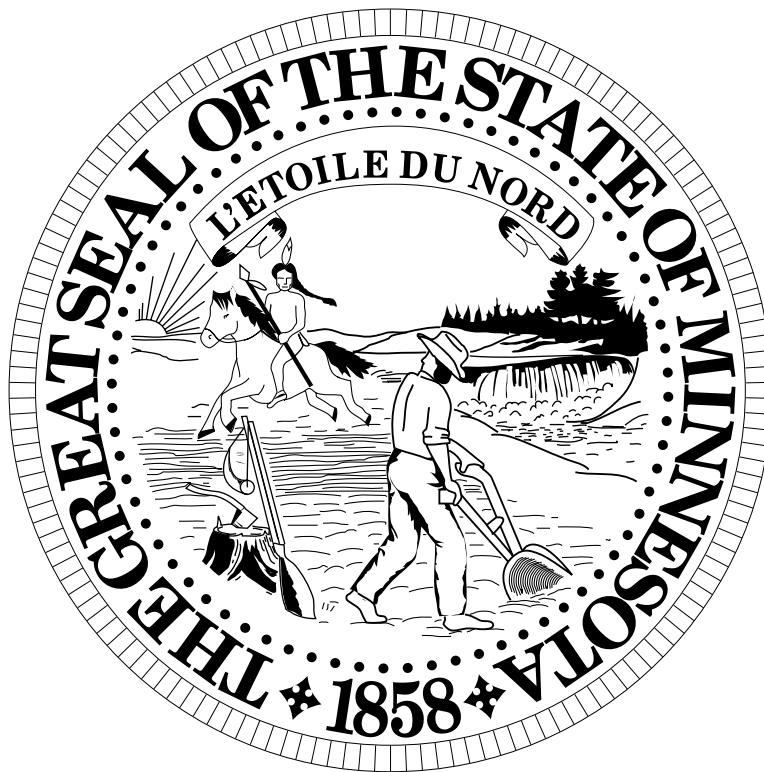


State of Minnesota

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- proposed, adopted, exempt, expedited emergency and withdrawn rules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. 24 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
#41	Monday 10 April	Noon Wednesday 29 March	Noon Tuesday 4 April
#42	Monday 17 April	Noon Wednesday 5 April	Noon Tuesday 11 April
#43	Monday 24 April	Noon Wednesday 12 April	Noon Tuesday 18 April
#44	Monday 1 May	Noon Wednesday 19 April	Noon Tuesday 25 April

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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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FOR LEGISLATIVE NEWS

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

Contact: Senate Public Information Office (651) 296-0504 Room 231 State Capitol, St. Paul, MN 55155	Contact: House Information Office (651) 296-2146 Room 175 State Office Building, St. Paul, MN 55155
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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1997 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issue 52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (651) 297-3000, or toll-free 1-800-657-3757.

Volume 24, Issue 41

(Issues #1-39 cumulative appeared in issue #39)

Agriculture Department

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Department of Agriculture

Agriculture Certification Division

Proposed Permanent Rules Relating to Grain Storage License Fees

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendments to Rules Governing Grain Storage License Fees, *Minnesota Rules*, 1562.0800

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

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 90 W Plato Blvd., St. Paul, MN 55107; phone: 651-296-6906; Fax: 651-297-5522; Email: carol.milligan@state.mn.us. TTY users may call the Minnesota Relay at 800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about grain storage license and examination fee changes. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 232.22, subd. 3 and 236.02, subd. 4. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on May 10, 2000 to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on May 10, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Proposed Rules

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

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

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

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

Dated: 21 March 2000

Sharon Clark
Deputy Commissioner

1562.0800 FEES.

Subp. 2. **License to store grain.** The fees for a license to store grain are as follows:

A. For a license to store grain, the license fee is ~~\$70~~ \$100 for each home rule charter or statutory city or town in which a public grain warehouse is operated.

B. A person with a license to store grain in a public grain warehouse is subject to an examination fee for each licensed location, based on the following schedule for one examination:

Bushel Capacity	Examination Fee
Less than 150,001 bushels	\$275
150,001 to 250,000 bushels	385
250,001 to 500,000 bushels	495
500,001 to 750,000 bushels	605 <u>635</u>
750,001 to 1,000,000 bushels	715 <u>785</u>
1,000,001 to 1,200,000 bushels	825 <u>945</u>
1,200,001 to 1,500,000 bushels	935 <u>1,095</u>
1,500,001 to 2,000,000 bushels	1,045 <u>1,255</u>
More than 2,000,000 bushels	1,155 <u>1,415</u>

The fee for the second examination is ~~\$30~~ \$50 per hour per examiner for warehouse operators who choose to have it performed by the commissioner.

Subp. 3. **Grain bank license.** The license fee is ~~\$60~~ \$125 each home rule charter or statutory city or town in which a private ~~or public~~ grain warehouse is operated and which will be used to operate a grain bank.

Pollution Control Agency

Policy and Planning Division

Proposed Permanent Rules Relating to Storage Tanks

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Rule Amendments to Chapter 7001 Governing Permits and Certifications; Chapter 7151 Governing Aboveground Storage of Liquid Substances; and Chapter 7150 Governing Standards of Performance for Underground Storage Tanks

Introduction. The Minnesota Pollution Control Agency (MPCA) intends to adopt rule amendments without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes* §§ 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules* 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rule amendments and may also submit a written request that a hearing be held on the proposed rule amendments.

MPCA Contact Person. Comments or questions on the rule amendments and written requests for a public hearing on the rule amendments must be submitted to the MPCA contact person. The MPCA contact person is:

Pat Matuseski
Minnesota Pollution Control Agency
Metro District-Major Facilities
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
(651) 297-8602
FAX (651) 296-8717
Internet: patrick.matuseski@pca.state.mn.us

Subject of Rules and Statutory Authority. The MPCA, with assistance from regulated parties, has identified amendments that will clarify the existing rules and provide additional guidance on technical issues.

The MPCA has determined there is a need to clarify existing rule language addressing permits and certifications in *Minnesota Rules* ch. 7001. Specifically, the MPCA is proposing to: (1) combine *Minnesota Rules* 7001.0020, item G and 7001.0020, item J, both of which address the permit requirements for construction or operation of liquid storage facilities; (2) revise the heading of *Minnesota Rules* 7001.4215, to more accurately reflect the content of the rule; and (3) clarify existing record retention requirements for major facilities set forth in *Minnesota Rules* 7001.4230.

In addition, on November 1, 1998, the MPCA adopted rules governing the aboveground storage of liquid substances, *Minnesota Rules* ch. 7151. Following the adoption of the rules, several regulated parties requested interpretation of various rule parts and clarification of certain terms used in the rules. As a result, the MPCA has determined there is a need to add clarifying language to certain rule parts and to provide additional definitions of terms used in the rules.

On July 15, 1991, the MPCA adopted rules governing the performance standards for underground storage tanks, *Minnesota Rules* ch. 7150. The MPCA has determined that it is necessary to amend the hazardous material list in *Minnesota Rules* 7150.0030, subd. 22 to be consistent with, and not less stringent than, the federal definition set forth in 40 CFR, Part 302. The United States Environmental Protection Agency (EPA) requires this amendment prior to granting full State Program Approval for Minnesota's Underground Storage Tank Program.

The statutory authority to adopt the rules is set forth in *Minnesota Statutes* §§ 115.03, subd. 1(e)(3), which authorizes the MPCA to adopt rules for storage of liquid substances to assure proper retention against entry into any waters of the state that would be likely to pollute any waters of the state and *Minnesota Statutes* § 116.49, subd. 1, which mandates the MPCA to adopt rules applicable to all owners and operators of underground storage tanks establishing safeguards necessary to protect human health and the environment. A copy of the proposed rule amendments is published in the *State Register*. A free copy of the proposed rule amendments is available upon request from the MPCA contact person listed above.

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

Comments. You have until 4:30 p.m. on May 10, 2000, to submit written comment in support of or in opposition to the proposed rule amendments and any part or subpart of the proposed rule amendments. Your comment must be in writing and received by the MPCA contact person by 4:30 p.m. on May 10, 2000. Comment is encouraged. Your comment should identify the portion of the proposed rule amendments addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rule amendments must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the proposed rule amendments. Your request for a public hearing must be in writing and must be received by the MPCA contact person by 4:30 p.m. on May 10, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rule amendments to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the MPCA for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule amendments.

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

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

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

Statement of Need and Reasonableness. A statement of need and reasonableness (SONAR) is now available from the MPCA contact person. The SONAR contains a summary of the justification for the proposed rule amendments, including a description of who will be affected by the proposed rule amendments and an estimate of the probable cost of the proposed rule amendments. Copies of the SONAR may be obtained at the cost of reproduction from the MPCA contact person. In addition, the MPCA has placed a copy of the SONAR on its Web site at: www.pca.state.mn.us. Click on the News/Notices selection button to access the public notice that also contains the proposed rules and SONAR.

