

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- proposed, adopted, exempt, expedited emergency and withdrawn rules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
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#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
#48	Tuesday 1 June	Noon Wednesday 19 May	Noon Tuesday 25 May

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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  
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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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## Minnesota Rules: Amendments and Additions

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## Exempt Rules

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

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

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

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

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

## Department of Labor and Industry

### Adopted Exempt Permanent Rules Relating to Occupational Safety and Health; Adoption of Federal Standards by Reference; Rope Inspections; Working in Confined Spaces

The rules proposed and published at *State Register*, Volume 23, Number 35, pages 1767-1775, March 1, 1999 (23 SR 1767), are adopted as proposed.

## 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

### Adopted Expedited Emergency Game and Fish Rules; Waters Closed or Restricted to Taking Fish; Designated Special Management Waters

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of these rules is *Minnesota Statutes*, section 97A.045, subdivision 2.

Dated: 28 April 1999

Allen Garber  
Commissioner of Natural Resources

#### 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]

[For proposed text of items E and F, see 23 SR 1866, March 22, 1999]

G. Red Lake and its tributaries listed below are closed to the possession of walleye.

## Expedited Emergency Rules

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Upper Red Lake</u>	<u>T.153, R.31,32; T.154, R.30-32; T.155, R.30-32, outside Red Lake Indian Reservation</u>	<u>Beltrami</u>
<u>Blackduck River</u>	<u>T.151, R.32, S.2,3,9, 10,15-17,20,22,23,26,27, 35,36; T.150, R.32, S.1; T.150, R.31, S.6-8,15-17, 22,27,34</u>	<u>Beltrami</u>
<u>Darrigan's Creek</u>	<u>T.150, R.32, S.14,15, 22,27,28,33; T.149, R.32, S.4-7</u>	<u>Beltrami</u>
<u>Detling Creek</u>	<u>T.151, R.31, S.31,32; T.150, R.31, S.4,5,9,10</u>	<u>Beltrami</u>
<u>Dumas Creek</u>	<u>T.154, R.30, S.29,31</u>	<u>Beltrami</u>
<u>Hay Creek</u>	<u>T.151, R.32, S.19,20,30,31</u>	<u>Beltrami</u>
<u>Meadow Creek</u>	<u>T.151, R.31, S.1-3; T.151, R.30, S.5,6,8-10</u>	<u>Beltrami</u>
<u>Moose Creek</u>	<u>T.155, R.31, S.25,36</u>	<u>Beltrami</u>
<u>North Branch Battle River</u>	<u>T.152, R.32, S.10-12,15, 22; T.152, R.31, S.1-7</u>	<u>Beltrami</u>
<u>North Branch Cormorant River</u>	<u>T.151, R.32, S.1-3; T.152, R.32, S.35; T.151, R.31, S.1-6,10-12; T.151, R.30, S.7-9,15-18, 22-24</u>	<u>Beltrami</u>
<u>O'Brien Creek</u>	<u>T.151, R.32, S.35; T.150, R.32, S.2,11,14, 23,26,35; T.149, R.32, S.2,11</u>	<u>Beltrami</u>
<u>Shotley Brook</u>	<u>T.153, R.31, S.10, 11,13,14,24; T.153, R.30, S.19-23</u>	<u>Beltrami</u>
<u>South Branch Battle River</u>	<u>T.152, R.32, S.13-15,22; T.152, R.31, S.18-22,26, 27,35,36; T.152, R.30, S.31,32; T.151, R.30, S.2-5,11,12</u>	<u>Beltrami</u>
<u>South Branch Cormorant River</u>	<u>T.151, R.32, S.23,25-27, 36; T.151, R.31, S.31-35</u>	<u>Beltrami</u>
<u>Squaw Creek</u>	<u>T.151, R.32, S.10,11,13,14;</u>	<u>Beltrami</u>
<u>Tamarack River</u>	<u>T.154, R.30, S.8,9, 11-13,15-17</u>	<u>Beltrami</u>
<u>Unnamed Tributary</u>	<u>T.154, R.30, S.1,11,12</u>	<u>Beltrami</u>

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.

## Expedited Emergency Rules

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### 6262.0550 WATERS WITH RESTRICTIONS ON TAKING FISH.

