

State of Minnesota

State Register

Rules and Official Notices Edition



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State Register

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

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

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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
#44	Monday 3 May	Noon Wednesday 21 April	Noon Tuesday 27 April
#45	Monday 10 May	Noon Wednesday 28 April	Noon Tuesday 4 May
#46	Monday 17 May	Noon Wednesday 5 May	Noon Tuesday 11 May
#47	Monday 24 May	Noon Wednesday 12 May	Noon Tuesday 18 May

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PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 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.

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- **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

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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.

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

State Lottery

Proposed Permanent Rules Governing Lottery Prize Payments

DUAL NOTICE: NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING UNLESS 25 OR MORE PERSONS REQUEST A HEARING, AND NOTICE OF HEARING IF 25 OR MORE REQUESTS FOR HEARING ARE RECEIVED

Proposed Rules Governing Lottery Prize Payments, *Minnesota Rules*, chapter 7857

Introduction. The Minnesota State Lottery intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on June 3, 1999, a public hearing will be held at the Minnesota State Lottery's office, at 2645 Long Lake Road, Roseville, Minnesota 55113, starting at 9:00 a.m. on June 14, 1999. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after June 3, 1999 and before June 14, 1999.

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: Dale L. McDonnell, 2645 Long Lake Road, Roseville, Minnesota 55113, phone - 651-635-8213, FAX - 651-297-7496, e-mail - dalem@mnl.state.mn.us. TTY users may call the Minnesota State Lottery at TTY 651-635-8268.

Subject of Rules and Statutory Authority. The proposed rules relate to the manner in which certain lottery prizes are paid. The proposed rules clarify the procedure that must be followed for lottery players who are claiming lottery prizes over \$599.00. The proposed rules would permit future winners of lottery prizes that will be paid out over a definite period of time to elect to receive a single cash payment when the prize is claimed, in lieu of receiving payment over a number of years. The proposed rule will also permit previous lottery winners who are currently receiving payments for a lottery prize that is being paid over a definite period of time to receive the present value of all remaining payments in lieu of continuing to receive annual payments. The statutory authority to adopt the rules is *Minnesota Statutes*, section 349A.05. A copy of the proposed rules is published in the *State Register*. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on June 3, 1999, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on June 3, 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/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

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

Cancellation of Hearing. The hearing scheduled for June 14, 1999, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at 651-635-8213 after June 3, 1999 to find out whether the hearing will be held.

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

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

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

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

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

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

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

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

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

George R. Andersen
Director

7857.4010 CLAIMING A PRIZE.

Subpart 1. **Payment by retailers.** Retailers are authorized and required to pay ~~instant game~~ prizes as determined by the game procedures adopted by the director, consistent with the retailer's security requirements, as approved by the director.

Subp. 2. **Claim form.** Prizes over ~~\$1,000~~ \$599 must be paid by filing a claim form provided by the lottery. The claimant shall prepare and submit a claim form and the apparent winning ticket to ~~the retailer or~~ a lottery office for processing. For prizes over \$30,000, the claimant must submit a claim form and the apparent winning ticket in person at the lottery's headquarters for processing.

7857.4041 PRIZES PAYABLE OVER TIME.

Subpart 1. General. A person claiming a prize, that will be paid in the form of installments over a definite period of time, consisting of at least ten years, may elect to receive a single cash payment equal to the present value of the prize that is payable over a definite period of time, in lieu of receiving payment of the prize in installments, if the person notifies the lottery within 60 days of becoming entitled to the prize.

Subp. 2. Previous winners. A person who is entitled to a prize before October 21, 1998, that is payable over a definite period of time, may elect to receive the present value of the investment securities held by the lottery to satisfy payment of the prize, in lieu of receiving the remaining payments due, if the person notifies the lottery in writing between July 1, 1999, and December 31, 2000.

Subp. 3. Person defined. For purposes of this part, a "person" is an individual or a pass-through entity consisting entirely of individuals that compute taxable income using a cash basis method of accounting.

REPEALER. *Minnesota Rules*, part 7857.6010, is repealed.

Board of Medical Practice

Proposed Permanent Rules Relating to Obsolete Rules

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Rule Governing Repeal of Obsolete Rules, *Minnesota Rules*, 5600.0800, 5600.0900 and 5600.1000 & parts of 5600.0600 subp. 2 A. and B & 5600.0700 subp. 2. C.3

Introduction. The Minnesota Board of Medical Practice intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: William Marczewski at Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue SE, Suite 400, Minneapolis, MN 55414-3246, 612-617-2152, FAX 612-617-2166. TTY users may call the Minnesota Board of Medical Practice at (800) 627-3529.

Subject of Rules and Statutory Authority. The proposed rule is about repealing obsolete board rules. The statutory authority to adopt the rule is *Minnesota Statute*, sections 147.01 and 214.06. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, June 9, 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 Wednesday, June 9, 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: 15 April 1999

Robert Leach
Executive Director
Minnesota Board of Medical Practice

5600.0600 LICENSE BY RECIPROCITY TO PRACTICE MEDICINE AND SURGERY.

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

Subp. 2. **Submission and contents of application.** The application must be submitted on forms prepared by the board and must include the following information:

A. An original or certified copy of the applicant's then current license originally obtained by examination, together with evidence at the time of submission that the license is in good standing. ~~If the applicant is a graduate of a foreign medical school, he or she shall also submit the information required by part 5600.0900, subpart 2, items D and E, and the original or a certified copy of a birth certificate.~~

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

B. An original or certified copy of a diploma from a medical or osteopathic college accredited by the board, indicating that the applicant has satisfactorily completed a course of study acceptable to the board, and that he or she has received from the college the degree of Doctor of Medicine or Doctor of Osteopathy. ~~If the applicant is a graduate of a foreign medical school, he or she shall submit instead the information required by part 5600.0900, subpart 2, item B.~~

[For text of items C to E, see M.R.]