Consideration of Economic Factors. *Minnesota Statutes* § 116.07, subd. 6 *Minnesota Statutes* § 115.43, subd. 1, requires the MPCA to give due consideration to economic factors in exercising its powers. In proposing these rule amendments, the MPCA has given due consideration to available information as to any economic impacts the proposed rule amendments would have. The majority of the proposed rule amendments are not expected to cause any economic impacts to owners or operators of Aboveground Storage Tanks (ASTs). The majority of the revisions are solely clarifications of the original rule requirements or language. However, owners and operators of ASTs storing "other regulated substances," as defined in *Minnesota Rules* 7151.1200, subp. 25, may incur some additional costs when complying with this rule. Specifically, an owner and operator of ASTs storing "other regulated substances" may realize an economic impact in the cost to properly monitor and maintain the tank. The MPCA estimates the additional costs to be approximately \$2,000 - \$4,000 per facility per year. However, the proposed rule amendments also propose less expensive secondary containment permeability upgrade requirements for certain tanks. Therefore, any additional cost to the owner or operator of a facility is potentially offset by the less expensive upgrade requirements. Additional information regarding the MPCA's consideration of economic factors is discussed in Sections V and VI, Items B, C and E in the SONAR.

Impact on Farming Operations. *Minnesota Statutes* § 14.111 requires that if an agency adopts or repeals rules that affect farming operations, the agency must provide a copy of the proposed rule changes to the Commissioner of Agriculture, no later than 30 days prior to publication of the proposed rules in the *State Register*. The requirements *Minnesota Statutes* § 14.111 are not applicable because the proposed rule amendments, which exempt farm tanks from regulation, do not affect farming operations.

Review by the Commissioner of Transportation. *Minnesota Statutes* § 174.05 requires the MPCA to inform the Commissioner of Transportation of all rulemakings that concern transportation, and requires the Commissioner of Transportation to prepare a written review of the rules. The requirements of *Minnesota Statutes* § 174.05 are inapplicable because the proposed rule amendments do not impact transportation.

Departmental Charges Imposed by the Rule. *Minnesota Statutes* § 16A.1285 are inapplicable because the proposed rule amendments do not impose any departmental charges or fees.

State Regulatory Policy. *Minnesota Statutes* § 14.131 requires an agency to consider, in developing rules, the legislative policy supporting performance-based regulatory systems set forth in *Minnesota Statutes* § 14.002. The proposed rule amendments were

drafted with the intent of assisting the regulated community in complying with its statutory obligations. The MPCA staff and regulated parties requested the rule amendments to streamline and improve the clarity of the existing rules and to provide additional guidance on technical issues. Where possible, the MPCA drafted rule amendments that increased flexibility for the regulated party, but were mindful of the MPCA's regulatory objectives. For example, *Minnesota Rules* 7151.5100, subp. 4, exempts new tanks storing asphalt cement from the requirements of *Minnesota Rules* 7151.5400, subp. 4, which provides substance release detection requirements for the design of a secondary containment area directly under a tank. The technological advancements for new above-ground storage tanks render the requirements in *Minnesota Rules* 7151.5400, subp. 4, overly prescriptive. In addition, the requirements would be costly to the regulated community and add no additional benefit in meeting the MPCA's regulatory objectives.

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

Request to Have MPCA Board Make Decision on Rule if No Hearing is Required. If a hearing is required, the MPCA Board will make the final decision on whether to adopt the proposed rule amendments. However, even if no hearing is required, you may submit a request to the MPCA Commissioner or an MPCA Board member to have the MPCA Board make the decision on whether to adopt the proposed rule amendments. Your request must be in writing, must state to whom it is directed and must be received by the MPCA contact person by 4:30 p.m. on May 10, 2000. Under *Minnesota Statutes* § 116.02 where a hearing is not required the MPCA Board will only make the decision on the rule if the MPCA Commissioner grants your request or if an MPCA Board member makes a timely request that the decision be made by the MPCA Board.

Adoption and Review of Rules. If no hearing is required, the MPCA may proceed to adopt the proposed rule amendments after the end of the 30 day comment period. The rule amendments and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask the MPCA contact person to notify you of the date the rule amendments are submitted to the Office of Administrative Hearings. In addition, if you want to receive a copy of the adopted rule amendments, or want to register with the MPCA to receive notice of future rule proceedings, submit your request to the MPCA contact person listed above.

Karen A. Studders
Commissioner

7001.0020 SCOPE.

Except as otherwise specifically provided, parts 7001.0010 to 7001.0210 apply to the following:

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

~~G. An agency permit required for the construction or operation of a liquid storage facility. Part 7001.0040, subparts 1 and 3, apply to these permits except that the time period referenced in those subparts shall be 90 days instead of 180 days. Parts 7001.0100, subparts 4 and 5; 7001.0110; and 7001.0150 do not apply to these permits.~~

~~H. An agency permit required for the construction of a facility, building, structure, or installation that attracts or may attract mobile source activity that results in emissions of an air pollutant for which there is a state standard. Parts 7001.0100, subparts 4 and 5, and 7001.0110 do not apply to permits for parking facilities described in part 7001.1270, subpart 2, with a new or increased parking capacity of 5,000 vehicles or less. Part 7001.0150, subparts 1 and 2, ~~do~~ does not apply to these permits.~~

~~I. H. The processing of certifications under section 401 of the Clean Water Act, United States Code, title 33, section 1341, to the extent provided by parts 7001.1400 to 7001.1470.~~

~~J. L. An agency permit required for the construction or operation of a substance storage facility which:~~

[For text of subitems (1) and (2), see M.R.]

(3) is not an excluded aboveground storage tank system under part 7151.1300, subpart 2.

Part 7001.0040, subparts 1 and 3, apply to major facility substance storage permits except that the time period referenced in those subparts shall be 90 days instead of 180 days. Parts 7001.0100, subparts 4 and 5; 7001.0110; and 7001.0150 do not apply to these permits.

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

Part 7001.0080 applies to the permits in this item except that the time period referenced in part 7001.0080 shall be five years instead of three years.

7001.0050 WRITTEN APPLICATION.

A person who requests the issuance, modification, revocation and reissuance, or reissuance of a permit shall complete, sign, and submit to the commissioner a written application. The person shall submit the written application in a form prescribed by the commissioner. The application shall contain the items listed in items A to I unless the commissioner has issued a written exemption from one or more of the data requirements. After receiving a written request for an exemption from a data requirement, the commissioner shall issue the exemption if the commissioner finds that the data is unnecessary to determine whether the permit should be issued or denied. The application must contain:

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

I. other information relevant to the application as required by parts 7001.0550 to 7001.0640, 7001.1050, 7001.1290, 7001.3175 to 7001.3475, 7001.4200, or 7041.0700.

7001.4215 ~~PERMIT APPLICATION AND PUBLIC COMMENT.~~

~~Subpart 1. Public notice and comment.~~ If the permit applicant requests or the agency determines that issuance, reissuance, or modification of a permit involves issues that generate or are likely to generate significant material adverse comment from the public, based on previous adverse public comment on the proposed permit or related issues, the procedures in items A to C, prior to issuance, reissuance, or modification of the permit, apply.

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

7001.4230 RETENTION OF TANK AND SUBSTANCE TRANSMISSION LINE RECORDS.

If a substance storage facility is required to obtain a major facility permit under this chapter, the permittee shall retain, ~~if explicitly required by the terms and conditions of the permit,~~ the following data on file at the facility for the retention times specified for each of the following safeguards that are explicitly required by the terms and conditions of the permit:

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

C. for each secondary containment area: records of ~~daily~~ visual inspections, for one year.

Unless otherwise addressed in the terms and conditions of the permit, the major facility permittee shall retain all data specified in this part. The permittee shall, upon agency request, make the data available to the agency for viewing and copying.

7150.0030 DEFINITIONS.

[For text of subps 1 to 21, see M.R.]

Subp. 22. **Hazardous material.** "Hazardous material" means:

A. a substance listed in *Code of Federal Regulations*, title ~~49, section 172.101~~ 40, part 302, including petroleum under subpart 36, item C, but not including:

[For text of subitems (1) to (3), see M.R.]

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

[For text of subps 23 to 53, see M.R.]

7151.1100 PURPOSE.

The purpose of this chapter is to provide for the protection of the public health and the environment by establishing uniform performance standards and technical requirements for aboveground storage of liquid substances which may cause pollution of the waters of ~~the~~ state.

7151.1200 DEFINITIONS.

[For text of subps 1 to 4, see M.R.]