Subpart 1. **Clear Lake.** [For proposed text of subpart 1, see 23 SR 1866, March 22, 1999]

Subp. 2. **Treaty Lakes.** The following waters have restrictions on the possession of fish:

A. Walleye 18- to 24-inch protected slot limits. All walleye in possession while on or fishing in the following waters must be less than 18 inches in length or greater than 24 inches in length. All walleye that are 18 to 24 inches in length, inclusive, must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Knife Lake</u>	<u>T.40-41, R.23,24, S.Various</u>	<u>Kanabec</u>
<u>Ann Lake</u>	<u>T.39, R.25, S.2;</u> <u>T.40, R.25, S.25,35,36</u>	<u>Kanabec</u>
<u>Little Elk Lake</u>	<u>T.35, R.26, S.30,31</u>	<u>Sherburne</u>

B. Walleye 16-inch minimum size limits. All walleye in possession while on or fishing in the following waters must be 16 inches in length or greater. All walleye less than 16 inches in length must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>North Big Pine Lake</u>	<u>T.43, R.22, S.13,14</u>	<u>Aitkin, Pine</u>
<u>South Big Pine Lake</u>	<u>T.43, R.22, S.23-26</u>	<u>Aitkin</u>

C. Walleye 17-inch minimum size limits. All walleye in possession while on or fishing in the following waters must be 17 inches in length or greater. All walleye less than 17 inches in length must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Goose Lake</u>	<u>T.36,37, R.22, S.Various</u>	<u>Chisago</u>
<u>Green Lake</u>	<u>T.33, R.20,21, S.12,13,23,24</u>	<u>Chisago</u>

D. Walleye 15- to 24-inch harvest slot. All walleye in possession while on or fishing in the following waters must be from 15 inches to 24 inches in length, inclusive. All walleye that are less than 15 inches or greater than 24 inches in length must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>East Rush Lake</u>	<u>T.37, R.22, S.Various</u>	<u>Chisago</u>
<u>West Rush Lake</u>	<u>T.37, R.22, S.Various</u>	<u>Chisago</u>



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## Expedited Emergency Rules

E. Northern pike 26- to 36-inch protected slot limit. All northern pike in possession while on or fishing in the following waters must be less than 26 inches in length or greater than 36 inches in length. All northern pike that are 26 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Ogechie Lake</u>	<u>T.42, R.27, S.4,5,7,8; T.43, R.27, S.3</u>	<u>Mille Lacs</u>

F. Walleye 15-inch minimum size limit. All walleye in possession while on or fishing in the following waters must be 15 inches in length or greater. All walleye less than 15 inches in length must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Platte Lake</u>	<u>T.42,43, R.28,29, S.Various</u>	<u>Morrison, Crow Wing</u>
<u>Sullivan Lake</u>	<u>T.42, R.28,29, S.Various</u>	<u>Morrison</u>

### 6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

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

#### Subp. 4. **Mille Lacs Lake special management regulations.**

A. Except as provided in item B, all walleye in possession while on or fishing in Mille Lacs Lake; a person's possession limit may not include more than one walleye over 20 inches in length. must be from 14 inches to 20 inches in length, inclusive. All walleye that are less than 14 inches or greater than 20 inches in length must be immediately returned to the water.

B. Notwithstanding item A, a person's possession limit may include one walleye over 26 inches in length.

C. All northern pike in possession while on or fishing in Mille Lacs Lake must be less than 26 inches or greater than 36 inches in length. All northern pike that are from 26 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

D. Mille Lacs Lake is closed to the taking of fish between the hours of 10 p.m. and 6 a.m. daily during the period commencing at 10 p.m. on the Monday following the Saturday two weeks prior to the Saturday of Memorial Day weekend and ending at 12:01 a.m. on Monday, four weeks after the date of commencement. During the above referenced closure, no person shall be on the waters of Mille Lacs Lake while having in possession any equipment whereby fish may be taken.

E. Spearing is prohibited from December 1 through April 30. A person may not have a spear in possession while on or fishing in Mille Lacs Lake during this period.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Mille Lacs</u>	<u>T.42-45, R.25-28, S.Various</u>	<u>Aitkin, Mille Lacs</u>

[For text of subs 5 to 10, see M.R.]

Subp. 11. [See repealer.]

Subp. 12. [See repealer.]

Subp. 13. [See repealer.]

Subp. 14. [See repealer.]

[For text of subs 15 and 16, see M.R.]

