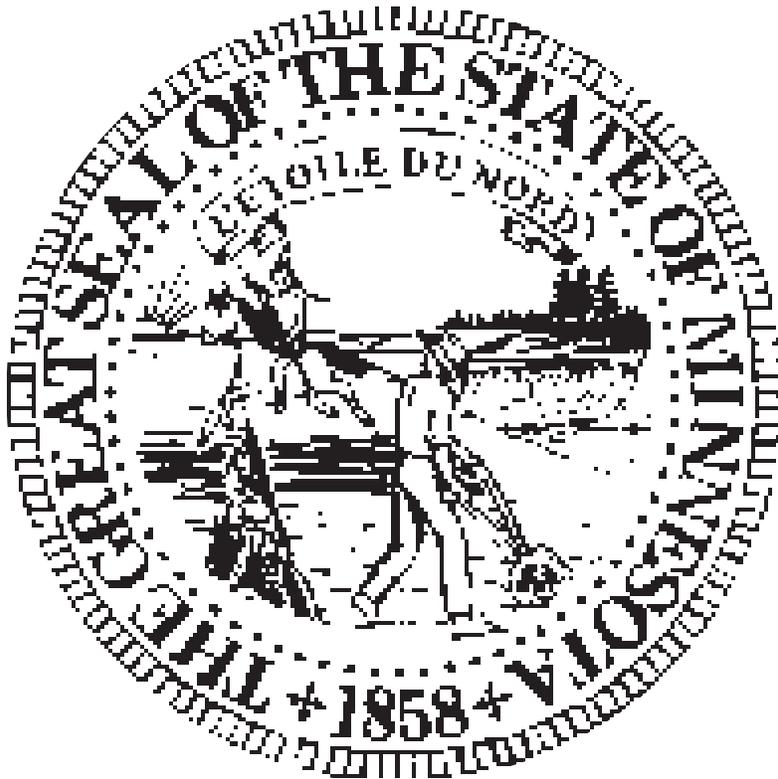


The Minnesota

State Register

Rules and Official Notices Edition



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

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

Printing Schedule and Submission Deadlines

Vol. 22 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 7	Monday 18 August	Monday 4 August	Monday 11 August
# 8	Monday 25 August	Monday 11 August	Monday 18 August
# 9	Tuesday 2 September	Monday 18 August	Monday 25 August
# 10	Monday 8 September	Monday 25 August	Friday 29 August

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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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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*.

Department of Commerce

Proposed Permanent Rules Governing Electronic Funds Transfer Terminals

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendment to Rules Governing Electronic Funds Transfer Terminals, *Minnesota Rules*, Parts 2675.8100 to 2675.8190.

Introduction. The Department of Commerce intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedures 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. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

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:

James G. Miller, Deputy Commissioner
Financial Examinations Division
Department of Commerce
133 East Seventh Street
St. Paul, Minnesota 55101
Phone: (612) 296-2715
Fax: (612) 296-8591
TTY: (612) 296-2860

Subject of Rules and Statutory Authority. The proposed rules are about electronic financial terminal operations. These terminals are also known as automated teller machines (ATMs). The statutory authority to adopt the rules is *Minnesota Statutes*, section 47.71 and 45.023. 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 Tuesday, September 30, 1997, to submit written comments in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

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

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

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

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

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the 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. Copies of the statement may be obtained at the cost of reproduction from the agency.

Adoption and Review of Rules. 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.

Dated: 31 July 1997

James G. Miller
Deputy Commissioner of Commerce

2675.8100 DEFINITIONS.

Subpart 1. **Scope.** ~~All~~ Terms in parts 2675.8100 to ~~2675.8170~~ 2675.8190 that are defined in *Minnesota Statutes*, sections 47.61 to 47.74 ~~shall~~, have the meanings ~~attributed to given them therein~~. For the purpose of *Minnesota Statutes*, sections 47.61 to 47.74, and parts 2675.8100 to ~~2675.8170~~ 2675.8190, the terms defined herein shall in this part have the meanings given to them.

Subp. 2. **Act.** “Act” means *Minnesota Statutes*, sections 47.61 to 47.74 ~~(Laws of Minnesota 1978, chapter 469), as enacted and subsequently amended.~~

Subp. 3. **Card.** “Card” means the access device used to activate a terminal, including a credit card or, debit card, or stored value card. “Card” does not include an access device issued by a government agency solely for the purpose of electronic benefit transfer programs.

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

Subp. 5. **Control.** “Control” means the ownership of greater than 50 percent interest in the terminal or terminals; or any leasehold interest in the terminal or terminals; or the power to act as agent or card issuer authorized by those persons having ownership or leasehold interests in the terminal or terminals for purposes of the act and parts 2675.8100 to ~~2675.8170; 2675.8190.~~ No agency agreement effects transfer of control from an owner or leasehold interest unless the agreement is in writing and provides for assumption of all of the responsibilities and requirements of the act and parts 2675.8100 to 2675.8190 by the agent. If the agent is a national bank, federal savings association, or federal credit union, parts 2675.8100 to 2675.8190 apply to the extent permitted by federal law.

Subp. 6. **Customer.** “Customer” means any person who has established a contractual relationship with a financial institution whereby that person is authorized to initiate any of those ~~functions~~ transactions permitted to be performed under the act at a terminal.

Subp. 6a. **Establish and maintain.** “Establish and maintain” means making electronic financial terminal operations available to customers or card issuers on terms and conditions provided in the act and parts 2675.8100 to 2675.8190 by reason of having control over a terminal.

<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

Subp. 7. **Operator.** "Operator" means any person who assists in the initiation of terminal transactions on behalf of a customer. Operator does not include an employee of a financial institution, financial institution holding company or subsidiary thereof ~~or~~ or the customer.

Subp. 8. **Person.** "Person" means any individual, body politic or corporate, partnerships, or other unincorporated associations; ~~including financial institutions.~~

[For text of subs 9 and 10, see M.R.]

Subp. 11. **Terminal.** "Terminal" means an electronic financial terminal as defined in the act and does not include communication systems such as telephones with digital screens, personal computers, or interactive television possessed by and operated exclusively by the customer whether or not it is used to accept the disclosures required by part 2675.8160.

[For text of subp 12, see M.R.]