Subp. 4a. Asphalt cement. "Asphalt cement" means a mixture of bituminous obtained from native deposits or as a petroleum by-product used for roofing or paving that is in a solid state at 100 degrees Fahrenheit or less.

[For text of subps 5 to 12, see M.R.]

Subp. 12a. Double-bottomed tank. "Double-bottomed tank" means a field-erected aboveground storage tank that has been designed or modified to include a second tank bottom and where (A) the bottoms are compatible with and impermeable to the substance being stored, (B) the interstitial space between the bottoms is filled with a minimum of three inches of a neutral sand or other noncorrosive material cushion, and (C) there is a method in place for monitoring the interstitial space for leaks.

Subp. 13. **Double-walled tank.** “Double-walled tank” means an aboveground storage tank ~~designed and built with an outer and inner shell and an interstitial space between the shells that allows for monitoring~~ with an inner, primary shell and an outer, secondary shell that extends around the entire inner shell, and a method in place for monitoring the interstitial space between the shells for leaks.

[For text of subps 14 to 24, see M.R.]

Subp. 25. **Other regulated substances.** “Other regulated substances” means any substance, including a food-based product intended for human or animal consumption, which ~~is capable of polluting the~~ may cause pollution of waters of the state and is not:

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

[For text of subps 26 and 27, see M.R.]

Subp. 28. **Piping or lines.** “Piping” or “lines” means a hollow cylinder or tubular conduit, ~~that is two inches or greater inside diameter,~~ that is constructed for conveying a substance from one point to another within an aboveground storage tank system.

[For text of subps 29 to 32, see M.R.]

Subp. 33. **Substance.** “Substance” means any material which is liquid at ambient pressures and temperatures ~~that would be likely to pollute any~~ which may cause pollution of waters of the state.

[For text of subps 34 to 41, see M.R.]

7151.1300 APPLICABILITY.

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

Subp. 2. **Exclusions.** The following aboveground storage tank systems are excluded from the requirements of this chapter:

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

K. an aboveground storage tank, located on a farm, in which the contents of the tank are used by the tank owner or operator for farming purposes, and the contents are not being commercially distributed;

[For text of items L to N, see M.R.]

O. stormwater collection systems; ~~and~~

P. septic tanks; and

Q. an aboveground storage tank that stores a substance at a site for a period of 30 days or less.

7151.4100 TEMPORARY STORAGE.

Subpart 1. **Scope.** This part applies to storage of a substance in an aboveground storage tank at a site for a period of more than 30 days but less than one year. Temporary storage tanks regulated under this part are exempt from all other requirements except as provided in ~~subpart~~ subparts 2, 3, and 4.

[For text of subps 2 to 4, see M.R.]

7151.5100 REQUIREMENT.

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

Subp. 3. **Tanks storing other regulated substances.** Owners and operators of new tanks storing other regulated substances need not comply with parts 7151.5400, ~~subparts subpart 4 and 5;~~ 7151.5500; 7151.5600; and 7151.5700.

Subp. 4. Tanks storing asphalt cement. Owners and operators of new tanks storing asphalt cement need not comply with parts 7151.5200, subpart 3, item A, subitem (2); 7151.5400, subpart 4; 7151.5500; 7151.5600; and 7151.5700.

7151.5200 TANK AND PIPING STANDARDS.

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

Subp. 3. **Used aboveground storage tanks.**

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

A. Except as provided in item C, an aboveground storage tank that has been removed from a ~~site~~ facility must not be reinstalled at a second ~~site~~ facility for the purpose of substance storage unless:

[For text of subitems (1) and (2), see M.R.]

B. Except as provided in item C, a tank that has been lifted or moved within a ~~site~~ facility must not be reinstalled for the purpose of substance storage unless:

[For text of subitems (1) and (2), see M.R.]

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

7151.5600 CORROSION PROTECTION.

Subpart 1. **Tanks.** The floor of a steel aboveground storage tank must be protected from corrosion using one of the following methods:

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

D. the tank is ~~double floored~~ double-bottomed with a vacuum pulled on the interstitial space;

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

[For text of subp 2, see M.R.]

Subp. 3. **Design criteria.** Cathodic protection of new ~~field-erected~~ steel tanks and lines must meet the following design criteria:

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

7151.5700 OVERFILL PROTECTION.

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

Subp. 2. **Double-walled tanks.** Double-walled tanks which are not otherwise located within ~~an agency-approved~~ a secondary containment area meeting the requirements of part 7151.5400 must have one of the following systems for overfill prevention:

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

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

7151.6100 REQUIREMENT.

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

Subp. 3. **Tanks storing other regulated substances.** Owners and operators of tanks storing other regulated substances need not comply with parts 7151.6400, ~~subparts subpart 4 and 5, item A;~~ 7151.6500; 7151.6600; and 7151.6700.

Subp. 4. Tanks storing asphalt cement. Owners and operators of tanks storing asphalt cement need not comply with parts 7151.6400, subpart 4, item A; 7151.6500; 7151.6600; and 7151.6700.

7151.6200 TANK AND PIPING STANDARDS.

Subpart 1. **Tank and piping standards.** Owners and operators of aboveground storage tank systems shall ensure that existing systems used to store regulated substances will not structurally fail or corrode.

~~Tank owners and operators shall conduct, pursuant to part 7151.7200, subpart 6, an internal inspection on all field-erected steel tanks within ten years of November 2, 1998.~~

[For text of subp 2, see M.R.]

7151.6400 SECONDARY CONTAINMENT.

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

Subp. 3. **Materials.** All secondary containment systems for existing aboveground storage tanks must meet the materials requirements of subpart 5 or part 7151.5400, subpart 3 or 5.

Subp. 4. **Design.**

A. If the tank is lifted or moved within a ~~site~~ facility, the secondary containment system must meet the design requirements of part 7151.5400, subpart 4.

B. If the tank is moved from a ~~site~~ facility and reinstalled on a second ~~site~~ facility, the tank must meet the standards for new aboveground storage tanks in part 7151.5100.

[For text of subp 5, see M.R.]

Subp. 6. **Containment area evaluation.** Owners and operators shall perform postinstallation permeability testing on containment areas constructed of native soils, amended soils, or imported clay liners requiring a minimum permeability standard under subpart 5. A qualified soil technician or testing company shall evaluate the top three feet of soil, below any cover material, for vertical soil permeability. Evaluation must:

A. comport with approved ASTM standard field or lab sampling techniques;

B. utilize ~~at least three samples collected per containment area or one sample per tank, whichever is greater; and the soil sampling matrix below to quantify permeability rates of soils in smaller containment areas:~~

<u>Secondary Containment Area Size</u> (Square Feet)	<u>Minimum Number of Soil Samples</u> Necessary
<u><10,000</u>	<u>3</u>
<u>10,000 - 50,000</u>	<u>4</u>
<u>>50,000</u>	<u>Equal to the number of tanks contained in the secondary containment basin (minimum of 4 samples); and</u>

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

[For text of subp 7, see M.R.]

7151.6600 CORROSION PROTECTION.

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

Subp. 2. **Tanks.** The floor of an existing steel aboveground storage tank must be protected from external corrosion using one or more of the following methods:

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

D. the tank is ~~double floored~~ double-bottomed with: a vacuum pulled on the interstitial space;

~~(1) a vacuum pulled on the interstitial space; or~~

~~(2) an installed cathodic protection system;~~

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

[For text of subps 3 and 4, see M.R.]

Subp. 5. **Exclusions.** ~~Tanks or tank systems within~~ A secondary containment area for tanks or tank systems which ~~comply~~ complies with the requirements of part 7151.5400, subparts 1, 2, 3, items B to I, and 4, ~~are is~~ excluded from the requirements of this part.

[For text of subps 6, see M.R.]

7151.6700 OVERFILL PROTECTION.

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

Subp. 2. **Exclusions.** ~~Tanks or tank systems within~~ A secondary containment area for tanks or tank systems which ~~are is~~ are is constructed to a 1×10^{-7} centimeters per second permeability standard and ~~meet~~ meets the requirements of part 7151.5400 or 7151.6400, subparts 1 to 4, ~~are is~~ excluded from the requirements of this part.

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

7151.7100 REQUIREMENT.

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

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

Subp. 2. **Exclusions.** The following aboveground storage tanks are excluded from the requirements of parts 7151.7100 to 7151.7500:

- A. tanks 1,100 gallons or less but greater than 500 gallons and located within 500 feet of Class 2 surface water; ~~and~~
- B. tanks storing other regulated substances are excluded from part 7151.7200, subparts 4; 6, item B; and 7 only; and
- C. tanks storing asphalt cement are excluded from part 7151.7200, subparts 4; 6, item B; and 7 only.

7151.7200 MONITORING.

[For text of subps 1 to 5, see M.R.]

