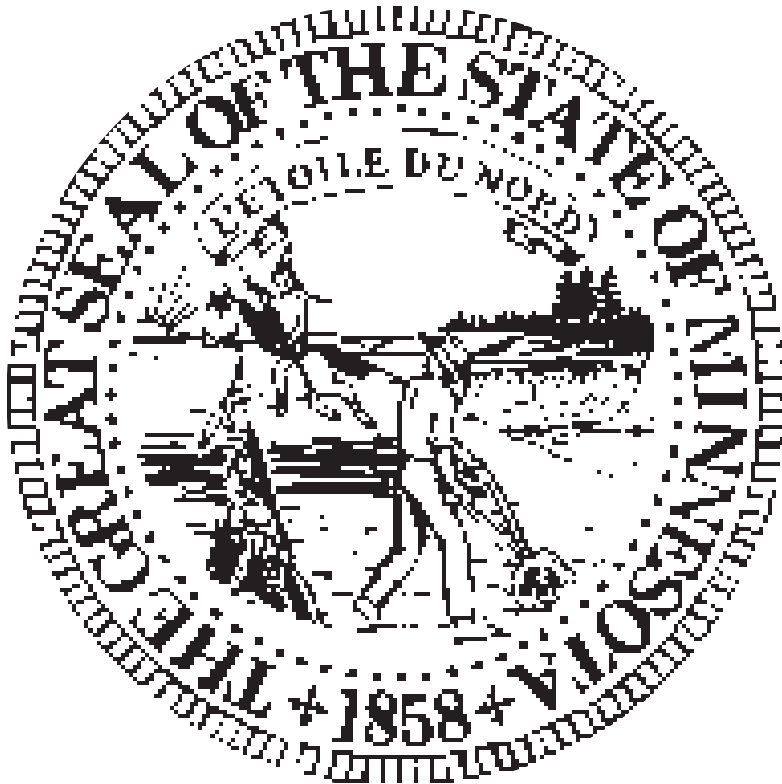


State of Minnesota

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- proposed, adopted, exempt, expedited emergency and withdrawn rules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. 13 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
#48	Tuesday 1 June	Noon Wednesday 19 May	Noon Tuesday 25 May
#49	Monday 7 June	Noon Wednesday 26 May	Noon Tuesday 1 June
#50	Monday 14 June	Noon Wednesday 2 June	Noon Tuesday 8 June
#51	Monday 21 June	Noon Wednesday 9 June	Noon Tuesday 15 June

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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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- **13-week trial subscription** which includes both the *State Register* and *Contracts Supplement*. \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Contracts Supplement* \$1.00. Shipping is \$3.00 per order.

FOR LEGISLATIVE NEWS

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

Contact: Senate Public Information Office (651) 296-0504
Room 231 State Capitol, St. Paul, MN 55155

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

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 Individual copies and subscriptions are available through
 Minnesota’s Bookstore, (651) 297-3000, or 1-800-657-3757.

Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 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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Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Higher Education Services Office

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

The rules proposed and published at *State Register*, Volume 23, Number 38, pages 1862-1864, March 22, 1999 (23 SR 1862), are adopted as proposed.

Department of Natural Resources

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

The rules proposed and published at *State Register*, Volume 23, Number 38, pages 1865-1866, March 22, 1999 (23 SR 1865), are adopted as proposed.

Pollution Control Agency

Adopted Permanent Rules Relating to Miscellaneous Air Quality Amendments

The rules proposed and published at *State Register*, Volume 23, Number 28, pages 1507-1539, January 11, 1999 (23 SR 1507), are adopted with the following modifications:

7011.0080 MONITORING AND RECORDKEEPING FOR LISTED CONTROL EQUIPMENT.

The owner and operator of a stationary source shall comply with the monitoring and recordkeeping required for listed control equipment by the table in this part. The owner or operator shall maintain the records required by this part for a minimum of five years from the date the record was made. For hoods, the owner shall maintain at the stationary source the evaluation of each hood required in part 7011.0070, as well as a yearly record of the fan rotation speed, fan power draw, or face velocity of each hood, or other comparable air flow indication method.

EPA Identification Number(s)	Pollution Control Equipment Type	Monitoring Parameter(s)	Recordkeeping Requirement
007, 008, 009, 076, 077	Centrifugal collector (cyclone)	Pressure drop	Record pressure drop every 24 hours if in operation
011A, 011B, 012A, 012B	Electrostatic precipitator	Number of fields online	Record the minimum number of fields online for every 24-hour time block, if in operation

Adopted Rules

016, 017	Fabric filter (bag house), high temperature ($T > 250^{\circ}\text{F}$), medium temperature ($180^{\circ}\text{F} > T \geq 250^{\circ}\text{F}$)	Pressure drop	Record pressure drop every 24 hours if in operation
018	Fabric filter (bag house), low temperature ($T \leq 180^{\circ}\text{F}$)	Pressure drop or visible emissions observation from filter outlet during an entire cleaning cycle; unless the commissioner specifies pressure drop and/or visible emissions as the indicator(s) of fabric filter performance	Record pressure drop every 24 hours if in operation; or Record whether any visible emissions are observed and the time period of observation every 24 hours if in operation; or record both if the commissioner requires monitoring of both parameters
052	Spray tower	Liquid flow rate and pressure drop	Record each parameter every 24 hours if in operation
053, 055	Venturi scrubber, impingement plate scrubber	Pressure drop and liquid flow rate	Record each parameter every 24 hours if in operation
058A, 058B	HEPA and other wall filters	Condition of the filters, including, but not limited to, alignment, saturation, and tears and holes	Record of filter(s) condition every 24 hours if in operation
085	Wet cyclone separator	Pressure drop; and water pressure	Record each parameter every 24 hours if in operation
019	Thermal incinerator	Combustion temperature or inlet and outlet temperatures	Continuous hard copy readout of temperatures or manual readings every 15 minutes
019	Catalytic incinerator	Inlet and outlet temperatures; and catalyst bed reactivity as per manufacturer's specifications	Continuous hard copy readout of temperatures or manual readings every 15 minutes; and results of catalyst bed reactivity
023	Flaring	Temperature indicating presence of a flame	Continuous hard copy readout of temperatures or manual readings every 15 minutes

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

Official Notices

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

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

Department of Agriculture

Agronomy and Plant Protection Division

Notice of Special Local Need Registration for Command 3ME Herbicide

Pursuant to *Minnesota Statutes* 18B.27 and Parts 1505.0880-1505.0930, the Minnesota Department of Agriculture issued on May 20, 1999, Special Local Need (SLN) registrations for Command 3ME herbicide manufactured by FMC Corporation, Philadelphia, PA, for use on processing pumpkins, peas, and succulent beans.

A federal or state agency, a local unit of government, or any person or groups of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, shall have 30 days from publication of notice in the *State Register* to file written objections with the commissioner regarding the issuance of the special local need registration.

Objections may be submitted to: John C. Sierk, Minnesota Department of Agriculture, Agronomy and Plant Protection Division, 90 West Plato Boulevard, St. Paul, MN 55107. Comment deadline is June 30, 1999.

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 2:00 p.m. on Wednesday, June 2, 1999 *by conference call*. Members the public interested in monitoring the conference call, should come to 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.

Department of Health

Bureau of Health Systems and Special Populations

Public Meeting Regarding the Minnesota Department of Health Application to the Federal Department of Health and Human Services for Federal Fiscal Year 2000 Maternal and Child Health Services Block Grant Funding

The Minnesota Department of Health will sponsor a public meeting to obtain comment on its application for continuation of Federal Maternal and Child Health (MCH) Services Block Grant funding for the Fiscal Year starting October 1, 1999 and ending September 30, 2000. The draft application will be available for inspection upon request beginning June 8, 1999.

Discussion of the application will be conducted as part of the regularly scheduled meeting of the state Maternal and Child Health Advisory Task Force held Monday, June 18, 1999, at 2:00 p.m. at the Snelling Office Park, 1645 Energy Park Drive, St. Paul, Minnesota. The application discussion will be held in the Mississippi Room. Any person or group may submit either written or oral comments at the meeting.

