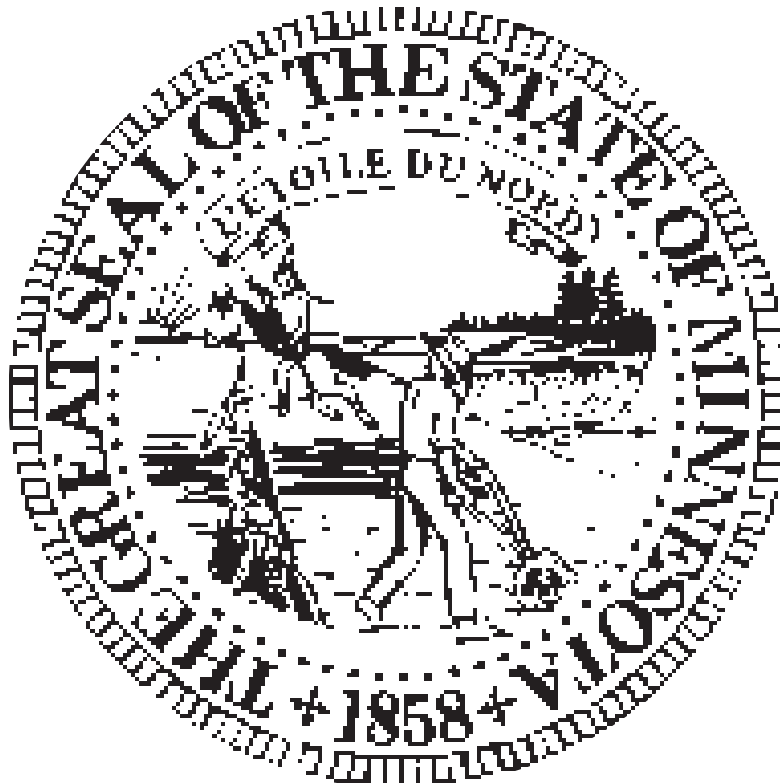


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Rules and Official Notices Edition



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State Register

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

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
# 30	Monday 26 January	Monday 12 January	Friday 16 January
# 31	Monday 2 February	Friday 16 January	Monday 26 January
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# 33	Tuesday 17 February	Monday 2 February	Monday 9 February

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FOR LEGISLATIVE NEWS

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

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

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

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

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

Minnesota Rules: Amendments and Additions

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

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

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

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

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

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Board of Animal Health

Proposed Permanent Rules Relating to Diseases of Poultry

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received

Proposed Amendment to Rules Governing Diseases of Poultry, *Minnesota Rules*, 1710.1300 - 1710.1530.

Introduction. The Board of Animal Health intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on February 25, 1998, a public hearing will be held at the Minnesota Poultry Testing Laboratory, 622 North Business Hwy 71, Willmar, Minnesota 56201, starting at 10:00 a.m. on Thursday, March 12, 1998. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 25, 1998 and before March 12, 1998.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Dr. Keith Friendshuh at the Minnesota Board of Animal Health, Rm 119, 90 W. Plato Blvd., St. Paul, MN 55107 (612) 296-2942, ext. 18, and fax 296-7417. TTY users may call the Board of Animal Health at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about Poultry Diseases. The statutory authority to adopt the rules is *Minnesota Statutes*, section 35.03 and section 29.051. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, February 25, 1998, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

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

Proposed Rules

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, February 25, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

Cancellation of Hearing. The hearing scheduled for March 12, 1998, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (612) 296-2942, ext. 18 after February 26, 1998 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Bruce H. Johnson is assigned to conduct the hearing. Judge Johnson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone 612/341-7666, and fax 612/349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 612/296-5148 or 1-800-657-3889.

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

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

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

Dated: 6 January 1998

T. J. Hagerty, DVM
Executive Secretary
Board of Animal Health

1710.1300 DEFINITIONS.

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

Subp. 1a. **Approved salvage program.** "Approved salvage program" means an industrywide program that meets plan standards and is approved by the board through the executive secretary to allow use of an infected flock in a way that impedes shed of a disease to other poultry.

[For text of subps 2 to 6, see M.R.]

Subp. 7. **Deal; dealing.** "Deal" and "dealing" mean the ~~purchase and resale~~ sale or distribution, for any purpose except immediate slaughter, of any live poultry not owned by the seller or distributor since the hatching of those poultry.

[For text of subps 8 to 31, see M.R.]

Subp. 32. **Typhimurium.** "Typhimurium" is a disease caused by Salmonella typhimurium or S. typhimurium var. copenhagen.

1710.1350 REQUIRED PARTICIPATION.

All hatcheries, dealers, and poultry breeder flocks shall participate in the Salmonella pullorum/gallinarum disease control program. In addition, turkey and chicken breeder flocks and hatcheries shall participate in the Mycoplasma gallisepticum (MG) and the Mycoplasma synoviae (MS) programs, except exhibition and wild turkeys are exempt from the MS program, and egg-type chicken breeder flocks and hatcheries must participate in the sanitation monitored program for Salmonella enteritidis. A required participation flock that is positive to any of these diseases must be quarantined and may not be used as a breeder flock for the production of hatching eggs, unless the breeder flock is participating in an approved salvage program.

1710.1360 VOLUNTARY PARTICIPATION.

Hatcheries and breeder flock owners may volunteer to participate in any other available disease control programs. Use of a breeder flock positive to any of these diseases disqualifies the hatchery and flock from classifications for these diseases, unless the breeder flock is participating in an approved salvage program.

1710.1385 APPROVED SALVAGE PROGRAM PARTICIPATION.

Individuals wishing to participate in an approved salvage program must apply to the executive secretary and agree to comply with the program.

1710.1390 LOSS OF CLASSIFICATION.

Poultry products produced under a plan agreement lose their classification when consigned to or received by a person without the same classification or by a nonparticipant. A hatchery or flock loses its disease control classification if any of its birds are considered positive in that disease classification, unless the breeder flock is participating in an approved salvage program.

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

1710.1420 TESTING SCHEDULE.

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

Subp. 2. **Turkey.**

Disease	Type of Flock	Initial Test 12 to 20 weeks of age or start of laying for recycled flocks	Monitoring during Laying Period
Pullorum- Typhoid	Primary	300 blood samples	None
	Multiplier	No test required	None
	Recycled	No test required	None
Salmonella Typhimurium	Primary Multiplier	100 percent blood test or 500 blood samples** and 500 rectal swabs* per flock with a minimum of 100 of each per barn	30 environmental samples per barn
	Recycled	500 rectal swabs or 30 environmental samples at start of molting period before start of lay	30 environmental samples per barn
Mycoplasma galli- septicum	Primary Multiplier	100 blood samples with a minimum of 30 per barn	60 hen and 30 tom blood samples with a minimum of 30 per barn at 28 to 30 weeks of age
	Recycled		
Mycoplasma meleagridis	Primary Multiplier	100 blood samples with a minimum of 30 per barn	60 hen and 30 tom blood samples with a minimum of 30 per barn at 28 to 30 weeks of age and at 4 to 6 week intervals thereafter
	Recycled		
Mycoplasma synoviae	Primary Multiplier Recycled	100 blood samples with a minimum of 30 per barn	60 hen and 30 tom blood samples with a minimum of 30 per barn at 28 to 30 weeks of age and at 4 to 6 week intervals thereafter

	Age	Type of sample
Sanitation monitored for Salmonella spp.	0 to 10 days	Hatchery debris or a sample of 30 1st 10-day deads and 15 environmental samples from cleaned and disinfected building before new candidate breeding flock is placed
	12 to 20 weeks	30 environmental samples (may use swabs from Salmonella typhimurium testing)
	35 to 50 weeks (midlay)	30 environmental samples once and hatchery debris or a sample of 30 1st 10-day deads on a monthly basis
	End of production	30 environmental samples (before barn cleaned)

* If Salmonella typhimurium is cultured from two or more rectal swabs or birds the flock is considered positive.

** Serological reactors shall be submitted to the state laboratory within ten days for culture.

Subp. 3. **Waterfowl, exhibition, and game birds.**

Disease	Type of Flock	Initial Test	Monitoring
Pullorum-Typhoid (100% test-first year)	Primary	100 birds blood tested per flock or an approved monitoring program	None <u>Bacterial exam of hatchery debris from each hatch</u>
	Primary waterfowl and game birds	100 blood tests per flock or an approved monitoring program	
	Waterfowl only		Bacterial exam of hatchery debris from each hatch
	Multiplier	No testing required	

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Proposed Rules

Mycoplasma galli- septicum	Primary	Blood samples from all birds or from 300 per flock	Blood samples every 90 days - 5% of flock with minimum of 100; or every 30 days - 30 cull baby poultry or 30 eggs
	Multiplier	Blood samples from 50% of birds with maximum - 200 per flock minimum - 30 per flock	Blood samples every 90 days - 2% with minimum of 30 per pen; or every 30 days - 30 cull baby poultry or 30 eggs

1710.1450 QUARANTINE.

Flocks positive to required participation disease control tests are quarantined. No products may be used from these flocks ~~and~~, unless the flock is participating in an approved salvage program. The birds may only be sold to slaughter under permit from the board.

Secretary of State

Proposed Permanent Rules Relating to Registration Procedures

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received

Proposed Amendment to Rules Governing Voter Registration, *Minnesota Rules*, chapter 8200.