5600.0700 LICENSE BY ENDORSEMENT WITHOUT EXAMINATION TO PRACTICE MEDICINE AND SURGERY.

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

Subp. 2. **Submission and contents of application.** The application must be submitted on forms prepared by the board and must include the following information:

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

C. If the applicant is a graduate of a foreign medical school:

(1) evidence satisfactory to the board that the applicant has been awarded a certificate by the Education Council for Foreign Medical Graduates, certifying to the applicant's formal education and passage of the ECFMG English test and the ECFMG examination; and

(2) an original or certified copy of a birth certificate; ~~and~~

~~(3) the information required by part 5600.0900, subpart 2, items D and E.~~

The evidence required in subitem (1) is not required if the applicant is a diplomate of a medical specialty board approved by the American Medical Association.

[For text of item D, see M.R.]

[For text of subp 3, see M.R.]

REPEALER. *Minnesota Rules*, parts 5600.0800; 5600.0900; and 5600.1000, are repealed.

Board of Medical Practice

Proposed Permanent Rules Relating Fees

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Rules Governing Physician Annual License Fee, *Minnesota Rules*, 5600.2500 (B.)

Introduction. The Minnesota Board of Medical Practice intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: William Marczewski at Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue SE, Suite 400, Minneapolis, MN 55414-3246, 612-617-2152, FAX 612-617-2166. TTY users may call the Minnesota Board of Medical Practice at (800) 627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about amending the Physician Annual License fee from \$168 to \$192. The statutory authority to adopt the rules is *Minnesota Statutes* §§ 147.01 and 214.06. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, June 9, 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 Wednesday, June 9, 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: 15 April 1999

Robert Leach, Executive Director
Minnesota Board of Medical Practice

5600.2500 FEES.

The fees charged by the board are fixed at the following rates:

- A. physician application fee, \$200;
- B. physician annual license, ~~\$168~~ \$192;

[For text of items C to EE, see M.R.]

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

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Executive Order #99-11: Providing for Minnesota's "Y2 'O' K...Be Prepared" Campaign and the Establishment of the Governor's Superboard on Y2K Preparedness

I, JESSE VENTURA, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, the State of Minnesota, our local units of government and Minnesota businesses have invested billions of dollars in information technology systems and equipment responsible for providing essential services, including public safety, to all Minnesotans; and

WHEREAS, many computers and electronic systems with embedded microchips may be vulnerable to Year 2000 complications resulting from programming shortcuts that used two digits instead of four to represent a year, and that may fail to recognize dates beyond 1999; and

WHEREAS, the State of Minnesota's information technology systems are ninety-six percent Year 2000 compliant, but some local units of government and Minnesota businesses remain at risk for Year 2000-related system failures; and

WHEREAS, the complicated nature of the Year 2000 issue makes it difficult to predict where and when failures may occur, including dates before or after the widely known January 1, 2000 date;

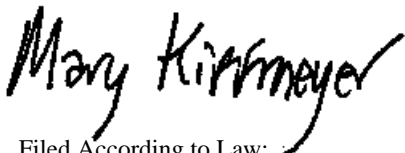
NOW, THEREFORE, I hereby order that:

1. Minnesota's Y2'O'K...Be Prepared campaign is a statewide community preparedness priority.
2. Each department and agency in the executive branch of the state shall test essential systems for potential failures and prepare contingency plans to assure continued operations and services. All state agencies shall report any problems identified during the test period to the Year 2000 Project Office in the Department of Administration, as the Office requires.
3. Each agency shall protect its essential systems from corruption by other systems that are not Year 2000 compliant.
4. State agencies, as appropriate, shall assist communities, schools and neighborhoods in their organization efforts to reduce the impact of potential Year 2000 related failures.
5. State agencies, as appropriate, shall assist Minnesota businesses in their endeavors to ensure that all commercial and industrial operations are not adversely affected by the Year 2000 transition.
6. The Emergency Management Division in the Department of Public Safety shall collaborate with local government personnel to adequately plan for potential public failures in local communities.
7. Local governments shall continue to identify Year 2000 problems and allocate adequate resources to fix these problems. Local governments shall also prepare contingency plans to assure continued operations and services and promote public awareness through communications with citizens.
8. Individuals shall take the necessary responsibility to prepare themselves, their organizations, families and communities for potential Year 2000 problems.
9. The Governor's Superboard on Y2'O'K Preparedness shall be created to:
 - a) oversee statewide readiness efforts;
 - b) identify sectors that are lagging in preparedness and connect troubled sectors with the resources necessary to address their problems;
 - c) encourage partnerships among state agencies, local units of government, businesses, higher education institutions and community groups;
 - d) identify social issues that may jeopardize public safety;
 - e) develop a united Y2'O'K...Be Prepared public relations campaign to increase public awareness;
 - f) engage the media to project the importance of the awareness and preparedness message to the public; and
 - g) address the "ripple effect" that the Year 2000 may have on our long-term economy.