Subp. 13. **Unauthorized withdrawal.** "Unauthorized withdrawal" is a withdrawal by a person other than the customer without actual authority to initiate the withdrawal, and from which the customer receives no benefit.

2675.8110 AUTHORITY, SCOPE, AND PURPOSE.

Minnesota Statutes, section 47.71, authorizes the commissioner of commerce to promulgate rules as are reasonably necessary to carry out and make effective the provisions and purposes of the act. Parts 2675.8100 to ~~2675.8170~~ 2675.8190 relate to the operation of electronic funds transfer terminals and the manner and information required in the submission of applications for authorization, establish minimum technical operation standards, and require disclosure of information to customers using such terminals. Parts 2675.8100 to ~~2675.8170~~ 2675.8190 establish an application procedure and guide to standards considered reasonable to accomplish the purposes of the act. Further, the act mandates the promulgation of rules to inform, guide, and protect consumers, retailers, and financial institutions in the utilization of electronic financial terminal systems. Parts 2675.8100 to ~~2675.8170~~ 2675.8190 further set out specific requirements concerning the issuance of cards, disclosures of pertinent required information, and reporting of data relating to financial transactions initiated at electronic financial terminals.

2675.8120 APPLICATION FOR AUTHORIZATION.

Any person, ~~including a card issuer other than a state or federal savings association, savings bank or credit union, or state or national bank,~~ seeking approval to ~~act as a provider of~~ establish and maintain a terminal or terminals at a specific ~~retail~~ location shall, not less than 45 days before the establishment of the terminal or terminals, file with the commissioner ~~a written~~ an application ~~on~~ in a form provided by the commissioner entitled "Electronic Financial Terminal Authorization Application." Such application shall include the following information:

A. name and principal address of the controlling person filing the application; ~~together with such person's financial statement for the most recently closed fiscal year;~~

B. the name and principal address of ~~the~~ any other person or persons having control thereof, if other than the applicant; ~~together with such persons' financial statements for the most recently closed fiscal year;~~

C. descriptive information, including the number of terminals applied for, the ~~retail~~ location of each terminal by street address or other designation (including city and county); ~~and the manufacturer, model number, and type of the terminal;~~

D. whether the terminal will be attended or unattended and, if attended, by whose employees or agents as operators;

E. the ~~functions~~ transactions to be performed at the terminal;

F. schedule of charges to be paid to the provider by those financial institutions sharing the terminal or terminals;

G. a complete description of the physical and technical operation standards pertaining to the terminal, including information and specifications necessary to enable a financial institution that is eligible to share the terminal to obtain interface with the terminal, which description may be limited by the commissioner to the manufacturer, model number, and type of the terminal;

H. operational information, including the manner in which the terminal is activated, anticipated hours of use, anticipated date of first use of the terminal following approval by the commissioner; ~~and name and principal address of any financial institution, other than the provider, which is permitted or is seeking permission from the provider to share the terminal;~~

I. all agreements used or intended to be used relating to the ownership, operation, and control of the terminal; ~~including agreements with and disclosures to customers required by the act and part 2675.8160, subpart 1;~~

J. a description of the safeguards to be used to meet the terminal security requirements of *Minnesota Statutes*, section ~~8~~ of the act 47.68;

K. a description of the procedures to be used to meet the customer privacy requirements of *Minnesota Statutes*, section 9 47.69, subdivision 1 ~~of the act;~~

L. a description of the procedures to be used to minimize losses due to unauthorized withdrawals from customer accounts by use of a terminal as required by Minnesota Statutes, section 9 ~~47.69~~, subdivision 3 ~~of the act~~, including procedures:

(1) for the use of a personal identification code as a means of verification of the authenticity of transactions to be completed at a terminal; and

(2) that prevent the personal identification code from being implemented or made available to the customer until the financial institution issuing the card has received the customer's signed contract or the card has been validated according to the procedures for issuance of access devices in Code of Federal Regulations, title 12, part 205.5, Electronic Fund Transfers;

M. evidence of the bond or other means adopted to comply with ~~the provisions of Minnesota Statutes~~, section 4 ~~47.64~~, subdivision 5 ~~of the act~~; and

N. certification under oath by the applicant that all requirements of the act and of parts 2675.8100 to ~~2675.8170~~ 2675.8190 pertaining to the provider of a terminal shall be met and shall be observed.

2675.8130 NOTICE TO COMMISSIONER.

Notice to commissioner:

A. ~~The commissioner shall be given written notice by the applicant within 30 days following the contracting by a provider with additional financial institutions which have been permitted to share the terminal or terminals.~~

~~B.~~ The commissioner shall be given written notice by the applicant not less than 30 days prior to the change of control or change of the operator of any terminal or terminals. For purposes of this item, "operator" does not include individual employees of a provider or retailer.

~~C.~~ B. The commissioner shall be given written notice by the applicant of the termination of terminal operations at the location authorized not more than ten days after termination of all regulated activity.

C. ~~The commissioner shall be given written notice by the applicant within 15 days following the date on which the applicant relocated an existing terminal less than three miles from its prior location.~~

2675.8160 CUSTOMER DISCLOSURE REQUIREMENTS.

Subpart 1. **Disclosure information.** Pursuant to Minnesota Statutes, section 9 ~~of the act~~ 47.69, the following information shall be disclosed in writing or by electronic communications agreed to by the customer and by the card issuer to its customer at the time the card is issued or in the event cards meeting the requirements of the act and parts 2675.8100 to ~~2675.8170~~ 2675.8190 are outstanding (this disclosure shall be made before the customer is allowed to use a terminal):

[For text of items A to H, see M.R.]

I. a statement that the financial institution shall be liable for all unauthorized withdrawals unless the unauthorized withdrawal was:

~~(1) due to the negligent conduct or the intentional misconduct of the operator of an electronic financial terminal or the operator's agent, in which case the operator of an electronic financial terminal or the agent shall be liable; or~~

~~(2) due to the loss or theft of the customer machine readable card, in which case the customer shall be liable, subject to a maximum liability of \$50, for those unauthorized withdrawals made prior to the time the financial institution is notified of the loss or theft. (an unauthorized withdrawal is a withdrawal by a person other than the customer who does not have actual, implied, or apparent authority for such withdrawal, and from which withdrawal the customer receives no benefit); The limitation on liability is effective only if the card issuer is notified of unauthorized charges contained in a bill within 60 days of receipt of the bill by the person in whose name the card is issued;~~

[For text of items J and K, see M.R.]