Subp. 6. **Tank inspection.** All field-erected steel tanks must be internally and externally inspected by a certified tank inspector pursuant to American Petroleum Institute standard 653. Initial inspections must be completed in accordance with the following schedule:

A. external inspections shall be conducted by November 2, 2003, or a maximum of five years after the initial construction date, whichever is later; and

B. internal inspections shall be conducted by November 2, 2008, or a maximum of ten years after the initial construction date, whichever is later.

[For text of subps 7, see M.R.]

7151.8200 OUT-OF-SERVICE ABOVEGROUND STORAGE TANK SYSTEMS.

Subpart 1. **Application.** If a substance is not introduced to or removed from an aboveground storage tank system for one year or more, or if an aboveground storage tank system is to be permanently closed, the owner or operator shall:

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

Subp. 2. **Out of service.** The owner or operator of an aboveground storage tank system taken out of service shall:

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

- D. dispose of tank bottom sludges in accordance with applicable state or federal requirements;

[For text of items E and F, see M.R.]

7151.8400 CONTAMINATION DETERMINATION.

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

Subp. 2. **Exclusions.** The following aboveground storage tank systems are excluded from the requirements of this part:

- A. a tank storing other regulated substances;
- B. a tank, which has been removed, that exclusively contained number 6 grade fuel oil or asphalt cement; and

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

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.

Department of Agriculture

Adopted Permanent Rules Relating to Repeal of Pesticide Control, Food Standards, and Agriculture Marketing and Bargaining Rules

The rules proposed and published at *State Register*, Volume 24, Number 29, pages 1051-1052, January 18, 2000 (24 SR 1051), are adopted as proposed.

ERRATA

Corrections to agency errors in rules or in following the rulemaking processes, as well as incomplete notices, mislabeled rules, incorrect notices and citations will appear in this section. Whenever an error is corrected in this section, it's corresponding rule number(s) will also appear in the *State Register's* index to rulemaking activity, **Minnesota Rules: Amendments and Additions**.

Department of Transportation

Permanent Rules Relating to English Measurement for State Aid Roads

Correction to Listing of Dual Notice as "Adopted Exempt" Instead of "Proposed"

NOTICE IS HEREBY GIVEN of a printing error in the April 3, 2000 *State Register*. The Department's Dual Notice: Notice of Intent to Adopt Rules Without a Public Hearing for the proposed rules was published at 24 S.R. 1404 (*State Register*, volume 24, #40, pages 1404). Instead of being listed under the "Proposed Rules" section, however, the Dual Notice was listed under the "Exempt Rules" section in the *State Register*. This listing was in error. The proposed rule amendments to Chapter 8820 are being adopted under the normal rulemaking process set forth in *Minnesota Statutes* § 14.22 to 14.26 as stated in the Dual Notice, not the exempt rulemaking process. The proposed rule amendments will not be adopted until the close of the required 30-day comment period, or after a public hearing if 25 or more persons request a hearing. You may comment on the proposed rule amendments or request a hearing until the close of the comment period on May 5, 2000.

Please direct any questions about this notice to Hope Jensen at (651) 296-8477, or Paul Stine at (651) 296-9973.

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.

Appointments

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

Department of Employee Relations

Notice of Appointment of Commissioner

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Jesse Ventura has appointed Julien Clark Carter to the office of commissioner of the Minnesota Department of Employee Relations effective April 18, 2000. He succeeds Commissioner Wayne Simoneau. This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled.

The laws and rules governing the Department of Employee Relations are:

- *Minnesota Statutes*, Chapters 43A, 179A and 471
- *Minnesota Rules* 3900-3920

Commissioner Carter is a resident of Jefferson City, Missouri, Congressional District Four. Upon assumption of duties, he can be reached at the Minnesota Department of Employee Relations, 200 Centennial Bldg., 658 Cedar Street, St. Paul, MN 55155. Telephone (651) 296-3095. Internet home page: <http://www.doer.state.mn.us>

Commissioners' Orders

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

Department of Transportation

ORDER NO. 84353: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825

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, 83616, 83720, 84056, 84222, 84232, and 84256 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

LAKE COUNTY

- C.S.A.H. 2 From County Road 200 to C.S.A.H. 12 (12 month).
- C.S.A.H 12 From C.S.A.H 2 to Hedstrom's Lumber Mill (12 month).

PENNINGTON COUNTY

- C.S.A.H 3 from Pennington/Polk County Line to TH 32 (12 Month).

Elwyn Tinklenberg
Commissioner

Dated this 21st day of March, 2000

Department of Transportation

ORDER NO. 84354: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825

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, 83616, 83720, 84056, 84222, 84232, 84256, and 84353 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

WRIGHT COUNTY

C.S.A.H. 35 from T.H. 55 (Buffalo) to C.S.A.H. 19 (St. Michael). (12 Month).

Elwyn Tinklenberg
Commissioner

Dated this 22nd day of March, 2000.

Department of Transportation

ORDER NO. 84439: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825

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, 83616, 83720, 84056, 84222, 84232, 84256, 84353, and 84354 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

BLUE EARTH COUNTY

C.S.A.H. 03 from T.H. 14 to Excel Drive (12 month).

Elwyn Tinklenberg
Commissioner

Dated this 31st day of March, 2000.

Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The State Register also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Agriculture

Agronomy & Plant Protection Services Division

Minnesota Agricultural Chemical Response Compensation Board (ACRRA)

Notice of TIME CHANGE for the Minnesota Agricultural Response Compensation Board monthly meetings

The scheduled ACRRA Board meeting time has changed. All future monthly Board meetings are scheduled for the third Wednesday of each month at **9:30 a.m.** Meetings will convene in Conference Room 1, at the Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota.

Please call the ACRRA Program, (651) 297-3490, should you require additional information.

Minnesota Comprehensive Health Association

Notice of Meeting of the Board of Directors

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Board of Directors will be held on Wednesday, April 12, 2000, at the Holiday Inn Metrodome, 1500 Washington Avenue South, Minneapolis, MN, at 9:00 a.m.

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

Minnesota Comprehensive Health Association

Notice of Meeting of The Enrollee Appeal Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Enrollee Appeal Committee will be held at 10:30 a.m. on Monday, April 17, 2000, at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

This meeting may be closed to the public, if so requested by the appellant, pursuant to *Minnesota Statutes* 62E.10, subd. 4.

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

Department of Human Services

Board on Aging

Notice of Intent to Designate An Area Agency on Aging

In accordance with **Section 305 of the Older Americans Act**, as amended, the Minnesota Board on Aging (MBA) is required to designate an area agency on aging (AAA) in each planning and service area of the state. As of July 1, 2000 the MBA, in its role as the State Unit on Aging in Minnesota (State agency), intends to designate a new AAA to serve the 7E planning and service area comprised of Chisago, Isanti, Kanabec, Mille Lacs and Pine counties.

AREA AGENCY ON AGING DESIGNATION GUIDELINES

PROCEDURES FOR DESIGNATION

To apply for designation as an area agency on aging for a particular planning and service area, an interested agency must file a letter of intent with the MBA. Upon determination that the interested agency is an eligible applicant, appropriate application instructions and forms will be forwarded. Before designating an area agency, the State agency will:

1. Consider the views of the unit(s) of general purpose local government within the planning and service area; and
2. Conduct an on-site assessment to determine whether the agency being considered for designation has the capacity to perform all of the functions of an area agency on aging as specified.

FUNCTIONS OF AN AREA AGENCY ON AGING

An area agency must:

- Develop and administer an area plan for a comprehensive and coordinated system of services; and
- Serve as the advocate and focal point for older persons in the planning and service area.
- Meet all federal and state reporting requirements on services provided in the region within the time frame and format established by the Minnesota Board on Aging.

DEFINITION OF AN AREA PLAN

An 'area plan' is the application/document submitted to the Minnesota Board on Aging by an organization seeking designation as an area agency on aging. The area plan contains provisions required by the Older Americans Act and commitments that it will administer all activities in accordance with all Federal and State requirements. A designated area agency on aging may award subgrants or contract only for activities under an approved area plan.

ELIGIBILITY CRITERIA

The State agency may designate as an area agency on aging any one of the following types of agencies that has the authority and the capacity to perform the functions of an area agency:

- a) An established office on aging which operates within the designated planning and service area;
- b) Any office or agency of a unit of general purpose local government designated to function only as an AAA;
- c) Any office or agency designated by the chief elected officials of a combination of units of general purpose local government; or
- d) Any other public or private nonprofit agency under the supervision or direction for this purpose of the State agency.

SELECTION CRITERIA

A. Agency Capacity

The degree to which an applicant can demonstrate capacity to:

1. Develop and administer an area plan;
2. Serve as the advocate and focal point for older persons in the planning and service area;
3. Meet or exceed federal and state policy and procedural requirements; and
4. Provide for sound financial planning, management, and control.