Any person needing special accommodations for a disability should so indicate at the time of registration. Persons planning to attend and/or present comments are requested to register by June 14, 1999.

To register or obtain further information call 651-215-8960.

Department of Labor and Industry

Labor Standards Unit

Notice of Correction and Addition to Commercial Prevailing Wage Rates

Corrections have been made to the Commercial Prevailing Wage Rates certified 10/26/98, for **Labor Code 101, Laborer, Common (Gen Labor Work), in the following counties: Watonwan, Martin, Jackson, Brown, Cottonwood, Nobles, Lac Qui Parle, Lincoln, and Rock.**

An additional rate has been added to the Commercial Prevailing Wage Rates certified 10/26/98, **Group 5, in Pine County.**

Copies of the corrected certifications may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or by calling (651) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.65 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich
Commissioner

Sentencing Guidelines Commission

Notice of Public Hearing to Consider Modifications to the Sentencing Guidelines

The Minnesota Sentencing Guidelines Commission will hold a public hearing on Thursday, July 8, 1999, at 3:00 PM in Room 15, Ground Floor, State Capitol, St. Paul, Minnesota. The public hearing is to consider proposed modifications to the sentencing guidelines and commentary regarding the ranking for new and amended crimes, other action to address legislation passed during the 1999 legislative session, and other technical modifications.

Additional copies of the proposed modifications are available, free of charge, by contacting the Minnesota Sentencing Guidelines Commission at University National Bank Building, 200 University Avenue West, Suite 205, St. Paul, MN 55103, or by calling Voice: 651-296-0144. Deaf/Hard of Hearing/Speech Impaired Only TTY users may call this agency through the MN Relay Service: 1-800-627-3529; ask for 651-296-0144. If you need special accommodations to attend, please contact the Minnesota Sentencing Guidelines Commission as soon as possible. This notice is available in alternative formats upon request.

All interested persons are encouraged to attend the hearing and offer comments. Persons wishing to speak may register in advance by contacting the Commission staff at the above address/telephone number.

The Commission will hold the record open for five days after the public hearing to accept additional written comment on the proposed modifications. On July 15, 1999, the Commission will meet at 3:00 PM at the Minnesota Department of Corrections, Orville Pung Conference Room, 1450 Energy Park Drive, Suite 200, St. Paul, MN 55108 to formally adopt or reject the proposed modifications. **If adopted, the modifications will become effective as noted in each of the sections.**

I. PROPOSED MODIFICATIONS TO RANK THE SEVERITY OF NEW OR AMENDED CRIMES PASSED BY THE 1999 LEGISLATURE - EFFECTIVE AUGUST 1, 1999 UNLESS OTHERWISE NOTED

A. The Commission proposes to rank the following crimes in Section V. OFFENSE SEVERITY REFERENCE TABLE as follows:

Severity Level III

Identity Theft - 609.527, subd. 3 (4)

Severity Level II

Check Forgery (~~\$201~~ \$251 - \$2,500) - 609.631, subd. 4 (3) (a)

Counterfeited Intellectual Property - 609.895, subd. 3 (a)

Dishonored Check (over \$500) - 609.535, subd. 2a (1)

Identity Theft - 609.527, subd. 3 (3)

Severity Level I

Check Forgery (~~\$200~~ \$250 or less) - 609.631, subd. 4 (3) (b)

Counterfeited Intellectual Property - 609.895, subd. 3 (b)

Official Notices

- B. The Commission considered the changes made by the 1999 Legislature to the following crimes and proposes to continue the existing severity level rankings in Section V. OFFENSE SEVERITY REFERENCE TABLE, unless otherwise noted above:**

Adulteration Crimes; Arson in the First Degree; Controlled Substance Crimes; Financial Transaction Card Fraud; Theft Crimes; and Unlawful Acts Involving Liquor

- C. The Commission proposes to add to or continue to place the following crimes on the Unranked Offense List in Section II.A.03. of the Commentary after considering the changes made by the 1999 Legislature:**

Adulteration - 609.687, subd. 3 (3)

Killing or harming a ~~police~~ public safety dog - 609.596, subd. 1

Prohibiting promotion of minors to engage in obscene works - 617.246; 617.247

Racketeering, criminal penalties (RICO) - 609.904

II. OTHER PROPOSED MODIFICATIONS - EFFECTIVE AUGUST 1, 1999

- A. The Commission proposes to amend the language in Section II.C. Presumptive Sentence to address a law change passed by the 1999 Legislature regarding dispositions for a felony level offense under Minnesota Statutes §152.18. The proposed language below would be consistent with the new statutory language:**

C. Presumptive Sentence: The offense of conviction determines . . .

Similarly, when the current conviction offense is a severity level VI drug crime and there was a previous ~~adjudication of guilt conviction or a disposition under section 152.18, subd. 1~~ for a felony violation of Chapter 152 or a felony-level attempt or conspiracy to violate Chapter 152, or ~~was convicted~~ received a similar disposition elsewhere for conduct that would have been a felony under Chapter 152 if committed in Minnesota (See Minnesota Statutes § 152.01, subd. 16a) before the current offense occurred, the presumptive disposition is Commitment to the Commissioner of Corrections. The presumptive duration of sentence is the fixed duration indicated in the appropriate cell of the Sentencing Guidelines Grid, or the mandatory minimum, whichever is longer. The policy regarding previous dispositions under section 152.18 applies only if the previous disposition occurred on or after August 1, 1999.

- B. The Commission proposes to amend the language in Section II.F. Concurrent/ Consecutive Sentences, to be consistent with a law change passed by the 1999 Legislature that would make Fleeing a Police Officer in a Motor Vehicle a crime for which an offender can be prosecuted and punished in addition to any other crime committed by the defendant as part of the same conduct and would provide that a judge can impose a consecutive sentence without departing from the sentencing guidelines:**

Permissive Consecutive Sentences

Except when consecutive sentences are presumptive, consecutive sentences are permissive (may be given without departure) only in the following cases:

1. A current felony conviction for a crime against a person may be sentenced consecutively to a prior felony sentence for a crime against a person which has not expired or been discharged; or
2. Multiple current felony convictions for crimes against persons may be sentenced consecutively to each other; or
3. A current felony conviction for escape from lawful custody, as defined in Minnesota Statutes § 609.485, when the offender did not escape from an executed prison sentence, may be sentenced consecutively to the sentence for the offense for which the offender was confined; or
4. A current felony conviction for a crime committed while on felony escape from lawful custody, as defined in Minnesota Statutes § 609.485, from a nonexecuted felony sentence may be sentenced consecutively to the sentence for the escape or for the offense for which the offender was confined.
5. A current felony conviction for Fleeing a Peace Officer in a Motor Vehicle as defined in Minnesota Statutes § 609.487.

Consecutive sentences are permissive under the above criteria numbers 1- 4 only when the presumptive disposition for the current offense(s) is commitment to the Commissioner of Corrections as determined under the procedures outlined in section II.C. In addition, consecutive sentences are permissive under 1. above, involving a current felony conviction for a crime against a person and a prior felony sentence for a crime against a person which has not expired or been discharged, only when the presumptive disposition for the prior offense(s) was commitment to the Commissioner of Corrections as determined under the procedures outlined in section II.C. If the judge pronounces a consecutive stayed

sentence in these circumstances, the stayed sentence is a mitigated dispositional departure, but the consecutive nature of the sentence is not a departure if the offense meets one of the above criteria. The consecutive stayed sentence begins when the offender completes the term of imprisonment and is placed on supervised release.

Consecutive sentences are always permissive under the above criteria number 5.