Introduction. The Secretary of State intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on February 25, 1998, a public hearing will be held in Room 400S, State Office Building, 100 Constitution Avenue, St. Paul, Minnesota 55155, starting at 2:00 p.m. on March 20, 1998. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 25, 1998 and before March 20, 1998.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Joseph Mansky, Director, Election Division, Office of the Secretary of State, 180 State Office Building, 100 Constitution Avenue, St. Paul, Minnesota 55155-1299, (612) 215-1440. TTY users may call the Secretary of State at (612) 297-5353 or (800) 627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about expanding the types of documents acceptable to prove residence for election day voter registration. The proposed rules also concern changes that must be made to other documents produced by the Secretary to reflect the new acceptable proofs of residence. The statutory authority to adopt the rules is *Minnesota Statutes*, section 201.221, subdivision 1; section 201.061, subdivision 3(2); and section 203B.09. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on February 25, 1998, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on February 25, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed

rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the Secretary for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the Secretary or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for March 20, 1998, will be canceled if the Secretary does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the Secretary will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (612) 215-1440 after February 25, 1998 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara L. Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7604, and fax 612/349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the Secretary and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the Secretary or the Office of Administrative Hearings.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the Minnesota Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 612/296-5148 or 1-800-657-3889.

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

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

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

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

Dated: 7 January 1998

Joan Anderson Growe
Secretary of State

8200.3100 NOTICE OF INEFFECTIVE REGISTRATION.

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

Subp. 2. Notice of ineffective registration.

NOTICE OF INEFFECTIVE REGISTRATION IMPORTANT INFORMATION ABOUT YOUR VOTER REGISTRATION

To: _____

Your Voter Registration cannot be accepted by this office for the following reason(s):

~~1-~~ A. _____ Incomplete: _____

~~2-~~ B. ____ Your registration was received fewer than 20 days before the upcoming election. It will be effective on ____/____/____ (day after next election).

You may register to vote at the polling place on election day by presenting either:

~~(1)~~ (1) this mailed notice;

~~(2)~~ (2) a valid Minnesota Driver's License, Learner's Permit or receipt for either that contains the voter's valid address in the precinct;

~~(3)~~ (3) a Minnesota Identification Card or receipt thereof that contains the voter's valid address in the precinct;

~~(4)~~ (4) one document from the list in (a) and one document from the list in (b):

(a) an original bill in your name for gas, electric, telephone, cable television, water, or sewer services showing your current address and due up to 30 days before or after election day, and

(b) your Minnesota Driver's License or Identification Card, United States Passport, United States Military Identification Card with your photograph, or Minnesota postsecondary student identification card with your photograph;

(5) a current student identification card that contains the student's valid address in the precinct;

~~(6)~~ (6) a current student fee statement that contains the student's valid address in the precinct;

~~(7)~~ (7) a copy of a current student registration card that contains the student's valid address in the precinct;

~~(8)~~ (8) a registered voter in your precinct who can attest to your address; or

~~(9)~~ (9) a valid registration in the same precinct under a different address.

Your Polling Place is _____, _____ County
Auditor (signature), ____/____/____ (date)

8200.5100 REGISTRATION AT PRECINCT ONLY.

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

Subp. 2. **Additional proof of residence allowed.** An eligible voter may prove residence under this subpart by presenting one of the photo identification cards listed in item A and one of the additional proofs of residence listed in item B.

A. The following documents are acceptable photo identification cards under this subpart if they contain the voter's name and photograph:

- (1) a Minnesota driver's license or identification card;
- (2) a United States passport;
- (3) a United States military identification card; or
- (4) a student identification card issued by a Minnesota postsecondary educational institution.

B. An original bill for gas, electric, telephone, cable television, water, or sewer services is acceptable as an additional proof of residence under this subpart if:

- (1) the bill shows the voter's name and current address in the precinct; and
- (2) the due date on the bill is within 30 days before or after election day.

If the photo identification presented by the voter establishes the voter's identity and the additional proof of residence presented by the voter establishes the voter's current address in the precinct, the voter shall have proven residence under this subpart.

C. The secretary of state shall provide samples of utility bills acceptable as additional proof of residence under item B to local election officials for use in election judge training and in the polling place on election day.

Subp. 3. **Additional proof of residence allowed for students.** An eligible voter may prove residence by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota if the voter's name, student identification number (if available), and address within the precinct appear on a current list of persons residing in the institution's housing certified to the county auditor by the educational institution.

This additional proof of residence for students must not be allowed unless the educational institution submits to the county auditor no later than 60 days prior to the election a written agreement that the educational institution will certify for use at the election accurate updated lists of persons residing in housing owned, operated, leased, or otherwise controlled by the institution. A written agreement is effective for the election and all subsequent elections held in that calendar year.

The additional proof of residence for students must be allowed on an equal basis for voters resident in housing of any postsecondary education institution within the county, if lists certified by the institution meet the requirements of this part.

An updated list must be certified to the county auditor no earlier than 20 days prior to each election. The certification must be dated and signed by the chief officer or designee of the institution and must state that the list is current and accurate and includes only the names of persons residing as of the date of the certification in housing controlled by the institution.

The auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall supply a list to the election judges with the election supplies for the precinct.

The auditor shall notify all postsecondary educational institutions in the county of the provisions of this subpart.

8200.5400 NOTATION OF IDENTIFICATION ON REGISTRATION CARD.

When a voter uses a Minnesota driver's license, learner's permit, ~~or Minnesota identification card~~, United States passport, United States military identification card, or Minnesota postsecondary student identification card to prove residence or identity when registering on election day, the election judge who is registering voters shall record the number on the card in the "office use only" area of the registration card. When a voter uses one of the documents listed in part 8200.5100, subpart 2, item B, to prove residence for election day registration, the election judge who is registering voters shall record the type of document on the card in the "office use only" area of the registration card.

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Proposed Rules

8210.9920 INSTRUCTIONS TO ABSENTEE VOTERS, SPECIFIED BY PART 8210.0500.

INSTRUCTIONS TO ABSENTEE VOTERS

Follow these instructions carefully.

Before you vote by absentee ballot you must have a witness.

Step 1. Locate one of the following people to serve as your witness:

- a. an eligible voter who lives in your county;
- b. a notary public;
- c. any person having authority to administer oaths; or
- d. a United States Postal Service official, if available.

Step 2. Fill out the voter registration card. You must provide all the information marked in red. Remember to sign your name at the bottom of the card.

Step 3. Show your witness your proof of residence in the precinct. ~~One of~~ The following documents may be used as proof of residence:

a. a valid Minnesota driver's license, permit, or identification card, or a receipt for any of these forms, that contains your current address; ~~or~~

b. one document from the list in (i) and one document from the list in (ii):

(i) an original bill in your name for gas, electric, telephone, cable television, water, or sewer services showing your current address and due up to 30 days before or after election day, and

(ii) your Minnesota driver's license or identification card, United States passport, United States military identification card with your photograph, or Minnesota postsecondary student identification card with your photograph;

c. the signature of a registered voter who lives in your precinct; if your witness is registered to vote in your precinct, your witness may also vouch for you; ~~or~~

~~e.~~ d. a student identification card, registration card, or fee statement that contains the student's current address in the precinct; or

~~d.~~ e. current valid registration in the same precinct.

Step 4. Show your witness the unmarked ballots.

Step 5. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you.

Step 6. Fold each ballot so that your votes cannot be seen. Do not put any identifying marks on the ballot.

Step 7. Place all voted ballots in the tan ballot envelope and seal the envelope. Do not write on the ballot envelope.

Step 8. Place the tan secrecy envelope and your completed voter registration card into the white ballot return envelope and seal the envelope. An unsealed envelope will not be accepted.

Step 9. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness is required as well.

Step 10. Your ballot may be returned in one of the following ways:

- a. by mail;
- b. in person to your county auditor or municipal clerk at the address on the front of the white ballot return envelope; or
- c. by agent delivery to your county auditor or municipal clerk.

You may mark and return your ballots at any time after you receive them.

If your ballots are mailed, enough time should be allowed to permit the ballots to be delivered by the postal service no later than election day.

If you or your agent return your ballots in person, your county auditor or municipal clerk must receive them no later than 7:00 p.m. on the day before the election.

Note: Follow these instructions carefully. An improperly completed ballot, or statement of voter or witness, will invalidate your votes.

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.


Higher Education Services Office

Adopted Permanent Rules Relating to Child Care Grants

The rules proposed and published at *State Register*, Volume 22, Number 16, pages 617-622, October 20, 1997 (22 SR 617), are adopted as proposed.

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Commissioners' Orders

Department of Natural Resources

Findings of Fact, Conclusions and Order In the Matter of the Public Hearing on Gully Fen (existing and proposed), Big Island, and Lost Lake Peatland Scientific and Natural Areas

In the matter of the public hearing conducted on September 30, 1997, regarding opening the subject selected or proposed Scientific and Natural Areas to hunting, trapping, snowmobiling and/or shore fishing by the public, I have reviewed the Hearing Examiners Findings of Facts, Conclusion and Recommendations.

I concur with and adopt the findings, conclusions and the recommendations of the Hearing Examiner and hereby order 1) the opening of Gully Fen Scientific and Natural Area to bow hunting for deer by the public and the continuation of the existing Grant-in-aid snowmobile trail on the existing alignment only, 2) the opening of Big Island Scientific and Natural Area to public waterfowl hunting (using dogs) and shore fishing, and 3) the opening of the additions to Lost Lake Peatland Scientific and Natural Area to hunting, trapping, and shore fishing.

Rodney W. Sando
Commissioner

Department of Natural Resources

Findings of Fact, Conclusions and Order In the Matter of the Public Hearing on Cannon River Turtle Preserve (Proposed), Lutsen Natural Area, Two Rivers Aspen Prairie Parkland, Lost 40, Prairie Creek Woods, Uncas Dunes (Proposed addition) Scientific and Natural Areas

In the matter of the public hearing conducted on July 31, 1996, regarding opening the subject selected or proposed Scientific and Natural Areas (SNA) to hunting by the public, I have reviewed the Hearing Examiners Findings of Fact, conclusion and Recommendations.