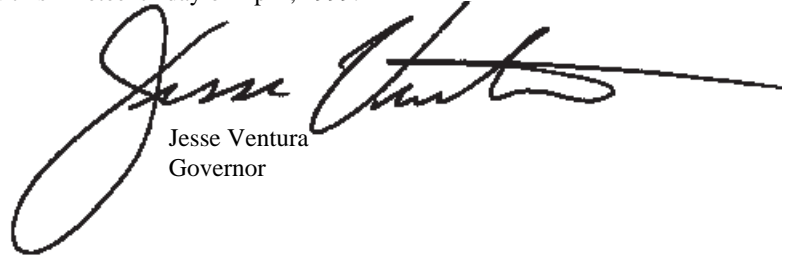
10. The Superboard shall have up to 15 members selected by the Governor from the public, private and nonprofit sectors to serve at the pleasure of the Governor.
11. The Superboard shall expire on January 1, 2001.
12. All departments, agencies and other state entities shall cooperate with the Governor's Superboard on Y2000 Preparedness, the Office of Technology and the Departments of Administration and Public Safety to increase public awareness, provide good information to all sectors of Minnesota's economy and ensure public safety for all Minnesota citizens.

Pursuant to *Minnesota Statutes* 1998, section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1998, section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this nineteenth day of April, 1999.



Filed According to Law:
Mary Kiffmeyer
Secretary of State



Jesse Ventura
Governor

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 Health

Health Policy and Systems Compliance Division

Adopted Exempt Rule Amendments Governing the Minnesota Standards for the Use of the HCFA 1500 Claim Form

Amendments adopted. The rule amendments proposed and published at *State Register*, Volume 23, Number 36, pages 1814 and 1815, March 8, 1999 (23 SR 1814), are adopted with no modifications. The rule amendments are adopted through the process prescribed by and under the authority vested in me by *Minnesota Statutes*, section 62J.61, subdivision 2. The statutory authority for the contents of the rule amendments is *Minnesota Statutes*, section 62J.52, subdivision 2, clause (b).

Replacement Pages for the Manual. The rule amendments will change four pages of the Minnesota Standards for the Use of the HCFA 1500 Claim Form. At about the same time as this Notice is published, the Department will mail copies of replacements for these four pages to all persons who have previously purchased the Manual from Minnesota's Bookstore. The replacement pages and the Manual are available for downloading on the World Wide Web at <http://www.mhdi.org/auc/material.htm>. If you wish to obtain a paper copy of the Manual, contact Minnesota's Bookstore at 651-297-3000 or 800-657-3757.

Contact Person. Questions or comments should be addressed to Amy Camp at the Minnesota Department of Health at 121 East 7th Place, Suite 400, St. Paul, MN 55101, FAX 651-282-5628, or Internet at Amy.Camp@health.state.mn.us

Signed on: 15 April 1999

By: Jan K. Malcolm, Commissioner
Department of Health

Official Notices

Metropolitan Council

Metro Transit

Notice of Public Hearing on the Elimination of Route 52E

Metro Transit will hold a public hearing to receive comments on the proposed elimination of Route 52E.

The public hearing will be held:

Wednesday, May 26, 1999

12 Noon

University of Minnesota (East Bank)

Coffman Memorial Union, Rooms 325 & 326

300 Washington Avenue, SE

Minneapolis

All interested persons are encouraged to attend the hearing and provide comments. Upon request, Metro Transit will provide reasonable accommodations to persons with disabilities. Special accommodations should be requested by Friday, May 21, 1999.

Comments, which must be received by Wednesday, June 9, may also be submitted as follows:

- Send written comments to: Erin Huseby, Metro Transit, 560 Sixth Av. N., Minneapolis, MN 55411
- FAX comments to Erin Huseby at 612-349-7675
- Record comments on the Metropolitan Council's Public Comment Line at 651-602-1500
- E-mail comments to: data.center@metc.state.mn.us
- Send TTY comments to Erin Huseby's attention at 651-291-0904

Department of Natural Resources

Bureau of Real Estate Management

Notice of Proposed Conveyance for the Purpose of Correcting Legal Descriptions of Boundaries Affecting the Ownership Interests of State and Adjacent Landowners

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources intends to correct a boundary discrepancy (*Minnesota Statutes* 84.0273, 1997) which affects land presently owned by the State and land owned by Daniel M. Wright and Jennifer M. Nash-Wright. The State originally acquired its property by Warranty Deed recorded in the Office of the Crow Wing County Recorder December 30, 1959, in Book 169 of Deeds, page 226. The State will enter into an agreement and conveyance document with the adjacent owner in order to resolve the boundary discrepancy. The State will own the following described property after the conveyance.