C. The Commission proposes the following language changes to Section II.F. Concurrent/Consecutive Sentences to clarify that offenses committed while on supervised release would fall under the presumptive consecutive policy:

Presumptive Consecutive Sentences

Consecutive sentences are presumptive ~~in the following cases:~~

- 1- ~~When the conviction is for escape from lawful custody, as defined in *Minnesota Statutes* 609.485 and the offender escaped from an executed prison sentence; or~~
- 2- ~~When the conviction is for a crime committed by an inmate-offender serving or on supervised release serving, or on escape status from, an executed prison sentence.~~

Consecutive sentences are presumptive under the above criteria only when the presumptive disposition for the current offense(s) is commitment to the Commissioner of Corrections as determined under the procedures outlined in section II.C. The presumptive disposition for ~~an escapes from an executed sentences or for a felony assaults committed by an inmate serving an executed term of imprisonment prison sentence,~~ however, is always commitment to the Commissioner of Corrections.

Under the circumstances above, it is presumptive for the sentence to be consecutive to the sentence ~~for which the inmate was confined~~ being served by the offender at the time the escape or other new offense was committed. A concurrent sentence under these circumstances constitutes a departure from the presumptive sentence except if the total time to serve in prison would be longer if a concurrent sentence is imposed in which case a concurrent sentence is presumptive. A special, nonexclusive, mitigating departure factor may be used by the judge to depart from the consecutive presumptive and impose a concurrent sentence: there is evidence that the defendant has provided substantial and material assistance in the detection or prosecution of crime.

....

Comment

II.F.01.

For felony convictions committed while an offender is serving, or on escape status from, an executed prison sentence, it is presumptive to impose the sentence for the current offense consecutive to the sentence ~~the offender was serving for which the inmate was confined~~ at the time the new offense was committed. As defined in Minnesota Statutes § 244.101, "executed prison sentence" includes both the term of imprisonment and period of supervised release. The guidelines created a presumption against the use of consecutive sentences in all other cases not meeting the guideline criteria. If consecutive sentences are used in such cases, their use constitutes a departure from the guidelines and written reasons are required.

...

II.F.03. *The presumptive disposition for ~~an escapes from an executed sentences or a felony assaults committed by an inmate serving an executed term of imprisonment prison sentence~~ is commitment to the Commissioner of Corrections. It is presumptive for sentences for these offenses to be consecutive to the sentence ~~for which the inmate was confined~~ serving at the time the new offense was committed. Consecutive sentences are also presumptive for a crime committed by an inmate serving, or on escape status from, an executed prison sentence if the presumptive disposition for the crime is commitment to the Commissioner of Corrections as determined under the procedures outlined in section II.C..*

D. The Commission proposes the following language changes to Section II.C. Presumptive Sentence to clarify that the presumptive consecutive policy for assaults committed by state prison inmates applies to those inmates who are actually confined in state facilities:

II.C. Presumptive Sentence:

.....

In addition, the presumptive disposition for ~~an escapes from an executed sentences and for a felony assaults committed by an inmate serving an executed term of imprisonment prison sentences~~ is Commitment to the Commissioner of Corrections. It is presumptive for these offenses to be sentenced consecutively to the offense for which the inmate was confined and the presumptive duration is determined by the presumptive consecutive policy (See II.F. Presumptive Consecutive Sentences).

Official Notices

- E. The Commission proposes to clarify the statutory cite for Theft over \$35,000 to make it consistent with the statutory reference:

Severity Level VI

Theft over \$35,000 - 609.52, subd. 2 (3), (4), (15), & (16) with 609.52, subd. 3(1)

- F. The Commission proposes the following language change to clarify that all Fleeing a Peace Officer in a Motor Vehicle offenses are felonies effective August 1, 1997:

II.B. 301.....

The offense of fleeing a peace officer in a motor vehicle (Minnesota Statutes § 609.487) is deemed a non traffic offense. Offenders given a prior misdemeanor or gross misdemeanor sentence for this offense shall be assigned one unit in computing the criminal history. Effective for crimes occurring on or after August 1, 1997, all fleeing a peace officer in a motor vehicle offenses are felonies. (Offenders with a prior felony sentence for fleeing a peace officer in a motor vehicle shall be assigned the appropriate weight for each sentence subject to the provisions in II.B.1.).

III. PROPOSED MODIFICATIONS - EFFECTIVE AUGUST 1, 2000, AFTER THE 2000 LEGISLATURE HAS REVIEWED THE ADOPTED MODIFICATIONS

- A. The Commission proposes to rank the gross misdemeanor level crime of escape at severity level 1 if it is committed with violence or the threat of violence. The use or threat of violence raises the level of this crime to a felony with a statutory maximum penalty of two years. This crime had been previously overlooked by the Commission and therefore requires Legislative review.

Severity Level 1

Escape from Custody - 609.485, subd. 4 (a) (2) & (3)

- B. The Commission proposes to place on the unranked offense list a crime which has been inadvertently unranked, *Minnesota Statutes § 116C.835*; a crime dealing with the willful or negligent violation of the Midwest Interstate Low-Level Radioactive Waste Compact with a statutory maximum penalty of two years. This crime had been previously overlooked by the Commission and therefore requires Legislative review.

Midwest interstate low-level radioactive waste compact violation - 116C.835

Teachers Retirement Association

Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Monday, June 21, 1999 at 9:30 a.m. in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

State Grants & Loans

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

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

Department of Children, Families and Learning

Office of Community Services

Notice of Availability of Grants for Prevention and Intervention Funding

Approximately \$20.5 million in state and federal funds is available to public and private nonprofit Minnesota organizations for the following types of programs: adolescent parenting; after school enrichment; community crime and drug prevention; community justice; law enforcement education partnerships; male responsibility and fathering; promising alcohol, tobacco and other drug prevention; science-based alcohol, tobacco and other drug prevention; violence prevention councils.

Applications are due by 4:30 on Friday, July 30, 1999. To receive a complete application booklet that provides the application form and details on how to apply, please contact: Prevention & Intervention Funding, Department of Children, Families and Learning, 1500 West Hwy. 36, Roseville, MN 55113, telephone 651-582-8447 or 1-800-934-7113. E-mail requests may be made at prev.interv@state.mn.us.

Colleges and Universities, Minnesota State

Academic Resources

Job Training Partnership Grants for Support Services for Hard-to-Serve Individuals

JTPA 8% Education Coordination activities are authorized under Section 123 of the Job Training Partnership Act as amended, 1992. The Act appropriates funds to be utilized to provide services to eligible participants through coordination agreements.

The *purpose* of the PY1999 JTPA 8%-Partnership Special Needs grant is to serve JTPA eligible participants by increasing job success and retention through collaborative efforts. Partnership coordination agreements between Workforce Service Areas (WSA's), education agencies, and community-based organizations are required. One urban and one Greater Minnesota grant will be awarded. The *focus* of the grants will be support the continuation or development of support services that will help increase job success for hard-to-serve individuals. Projects will be six months in length, beginning July 1, 1999 and ending December 30, 1999. Funds awarded will not exceed \$37,000. Successful proposals will include projects that provide data that supports success with clients, lessons learned, and be able to demonstrate future replication and sustainability. These programs should target hard-to-serve clients that have a strong need for job-related support services, which will help participants earn livable wages and successfully retain employment, leading to economic security.

A question & answer session will be held tentatively on June 11, 1999. The purpose of this meeting will be to discuss the proposal process and to answer any questions related to the RFP. Final awards are planned for no later than July 15, 1999. Groups intending to submit an RFP must submit a letter of intent by June 7, 1999 to the address below. (Faxed copies will be accepted) To obtain a copy of the application form or to obtain further information on the technical assistance session, please contact Eva Scates-Winston, JTPA Manager, Minnesota State Colleges and Universities 651-297-3792.

Applications must be submitted to Eva Scates-Winston, MnSCU, 500 World Trade Center, 30 East Seventh Street. St. Paul, MN 55101 by 12 noon, Friday, June 18, 1999.

