

State of Minnesota

State Register

Rules and Official Notices Edition



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

Monday 22 March 1999

Volume 23, Number 38

Pages 1857-1882

State Register

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

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

Printing Schedule and Submission Deadlines

Vol. 23 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
#38	Monday 22 March	Noon Wednesday 10 March	Noon Tuesday 16 March
#39	Monday 29 March	Noon Wednesday 17 March	Noon Tuesday 23 March
#40	Monday 5 April	Noon Wednesday 24 March	Noon Tuesday 30 March
#41	Monday 12 April	Noon Wednesday 31 March	Noon Tuesday 6 April
Jesse Ventura, Governor 651/296-3391		Mike Hatch, Attorney General 651/297-4272	Mary Kiffmeyer, Secretary of State 651/296-2079
Mae Schunk, Lt. Governor 651/296-3391		Judi Dutcher, State Auditor 651/297-3670	Carol Johnson, State Treasurer 651/296-7091
Department of Administration:		Communications.Media Division	Robin PanLener, Editor 651/297-7963
David F. Fisher, Commissioner 651/296-1424		Mary Mikes, Director 651/297-3979	Gretchen Stark, Assistant Editor 651/296-0929
Kent Allin, Asst. Commissioner 651/297-4261		Susan Baustian-Culligan, Manager 651/282-2974	Jessie Rahmeyer, Subscriptions 651/297-8774

Copyright © 1999 Communications.Media Division, Department of Administration, State of Minnesota.
Publication Number: 326630. (ISSN 0146-7751)

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 651-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$115.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

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

SUBSCRIPTION SERVICES: The *State Register* is published by Communications.Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning. Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free 800-657-3757. TTY relay service phone number: 1-800-627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. See the *State Register* and the *Contracts Supplement* on our website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- *Contracts Supplement* (published every Tuesday, Wednesday, Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Contracts Supplement*. \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Contracts Supplement* \$1.00. Shipping is \$3.00 per order.

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 (651) 296-0504
Room 231 State Capitol, St. Paul, MN 55155

Contact: House Information Office (651) 296-2146
Room 175 State Office Building, St. Paul, MN 55155

Minnesota Rules: Amendments & Additions		Metropolitan Council	
Volume 23, #27-38 (issues #1-26 cumulative appeared in issue # 26.....	1860	Public hearing on 2000-2005 regional parks capital improvement program	1874
Proposed Rules		Trade and Economic Development Department	
Higher Education Services Office		Minnesota Agricultural and Economic Development Board public hearing on bond issue on behalf of Benedictine Health System and St. Mary's Duluth Clinic Health System.....	1874
Minnesota National Service Scholars matching grant program.....	1862		
Expedited Emergency Rules		State Grants & Loans	
Natural Resources Department		Human Services Department	
Proposed emergency rules relating to closed waters; waters with restrictions on taking fish.....	1865	Applications accepted for grants for parental substance abuse and continuum of services for older adolescents....	1876
Appointments		Professional, Technical & Consulting Contracts	
Administration Department		Administration Department	
Appointment of Commissioner David Fisher.....	1867	Extension of expiration date for list of consultants for:	
Iron Range Resources and Rehabilitation Board		• Architectural/engineering/landscape architecture investigatory (assessment) services	1877
Appointment of Commissioner John Swift.....	1867	• Testing services	1877
Pollution Control Agency		Colleges and Universities, Minnesota State (MnSCU)	
Appointment of Commissioner Karen Studders.....	1867	Winona State University request proposals for microforms equipment and service agreement.....	1877
Public Service Department		Environmental Assistance Office	
Appointment of Commissioner Steven Minn	1868	Participants sought for a collection and market development demonstration project for used electronic products.....	1878
Commissioner's Orders		Transportation Department	
Pollution Control Agency		Proposals sought for land value appraisal services.....	1878
Findings of Fact, Conclusions, and Order on the petition to create the Villard Area Lakes Sanitary District.....	1868	Non-State Public Bids, Contracts & Grants	
Official Notices		Metropolitan Airports Commission	
Agriculture Department		Public hearing on acquisition of property near St. Paul downtown airport, Ramsey County	1881
Rural Finance Authority public hearing on the issuance of agricultural development revenue bonds on behalf of:		University of Minnesota	
• Tom and Diane Pieper for 155.6 acres of bare farmland in Stoneham Township, Chippewa County	1871	BID Information Service available to all potential vendors.....	1881
• David Pieper for 271 acres of farmland in Mayville Township, Houston County	1871	Commodity, Service, and Construction contracts are published in a bulletin, the <i>State Register Contracts Supplement</i> , published Tuesday, Wednesday and Friday. Award results are available from the Materials Management Helpline (651) 296-2600.	
Colleges and Universities, Minnesota State (MnSCU)		Individual copies and subscriptions are available through Minnesota's Bookstore, (651) 297-3000, or 1-800-657-3757.	
Public hearing on proposed Carl D. Perkins vocational technical education act of 1998 (Perkins III) five-year Minnesota state plan for vocational technical education...	1872		
Human Services Department			
Additions to organ transplant coverage	1872		
Changes in establishment of rates for inpatient hospitals under the Medical Assistance Program	1873		
Health care professional (not a physician) sought for volunteer position on Drug Utilization Review Board.....	1873		

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 1997 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 (651) 297-3000, or toll-free 1-800-657-3757.

Volume 23, Issues #27-38

(Issues # 1 - 26 cumulative appeared in issue #26)

Accountancy Board

1100.0100; .0200; .0500; .0600; .0700; .0800; .1000; .1100; .1300; .1400; .1700; .1750; .1900; .2110; .2115; .2150; .2200 .3250; .3400; .3550; .3600; .4000; .4200; .4300; .4650; .4900; .6500; .6700; .7200; .9150; .9300; .9800 (proposed).....	1658
1100.1900 s. 1 (proposed repealer)	1658

Animal Health Board

1700.2950; .3010; 1705.2400; .2434; .2440; .2460; .2470; .2476; .2480; 1715.0105; .0550; .0705; .1450 (adopted).....	1484
1705.2482 (repealed)	1484

Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design

1800.0200; .0400; .0800; .0900; .1600; .2600; .3500; .3600 (proposed)	1559
---	------

Corrections Department

2910.0100-.6300 (repealed).....	1834
2911.0100; .0200; .0300; .0320; .0330; .0340; .0350; .0360; .0370; .0400; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2850; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3650; .3675; .3700; .3800; .3900; .4000; .4100; .4200; .4300; .4400; .4500; .4600; .4700; .4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .5700; .5800; .5900; .6000; .6100; .6200; .6300; .6400; .6500; .6600; .6700; .6800; .6900; .7000; .7100; .7200; .7300; .7400; .7500; .7600 (adopted).....	1834

Children, Families, and Learning Department

3400.0235 (adopted)	1625
---------------------------	------

Health Department

4717.7000; 4761.1000; .1010; .1020; .1030; .1040; .1050; .1060; .1070; .1080; .1090; .1100; .1110; .1120; .1130; .1140; .1150; .1160; .1170; .1180; .1190; .1200; .1210; .1220; .1230 (adopted)...	1591
4730.0100; .0300; .0310; .0340; .0360; .0380; .0400; .0600; .0700; .0900; .1120; .1130; .1140; .1210; .1310; .1510; .1520; .1530; .1600; .1610; .1630; .1665; .1670; .1675; .1680; .1690; .1691; .1693; .1695; .1850; .1950; .2150; .2250; .2350; .2450; .2475; .2510; .2520; .2530; .2570; .2600; .2710; .2750; .5500 (adopted)...	1760
4730.0340 s.2; .1120 s. 1; .1130 s. 3; .1140 s. 1; .1400; .1691 s. 10; .1695 s.6; .2450 s. 18; .3000 (repealed)	1760
4761.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0710; .0720; .0730; .0740; .0750; .0760; .0780; .0790; .0795; .0800 (repealed) ...	1591

Higher Education Services Office

4830.9050; .9070; .9080; .9090 (proposed).....	1862
--	------

Labor and Industry Department

5205.0010 (adopted exempt).....	1541
5205.0010 (corrected adopted exempt)	1541
5205.0010; .1200; 5207.0300; .0301; .0302; .0303; .0304 (proposed exempt).....	1767
5205.1000; .1010; .1020; .1030; .1040; 5207.0300 s.2 (proposed exempt repealer)	1767
5220.2570; .2630; .2720; .2740; .2750; .2760; .2770; .2780; .2790; .2810; .2820; .2830; .2840; .2865; .2870 (adopted).....	1484
5220.2860 (repealed)	1484