That part of Government Lot 4, Section 12, Township 138 North, Range 27 West, Crow Wing County, Minnesota, described as follows:

Commencing at the northeast corner of said Government Lot 4; thence on an assumed bearing of WEST along the north line of said Government Lot 4 a distance of 676.30 feet; thence South 67 degrees 13 minutes 27 seconds West 243.46 feet to a 3/4 inch by 24 inch rebar with a plastic cap stamped "MN DNR PROPERTY MONUMENT" (DNR MON) and the point of beginning; thence North 67 degrees 13 minutes 27 seconds East 190.86 feet to a DNR MON and the westerly right-of-way County State Aid Highway #136; thence continuing North 67 degrees 13 minutes 27 seconds East 52.60 feet; thence South 19 degrees 35 minutes 00 seconds East 269.20 feet; thence South 64 degrees 22 minutes 00 seconds West 37.08 feet to a DNR MON on the said westerly right-of-way; thence continuing South 64 degrees 22 minutes 00 seconds West 118.23 feet to a DNR MON; thence continuing South 64 degrees 22 minutes 00 seconds West 74 feet, more or less, to the water's edge of Mitchell Lake; thence northerly and northwesterly along said water's edge to a point which bears South 00 degrees 52 minutes 47 seconds West from the point of beginning; thence North 00 degrees 52 minutes 47 seconds East 44 feet, more or less, to an iron pipe monument; thence continuing North 00 degrees 52 minutes 47 seconds East 60.44 feet to the point of beginning.

For further information, contact Pat Kandakai at the Bureau of Real Estate Management, DNR, 500 Lafayette Road, St. Paul, MN 55155, 651-296-4496.

Pollution Control Agency

Notice of Intent to Approve the Creation of the Garrison, Kathio, West Mille Lacs Lake Sanitary Sewer District in Accordance with *Minnesota Statutes* § 115.20

The City of Garrison, the Garrison Township Board of Supervisors, and the Kathio Township Board of Supervisors have petitioned the Minnesota Pollution Control Agency (MPCA) to approve the creation of a sanitary district to be known as the Garrison, Kathio, West Mille Lacs Lake Sanitary Sewer District. The purpose of the sanitary district is to promote the public welfare by providing the residents within its boundaries with an adequate and efficient system and means of collecting, conveying, pumping, treating and disposing of domestic sewage within the district. The territory of the proposed sanitary district is legally described as:

Those parts of Sections 11, 12, 13, 14, 23, 24, 25, 26, 27, 35, and 36, Township 44, Range 28, and also that part of Section 31, Township 44, Range 27, Crow Wing County, Minnesota, and also those parts of Sections 5, 6, 7, 8, and 18, Township 43, Range 27, Mille Lacs County, Minnesota, described as follows:

Beginning at the Northeast corner of said Section 12; thence Southerly, along the East line of said Section 12, to its intersection with the Northwesterly shoreline of Mille Lacs Lake; thence generally Southerly, along said Northwesterly and Westerly shoreline, to its intersection with the East line of said Section 18; thence Southerly, along the East line of said Section 18, to the Southeast corner of said Section 18; thence Westerly, along the South line of said Section 18, to the Southwest corner of said Section 18; thence Northerly, along the West line of said Section 18 to the Northwest corner of said Section 18; thence Northerly, along the West line of said Section 7 to the Northwest corner of said Section 7; thence Northerly, along the West line of said Section 6, to the Northwest corner of said Section 6; thence Westerly along the South line of said Section 36, to the Southwest corner of said Section 36; thence Westerly, along the South line of said Section 35, to the Southwest corner of said Section 35; thence Northerly, along the West line of said Section 35, to the Northwest corner of said Section 35; thence Westerly, along the South line of said Section 27, to the Southwest corner of said Section 27; thence Northerly, along the West line of said Section 27, to the Northwest corner of said Section 27; thence Easterly, along the North line of said Section 27, to the Northeast corner of said Section 27; thence Northerly, along the West line of said Section 23, to the Northwest corner of said Section 23; thence Northerly, along the West line of said Section 14, to its intersection with the Southerly shoreline of Borden Lake; thence generally Northeasterly and Northerly, along said shoreline of Borden Lake, to its intersection with the Northerly line of said Section 11; thence Easterly, along said Northerly line of Section 11, to the Northeast corner of said Section 11; thence Easterly, along the North line of said Section 12, to the Northeast corner of said Section 12 and the point of beginning.

Except those parts of said Sections 7 and 18 held by the USA in trust for the Mille Lacs Band of Ojibwe Tribe.

And also except that part of said Section 18 which lies within the Whitefish State Wildlife Area.

And also except those parts of said Section 35 and 36 which lie within the Crow Wing County Memorial Forest.

A map displaying the boundaries of the proposed district is available at the MPCA.

The public has 30 days to submit written comments on the petition. If a person objects to the petition, that person may submit a written request for a hearing. The written comments or a written request for a hearing must be submitted to the MPCA by 4:30 p.m. on June 2, 1999. The written request for a hearing must state your interest in the petition, the nature of your objection and the reason for your objection. If twenty-five (25) or more timely requests for hearing are received, the MPCA will schedule a hearing prior to making a determination on the petition.

Following the end of the comment period and, if held, the public hearing, the MPCA Commissioner will decide whether to approve the petition for creation of the district unless, as provided by *Minnesota Statutes* § 116.02, the MPCA Citizens' Board makes this decision. You have the right to submit a petition to the MPCA Commissioner asking that the MPCA Citizens' Board make the decision on approval of the petition for creation of the Garrison, Kathio, West Mille Lacs Lake Sanitary Sewer District. Your petition must be in writing and must be received by MPCA staff during the public comment period. Your petition will be granted or denied in the sole discretion of the MPCA Commissioner. The MPCA Citizens' Board will only make the decision on approval of the petition for creation of the sanitary district if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision be made by the MPCA Citizens' Board.