**REPEALER.** The emergency amendments to *Minnesota Rules*, part 6264.0400, subparts 4, 10, 11, 12, 13, and 14, published in the *State Register*, Volume 22, pages 1907 to 1909, April 27, 1998, are repealed.

**EFFECTIVE EMERGENCY AMENDMENT.** After the emergency amendments to *Minnesota Rules*, parts 6262.0500 and 6264.0400, expire, the permanent rules as they read prior to the amendments again take effect, except as they may be amended by permanent rule.

## 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 #99-12: Providing for a Governor's Council on Minnesota's Lake Superior Coastal Program, and Assigning Responsibility to the Department of Natural Resources

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**, Minnesota is nationally recognized for its leadership in resource protection programs; and

**WHEREAS**, Minnesota state agencies are committed to operating consistently with state and federal rules, regulations, statutes and authorities; and

**WHEREAS**, the Department of Natural Resources, with the advice of local units of government, the general public, other state and appropriate federal agencies, has developed Minnesota's Lake Superior Coastal Program; and

**WHEREAS**, the Federal Coastal Zone Management Act of 1972 provides funds to states that voluntarily implement a federally approved Coastal Zone Management Program; and

**WHEREAS**, Minnesota's Lake Superior Coastal Program is based on existing policies and authorities that address land and water uses and resource protection in the coastal area; and

**WHEREAS**, public participation is a fundamental aspect of program development and implementation of an advisory council with specific functions and responsibilities is an integral part of Minnesota's Lake Superior Coastal Program.

**NOW, THEREFORE**, I hereby order that:

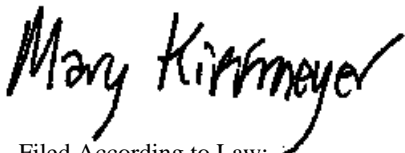
1. The Minnesota Department of Natural Resources be designated the lead state agency to act for the Governor in preparing an application for, receiving, accepting and expending federal funds, and act for implementation and administration of Minnesota's Lake Superior Coastal Program as specified by the Coastal Zone Management Act of 1972.
2. To the extent permitted by law, state administrative departments, independent administrative boards and commissions, and all other state agencies shall, to the extent practicable and upon federal approval of Minnesota's Lake Superior Coastal Program, enforce and act consistently with the goals, policies and objectives of the Coastal Program.
3. The Governor's Council on Minnesota's Coastal Program is established and shall:
  - a. Make recommendations to the Commissioner of the Department of Natural Resources on Minnesota's Lake Superior Coastal Program priorities;
    1. With the assistance of program staff; and
    2. Reflect a balance between preservation, protection, development and, where possible, the restoration and enhancement of the coast for present and future generations.
  - b. Review and make recommendations to the Commissioner of the Department of Natural Resources on select programs and projects for funding.
  - c. Review annual administrative (non-project) budget with the Department of Natural Resources and make recommendations to the Commissioner of the Department of Natural Resources.
  - d. Review the Coastal Program every two years and make recommendations to the Commissioner of the Department of Natural Resources.
4. Membership in the Governor's Coastal Council shall consist of 15 members to be appointed by the Governor according to *Minnesota Statutes*, section 15.0593.
  - a. Twelve of the members shall consist of three persons per county appointed from a pool of names submitted by each of the cities, townships and counties within the Lake Superior coastal boundary in Minnesota. Each entity may submit up to three nominees.
  - b. Three at-large members shall be selected from individuals nominated by the public statewide and submitted to the Governor.

- c. A minimum of three and a maximum of five Council members may represent any one county at any time.
- d. No more than one elected official from each county shall be represented on the Council.
- 5. The Chair of the Council is elected by the Council membership.
- 6. The Council shall be operated in accordance with adopted rules of procedure and bylaws.

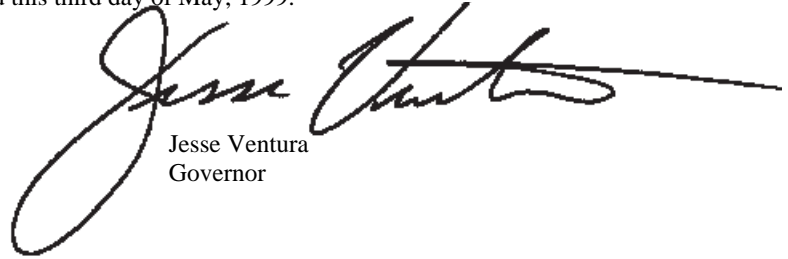
This Order shall be reviewed by the Governor, in consultation with the affected agency or agencies, every two years in order to assess its reasonableness and need.