I concur with the adopt the findings, conclusions and the recommendations of the Hearing Examiner and hereby order the opening of the Cannon River Turtle Preserve (Proposed), Lutsen Natural Area, Two Rivers Aspen Prairie Parkland, Lost 40, Prairie Creek Woods, and Uncas Dunes (Proposed addition) SNA's to public hunting.

Dated: 16 September 1996

Rodney W. Sando
Commissioner

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 146: Zumbro Falls Scientific and Natural Area

WHEREAS, certain lands in Wabasha County, Minnesota, described as:

The Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4); the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4); that part of the West Half of the Southeast Quarter (W 1/2 SE 1/4), lying westerly of the Zumbro River; the Southwest Quarter (SW 1/4); the West Half of the Northwest Quarter (W 1/2 NW 1/4); and that part of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4), lying westerly of the Zumbro River, ALL IN Section Eight (8), Township One Hundred Nine (109) North, Range Thirteen (13) West, Wabasha County, Minnesota, EXCEPTING THEREFROM that part described as follows:

Beginning at the southwest corner of said West Half of the Northwest Quarter, being an in-place Wabasha County Monument with an aluminum cap; thence on a bearing based on the Wabasha County Coordinate System of 1983, of North 00 degrees 36 minutes 45 seconds West along the west line of said West Half of the Northwest Quarter 471.16 feet to a 3/4" x 24" rebar with a plastic cap stamped "DNR PROPERTY MONUMENT" (DNR MON); thence South 87 degrees 48 minutes 32 seconds East 304.40 feet to a DNR MON; thence South 17 degrees 15 minutes 54 seconds East 306.61 feet to a DNR MON; thence South 02 degrees 44 minutes 15 seconds East 92.44 feet to a DNR MON; thence North 89 degrees 29 minutes 47 seconds West 58.83 feet to a DNR MON; thence South 02 degrees 46 minutes 33 seconds East 95.19 feet to a DNR MON; thence South 89 degrees 22 minutes 33 seconds East 58.75 feet to a DNR MON; thence South 02 degrees 43 minutes 47 seconds East 641.06 feet to a DNR MON; thence North 89 degrees 22 minutes 40 seconds West 428.52 feet to the west line of said Southwest Quarter and a DNR MON; thence North 00 degrees 05 minutes 55 seconds West along the west line of said Southwest Quarter 656.53 feet to the point of beginning. Said exception contains 10.01 acres.

Together with a perpetual easement for ingress and egress over and across the South 16.5 feet of the West 342 feet of the Southwest Quarter of the Northwest Quarter and the North 16.5 feet of the West 342 feet of the Northwest Quarter of the Southwest Quarter of Section 8, Township 109 North, Range 13 West.

As shown on Exhibit "A."

are under the control and possession of the Department of Natural Resources; and

WHEREAS, such lands contains a large expanse of oak forest and oak savanna/brushland natural communities and the presence of the following rare, threatened or endangered plant species: Jewelled Shooting-Star (*Dodecatheon amethystinum*) and Smooth Rock Cress (*Arabis laevigata*); and

WHEREAS, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

NOW THEREFORE, I, Rodney W. Sando, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* §§ 84.033, 86A.05, subd. 5, 97A.093, and other applicable law, do hereby designate the above-described lands as Zumbro Falls Scientific and Natural Area. Furthermore, the Zumbro Falls Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the 16.5 foot vehicular easement for DNR and assigns is only to be used if a certain DNR vehicle cannot access the field road from the 66 foot easement.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* pts. 6135.4500 through 6135.5000 shall apply to the above-designated area.

Dated: 4 November 1997

Rodney W. Sando, Commissioner
Department of Natural Resources

Approved as to Form and Execution
Hubert H. Humphrey III
Attorney General



Department of Natural Resources**Commissioner's Scientific and Natural Area Order No. 147: Mound Prairie Scientific and Natural Area;
Superseding Scientific and Natural Area Order No. 81**

WHEREAS, certain lands in Houston County, Minnesota, described as:

Parcel 1:

All those lands in the West Half of the Northwest Quarter (W 1/2 NW 1/4), the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and the North Half of the Southwest Quarter (N 1/2 SW 1/4) of Section Thirty-four (34) and the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Thirty-three (33), ALL IN Township One Hundred Four (104) North, Range Five (5) West.

Parcel 2:

A part of the Fractional Northwest Quarter and a part of the Fractional Northeast Quarter of Section 3, Township 103 North, Range 5 West, Houston County, Minnesota, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 3; thence North 89 degrees 59 minutes 44 seconds East (NOTE: all bearings are in relationship with the north line of said Northwest Quarter which is on the Houston County 1983 NAD System) along the north line of said Northwest Quarter for a distance of 1065.19 feet to the point of beginning, said point also being a point in the east line of Lot 38, VALLEY HIGH ESTATES, FIRST SUBDIVISION, as said Subdivision is recorded at the Houston County Recorder's Office; thence South 13 degrees 25 minutes 37 seconds West along the east line of said Lot 38 for a distance of 103.17 feet to a found iron pipe at the southeast corner of said Lot 38; thence South 06 degrees 18 minutes 04 seconds East along the east line of Lots 39 and 40 in said Subdivision for a distance of 241.75 feet to the most northerly corner of Lot 41 in said Subdivision; thence South 34 degrees 09 minutes 36 seconds East along the northeasterly line of Lots 41 and 42 in said Subdivision for a distance of 230.51 feet to a found iron pipe at the most northerly corner of Lot 43 in said Subdivision; thence South 47 degrees 03 minutes 49 seconds East along the northeasterly line of Lots 43 and 44 in said Subdivision for a distance of 326.53 feet to a found iron pipe at the most easterly corner of said Lot 44; thence continue South 47 degrees 03 minutes 49 seconds East for a distance of 99.23 feet to a point in the northerly line of Lot 45 in said Subdivision; thence South 74 degrees 38 minutes 55 seconds East along the northerly of said Lot 45 for a distance of 447.19 feet to the northeast corner of said Lot 45; thence South 05 degrees 55 minutes 26 seconds West along the east line of said Lot 45 for a distance of 35.00 feet to the southeast corner of said Lot 45; thence North 49 degrees 05 minutes 15 seconds East for a distance of 130.09 feet; thence North 60 degrees 50 minutes 47 seconds East for a distance of 345.91 feet; thence North 65 degrees 23 minutes 47 seconds East for a distance of 312.31 feet; thence North 69 degrees 26 minutes 39 seconds East for a distance of 167.31 feet; thence South 76 degrees 42 minutes 21 seconds East for a distance of 116.17 feet; thence South 24 degrees 41 minutes 46 seconds East for a distance of 150.49 feet; thence South 51 degrees 52 minutes 21 seconds West for a distance of 252.85 feet; thence South 44 degrees 10 minutes 24 seconds West for a distance of 306.47 feet; thence South 26 degrees 44 minutes 14 seconds West for a distance of 86.05 feet; thence South 17 degrees 06 minutes 28 seconds East for a distance of 183.07 feet; thence South 64 degrees 23 minutes 48 seconds East for a distance of 1126.89 feet; thence South 00 degrees 27 minutes 47 seconds West for a distance of 150.00 feet to a point in the north line of the South 40 acres of the Northeast Quarter of said Section 3; thence South 89 degrees 32 minutes 13 seconds East along the north line of said South 40 acres for a distance of 415.53 feet to the west line of the East Half of the Northeast Quarter of said Section 3; thence North 01 degree 06 minutes 25 seconds West along the west line of said East Half for a distance of 1964.23 feet to the northwest corner of said East Half; thence South 89 degrees 59 minutes 44 seconds West along the north line of the Northeast Quarter of said Section 3 for a distance of 1316.25 feet to the northeast corner of the Northwest Quarter of said Section 3; thence continue South 89 degrees 59 minutes 44 seconds West along the north line of said Northwest Quarter for a distance of 1567.31 feet to the point of beginning.

ALSO

That part of the East Half of the Northeast Quarter of Section 3, Township 103 North, Range 5 West, which lies northerly of the South 40 Acres of the Northeast Quarter of said Section 3.