Marriage and Family Therapy Board

5300.0100; .0140; .0150; .0160; .0170; .0175; .0180; .0190; .0230; .0240; .0250; .0280; .0290; .0310; .0315; .0320; .0350 (adopted)...	1540
--	------

Minnesota Rules: Amendments and Additions

Mediation Services Bureau

5510.0310; .0410; .0510; .1210; .1510; .1810; .1910; .2010; .2410; .2710; .2905; .2930; .5170 (adopted)..... 1564
5510.0310 s.5; .2905 s.5 (repealed)..... 1564

Natural Resources Department

6100.0100; .0200; .0300; .0500; .0525; .0550; .0600; .0650; .0700; .0800; .0900; .1000; .1100; .1200; .1250; .1350; .1355; .1400; .1500; .1600; .1650; .1700; .1710; .1900; .1950; .2350; .2400 (proposed) .. 1483
6100.0400; .0500 s. 3a, 5c, 5d, 7c; .0800 s. 3, 4; .1300; .1610; .1800; .1905; .1910; .1920; .1930; .2000; .2100; .2300 (proposed repealer)..... 1483
6218.0200 (adopted)..... 1734
6236.0600; .0810; .1060 (adopted expedited emergency)..... 1484
6236.0810 (repealed)..... 1484
6262.0500; .0550 (proposed emergency)..... 1865
6264.0300; .0400 (adopted exempt)..... 1735

Pharmacy Board

6800.0100; .0700; .1010; .2250; .2400; .2600; .3100; .3120; .3850; .3950; .4300; .4800; .5300; .5350; .5400; .6200; .6700; .6800; .8007 (adopted)..... 1597
6800.0100 s.10; .3550; .3650; .3850 s.8; .5100 s.7; .6400; .7600 (repealed)..... 1597

Pollution Control Agency

7005.0100; **7007.0100** .0400; .0700; .0750; .1050; .1100; .1110; .1120; .1125; .1130; .1150; .1200; .1250; .1300; .1450; .1500; .4020; **7009.0050**; .0080; **7011.0010**; .0060; .0065; .0070; .0075; .0080; .0120; .0900; .1005; .1500; .3500; .3505; **7019.1000**; **7025.0210**; .0230; .0240; .0310; .0340 (proposed)..... 1507

7005.0100 s. 4a; **7007.0100 s. 28**; **7011.0800**; .0805; .0815; .0820; .0825; .3500 s.5 (proposed repealer)..... 1507
7011.0850; .0852; .0854; .0857; .0858; .0859; .0860 (adopted)..... 1764
7080.0020; .0400; .0450 (proposed second notice)..... 1672
7080.0020; .0400; .0450 (proposed)..... 1756

Minnesota Racing Commission

7869.0100; **7870.0050**; .0640; **7871.0030**; .0150; **7873.0186**; .0190; .0191; .0198; **7874.0100**; **7875.0200 (adopted)**..... 1540

Revenue Department

8122.0510; .0550; .0600 (proposed)..... 1673

Human Services Department

9500.1100 (adopted exempt)..... 1627
9500.4000; .4010; .4020; .4030; .4040; .4050; .4060; .4070; .4080; .4090; .4100; .4110; .4120; .4130; .4140; .4150; .4160; .4170; .4180; .4190; .4200; .4210; .4220; .4230; .4240; .4250; .4260; .4270; .4280; .4290; .4300; .4310; .4320; .4330; .4340; **9510.0010**; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190; .0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290; .0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380; .0390; .0400; .0410; .0420; .0430; .0440; .0450; .0460; .0470; .0480; .0500; .0510; .0520; .0530; .0540; .0550; .0560; .0570; .0580; .0590; .0600; .0610; .0620; .0630; .0640; .0650; .0660; .0670; .0680; .0690; .0700; .0710; .0720; .0730; .0740; .0750; .0760; .0770; .0780; .0790; .0800; .0810; .0820; .0830; .0840; .0850; .0860; .0870; .0880; .0890; .1000; .1010 (repealed)..... 1597

Winter Fun in Minnesota



Ski Minnesota

90 cross-country ski trails within 60 miles of the metro area. Maps, ratings, rips, directions... **Stock No. 19-30 \$10.95***

North Central GPS Companion

Navigate your way through Minn., Wisc., and Iowa with 8200 towns & landmarks charted. **Stock No. 12-4 \$13.95***

PRIM Maps, Plat Map Books, Atlases

If you're a hunter, be sure to check out our selection of PRIM maps (DNR Public Recreation Information Maps), County Plat Map Books & State Atlases.

Twin Cities Winter Recreation Guide

95 parks and trails within the metro area for sledding, skiing, snowmobiling, skating, rental information, etc. **Stock No. 19-68 \$14.95***

*plus sales tax and shipping fee

Phone orders ONLY please.

TO ORDER:

Minnesota's Bookstore

651.297.3000 / 800.657.3757

Mon-Fri, 8am-5pm

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*.

Higher Education Services Office

Proposed Permanent Rules Relating to Minnesota National Service Scholars Matching Grant Program

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Rules Governing the Minnesota National Service Scholars Matching Grant Program, *Minnesota Rules* 4830.9050-4830.9090

Introduction. The Minnesota Higher Education Services Office 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. 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:

Mary Lou Dresbach
Minnesota Higher Education Services Office
1450 Energy Park Drive, Suite 350
St. Paul, MN 55108-5227
Phone: (651) 642-0530
Fax: (651) 642-0675

TTY users should contact the Minnesota Relay Service at 1-800-627-3529 and request assistance in contacting the Minnesota Higher Education Services Office.

Subject of Rules and Statutory Authority. The proposed rules relate to the award process for Minnesota matching grants in the amount of \$ 500 per high school to eligible recipients of federal National Service Scholarships.

The statutory authority to adopt the rules is *Minnesota Statutes*, 136A.01, Subd. 2(8). 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 April 23, 1999, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on April 23, 1999. 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: 8 March 1999

Robert K. Poch
Director

4830.9050 SCOPE.

Parts 4830.9050 to 4830.9090 govern state grants used as a match to the National Service Scholars Program of the Corporation for National Service.

4830.9060 DEFINITIONS.

Subpart 1. Scope. For the purposes of parts 4830.9050 to 4830.9090, the terms defined in this part have the meanings given them.

Subp. 2. Certificate of eligibility. "Certificate of eligibility" means the certificate issued by the Higher Education Services Office to a student for proof of eligibility for a Minnesota National Service Scholars Matching Grant after the office receives written notification from the National Service Scholars Program that the student has been awarded a National Service Scholarship.

Subp. 3. Director. "Director" means the director of the Higher Education Services Office.

Subp. 4. Eligible institution. "Eligible institution" means a postsecondary institution that is an eligible institution as defined in part 4830.0300, subparts 1 and 2, and *Minnesota Statutes*, section 136A.101, subdivision 4.

Subp. 5. Minnesota National Service Scholars Matching Grant. "Minnesota National Service Scholars Matching Grant" means the award amount under Laws 1997, chapter 183, article 2, section 19.

<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>
--

Proposed Rules

4830.9070 ELIGIBLE RECIPIENT.

To be eligible for a Minnesota National Service Scholars Matching Grant, a student must:

- A. be enrolled in an eligible institution;
- B. receive a national service scholarship from the Corporation for National Service; and
- C. provide a copy of the certificate of eligibility to the eligible institution.

4830.9080 INSTITUTIONAL REQUEST AND DISBURSEMENT OF FUNDS FOR GRANTS.

Subpart 1. **Institutional request.** After verifying a student's eligibility, the eligible institution must submit a written request to the director for payment of the Minnesota National Service Scholars Matching Grant for the student. A copy of the student's certificate of eligibility must accompany the institution's request for payment. The request for payment must verify that the student has received a national service scholarship, indicate the name and address of the postsecondary institution enrolled in by the student, and the academic term for which the award will be used.

Subp. 2. **Deadline.** The request for grant money must be received by the director no later than the last day of classes for the fiscal year for which grant money is requested.