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 third day of May, 1999.



Filed According to Law:  
Mary Kiffmeyer  
Secretary of State



Jesse Ventura  
Governor

## 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*.

## Department of Transportation

### Commissioner's Order No. 83720: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825 - Freeborn County

**WHEREAS**, the Commissioner of Transportation has made his Order No. 80000, dated March 10, 1994, which order has been amended by Orders No's. 80212, 80246, 80580, 80861, 80881, 81000, 81092, 81371, 81511, 81557, 81641, 82955, 83138, 83536, and 83616 designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under *Minnesota Statutes* § 169.825, and

**WHEREAS**, the Commissioner has determined that the additional following routes, or segment of routes, should be designated to carry the gross weights allowed under *Minnesota Statutes* § 169.825.

**IT IS HEREBY ORDERED** that Commissioner of Transportation Order No. 80000 is further amended this date by adding the following designated streets and highway routes, or segment of routes, as follows:

#### COUNTY ROADS

##### FREEBORN COUNTY

– C.S.A.H. 13 from T. H. 65 to T. H. 69.

Dated: 30 April 1999

Elwyn Tinklenberg  
Commissioner

## 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 Commerce

#### REQUEST FOR COMMENTS on Planned Proposal of Rules Governing Valuation of Life Insurance Policies

**Subject of Rules.** The Minnesota Department of Commerce ("Department") requests comments on its planned proposal of rules governing the valuation of life insurance policies. The Department is considering rules regarding select mortality tables and their use; concerning a minimum standard for the valuation of plans with nonlevel premiums or benefits; concerning a minimum standard for the valuation of plans with secondary guarantees; and to provide a method for calculating the basic reserves defined in the rule which constitutes the Commissioners' Reserve Valuation Method for policies to which the rule is applicable.

**Persons Affected.** The proposal of the rules will affect life insurance companies and fraternal benefit societies licensed in Minnesota.

**Statutory Authority.** *Minnesota Statutes*, section 61A.25, authorizes the commissioner to adopt rules to prescribe valuation standards of mortality and methods to determine reserves for plans of life insurance for which the minimum reserves cannot be determined by the methods in that section. *Minnesota Statutes*, section 45.023, authorizes the commissioner of commerce to adopt rules in accordance with chapter 14, and as otherwise provided by law, whenever necessary or proper in discharging the commissioner's official responsibilities.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on July 9, 1999.

**Rules Drafts.** The Department is preparing a draft of the planned rules.

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these planned rules should be addressed to: Donna M. Watz, Staff Attorney, State Department of Commerce, 133 East Seventh Street, St. Paul, Minnesota, 55101, phone: 651-296-6593, and FAX: 651-296-4328. TTY users may call the Department of Commerce at 651-296-2860.

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

Dated: 28 April 1999

David M. Jennings, Commissioner  
Department of Commerce

### Minnesota Auto Theft Prevention Program

#### Notice of Meeting of the Board of Directors

The Minnesota Auto Theft Prevention Program, will be holding its Board of Directors meeting on the following dates: May 13, 1999 and June 10, 1999. Meetings will begin at 9:00 a.m. and will be held at the Minnesota Auto Theft Prevention Program (MATPP) office located at 1110 Centre Pointe Curve, Suite 405, Mendota Heights, MN 55120 (Hwy 110 and Lexington Avenue, west of Hwy 35W (South) on the south side of the GNB Technologies Building). Meetings are open to the public. For more information you may contact the MATPP office at 651-405-6155.

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Finance Committee**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Finance Committee will be held at 9:00 a.m. on Thursday, May 13, 1999. The meeting will be at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

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

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Nominating Committee**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Nominating Committee will be held at 8:00 a.m. on Wednesday, May 12, 1999. The meeting will be at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

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

## **Minnesota Partnership For Action Against Tobacco**

### **Board Vacancy Announced**

The Minnesota Partnership for Action Against Tobacco, MPAAT, the non-profit foundation incorporated as part of the State of Minnesota's 1998 settlement with tobacco manufacturers, announces a vacancy on its Board of Directors. MPAAT is a private organization, but operates under the jurisdiction and supervision of the District Court of Ramsey County, and is subject to audit by the Legislative Auditor, oversight by Attorney General, and other safeguards to ensure public accountability.