Commissioners' Orders

As shown on Exhibit "A."

are under the control and possession of the Department of Natural Resources; and

WHEREAS, such lands contains four distinct "goat prairies" possessing an extremely diverse flora that includes the following rare, threatened or endangered plant species: Wild False Indigo (*Baptisia leucantha*), Goat's-rue (*Tephrosia virginiana*), Narrow-leaved Milkweed (*Asclepias stenophylla*), Jeweled Shooting-Star (*Dodecatheon amethystinum* and Ohio Spiderwort (*Tradescantia ohimensis*); and

WHEREAS, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

NOW THEREFORE, I, Rodney W. Sando, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* §§ 84.033, 86A.05, subd. 5, and other applicable law, do hereby designate the above-described lands as Mound Prairie Scientific and Natural Area. Furthermore, the Mound Prairie Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

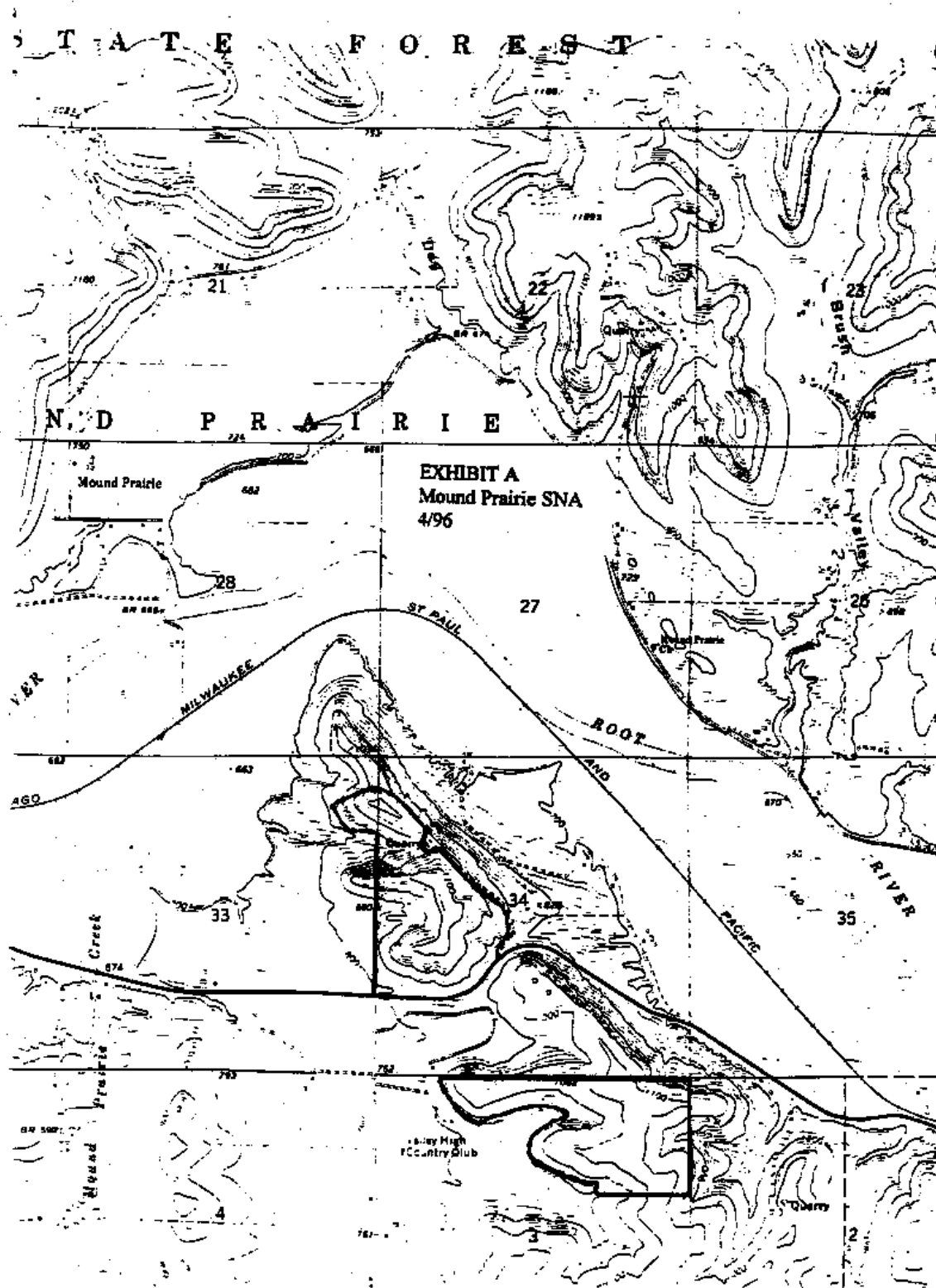
IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* pts. 6135.4500 through 6135.5000 shall apply to the above-designated area, except that dogs are permitted, and except that public hunting shall be permitted on Parcel 1 during legal open seasons.

IT IS FURTHER ORDERED that Scientific and Natural Area Order No. 81 is hereby superseded.

Dated: 4 November 1997

Rodney W. Sando, Commissioner
Department of Natural Resources

Approved as to Form and Execution
Hubert H. Humphrey III
Attorney General



Commissioners' Orders

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 150: Spring Creek Prairie Scientific and Natural Area

WHEREAS, certain lands in Goodhue County, Minnesota, described as:

The East Half of the Northeast Quarter of the Northeast Quarter (E 1/2 NE 1/4 NE 1/4), EXCEPTING THEREFROM the North 448.00 feet thereof; the Southwest Quarter of the Northeast Quarter of the Northeast Quarter (SW 1/4 NE 1/4 NE 1/4); and that part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4), the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4), the West Half of the Northeast Quarter (W 1/2 NE 1/4) and the North Half of the Northwest Quarter (N 1/2 NW 1/4), ALL IN Section Thirty-four (34), Township One Hundred Thirteen (113) North, Range Fifteen (15) West, Goodhue County, Minnesota, described as follows:

Beginning at the southeast corner of said Southeast Quarter of the Northeast Quarter being an in-place cast iron monument; thence on a bearing based on the Goodhue County Coordinate System of 1983, of South 89 degrees 31 minutes 54 seconds West along the south line of said Southeast Quarter of the Northeast Quarter 693.00 feet (10.5 chains); thence South 36 degrees 01 minute 54 seconds West 9.47 feet to a 3/4" by 24" rebar with a plastic cap stamped "MN DNR PROPERTY MONUMENT" (DNR MON); thence North 52 degrees 01 minute 47 seconds West 3069.67 feet to a DNR MON; thence South 83 degrees 06 minutes 49 seconds West 274.88 feet to a DNR MON; thence North 82 degrees 09 minutes 08 seconds West 579.20 feet to a DNR MON; thence North 82 degrees 40 minutes 26 seconds West 358.55 feet to a DNR MON; thence continuing North 82 degrees 40 minutes 26 seconds West 45 feet, more or less, to the center line of Spring Creek; thence northeasterly along said center line 872 feet, more or less, to the north line of said North Half of the Northwest Quarter; thence North 89 degrees 30 minutes 44 seconds East along said north line 1447 feet, more or less, to an in-place cast iron monument and the northeast corner of said North Half of the Northwest Quarter; thence North 89 degrees 26 minutes 42 seconds East 1291.06 feet along the north line of said West Half of the Northeast Quarter to the northeast corner thereof; thence South 00 degrees 13 minutes 33 seconds West along the east line of said West Half of the Northeast Quarter 1302.11 feet to the northwest corner of said Southeast Quarter of the Northeast Quarter; thence North 89 degrees 29 minutes 19 seconds East along the north line of said Southeast Quarter of the Northeast Quarter 1296.80 feet to the northeast corner thereof; thence South 00 degrees 01 minute 38 seconds East along the east line of said Southeast of the Northeast Quarter 1303.03 feet to the southeast corner thereof and the point of beginning; EXCEPTING THEREFROM that part described as follows:

Beginning 10.5 chains (693.00 feet) west of the quarter post between Sections 34 and 35, in Township 113 North, Range 15 West; thence at variation of 8 degrees 45 minutes east, North 36 degrees 30 minutes East 2.17 chains (143.22 feet); thence South 52 degrees East 2.79 chains (184.14 feet) to the center line of Section 34; thence on said line west 3.47 chains (229.02 feet) to beginning.

ALSO

The West 330.00 feet of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4), EXCEPTING THEREFROM the North 448.00 feet thereof of Section Thirty-five (35), Township One Hundred Thirteen (113) North, Range Fifteen (15) West, Goodhue County, Minnesota.

ALSO

Outlot B, TYLER HILLS, according to the plat thereof on file and of record in the office of the County Recorder, Goodhue County, Minnesota; together with a non-exclusive easement for ingress and egress and underground utility purposes, on, over and across Outlot C, of TYLER HILLS, Said easement shall run with the land to benefit the subsequent owners of Outlot B, their heirs, successors, administrators and assigns, in perpetuity.

are under the control and possession of the Department of Natural Resources; and

WHEREAS, such lands contain the bedrock bluff prairie which provides optimal habitat for one of the largest known populations of the following rare, threatened or endangered plant species: Bladder Pod (*Lesquerella ludoviciana*); and

WHEREAS, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

NOW THEREFORE, I, Rodney W. Sando, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* §§ 84.033, 86A.05, subd. 5, 97A.093, and other applicable law, do hereby designate the above-described lands as Spring Creek Prairie Scientific and Natural Area. Furthermore, the Spring Creek Prairie Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* pts. 6135.4500 through 6135.5000 shall apply to the above-designated area.

Dated: 4 November 1997

Rodney W. Sando, Commissioner
Department of Natural Resources

Approved as to Form and Execution
Hubert H. Humphrey III
Attorney General

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 151: Wood Rill Scientific and Natural Area

WHEREAS, certain lands in Hennepin County, Minnesota, described as:

That part of the Southeast Quarter of Section 35, lying Northeasterly of County Highway No. 27 described as follows, to-wit:

Commencing at the Northeast corner of the Southeast Quarter of Section 35; thence West along the North line said Southeast Quarter a distance of 187-1/2 feet; thence South on a line parallel with the East line of said Southeast Quarter to the intersection of said line with the center line of said highway; thence in a Southeasterly direction along the center line of said highway to the intersection of the center line of said highway and the Easterly line of said Southeast Quarter, thence along the Easterly line of said Southeast Quarter to the place of beginning, all in Section 35, Township 118 North, Range 23 West of the 5th Principal Meridian.