Subp. 3. **Disbursement of funds.** An institution must not disburse matching grant money unless the student is attending or has completed an academic term during the fiscal year for which the student received a national service scholarship.

Subp. 4. **Refunds.** A matching grant award is made for a student's attendance at a specific institution for a term or terms within the state fiscal year. If a recipient fails to attend, the institution must refund the entire award to the director. If a recipient withdraws before completing the term, the institution must determine if a refund is due to the director. Refunds to the office are determined by:

A. calculating the percentage that the matching grant represents of the student's total financial aid package for the applicable term, excluding funds received from federal Title IV programs, *United States Code*, title 20, sections 1070-1099;

B. calculating the total tuition refund amount using the refund calculation required of schools participating in federal Title IV programs;

C. subtracting the federal aid programs' refund amount from item B to determine the remaining tuition refund amount; and

D. multiplying the percentage in item A by the amount calculated in item C to determine the amount to be refunded to the matching grant program.


Refunded money is available to the director for awards to other eligible students.

4830.9090 PAYMENTS TO INSTITUTIONS.

Subpart 1. **Time of payment.** The director shall send a Minnesota National Service Scholars Matching Grant for an eligible student to the eligible institution within 30 days of receipt of a request for payment.





Subp. 2. **Withholding payment.** The director shall withhold payment for a student until the eligible institution's request for payment is complete and the student's eligibility is verified.


What's Cooking? *Recipes & Anecdotes from Columnist Eleanor Ostman*



Eleanor's writing style:
"Erma Bombeck meets the Reader's Digest."
... favorite recipes from among nearly 4,000 tested for the column.

Always on Sunday
Take advantage of Eleanor Ostman's 30 years experience in testing, tasting and judging recipes for her *St. Paul Pioneer Press* Food column. This cookbook comes with a bonus! It is seasoned with anecdotes of her meetings with such celebrities as James Beard, Paul Newman, Julia Childs, and others. Softcover, 360pp.
Stock No. 19-69 \$19.95 + sales tax & \$3.00 shipping fee

TO ORDER:    
Place a credit card order by phone:
651.297.3000 / 800.657.3757
M-F 8am-5pm or mail check to: 117 University Ave., St. Paul, MN 55155

Minnesota's Bookstore 

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to 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. Specific *Minnesota Statute* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

Department of Natural Resources

Division of Fish and Wildlife

Proposed Emergency Rules Relating to Closed Waters; Waters with Restrictions on Taking Fish

NOTICE OF INTENT TO ADOPT EMERGENCY RULES

Proposed Rules Governing Waters Closed to Taking Fish and Waters with Restrictions on Taking Fish *Minnesota Rules*, parts 6262.0500 and 6264.0550

Introduction. The Minnesota Department of Natural Resources intends to adopt emergency rules following the procedures set forth in *Minnesota Statutes*, sections 97A.0451 to 97A.0459. You may submit written comments on the proposed emergency rules within 25 days.

Agency Contact Person. Comments or questions on the rules must be submitted to:

Linda Erickson-Eastwood
Department of Natural Resources
500 Lafayette Road
St. Paul, Minnesota 55155-4012
Telephone: (651) 296-0791

Subject of Emergency Rules and Statutory Authority. The proposed emergency rules are about closing Crawford Lake in Wright County and Mountain Lake in Cottonwood County to the taking of fish, and restricting angling for largemouth and smallmouth bass to catch and release only for Clear Lake in Waseca County. The statutory authority to adopt these rules is *Minnesota Statutes*, section 97A.045, subdivision 2. 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., April 16, 1999, to submit written data and views on the proposed emergency rules or any part or subpart of the emergency rules. Your comment must be in writing and received by the agency contact person by the due date.

Modifications. The proposed emergency rules may be modified as a result of public comment. The modifications must be supported by data and views submitted to the department. If the proposed emergency rules affect you in any way, you are encouraged to participate in the rulemaking process.

Departmental Charges. *Minnesota Statutes*, section 97A.0453 does not apply because the rules do not establish or adjust department fees.

Adoption and Review of Emergency Rules. After the end of the comment period, the department may adopt the emergency rules. The rules and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rules are submitted to the attorney general or be notified of the attorney general's decision on the rules. If you wish to be so notified, or you wish to receive a copy of the adopted rules, submit your request to the agency contact person listed above.

Effective Date for Emergency Rules. The emergency rules will take effect five working days after approval by the attorney general and be effective for 18 months.

Dated: 8 March 1999

Allen Garber
Commissioner of Natural Resources

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.

Expedited Emergency Rules

6262.0500 WATERS CLOSED TO TAKING FISH.

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

Subp. 2a. **Waters closed to possession of fish.** The following waters have restrictions on the possession of fish:

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

[Item C, EXPIRED]

[For text of item D, see 22 SR 1907, April 27, 1998]

E. Crawford Lake in Wright county: T.119, R.25, S.20 is closed to the possession of all fish through February 29, 2000, except that the daily and possession limit for sunfish is five.

F. Mountain Lake in Cottonwood county: T.106, R.34, S.32, 33 is closed to the possession of all fish through May 12, 2000. Effective May 13, 2000, until February 28, 2002, Mountain Lake is closed to the possession of walleye, largemouth bass, black crappie, yellow perch, and northern pike, except the daily and possession limit for sunfish is five.

Anglers must immediately return to the water the fish species noted for each water. It shall be unlawful for anyone to have in possession or under control, regardless of where taken, fish species noted for each water while on or fishing on these waters. Possession includes personal possession and possession in a vehicle.

6262.0550 WATERS WITH RESTRICTIONS ON TAKING FISH.

Angling for largemouth bass and smallmouth bass shall be limited to catch and release only, whereby any largemouth bass or smallmouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass and smallmouth bass shall be legal during the open season for largemouth bass and smallmouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass or smallmouth bass while on or fishing in these waters.

Name	Location	County
Clear Lake	T.107, R.22, S.4,5,8,9,16,17	Waseca

EFFECTIVE PERIOD. The emergency rules take effect five working days after approval by the attorney general and are effective for 18 months after that date.

Exploring Minnesota's North Shore



Geology on Display:
Geology and Scenery of Minnesota's North Shore State Parks
 The geology of each of the North Shore's nine State Parks is described with diagrams, geological maps and color photos to guide those visiting the area. Explore the fascinating geological events that produced the rocky, rugged and dramatic landscape. Learn about continent-scale rifting and volcanism 1.1 billion years ago and the more recent Great Ice Age. Spiral-bound, 70pp. Stock No. 9-34 \$19.95 *

Nina's North Shore Guide
 A dynamite reference for family fun along Lake Superior's North Shore. Discover the rivers and water falls, bed & breakfast inns, skiing and snowmobiling sites... Adventures for all seasons. Softcover, 247pp. Stock No. 19-29 \$14.95 *

Family Guide to the North Shore
 Revised, full-color carry-along booklet documents historic and wilderness sites along the 150 miles of Lake Superior's North Shore; from Duluth to the Canadian border. Softcover, 56pp. Stock No. 19-5 \$5.95 *

** All purchases are subject to sales tax and a shipping fee*

Minnesota's Bookstore

117 University Ave. St. Paul, MN 55155
 612/297-3000 1-800/657-3757 ☐ Open 8am-5pm, Mon-Fri.

Appointments

Minnesota Statutes, Section 15.06, Subd. 5, requires notice of the designation of a commissioner or acting commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the *State Register*.

Department of Administration

Notice of Appointment of Commissioner David Fisher

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Jesse Ventura appointed David F. Fisher to the office of Commissioner of the Minnesota Department of Administration effective March 15, 1999. He succeeds Scott Simmons who was appointed acting commissioner to replace former Commissioner Elaine S. Hansen. This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled.

The laws and rules governing the Department of Administration are:

- *Minnesota Statutes*, Chapters 14 and 16B
- *Minnesota Rules* 1200-1399

Commissioner Fisher is a resident of Hennepin County, Congressional District Five. He can be reached at the Minnesota Department of Administration, 50 Sherburne Ave., 200 Administration Bldg., St. Paul, MN 55155. Telephone (651) 296-1424. Internet home page: <http://www.state.mn.us/ebranch/admin/>

Iron Range Resources and Rehabilitation Board

Notice of Appointment of Commissioner John Swift

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Jesse Ventura appointed John Swift to the office of Commissioner of the Iron Range Resources and Rehabilitation Board effective March 8, 1999. He replaces former Commissioner James Gustafson. This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled.