#### **Description**

The appointee will serve on MPAAT's 21-member Board of Directors. The appointment is for a term not to exceed three years. The length of appointment is yet to be determined by the Board in a random selection process. Directors receive no compensation.

#### **Qualifications**

Under the terms prescribed by the District Court, candidates for the vacant position must:

- Be, be employed by, or represent, a health care provider or health care payor.
- Have a demonstrated history of activities directed at, or expertise related to, reducing the human and economic consequences of tobacco use.
- Have had no affiliation with the tobacco industry or related trade associations within the last ten years.
- Take no part in any vote or decision on any matter concerning an organization with which the director is affiliated.
- Not be present during discussion of any matter concerning an organization with which the director is affiliated.

#### **Appointment Process**

A Nominating Committee of the Board of Directors will recommend candidates to the Board of Directors, which will select the appointee. Interested candidates should submit a resume and brief statement of interest and qualification to: MPAAT, 400 Park Street, Saint Paul, 55103, postmarked no later than June 1, 1999.

## **Public Employees Retirement Association (PERA)**

### **NOTICE OF MEETING of the Board of Trustees and the Finance Committee**

The regular meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, May 13, 1999, at 9:30 a.m., in the PERA offices, 514 St. Peter Street, Suite 200 - Skyway Level, Saint Paul, Minnesota.

A Finance Committee will be held on Thursday, May 27, 1999 at 9:30 a.m. in the association office.

## 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.

### Minnesota West Community and Technical College

#### Request for Proposals for Consulting Team to Provide a Facilities Master Plan

Minnesota West Community and Technical College is seeking the services of a consulting team to provide a comprehensive campus master plan. Minnesota West's campuses are located in five communities in Southwestern Minnesota communities: Canby, Granite Falls, Jackson, Pipestone, and Worthington.

The purpose of the master plan is to define current and future space needs based on the master academic plan of the College, short and long term demographics, and enrollment projections. A master academic plan will be provided to the selected firm. After meeting with faculty and staff, part of the initial phase will be to make recommendations to the administration concerning the academic plan. This project should take into consideration the condition of existing campus buildings and the capacity of each campus's existing physical plant and infrastructure. MnSCU has recently contracted with Paulien and Associates, Inc., of Denver, Colorado, for an assembly and standardization of facilities inventories and academic facilities usage. MnSCU has also recently contracted with Facilities Resource Management of Madison, Connecticut, to develop and report a facilities condition assessment. The reports provided by these studies provide useful information in the master planning process and are available as requested. The Master Plan should serve as a basis for planning maintenance of existing facilities, as well as future renovation, remodeling, and new construction. Academic program needs, space utilization, and other operational needs will drive the funding of future capital budget requests. The facilities Master Plan will become an important part Minnesota West's strategic vision for the future.

Proposals are due by 2:00 P.M. on Monday, June 7, 1999. Proposals received after this time will be returned unopened. Mail or deliver six (6) copies of the proposal to:

Lori Voss  
Vice President of Finance and Human Resources  
Minnesota West Community and Technical College  
1011 First Street West  
Canby, Minnesota 56220  
507-223-7252

Minnesota State Community and Technical College reserves the right to reject any or all proposals.

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## Professional, Technical & Consulting Contracts

### Scope:

The comprehensive Master Plan shall address current and future space needs of all five (5) Minnesota West campuses. Consultants shall clearly describe the adequacy of current space in support of the academic mission of the College. The master plan should recommend changes in the quality and quantity of space to enhance academic and academic support units across all campuses. These changes may include consolidations or relocations, renovations, remodeling, possible land acquisitions, site and infrastructure improvements, reconfiguration of parking, and new construction. The master plan should be a plan to strategically implement the operational requirements of the academic vision for the College.

Project deliverables include the following:

- Graphic representation of schematic master plan for each campus.
- Written Report on the analysis of existing facilities and future space needs based on information from individual academic units and the Master Academic Plan.
- A preliminary cost plan and construction-phasing plan of recommended renovations, remodeling, and new construction.

### Question Period:

The College will have a question and answer session from 1-3 p.m. on May 24 and May 27 at the Granite Falls Campus. Please contact the College at the above phone number if you plan to attend.

Call or write for the full RFP which will be sent free of charge to interested parties.