AND

The following described part of the East Half of the Southeast Quarter of Section 35, Township 118, Range 23:

Commencing at the point of intersection of the center line of County Highway No. 27 with the East line of Section 35, Township 118, Range 23, at a point 502.5 feet South of the East Quarter corner of said Section 35; thence Northwesterly along the centerline of said County Highway No. 27 a distance of 338.3 feet to a point; thence turning left a deflection angle of 122 degrees and 48 minutes a distance of 745.0 feet to a point, said point being the true point of beginning of the tract of land to be described; thence turning left a deflection angle of 22 degrees 38 minutes to a point on the Northerly line of the Minnesota Western Railroad; thence Easterly along said Northerly line to the East line of the Southeast Quarter of said Section 35; thence North along said East line a distance of 501.7 feet to a point; thence West to the true point of beginning; containing 4.1 acres of land, more or less.

AND

Lot 2, Block 1, Club House Turn, according to plat of record in Hennepin County Recorder's Office.

AND

Lot 2, Block 1, Hilltop Farm, according to plat of record in Hennepin County Recorder's Office.

AND

Outlot A, Wakefield Farms, 2nd Addition, according to plat of record in Hennepin County Recorder's Office and Outlot A, Wakefield Farms, 3rd Addition, according to plat of record in Hennepin County Recorder's Office.

AND

Commissioners' Orders

The North 850 feet of the following described tract: That part of the Southwest Quarter of the Northwest Quarter and of the West Half of the Southwest Quarter of Section 36, Township 118 North, Range 23 West of the 5th Principal Meridian, described as follows:

Commencing at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section; thence South along the West line of said Section 1811.9 feet to the center line of County Road No. 27; thence Southeasterly deflecting to the left at an angle of 47 degrees 32 minutes a distance of 290.5 feet along the center line of said road; thence Southeasterly deflecting to the left at an angle of 5 degrees, 14 minutes along the center line of said road 398.3 feet, more or less, to an intersection with a line drawn parallel with the West line of said Section and South from a point in the North line of the Southwest Quarter of said Section, distant 533.8 feet East of the Northwest corner of said Southwest Quarter, said point of intersection being the actual point of beginning of the tract of land to be described; thence Southeasterly along last described course 58 feet; thence Southeasterly deflecting to the left at an angle of 4 degrees, 24 minutes along the center line of said road 155.3 feet; thence Southeasterly and Easterly along a tangential curve to the left with a radius of 475.4 feet, a distance of 299.67 feet; thence Easterly in a straight line, tangent to last described curve, along the center line of said road 329.8 feet, more or less, to the East line of the West Half of the Southwest Quarter of said Section; thence Northerly along the East line of the West Half of the Southwest Quarter and of the Southwest Quarter of the Northwest Quarter of said Section 2422.46 feet, more or less, to the Northeast corner of said Southwest Quarter of the Northwest Quarter; thence West along the North line of said Southwest Quarter of the Northwest Quarter, 801.2 feet, more or less, to a point therein distant 533.8 feet East of the Northwest corner of said Southwest Quarter of the Northwest Quarter; thence South parallel with the West line of said Section to the actual point of beginning.

AND

That part of the Southwest Quarter of the Northwest Quarter and of the West Half of the Southwest Quarter of Section 36, Township 118 North, Range 23 West of the 5th Principal Meridian described as follows:

Beginning at a point in the North line of the West Half of the Southwest Quarter of said Section distant 533.8 feet East of the Northwest corner thereof; thence North parallel with the West line of the Southwest Quarter of the Northwest Quarter of said Section to the North line thereof; thence West along the North line of said Southwest Quarter of the Northwest Quarter a distance of 533.8 feet to the Northwest corner thereof; thence South along the West line of the Southwest Quarter of the Northwest Quarter and of the West Half of the Southwest Quarter of said Section a distance of 1811.9 feet to the center line of County Road No. 27; thence Southeasterly deflecting to the left at an angle of 47 degrees, 32 minutes a distance of 290.5 feet along the centerline of said road; thence Southeasterly deflecting to the left at an angle of 5 degrees, 14 minutes along the center line of said road a distance of 398.3 feet, more or less, to an intersection with a line drawn South from the point of beginning and parallel with the West line of the West Half of the Southwest Quarter of said Section; thence North along said parallel line so drawn to the point of beginning.

AND

That part of the West Half of the Southwest Quarter of Section 36, Township 118 North, Range 23 West of the 5th Principal Meridian, described as follows:

Beginning at the point of intersection of the West line of said Section 36 with the center line of County Road No. 27, said point being 502.5 feet South of the West quarter corner of said Section 36; thence Southeasterly along said center line, at an angle of 44 degrees and 39 minutes with said West line of Section 36, a distance of 188.17 feet; thence deflecting left 8 degrees and 3 minutes and continuing along said center line a distance of 447.87 feet to a point; thence Southwesterly along a line between last said point and a point on the South line of said Section 36, 20.5 feet East of the Southwest corner thereof to the Northerly right-of-way of the Electric Short Line Railway Company; thence Westerly along said Northerly line of said right-of-way to the West line of said Section; thence North along said West line of said Section to the point of beginning.

AND

Lot 1, Block 1, Hilltop Farm, according to the plat of record in Hennepin County Recorder's Office.

are under the control and possession of the Department of Natural Resources; and

WHEREAS, such lands contain a significant example of the Big Woods forest ecosystem maintaining itself under prevailing natural conditions; and

WHEREAS, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

Revenue Notices

NOW THEREFORE, I, Rodney W. Sando, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* §§ 84.033, 86A.05, subd. 5, 97A.093, and other applicable law, do hereby designate the above-described lands as Wood Rill Scientific and Natural Area. Furthermore, the Wood Rill Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* pts. 6135.4500 through 6135.5000 shall apply to the above-designated area except that dogs are permitted on the designated walking paths provided that they shall be on a hand held leash, not to exceed six (6) feet in length, at all times.

Dated: 4 November 1996

Rodney W. Sando, Commissioner
Department of Natural Resources

Approved as to Form and Execution
Hubert H. Humphrey III
Attorney General

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 # 98-01: Sales and Use Tax - Materials Used to Construct or Improve Correctional Facilities

Minnesota Statutes, § 297A.25, subdivision 65, provides an exemption from sales and use tax for construction materials and supplies used in a project mandated by state or federal law, rule or regulation to construct or improve an adult or juvenile correctional facility. However, *Minnesota Statutes*, § 297A.15, subdivision 7, requires that the sales or use tax must first be paid on purchases of the construction materials and supplies and the governmental subdivision must apply for a refund of the tax paid. Materials and supplies purchased from June 1, 1992 through August 31, 1997 are eligible for a refund of 20 percent of the sales or use tax paid. Purchases of materials and supplies made after August 31, 1997 are eligible for a full refund of the sales or use tax paid.

The Department of Revenue interprets "state or federal mandate" as any state or federal statute, regulation, or rule with which the correctional facility must comply. Examples include, but are not limited to, OSHA regulations, federal occupancy limits for correctional facilities, Minnesota Department of Corrections rules or regulations, and fire codes. Improvements or construction undertaken in compliance with any ordinance, board decision, or other rule promulgated by governmental bodies at the county, city, municipal, or local level do not qualify for the sales tax refund. Building materials and supplies used in the construction of a new correctional facility do not qualify for the refund unless there is a federal or state mandate to construct the facility.

Materials and supplies used to construct or improve buildings, as well as outdoor recreational structures at adult and juvenile facilities, qualify for the refund if the project is required by state or federal law. If the facility under construction has multiple purposes (e.g., as a police station or courthouse in addition to a correctional facility), the cost of materials will be prorated based on the square footage of the correctional facility compared to the entire structure for refund purposes. The entire cost of any materials specific to the correctional facility portion, such as alarm systems, bars, cells, or other security equipment, are eligible for the sales tax refund.

If the construction materials for a qualifying project are a part of a lump-sum construction contract that covers both materials and labor, the contractor, subcontractor, or builder must furnish the governmental subdivision with a statement of the cost of the construction materials and supplies and the sales taxes paid on them.

Dated: 26 January 1998

Jennifer L. Eng
Assistant Commissioner for Tax Policy

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-

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 152 Acres of Bare Farmland in Middletown Township, Jackson County

NOTICE IS HEREBY GIVEN that a public hearing will be held on February 13, 1998, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 152 acres of bare farmland located in Section 16, Middletown Township, Jackson County, Minnesota on behalf of Chad and Kris Schneekloth, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$250,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 7 January 1998

Jim Boerboom
RFA Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for Machinery in Stanchfield Township, Isanti County

NOTICE IS HEREBY GIVEN that a public hearing will be held on February 13, 1998, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of machinery, located in parts of Sections 20, 29 and 30; Stanchfield Township, Isanti County, Minnesota on behalf of Tim and Nicole Laman, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$104,500.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 7 January 1998

Jim Boerboom
RFA Director

Department of Agriculture

Minnesota Rural Finance Authority**Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 148 Acres of Bare Farmland in Stanchfield Township, Isanti County**

NOTICE IS HEREBY GIVEN that a public hearing will be held on February 13, 1998, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 148 acres of bare farmland located in parts of Sections 20, 29 & 30, Stanchfield Township, Isanti County, Minnesota on behalf of Tim and Nicole Laman, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$135,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 7 January 1998

Jim Boerboom
RFA Director

Department of Agriculture**Minnesota Rural Finance Authority****Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 160 Acres of Bare Farmland in Georgetown Township, Clay County**

NOTICE IS HEREBY GIVEN that a public hearing will be held on February 13, 1998, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 160 acres of bare farmland located in Section 29, Georgetown Township, Clay County, Minnesota on behalf of John D. Lee and Aaron Lee, brothers (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$110,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 8 January 1998

Jim Boerboom
RFA Director

Official Notices

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 160 Acres of Bare Farmland in Ceresco Township, Blue Earth County

NOTICE IS HEREBY GIVEN that a public hearing will be held on February 13, 1998, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 160 acres of bare farmland located in Section 29, Ceresco Township, Blue Earth County, Minnesota on behalf of Darrin R. Gens, a single man (the Borrower). The maximum aggregate face amount of the proposed bond issue is \$249,999.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 8 January 1998

Jim Boerboom
RFA Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 320 Acres of Bare Farmland in Canton Township, Fillmore County

NOTICE IS HEREBY GIVEN that a public hearing will be held on February 13, 1998, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 320 acres of bare farmland located in Section 13, Canton Township, Fillmore County, Minnesota on behalf of Richard S. and Teresa K. O'Connor, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$248,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 7 January 1998

Jim Boerboom
RFA Director

Health Care Consumer Advisory Board (HCCAB)

Notice of Health Care Consumer Advisory Board Meeting

The HCCAB will meet February 10, 1998, 12:30-3:30 p.m. at Merriam Park Library, 1831 Marshall Avenue, St. Paul.