Department of Economic Security Juvenile Justice Advisory Committee

Request for Applications for Funding Juvenile Justice Programs

The Juvenile Justice Advisory Committee (JJAC) and the Minnesota Department of Economic Security/Office of Youth Development are pleased to announce the availability of approximately \$400,000 of Title V Local Delinquency Prevention Funds authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 102-586 as amended, 42 United State Code 5601 et seq. Eligible applicants may apply for up to \$50,000 of Title V funds. Title V applicants will be required to provide a minimum of fifty cents of local matching funds for every dollar of federal funds awarded.

Eligible applicants for Title V funding are limited by federal law to units of general local government (e.g. cities, counties, and townships) or those tribal governments that perform law enforcement functions as determined by the U.S. Department of Interior. Title V funds are intended to be used to address local issues affecting juvenile delinquency. Initiatives must be planned on a community-wide basis. The application process for Title V funding consists of the submission of a full application, including a Comprehensive Three-Year Juvenile Crime Prevention Plan.

For a copy of the Title V Application please contact:

Alana Romanowski
Minnesota Department of Economic Security
390 North Robert Street - Room 125
St. Paul, MN 55101
651-282-5667
800-456-8519
aromanow@ngwmail.des.state.mn.us

Housing Finance Agency

Consolidated Request for Proposals

- Single Family RFP
- Multifamily RFP
- Housing Tax Credit Program

The Minnesota Housing Finance Agency (MHFA), the Greater Minnesota Housing Fund, the Metropolitan Council, the Family Housing Fund, Minnesota Department of Corrections, and the Minneapolis Public Housing Authority announce the availability of funds through a Consolidated Request for Proposals. Funds are available to assist in the development, construction, acquisition or rehabilitation of affordable homeownership, home improvement, or rental housing activities for low and moderate income residents of Minnesota.

The Consolidated RFP represents an effort to coordinate the availability of resources agency-wide, and to address communities' comprehensive housing efforts.

Eligible applicants are invited to submit proposals for one or more of the Single Family RFP, the Multifamily RFP and the Housing Tax Credit Program. Separate applications are required for each of the referenced RFPs.

In the event that a comprehensive housing proposal is submitted which includes proposals for more than one of the RFP types, MHFA staff will review and process those funding applications simultaneously.

Amount of Funds Available:

Fund availability is listed individually under each specific RFP section below.

Eligible Locations:

The MHFA funds are generally available statewide. The RFP partner's funds are available only in the Metro area or Greater Minnesota depending on the specific funding source.

Eligible Applicants:

In general, eligible applicants for the majority of resources include Minnesota Cities, Minnesota units of government, Community Housing Development Organizations (CHDOs), community based organizations, Housing and Redevelopment Authorities, Community Action Agencies, limited profit and nonprofit entities, private individuals and tribal organizations.

Eligible applicants for multifamily and tax credit proposals include corporations and partnerships.

Economic Development Authorities, for profits, and approved lenders are also eligible applicants for some single family resources.

Habitat for Humanity organizations are not eligible to apply for funding from the Community Revitalization Fund as the primary applicant under the "traditional Habitat model", but are eligible to be secondary partners with those applicants previously mentioned.

NEW RESOURCES**Resources Available Agency-Wide:**

- **Employer Matching Grant:** An applicant may be awarded Employer Matching Grant funds if a contribution is made by an employer to assist with the funding of a project. Examples of employer contributions include cash, in-kind donations, materials etc.
- **Economic Development and Housing Challenge Program:** The Economic Development and Housing Challenge Program is available to provide grants or loans for housing to support economic development activities or job creation within a community or region by meeting locally identified housing needs. Challenge grants or loans must:
 - Include a financial or in-kind contribution from an area employer and either a unit of local government or a private philanthropic, religious, or charitable organization;
 - Address the housing needs of the local work force;
 - Preference will also be given to proposals that include regulatory changes (such as increased density, zoning code requirements, etc.) that result in identifiable cost affordability or cost reductions.
- **Innovative and Inclusionary Housing Program:** "Inclusionary Housing Development" means a new construction development including owner occupied or rental housing, or a combination of the two, where there is a variety of prices and designs which serve households with a range of incomes and housing needs. Preference must be given to economically viable proposals that:
 - Use innovative building techniques or materials that lower costs;
 - Are located in communities that are willing to waive local restrictions in order to reduce costs;
 - Include units affordable to households with incomes at or below 80% of the greater of state or area median income. In the metropolitan area, priority will be given to proposals in which at least 15% of the owner occupied units are affordable to households at or below 60% of the area annual median income limit and at least 10% of the rental units are affordable to households at or below 30% of the area median income.

Single Family Resources:

- **Minnesota Department of Corrections Institution Community Work Crew (ICWC) Affordable House Building Program:** Funds from this program are committed to an entity for the use as construction financing in a revolving fund account but are not available to "for-profit housing providers".

Multifamily Resources:

- **Metro HRA Project-Based Assistance:** This resource is available through the Metropolitan Council HRA via the *Multifamily RFP*. Eligible projects must be located in the counties of Anoka, Carver, Hennepin (excluding the cities of Bloomington, Minneapolis, Plymouth, Richfield and St. Louis Park), and Ramsey (excluding the city of St. Paul).

Project based assistance is a housing subsidy program that permits a local housing agency to attach Section 8 certificates to newly constructed or rehabilitated units. The rental units are made available to low income families at rents within the Section 8 existing fair market rent limit or HUD-approved exception rent limits. Eligible families receive rent assistance so long as they reside in the project-based dwelling unit.

Project based assistance is administered by designated housing agencies that administer the federal Section 8 certificate rent assistance programs. The assistance is provided in the form of a per-unit-month subsidy to the owner of a project on behalf of an eligible tenant while they reside in the project.

State Grants & Loans

SINGLE FAMILY RFP

This Single Family RFP includes the following MHFA programs:

- Community Activity Set Aside Program (CASA)
- Community Fix -Up Fund (CFUF)
- Community Revitalization Fund (CRV) / MN Urban and Rural Homesteading Program (MURL) (approximately \$6 Million available). Community Revitalization Fund includes the new resources; Economic Development and Housing Challenge Program, Innovative and Inclusionary Housing Program and Employer Matching Grant, mentioned above.
- Entry Cost Homeownership Opportunity Program (ECHO)
- Full Cycle Home Ownership Services Program (FCHOS) (\$375,000 available)
- Foreclosure Prevention Assistance Program (FPAP) (\$583,000 available)

Minnesota Department of Corrections will provide funds in conjunction with the Institution Community Work Crew (ICWC) Affordable House Building Program (\$200,000 available).

GMHF and MHFA will provide funds for the Home At Last Program (HAL) (approximately \$5 million available).

Metropolitan Council will provide funds for the:

- Housing Assistance Loan Program (HALP) (\$125,000 available);
- Local Housing Initiative Account (LHIA) (\$700,000 available).

MHFA also anticipates receiving some funding support for the Community Revitalization Fund from Metropolitan Council and the Family Housing Fund.

Types of Funds Available, Single Family RFP

The Single Family RFP programs fall into the following six categories:

1. **First mortgage loans** provide long term fixed rate financing for the acquisition of a new or existing house for low and moderate income, first time homebuyers.
2. **Interim construction financing** provides either no interest or low interest loans to entities to assist in acquiring, demolishing, rehabilitating and/or constructing homes. The interest rates on these loans vary. Interest free loans are provided to not-for-profit entities who use innovative construction or rehabilitation methods (including innovative materials, financing methods, etc.) to approach housing needs in a specific community. Interim construction loans must be repaid to the funder when the home is completed and sold.
3. **Deferred loans** are interest free loans which require repayment if specific program requirements are not met. A proposal may utilize deferred loans to help bridge financing gaps not covered by a first mortgage and/or other funding resources.
4. **Grants** do not require repayment. Grants can be used for a variety of purposes (i.e. gap financing, construction, demolition, rehabilitation, etc.) Each proposal must specifically identify the type of financing requested.

Gap financing is defined as one of the following:

Value gap: Financing required to cover the gap between rehab/new construction costs and the appraised property value, or;

Affordability gap: Financing required to cover the gap between the rehab/new construction costs and what the prospective buyer can afford.