## Colleges and Universities, Minnesota State (MnSCU)

### Winona State University

#### Request for Bids for Dormitory Furniture

**NOTICE IS HEREBY GIVEN** that Winona State University will receive sealed bids for dormitory furniture.

Bid specifications will be available May 10, 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 bids must be received by Sandra Schmitt, PO Box 5838 or Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 2:00 p.m. May 24, 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.

## Higher Education Services Office

#### Request for Proposals for Professional Services of an Underwriter

The Minnesota Higher Education Services Office (MHESO) is requesting proposals from qualified underwriters to provide underwriting services for its supplemental student loan programs. Proposals must be submitted by 4:00 Central Time on June 8, 1999.

The Request for Proposals (RFP) does not obligate the Services Office to complete this project, and the Services Office reserves the right to cancel the solicitation if it is considered to be in its best interest. The bond issue is estimated to be between \$50 to \$100 million.

Copies of the complete RFP are available from:

Financial Services Division  
Minnesota Higher Education Services Office  
1450 Energy Park Drive Suite 350  
St. Paul, MN 55108-5227  
651-642-0517

## Professional, Technical & Consulting Contracts

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### Department of Natural Resources

#### Division of Fish and Wildlife

#### Notice of Request for Proposals to Design and Complete a Wetland Restoration at Sugarloaf Cove, Minnesota

**NOTICE IS HEREBY GIVEN** that the Department of Natural Resources (DNR), through its Division of Fish and Wildlife, requests proposals to restore a wetland/moist forest ecosystem and interpret the project to the public and key stakeholder groups. The project will serve as an example of using native plants and the principles and philosophy of ecological restoration in an area where little of this activity has yet occurred.

Deliverables include, 1) wetland restoration design that incorporates all of the "Sugarloaf Cove Wetland Restoration Design Considerations" listed in the full Request for Proposal; 2) meetings as needed with the Sugarloaf Interpretive Center Association and/or the Commissioner's Advisory Committee to refine restoration design plans; 3) completion of the excavation, construction and planting required by the restoration design; 4) removal of access road and residual demolition debris from earlier building removal project; and 5) regrading and planting of road bed.

A project Health and Safety Plan must be developed by the contractor to meet all OSHA requirements.

A pre-proposal on-site visit is scheduled for May 20, 1999 at 1:00 p.m.

The DNR has estimated that the cost of this contract should not exceed \$125,000. This proposal does not obligate the agency to spend the estimated dollar amount.

The contract will begin as soon as possible and will be completed September 30, 1999.

Call or write for the full Request for Proposal which will be sent free of charge to interested vendors. Please contact:

Pat Collins, Lake Superior Habitat Coordinator  
Minnesota Department of Natural Resources  
1568 Hwy 2  
Two Harbors, MN 55616  
Phone: 218-834-6612  
[pat.collins@dnr.state.mn.us](mailto:pat.collins@dnr.state.mn.us)

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

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 612-296-2600 TTY 612-282-5799.

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

All proposals must be received or postmarked not later than May 28, 1999. Late proposals will not be considered.

## Department of Public Safety

#### Office of Technical Support Services

#### Notice of Request for Proposals for Sex Homicide Offender Tracking System (SHOTS) / Criminal Justice Information System (CJIS) Interface

The Minnesota Department of Public Safety is seeking proposals to develop an Interface Specification that will be used as a standard for all future connections between the CJIS system and other client/server based systems. The test bed for this standard will be to develop an interface between the SHOTS, CJIS and National Crime Information Center (NCIC) systems. This interface must allow entries into the SHOTS system to be passed to the CJIS system to update an index and then be passed on to the NCIC system. The system must also handle any error condition that can occur on either the CJIS system or the NCIC system. Secondly, this interface must allow queries from the CJIS system to query the SHOTS database. The CJIS platform is an UNSISY ClearPath IX4400



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## Professional, Technical & Consulting Contracts

running UNISYS's Law Enforcement Message Switch (LEMS) and using UNISYS's Relation Database System and High Volume TIP. The SHOTS system is a NT platform (NT Version 4) using Microsoft SQL Server Version 6.5 and client software developed in Visual Basic (Version 4). Details are contained in a Request for Proposal, which may be obtained by calling or writing:

Contact: Robert Paul Johnson  
Telephone: 651-282-6576  
E-mail: *Robert.P.Johnson@state.mn.us*  
Address: Department of Public Safety  
Office of Technical Support Services  
444 Cedar Street, Suite 140  
St. Paul, Minnesota 55101-5140

This is the only person designated to answer questions regarding this request for proposals. Final date for submitting proposals is 3:00 P.M. on June 1, 1999. No proposals received after 3:00 P.M. will be considered, and no time extensions will be granted. The Department of Public Safety will retain an option to extend the contract for 1 additional one (1) year period.