The laws and rules governing the Iron Range Resources and Rehabilitation Board are:

- *Minnesota Statutes*, Section 298.22

Commissioner Swift is a resident of St. Louis County, Congressional District Eight. He can be reached at the Iron Range Resources and Rehabilitation Board, Highway 53 South, P.O. Box 441, Eveleth, MN 55744. Telephone (218) 744-7400. Internet home page: <http://www.irrrb.org>

Pollution Control Agency

Notice of Appointment of Commissioner Karen Studders

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Jesse Ventura appointed Karen Studders to the office of Acting Commissioner of the Minnesota Pollution Control Agency effective March 1, 1999. She succeeds Acting Commissioner Lisa Thorvig who replaced former Commissioner Peder Larson. This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled.

The laws and rules governing the Pollution Control Agency are:

- *Minnesota Statutes*, Chapters 115-116H
- *Minnesota Rules* 4760, 7000-7199

Commissioner Studders is a resident of Hennepin County, Congressional District Three. She can be reached at the Minnesota Pollution Control Agency, 520 Lafayette Road N., St. Paul, MN 55155. Telephone (651) 296-7305. Internet home page: <http://www.pca.state.mn.us>

Commissioner's Orders

Department of Public Service

Notice of Appointment of Commissioner Steven Minn

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Jesse Ventura appointed Steven Minn to the office of Acting Commissioner of the Minnesota Department of Public Service effective March 9, 1999. He succeeds Acting Commissioner Ruth Grendahl who replaced former Commissioner Kris Sanda. This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled.

The laws and rules governing the Department of Public Service are:

- *Minnesota Statutes*, Chapters 216A, 216B, 216C, 237, 239
- *Minnesota Rules* 7600-7799, 7810-7835

Commissioner Minn is a resident of Hennepin County, Congressional District Five. He can be reached at the Minnesota Department of Public Service, 200 Metro Square Bldg., 121 E. 7th Place, St. Paul, MN 55101-2145. Telephone (651) 296-6025. Internet home page: <http://www.dpsv.state.mn.us>

Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners' orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Pollution Control Agency

Findings of Fact, Conclusions, and Order In the Matter of the Petition to Create the Villard Area Lakes Sanitary District

The Villard City Council and the Leven Township Board of Supervisors filed a petition with the Minnesota Pollution Control Agency (MPCA) requesting the formation of the Villard Area Lakes Sanitary District. The Mayor of the City of Villard and the Chairman of the Leven Township Board of Supervisors were authorized to sign the petition pursuant to resolutions passed by their respective bodies of government.

The MPCA published notification of the intent to approve the creation of the Villard Area Lakes Sanitary District in the *State Register* on November 30, 1998. The MPCA also notified all property owners in the affected area by mail of the notification published in the *State Register*.

The MPCA, after having considered the petition, publishing notice of intent to approve creation of the sanitary district in the *State Register*, having notified all the property owners of the intent to create the district, having reviewed the comment letters during the notice period, having not received 25 or more hearing requests requisite for a hearing, having contact with those who did request a hearing, and being fully advised in this matter, hereby makes the following:

FINDINGS OF FACT

1. The City of Villard is located in Leven Township, Pope County, Minnesota. The boundaries of the proposed sanitary district include the City of Villard, Leven Lake, Villard Lake, and the northern portion of Amelia Lake. The three lake areas are located in close proximity to the City of Villard within Leven Township.
2. The area proposed for formation of the sanitary district is specifically described in the attached legal description (Attachment 1) and shown on the attached map (Attachment 2).
3. On June 17, 1998, a public meeting was held at the Villard Community Center to consider the proposed creation of a sanitary district. Notification of the public meeting was published once each week for two weeks in *The Pope County Tribune*, a qualified newspaper published in the area, on May 25, 1998, and on June 1, 1998. Attendees of the meeting were given information on the proposed creation of the district, including a description of the district's proposed structure, bylaws, territory, ordinances, budget and charges.
4. On June 23, 1998, the Villard City Council adopted a resolution authorizing the Mayor of the City of Villard to petition the MPCA for establishment of the Villard Area Lakes Sanitary District. The resolution was published in *The Pope County Tribune* on August 3, 1998, and August 10, 1998, and became effective forty (40) days after the first date of publication.

5. On June 24, 1998, the Leven Township Board of Supervisors adopted a resolution authorizing the Chairman to petition the MPCA for establishment of the Villard Area Lakes Sanitary District. The resolution was published in *The Pope County Tribune* on August 3, 1998, and August 10, 1998, and became effective forty (40) days after the first date of publication.
6. On October 22, 1998, a petition was filed with the MPCA requesting approval for the formation of the Villard Area Lakes Sanitary District. The Mayor of the City of Villard and the Chairman of the Leven Township Board of Supervisors each signed the petition for creation of the district as authorized by the resolutions. The petition requesting approval for formation of the sanitary district has met all the requirements of *Minnesota Statutes* § 115.20, subd. 1(a).
7. The proposed sanitary district will not be within twenty-five (25) miles of the boundary of any city of the first class.
8. On November 30, 1998, the MPCA published the Notice of Intent to Approve Creation of the Villard Area Lakes Sanitary District in the *State Register* at 23 SR 1328 and mailed the notice to each of the property owners in the area of the proposed district. The public notice period lasted for 30 days and ended December 30, 1998.
9. By December 30, 1998, the end of the public notice period, the MPCA had received four (4) letters requesting a public hearing on the matter. *Minnesota Statutes* § 115.20, subd. 4 (b) requires the MPCA to hold a public hearing if 25 or more written requests are received by the end of the public notice period. In addition to the four hearing requests, the MPCA received two (2) letters expressing opposition to the district, and two (2) letters in support of creation of the district.
10. Currently, all homes and businesses located within the proposed district utilize a form of individual on-site treatment system. Staff from Pope County Environmental Services conducted a compliance survey of on-site systems registered with the County. As a result of the survey, Pope County staff estimated that 90 percent of the individual on-site treatment systems in the City of Villard are not in compliance with current standards, 49 percent of the individual on-site systems around Villard Lake are in noncompliance, and 41 percent of the individual on-site systems around Amelia Lake are in non-compliance with current standards.
11. There is a need throughout the proposed district for an adequate and efficient means of treating and disposing of domestic sewage. The Pope County Environmental Services Office reports that many of the individual on-site systems within the proposed district boundaries are not in compliance with current standards. Noncompliant on-site systems may provide little or no treatment of domestic wastewater and cause degradation of the ground water and lakes in the area. Other potential problems within the proposed district boundaries include the presence of small lot sizes for the existing residences around the lake areas and within the City of Villard, the presence of septic tank/drainfield systems in close proximity to private drinking water wells, the presence of numerous shallow private drinking water wells, the presence of numerous sand point wells, and the presence of numerous aging septic tank/drainfield systems.
12. The creation and maintenance of the sanitary district will be administratively feasible, and will further the public health, safety and welfare. The district will be administered by a five-member governing board who are voters within the sanitary district and who will be elected by the voters residing within the sanitary district. When formed, the Villard Area Lakes Sanitary District will adopt sewer use ordinances and a sewer service charge system to adequately and equitably fund the wastewater treatment operation throughout the district. The record contains a proposed ordinance establishing sewer use regulation and proposed by-laws of the sanitary district.

CONCLUSIONS

1. The Commissioner has subject matter jurisdiction over the petition and proposed establishment of the district pursuant to *Minnesota Statutes* §§ 115.18 to 115.37 (1998).
2. The petitioners have complied with all the procedural requirements of *Minnesota Statutes* § 115.20 (1998), as well as other substantive and procedural requirements of law and rule. This matter is, therefore, properly before the Commissioner.
3. The conditions described in *Minnesota Statutes* § 115.19 (1998) for the creation of a sanitary district do exist within the area identified in the legal description [Attachment 1].
4. Any of the foregoing Findings of Fact that might properly be termed Conclusions and Conclusions that might properly be termed Findings are hereby adopted as such.

NOW THEREFORE, the Commissioner hereby makes the following:

ORDER

It is ORDERED that the Villard Area Lakes Sanitary District is hereby created to include the City of Villard, and a portion of Leven Township as described in the legal description attached to the petition filed with the MPCA.