Subp. 2. **Type sizes.** All information required to be disclosed by subpart 1 shall be printed or displayed in not less than eight-point type, .075 inch computer type, or elite size typewritten characters.

Subp. 3. **Listing.** A directory listing as permitted under the act shall be made available by the applicant at the ~~retail~~ location of the terminal identifying the financial institutions using its services.

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

2675.8180 ADVERTISING, EXCEPTIONS.

For purposes of *Minnesota Statutes*, section 47.67, notices on the site of a terminal intended to inform the customer of the operational characteristics, source of assistance or service, or fees or charges relating specifically to the use of the terminal are not considered prohibited advertising.

2675.8190 OTHER PERMISSIBLE ACTIVITIES, ELECTRONIC BENEFITS TRANSFER, CONSUMER CONVENIENCE SERVICES.

The limitation on the financial transactions authorized to be performed at a terminal does not prohibit using the terminal's capability to:

A. dispense funds authorized and initiated by a government agency solely for the purpose of electronic benefit transfer purposes; or

B. deliver other consumer convenience services. These consumer convenience services include, but are not limited to, services that affect the payment for and dispense postage stamps, tickets, coupons, phone cards, or other media under agreements with affiliated or nonaffiliated businesses. In determining the suitability of consumer convenience services, consideration shall be given to other applicable law, rule, or the effect on the safety and soundness of the terminal provider where a financial institution is under the supervision of the commissioner.

REPEALER. *Minnesota Rules*, parts 2675.8140; and 2675.8150, are repealed.

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.

Gambling Control Board

Adopted Permanent Rules Governing Lawful Gambling

The rules proposed and published at *State Register*, Volume 21, Number 43, pages 1494-1502, April 21, 1997 (21 SR 1494), are adopted with the following modifications:

7861.0050 ILLEGAL GAMBLING.

Subp. 3. **Discipline against premises permit.** The suspension or revocation of a premises permit is a contested case under *Minnesota Statutes*, chapter 14. For violations of subpart 1, the board shall suspend or revoke an organization's premises permit as follows:

A. for the first violation of subpart 1 at a site, the board shall suspend each premises permit for the site for a period of up to 90 days from the date of the board's final resolution or determination on the violation. No organization shall pay rent for the site, or pay any other costs contained in the lease agreement, during the term of the suspension. When suspending an organization's premises permit pursuant to this item, the board shall consider, ~~at a minimum,~~ the following factors:

(2) whether or not the organization knew, or had reason to know, that the game or device that violated subpart 1 was used, or was designed to be capable of being used, in a manner that violates subpart 1 or *Minnesota Statutes*, section 609.75; ~~and~~

(3) the degree to which the organization cooperated with law enforcement authorities, the Department of Public Safety gambling enforcement division, or the board;

(4) whether the organization participated in the illegal gambling; and

(5) the nature or severity of the violation.

B. for the second violation of subpart 1 at a site, the board shall suspend each premises permit for the site for a period of two years from the date of the board's final resolution or determination on the violation. No organization shall pay rent for the site, or pay any other costs contained in the lease agreement, during the term of the suspension. If a complete change of ownership of the site occurred between the first and second violations, the second violation is considered a first violation for purposes of this subpart and the board shall suspend each premises permit for the site for a period of up to 90 days in accordance with item A, ~~subitem (3),~~ and prohibit any organization from paying rent, or paying any other costs contained in the lease agreement, during the term of the suspension; and

C. for the third violation of subpart 1 at a site, the board shall revoke each premises permit for the site for a minimum period of five years from the date of the board's final resolution or determination on the violation, which permanent revocation shall continue unless and until a complete change of ownership occurs after the third violation. No organization shall pay rent for the site, or pay any other costs contained in the lease agreement, during the term of the revocation. If a complete change of ownership occurred

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

Adopted Rules

between the second and third violations, the third violation is considered a first violation for purposes of this subpart and the board shall suspend each premises permit for the site for a period of up to 90 days in accordance with item A, ~~subitem (2)~~, and prohibit any organization from paying rent for the site, or paying any other costs contained in the lease agreement, during the term of the suspension.

Department of Natural Resources

Adopted Permanent Rules Relating to Game and Fish; Aquatic Management Areas

The rules proposed and published at *State Register*, Volume 21, Number 37, pages 1284-1310, March 10, 1997 (21 SR 1284), are adopted with the following modifications:

6262.0200 FISHING REGULATIONS FOR INLAND WATERS.

Subpart 1. **General inland fishing regulations.** Fish may be taken in inland waters by angling during the time specified for each of the following species, however, certain waters of the state are subject to experimental regulations, special regulations, or are closed for the taking and possession of fish:

Species and Open Season	Daily and Possession Limits
A. Largemouth and smallmouth bass.	6 in aggregate.
(1) In all waters lying east and north of U.S. Highway 53 from Duluth to International Falls and Pelican and Ash Lakes, St. Louis county. Saturday two weeks prior to Memorial Day weekend up to, but not including, the third Monday in February. <u>Starting in 1998</u> , from the second Monday in September through the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.	
(2) In all other waters. In 1997, Saturday nearest May 29 up to, but not including, the third Monday in February. Starting in 1998, Saturday of Memorial Day weekend up to, but not including, the third Monday in February. <u>Starting in 1998</u> , from the second Monday in September through the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.	

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-

Board of Animal Health

Notice of Quarterly Meeting of the Board of Animal Health

The Board of Animal Health quarterly meeting will be Friday, September 19, 1997. The meeting will convene at 9:30 a.m. at the USDA, ARS, North Central Soil Conservation Research Lab., 803 Iowa Avenue, Morris, Minnesota.

Board of Education

Request for Comments on Planned Adoption of Rules Establishing a Code of Ethics for Supervisory Personnel including Superintendent, Principal, Director of Special Education, Community Education Director, and Vocational Program Director

Subject of Rules. The Minnesota State Board of Education requests comments on its planned adoption of rules establishing a code of ethics for supervisory personnel. Professional practices of supervisory personnel will be examined. The issues include: professional practices, professional performance, and methods of enforcement.