A copy of the petition, resolutions, map of the area within the proposed sanitary district with legal description, and other documents relevant to the petition can be requested from the MPCA. Comments, questions and request for hearing regarding the creation of the sanitary district and requests for information must be submitted in writing to:

Debra Moynihan	Telephone: 651-296-5426
Regular Facilities and Site Remediation Section	1-800-657-3864
Policy and Planning Division	TTY: 651-282-5332
Minnesota Pollution Control Agency	FAX: 651-297-8676
520 Lafayette Road North	
St. Paul, Minnesota 55155-4194	

Official Notices

This notice, the petition, and other documents relevant to this petition can be made available in other formats, including Braille, large print, and audio tape, upon request.

Dated: 19 April 1999

Lisa J. Thorvig
Deputy Commissioner

Department of Transportation

Petition of the Fillmore County for a variance from State Aid requirements for VERTICAL CURVE LENGTH

NOTICE IS HEREBY GIVEN that the Fillmore County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on Norway Township road #30 at the north end of bridge #L-4663 (new #23J40).

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9920, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow vertical curve length based on a design speed of 40 km/h in lieu of the required 50 km/h.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 21 April 1999

Julie Skallman
Division Director
State Aid for Local Transportation

Department of Transportation

Petition of the Wabasha County for a variance from State Aid requirements for VERTICAL CURVE LENGTH

NOTICE IS HEREBY GIVEN that the Wabasha County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed resurfacing project on County State Aid Highway No. 26, between the North Winona County Line to 1.93 km west of TH 74.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9926, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow 12 vertical curves of 30 mph rather than the minimum 40 mph design speed.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 20 April 1999

Julie Skallman
Division Director
State Aid for Local Transportation

Department of Transportation

Petition of the City of Mounds View for a variance from State Aid requirements for OPENING BIDS PRIOR TO PLAN APPROVAL

NOTICE IS HEREBY GIVEN that the Mounds View City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed signal project at the intersection of Edgewood Drive and TH 10.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow plan approval after the opening of bids in lieu of the requirement of receiving plan approval prior to opening bids.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 20 April 1999

Julie Skallman
Division Director
State Aid for Local Transportation

Department of Transportation

Petition of the City of Richfield for a variance from State Aid requirements for OPENING BIDS PRIOR TO PLAN APPROVAL

NOTICE IS HEREBY GIVEN that the Richfield City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on Hennepin County State Aid Highway No. 35 at the intersection of Portland Avenue and 64th street.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow plan approval after the opening of bids in lieu of the requirement of receiving plan approval prior to opening bids.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 20 April 1999

Julie Skallman
Division Director
State Aid for Local Transportation

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

Mental Health Division

Request for Proposals for the Public Education and Awareness Campaign

The Mental Health Division of the Minnesota Department of Human Services is soliciting proposals for a public education and awareness program to promote recognition of compulsive gambling behavior and treatment throughout Minnesota.

The time period for both program components is twenty four months, July 1, 1999 through June 30, 2001. Funding is currently in the base budget. It is anticipated that funding will continue into the next biennium. However, funding for the program is contingent upon a legislative appropriation for the next biennium (SFY 2000 - 2001). The Department has designated \$240,000 for the Public Education and Awareness Campaign. There will not be a bidder's conference. Applicants must meet Human Rights Compliance requirements of *Minnesota Statutes*, section 363.073 and *Minnesota Rules*, parts 5000.3400 to 5000.3600.

The request for Proposals does not obligate the State to complete the project, enter into a contract or to accept the lowest cost proposals. The State also reserves the right to cancel the solicitation if it is considered to be in the best interest of the State and to extend the term of the contract for up to two additional years.

A copy of the complete RFP material and the Human Rights Compliance information is available by contacting Kathleen Porter by phone at (651) 582-1819, E-mail: kathleen.porter@state.mn.us or the address below.

All applicants must provide six (6) copies of their completed proposal to the Mental Health Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3828, no later than the close of business (4:00 p.m.) on May 24, 1999.

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].

Colleges and Universities, Minnesota State (MnSCU)

Northland Community & Technical College, Thief River Falls, MN

Notice of Request for Proposals (RFP) for a Tail Docking System for an MD DC9-10 Aircraft

Northland Community & Technical College is requesting proposals for a tail docking system for an MD DC9-10 aircraft. Proposals are to be submitted to: Northland Community & Technical College, 1101 Highway 1 East, Thief River Falls, MN 56701. ATTN: Dennis Paesler: Tail Dock Bid. All proposals must be received no later than 1:00 P.M., Tuesday, May 18, 1999.

Copies of the RFP are available only by contacting Jeffrey Buzzell at 218-681-0829 or by FAX 218-681-0826.

Colleges and Universities, Minnesota State (MnSCU)

Winona State University

Request for RFP for New Library Signage at Winona State University

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed proposals for signage at their New Library.

Bid specifications will be available May 3, 1999 from Sandra Schmitt, Purchasing Director, P.O. 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, P.O. Box 5838, Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 p.m., May 17, 1999.

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

Office of Environmental Assistance

Film Production House Sought to Produce a TV Commercial

The MN Office of Environmental Assistance is searching for a film production house to produce a TV commercial based on an existing storyboard and script. The commercial is to be thirty seconds in length and focuses on raising consumer awareness on waste reduction issues in the state of Minnesota. Proposals are due at OEA by 4:00 p.m., May 17, 1999 and work is to be done during the month of June, 1999. Please call Monte Hilleman at 651-215-0264 for the complete RFP.