B. Organizational Compatibility

The degree to which an agency can demonstrate compatibility between organizational goals and the goals of the Older Americans Act through:

1. Documentation of agency mission and clarity of purpose;

Official Notices

2. Historical commitment to the well-being of older people; and
3. Explanation of planning and coordinating role in the community.

C. Community Support

The degree to which an agency can demonstrate:

1. Ability to provide adequate matching resources to meet the nonfederal share of AAA administrative costs;
2. Support of local governmental bodies in the planning and service area; and
3. Support of senior citizen programs, organizations, and clubs within the planning and service area

DEADLINES

Letters of Intent to apply must be received on or before April 20, 2000; application forms and instructions will then be sent to interested parties.

Applications will be due on or before May 15, 2000 and will be reviewed by the Program Operations Committee of the Minnesota Board on Aging on June 1, 2000 before final Board action at its June 16, 2000 meeting.

Letters of intent and applications should be submitted to:

Minnesota Board on Aging
444 Lafayette Road
St. Paul MN 55155-3843
Attn: Jim Knobel

Department of Labor and Industry

Labor Standards Unit

Notice of Corrections to Highway/Heavy Prevailing Wage Rates

A correction has been made to the Highway/Heavy Wage Rates certified 10/25/99, for **Region 7, Flagperson**, in the following counties:

Blue Earth, Faribault, LeSueur, Nicollet, Sibley and Waseca Counties.

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 (612) 296-6452. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich
Commissioner

Minnesota Pollution Control Agency

Environmental Review

Request for Comments and Discussion on *Minnesota Statutes* ch. 116D - Minnesota Environmental Policy Act (MEPA); *Minnesota Statutes* ch. 116B - Minnesota Environmental Rights Act (MERA); and *Minnesota Rules* ch. 4410 - Environmental Quality Board, Environmental Review Program

The Minnesota Pollution Control Agency (MPCA) will hold citizens' meetings to gather and discuss comments on environmental review statutes and rules. The MPCA wants to engage the public in a dialogue about environmental review. The intended audience is citizens, environmental groups, project proposers, cities, counties, and state agencies that conduct environmental review, and any other interested parties. The goal of the meetings is to gather and understand participants' issues and concerns regarding the environmental review process.

Requested Topics for Input: The MPCA Board is interested in all comments. However, below is a list of topics that may help to start framing the discussion about MEPA, MERA, and Environmental Review rules:

- 1) What purposes do you believe environmental review should serve?
- 2) What in statutes and rules is working well now?
- 3) What issues or concerns exist in the current statutes and rules?
- 4) How do these issues affect you and why?
- 5) What modifications would you suggest?
- 6) How could the process be streamlined and still meet the goals of environmental review?
- 7) Does the current Environmental Assessment Worksheet and/or Environmental Impact Statement process serve the range of purposes for environmental review?
- 8) In what ways could the Generic Environmental Impact Statement process be better utilized?

Meeting dates and times: The citizen's meetings will be held on the following dates and places: April 25, 2000, from 3:00p.m. to 5:00p.m. and 7:00p.m. to 9:00p.m. in the MPCA Board Room, located at 520 Lafayette Road North, St. Paul, Minnesota; April 26, 2000, from 7:00p.m. to 9:00p.m. at the Rochester MPCA office located at 18 Wood Lake Drive SE, Rochester, Minnesota, telephone (507) 285-7343; and April 27, 2000, from 7:00p.m. to 9:00p.m. at Brainerd MPCA office located at 1000 College Road South, Baxter, Minnesota, telephone (218) 828-2492.

Background: MEPA and MERA were enacted in the early 1970's. Both statutes lay the foundation for environmental review, citizen involvement, and state environmental policy. The Environmental Quality Board Environmental Review rules are authorized by the MEPA statute. Over the years, many issues and concerns have been raised regarding the environmental review process. Since the MPCA prepares numerous and often controversial environmental review documents each year, the MPCA Board is interested in reviewing these environmental review statutes and rules to determine if they continue to meet the needs of citizens and those going through or conducting environmental review. Therefore, the MPCA Board believes it is appropriate to use the Board's public forum process to gather information to identify concerns and possible modifications to existing statutes and rules.

The MPCA Board and staff have established the following process to gather and discuss comments from the intended audience: discussions at staff led meetings to take place in St. Paul on April 25, 2000, Rochester on April 26, 2000, and Brainerd on April 27, 2000; receive written comments by May 5, 2000; and discuss comments and allow for some further public input at an MPCA Board meeting on May 22, 2000, meeting.

The MPCA Board recognizes that modifications to *Minnesota Statutes* ch. 116B and 116D would require legislative action. In addition, modifications to the Environmental Quality Board (EQB) rules would require official rulemaking action by the EQB. Therefore, this is not the beginning of an official rulemaking process, but an information gathering process from which the Board can decide which concerns or issues with the environmental review statutes and rules they would like to have addressed and whether those changes identified would require legislative or EQB action.

The EQB, through its Chair Commissioner Gene Hugoson of the Department of Agriculture, has recently solicited participation from EQB members to participate on a committee to review the current EQB environmental review rules. The MPCA Board's discussion and information gathering process will provide input to the process that EQB has started.

Written comments deadline: If interested parties prefer to put their comments in writing or cannot attend one of the meetings, written comments can be sent directly to the MPCA. They must be received by May 5, 2000, and should be sent to:

Susan Heffron
Minnesota Pollution Control Agency
Policy and Planning Division
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
(651) 297-1766

Board Meeting: On May 22, 2000, the Board will convene to review and understand the discussion and comments received at the April 25-27, 2000, staff led meetings and those received in writing by May 5, 2000. The MPCA Board will also take brief, additional oral comments. The MPCA Board will then decide the issues on which to focus further attention.

Public Employees Retirement Association

Notice of Meeting of the Board of Trustees

The regular meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, April 13, 2000, at 9:30 a.m., in the PERA offices, 514 St. Peter St., Suite 200 – Skyway Level, St. Paul, Minnesota.

Department of Revenue

Presumed Legal Cigarette Prices

The presumed prices for wholesalers and retailers, as provided for by *Minnesota Statutes*, chapter 325D, are shown in this schedule. The computations are based on manufacturers' list prices available as of March 31, 2000. All cigarettes in a wholesaler's or retailer's inventory must be priced to reflect the new presumed prices within seven (7) calendar days after the manufacturer's price change is reflected on a purchase invoice. A wholesaler or retailer may sell for less if they can show that their actual costs of doing business are lower than the presumed minimum.

	Presumed Minimum Wholesale Price Per Carton	Presumed Minimum Retail Price Per Carton	Presumed Minimum Retail Price Per Pack
Major Brands (Kings, Regulars, 100's, 120's) Examples of major brands: Marlboro, Winston, Merits, Virginia Slims, Kools, Capri, Kent, Newport, Carlton	\$28.57	\$30.86	\$3.09
Players Lights 25's (Kings, 100's)	\$28.57	\$30.86	\$3.09
Marlboro 25's (Kings)	\$28.57	\$30.86	\$3.67
Old Gold, Richland 20's, Best Value, Basics, Misty's, Raleigh Extra, Doral, Riviera, Magna, Sterling, Cambridge, Am Light, Montclair, Pyramid, Bristol, Alpine, Bucks, Stars & Bars, Quality Lights, Class A, Black and Yellow (Kings, Regulars 100's, 120's)	\$25.75	\$27.81	\$2.78
Ligget Private Label (Kings, Regulars, 100's,)	\$25.75	\$27.81	\$2.78
GPC's, Viceroy's	\$20.52	\$22.16	\$2.22

Minnesota Department of Trade and Economic Development Governor's Working Group on Minority Business Development

Notice of Public Meetings

In addition to those meetings announced in 24 *State Register* 1363 (March 27, 2000), the Governor's Working Group will hold the following meetings:

- | | |
|-----------------------|---|
| April 19, 2000 | Financial and Technical Intermediaries Focus Group |
| 3:00 - 5:00 PM | Conference Room A, Minnesota Department of Trade and Economic Development, 500 Metro Square, 121 7th Place East, St. Paul, MN |
| April 24, 2000 | Governor's Working Group on Minority Business Development |
| 11:30 - 1:00 PM | Conference Room A, Minnesota Department of Trade and Economic Development, 500 Metro Square, 121 7th Place East, St. Paul, MN |
| April 26, 2000 | Procurement Issues Focus Group |
| 3:00 - 5:00 PM | Conference Room F, Minnesota Department of Trade and Economic Development, 500 Metro Square, 121 7th Place East, St. Paul, MN |

All meetings are open to the public, and all materials received or produced by the Working Group will be public data under the Minnesota Government Data Practices Act (*Minnesota Statutes* Chapter 13).