Persons Affected. The adoption of the rules would affect school administrators including superintendents, principals, directors of special education, community education directors, and vocational program directors as defined in *Minnesota Statutes*, section 125.03, subdivision 4.

Statutory Authority. *Minnesota Statutes*, 125.05, subdivision 1(b) authorizes the Minnesota State Board of Education to license supervisory personnel as defined in section 125.03, subdivision 4. *Laws of Minnesota 1997*, First Special Session, Chapter 4, Article 5, Section 16 requires the Board to adopt rule for a code of ethical conduct and professional performance and methods of enforcement.

Public Comment. Interested persons or groups may submit comments or information on how these anticipated rules should be similar to or different from *Minnesota Rule* 8700.7500, Code of Ethics currently in place for teachers practicing in the State of Minnesota. The Board does not contemplate appointing an advisory committee to comment on the planned rule.

Rules Drafts. No draft is available at this date.

Agency Contact Person. Written comments, questions, and requests for more information on this planned rule should be addressed to:

Donald Krukow, Jr., Team Leader
Personnel Licensing
Minnesota Department of Children, Families and Learning
610 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: (612) 296-4437
FAX: (612) 282-2403 TTY (612) 297-2094

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

Jeanne Kling
President, State Board of Education

Official Notices

Minnesota Comprehensive Health Association

Notice of Meeting of Executive Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Executive Committee will be held on Tuesday, August 26, 1997, at Allina Health System, conference room #301, 5601 Smetana Drive, Minnetonka, MN, at 10:00 am.

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

Department of Human Services

Division of Community Supports for Persons with Disabilities

Solicitation of Interest to Participate in Personal Care Services Task Force

The Division of Community Supports for Persons with Disabilities is seeking interested persons including consumers of personal care services, advocates, and providers of personal attendant services to formulate recommendations on how to allow recipients of medical assistance who have been diagnosed with autism and other disabilities to use these services with more flexibility to meet individual client needs and preferences. A report with recommendations that outlines how consumer-centered planning and flexible use of funds can be implemented by July 1, 1998, and will be presented to the legislature by December 15, 1997. This task force has been authorized in the *Laws of Minnesota 1997*, Chapter 203, section 68.

If you are interested in being considered for this advisory task force, please contact Craig Bizar at (612) 297-2251 or write to the Division for Community Supports, Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3857 ATTN: Craig Bizar. Please respond to this request no later than September 5, 1997.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective August 18, 1997 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Anoka: Phase III- Bid Package 1/Foundation-New District Center-St. Francis.

Blue Earth: Maple River High School-Mapleton.

Clearwater: Bearpaw Campground Sanitation Building Remodel-Itasca State Park-Lake Itasca; Douglas Lodge Restoration-Itasca State Park-Lake Itasca.

Dakota: Locker Reorganization-Hastings High School-Hastings; Installation of Fuel Island-MN/DOT Truck Station-Mendota.

Hennepin: Control Room Remodeling-MN/DOT Traffic Management Center-Minneapolis; Roof Replacement-Fort Snelling Memorial Chapel-Fort Snelling State Park-Fort Snelling.

Itasca: ASV Manufacturing Expansion-Support Spaces-Grand Rapids.

Ramsey: 1997 Office Mechanical Modifications-Maplewood Middle School-Maplewood; Exterior Renovations-Minnesota State Capitol-St. Paul.

Winona: 1997 Reroofing-Morey Hall Corners-WSU-Winona.

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

Gary W. Bastian,
Commissioner

Department of Labor and Industry

Request for Comments on Planned Amendment to Rules Governing Occupational Safety and Health Administrative Procedures, *Minnesota Rules Chapter 5210*

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its planned amendments to rules governing administrative procedures of the Occupational Safety and Health Division (OSHA) including timely filing of documents, posting of notices, and abatement verification. The Department is considering rule amendments that bring the rules into conformity with *Minnesota Statutes*, as amended during the 1997 legislative session, and with a new Federal OSHA rule that was adopted by the federal Occupational Safety and Health Administration in March 1997. A significant proposed amendment reflects the 1997 legislative change which made the filing of documents by mail effective on the postmark date; for documents filed by facsimile transmission, the date on which the document is received by the Commissioner is designated as the effective date of filing. Another major change under consideration would add a new rule to require employers who receive a citation for a violation of the Occupational Safety and Health Act to submit abatement verification reports for each cited item. The proposal would be in lieu of the Federal OSHA Abatement Verification rule and would be based on the current administrative procedure for filing progress reports. Other amendments being considered clarify the posting and filing requirements of the rules in Chapter 5210 including the posting of settlement agreements.

Persons Affected. The amendment to the rules would likely affect employers who are cited for violations of the Occupational Safety and Health Act. Employees of these employers will also be affected.

Statutory Authority. *Minnesota Statutes*, section 182.657 authorizes the Department to adopt rules deemed necessary to carry out the responsibilities of *Minnesota Statutes Chapter 182*.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on October 17, 1997.

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

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these planned amendments should be directed to: Pat Lorentz, Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, MN 55155. Phone: (612) 297-3254. Fax: (612) 297-2527. TTY users may call the Department at (612) 297-4198.

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

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

Dated: 11 August 1997

Gary W. Bastian, Commissioner
Department of Labor and Industry

Metropolitan Airports Commission

Notice of Public Hearing on Adoption of Amended Hubert H. Humphrey Terminal Ordinance

NOTICE IS HEREBY GIVEN that on the 3rd day of September, 1997 at 1:00 p.m. in the Lindbergh Terminal Building at the Minneapolis-St. Paul International Airport, Room 3040, the Metropolitan Airports Commission will hold a public hearing to receive testimony relative to the adoption of:

AMENDED HUBERT H. HUMPHREY TERMINAL ORDINANCE

An ordinance to promote and conserve public safety, health, peace, convenience and welfare, to provide regulation on use of the Minneapolis - St. Paul International Airport - Wold-Chamberlain Field and to control the loading and unloading of passengers and freight thereat by aircraft; to provide for payment of use fees by aircraft and to provide for payment of international arrival surcharge fees at the Hubert H. Humphrey Terminal (HHH Terminal); prescribing the penalty for

Official Notices

violation thereof; and to repeal Commission Ordinance No. 77.

The Ordinance sets the user fees for the Hubert H. Humphrey Terminal (HHH Terminal).