Metropolitan Airports Commission

Notice of Adoption of Ordinance No. 85

Please take notice that on the 20th of January, 1998, at a rescheduled regular meeting, the Metropolitan Airports Commission adopted Ordinance No. 85.

Ordinance No. 85:

An ordinance to promote and conserve the public safety, health, peace, convenience and welfare and to provide for the equitable allocation of the costs of establishing and maintaining ground transportation facilities at the Airport, by regulating the operation of all Commercial Vehicles at Minneapolis-St. Paul International Airport, Wold-Chamberlain Field, a public airport under the operation, direction and control of the Metropolitan Airports Commission, and repealing Ordinance 79 in its entirety.

Copies of Ordinance No. 85 as adopted will be on file with the Secretary of State and may be obtained from the Metropolitan Airports Commission offices.

Jeffrey W. Hamiel
Executive Director
Metropolitan Airports Commission
6040 - 28th Avenue South
Minneapolis, MN 55450

Pollution Control Agency

Public Notice on Proposed Air Emission Facility General Permit

NOTICE IS HEREBY GIVEN, that the Commissioner of the Minnesota Pollution Control Agency (MPCA) proposes to issue a general permit governing stationary manufacturing sources which meet the qualifications described below and in the application forms and Technical Support Document (TSD). The issuance of this general permit is authorized by *Minnesota Rules* 7007.1100, subp. 1, which allows the MPCA to issue a general permit if "numerous and similar stationary sources are subject to substantially similar regulatory requirements. . ."

This general permit may be issued to existing sources which demonstrate that they qualify for it. However, the MPCA may choose to issue an individual permit to a source which qualifies for this general permit if it determines that an individual permit more appropriately regulates the emissions from the source. Issuance of this general permit satisfies the obligation to obtain an air emission permit to operate as required by *Minnesota Rules* ch. 7007.

This general permit will not be issued to authorize construction of a new source, which would otherwise qualify for it, until there has been a notice to the residents of the locality and an opportunity for public comment to the permit applicant on the proposed project. The notice is to be arranged and published by the applicant, and a copy of the notice, comments if any, and the applicant's responses to comments must be provided to the MPCA with the application for this general permit. The notice must be published in a newspaper of general circulation in the area where the new source is to be located and also posted at and in the vicinity of the proposed site. The notice must solicit comments from the public to the permit applicant on the proposed new source. The notice must identify the name and location of the facility to be permitted; the name and address of the permittee; the activity or activities involved in the permit action; the emissions that will result from the facility; whether the facility will be subject to the requirement to file a pollution prevention progress report to the commissioner if required by *Minnesota Statutes* § 115D.08; the name, address, and telephone number of a representative of the permit applicant from whom interested persons may obtain additional information, including copies of the general permit, the application, all relevant supporting materials and all other materials available to the MPCA that are relevant to the permit decision. The notice must also advise the public of the right to petition the Environmental Quality Board for the preparation of an environmental assessment worksheet for the proposed project under *Minnesota Statutes* § 116D.04, subd. 2a(c), and of the opportunity to petition the MPCA Commissioner, under *Minnesota Statutes* § 116.02, subd. 8, to

Official Notices

place approval of the proposed permit on the agenda of an MPCA Board meeting. If the permit involves issues that generate or are likely to generate significant material adverse comments from the public or if the MPCA determines that an individual permit more appropriately regulates the emissions from the proposed source, the MPCA may decide to issue an individual permit in place of this general permit to the applicant. The individual permit may be subject to the public notice requirements of *Minnesota Rules* 7007.0850, subp. 2(A)(1), (2), and (3).

Due to emission limits, operational limits, and materials usage limits in the permit, the stationary sources eligible for the proposed general permit are not major sources as defined in *Minnesota Rules* 7007.0200, and therefore are eligible to obtain a "State permit" for air emissions as that term is defined in *Minnesota Rules* ch. 7007.

The proposed general permit contains federally enforceable conditions to limit the potential-to-emit (PTE) of all criteria pollutants to a 12-month rolling sum of less than 99 tons each. The criteria pollutants are Particulate Matter less than 10 microns (PM₁₀), Carbon Monoxide (CO), Nitrogen Oxides (NO_x), Sulfur Dioxide (SO₂), Lead (Pb), and ozone Volatile Organic Compounds (VOC). As limited by the permit, each stationary source is a nonmajor as defined in 40 CFR § 52.21 Prevention of Significant Deterioration (*Minnesota Rules* 7007.3000) and 40 CFR § 51, Appendix S, Nonattainment Area Review (*Minnesota Rules* 7007.4000 - 7007.4030). Therefore, New Source Review (NSR) requirements do not apply.

Each stationary source eligible for the proposed State general permit may include the following types of equipment and activities for which a permit is required by *Minnesota Rules* 7007.0150: batch cold solvent cleaning machines, injection molding, paint spray guns, paint spraying and coating booths, nonhalogenated solvent degreasers, surface cleaning, abrasive blasting, acid cleaning, fuel storage, boilers, catalytic or thermal afterburner, fabric filters, wall filters, baghouses, internal combustion engine, burnoff ovens, furnaces, ovens, water wash paint booths, dip tanks, soldering, welding, brazing, space heaters, storage tanks, engine testing, screen printing, stenciling and/or any of the insignificant activities listed in *Minnesota Rules* 7007.1300.

A stationary source is not eligible for the proposed general permit, or ceases to be eligible for the proposed general permit, if any of the following are true:

1. The stationary source has an emissions unit other than those described above.
2. The stationary source has an emission unit subject to a Standard of Performance for New Stationary Sources in 40 CFR pt. 60 already adopted or to be promulgated, other than 40 CFR pt. 60, subp. Dc for small boilers, subp. Kb for liquid storage tanks, or subp. Jj for cold cleaning machine operations.
3. The stationary source is affected by a 40 CFR pt. 63 National Emission Standard for Hazardous Air Pollutants (NESHAP) already adopted or to be promulgated, other than the following:
 - batch cold solvent cleaning
 - internal combustion engines
 - industrial boilers
 - institutional/commercial boilers
 - process heaters
 - engine test facilities
 - paint stripper uses
 - miscellaneous metal parts and products for surfaces coating
4. The stationary source is subject to a case-by-case Maximum Achievable Control Technology (MACT) standards determination.
5. The stationary source uses painting or coating materials that contain lead.
6. The stationary source includes a type of control equipment not covered in the proposed general permit.
7. The stationary source is one of the following types of source:
 - a. Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input
 - b. coal cleaning plants (with thermal dryers)
 - c. kraft pulp mills
 - d. portland cement plants
 - e. primary zinc smelters
 - f. iron and steel mill plants

- g. primary aluminum ore reduction plants
 - h. primary copper smelters
 - i. municipal incinerators capable of charging more than 250 tons of refuse per day
 - j. hydrofluoric, sulfuric, and nitric acid plants
 - k. petroleum refineries
 - l. lime plants
 - m. phosphate rock processing plants
 - n. coke oven batteries
 - o. sulfur recovery plants
 - p. carbon black plants (furnace process)
 - q. primary lead smelters
 - r. fuel conversion plants
 - s. sintering plants
 - t. secondary metal production plants
 - u. chemical process plants
 - v. fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input
 - w. petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels
 - x. taconite ore processing plants
 - y. glass fiber processing plants
 - z. charcoal production plants
8. The stationary source emits at any time a 12-month rolling sum of more than 99 tons of VOC, PM₁₀, CO, NO_x, SO₂ or Pb after issuance of the general permit.

A summary of the allowable PTE in tpy for a stationary source which is subject to the proposed general permit is as follows:

Pollutant	PM ₁₀	SO ₂	NO _x	VOC	CO	Pb	HAP
Total Facility PTE	99	99	99	99	99	0.003	9.6/24.6

As allowed by *Minnesota Rules* 7007.1100, subp. 5, the MPCA has developed a source-specific permit application that does not include all the required information specified in *Minnesota Rules* 7007.0100 to 7007.1850. The differences between the application requirements and this general permit application are discussed in the TSD. The MPCA has developed application forms tailored to this general permit. The application forms and worksheets will be updated as required, but will continue to contain the elements discussed in the TSD needed to determine eligibility for the general permit.

The draft general permit contains each applicable requirement that applies to eligible stationary sources. Based upon the information in the permit application, certain geographic-based requirements that do not apply to a particular source's location will not be included in the general permit issued to that source (If a source is located outside the Minneapolis-St. Paul Air Quality Control Region, it will receive a general permit that does not include requirements that only apply to that region). Similarly, for sources located in the Minneapolis-St. Paul Air Quality Control Region, requirements that only apply outside the Twin Cities region will not be included in the general permit issued to the source. This will reduce unnecessary material in the general permits issued that could confuse a source owner.