Persons wishing to make statements at any of the meetings are requested to register four working days in advance by calling the Working Group staff at (651) 282-2103.

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.

Minnesota Department of Corrections Grants and Subsidies Unit

Notice of Availability of Funds for American Indian Releasees Program (Walks Tall)

The Minnesota Department of Corrections, Grants and Subsidies Unit, announces the availability of funds for programs to provide pre- and post-release services for American Indian releasees who are under authority of the commissioner of corrections.

Public human service agencies, community corrections agencies, private, for-profit organizations, American Indian tribal governments, or non-profit 501 (c) (3) organizations are eligible to apply for these funds. The contract program will provide funding of \$380,000 in state fiscal year 2001 (7/1/00 - 6/30/01). There is no assurance of continued funding for following fiscal years. The amount of any contract may vary depending on number of clients and services provided. A contract may be awarded for a selected area of the state.

The deadline for proposal submission is May 19, 2000, at 4:00 p.m. To receive a copy of the Request for Proposals which describes in detail how to apply for this funding, contact: Lynda Davis, Minnesota Department of Corrections, Grants and Subsidies Unit, 1450 Energy Park Drive, Suite 200, St. Paul, Minnesota 55108-5219; Telephone: (651) 643-2533; TTY: (612) 643-3589; E-mail: ldavis@co.doc.state.mn.us

State Grants & Loans

Department of Human Services

Adult Supports Division

Refugee Services Section

Request For Proposals for Outreach and Interpreter Services to Refugees

NOTICE IS HEREBY GIVEN that the Refugee Services Section, Adult Supports Division, Minnesota Department of Human Services, is seeking proposals to provide outreach and interpreter services to refugees.

We are seeking proposals for one-year projects that begin July 1, 2000 and can be renewed for an additional year if funding is available.

Funding will be from the Set-Aside refugee social service funds allocated to the State by the federal Office of Refugee Resettlement in the amount of \$468,944.

To be considered for funding, proposals must be post-marked or hand-delivered to the Refugee Services Section by 4:20 P.M., CDT, May 12, 2000. We reserve the right not to act on this Request for Proposals.

Please direct all questions and requests for copies of the full Requests for Proposals to :

Minnesota Department of Human Services
Adult Supports Division
Refugee Services Section
Human Services Building
444 Lafayette Road
Saint Paul, Minnesota 55155-3837
Phone: 651-296-1383

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 to 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 are 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

State Designer Selection Board

To Minnesota Registered Design Professionals: Request for Proposals for MnSCU/St. Cloud Technical College (Project 00-4) For the Remodeling of Two Wings, Construction of a New Storage & Receiving Area, and Construction of New Classrooms

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, April 24, 2000, to:

Lisa Blue, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155-3000
651-297-5526

Professional, Technical & Consulting Contracts

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE CONTENT AND FORMAT REQUIREMENT. PROPOSALS THAT DO NOT CONFORM TO THE FOLLOWING CONTENT, ORDER AND FORMAT REQUIREMENTS AS OUTLINED IN ITEMS 1 THROUGH 5 BELOW MAY BE DISQUALIFIED.

1. **The front cover of the proposal** should be clearly labeled with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8-1/2" x 11" sheets**, soft bound. No more than 20 printed faces should be included (see the following for clarification):
 - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
 - b. Blank dividers (with printed tab headings only) will not be counted as faces.
 - c. Front and back covers of proposals will not be counted as faces.
 - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
 - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

3. BRIEF PROPOSAL SUMMARY:

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer, identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.
- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

Professional, Technical & Consulting Contracts

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).

4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

5. Eleven copies of the proposal should be submitted.

6. Design firms wishing to have their proposals returned after the Board's review shall follow one of the following procedures:

- a. Enclose a *self-addressed, stamped* postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
- b. Enclose a *self-addressed, stamped* mailing envelope with the proposals. When the Board has completed its selection, proposals will be returned using this envelope.

7. BOARD SELECTION CRITERIA:

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- d. Capacity to accomplish the work and services within the required constraints;
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

8. PROJECT 00-4

MnSCU/St. Cloud Technical College
1540 Northway Drive
St. Cloud, MN 56303

a. PROJECT DESCRIPTION:

Minnesota State Colleges and Universities (MnSCU) intends to retain architectural and engineering consulting services for the remodeling of 'A' and 'B' wings, construction of a new storage and receiving area, and construction of new classroom space in an existing courtyard. The new storage and receiving area will be used to provide space for maintenance personnel, equipment, and storage of building supplies, furniture, and records.

The scope of the new construction includes designing two building additions totaling approximately 12,500 gross square feet based on the approved predesign by Grooters Leapaltd Tideman Architects. One addition will provide approximately 9,500 square feet to the existing boiler building to provide for building maintenance, storage, and receiving. The second addition involves covering approximately 3,000 square feet of existing courtyard space with a roof to expand classroom and lab space.

The project includes the interior renovation of approximately 50,000 square feet. The renovation will include the replacement of substandard heating, cooling, and ventilation equipment. In addition, the project will involve the construction of new classrooms designed for flexibility, wired for current and future electronic needs, and fitted with better lighting, acoustics, and finishes. Office spaces will be eliminated from classroom areas and consolidated into a central area to improve student accessibility to staff and promote greater staff interaction.

The existing building is a one story contiguous structure. The building was constructed in 1965. The facility consists of a brick exterior with concrete block back up walls with punched style windows, built up roof, and a steel front door entrance system.

Utility Systems

A new fully integrated HVAC system will be added.

Electrical distribution and panel boards replaced as needed.

Lighting replaced.

Modification to fire alarm system.

Sprinkler system modification.

Voice system modifications.

Data drops added.

PA and clock systems modifications.

Exit lighting modifications.

b. REQUIRED CONSULTANT SERVICES:

The selected design team shall provide a comprehensive scope of services including completion of Schematic Design (SD), Design Development (DD), Construction Documents (CD), and Construction Administration. Prepare all SD, DD, and CD documents using a CADD technology in an electronic data exchange file format acceptable to MnSCU.

The design team will demonstrate experience in adaptive reuse, ADA compliance, and the design of college level classrooms, computer lab facilities, machine tool and welding labs, and shipping, receiving, and storage facilities. The design team will provide all architecture, engineering, cost estimation, construction administration, project scheduling, electronic communication consultation, as well as all electrical, mechanical, fire protection, structural, and civil engineering services. The design team will provide coordination of all services with services provided by others.

NOTE: A roof design consultant designated by MnSCU will be assigned to and become an integral part of the consultant's design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

c. SERVICES PROVIDED BY OTHERS:

Asbestos abatement.

d. SPECIAL CONSIDERATIONS:

None

e. PROJECT BUDGET/FEES:

Total project cost per the predesign is estimated at \$7,992,000. This cost includes design and reimbursables, site investigations and surveys, testing and inspection services, construction, furniture, fixtures, equipment, and contingencies. Funding for this project has been submitted as a capital bonding request for the Fiscal Year 2000 Legislative Bonding Session.

Professional, Technical & Consulting Contracts

f. PROJECT SCHEDULE:

Design Complete: July 2000

The following preliminary schedule durations are suggested:

Schematic Design: 1.5 Months

Design Development: 2 Months

Construction Documents: 2 Months

Reviews: 2.5 Months

Total Project Duration: 8 Months

g. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):

An informational meeting is tentatively scheduled for Tuesday, April 18, 2000, at 1:00 p.m. in Room 1-313 at St. Cloud Technical College, 1540 Northway Drive, St. Cloud, MN. All firms interested in this meeting should contact Lori Kloos at 320-654-5026 or e-mail at: lak@cloud.tec.mn.us to sign up for the meeting.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

Project Information Meeting and/or Site Visit: April 18, 2000, at 1 p.m.

Project Proposals Due: April 24, 2000, by 12 p.m. (Noon)

Project Shortlist: May 9, 2000

Project Interviews and Award: May 23, 2000

i. PROJECT CONTACT(S):

Questions concerning the project should be referred to:

Jim Morgan: Minnesota State Colleges and Universities; phone 651-649-5934; fax 651-649-5779; e-mail: james.morgan@so.mnscu.edu; mail address MnSCU, ETC Building Suite 300, 1450 Energy Park Drive, St. Paul, MN 55108-5227; or

Lori Kloos: St. Cloud Technical College; phone 320-654-5026; fax 320-654-5027; e-mail: lak@cloud.tec.mn.us; mail address St. Cloud Technical College, 1540 Northway Drive, St. Cloud, MN 56303.

9. CONTRACT REQUIREMENTS:

- a. The amended Minnesota Human Rights Act (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. Costs incurred in responding to this RFP shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the

Professional, Technical & Consulting Contracts

extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.