Copies of the draft Ordinance may be obtained by contacting:

Kira Doebler
Metropolitan Airports Commission
6040 - 28th Avenue South
Minneapolis, MN 55450
(612) 726-8197

Dated 18 August 1997

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

Minnesota Pollution Control Agency

Air Quality Division

Request for Comments on Planned Rules to Incorporate into State Rules the Federal Rules Governing the Preconstruction Review Requirements for Certain Major Hazardous Air Pollutant Sources *Minnesota Rules Chapter 7007*

Subject of Rule. The Minnesota Pollution Control Agency (MPCA) requests comments on its planned rules to incorporate the preconstruction review requirements for certain major hazardous air pollutant (HAP) emitting sources to comport with the requirements of Section 112(g) of the federal Clean Air Act. The federal rule implementing Section 112(g) (*40 Code of Federal Regulations* (CFR) Part 63, subpart B), was adopted by the U.S. Environmental Protection Agency (EPA) and became effective on January 27, 1997. The Section 112(g) rule requires each state permitting agency to start implementing the section 112(g) program by no later than 18 months from the effective date of the rule. The rule contains a case by case Maximum Achievable Control Technology (MACT) requirement for certain major HAP emitting sources prior to their construction and reconstruction. In order for the MPCA to implement this federal program, the MPCA is considering amendments to its air emission permit rule.

The Minnesota air emission permit rule must be amended to contain the federal section 112(g) requirements so that the state can receive a full delegation from EPA to implement and enforce the Clean Air Act's operating permit program in the state of Minnesota. Once the rule amendments are adopted, the MPCA will certify to the EPA that the program meets the federal 112(g) rule requirements.

Persons Affected. The rule would likely affect the construction or reconstruction of major HAP emitting sources, with the following exceptions as defined by the federal rule: A constructed/reconstructed source subject to a promulgated federal MACT standard; construction or reconstruction of an electric utility steam generating unit as defined in the federal rule; research and development facilities as defined in the federal rule; and sources that are within a source category that has been deleted from the source category list under Section 112(c) of the Clean Air Act. The MPCA does not contemplate appointing an advisory committee to comment on the planned rule.

Statutory Authority. *Minnesota Statutes* § 116.07, subdivision 4, authorizes the MPCA to adopt rules and standards for the prevention, abatement and control of air pollution.

Public Comment. Interested persons or groups may submit comments or information on this planned rule in writing or orally until 4:30 p.m. on September 17, 1997. The MPCA has not yet prepared a draft of the planned rule. The federal Section 112(g) rule has been published in the *Federal Register* and can be found under the following citations: 40 CFR 63, subpart B. §§ 63.40 to 63.44 (or *Federal Register*, Volume 61, Number 250, pages 68384 to 68404, Friday, December 27, 1996).

The *Federal Register* is available at many public libraries and at the MPCA library. The EPA also lists its federal rules on their computer electronic bulletin board system, the Technology Transfer Network at (919) 541-5742, under "Recently Signed Rules."

Written comments, requests to receive a draft of the state rule when it has been prepared, and requests for more information on this planned rule should be addressed to:

On Soon Berglund
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
Telephone: (612) 296-7595
FAX: (612) 297-7709
MN Toll Free: 1-800-657-3864

The MPCA will receive oral statements and questions during regular business hours over the phone and in person at the above address.

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Peder A. Larson
Commissioner

Department of Public Safety

Request for Comments on Planned Amendment to Rules Governing Minnesota Uniform Fire Code, *Minnesota Rules*, Chapter 7510

Subject of Rules. The Minnesota Department of Public Safety requests comments on its planned amendment to rules governing the Minnesota Uniform Fire Code. The Department is considering rule amendments that will establish uniform safety standards consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the use or occupancy of buildings or premises.

The Minnesota Uniform Fire Code is applicable throughout the state and in all political subdivisions and municipalities therein. The Minnesota Uniform Fire Code addresses fire department access and water supply; installation of fire protection system and equipment; general fire safety precautions; installation and maintenance of exits and egress systems; emergency planning and procedures; protection of hazardous processes and equipment; requirements for the safe operation of public fireworks displays; and the certification and permitting of pyrotechnic operators.

Persons Affected. The amendments to Minnesota Uniform Fire Code would likely affect the public who occupy the affected buildings; fire and building officials; architects; engineers; building owners and managers; fire protection contractors; pyrotechnic operators; flammable liquids installers; and LP gas installers.

Statutory Authority. *Minnesota Statutes*, section 299F.011, authorizes the Department to adopt rules to promulgate a uniform fire code and make amendments thereto.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department does not contemplate appointing an advisory committee to comment on the planned rules.

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

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, and requests for more information on these planned rules should be addressed to: Jon Nisja, State Fire Marshal Division, 444 Cedar St. Ste. 145, St. Paul, MN 55101-5145, 612-215- 0506. TTY users may call the Department at 612-282-6555.

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

Dated: 11 August 1997

State Grants and Loans

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

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

Donald E. Davis, Commissioner
Department of Public Safety

Department of Agriculture

Ag Marketing and Development Division

Notice of Authority to Make Agricultural Market Development Grants

The Minnesota Department of Agriculture announces its authority for fiscal year 1998 to make agricultural market development grants to help farmers finance new cooperatives that organize for the purposes of operating livestock and dairy processing facilities and for marketing activities related to the sale and distribution of processed livestock and dairy products as provided for in *Minnesota Statutes*, sections 17.101, subd. 2 and subd. 5, and *Minnesota Rules*, chapter 1552.

Grant applications received by October 15, 1997 will be considered for the initial set of grants awarded. Grant applications may be received throughout the remainder of the fiscal year and awarded if funds are available. Publication of this notice does not obligate the Minnesota Department of Agriculture to award grant funds. Copies of the rules governing the program and other related application materials are available. The rules describe eligibility criteria, application content, application procedures. The grant award for any project may not exceed \$50,000.

Application packet and rules may be obtained by contacting:

Chris Canaday
Ag Marketing and Development Division
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 297-4648

Department of Children, Families and Learning

Notice of Grant Availability for Site-Based Technology Transformation

The Department of Children, Families and Learning announces the availability of Site-Based Technology Transformation Grants as described in *Laws of Minnesota 1997*, First Special Session, Chapter 4, Article 9, Section 4. This grant program was established to fund technology projects in support of learning and to increase and enhance closer ties with the community.