Department of Health

Community Health Services

Public Health Nursing Section

Request for Proposals for Instructional Design Consultation for Professional Education Program

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is seeking proposals for a contract to provide instructional design consultation for development of curriculum for a public health nurse continuing education program. The program, "Public Health Nursing for the 21st Century," will include six educational modules presented by interactive television and on site workshops. The consultant will be expected to produce a design of educational strategies, evaluate and revise existing presentation materials, and develop instructional materials (instructors manual, student resource manual, computer graphics, complementary on line materials for the Web page) for the program.

The contract will be for \$15,000 for the period beginning July 1, 1999 through June 30, 2000.

To request the complete proposal application or for information contact:

Laurel Briske
Community Health Services Division
Minnesota Department of Health
P.O. Box 64975
St Paul, MN 55164
Phone: 651-296-9133
e-mail: laurel.briske@health.state.mn.us

This is the only person designated to answer questions regarding this Request for Proposal. Deadline for the delivery of proposals is 4:00 PM on Friday, May 28, 1999.

In accordance with *Minnesota Rules*, part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, 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, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, contact the Materials Management Help line at 651-296-2600 TTY 651-282-5799.

Professional, Technical & Consulting Contracts

Minnesota House of Representatives

Administrative Services

Public Notice of Request for Bid for 186 Desktop Computer Systems

NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives Administrative Services Office is seeking bids from qualified vendors for 186 Desktop Computer Systems.

All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to Room 198, State Office Building, no later than **Tuesday, June 1, 1999 at 2 p.m.** Bid submittals will be opened publicly on that date and time.

A copy of the Request for Bid Packet can be obtained by calling: Dennis Kern, 199 State Office Building, 100 Constitution Avenue, St. Paul, Minnesota 55155-1298, 651-297-7502.

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

Department of Natural Resources

Notice of Request for Proposal for Mapping Services to Redefine and Establish More Concise Floodplain Boundary Within Dakota County

Purpose

The Minnesota Department of Natural Resources (DNR) is soliciting proposals (RFPs) to provide mapping to redefine the Dakota County unnumbered floodplain "A" zones and to establish a more concise floodplain boundary within Dakota County.

The current Dakota County Flood Insurance Rate Maps (FIRMs), dated April 1, 1981, show extensive floodplain along tributaries to the Vermillion and Cannon Rivers. Many of these floodplain areas are identified as "A" Zones, where base flood elevations have not been determined.

Approximately 170 miles of watercourses have been mapped as having such "A" Zone watersheds. DNR and Dakota County staff have identified five priority watersheds for which there is a need for detailed information. The first and highest priority watershed is identified as the Marshan Sand Coulee, a 13-mile long tributary of the Vermillion River that joins the Vermillion River in the City of Hastings. The second priority watershed is the South Branch of the Vermillion River (and its tributaries), a 28+ mile long tributary that joins the main branch of the Vermillion River in Section 20 of Vermillion Township. The third priority watershed identified as Chub and Dutch Creeks, consists of 22+ miles of watercourses that join the Cannon river in the City of Randolph. The fourth priority watershed is the North Branch of Chub Creek and its tributaries, which is about 15 miles of watercourses that drain into the third priority watershed about 2 miles west of the City of Randolph. The fifth priority is all remaining "A" Zones in the county, which consists of several smaller tributaries to the Vermillion and Cannon Rivers, such as Pine Creek, Trout Brook, and several unnamed watercourses.

Project Contact

Copies of the entire Request for Proposal and Attachment may be requested from:

Ogbazghi Sium
Land Use Unit Supervisor
DNR Waters
500 Lafayette Road, Box 32
St. Paul, MN 55155-4032
651-296-0444
FAX: 651-296-0445

Proposals must be received by Ogbazghi Sium at the address listed above no later than 4:00 p.m. on June 9, 1999.

Department of Trade and Economic Development

Business and Community Development Division

Office of Business Assistance

Small Business Development Centers

Request for Proposals to Conduct Financial Audits of Regional Centers

The Small Business Development Center (SBDC) program of the Department of Trade and Economic Development is soliciting proposals from certified public accountants and certified public accounting firms to audit up to eight regional SBDCs and one specialized SBDC for calendar year 1998. Regional SBDCs are located in Duluth, Brainerd, Moorhead, St. Cloud, Marshall, Mankato, Rochester, and Minneapolis. The specialized SBDC is located in Minneapolis.

The objective of the audit is to assure that the SBDCs have maintained a system of internal control over the receipt and expenditure of funds sufficient to assure that claims for federal and state assistance were proper and supportable and that adequate control has been maintained for the receipt and expenditure of program income. The auditor's report is expected to include opinions on these items. Most of the centers have been subject to audit under the Single Audit Act. The auditor will be expected to build on prior audit work in conducting these audits.