The preliminary determination to issue the air emission permit is tentative. There are four formal procedures for public participation in the MPCA's consideration of the permit application. These procedures are set forth in *Minnesota Rules* 7007.0850, subp. 3.

First, interested persons may submit written comments on the proposed permit.

Second, interested persons may also request that the MPCA hold a public information meeting.

Third, interested persons may request the MPCA hold a contested case hearing. If the request is granted, the hearing would be conducted by the Office of Administrative Hearings pursuant to the Administrative Procedures Act.

Official Notices

Fourth, interested persons may submit a petition to the Commissioner requesting that the MPCA Board consider the permit matter. The decision whether to issue the permit and, if so, under what terms will be presented to the MPCA Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the MPCA Board; (2) an MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the permit; or (3) a request for a contested case hearing is pending. Otherwise, the Commissioner will make the decision.

Persons who submit comments or petitions to the MPCA must state:

1. their interest in the permit application or the draft permit;
2. the action they wish the MPCA to take, including specific references to the section of the draft permit they believe should be changed; and
3. the reasons supporting their position, stated with sufficient specificity as to allow the Manager of the Air Quality Division to investigate the merits of the position.

Persons who submit requests for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (or proposed findings) supporting an MPCA decision to hold a contested case hearing pursuant to the criteria in *Minnesota Rules* 7000.1900. The petition should also include a proposed list of prospective witnesses they would call, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing; a proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and an estimate of time required for the petitioner to present the matter at a contested case hearing. The decision whether to hold a contested case hearing will be made under *Minnesota Rules* 7000.1900.

The public comment period commences January 27, 1998, and terminates February 25, 1998. Comments must be received in writing by the MPCA by 4:30 pm on February 25, 1998. Evidence of timely receipt is a date/time stamp imprinted on the first page of the written comments by the first floor information and reception area staff of the MPCA or by the Air Quality Division staff, or submittal by fax.

Comments, requests and petitions should be mailed to:

David L. Beil, P.E.
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
(612) 296-7810

A copy of the draft general permit will be mailed to any interested person upon the MPCA's receipt of a written request. A copy of additional materials relating to the issuance of this general permit, including the TSD and proposed permit application forms, are available upon request or for inspection at the Minnesota Pollution Control Agency, Air Quality Division, 520 Lafayette Road North, St. Paul, Minnesota 55155, and at the MPCA's Regional Offices at the following addresses and phone numbers between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

MPCA Regional Offices:

- | | |
|-----------------|--|
| Region 1 | Duluth Government Center
Room 704
320 West Second Street
Duluth, Minnesota 55802
Phone (218) 723-4660 |
| Region 2 | 1601 Minnesota Drive
Brainerd, Minnesota 56401
Phone (218) 828-2492 |
| Region 3 | Lake Avenue Plaza
714 Lake Avenue
Suite 220
Detroit Lakes, Minnesota 56501
Phone (218) 847-1519 |

Professional, Technical & Consulting Contracts

Region 4 **700 North Seventh Street**
Marshall, Minnesota 56258
Phone (507)537-7146 or (507)537-7147

Region 5 **2116 Campus Drive Southeast**
Rochester, Minnesota 55904
Phone (507)285-7343

Dated: 16 January 1998

Peder A. Larson
Commissioner
Minnesota Pollution Control Agency

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 Corrections

Request for Proposal for Comprehensive Health Care Services

The Minnesota Department of Corrections, Health Services Unit, is requesting proposals for a comprehensive health care delivery system to include full range of primary, specialty and ancillary care providers. This request does not include nursing services or other services provided within the state correctional facilities by state employees. The Department of Corrections will accept the following proposal types:

- Individual facility
- Individual facility -selected service(s)
- Multiple facilities
- Multiple facilities -selected service(s)
- Claims processing

For a complete Request for Proposal (RFP) or additional information, please call or write:

Carol Sheehan
Director, Health Services
Minnesota Department of Corrections
1450 Energy Park Drive - Suite 200
St. Paul, MN 55108-5219
Telephone: (612) 603-0165

Addenda resulting from questions will be issued no later than February 16, 1998.

In compliance with *Minnesota Statutes* §16b.167, the availability of this contracting opportunity is being offered to state employees. Responses of any state employee will be evaluated along with other responses to this RFP.

Proposals are due no later than 4:00 p.m. on Monday, March 16, 1998. No late proposals will be accepted.

Professional, Technical & Consulting Contracts

Department of Human Services

Residential Facility: Ah-Gwah-Ching Center

Notice of Request for Proposal for Psychiatric Consulting Services

Contractor's Duties:

1. Perform psychiatry services to residents at Ah-Gwah-Ching Center as assigned by the Ah-Gwah-Ching Medical Director or the director's designee.
2. Confer with the contracted physicians, Ah-Gwah-Ching nurse practitioners, psychologists, the consulting pharmacologist, and the nursing staff regarding the development, implementation, and monitoring of resident management plans, medication usage, and other treatment modalities appropriate for the individual residents.
3. Maintain medical records according to standards of care established by Ah-Gwah-Ching Center policies and procedures.
4. Represent Ah-Gwah-Ching Center in legal proceedings when there is a need for psychiatric opinion.
5. Be available for telephone consultation on emergency resident problems.
6. Provide the above services at Ah-Gwah-Ching Center on a scheduled basis jointly agreed to by the contractor and the Ah-Gwah-Ching Center Medical Director or the director's designee. The contractor shall provide a maximum of ten hours of service per week.
7. Provide documentation of a valid and unlimited license to practice medicine in accordance with *Minnesota Statutes*, Chapter 147, and be eligible for or board certified in psychiatry.

A standard state consultant contract will be utilized for these services.

In compliance with *Minnesota Statutes* 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this request for proposal.

Term of Contract: February 15, 1998 through June 30, 1999

Cost Estimate: \$40,000 per year

Responses must be received by 4:30 p.m. on Monday, February 16, 1998.

Direct inquiries to: Jeff Smith, Chief Executive Officer
Ah-Gwah-Ching Center
P.O. Box 40
Ah-Gwah-Ching, MN 56430
218/547-8300

Department of Human Services

Anoka-Metro Regional Treatment Center

Notice of Request for Proposal for Electro Convulsive Therapy

NOTICE IS HEREBY GIVEN that the Anoka-Metro Regional Treatment Center, Mental Health Bureau, Department of Human Services, is seeking inpatient and outpatient Electro Convulsive Therapy services, off campus in an acute care hospital setting, which are to be performed as requested by the Administration of Anoka-Metro Regional Treatment Center. Contract will be for the period February 1, 1998 through June 30, 1998. The state reserves the right to renew the contract for an additional two (2) year period at the same consideration and terms of payment if agreed to by both parties. Responsibilities to include administration of inpatient and outpatient Electro Convulsive Therapy services for mentally ill patients and must be located within the Twin Cities Metropolitan area. The Electro Convulsive Therapy may be administered by an Anoka-Metro Regional Treatment Center employed psychiatrist in case the contractor is unable to arrange credentialed and qualified psychiatrist to administer Electro Convulsive Therapy.

Total estimated amount of contract will not exceed \$100,000.00 annually.

Responses must be received by February 17, 1998. Direct inquiries to Bhupinder Singh Nakai, M.D., Medical Director, Anoka-Metro Regional Treatment Center, 3300 - 4th Avenue North, Anoka, MN 55303-1119. Telephone Number: 612-576-5532, Fax Number: 612-576-5531.

Department of Human Services

Notice of Intent to Implement DHS Health Care Analysis Tools

Project Overview

The State of Minnesota, Department of Human Services (DHS) intends to initiate a project to develop automated tools for the analysis of health care provided to the residents of Minnesota through the health care programs and projects administered by DHS. These include but are not limited to Medicaid, MinnesotaCare, and General Assistance Medical Care.

Providing Information to Vendors

DHS is interested in being notified by any vendor of their interest, ability, approaches to support this initiative. To assist vendors in assessing their potential involvement in this project, a short overview of the project appears later in this notice. In addition, DHS will conduct a vendor conference which will allow interested vendors to ask questions about this project.

Vendor Conference will take place on February 3, 1998 from 3:00 - 4:30 PM in room 5B at DHS Central Office, 444 Lafayette Road, St. Paul, Minnesota.

Attendance at a conference, or response to this RFI, will not be a mandatory requirement for a vendor to subsequently respond to any RFP that is issued. However, attendance will assure that a vendor has an opportunity to gather additional information about the current DHS needs that the vendor's tools must fill and the infrastructure within which their tools must operate. Attendance will also ensure vendor's inclusion on any mailing lists for updates and deadlines on project implementation.

Receiving Information from Vendors

Vendors are invited to respond to all or part of this request for information either in writing or through a scheduled presentation to DHS project staff. Such responses should include information about how their recommended tools will be integrated within the current DHS data and information environment. Responses may refer to existing systems, combinations of proprietary tools, or vendor development partnerships. DHS reserves the right to limit the invitees for scheduled onsite presentations to those vendors whose experience and products are directly related to the health care analysis needs identified in the next section. All presentations will be made at DHS Central Office. All materials received in response to this Request For Information will be considered public under the Minnesota Data Privacy Act.

Project Summary

DHS is charged with the responsibility of insuring that our Minnesota Health Care Program recipients receive comprehensive health care services from our contracted providers. These providers include individuals and groups through a fee-for-service system, and health care organizations through a capitated system. The proposed tools must be able to accommodate the analysis of both service delivery methodologies.