Dated: 5 March 1999

Lisa J. Thorvig
Deputy Commissioner

Commissioner's Orders

ATTACHMENT 1:

LEGAL DESCRIPTION FOR VILLARD AREA LAKES SANITARY DISTRICT

The Southeast Quarter of the Southwest Quarter, the South Half of the South Half of the Northeast Quarter, and the Southeast Quarter, all in Section 11, Township 126 North, Range 37 West; and

The South Half of the Southwest Quarter of the Northwest Quarter, and the Southwest Quarter, all in Section 12, Township 126 North, Range 37 West; and

The West Half, and the South Half of the Southeast Quarter, all in Section 13, Township 126 North, Range 37 West; and

The East Half, the Southwest Quarter, the South Half of the Northwest Quarter, and the Northeast Quarter of the Northwest Quarter, all in Section 14, Township 126 North, Range 37 West; and

The East Half of the Southeast Quarter of the Southeast Quarter of Section 15, Township 126 North, Range 37 West; and

The East Half of the East Half of the Northeast Quarter, and the East Half of the Northeast Quarter of the Southeast Quarter, all in Section 22, Township 126 North, Range 37 West; and

All of Section 23, Township 126 North, Range 37 West; and

The West Half of Section 24, Township 126 North, Range 37 West, and all of the East Half of Section 24, Township 126 North, Range 37 West lying North of the Right of Way to Minnesota Trunk Highway 28; and

All of Section 25, Township 126 North, Range 37 West lying North of the Right of Way to Minnesota Trunk Highway 28; and

All of Section 26, Township 126 North, Range 37 West; and

All of Section 35, Township 126 North, Range 37 West; and

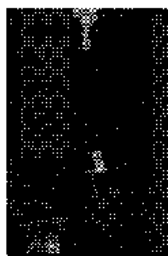
All of the West Half of Section 36, Township 126 North, Range 37 West, lying North of the Right of Way of Minnesota Trunk Highway 28; and

The Southwest Quarter of the Southwest Quarter of Section 18, Township 126 North, Range 36 West; and

The West Half of the Northwest Quarter of Section 19, Township 126 North, Range 36 West,

All contained in Leven Township, Pope County.

Exploring Minnesota's North Shore



Geology on Display:
Geology and Scenery of Minnesota's North Shore State Parks
The geology of each of the North Shore's nine State Parks is described with diagrams, geological maps and color photos to guide those visiting the area. Explore the fascinating geological events that produced the rocky, rugged and dramatic landscape. Learn about continent-scale rifting and volcanism 1.1 billion years ago and the more recent Great Ice Age. Spiral-bound, 70pp. Stock No. 9-34 \$19.95 *

Nina's North Shore Guide
A dynamite reference for family fun along Lake Superior's North Shore. Discover the rivers and water falls, bed & breakfast inns, skiing and snowmobiling sites... Adventures for all seasons. Softcover, 247pp. Stock No. 19-29 \$14.95 *

Family Guide to the North Shore
Revised, full-color carry-along booklet documents historic and wilderness sites along the 150 miles of Lake Superior's North Shore; from Duluth to the Canadian border. Softcover, 56pp. Stock No. 19-5 \$5.95 *

** All purchases are subject to sales tax and a shipping fee*

**Minnesota's
Bookstore** 

117 University Ave. St. Paul, MN 55155
612/297-3000 1-800/657-3757 ☐ Open 8am-5pm, Mon-Fri.

Official Notices

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

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

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 155.6 Acres of Bare Farmland, Stoneham Township, Chippewa County

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 9, 1999, 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 155.6 acres of bare farmland located in Section 9, Stoneham Township, Chippewa County, Minnesota on behalf of Tom and Diane Pieper, a married couple (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$206,000.00. 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: 3 March 1999

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 271 Acres of Farmland in Mayville Township, Houston County

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 9, 1999, 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 271 acres of farmland located in Section 20, Mayville Township, Houston County, Minnesota on behalf of David Pieper, a married man (the Borrower/s). 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: 3 March 1999

Jim Boerboom
RFA Director

Colleges and Universities, Minnesota State (MnSCU)

Notice of Public Hearing In the Matter of the Proposed Carl D. Perkins Vocational Technical Education Act of 1998 (Perkins III) Five Year Minnesota State Plan for Vocational Technical Education, The Minnesota State Colleges and Universities Board of Trustees and the Department of Children, Families and Learning

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on the Perkins III Five Year State Plan for Vocational Technical Education, on March 31, 1999, commencing 10:00am and continuing until 12:00pm, or until all interested or concerned persons have had an opportunity to participate. The hearing will be accessible via satellite (both C and Ku Bands), and at the point of origination (World Trade Center, Studio Theatre-3rd Floor, St. Paul). Satellite coordinates for C-Band: Satellite Telstar 5, 97 degrees west longitude, transponder 7, channel 7, vertical polarity, 3840 frequency, 6.2 & 6.8 audio. Satellite coordinates for KU Band: Satellite Telstar 5, 97 degrees west longitude, transponder 25, channel 25, vertical polarity, 12144.0 frequency, 6.2 & 6.8 audio. Contact (651) 296-7884 for troubleshooting needs. Please call (651) 296-3906 to register your site and/or to be scheduled for testimony.

All representatives of school districts, Minnesota State Colleges and Universities organizations, associations, other interested groups, and all interested and concerned persons will have an opportunity to be heard regarding the adoption of the proposed Perkins III Five Year State Plan by submitting either oral or written recommendations or statements. For those who cannot be present at the Public Hearing, their recommendations or statements may be submitted to Dr. Mary Jacquart, Minnesota State Colleges and Universities, 500 World Trade Center, St. Paul, MN 55105 (651) 296-0664.

Copies of the proposed Perkins III Five Year State Plan for Vocational Technical Education for Fiscal Years 2000-2005 will be available March 15, 1999 at the address above, or via the World Wide Web at www.mnscu.edu.

Department of Human Services

Additions to Organ Transplant Coverage

Effective for services provided on or after November 19, 1998, the Department of Human Services (DHS) will cover the following transplant services for recipients of Minnesota Health Care Programs (MHCP):

- **Liver Transplants** for patients with end stage renal disease who have a diagnosis of Hepatitis B
- **Liver Transplants using living donors** for diagnoses listed in Minnesota's state plan
- **Autologous Pancreatic Islet Cell transplant** after pancreatectomy

Transplant facility must: 1) meet United Organ Sharing (UNOS) criteria to perform such procedures; 2) be located within the State of Minnesota; 3) submit a written authorization request to Care Delivery Management, Inc. (CDMI) for each transplant; and must meet all other requirements as stated in the Minnesota Health Care Provider Manual.

Focus on Photography -- *Minnesota's Natural Beauty*

Jim Brandenburg -- *Chased by the Light*

As seen in National Geographic!

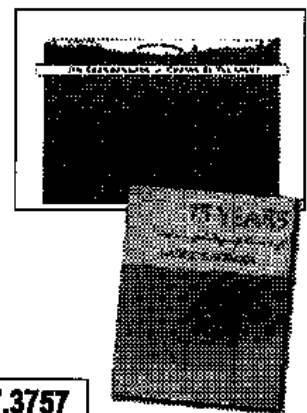
Photographer Jim Brandenburg set a challenge for himself— explore Northern Minnesota's landscape and take only one exposure for 90 days. The result— this breath-taking collection of color photographs celebrating nature's wonders. Softcover, 128pp. Stock No. 19-72 \$35.00 + sales tax & shipping

Nadine Blacklock -- *15 Years in a Photographer's Life*

This chronicle features a collection of color nature photographs made in the years 1982-96.

Accompanying text by the late Nadine Blacklock discloses her feelings about art, her work and her connection to the natural world that was the base for her life and photography. Softcover, 112pp.

Stock No. 19-3 \$17.50 + sales tax & shipping



TO ORDER: Call Minnesota's Bookstore, Mon-Fri, 8am-5pm 651.297.3000 / 800.657.3757

Department of Human Services

Health Care - Purchasing and Service Delivery

Public Notice Regarding Changes in Establishment of Rates for Inpatient Hospitals Under the Medical Assistance Program

NOTICE IS HEREBY GIVEN to recipients, providers of services under the Medical Assistance (MA Program), and to the public, of the proposed legislative change regarding how rates for MA inpatient hospitals are established under the MA Program.