Proposal Elements

Proposals must contain the following elements:

- 1) A detailed statement of the proposed scope of work, including discussion of the auditing standards that will be applied (e.g., auditing standards of the U.S. General Accounting Office, Audit Guide of the U.S. Small Business Administration for the Small Business Development Center program), and a description of the contents of the auditor's report that will be issued, including the nature and type of opinions that will be included.
- 2) A detailed schedule for conducting the work, to begin upon execution of the contract by all parties and encumbrance of funds or July 15, 1999, whichever is later. The contractor will be expected to conduct three audits per calendar year, 1999, 2000, and 2001. All work must be concluded by June 30, 2001.
- 3) A detailed cost proposal, including the estimated cost per center, the maximum contract amount, the hourly rate for each individual assigned to the project, and the frequency of invoices.
- 4) A description of the proposer's qualifications to conduct the audit, including resumes of individuals who will be assigned to the project and a description of their past government auditing work.
- 5) If the proposer is seeking preference in evaluation of the proposal in accordance with *Minnesota Rules* Part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, a copy of the proposer's Certification from the State of Minnesota Materials Management Division as a Targeted Group Business or Individual or Economically Disadvantaged Business or Individual. For information regarding certification, contact the Materials Management Helpline at 651-296-2600 TTY 651-282-5799.

Proposers may include additional tasks or activities if such tasks or activities will substantially improve the results of the project.

Estimated Cost

The estimated total cost of the project is expected to average approximately \$4,500 per center, including direct costs, allowable indirect costs, and reimbursement of travel, subsistence, and other out-of-pocket costs. Reimbursement for travel and subsistence must not exceed the amount provided in the current "Commissioners Plan" promulgated by and available from the Commissioner of Employee Relations, and must be shown separately from fees for professional services on the contractor's invoices. No out of state travel will be authorized as part of this contract. This Request for Proposals does not obligate the State to spend the estimated dollar amount.

Proposal Selection

Proposals will be evaluated by the state director of the Small Business Development Center program and other personnel within the Department of Trade and Economic Development. The contractor will be selected based on the reviewers' judgment of best value based on the proposer's experience in conducting similar audits, the reasonableness of the cost proposal, and overall responsiveness to this Request for Proposals. The decision of the reviewers will be final. Proposers whose proposals are not accepted will be notified, but a statement of the reasons will not be provided.

Professional, Technical & Consulting Contracts

Factors to be considered in evaluating proposals, and the weight to be given each factor, are:

- a) The proposer's experience in conducting similar audits (50%)
- b) Reasonableness of the cost proposal (40%)
- c) Overall responsiveness to this Request for Proposals (10%)

In accordance with *Minnesota Rules*, part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, 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, and Certified Economically Disadvantaged Businesses and Individuals submitting proposals as prime contractors shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, contact the Materials Management Helpline at 651-296-2600 TTY 651-282-5799.

The State may select more than one proposal or reduce the number of audits if the State determines such action is in its best interest.

This Request for Proposals does not obligate the State of Minnesota or the Department of Trade and Economic Development to complete the proposed project, and the State reserves the right to cancel this solicitation at any time. Costs involved in preparing proposals are not recoverable.

The successful proposer will be required to submit acceptable evidence of compliance with Minnesota workers' compensation insurance coverage requirements prior to execution of the contract.

In compliance with *Minnesota Statutes* 16C.07, the availability of this contracting opportunity is being offered to state employees. The response of any state employee will be evaluated along with other responses to this Request for Proposals.

State Contract Language

Proposers should be aware that the State's contract language includes the certain terms and conditions (summarized here) governing invoicing and payment.

- (1) Compensation will be for all services performed, unless a specific payment schedule is mutually agreed upon. The State does not make regular payments based on the passage of time, it only pays for services performed or work delivered after the services are performed or the work is accomplished.
- (2) Payment is only made after the submission of a complete invoice to the State. The State does not make payment from statements. The State must pay its invoices within 30 days of receipt, unless they are formally contested.
- (3) Payment will be made from state funds made available to the Department of Trade and Economic Development. If at any time such funds become unavailable, or if the State otherwise determines that further performance under the contract would not serve agency purposes, the State may terminate the contract prior to its completion. In the event of such termination, the contractor will be entitled to payment, determined on a *pro rata* basis, for services satisfactorily performed.
- (4) No more than ninety (90) percent of the full amount due under a contract may be paid until the final product(s) of the contract have been reviewed by the agency head, and the agency head has determined that the contractor has satisfactorily fulfilled all the terms of the contract.

Proposal Submission

Proposers must submit three copies of their final proposal by the proposal submission deadline. Each copy must be signed in ink by an authorized representative of the proposing entity. Proposals must completely respond to the requirements of this Request for Proposals, but need not be lengthy. Proposers are discouraged from attaching third party endorsements. Such endorsements will not be considered in the evaluation process. Prices and terms of the proposal as stated must be valid for the length of any resulting contract.

Proposal Submission Deadline

Complete proposals must be received no later than 4 p.m. Wednesday, June 30, 1999. Late proposals will not be considered. Address proposals to Mary J. Kruger, State Director, Minnesota Small Business Development Center Network, 500 Metro Square, 121 7th Place East, St. Paul, MN 55101-2146. Faxed proposals will not be considered.

Treatment of Proposal Information

Information provided pursuant to this Request for Proposals will be considered public information under the Minnesota Government Data Practices Act, *Minnesota Statutes* Chapter 13.

Proposer Conference

A Proposer Conference for the purpose of answering questions concerning this Request for Proposals will be held from 11 a.m. to noon on Monday, June 7, 1999, at the offices of the Department of Trade and Economic Development, 500 Metro Square, 121 7th Place East, St. Paul, MN 55101. **Any individual or firm wishing to submit a proposal must attend or be represented at this Proposer Conference.** Questions and answers submitted before or during the Proposer Conference will be summarized and distributed after the conference. No questions concerning this Request for Proposals will be accepted after the Proposer Conference.