Eligible applicants are public school sites, groups of school sites, the residential academies, and the Center for Arts Education. Sites may work with their district office or with sites in other districts. Each site can be a part of only one application.

Grants totaling \$11,000,000 will be awarded. Sites with less than 900 students will be awarded grants of \$25,000 - \$50,000 per site. Sites with 900 students or more will be awarded grants of \$50,001 - \$75,000 per site. Accordingly, a collaboration can ask for an amount appropriate to the each individual site's size for each site within the partnership.

The Request for Proposal and application information will be available on August 14, 1997. These materials can be downloaded from the Department Web site at <http://www.children.state.mn.us> or requested from Theresa Mish at (612)296-6312. Applications are due on October 31, 1997, by 4:00 p.m.

Department of Corrections

Victim Services Unit

Notice of Availability of Funds for Providing Services to Battered Women and Sexual Assault Victims

The Minnesota Department of Corrections, Victim Services Unit, announces the availability of state and federal grant funds for community-based services, programs providing assistance to traditionally underserved populations and time-limited projects that provide services to battered women and sexual assault victims. Unless noted otherwise, grants are for the six-month period from January 1, 1998 through June 30, 1998.

Applications for federal Violence Against Women Act funds are due Tuesday, October 14, 1997.

VIOLENCE AGAINST WOMEN ACT FUNDS:

1. **Advocacy services for women.** Four grants of \$20,000 each are available to provide general and legal advocacy to American Indian women who have been battered and/or sexually assaulted. Priority may be given to one or more programs addressing the unique needs of young American Indian women. Pending availability of federal funds, successful applicants will be eligible to apply for continued funds of \$40,000 per year.
2. **Projects to increase the availability of battered women and sexual assault services to American Indian women.** Depending on funds awarded above, a minimum of \$123,000 to a maximum of \$167,000 will be available in this category. Grant requests may be from \$10,000-\$75,000 and may support a variety of efforts, including, but not limited to: training and/or technical assistance projects; research projects; community organizing; providing emergency assistance to women needing access to services; expanding the availability of specialized legal services; establishing outreach offices in underserved areas; developing coordinated community responses to battering and sexual assault. Pending availability of federal funds, successful applicants may be eligible to re-apply for funds for up to two more years.

Applications for battered women and sexual assault funds are due on Tuesday, October 21, 1997.

BATTERED WOMEN SERVICES:

1. **Transitional Housing and Other Supportive Services for Women Leaving Prostitution.** One grant of \$50,000 is available to expand existing community advocacy services for prostituted women, to include the development of transitional housing and other support services in the Twin Cities metropolitan area for women leaving prostitution. Nonprofit organizations that have a major program focus of serving women used in systems of prostitution are eligible to apply.

SEXUAL ASSAULT SERVICES:

1. **New Community-Based Services.** One grant of \$25,000 is available to establish new sexual assault advocacy services for American Indian communities in greater Minnesota. The successful applicant may be eligible to apply for continued funding of \$40,000 in subsequent years. Nonprofit organizations that have a major program focus of serving American Indian communities, Indian tribal governments and nonprofit organizations that work in collaboration with American Indian communities are eligible to apply.
2. **Women of Color Advocacy Training.** One grant of \$106,426 is available to increase sexual assault advocacy skills within communities of color through developing and implementing training and internship opportunities for new advocates from all of the following communities: American Indian, Asian/Southeast Asian/Pacific Islander, African/African American and Hispanic/Latina. This grant is for the 18-month period of January 1, 1998, through June 30, 1999. Nonprofit organizations, Indian tribal governments and local units of government are eligible to apply.

To receive application materials, contact:

Minnesota Department of Corrections
Victim Services Unit
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
voice 612/642-0251
outside the metro area 1/800-657-3679
TTY 612/643-3589

State Grants and Loans

Housing Finance Agency

Request for Proposals for the Neighborhood Land Trust Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of \$100,000 in capacity-building grant funds from the Neighborhood Land Trust Program. The Legislature authorized this program to assist in providing affordable housing and housing-related services using a land trust model.

Form of Awards: The awards are to be in the form of grants. The maximum grant amount is \$20,000. An eligible applicant selected for an award will execute an agreement with MHFA which will explain the performance requirements necessary to receive the grant.

Eligible Applicants: An eligible applicant proposing to create a new neighborhood land trust may include individuals, groups, for-profit entities, nonprofit entities, and Minnesota cities (as defined in *Minnesota Statute*, Section 462C.02, subdivision 6).

An eligible applicant proposing to operate an existing neighborhood land trust must either be a City, or be a nonprofit corporation organized under Chapter 317A which qualifies for tax exempt status under the *United States Code*, title 26, section 501 (c) (3). All applicants operating an existing land trust must meet the requirements of *Minnesota Statute*, sections, 462A.30 and 462A.31.

Eligible Uses of Grant Funds: Funds may be used to create a new neighborhood land trust organization or to fund activities of an existing land trust. Funds generally may not be used for development costs for a specific land trust project.

Application Process: Applicants should request an application from MHFA staff at:

Minnesota Housing Finance Agency
400 Sibley, suite 300
St. Paul, MN 55101
Attn: Greg Baron

Any questions concerning the Program or its application process should be directed to Greg Baron at MHFA at (612) 297-3123.

Application Deadline: Applications must be received at the MHFA offices by 4:30 p.m. on Friday, October 31, 1997. The MHFA staff will review the applications and make recommendations to the MHFA Board of Directors. MHFA reserves all rights in the selection of eligible applications.

This Request for Proposal (RFP) is subject to all federal, state, and municipal laws, rules and regulations. MHFA reserves the right to modify or withdraw the RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

The MHFA does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services.

Housing Finance Agency

Grants Available for the Capacity Building Program

Eligible Applicants in the Metropolitan Area: Eligible applicants are cities located in Anoka, Carver, Hennepin, Ramsey, Scott, Washington, Dakota counties who participate in the Livable Communities Act.