This notice is published pursuant to the federal Balanced Budget Act of 1997 (P.L. 105-33), signed by the President on August 5, 1997. Section 4711 of the Balanced Budget Act, amending Title XIX of the Social Security Act (42 *United States Code* section 1396a(a)(13)), requires the Department to publish proposed inpatient payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates.

Minnesota's MA inpatient payment system establishes hospital specific rates for Minnesota and local trade area hospitals on a calendar year basis. The rates are rebased to more current data every two years according to *Minnesota Statutes*, section 256.969, subdivision 2b. The rates were rebased effective January 1, 1999. In calendar years that the rates are not rebased, a hospital cost index is used to inflate the prior year's operating payment rate. The proposed legislation reduces the index for calendar year 2000 by 2.5 percentage points to recover overprojections of the index from 1994 to 1996.

If you would like additional information, please contact:

Richard Tester, Supervisor
Inpatient and Health Center Services Unit
Payment Policy Division
Health Care Administration
Minnesota Department of Human Services
444 Lafayette Road North, St. Paul, MN 55155-3853
(651) 296-5596

Department of Human Services

Health Care Professional (Not a Physician) Sought for Volunteer Position on Drug Utilization Review Board

The Minnesota Department of Human Services (DHS) is seeking a health care professional, other than a physician, to fill a volunteer position on the Drug Utilization Review (DUR) Board. A candidate must be licensed in his or her field, with recognized knowledge in the clinically appropriate prescribing, dispensing and monitoring of outpatient drugs. The DUR Board meets quarterly and serves in an advisory capacity to DHS. The Commissioner of DHS will appoint the selected individual to a three-year term, which begins on July 1, 1999. Information regarding this position may be obtained by calling Dr. Cody Wiberg at (651) 297-5297. Applicants may send a letter of interest and a resume or curriculum vitae to: Cody Wiberg, Pharm.D., R.Ph., DUR Coordinator, Minnesota Department of Human Services, 441 Lafayette Road North, St. Paul, MN 55155-3853.

Metropolitan Council

Public Hearing on 2000-2005 Regional Parks Capital Improvement Program

The Metropolitan Council's Community Development Committee will hold a public hearing on April 19, on the year the 2000-2005 Regional Parks Capital Improvement Program (CIP) as an amendment to the Recreation Open Space Development Guide/Policy Plan. The CIP, contained in Publication No. 78-99-013, includes the following items:

Prioritized lists of land acquisition, recreation facility redevelopment and recreation facility development capital improvements for the Regional Park System for the period 2000 to 2005. Policies from the *Recreation Open Space Development Guide/Policy Plan* used to evaluate and prioritize the capital improvements are included as well.

Proposed revenue sources to finance each capital improvement project including state bonds, Environmental Trust Fund appropriations and Metropolitan Council bonds.

New policy to determine what land acquisition costs will be financed with state and Council regional park acquisition funds.

The public hearing will be held on Monday, April 19, 1999 at 12 Noon in the Council Chambers, Metropolitan Council offices, Mears Park Centre, 230 E. Fifth St., St. Paul. The proposed amendment may affect the standards for determining projects of metropolitan significance in the Metropolitan Significance Rules.

All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Ellie Porter, (651) 602-1312 or (612) 291-0904 (TTY). Upon request, reasonable accommodations to persons with disabilities will be provided.

Comments, which must be received by 4:30 p.m., Monday, May 3, 1999, may also be submitted as follows:

- Send written comments to: Arne Stefferud, Metropolitan Council, 230 E. Fifth St., St. Paul, MN 55101
- Fax comments to Mr. Stefferud at (651) 602-1360
- Record comments on the Council's Public Comment Line at (651) 602-1546
- E-Mail comments to data.center@metc.state.mn.us
- Send TTY comments to (612) 291-0904

Copies of the public hearing document (Publication No. 78-99-013) are available for review at major public libraries in the seven-county Twin Cities Metropolitan Area or by contacting the Council's Regional Data Center at (651) 602-1140 or (612) 291-0904 (TTY).

Department of Trade and Economic Development

Minnesota Agricultural And Economic Development Board

Notice of Public Hearing on Proposed Project and the Issuance of Bonds Under *Minnesota Statutes*, Chapter 41A on Behalf of Benedictine Health System and St. Mary's Duluth Clinic Health System

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on April 14, 1999 at 9:00 a.m., at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf Benedictine Health System and St Mary's Duluth Clinic Health System, Minnesota nonprofit corporations (collectively, the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project consists of financing to (i) refund, in whole or in part, the City of Hibbing, Minnesota Health Care Facilities Revenue Bonds (The Duluth Clinic, Ltd.) Series 1996 (the "1996 Bonds") which were issued to finance the construction and equipping of The Duluth Clinic Hermantown located at 4855 West Arrowhead Road, Hermantown, Minnesota, The Duluth Clinic Hibbing, located at 730 East 34th Street, Hibbing, Minnesota, and The Duluth Clinic International Falls, located at 2501 Kennan Drive, International Falls, Minnesota; (ii) refund, in whole or in part, the Duluth Economic Development Authority, Minnesota Health Care Facilities Revenue Bonds (The Duluth Clinic, Ltd.) Series 1992 (the "1992 Bonds") which were issued to finance the construction, renovation and equipping of The Duluth Clinic, Ltd. located at 400 East Third Street, Duluth, Minnesota; (iii) refund, in whole or in part, the Duluth Economic Development Authority, Minnesota Health Care Facilities Refunding Revenue Bonds (Benedictine Health System-

St. Mary's Medical Center) Series 1993B (the "1993B Bonds") which were used to finance capital improvements at St. Mary's Medical Center located at 407 East Third Street, Duluth, Minnesota; (iv) refund, in whole or in part, the City of Detroit Lakes, Minnesota Health Care Facilities Revenue Bonds (Benedictine Health System - St. Mary's Regional Health Center) Series 1993G (the "1993G Bonds") which were used to finance the acquisition, renovation and equipping of St. Mary's Regional Health Center at 1027 Washington Avenue, Detroit Lakes, Minnesota; (v) finance construction, renovation and equipping of improvements to the St. Mary's Regional Health Center located at 1027 Washington Avenue, Detroit Lakes, Minnesota; (vi) finance the construction, renovation and equipping of an approximately 60 unit addition and improvements to the senior assisted living facility located at 1027 Washington Avenue, Detroit Lakes, Minnesota; (vii) finance the acquisition, construction and equipping of an approximately 35 unit senior assisted living facility to be attached to the Benedictine Health Center, a skilled nursing facility, located at 935 Kenwood Avenue in the City of Duluth, Minnesota; (viii) finance the construction, renovation and equipping of St. Mary's Medical Center located at 407 East Third Street, Duluth, Minnesota; (ix) finance the construction, renovation and equipping of The Duluth Clinic Ely, located at 328 West Conan Street, Ely, Minnesota; (x) finance the construction, renovation and equipping of The Duluth Clinic Virginia, located at 901 North 6th Avenue, Virginia, Minnesota; (xi) finance the construction, renovation and equipping of The Duluth Clinic Sandstone, located at 109 Port Avenue South, Sandstone, Minnesota; (xii) finance the acquisition, renovation and equipping of The Duluth Clinic Hinckley, located at 206 Main Street, Hinckley, Minnesota; (xiii) finance the construction, renovation and equipping of The Duluth Clinic Hibbing, located at 730 East 34th Street, Hibbing, Minnesota; (xiv) finance the construction, renovation and equipping of The Duluth Clinic Hermantown, located at 4855 West Arrowhead Road, Hermantown, Minnesota; (xv) finance the construction, renovation and equipping of The Duluth Clinic International Falls, located at 2501 Kennan Drive, International Falls, Minnesota; (xvi) finance the construction, renovation and equipping of The Duluth Clinic, Ltd., located at 400 East 3rd Street, Duluth, Minnesota; (xvii) finance the construction, renovation and equipping of The Duluth Clinic Lakeside, located at 4621 East Superior Street, Duluth, Minnesota; (xviii) finance the construction, renovation and equipping of The Duluth Clinic West, located at 4325 Grand Avenue, Duluth, Minnesota; (xix) finance the construction, renovation and equipping of The Duluth Clinic Chisholm, located at 400 N.W. 1st Street, Chisholm, Minnesota; (xx) finance the construction and equipping of an approximately 32 unit senior assisted living facility at 4001 19th Avenue N. W., Rochester, Minnesota; (xxi) finance the construction, renovation and equipping of St. Gertrude's Health Center, a skilled nursing home, located at 1850 Sarazin Street, Shakopee, Minnesota; (xxii) finance the acquisition, renovation and equipping of City of Lakes Transitional Care Center, a skilled nursing home, located at 110 East 18th Street, Minneapolis, Minnesota; (collectively, the "Project")

The owner of the Project will be the Applicant or an affiliated entity of the Applicant, except for The Duluth Clinic Sandstone, which is owned by North Pine Area Hospital District and leased to and operated by the Applicant or an affiliate of the Applicant, and the Project is expected to be operated and managed by the Applicant or an affiliated entity. It is contemplated that the facilities financed or refinanced by the Bonds will be used primarily for hospital, medical clinic, nursing home, assisted living or related facilities. The estimated amount of the Board's proposed bond issue is an amount not to exceed \$225,000,000. The Bonds shall be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and other security arrangements to be established by or on behalf of the Applicant. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

This Notice of Public Hearing is being given pursuant to Section 147(f) of the *Internal Revenue Code* of 1986, as amended.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

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 prior to the date of the hearing set forth above.