5. **Home improvement** loans are available to provide low interest loans to improve or maintain an existing home. These are typically second mortgages.
6. **Entry cost assistance** is an interest-free deferred loan designed to support community lending programs for downpayment and closing costs for first time homebuyers.

NOTE: The type of assistance provided by the Community Revitalization Fund will vary, (i.e. grant, loan or deferred loan) depending upon the needs addressed in each application and the availability of funding resources. Representatives from the MHFA will review each individual proposal and determine whether funds will be provided in the form of a grant, 0%, 3%, or 6% interim construction/rehabilitation loan, deferred loan or a combination of the three.

Eligible Activities

Eligible activities vary by program. Review each program concept carefully.

The contributing partners strongly encourage communities to leverage funds with the resources available through this RFP to address the local housing need(s) identified in their comprehensive housing plan.

All proposals eligible for financing must address housing needs created by recent/ongoing local economic housing vitality initiatives (EVHI).

Program Limits

All of the programs within this RFP target households with incomes at or below 115% of the greater of state or area median income limits.

See Single Family Program Concepts for current income limits.

MULTIFAMILY RFP**Amount of Funds Available**

Approximately \$15 million.

Types of Funding Available, Multifamily RFP

1. **Deferred loan funds** are generally in the form of a zero percent (0%), 20-30 year deferred or subordinate loan or grant. Actual interest rate, term and type of loan or grant will vary depending upon recommended funding source(s) and will be discussed in detail with sponsors upon selection for funding.

For developments using the **Federal Housing Tax Credit Program**, loans may be structured with an interest rate to be eligible for inclusion in qualified basis. More information on the Housing Tax Credit Program follows this section.
2. **Long term fixed rate mortgages** for acquisition, refinance, or new construction of multifamily housing for developments that may generate adequate income to service debt are also available. These mortgages are offered through the Low and Moderate Income Rental Program (LMIR) and the New Construction Tax Credit Mortgage Program (NCTC). Separate application materials are not required for the first mortgage programs.
3. **Project-Based or Tenant Based Rental Assistance** subsidies may be available for eligible properties and eligible tenants. Rental assistance subsidies are generally provided in the form of a per-unit-month subsidy to the owner of a project on behalf of an eligible tenant living in the project. Rents must be within the Section 8 existing fair market rent limit or HUD-approved exception rent limits.

Eligible Projects

Funds may be used for a variety of rental housing types including permanent housing, preservation of federally assisted housing, publicly owned housing, temporary or transitional housing, emergency shelters, supportive housing and HIV/AIDS housing/services.

Permanent rental housing must be "residential housing" or be "generally available to low and moderate income people." The owner of permanent supportive housing shall not also be the provider of services.

- "Residential housing" is housing where the individual units have bathrooms and kitchen facilities.
- Housing that is "generally available to low and moderate income people" is housing for which occupancy is either unrestricted or restricted only on the basis of income.

Some sources of funding may require ownership by a public entity.

A priority may be given to developments which:

- incorporate a youth build component.
- target underserved households which include female-headed, minority, and persons with disabilities.
- demonstrate local government action that helps lower cost; local government investment pursuant to a housing plan, or housing plus plan; partnerships with non-housing groups; and local private investment.

Developments which provide for or maintain economic integration are encouraged.

Developments shall be closely targeted to areas of economic growth, or with sufficient market demand (including household growth, local employment growth, low vacancy rates, and long waiting lists) and with an emphasis on housing for large families and single individuals.

All proposals submitted must meet housing needs identified by local housing vitality initiatives (EVHI), or local continuum of care plans.

Developments with age restrictions of 55 and older, however, are ineligible under most funding sources.

State Grants & Loans

Income Limits

The overall goal of the Multifamily RFP is to serve lower income households. Funding sources generally allow incomes up to 60% of median income in the seven-county metropolitan area, and up to 80% of statewide median income in Greater Minnesota (adjusted for family size). Funding sources with an objective of addressing needs identified in a continuum of care plan require lower income limits.*

Gross Rent Limits

Generally, maximum gross rents shall not exceed 30% of 50% of statewide or area median income.* This is dependent upon the recommended funding source(s).

***NOTE:** *Priority will generally be given to those developments serving the lowest income households.*

HOUSING TAX CREDIT PROGRAM

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting 1999 Fall round competition applications for reservation and allocation of certain 1999 Housing Tax Credits as well as 2000 Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986, as revised. The Housing Tax Credits offer a ten year reduction in tax liability to owners and investors in eligible low income rental housing developments involving new construction, rehabilitation or existing rental housing with rehabilitation. Information on remaining estimated 1999 tax credits (including National Pool credits) will be available and posted to MHFA's internet web site (www.mhfa.state.mn.us) in late May or early June. Total estimated 2000 tax credits available for the State of Minnesota is \$5.9 million based on anticipated U.S. Census Bureau population figures. This figure will be adjusted in February 2000 when the actual population figures are published.

The Minnesota Housing Finance Agency's 2000 Housing Tax Credit Program and related manual contents remain essentially the same as established for the Spring 1999 Housing Tax Credit Competition Round. Various administrative and clarification revisions have been made to certain text and forms. A package of these "revisions" is available upon request. If you did not receive a manual package for the 1999 Spring competition, a "full manual" package is also available upon request.

Beginning in 1999, the MHFA revised its allocation procedure for housing tax credits in two key respects. The primary goal is to convert the tax credit allocation process from three funding cycles to two funding cycles annually, beginning with the 1999 tax credit allocations. The reason for this change is that there have been few tax credits available for the second round in the past few years.

In addition, MHFA will employ a new process for its primary tax credit selection/allocation round under which project selection of credits will take place in the fall of the year, so that tax credit developers can have a better chance to begin construction the following spring. This revised process will be implemented for year 2000 credits, which will be forward selected in the fall of 1999.

As a result, 1999 will be a transition year, with most of the calendar year 1999 tax credits allocated in the spring of 1999, and the year 2000 credits (together with any 1999 national pool credits or returned credits) selected in the fall of 1999. In the 1999 Fall Round, MHFA proposes to forward select amounts for selected year 2000 credit applications, and to give priority to 1999 and earlier applications which require supplemental credit allocation up to the remaining balance of 1999 credit authority.

After 1999, the Spring Round will offer for allocation, credit authority remaining or returned since the Fall Round. Additionally, the Spring Round will establish a waiting list for credits that may be returned by projects that are not able to complete carryover requirements by November 1st of the allocation year.

Credit Formula

The Minnesota Legislature designated the MHFA as the primary apportionment agency for housing tax credits for the state and also authorized eligible cities and counties to administer the tax credits in their respective jurisdictions based on the *Minnesota Statutes* Section 462A.222, Subd. 1(a)(2).

Local Administration of Tax Credit

The following eligible cities and counties have the authority to administer the tax credits locally:

Duluth	218-723-3357	St. Paul	651-266-6616
St. Cloud	320-252-0880	Dakota County	612-423-8104
Rochester	507-285-8224	Washington County	651-458-6556
Minneapolis	612-673-5067		

Applicants with eligible buildings located within the jurisdiction of the above local governments must apply to the local administrators for allocation of the housing tax credit. Any suballocation to local governments that is not committed by the end of the Fall 1999 competition must be returned to the MHFA for statewide allocation. Nonprofit applicants may apply both to the MHFA and the suballocator for an allocation. Typically, the MHFA will not make an allocation for projects located within the jurisdiction of the cities or counties that have elected to administer the credits until the amounts reserved have been allocated or returned to the MHFA for allocation, except for the nonprofit set-aside.

For 1999 and 2000, a suballocator may elect to enter into a one year demonstration program with the MHFA in which the participating suballocator may prioritize the developments within their jurisdiction and then turn the application over to the MHFA to perform certain allocation and compliance functions. If applicable to your proposal, contact the suballocator for your location to determine if they have elected to participate in this demonstration program.

MHFA Administration Tax Credits

Applicants with eligible buildings in the balance of the state, not within the jurisdiction of eligible local credit administrators, may apply to the MHFA for an allocation of housing tax credits.