- e. This RFP does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Administration State Designer Selection Board

To Minnesota Registered Design Professionals: Request for Proposals for the Iron Range Resources & Rehabilitation Board (IRRRB) for a Clubhouse and Related Facilities for a New Golf Course (Project 00-3)

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, April 24, 2000, to:

Lisa Blue, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155-3000
651-297-5526

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE CONTENT AND FORMAT REQUIREMENT. PROPOSALS THAT DO NOT CONFORM TO THE FOLLOWING CONTENT, ORDER AND FORMAT REQUIREMENTS AS OUTLINED IN ITEMS 1 THROUGH 5 BELOW MAY BE DISQUALIFIED.

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8-1/2" x 11" sheets**, soft bound. No more than 20 printed faces should be included (see the following for clarification):
 - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
 - b. Blank dividers (with printed tab headings only) will not be counted as faces.
 - c. Front and back covers of proposals will not be counted as faces.
 - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
 - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

3. **BRIEF PROPOSAL SUMMARY:**

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also

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include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer, identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).

4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

5. Ten copies of the proposal should be submitted.

6. Design firms wishing to have their proposals returned after the Board's review shall follow one of the following procedures:

- a. Enclose a *self-addressed, stamped* postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
- b. Enclose a *self-addressed, stamped* mailing envelope with the proposals. When the Board has completed its selection, proposals will be returned using this envelope.

7. BOARD SELECTION CRITERIA:

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- d. Capacity to accomplish the work and services within the required constraints;
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

8. PROJECT 00-3

Iron Range Resources & Rehabilitation Board
P.O. Box 441
Eveleth, MN 55734-0441

a. PROJECT DESCRIPTION:

IRRRB owns and operates Giants Ridge Golf & Ski Resort, Biwabik, MN. This facility includes a downhill ski area, cross-country ski trails, an award-winning golf course and related support facilities. A privately owned hotel is also located on-site. Demand for golf has exceeded capacity since the course opened in 1997. A second golf course is proposed for a site within three miles of the existing course. The second course is presently under design. Predesign and design services are required for facilities related to the new golf course including:

- 1. A clubhouse, projected to be in the order of 6,500 sq.ft.; to include golf shop, control area, dining area, kitchen and serving counter, rest rooms, lockers, office, support space, etc.
- 2. A maintenance building and service yard.
- 3. Entry road, parking area and site improvements related to clubhouse.
- 4. Related utilities.

Programs for these facilities have not been developed and the facilities list above is subject to change. The golf course architect has identified tentative locations for the listed facilities.

b. REQUIRED CONSULTANT SERVICES:

Complete design services are required, from predesign through construction observation. Civil engineering will be required. Coordination with the golf course architect, soils engineers, Giants Ridge and IRRRB staff and the owner's representative will be required. Regular meetings will be held at Giants Ridge during design and construction of the golf course and the clubhouse architect will be required to attend relevant meetings.

c. SERVICES PROVIDED BY OTHERS:

Golf course design is by separate contract. Where clubhouse, parking and maintenance area site design interfaces with golf course, coordination will be required, in both design and in creation of contract documents. It is anticipated that the construction contract for these facilities will be separate from the golf course construction, although that is not finally determined.

d. SPECIAL CONSIDERATIONS:

A specific condition for selection of designer, or team, for this project is extensive experience in the programming and design of golf facilities. Predesign will be especially important in determining the scope of the project and an initial budget.

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Proposed site for clubhouse is on rim of former mine pit overlooking lake. Elevation difference between water level and proposed site is about 85'. Analysis of bank stability will be required. Bank stability is also an issue for the golf course design and construction and soils engineers are part of this work.

e. PROJECT BUDGET/FEES:

The total project cost including the maintenance building and fees is not to exceed \$1,000,000. Fees will be negotiated in the range of 8 to 10 percent of the construction costs depending on service provided.

This project is contingent upon approval by the legislature.

f. PROJECT SCHEDULE:

Golf course construction is expected to begin in the fall of 2000 and require two years. Clubhouse construction is expected to begin in 2001.

g. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):

An on-site informational meeting will be held on April 17 at Giants Ridge Golf and Ski Resort in Biwabik, MN. Contact Robert Bruce at 218-525-2977 for further information.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

Project Information Meeting and/or Site Visit:	April 17
Project Proposals Due:	April 24, 2000, by 12 p.m. (Noon)
Project Shortlist:	May 9, 2000
Project Interviews and Award:	May 23, 2000

i. PROJECT CONTACT(S):

Questions concerning the project should be referred to:

Robert Bruce, Carduus Consulting
5030 London Road
Duluth, MN 55804
Phone: 218-525-2977

Richard Cottle, Division of State Building Construction
G-10 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Phone: 651-297-2208

9. CONTRACT REQUIREMENTS:

- a. The amended Minnesota Human Rights Act** (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. Costs incurred in responding to this RFP** shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.

- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. **This RFP does not obligate the State** to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Campaign Finance and Public Disclosure Board

Request For Information on Problems and Benefits with Either Upgrading Reporting Software, or Building a New Application

1. Project Overview

The Campaign Finance and Public Disclosure Board (the Board) is preparing to issue a Request for Proposal in the near future for a replacement or upgrade to the existing Campaign Finance 98 reporting software. As part of the preparation for writing this request the Board is requesting information on the benefits and problems associated with either completing a significant upgrade to the existing application, or providing a design document sufficient to serve as the blueprint for building a new application.

2. Project Summary

Functionally the Campaign Finance 98 software provides candidates, political party units, and political funds with an application that records and tracks contributions and expenditures. Campaign Finance 98 tests contributions and expenditures for compliance with an extensive set of business rules and statutory requirements. Additionally the application generates electronic and printed reports of activity for submission to the Board that meets all statutory requirements. The Board expects to require that the application to be developed, whether it is a direct upgrade of Campaign Finance 98 or a replacement program, with Microsoft Access as the underlying database and Visual Basic as the programming language. The replacement application will need to replicate the majority of functionality currently found in Campaign Finance 98, as well as integrate a substantial list of enhancements and additional features.

3. Additional Features

The Board is interested in the availability of existing modular programming in Visual Basic that may be available to add the following features: check writing and bank reconciliation, budgeting, staff/employee management, improved mail management, and using either XML or an EDI style format to create text based representations of reports to archive data.

4. Providing Information to Vendors

The Board is interested in being notified by any vendor of its interest and ability to support this project. To assist vendors in assessing their potential involvement with this project the existing Campaign Finance 98 software can be downloaded from the Board web site at <http://www.cfboard.state.mn.us/finance98/index.html>. To acquire security passwords to acquire test user status, or view the underlying Access database design, contact John Nesbitt at (651) 282-6893, e-mail: John.Nesbitt@state.mn.us. In addition, the Board will conduct a vendor conference at the following time and place, at which time it will provide additional information and answer vendor questions:

Tuesday, April 25th, at 10:00 A.M.
Lady Slipper Room
Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Attendance at this conference will not be a mandatory requirement for a vendor to subsequently bid any RFP that is issued. However, attendance will assure that a vendor has an opportunity to receive information about the project, and will ensure the vendors place on any subsequent mailing list for updated information as the project progresses. **The Board has chosen this method of information distribution in lieu of responding to individual requests for information from vendors to staff on the nature of the project.**

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No statement by board staff or its representatives at the vendor conference, or at any other time, is to be considered a part of the upcoming RFP. The project will be submitted to the developer community solely based on the written RFP, which will be controlling in all respects.

Minnesota State Colleges and Universities (MnSCU)

Winona State University

Request for Bid for Dining Hall Tables

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed bids for fifth (50) 60" round dining hall tables. Bid specifications will be available April 3, 2000 from Sandra Schmitt, Purchasing Director, P.O. Box 5838, 205 Somsen Hall Winona State University, Winona, MN 55987 or by calling 507-457-5419.

Sealed bids must be received by Sandra Schmitt, P.O. Box 5838 or Somsen 205G, Business Office, Winona State University, Winona, MN, 55987 by 2:00 p.m. April 18, 2000.

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

Department of Commerce

Requests for Proposals for Administration of Various Licensure Examinations Established by *Minnesota Statutes*

The Minnesota Department of Commerce is soliciting proposals from individuals or organizations qualified to administer the following examinations established pursuant to Minnesota Statute:

Minnesota Statutes chapter 326

BUILDING CONTRACTOR/REMODELER/MANUFACTURED HOME/ROOFER

Minnesota Statutes chapter 82

REAL ESTATE SALESPERSON/BROKER

Minnesota Statutes chapter 386

ABTRACTER - INDIVIDUAL

Minnesota Statutes chapter 82B

APPRAISER

Minnesota Statutes chapter 60K

INSURANCE AGENT

Minnesota Statutes chapter 155A

COSMETOLOGY OPERATOR, ESTHETICIAN, MANICURIST AND INSTRUCTOR

COSMETOLOGY SALON MANAGER

COSMETOLOGY SCHOOL MANAGER

The selected individuals or organizations will provide services to develop, update and administer the license examination.