Eligible Uses of Grant Funds for Applicants in the Metropolitan Area: Up to \$50,000 will be available in the Twin City Area for eligible applicants to retain consultants who will assist cities develop or revise the housing element of their local action plans so the plans are consistent with the Metropolitan Council's Regional Growth Strategy. Eligible cities and the consultants they propose to work with will apply directly to MHFA to develop or revise their housing plans. Grant funds will be paid directly to consultants by MHFA. It is anticipated that up to 20 cities will be assisted.

Maximum amounts of grant funds vary depending on the type of application received, and are:

- a single community applying: \$2,500
- an entity applying on behalf of two communities: \$5,000
- an entity applying on behalf of three or more communities: \$6,000

Application Process: Applicants should request an application for the Capacity Building Grant from:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
Phone: (612) 297-3294

Applications must be received at the Minnesota Housing Finance Agency by 4 p.m. on Tuesday, September 30, 1997.

Any questions regarding the Capacity Building Grant Program or the application process should be directed to Wendy Rejsa at (612) 296-9839.

The Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations and appropriations by the 1997 session of the Minnesota Legislature. MHFA reserves the right to modify or withdraw this RFP at any time and will not reimburse the applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the MHFA to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Department of Public Safety

Minnesota Auto Theft Prevention Program

Grant Availability for Reduction of Motor Vehicle Theft

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

Professional, Technical & Consulting Contracts

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

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

Department of Administration

Materials Management Division

Notice of Availability of Request for Proposals (RFP) to Conduct a Study of Utilization of Woman-, Minority-, and Disabled-Owned Businesses in State Purchasing

The Materials Management Division is soliciting proposals to conduct a study of the utilization of woman-, minority-, and disabled-owned businesses in state purchasing and contracting, including an examination of and recommendations for race and gender neutral alternatives to increase purchasing from these businesses.

The contract period is estimated to begin September 22, 1997, with the final report due February 28, 1998. The department has estimated that the cost of this contract will not exceed \$500,000.

The RFP can be obtained by contacting:

Materials Management Division
Room 112 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Telephone: (612) 296-8489
Facsimile: (612) 297-3996
e-mail: dorothy.lovejoy@state.mn.us
Attn: Dorothy Lovejoy

The deadline for submission of completed proposals is 4:00 p.m. (CST), September 8, 1997.

Department of Corrections

Notice of Request for Proposals for Providing Psychoeducational and Therapy Services for Incarcerated Sex Offenders

NOTICE IS HEREBY GIVEN that the Sexual Education and Evaluation Center (SEEC) at the Minnesota Correctional Facility-Stillwater is requesting proposals for providing psychoeducation and therapy services to incarcerated sex offenders in the SEEC program. The contract period will run from Sept. 19, 1997, through June 30, 1998.

Compensation will be provided by the Department of Corrections at \$30.00 per hour for an approximate eight to twelve hours per week. Specific details on the purpose and scope of these services can be obtained by calling Robin A. Goldman, SEEC Director, at (612) 779-5731. The proposals must be submitted by 4:00 p.m. on September 8, 1997, to: Robin Goldman, SEEC, MCF-STW, Box 55, Stillwater, MN 55082.

Minnesota Higher Education Services Office

Request for Proposals (RFP) for a Statewide Library Automation System: (Corrected Version of Notice) Minnesota Library Information Network (MnLINK)

The Higher Education Services Office (HESO) is requesting proposals to provide software and services for the furnishing, delivery, installation, and maintenance of the Minnesota Library Information Network (MnLINK), a statewide automation system consisting of an integrated library management system (System X) for specified libraries; a Gateway Server that will provide access to local library catalogs, other statewide databases, and commercial databases and resources; and a union catalog. MnLINK will link academic libraries, public libraries, school libraries and government libraries throughout the State so that they appear to the user as a single source. The Minnesota Legislature has appropriated \$12 million for this project over the 1998-1999 biennium. This appropriation must cover costs in addition to the hardware, software and related services sought under this request for proposal.

Proposals must be submitted by 2:00 p.m., November 5, 1997.

Copies of the RFP are available from:

MnLINK Project/DAP
Higher Education Services Office
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-3974 (ext. 3355)

Minnesota Higher Education Services Office

Request for Proposals for Redesign of Web Site

The Higher Education Services Office (MHESO) is requesting proposals from qualified professionals for assistance with strategic planning for the redesign of the agency Web site as a medium to support agency mission, communications, and service delivery functions. Proposals must be submitted no later than September 15, 1997.

The Request for Proposals (RFP) does not obligate the MHESO to complete this project, and the agency reserves the right to cancel the solicitation if it is considered to be in its best interest.

Copies of the RFP are available from:

Communications
Minnesota Higher Education Services Office
400 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
612/296-9684

Professional, Technical & Consulting Contracts

Minnesota House of Representatives

Request for Bid for Binding of Permanent Journals and Indexes 1997-1998

NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives is seeking bids from qualified bookbinders to bind the permanent journals and indexes for 1997 and 1998.

The material for binding consists of a minimum of 270 sets of journals each year with an average thickness of 2-1/2 inches to 3 inches for each book. They will be supplied by the House to the bookbinding contractor in boxes of four. Each box shall contain copies of the same volume.

All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to House Administrative Services, 198 State Office Building, St. Paul MN 55155 no later than 4 p.m. Wednesday, September 3, 1997. Bid submittals will be opened publicly on that date and time.

A copy of the Request for Bid packet can be obtained by calling: Albin A. Mathiowetz, 211 State Capitol, St. Paul MN 55155, (612) 296-2314.

Other House personnel are NOT allowed to discuss the Request for Bid with anyone, including responders, before the proposal submission deadline.

Minnesota Pollution Control Agency

Administrative Services Division

Notice of Availability of Contracts for Communications-Related Activity

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is soliciting expressions of interest and statements of qualifications for Marketing Research and Communication Services. This program seeks individuals and/or firms to be put on a pre-qualified list for consideration for contracts as projects are identified over the next 21 months. Individuals/firms may be qualified in one or several of the following areas:

Market Research. Planning, collection, analysis of data, and communication of results relevant to marketing decision making.

Public Relations. Design and implementation of programs that convey messages to customers.

Advertising/Promotion. Media buys (print space and air time) developing concepts, positioning strategies to give the message.

Marketing. Activities that effect the transfer of goods or services from seller to buyer including product development, definition and implementation of the message and market needs targeting.