The MHFA has been designated as the credit agency to provide housing credits for projects involving qualified 501(c)(3) and 501(c)(4) nonprofit organizations statewide. Ten percent of the state ceiling has been set aside for qualified nonprofits as required by Section 42 of the *Internal Revenue Code* of 1986. Qualified nonprofits can apply to the MHFA for the housing tax credit set-aside, regardless of the geographic location of the proposed low income housing building, as specified in the allocation plan.

APPLICATION PROCESS

To request a Single Family, Multifamily, or Housing Tax Credit Request for Proposal application packet, please contact:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101

Single Family RFP - 651-296-7975, or Toll Free: 1-800-710-8871

Housing Tax Credit or Multifamily RFP - 651-297-3294 or Toll Free: 1-800-657-3701

APPLICATION SUBMISSION DEADLINES:

One copy of the original application form and all attachments PLUS all additional copies as required by the specific RFP are due by 5:00 p.m. on the specified date:

- **Single Family RFP** applications are due **Friday, July 16, 1999.**
- **Multifamily RFP and Housing Tax Credit** applications are due **Thursday, July 22, 1999.**

Recommendations to the MHFA Board will also occur on two dates. Single Family funding recommendations will be made on September 23, 1999. Recommendations for the Multifamily RFP and Housing Tax Credits will be made on October 28, 1999.

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

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

Department of Labor and Industry

Notice of Availability of Labor Education Advancement Program Grants: Request for Proposals

The Commissioner of the Minnesota Department of Labor and Industry announces the availability of funds for the operation of Labor Education Advancement Programs (L.E.A.P.) in the State of Minnesota under *Minnesota Statutes* § 178.11 and *Minnesota Rules* chapter 5227.

Funds will be available each year of the State's fiscal years beginning July 1, 1999, (FY2000) and July 1, 2000, (FY2001).

The commissioner shall award grants to community-based organizations serving women and people of color on a competitive request-for-proposal basis. Interested organizations shall apply for the grants on the form referred to in Section V. As part of the proposal process, applicants must provide a statement of need for the grant, a description of the targeted population and apprenticeship opportunities, a description of activities to be funded by the grant, evidence supporting the ability to deliver services, information related to coordinating grant activities with other employment and training programs, identification of matching funds, a budget, and performance objectives. Each submitted proposal shall be evaluated for completeness and effectiveness of the proposed grant activity and those items listed in Chapter 5227 of *Minnesota Rules*.

State Grants & Loans

Program and Proposal Information

I. PURPOSE

The purpose of this grant will be to provide for the operation of the Labor Education Advancement Program (L.E.A.P.).

II. OBJECTIVE

The objective of the L.E.A.P. grant is to increase the participation of people of color and women in apprenticeable trades and related occupations. Apprenticeable trades and occupations are approved by, and registered with the Department of Labor and Industry, Division of Voluntary Apprenticeship. To be considered apprenticeable the trade or occupation must contain at least 2,000 hours of hands-on training, not infringe on other trade programs, provide a reasonable wage, provide high level skill training, provide related educational instruction to supplement the hands-on training and lead to employment. Related occupations are those which provide training for individuals for future placement in apprenticeship trades or occupations.

III. PROCESS

The Commissioner will accept proposals for the operation of a L.E.A.P. grant for state fiscal year beginning July 1, 1999. Funds will be available for a one year grant and will be subject to renewal for a second year, without further application, upon submission of three required quarterly reports and a final cumulative report which measures the accomplishment of goals and objectives for the first grant year. At that time the grantee must also provide cumulative placement projections for the second fiscal year.

IV. ELIGIBLE GRANT PROPOSALS

Proposals will be accepted from community-based organizations serving the targeted population on a competitive request-for-proposals basis.

V. LEAP GRANT PROPOSAL FORM

Organizations wishing to apply for a LEAP grant must call the Department of Labor and Industry, Division of Apprenticeship at 651-296-2371, or 1-800-657-3607, and request a copy of the LEAP Grant Proposal form. Only complete LEAP Grant Proposals, with supportive addenda, will be accepted.

VI. PROPOSAL CONTENTS

At a minimum, a proposal will be expected to contain the following information, in addition to the items listed above:

A. Program Administration/Management

1. Administrative Structure (including personnel)
2. Program narrative outlining the organization's mission, goals, objective, and performance indicators
3. List of Advisory Council or Advisory Committee members who provide guidance in placement of clients in registered apprenticeship programs

B. Budget

1. Amount requested
2. Line item breakdown of operating costs
3. List sources of nonstate matching funds/dollar for dollar match
4. Budget Narrative

C. Demographic Data

1. Identification of geographic area served
2. Rate of unemployment in service area
3. Comparative data on the ratio of unemployment between minorities and nonminorities in the service area
4. Percent of racial minorities in area served
5. Source of demographic data

D. Evidence of ability to deliver services, which may be demonstrated by one or more of the following:

1. Previous experience operating a L.E.A.P. program and documented results (please provide details of L.E.A.P. operation including actual numbers of clients placed into registered apprenticeship programs)
2. Previous experience providing job training and job placement services to economically disadvantaged individuals, diverse ethnic and racial minority groups, females and places of employment.

3. Provide documentation of existing working relationships with employers and labor organizations
4. Means of measuring outcomes (effectiveness of program)

E. Statement of assurance including:

1. The department or state may conduct post-grant audits
2. The applying organization has an effective equal employment policy
3. Evidence of Workers' Compensation coverage as required by Minnesota law
4. Performance and financial reports will be submitted on due dates

VII. PROPOSAL DEADLINE

Interested parties must submit a properly completed grant proposal form, with addenda, no later than 4:30 p.m., June 21, 1999. Proposals must be submitted to:

Commissioner Gretchen Maglich
Minnesota Department of Labor and Industry
3rd Floor Commissioners Office
443 Lafayette Road
St. Paul, MN 55155

Minnesota Amateur Sports Commission

Notice of Availability of Request for Proposal (RFP) for Ice Arena Construction and Renovation Through the "Mighty Ducks" Grant Program

The state of Minnesota, acting through its agency, the Minnesota Amateur Sports Commission (MASC) is seeking proposals from communities interested in developing indoor ice arenas. The purpose of this grant is to assist Minnesota communities in developing and renovating ice arenas. As per *Laws of Minnesota* 240A.09, communities are eligible for grants up to \$250,000 for the development of each new sheet of artificial ice and up to \$50,000 for the renovation of each existing ice arena. Grants must be matched by non-state sources at least on a 1:1 ratio. Grant applicants must be a political subdivision of the state and agree to own and assume 100% responsibility for the operation of the facility.

The 1999 Minnesota Legislature has appropriated \$4,000,000 to the MASC for the continuation of the "Mighty Ducks" Ice Arena Grant Program. Completed Proposals must be postmarked no later than Wednesday, June 30, 1999 and awards will be made on or before August 31, 1999. Interested applicants may obtain further information and an updated RFP on the World Wide Web (www.masc.state.mn.us) or by sending a written request to:

Minnesota Amateur Sports Commission
1700 105th Avenue NE
Blaine, MN 55449-4500
FAX: 612-785-5699

Minnesota Amateur Sports Commission

Notice of Availability of Request for Proposal (RFP) for Youth Athletic Facility Development and Recreational Program Development Through the "Mighty Kids" Grant Program

The state of Minnesota, acting through its agency, the Minnesota Amateur Sports Commission (MASC) is seeking proposals from communities interested in developing recreational facilities for youth sports or recreational programs for youth. As per *Laws of Minnesota* 240A.12, communities are eligible for grants up to \$100,000 for the development of new facilities and up to \$50,000 for the renovation of existing facilities. Communities are also eligible for grants up to \$20,000 for the development of before school, after school, or summer recreational youth programs. Grants must be matched by non-state sources at least on a 1:1 ratio. Grant applicants must be a political subdivision of the state and agree to own and assume 100% responsibility for the operation of the facility or program.