This Request for 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 the State's best interest. All expenses incurred in responding to this notice shall be borne by the responder.

## Department of Trade and Economic Development

### Notice of Request for Proposals to Contract for Business Due Diligence Services

The Minnesota Department of Trade and Economic Development (DTED) is seeking proposals from qualified firms to undertake and coordinate business due diligence services regarding the Minnesota and Iron and Steel Project.

#### Background

Minnesota Iron and Steel, Inc. (MIS) has proposed to build and construct a fully vertically integrated steel facility, including a mining operation, taconite plant, a direct reduction plant, and an electric arc furnace and a rolling mill, to be located at the Butler iron ore mine in Nashauk, Minnesota (referred herein as "the Project"). MIS has requested financial assistance from the State of Minnesota, which if approved, would come in the form of a debt or equity investment. DTED is seeking business due diligence services to assist the investment decision.

#### Services Requested

DTED is primarily relying upon the respondents to identify the relevant areas of inquiry and scope of services. Overall, the successful respondent will need to identify areas of risk and uncertainty, strengths and weaknesses of the Project proposal, and any significant unaddressed issues relating to the Project. Respondents will have full access to all MIS materials and staff in order to conduct the due diligence. The final report will be provided, along with a preliminary and final presentation, within 90 days after the contract has been executed for work to begin.

#### Proposal Information

The proposal must include the following information:

- Respondent's Background: Please describe the overall background and experience of the organization.
- Key Personnel: Please describe the background and expertise of the key members of the due diligence team.
- Related Experience: Describe any similar engagements and provide copies or summaries of the work product.
- Other Partners: Respondents are encouraged to utilize outside consultants and organizations in areas where outside assistance is necessary. The overall proposal must be come from one organization.
- Services: Describe in detail what services and activities will be conducted and the nature of the final product/report.
- Cost: Describe all costs included in the services and the preferred billing cycle.

# Professional, Technical & Consulting Contracts

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## Proposal Submission

Please submit five original copies, with any attached materials, to:

Mr. Gary L. Fields, Deputy Commissioner  
Minnesota Department of Trade and Economic Development  
500 Metro Square  
121 Seventh Place East  
St. Paul, MN 55101

All proposals must be received by 12:00 noon, Thursday, June 3, 1999, as indicated by a notation made by the receptionist and verified by the project manager. Late proposals will not be considered. This request for proposals does not obligate the Department to execute a contract or expend funds.

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 proposals.

Please direct any inquiries to Gary Fields at 651-296-4039. Other department personnel are not allowed to discuss the Request for Proposals with anyone, including respondents, before the proposal submission deadline.

## Department of Transportation

### Office of Freight, Railroads, and Waterways

#### Consultant Services Sought for Statewide Multimodal Freight Flow Study

The Minnesota Department of Transportation (Mn/DOT) Office of Freight, Railroads, and Waterways is seeking consultants to assist the Department in conducting a statewide multimodal freight flows study. The primary goal of this study is to provide data, recommendations, and direction to Mn/DOT and Minnesota Freight Advisory Committee (MFAC) that can be used to improve freight transportation access, and productivity in the State.

This contract opportunity will run from July 1, 1999 to January 1, 2000. The study will assist Mn/DOT in identifying strategic freight flows, the commodities which comprise these flows, and the major origins and destinations of the flows.

Work is proposed to start after July 1, 1999.

**A written request (whether via mail, fax, or in person) is required to receive the Request for Proposal (RFP) packet.** Clearly indicate that your request is for the "Statewide Strategic Freight Flows Study." RFP packets can be obtained from the Mn/DOT Office of Freight, Railroads and Waterways Freight Section Director:

Mr. Mark Berndt  
Mail Stop 470, Kelly Inn Annex  
395 John Ireland Blvd.  
St. Paul, MN 55155-1899  
Phone: 651-296-1676 Fax: 651-297-1887

**NOTE:** the Office of Freight, Railroads and Waterways is located in the Best Western Kelly Inn, Suite 925, 161 St. Anthony, St. Paul, MN.