Organizational Development and Training Services. Activities involving coaching, training or research to assist the MPCA in organizational development.

Interested parties may receive a Request for Qualification and Interest Statements (RFQI), detailing requirements by sending a written request to:

Deborah Dolan, Public Information Office
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155
or fax your request to: (612) 297-8687

Qualification and Interest Statements must be received at the above address no later than 4:00 P.M. on September 18, 1997. No time extensions will be granted.

This request does not obligate the State of Minnesota to complete work contemplated in this notice, and the MPCA 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 Qualifications and Interest.

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.

Dakota County

Social Services Department

Request for Proposals for Community Living Services Pilot Project

Purpose - This Request for Proposals (RFP) provides information and guidelines for submitting proposals to initiate Community Living Services for Chronically Chemically Dependent Dakota County residents.

Available Funds - Total funding available is up to \$160,000 including \$16,000 for the Personal Needs And Growth Fund for clients. Funding for this grant is available from December 1, 1997 through November 30, 1999 contingent upon fulfilling the requirements of the RFP and the availability of federal, state and local funds. Funding beyond these two years is not assured.

Eligible Applicants - Community agencies including non-profit and profit are eligible applicants. Individuals also are eligible to apply. The successful applicant(s) will enter into a contract with Dakota County Community Services and must provide evidence of professional insurance.

History - The Minnesota Department of Human Services, Chemical Health Division, awarded Dakota County Social Services a two year grant. The purpose of the grant is to demonstrate the effectiveness and efficiency of independent living services and home care services, hereafter referred to as Community Living Services, to maintain persons with chronic chemical dependency (CCD) in the community.

Description - The philosophy of Dakota County Social Services is that persons who have CCD have the capacity to benefit from services targeted at maintaining optimal functioning and safe living arrangements in the community. Individuals should be provided the opportunity to participate in the design and the type of services they would find beneficial. Services should foster dignity, personal integrity, healthy interpersonal relationships, as well as assure access to health care and community services, regardless of the number or extent of relapse.

Issued: August 8, 1997

Bidders Meeting: August 28, 1997

Due: October 3, 1997

For additional information and the complete RFP, contact:

Michael Corman
Dakota County Social Services Department
14955 Galaxie Avenue S.
Apple Valley, MN 55124
(612) 891-7469

Metropolitan Council

Environmental Services

Public Notice for Letters of Interest for Professional Services for Metering and Alarm System Upgrade

NOTICE IS HEREBY GIVEN that the Metropolitan Council Environmental Services (MCES) is soliciting qualifications for professional services for 1997 Metering & Alarm System Upgrade, Project No. 970507. This project is to be completed within 25 months after issuance of Notice To Proceed. The cost for this upgrade is estimated to be less than \$900,000.

This project involves the following: Upgrading the Metering & Alarm System, which include replacement of the VAX 3100, PDP 11/83, and modems. The CONSULTANT shall design, program, install, and integrate the new system with the existing Remote Terminal Units. This will include development of an Internet home page for clients, and training of MCES personnel.

Software/hardware shall be purchased separately by MCES. CONSULTANT shall provide MCES with design specifications for software/hardware, and shall assist MCES with pre-qualifying or sole-sourcing vendors/suppliers. Equipment/software proposed

Non-State Public Bids, Contracts & Grants

for purchase shall be Pentium/Microsoft - NT based. PC based equipment shall have Redundant Array of Inexpensive Disks (RAID) systems capable of hardware disk mirroring and "hot disk swapping."

The tentative schedule for selecting a consulting firm for this project is as follows:

Receive Letters of Interest	Aug. 1997
Request for Qualifications (RFQ) issued	Aug. 1997
Statement of Qualifications (SOQ) received	Sept. 1997
Short list of firms developed	Sept. 1997
Request for Proposals (RFP) issued	Sept. 1997
Site Visit	Sept. 1997
General Informational Meeting	Sept. 1997
Proposals Received	Oct. 1997
Select CONSULTANT	Oct. 1997
Negotiate final Contract Agreement	Oct. 1997
Notice To Proceed given	Nov. 1997

All firms interested in being considered for this project are invited to submit a Letter of Interest asking for the Request For Proposals package. Deadline for the letter of interest is Noon on August 28, 1997.

All inquiries are to be addressed to:

Administrative Assistant, Contracts and Documents
Metropolitan Council Environmental Services
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101

Metropolitan Council

Request for Proposal for Commuter Transportation Software System

The Metropolitan Council is soliciting proposals for a software program, plus implementation and training, that provides timely, useful information about transportation options to area commuters.

Information packets can be obtained by calling (612) 602-1032 or by fax request to (612) 602-1083.

A pre-proposal information meeting will be held at the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, on September 4, 1997, at 9:00 A.M., in Room 1E. For more information, and to indicate your interest in attending, please call 602-1032.

Proposals must be delivered to the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101-1626, no later than Monday, October 6, 1997, at 4:00 P.M.

The Metropolitan Council reserves the right to accept or reject any and all proposals and to waive any minor irregularities and deviations from requirements outlined in the specifications, and to solicit new proposals as deemed in their best interest.

Metropolitan Council

Notice of Request for Proposals (RFP) for Transit-Training Materials for Special-Needs Learners

The Metropolitan Council is requesting proposals to develop training materials to teach persons with physical, sensory or cognitive disabilities, behavioral disorders, or limited-English proficiency to use the regular-route bus system in the Twin Cities area.

Copies of the Request for Proposals (RFP) are available beginning Monday, August 18, 1997. Complete proposals must be received by 4 p.m., Friday, September 5, 1997.

This request does not obligate the Metropolitan Council to complete the work contemplated in this notice and the RFP. The Metropolitan Council reserves the right to cancel this solicitation and reissue the RFP. All expenses incurred in responding to this notice and the RFP are the responsibility of and will be borne by the responding parties.

To receive a copy of the RFP, call Carol Berens, Office of Communications, at 612 602-1447 (voice) or 612 291-0904 (TTY). For more information, call Leigh Homstad, Program Services Team Leader, at 612 602-1424 (voice), 612 291-0904 (TTY) or e-mail: leigh.homstad@metc.state.mn.us

Submit proposals to Metropolitan Council, Mears Park Centre, 230 East Fifth Street, St. Paul, MN 55101-1634, Attention Leigh