Professional, Technical & Consulting Contracts

The 1999 Minnesota Legislature has appropriated \$2,000,000 to the MASC for the continuation of the "Mighty Kids" Grant Program. Completed Proposals must be postmarked no later than Saturday, July 31, 1999 and awards will be made on or before September 30, 1999. Interested applicants may obtain further information and an official RFP on the World Wide Web (www.masc.state.mn.us) or by sending a written request to:

Minnesota Amateur Sports Commission
1700 105th Avenue NE
Blaine, MN 55449-4500
FAX: 612-785-5699

Professional, Technical & Consulting Contracts

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

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

Department of Administration

Division of State Building Construction

Request for Qualifications for Professional Services of Minnesota Registered Architects, Engineers, and Landscape Architects

The Minnesota Department of Administration, State Building Construction Division ("STATE"), intends to retain the services of qualified professionally registered architects, engineers, and landscape architects ("CONSULTANTS") for predesign, design, and construction administration services during the year commencing July 1, 1999. These projects will be varied in nature and scope and will involve new construction, remodeling and studies. The total cost of construction for a new or remodeling project will be less than \$750,000.00 and the fees associated with facility studies will be less than \$60,000.00. (Designers for projects with estimated costs or fees in excess of these amounts will be selected by the State Designer Selection Board following publication in the *State Register*.)

CONSULTANTS wishing to be considered for these projects are asked to submit the information requested in items 1 thru 6 below and in the same order as presented below. Information submitted should be on 8 1/2" x 11" sheets, soft bound (such as spiral binding or stapled), with no more than 10 printed faces.

1. Submit a one page cover page that includes a statement of interest and the following information in the order presented below:
 - CONSULTANT's legal name and mailing address, including 9 digit zip code
 - CONSULTANT's Legal Status: Corporation, partnership, sole proprietor, etc.
 - Federal ID Number or Social Security Number
 - State ID Number
 - Contact Person Name (must be principal in charge or corporate officer as described in the corporate resolution)
 - Title
 - Phone Number, including area code
 - FAX Number, including area code
 - E-mail Address

If CONSULTANT has more than one office location, submit the above information for each location because one criteria for project selection may be location.

The cover page shall be signed by an authorized corporate officer.

Professional, Technical & Consulting Contracts

2. Identify CONSULTANT's staff involved in design, their classifications, certifications and/or Minnesota registration number
 - 1) Research and Planning
 - 2) Educational
 - 3) Health and Medical
 - 4) Correctional
 - 5) Restoration
 - 6) Office and Administration
 - 7) Recreation
 - 8) Service and Industrial
 - 9) Arts, Including Performing Arts
 - 10) Exhibition and Display
 - 11) Landscape and Site Planning
 - 12) Interiors
 - 13) Water and Waste Facilities
 - 14) Energy Supply and Distribution
 - 15) Pollution Control
 - 16) Acoustics
 - 17) Hazardous Substance Disposition
 - 18) Mechanical Engineering
 - 19) Electrical Engineering
 - 20) Civil Engineering
 - 21) Structural Engineering
 - 22) Land Surveying
 - 23) Other (describe)
3. Provide a list of projects completed during the past three years in each of the above categories where you have expertise. Include a description of the project, scope and date completed.
4. Provide three project references with information regarding the primary contact person for the completed project. Include contact person name, position, company, mailing address, telephone number, and FAX number. If possible include at least one political subdivision as a reference.
5. Include a statement that CONSULTANT can comply with the STATE's Computer Aided Drafting (CA D) Guidelines, current edition. A copy is available on web site <http://www.admin.state.mn.us/dsbc/manuals/prcmnlx.htm>

CONSULTANTS Responding to this Request for Qualifications will be notified of their status following verification of registration and qualifications. It is anticipated that the following process will be used to select a CONSULTANT for a project:

Up to \$25,000	STATE will choose a qualified firm from the list. Rotation of work, by geographic location, and project requirements, will be strong considerations in firm selection.
Greater than \$25,000	STATE will send a written Request for Proposal to at least 3 firms on the list. Firms may be required to interview for a project.

The Basic Services Agreement or Professional Services Contract will be executed on a project-by-project basis. A copy of the contract formats can be found on the above-referenced web site. Each contract in which the estimated cost of construction is over \$100,000.00 will require "Errors and Omissions" insurance in an amount up to 10% of construction value.

STATE will retain the list of qualified CONSULTANTS responding to this request. The list of qualified CONSULTANTS will be retained on file until June 30, 2000. The list will be available for use by State Agencies identified in *Minnesota Statutes* Section 15.01 and *Minnesota Statutes* Section 15.91.

Submit the above requested information on or before 2:00 p.m. CDST on June 22, 1999 to:

Attn: Contract Officer
Department of Administration
Division of State Building Construction
50 Sherburne Avenue
St. Paul, MN 55155-1495

Fax questions to attention of Contract Officer at 651-296-7650

Professional, Technical & Consulting Contracts

Colleges and Universities, Minnesota State (MnSCU)

Winona State University

Request for Proposals for Laptop Leasing

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed proposals for Laptop Leasing.

Proposal specifications will be available June 1, 1999 from Sandra Schmitt, Purchasing Director, PO Box 5838, 205 Somsen Hall, Winona State University, Winona, MN 55987 or by calling 507-457-5067.

Sealed proposals must be received by Sandra Schmitt, PO Box 5838 or Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 2:00 p.m. June 15, 1999.

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

Department of Human Services

Moose Lake Regional Authority

Request for Proposals for Services of a Drama Therapist

The Minnesota Department of Human Services, Moose Lake Regional Authority is soliciting proposals for services of one drama therapist to facilitate drama therapy sessions for the Moose Lake Regional Authority, Department of Human Services for the period July 1, 1999 - June 30, 2003.

This request for proposal does not obligate the State to complete the contract and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

I. NATURE OF CONTRACT

The drama therapist will facilitate drama therapy sessions with residents participating in the sex offender treatment program, as an adjunct to the core treatment program. He/she will consult with staff concerning the integration of role-play techniques in the group modules of the core treatment program. The drama therapist will consult with staff concerning treatment plans for individual treatment participants.

II. GOALS AND OBJECTIVES

The goals for the drama therapist are as follows:

- a) with the Phase II residents, the drama therapist will facilitate combining cognitive and affective sensitizing to discrete offense cues, and will also facilitate affective investigations of Family of Origin issues.
- b) with the Phase III and IV residents, the drama therapist will facilitate the experiential connection between personal victimization and victimizing, and also expand on the experiential component of Victim Empathy groups.
- c) through consultation with the drama therapist, staff will increase their skill in using role-play during daily group sessions.

III. CONTRACTOR'S DUTIES

Drama therapist will facilitate drama therapy sessions with residents participating in the sex offender treatment program, an adjunct to the core treatment program. Therapist will consult with staff concerning the integration of role-play techniques in the group modules of the core treatment program.

The drama therapist will consult with staff concerning treatment plans for individual treatment participants.

IV. SUBMISSION OF PROPOSALS

All proposals must be sent to and received by:

Moose Lake Regional State Operated Services
Frank R. Milczark
Chief Executive Officer
1111 Hwy. 73
Moose Lake, MN 55767

not later than 12:00 PM, June 1, 1999.

Professional, Technical & Consulting Contracts

Late proposals will not be accepted. Submit six copies of proposals. Proposals must be submitted in a sealed mailing envelope or package with the responder's name and address clearly written on the outside, and with evidence of the responder's compliance with the Human Rights Act attached to the envelope or package. Each copy of the proposal must be signed in ink, with original signature by an authorized member of the firm. Prices and terms of the proposal must be valid for the length of the proposal.

V. AMOUNT OF CONTRACT

The estimated amount of contract is \$21,450.00 per year.

VI. PROPOSAL CONTENTS

Documentation needed of education and experience.

VII. EVALUATION

All proposals received by the deadline specified in Section V. will be evaluated by representatives of the Department of Human Services. A personal interview may be part of the evaluation process.