Selection of one or more individuals or organizations will be made in the best interest of the Department of Commerce based upon the proposals submitted and the quality of service indicated.

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

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Responders will have to provide detailed, specific information that will reflect its ability to meet all of the following responsibilities. Details and specific answers are important to the evaluation process. The Department of Commerce is under no obligation to “assume” or “infer” anything from poorly written responses. Nor, is the Department of Commerce obligated to seek any clarifications resulting from poorly written responses.

All proposals must be received not later than 2:30 p.m. CDT, May 8, 2000.

Proposals to act as the contractor for the license examination must include a proposed fee schedule for each licensure examination being proposed. The fee schedule should include all fees to be charged to candidates, for standard and optional services. Any add-on fees must be clearly indicated.

There will no cost to the Department of Commerce or the State of Minnesota for any portion of the program.

The proposed contract period for the contracts will be for a three-year period commencing on or about July 1, 2000, and expiring on June 30, 2003, with a possible renewal for two additional one-year periods.

Requests for a copy of the Request for Proposal may be sent to:

Paul Stembler, Assistant Director
Materials Management Division
Department of Administration
112 Administration Building
St. Paul, MN 55155
Fax: 651-297-3996
E-mail: paul.stembler@state.mn.us

Minnesota Higher Education Services Office

Request for Proposal for Development and Presentation of Live Theatre Performances

The Minnesota Higher Education Services Office is requesting proposals from qualified professionals for the development and presentation of live theatre performances on planning for higher education opportunities to elementary/secondary students of color, low income, or no previous higher education who attend Title I schools. Proposals must be submitted no later than **April 27, 2000**.

The Request for Proposals (RFP) does not obligate the Higher Education 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 total cost of this proposal is not to exceed \$200,000 in total through Fiscal Year 2001.

Copies of the complete RFP are available from:

Communications
Minnesota Higher Education Services Office
1450 Energy Park Drive, Suite 350
St. Paul, MN 55108-5227
651-642-0554

Professional, Technical & Consulting Contracts

Department of Human Services

Request for Information on Electronic Transmission of Data – Notice of Availability for Professional/Technical Services

The Department of Human Services is requesting solution alternatives to providing the ability to electronically transmit background study information to the Department of Human Services in order to conduct background studies; and, to electronically provide the results of the study from DHS back to the license holder. Further details regarding this request can be obtained from the Background Studies Telecommunications Project RFI document. The full RFI can be obtained by contacting:

Department of Human Services
Licensing Division
Attention: Larry Jensen
444 Lafayette Road
St. Paul, MN 55155-3842
(651) 296-6386

All responses are due by May 8, 2000. All responses must be sent to Larry Jensen (see address above).

Department of Human Services

Notice of Request for Proposals to Conduct Quality of Health Care Studies for the Minnesota Department of Human Services

The Minnesota Department of Human Services (DHS) is requesting proposals for a project expected to last through December 2000. This independent, external, quality assurance review *must* be conducted by a Peer Review Organization (PRO), an entity that is eligible to be a PRO (PRO like), or by a private accreditation body.

DHS is interested in contracting for professional and technical consulting services to assist in the design and management of an External Quality Review (EQR) study to assess the concordance of health plan reported HEDIS 2000 measures and health plan submitted encounter data. The EQR study will consist of two components. The first component will be a HEDIS compliance audit, assessing the health plan's compliance with HEDIS 2000 technical specifications. These audits will be conducted by a National Committee for Quality Assurance (NCQA) certified auditing organization. The second EQR study component will be conducted to validate the accuracy of submitted HEDIS measures and encounter data by comparison to medical record audits. The foundations for both components will be consistent with NCQA's *HEDIS 2000 Technical Specifications, Volume 2* and *HEDIS Compliance Audit: Standards, Policies and Procedures, Volume 5*.

To obtain a copy of the complete Request for Proposals, please contact:

Sara Koppe
Performance Measurement and Quality Improvement Division
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3865
Fax: (651) 215-5754
Phone: (651) 215-6260

Proposals must be received no later than 3:00 p.m. on May 12, 2000.

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 *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Metropolitan Council

Invitation for Bid for Copy and Colored Paper

Sealed bids for copy and colored paper will be received at the offices of the Metropolitan Council, Mears Park Centre, East 5th Street, St. Paul, Minnesota, 55101, on Monday, April 24, 2000, at 3:00 p.m., at which time and place they will be publicly read.

Copies of specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling 651-602-1499 or via fax request at 651-602-1083.

The Metropolitan Council shall consider all bids received and intends to award a contract to the responsive and responsible bidder submitting the lowest total cost to the Council, by the due date and time, provided, however, that the Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions in any bid, to obtain new bids, or to proceed to do the work otherwise.

Metropolitan Council

Invitation for Bid Maintenance Service For Computer Hardware

Sealed bids for annual maintenance service for computer hardware will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, on Monday, April 24, 2000, at 2:00 p.m., at which time and place they will be publicly read.

Copies of specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling 612-602-1499 or via fax request at 612-602-1083.

The Metropolitan Council shall consider all bids received and intends to award a contract to the, low, responsive and responsible bidder who submits the best overall maintenance plan and demonstrates a clear understanding of the scope of work required based on work plan submitted, qualifications, references and prior experience with the Metropolitan Council.

The Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions in any bid, to obtain new bids, or to proceed to do the work otherwise.

Metropolitan Council

Invitation for Bid for Motor and Pump Repair

Sealed bids for motor and pump repair, on an as needed basis, will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, on Monday, April 24, 2000, at 1:00 p.m., at which time and place they will be publicly read.

Copies of specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling 651-602-1499 or via fax request at 651-602-1083.

The Metropolitan Council shall consider all bids received and intends to award a contract to the responsive and responsible bidder submitting the lowest total cost to the Council, by the due date and time, provided, however, that the Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions in any bid, to obtain new bids, or to proceed to do the work otherwise.

Non-State Public Bids, Contracts & Grants

Metropolitan Council

Request for Bids to Furnish One Four-Wheel-Drive, High Floation Type Dewatered Sludge Application Vehicle

Sealed bids will be received in the office of the Metropolitan Council, Environmental Services Division, (MCES), Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, for one (1) Dewatered Sludge Application Vehicle. Bids will be received until TUESDAY, APRIL 25, 2000 at 2:00 p.m., at which time and place the bids will be publicly opened and read aloud.

Copies of the specifications and bid instructions, may be obtained from the offices of the Metropolitan Council or by calling 651-602-1499 or via Fax request at 651-602-1083. All bids to be considered must be submitted on **Council approved bid forms**.

The award will be based upon, but not necessarily limited to, factors of price, lead time, agreement to the terms and conditions and past experience with the Metropolitan Council. The Metropolitan Council reserves the right to reject all bids, to investigate the qualifications and experience of any bidder, to reject any provisions in any bid, to obtain new bids or to proceed to do the work otherwise.

BY ORDER OF THE METROPOLITAN COUNCIL,
ENVIRONMENTAL SERVICES DIVISION,
HELEN BOYER
DIVISION DIRECTOR

Metropolitan Council

Notice of Request for Proposals (RFP) Hosting/Consulting Services for the Council Internet Web Site Metropolitan Council Contract Number 00P0034

The Metropolitan Council is requesting proposals for Hosting/Consulting Services for the Council Internet Web Site.

Receive letters of interest	April 2000
Issue Request for Proposals	April 2000
Receive Proposals	April 2000
Evaluate and Rank Proposals	May 2000
Contract negotiated, executed, NTP	June 2000

All firms interested in being considered for this project and desiring to receive an RFP package are invited to submit a Letter of Interest to:

Jan Bevins, Purchasing Agent Trainee, Contracts and Procurement Unit
Metropolitan Council Environmental Services
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101

Inquiries regarding technical aspects of the project should be directed to Jan Price at 651-602-1310.

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

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 Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at 612-625-5534.

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

Certificates of Assumed Name; Registration of Insignia and Marks

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

Certificate of Assumed Name

First Run: File # 0232969 - Empathy Nursing & Home Care Services (First Run)

1. The exact assumed name under which the business is or will be conducted is: **Empathy Nursing & Home Care Services**
2. The address of the principal place of business is: **426-B Concordia Avenue, St. Paul, MN 55103**
3. The name and complete street addresses of all persons conducting business under the above Assumed Name are:
 - **Raymond L. Mansray, 426-B Concordia Avenue, St. Paul, MN 55103**

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

Dated: 17 February 1999

Raymond L. Mansray, (651) 291-1924