Dated: 15 March 1999

BY ORDER OF THE MEMBERS OF THE
MINNESOTA AGRICULTURAL AND
ECONOMIC DEVELOPMENT BOARD
Paul Moe, Executive Director
Minnesota Agricultural and Economic Development Board

State Grants & Loans

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

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

Department of Human Services

Application for Grants for Parental Substance Abuse and Continuum of Services for Older Adolescents

The Minnesota Department of Human Services is accepting applications to award **Parental Substance Abuse Grants** (Maternal Child Health and Child Protective Services/Corrections Substance Abuse) *Minnesota Statutes, 257A.17, Subd. 1 & 2*, and **Continuum of Services For Older Adolescents** (Transitional Housing and Services for Homeless Youth) *Minnesota Statutes, 256.1115E*.

This application for funding reflects the belief of the Department of Human Services, Family and Children's Services Division, that responsible and efficient programs and fiscal management is accomplished by consolidating grant administration procedures whenever possible. These application materials are intended to engage each applicant in meaningful program evaluation with a strong emphasis on client outcomes as a direct, observable function of service delivery. While the fund categories in this application are competitive grants, added consideration will be given to applicants who demonstrate a capacity to provide culturally competent, outcome focused services.

An application for grant packet can be obtained from Dorothy Haugen, Minnesota Department of Human Services, Family and Children's Services Division, 444 Lafayette Road, St. Paul, Minnesota, 55155-3832. Or you may call Ms. Haugen at (651) 215-1832.

Applications must be received no later than 4:00 p.m. April 23, 1999.

From Carrol Henderson - *DNR Wildlife Specialist*

Traveler's Guide to Wildlife in Minnesota

Locate 120 wildlife sites throughout the state for enjoyment in all seasons. Spiral-bound, 320pp. Stock No. 9-40 \$19.95 + sales tax & shipping

Wild About Birds

Increase the number of species using your feeder with this guide to 26 different feeders and tips on 44 types of food. Spiral-bound, 288pp. Stock No. 9-24 \$19.95 + sales tax & shipping

Landscaping for Wildlife

Attract wildlife to your property using inexpensive, easy-to-follow landscaping plans. Spiral-bound, 144pp. Stock No. 9-15 \$10.95 + sales tax & shipping

Woodworking for Wildlife

Build bird houses, nest boxes and platforms to attract and keep your favorite wildlife coming back to your property. Spiral-bound, 112pp. Stock No. 9-14 \$9.95 + sales tax & shipping

TO ORDER: 
**Minnesota's
Bookstore**
651.297.3000 / 800.657.3757

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, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 297-5353 and ask for 296-2600].

Department of Administration

Division of State Building Construction

Notice of Extension of Expiration Date for List of Consultants for "ARCHITECTURAL/ENGINEERING/LANDSCAPE ARCHITECTURE INVESTIGATORY (ASSESSMENT) SERVICES"

The current list of consultants expiring on March 31, 1999 for **qualified professionally registered architects, engineers and landscape architects to provide investigatory services only (no design) on projects** has been extended to May 31, 1999 in order to provide additional time to evaluate proposals received on or before December 11, 1998, and to prepare and execute Master Contracts with qualified responders.

Fax questions regarding this notice of extension of expiration date to Sharon Schmidt at (651) 296-7650.

Department of Administration

Division of State Building Construction

Notice of Extension of Expiration Date for List of Consultants for "TESTING SERVICES"

The "Testing Services" List expiring on March 31, 1998 for **qualified professionally registered/State or Nationally certified individuals and firms to conduct site surveys, materials testing, soil borings and tests, hazardous materials remediation layout, or air monitoring** has been extended to May 31, 1999 in order to provide additional time to evaluate proposals received on or before December 11, 1998, for (1) soils testing/soil borings and (2) concrete, masonry, mortar and bituminous pavement testing, and to prepare and execute Master Contracts with qualified responders.

Fax questions regarding this notice of extension of expiration date to Sharon Schmidt at (651) 296-7650.

Colleges and Universities, Minnesota State (MnSCU)

Winona State University

Request for Proposal for Microforms Equipment and Service Agreement

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed proposals for Microforms Equipment and Service Agreements. Bid specifications will be available March 22, 1999 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 2:00 p.m. on April 5, 1999.

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

Professional, Technical & Consulting Contracts

Office of Environmental Assistance

Public Notice of Availability of Request for Participation (RFP) in a Collection and Market Development Demonstration Project for Used Electronic Products

Application Due April 29, 1999

The Minnesota Office of Environmental Assistance (OEA) is a state agency that works to protect Minnesota's environment and assure a sustainable economy through waste prevention and resource conservation.

The OEA seeks proposals to host collection events for used electronic products for up to two months during 1999. Once collected, the material will be recycled and markets for various components will be tested. Proposals will be accepted from local units of government, tribal governments, retailers of electronic products, regional joint-power boards, solid waste districts and other public or private collection agents.

Participation in this project presents an opportunity for selected hosts of collection sites to inexpensively manage a regulated waste stream, to participate in a state-wide project to help identify ways to reduce costs for managing used electronic products, to help identify reasonable alternatives for managing used electronic products separate from municipal solid waste, to participate in a project that will gain national attention, to educate local citizenry and generators of used electronic products about the consequences of not managing these products properly, and to gain information that will help future local and statewide program planning.

Responsibilities of collection agents and principal partners are detailed in the full RFP. Costs of transportation from collection sites, demanufacturing and recycling will not be borne by collection agents. Collection agents shall be responsible for all costs related to local collection, aggregation and storage of material. The OEA may provide or reimburse up to \$5,000 (based on budget availability) to collection agents to assist costs of publicity and the task of holding a collection event. Collection agents will receive assistance from the OEA for logistical concerns and in developing a publicity campaign for the collection event.

For questions about the project, or for the complete RFP, including requirements for submitting an application to participate, contact:

Tony Hainault
Minnesota Office of Environmental Assistance
520 Lafayette Road North
St. Paul, MN 55155-4100
(800) 657-3843
(651) 215-0298

Department of Transportation

Engineering Services Division

Request for Proposal for Land Value Appraisal Services

The Minnesota Department of Transportation (Mn/DOT) is soliciting general qualifications for Land Value Appraisal Services. Mn/DOT will be taking over the responsibilities for maintaining the Land Value Appraiser's Master File List for the State of Minnesota. This list was formerly maintained by The Minnesota Department of Natural Resources. From this master list Mn/DOT will also be selecting a qualified Mn/DOT Land Value Appraiser List to perform services on an as-needed basis for Mn/DOT's Right of Way Staff.

Program Information for Mn/DOT's Land Value Appraiser List

The primary purpose of Mn/DOT's Land Value Appraiser List is to establish a Transportation Contract Program (T-contract) involving multiple Land Value Appraisal Contractors to provide all services identified within Mn/DOT's Right of Way Manual, (Appraisals section 5-491.200, Appraisal Procedures 5-491.201). It is estimated that this total T-contract program will be \$15,000,000.00 over three years.

Program Application

Contractors interested in this program must respond accordingly.