VIII. DEPARTMENT CONTACTS

Prospective responders who have any questions regarding this Request for Proposals may call or write:

Moose Lake Regional State Operated Services
Anita Schlank
1111 Hwy. 73
Moose Lake, MN 55767
218-485-5300

Board of Examiners for Nursing Home Administrators

Health Professional Services Program

Notice of Availability of Contract for Provision of Expert Medical Opinion Concerning Development and Implementation of Plans to Monitor the Management of Illnesses and Conditions of Regulated Health Care Professionals in Order to Protect the Public

The Board of Examiners for Nursing Home Administrators as administering board for the Health Professionals Services Program operated on behalf of participating health-related licensing boards requires expert medical opinion and occupational advice concerning the development and implementation of plans to effectively monitor the management of illnesses or conditions of persons regulated by the health licensing boards who may be unable to practice with reasonable skill and safety by reason of illness, use of alcohol, drugs, chemicals or other materials or as a result of mental physical or psychological conditions. The services to be performed will include: reviewing client medical records and charts, providing staff a written report on each case referred within thirty days, discussing case problems with staff to advise them, providing expert testimony in contested case hearings, and preparing briefings for staff and committees on topics related to monitoring treatment plan adherence by health care professionals.

If you are interested in receiving the full Request for Proposal please contact Megan Thompson at 651-643-2120.

Prospective responders who have any questions regarding this request for proposal may call or write:

Tom Barrett, Program Manager
Health Professionals Services Program
Suite 229, Iris Park Place
1885 University Ave. W.
St. Paul, MN 55104
Telephone: 651-643-2123

All proposals must be sent to Tom Barrett, Program Manager at the address above.

All proposals must be received no later than 4:00 p.m. on June 14, 1999. Late Proposals will not be considered.

Professional, Technical & Consulting Contracts

Pollution Control Agency

Environmental Outcomes Division

Notice of Request for Proposals for a Laboratory Information Management System

REQUEST FOR PROPOSALS: The Minnesota Pollution Control Agency, Environmental Outcomes Division, Environmental Monitoring and Analysis Section, Air Monitoring Unit (AMU) is seeking proposals for a Laboratory Information Management System (LIMS) to be installed and implemented for its Air Lab. The Air Lab does GC/MS, HPLC, X-Ray Fluorescence, Lead, and Gravimetric analyses, and collects data from continuous monitors via telemetry for analysis. The LIMS application will allow for automation of current manual processes, improve chain of custody capabilities, integration of QA/QC functions, integration of data from lab instruments, and result in consistency of process and procedures for handling Air Quality Data collected by and for the State of Minnesota. The selected vendor will provide software, training, implementation support services, and post-implementation support services. The system must be compatible with the agency computing environment, preferably Digital UNIX, Oracle database, NT Client, and Novell networking. There are year 2000 issues with the current Air Lab system, that will be decommissioned no later than December 31, 1999.

Details are contained in a Request for Proposal, which may be obtained by calling or writing:

Contact: Wendy Blossom EO/EMA
Project Manager
Telephone: 651-297-8658
FAX: 651-297-8324
E-Mail: *Wendy.Blossom@pca.state.mn.us*
Address: Minnesota Pollution Control Agency
520 Lafayette Road, 3rd Floor
St. Paul, MN 55155-4194

Proposers should submit in writing a list of questions they would like addressed. Questions must be faxed or e-mailed to Wendy Blossom, and received by 4:00 PM on June 15. 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 23, 1999. No proposals received after 3:00 P.M. will be considered, and no time extensions will be granted. The term of the contract is one year. The Minnesota Pollution Control Agency will retain an option to extend the contract for 1 additional one (1) year period. No actual work or payment is guaranteed pursuant to the contract. Late submittals will not be considered.

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 Transportation

TRIM Division - Bikeways

Notice of Request for Proposals for Cartographic Development of Bikeways Maps for the Southeastern Quadrant of Minnesota

The Minnesota Department of Transportation requests proposals for the cartographic development of bikeways maps for the southeastern quadrant of Minnesota for a paper format, with some electronic/"internet-ready" options.

Maps are to portray the infrastructure available for bicycle travel by clearly depicting data provided by Mn/DOT which indicate the relative suitability of all paved roads for biking, plus the locations of all available paved shoulders, striped bike lanes, off-street bike paths, and known public off-road mountain bike trails.

Proposals are due June 22, 1999; camera-ready art for paper maps is to be delivered by August 31, 1999; electronic maps are to be available on the internet by July 1, 2000. For a full copy of the request for proposals, contact Mark Fiers at 651-297-1568 or at MS 315 Transportation Building, 395 John Ireland Blvd, St Paul, MN 55155.

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.

City of St. Paul

Public Notice of Request for Proposals of Selection of Outside Counsel

The City of St. Paul is a municipal corporation and a city of the first class, existing and organized under its Home Rule Charter. Pursuant to that Charter, the Office of the City Attorney has full and complete charge of the legal business of the City. The Charter also authorizes the City Attorney to request the City Council to appoint special counsel in cases of special or unusual circumstances or where a conflict of interest exists.

The City Attorney has decided to establish Legal Services Panels, in 14 designated areas of the law, to be composed of attorneys and firms that can provide the necessary legal expertise when needed by the City. Outside counsel will be retained if it is determined that the Office of the City Attorney lacks the resources required to handle the matter because (1) the matter requires highly specialized expertise; (2) the Office requires assistance because of the complexity of the matter and the time demands it would make; or (3) it appears that an actual or perceived professional conflict of interest exists within the City Attorney's Office. To establish the Legal Services Panels, the City Attorney will seek proposals from qualified and experienced individual attorneys and law firms.

The legal services will involve representing the City of St. Paul, its officials and employees in diverse and specialized practice areas related to the operations of a major metropolitan city and include consultation, legal advice and representation in state and federal courts and administrative hearings. All legal services will be performed under the direction of the City Attorney or designee.

The City Attorney is issuing this Request for Proposals (RFP) for the practice areas in which outside counsel will likely be required. RFPs may be submitted by an attorney or firm for one or more of the Panels or designated areas of the law. The City Attorney will evaluate the RFPs and reserves the right to select or reject any or all proposals when deemed it to be in the best interest of the City. The City Attorney reserves the right to request additional information or an oral presentation in support of the RFP. The City Attorney is not obligated to respond to any proposals submitted nor is it legally bound in any manner whatsoever by the submission of an RFP. The formation of Panels does not obligate the City Attorney to select an individual or firm from a Panel and the City Attorney reserves the right to request the City Council to appoint an individual or firm not included on a Panel as special counsel when circumstances require or it is in the best interests of the City. It is the intention of the City Attorney to form Panels of attorneys and firms from which appointments would be made by the City Council under the Charter. The Panels would consist of those individuals and firms with whom the City can make the most satisfactory arrangements for meeting its needs.

The City anticipates that the Legal Services Panels will be formed no later than November 1, 1999, and at present intends to use them through October 30, 2001. The City Attorney reserves the right to seek additional attorneys and firms for the Panels at any time, or to discontinue the use of one or more Panels at any time. In addition, nothing in this Notice or the following policies would foreclose the use of such Panels for the provision of legal services to or for the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota. Copies of the Policy and Procedure for Retaining Outside Legal Counsel, together with the Policy Regarding Fees for Legal Services by Outside Counsel, may be obtained from:

Clayton M. Robinson, Jr., City Attorney
400 City Hall and Court House
15 West Kellogg Boulevard
Saint Paul, Minnesota 55102-1616

All proposals and supporting documentation are due at the address above by 4:00 P.M. Central Standard Time on Wednesday, September 1, 1999. An original and six copies of the Proposal are required.

Questions relative to the RFP must be in writing and sent to City Attorney Clayton M. Robinson, Jr. at the above address. All responses will be in writing. No questions submitted after August 1, 1999, will be answered.

Non-State Public Bids, Contracts & Grants

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.