Professional, Technical & Consulting Contracts

Communications Concerning Request for Proposals

Prior to June 7, 1999, all questions and other communications concerning this Request for Proposals should be directed to Mary Kruger, State Director of the Minnesota Small Business Development Center network, address 500 Metro Square, 121 7th Place East, St. Paul, MN 55101, telephone 651-297-5773 or Charles Schaffer, Director of the Minnesota Small Business Assistance Office, at the same address, telephone 651-296-0617. No other individuals within the Department of Trade and Economic Development are authorized to answer questions regarding this Request for Proposals.

Communications concerning this Request for Proposals will not be accepted after the Proposer Conference scheduled for June 7, 1999.

Department of Transportation

Engineering Services Division

Contract Available for Design and Implementation of an Activity Based Costing Project

The Minnesota Department of Transportation (Mn/DOT) is seeking a firm to assist in the design and implementation of an Activity Based Costing project in its Engineering Services Division. Components of the contract include:

1. Working with the operating unit to develop schematic diagrams; coordinate data source identification; act as a technical resource for model design, and
2. Assist in developing integration (cost transfer) processes for linking the field operations model with the central office model.

This proposal does not obligate the state to complete the proposed project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Requests for the Request for Proposal (RFP), inquiries, and responses should be made only to:

Richard Arnebeck
Activity Base Cost Management, Project Director
M.S. 340
117 University Avenue
St. Paul, MN 55155-1899
651-296-0980

Responses must be received by Richard Arnebeck at the above address by (3:00 p.m. CDT) May 14, 1999. Responses received after the aforementioned time will not be considered.

Department of Transportation

Metro Division

Contract Available for Design and Implementation of an Activity Based Costing Project

The Minnesota Department of Transportation (Mn/DOT) is seeking a firm to assist in the design and implementation of an Activity Based Costing project in its Metro Division. Components of the contract include:

1. Working with the operating unit to develop schematic diagrams; coordinate data source identification; act as a technical resource for model design, and
2. Assist in developing integration (cost transfer) processes for linking the field operations model with the central office model.

This proposal does not obligate the state to complete the proposed project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Non-State Public Bids, Contracts & Grants

Requests for the Request for Proposal (RFP), inquiries, and responses should be made only to:

Richard Arnebeck
Activity Base Cost Management, Project Director
M.S. 340
117 University Avenue
St. Paul, MN 55155-1899
651-296-0980

Responses must be received by Richard Arnebeck at the above address by (3:00 p.m. CDT) May 14, 1999. Responses received after the aforementioned time will not be considered.

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 Call for Proposals for Employee Shuttle Bus Service

Sealed proposals will be received by the Metropolitan Airports Commission at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until 2:00 PM, Local Time, THURSDAY, May 20, 1999, for the procurement of EMPLOYEE SHUTTLE BUS SERVICE AT MSP.

At that time and place the proposals will be publicly opened and the names and address of those responding read aloud. If mailed the Commission's mailing address is 6040 28th Avenue South, Minneapolis, MN 55450-2799, **and proposals to be considered must be received by the Commission by the date and hour set for opening of proposals.**

A **MANDATORY** pre-proposal conference will be held at 10:00 AM, Minnesota time, Tuesday, May 11, 1999, at the MAC General Office Building, 6040 28th Avenue South, Minneapolis, MN 55450. Failure to attend this meeting will result in rejection of the proposal. **RSVP:** Call JoAnn Brown 612-726-8146 (need count for transportation to site visit.)

Proposals shall be according to the specifications. The Commission reserves the right to reject any or all proposals or portions thereof, and to waive any minor irregularities or informalities therein. Copies of the Specification may be obtained at the office of the Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450 (phone: 612-726-8146).

Dated: 27 April 1999

Metropolitan Airports Commission
JoAnn Brown/Buyer-Administrator

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.

Certificates of Assumed Name; Registration of Insignia and Marks

Minnesota Statutes Chapter 333 requires the filing of an assumed name with the Secretary of State. This filing does not protect a users exclusive right to that name. The filing is required as a consumer protection, in order to enable consumers to be able to identify the true owner of a business. For more information, or to register an assumed name, insignia or mark, contact the Office of the Secretary of State, Business Services Division, (651) 297-1455.

Certificate of Assumed Name

First Run: File # 0220704 - Irving Rein Company

1. The exact assumed name under which the business is or will be conducted is: **Irving Rein Company**
2. The address of the principal place of business is: **1101 Highway 13, St. Paul, MN 55118**
3. The names and complete street addresses of all persons conducting business under the above Assumed Name are:
 - **Mildred Rein, 1101 Highway 13, St. Paul, MN 55118**
 - **Mildred Rein, as Trustee of the Credit Trust u/w of Irving Rein, 1101 Highway 13, St. Paul, MN 55118**

I certify that I am authorized to sign this certificate and I further certify that I understand that by signing this certificate, I am subject to the penalties of perjury as set forth in *Minnesota Statutes* section 609.48 as if I had signed this certificate under oath.

Dated: 12 April 1999

Mildred Rein, owner



Admin MINNESOTA

Department of Administration
Communications Media Division

117 University Avenue • St. Paul, Minnesota 55155
Metro Area 651-297-3000
Toll Free 1-800-657-3757
FAX 651-297-8260
Metro Area 651-282-5077 Greater MN 1-800-657-3706

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