1. Contractor will be required to adhere to all requirements outlined throughout this Request for Proposal (RFP).
2. Contractor will submit the correct number of proposals including work samples as indicated in the Request for Proposal.
3. Contractor will submit all proposals by the time indicated in the Request for Proposal.

Professional, Technical & Consulting Contracts

When Mn/DOT receives all proposals, the proposals will be distributed to each member of the selection committee and the selection committee will then rate each proposal using the criteria outlined within the "Proposal Evaluation Section". Once the selection committee performs the "Qualification Based Section" each firm will be evaluated, for cost as outlined below. After this portion of the selection is completed, a final selection will be performed and the successful responders will be notified and offered a T-Contract to perform the services described within this Request for Proposal. Contractors will be notified if they were selected to be on either the Master Land Value Appraiser List, Mn/DOT's Land Value Appraiser List or both.

Program Operation for Mn/DOT's Land Value Appraiser List

As projects are identified by Mn/DOT's Valuation Section, the work will be assigned to the selected Contractors on a rotating project specific work order basis as set forth in Mn/DOT policy. Initial Contractor rotation will be established by random selection, however as stated in Mn/DOT policy, exceptions to the rotation may be issued. Mn/DOT also reserves the right to ask for proposals from all of the selected Contractors for any project related to this T-Contract program.

Appraisers may also be directly selected from this list for projects less than 50,000.00 based on expertise related to the project and/or location.

All Contractors responding to this Request for Proposal will be required to be licensed in the area in which the Contractor will be performing appraisals. Using Sub-Consultants to perform any of the activities will not be permitted.

Proposal Content/Company Fact Book

The Proposals or Company Fact Book must conform to the following outline and contain all requested information. **Proposals not containing all of the appropriate information may be removed from further consideration.**

1. Provide the Contractor's full company name and address, indicate a main contact person with title and phone number (both fax and voice), Federal I.D. number and Minnesota tax I.D. number (if applicable). Contractor should also include the addresses for all branch offices.
2. The Contractor will indicate the firm's last five years of experience highlighting State Transportation work which illustrates or relates to performing appraisals. Include any references with phone numbers for any of the projects highlighted above.
3. The Contractor will indicate which licenses they possess.
4. The Contractor will provide an organizational chart for the project staff include project manager and key personnel and the category in which that portion of the chart refers to. Each lead professional and project team member should have a brief resume highlighting their training and most recent experiences, within the last five years. These brief resumes are required and will be considered a part of the proposal content. No changes in key/lead personnel assigned to the project will be permitted without the written approval of the State's Project Director/Manager.
5. The responder will provide a company quality assurance plan and describe the method of implementation. This plan will be limited to 4 pages and will be considered as a work example in the total page count of the proposal.
6. The responder will provide one or both of the following work examples:
 - Private resident appraisal using Mn/DOT Appraisal Procedures (5-491.201).
 - Business appraisal using Mn/DOT Appraisal Procedures (5-491.201).Each work example will be limited to four sheets not larger than 11" x 17".
7. **Affirmative Action:** In accordance with the provisions of *Minnesota Statutes* § 363.073, for all contracts estimated to be in excess of \$100,000, all responders having more than 40 full-time employees at any time during the previous 12 months must have an Affirmative Action Plan approved by the commissioner of Human Rights before a contract may be executed. Please include one of the following:
 - A copy of your firm's current Certificate of Compliance issued by the Commissioner of Human Rights; or
 - A letter from Human Rights certifying that your firm has a current Certificate of Compliance.
 - A notarized letter certifying that your firm has not had more than 40 full-time employees at any time during the previous 12 months.
8. The responder will provide an hourly billing rate for all employees who would be working on these projects. Supply **ONE COPY** of this information in a separate sealed envelope labeled "**COST EVALUATION**". The cost evaluation is required to be signed in ink by a corporate officer. All rates will be used in determining the cost portion of the evaluation section described below in the "Evaluation Section".

Professional, Technical & Consulting Contracts

Proposal Evaluation for Mn/DOT's Land Value Appraiser List

All proposals received will be evaluated by Selection Committee Members. Proposals will be ranked on Qualification Based Evaluation factors first determining the first 80% of the evaluation. The factors and weighted values of the Qualification Based Evaluation are as follows:

- The Contractors past performance with performing Mn/DOT projects.
- The experience of Contractors as it relates to item number 2 of "Proposal Content".
- The experience of the Key Professionals performing the work as it relates to item number 4 of "Proposal Content". Key Professionals will be defined as any employee who would have some type of connection with work product review or quality or production.
- The quality assurance plan as it relates to the company.
- The quality of the work examples supplied by the Contractor as it relates to the Mn/DOT's Requirements.
- How the Contractor has followed the direction identified within the Request for Proposal.

The next 20% of the evaluation process will involve the cost portion or "Best Value" evaluation of the hourly billing rate for all employees who would be working on these projects. This portion of the evaluation will take place after the Qualification Based Selection portion of the Request for Proposal has been decided. No Selection Committee member will be allowed to review the hourly billing rate until the selection committee meeting takes place.

Proposal Submittal and Questions

Submit all copies of the proposal to the address indicated below, no later than 2:00 p.m. on April 12, 1999. Late submittals will NOT be considered. Send or deliver proposals to:

Joseph D Pignato, P.E.
Sr. Agreement Administrator
Consultant Services Unit
Mail Stop 680, 7th Floor North
395 John Ireland Boulevard
St. Paul, Minnesota 55155-1899
(651) 297-1172

Firms who have any questions regarding this Request for Proposal may call Joe Pignato at the above address. Firms who have technical questions regarding this Request for Proposal may call George Eckenroth at (651) 296-8329. Please note that other department personnel are not allowed to discuss the Request for Proposal with firms before the Submittal date.

Submit 5 copies of the each proposal to Joseph Pignato at the address above. Proposals are to be sealed in a mailing envelope or package with the responder's name and address clearly written on the outside. Refer to Item 8 under the "Proposal Content" as it pertains to the cost evaluation portion of this RFP. Each copy of the proposal and cost evaluation must be signed, in ink, by an authorized representative of the company. All expenses incurred in responding to this notice shall be borne by the responder.

Welfare Hiring by Contractors:

To receive the contract under this RFP, the selected contractor must provide to Mn/DOT a statement that the contractor will attempt to recruit Minnesota Welfare recipients to fill vacancies in entry level positions, if the company has entry level employees in Minnesota.

This request does not obligate the Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation at any time. All expenses incurred by submitting contractors responding to this notice will be borne by the responder.

All information will become public information after the selection of the Contractor has been made. The successful responders will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

In compliance with *Minnesota Statutes* § 16C.08, 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.

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 Airports Commission

Notice of Public Hearing Concerning Acquisition of Property Near St. Paul Downtown Airport, Ramsey County, Minnesota

NOTICE IS HEREBY GIVEN that the Metropolitan Airports Commission, a public corporation organized under the laws of the State of Minnesota, will hold a public hearing pursuant to *Minnesota Statutes* 473.641 to consider the acquisition by the Metropolitan Airports commission of certain property located proximate to the St. Paul Downtown Airport, more specifically: Parcels located in the Northeast Quarter of Section 8, Township 28, Range 22, lying north and east of the existing railroad tracks on the property, all in Ramsey County.

The public hearing will commence at 2:00 p.m. on the 6th day of April, 1999 in Room 3040 of the Lindbergh Terminal Building at the Minneapolis-St. Paul International Airport.

The hearing will afford interested persons, groups and agencies an opportunity for public consideration of the economic, social, and environmental effects of the proposed acquisition. Any person wishing to submit information relating to this matter may appear at the public hearing and make an oral statement or present written material. Persons intending to make oral presentations are requested to notify the Commission by March 30, 1999 in writing or by telephone to Ms. Jenn Unruh, Metropolitan Airports Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450; telephone (612) 726-8100. Written statements and other exhibits relating to this matter will be incorporated into the transcript of the hearing, provided such statements or exhibits are submitted at the hearing or are presented to the Metropolitan Airports Commission prior to the close of business day on Friday, April 9, 1999.

Dated: 22 March 1999

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

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Requests for Bids/Proposals through its fax back Bid Information Service (BIS). Subscriptions to BIS are \$75/per fiscal year (not prorated). Call 612-625-5534 for information or visit our web site at <http://purchserv.finop.umn.edu>. Choose BID Information Service.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. - 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls, MN 55454.