DHS staff and managers have identified the following tasks which should be filled in part or whole by any health care utilization analysis package. Appendix A gives the individual features that will be given consideration while reviewing a respondent's package.:

**** HEDIS (Must comply with HEDIS 3.0/1998 Reporting and Testing Set)**

- Effectiveness of Care Measures
- Access / Availability of Care Measures
- Use of Services Measures
- Cost of Care Measures

**** SURS**

- Certification as part of HCFA's Medicaid Management Information System
- Analyze and report fraudulent and abusive health care practices
- User defined provider and recipient class grouping
- Statistical utilization analysis based on user defined medical service reporting elements
- Aberrant behavior identification and reporting based on user defined norms
- Standard report showing utilization by the individuals within a class group and the group as a whole
- Analysis of fee-for-service and encounter claims, both separately and in combination

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** EPSDT / Well Child Reporting

- Periodic HCFA 416 reporting
- Screening document referrals and follow-up service comparison
- Service rate calculation based on total members defined through multiple census sources
- Cost / benefit program effectiveness analysis
- Retroactive review of program service delivery
- Trends in children health

** Episodes of Care / Preventable Hospitalizations

- Health outcomes based on package of services
- Care plan service package analysis for special needs populations
- Changes in hospital admissions over time
- Utilization patterns of user defined admission codes

** Outcome Analysis

- Analysis of alternative methods of care
- Analysis of treatment success over time
- Review wellness based on medical service utilization indicators and user defined comparison group

** ACG / DRG / Morbidity Analysis

- Health of population based on multiple treatment patterns.
- Population health risk factor analysis
- Health of MHCP participants as a whole.

Current Information Infrastructure

The Department of Human Services is interested in integrating its health care analytical tools within its existing warehouse infrastructure. The main source of data for the proposed analytical tools will be a Teradata V2R2 database operating in a AT&T Unix operating system through Teradata ODBC driver. The database consists of more than 1200 data elements derived from DHS's MMIS claim processing, provider, recipient, and reference file subsystems. The warehouse has over 42 months of service claims and encounters (approximately 85 million rows), 1.8 million recipients, 65,000 providers, and supporting reference tables. DHS plans to include 60 months of claims data within this database environment. A graphical representation of the logical model of the tables, a list of attributes in the primary tables, and a data dictionary for the MMIS elements stored in the warehouse are available on request.

Functional Requirements

DHS research and analysis staff have identified features that the proposed tools should include in order to support the evaluation of the results of any output related to the tasks identified in the Project Summary section above.

** Drill Down / Aggregate Up Functionality

- Ability to present detailed or summarized data based on user and audience needs

** Standard Executive Reports

- Medical service utilization by DHS defined recipient population groups.
- Per member per month expenses
- Top utilization rates for user defined parameters and time periods; i.e. drugs, diagnosis, procedures
- Summary eligibility and utilization counts for DHS defined populations and time periods

** What-If Analysis

- Ability to change variable values and analyze results
- Ability to analyze data trends over time

**** Strong File Import / Export Capabilities**

Randomly select records based on user defined parameters

Import files from external sources.

Export results in common database, spreadsheet, and ASCII formats

Interaction with HTML format software

Archiving of tables / files for use beyond warehouse detail history retention limits

Additional Items of Interest

Additional items that vendors may consider addressing:

**** Scalability of System**

**** Host / Network / Workstation Configuration Requirements**

**** Year 2000 Compliance**

**** Data Scrubbing / Validation**

**** Ongoing Maintenance / Upgrades Policy**

**** User Training / Tech Support**

**** System Costs**

**** Experience with other Governmental / Health Care Entities**

Response / Questions

Responses to this RFI should be directed to:

William Hassinger
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3847
(612) 296-4393
bill.hassinger@state.mn.us

Request for onsite presentations must be made through Mr. Hassinger by 4 PM, February 13, 1998.

REQUEST FOR INFORMATION ADDENDUM

Appendix A

To fill DHS analytical requirements, the proposed tools will be reviewed for the following functionality:

Recipient Focus;

- * Segregate members by coverage type; fee-for-service (ffs), prepaid plans (pphp), dual eligibles.
- * Allow for short breaks in enrollment / eligibility for continuous enrollment selection.
- * Total length of enrollment / eligibility based on multiple date spans.
- * Ability to unduplicate members within population group.
- * Allow for member selection using inclusion and exclusion logic, for both individuals and groups..
- * Allow for definition of standard and user defined age groups.
- * Allow age calculation based on various dates; date of service, date of discharge, date of enrollment, last date of reporting period, other date defined by user.
- * Calculation of member months within populations.
- * Allow for the reporting of utilization at a per 1000 member month rate.

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Service Focus;

- * Analyze services across coding schemes; NDC, CPT, ICD-9, Revenue, DHS defined.
- * And allow for “mapping” or adding of DHS coding scheme to national or package standards if different.
- * Allow for submission of coding variables at different levels of precision, i.e. 3, 4, or 5 digit ICD-9 codes.
- * Allow for input of CPT/HCPC modifiers.
- * Analysis of single event (episode of care) by combining multiple comprehensive services (i.e. inpatient/outpatient hospital, physician, lab, surgery, ambulance), which may be delivered on different dates, by different providers, on different claims.
- * Identify separate events as part of complete coordination of care; i.e. combining immunizations given at different ages to analyze case management, and combining rates of separate immunizations to review total care system performance.
- * Addition of qualifiers from multiple databases: i.e. pregnancy assessment forms or member surveys.
- * Analyze performance based on length of time between service dates, i.e. period between mammograms, period between EPSDT visits.
- * Review service performance retroactively: i.e. prenatal care based on delivery date and eligibility spans.
- * Ability to analyze service patterns defined using a service over time relationship: i.e. one service each year instead of two services in two years.
- * Ability to report ratio of provider specialist to members needing specialized services.
- * Allow for calculation of length of stay and cost for inpatient services provided to user defined population groups.
- * Differentiate admissions between and within institutions, transfers, discharges, re-admissions.

Research Focus;

- * Allow for time / trend analysis using user defined spans and data elements.
- * Cost / benefit analysis of project participants to control group.
- * Display output in tabular, graphical, and geographical formats.
- * Allow for various level of provider review; individual, group / institution, health plan.
- * Report all components of final measure if requested by user; rate, numerator, denominator, population size.
- * Allow for different statistical functions based on size of population;
 - >30 = report actual counts
 - >100<31 = report measures using all members
 - <100 = report measure using sample
- * Random selection within large population group, and member replacement within sample.
- * Boolean query qualification for inner, outer, and null joins.
- * Exclusion of members based on contraindication parameters systematically derived from records not necessarily included in study.
- * Denominators that vary based on the rate desired, services per member or services per member receiving services.

Department of Transportation

Operations Division

Notice of Availability of Contract for Business Systems Development Support for Operations Management

The Department of Transportation is requesting proposal for Business Systems Support in implementation of Business Planning, Activity Based Costing and product management initiatives in the Operations Division to increase management effectiveness in delivery of customer defined products and services.

The agency has estimated that the cost of this project need not approach but shall not exceed \$110,000.

It is anticipated that the contract period will begin March 2, 1998 and continue through June 30, 1999.

For further information, or to obtain a copy of the completed Request for Proposal, contact Paul F. Keranen, Minnesota Department of Transportation, MS 720, Transportation Building, 396 John Ireland Boulevard, St. Paul, Mn 55155, 612/282-2281.

Proposals must be received at the above address no later than 12:01 PM on February 17, 1998.

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.

In compliance with *Minnesota Statutes* § 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this Request for Proposal.

Winona State University

Request for Proposals for Elevator Maintenance Contract

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed proposals for an elevator maintenance contract.

RFP specifications will be available January 20, 1998 from Sandra Schmitt, Purchasing Director, PO Box 5838, 205 Somsen Hall, Winona State University, Winona, MN 55987 or by calling 507/457-5067.

Sealed proposals must be received by Sandra Schmitt, PO Box 5838 or Somsen 205C, Business Office, Winona State University, Winona, MN 55987 by 12 Noon on February 6, 1998.

Winona State University reserves the right to reject any or all bids or portions thereof, or to waive any irregularities or informalities in proposals received.

Non-State Public Bids, Contracts & Grants

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

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

Metropolitan Council

Notice of Request for Proposals (RFP) for Equal Employment Opportunity (EEO) Complaint Investigation Services

The Metropolitan Council is soliciting proposals to enter into a contract for the performance of EEO complaint investigation services. A copy of the RFP may be obtained by calling 602-1048 (voice) or 291-0404 (TTY). Proposals must be submitted to the Metropolitan Council, Mears Park Center, 230 E. 5th St., St. Paul, MN 55101; Attention: Liz Newberry. Proposals must be received no later than 4:30 p.m., Monday, February 9, 1998.

Minnesota Historical Society

Request for Proposals for Electronic Output, Printing, Binding and Mailing Services for *Minnesota History Magazine*

The Minnesota Historical Society is seeking proposals from qualified firms to provide electronic output, print, bind, prepare for mailing, and deliver eight quarterly issues of *Minnesota History Magazine* according to the specifications and submission requirements from this Request for Proposals.

The Request for Proposal is available by calling or writing Jenna Gruen, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone is (612) 297-5863 (jenna.gruen@mnhs.org).

All proposals must be received by Jenna E. Gruen, Contracting Officer, or an authorized agent, at the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 by the closing time for receipt of proposals, which is 2:00 P.M., February 10, 1998. Late proposals will not be considered.

Authorized agents for receipt of bids are the following: Jenna E. Gruen, Contracting Officer or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center. Bids may not be delivered to the information desk, to the guard or to any location or individual other than as specified above.

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