Requests for Proposals will be available by mail from this office from May 10, 1999, through May 17, 1999. After May 17, 1999, the Request for Proposal must be picked up in person.

No time extensions will be granted.

Proposals must be received at the above address no later than 3:00 P.M. on June 10, 1999.

**No Proposals will be accepted after 3:00 P.M. on June 10, 1999.**

In compliance with *Minnesota Statutes* Section 16C.07 the availability of the 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.

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

## Department of Transportation

### Engineering Services Division

#### Request for Proposal for Trunk Highway 100 Stage 3

The Minnesota Department of Transportation (Mn/DOT) is soliciting proposals for Final Design Services for SP 2735-159 Trunk Highway 100 (TH 100) Stage Three. TH 100 Stage Three consists of the area from 39th Avenue North to the bridge over Twin Lakes located approximately 380 m (1250 ft) north of CSAH 81 in the city of Robbinsdale.

T.H. 100 will be reconstructed as a six lane freeway from 39th Avenue to C.S.A.H. 81. North of C.S.A.H. 81, T.H. 100 will be reconstructed as a four lane freeway facility. The existing 42nd Avenue interchange will be reconstructed as well as the Burlington-Northern Railroad and West Broadway bridges over T.H. 100. The existing at grade interchange at C.S.A.H. 81 will be reconstructed with modified diamond interchange design. A new boat access to Twin Lakes, located in the northeast quadrant of C.S.A.H. 81, is also included in this project. Frontage roads will either be constructed, or reconstructed, throughout the project. This project will require coordination with many different groups, some of which include the City of Robbinsdale, Hennepin County, utility companies, the designers for other stages of T.H. 100, permitting agencies, and Mn/DOT personnel. The bridge design is not part of the consultant agreement, but will require coordination to insure compatible designs.

The project is scheduled for an April, 2001 letting.

To receive a copy of the complete Request for Proposal, Contractors will be required to submit a written request, either by direct mail or fax, to the address indicated below through May 26, 1999. After May 26, 1999, Contractors will be required to pickup the Request for Proposal in person from our offices.

Complete Requests for Proposals can be obtained from:

Joseph D. Pignato, P.E.  
Sr. Agreements Administrator  
Minnesota Department of Transportation  
Seventh Floor North  
395 John Ireland Boulevard, Mail Stop 680  
St. Paul, Mn 55155-1899  
Phone: 651-297-1172, Fax: 651-282-5127

The responses to the Request for Proposals must be received by 2:00 P.M., June 2, 1999.

**Late Submittals will not be considered. No time extensions will be granted.**

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.

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.

## 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.

## 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.

## University of Minnesota

### Submittal Materials Accepted from Interested General Contractors for the General Contractor Prequalification Program

The University of Minnesota will be accepting submittals from interested General Contractors who wish to apply for Fiscal 1999-2000 Prequalification at the University's Twin Cities Campus for construction projects over \$2,000,000. *Only prequalified General Contractors may submit bids or proposals on University of Minnesota Twin Cities Campus projects.* General Contractor Prequalification for Fiscal 1999-2000 will last from July 1, 1999 until June 30, 2000.

Submittal materials will be available beginning at 8:00 a.m. on Monday May 17, 1999. Materials can be picked up during normal business hours, Monday through Friday at Room 400 Donhowe Building, 319 15th Avenue Southeast, on the University's Twin Cities Minneapolis East Bank Campus. Completed prequalification materials will be due at or before 2:00 p.m. CDT on Monday, June 14, 1999.

General Contractors who are *currently* Prequalified at the University for Fiscal 1998-99 have been renewed for one year, and are **NOT** required to submit prequalification materials this year. Prequalification documents are being solicited only for the Major Projects Category (projects over \$2,000,000). The University is not accepting prequalification documents for the Small "Annual" Projects Category (projects under \$2,000,000) this year.

Information about the University's General Contractor Prequalification Program can be obtained from the following contact. E-mail inquiries are preferred.

Kevin McCourt, Business Manager  
University of Minnesota  
Facilities Management Design & Construction Services  
400 Donhowe Building  
319 15th Avenue SE  
Minneapolis, MN 55455  
Phone: 612-626-8973  
Fax: 612-625-2595  
E-Mail: [mccourtk@fm.facm.umn.edu](mailto:mccourtk@fm.facm.umn.edu)

## 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.

### Certificate of Assumed Name

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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.

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Mildred Rein, owner



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